

ORDINANCE NO. 2023- 2

AN ORDINANCE RELATING TO THE GOVERNMENT OF THE CITY OF TAMPA, FLORIDA, SUBMITTING TO THE ELECTORS OF THE CITY A PROPOSED AMENDMENT TO THE REVISED CHARTER OF THE CITY OF TAMPA OF 1975, AS AMENDED, TO CLARIFY THAT THE MAYOR'S NOMINATIONS FOR HEADS OF DEPARTMENTS AND OTHER CITY EMPLOYEES AS SET OUT IN SECTION 6.03, MUST BE APPROVED BY FOUR VOTES OF THE CITY COUNCIL AND TO PROVIDE FOR INTERIM APPOINTMENTS OF EXISTING CITY EMPLOYEES BY THE MAYOR FOR A MAXIMUM OF 180 DAYS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 6.03 of the Revised Charter of the City of Tampa of 1975, as amended, provides for the appointment of City department heads and other city personnel with administrative authority or responsibility equal to or greater than that of a department head; and

WHEREAS, it has been proposed that a referendum be submitted to the voters of the City of Tampa to amend the Charter clarifying that the mayor's nominations for heads of departments and other city employees as set out in section 6.03, must be approved by four votes of the city council and providing for interim appointments of existing city employees by the mayor for a maximum of 180 days; and

WHEREAS, it is therefore necessary and in the best interests of the citizens of the City of Tampa to submit such issue for referendum.

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:**

Section 1. That it is hereby proposed that Section 6.03, Appointment, of the Revised Charter of the City of Tampa of 1975, as amended, be amended as follows:

"Section 6.03. Appointment.

The mayor, within ninety days after taking office or after a vacancy shall exist, shall nominate ~~appoint~~ and submit to the city council for appointment confirmation, by no fewer than four votes of the entire council, heads of departments and any administrative personnel with

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1 administrative authority or responsibility equal to or greater than that of a
2 department head. The city council, within fifteen days after such
3 submission, shall appoint ~~confirm~~ or disapprove such nomination
4 ~~appointment~~; and the failure of the city council to act upon any such
5 nomination ~~appointment~~ within said time shall constitute appointment of
6 the mayor's nominee ~~be confirmation thereof~~. In the event of disapproval
7 by the city council of any said nomination ~~appointment~~, the mayor, within
8 ninety days thereafter, shall ~~submit~~ ~~or resubmit~~ to the city council the
9 name of another nominee ~~the appointee~~. The mayor may make an interim
10 appointment of an existing city employee who may serve until the
11 appointment of the mayor's nominee by city council, which interim
12 appointment shall be for a period not to exceed ninety days, but which can
13 be extended by the mayor for an additional ninety days. The power of
14 removal of such officers shall be vested exclusively in the mayor, with the
15 exception of the city clerk as provided in Section 3.01 herein.”

16
17 **Section 2.** That this ordinance shall be posted and published as provided by
18 law and, except for this Section 2 which shall become effective immediately upon this
19 ordinance becoming a law, shall become effective and operative when and only if it is
20 approved by a majority of vote of the electors of the City of Tampa voting on the question
21 of the approval or disapproval of the same in and at the election to be held in Tampa,
22 Florida, on the day of March 7, 2023. The form of the ballot of the referendum shall be as
23 follows:
24

25 “AMENDMENT TO TAMPA CHARTER SECTION 6.03 REGARDING THE APPOINTMENT
26 OF CITY DEPARTMENT HEADS
27

28 Shall the amendment to section 6.03 of the Tampa Charter, providing the
29 mayor's nominations for heads of departments and other city employees
30 as set out in section 6.03, must be approved by four votes of the city
31 council and providing for interim appointments of existing city employees
32 by the mayor for a maximum of 180 days, as set out and proposed by City
33 of Tampa Ordinance No. 2023- 2, be ratified and approved:

34
35 YES – FOR THE PROPOSED AMENDMENT

36
37 NO – AGAINST THE PROPOSED AMENDMENT”
38

39 If a majority of the electors of the City of Tampa actually voting on such question
40 in such referendum shall vote for the approval of the proposed amendment, then the
41 remainder of this ordinance, in addition to this Section 2, shall become effective and

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operative upon the certification of the election results by the Elections Officer of the City of Tampa. If a majority of such electors actually voting on such question in such referendum shall vote against the approval of the proposed amendment, then this ordinance shall not become effective and shall be of no further force and effect.

The Elections Officer of the City of Tampa shall place the foregoing question on the ballot for the March 7, 2023, election to be held in Tampa, Florida.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON Jan 5, 2023



CHAIRMAN/CHAIRMAN PRO-TEM
CITY COUNCIL

ATTEST.

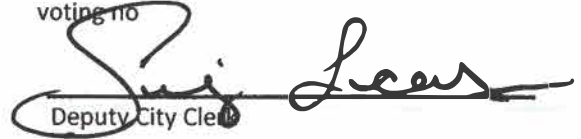
CITY CLERK/DEPUTY CITY CLERK

APPROVED BY ME ON: _____

JANE CASTOR, MAYOR

APPROVED AS TO FORM:

ANDREA ZELMAN
CITY ATTORNEY

Vetoed by the Mayor on January 18, 2023
January 19, 2023
Motion made by Councilmember Hurtak and seconded by Councilmember Carlson to override the Mayor's veto passed by recorded vote of 5-2, Carlson, Viera, Hurtak, Gudes, and Citro voting yes, and Maniscalco and Miranda voting no


Deputy City Clerk

Election held on _____
Election certified by _____
on _____
Vote: FOR –
AGAINST –

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