

## PART I – CHARTER

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### Sec. 2.03. - Election, term of office, seats, and term limits.

- (a) Election and Term of Office. At each general municipal election three Council Members shall be elected to a four year term of office. The Mayor shall be elected at-large for a ~~two~~ four year term of office.

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- (d) ~~Terms limits. Beginning with the terms served commencing in 2003, no person shall serve more than twelve (12) consecutive years in the office of Council Member; or eight (8) consecutive years in the office of Mayor; or twelve ( 12) consecutive years combined as a Council Member or Mayor. Service will be deemed consecutive unless there is a two-year period during which the individual does not serve as Council Member or Mayor ("Break In Service"). Any person serving the maximum amount of years as Mayor must have a two-year Break In Service before serving as Council Member. Any person serving the maximum amount of years as Council Member must have a two-year Break In Service before serving as Mayor. For the purposes of computing the years of service, time served by a present Council Member or the Mayor for any two-year term of office which commenced prior to 2009 shall not be counted. No candidate may run for either the office of Mayor or Council Member when, if elected, the person would exceed the limitations set forth in this paragraph by any length of time taking into account the full regular term for the office sought.~~

- (i) Any individual serving the maximum number of consecutive years as Mayor or Council Member specified in this section must have a two (2)-year break in service before serving as either Mayor or Council Member.

- (ii) No person shall be eligible to be elected to any office if he or she would not be able to complete the term of office due to the application of this section.

- (iii) A Council Member or Mayor intending to resign from their office with time remaining in their term for the purpose of running for another elected office within the City, must notify the City Clerk in writing of his/ her intent no less than thirty (30) days prior to the first day of the election qualifying period for the next mayoral (a Notice of Intent'). An individual may revoke a Notice of Intent and retain their current Council Seat provided that such revocation is submitted to the City Clerk in writing not less than ten (10) days prior to the first day of the election qualifying period.

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**Sec. 2.05. - Vacancies; forfeiture of office; filling of vacancies.**

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- (c) Filling of vacancies. A vacancy on the Council shall be filled as follows:
- (i) ~~Six months or more remaining in the Term. If six months or more remain in the term of the vacated Seat, the vacancy shall be filled through appointment by the Mayor, subject to approval by a majority of the Council, of a qualified individual to serve as interim Council Member ("Interim Council Member"). In the event that no individual nominated to serve as Interim Council Member by the Mayor is approved by the Council within 60 days of the vacancy, any Council Member may nominate a qualified individual to fill the vacancy for the consideration and approval of the Council. One year or more remaining in the Term. If one year or more remain in the unexpired term of the vacated Seat, the vacancy shall be filled by a special election to be held not sooner than 45 days or more than 75 days following the occurrence of the vacancy, unless there is a City, County, State or a national election scheduled to take place within 120 days, in which case the vacancy shall be filled by special election on the first such election date.~~
  - (ii) ~~Less than six months remaining in term. If less than six months remain in the term of the vacated Seat, the Mayor may, in his/her discretion, either appoint a qualified individual to serve as Interim Council Member or allow the seat to remain vacant. Any appointment shall be approved by a majority of the remaining members of the Council. Less than one year and more than six months remaining in term. If less than one year, but more than six months remain in the term of the vacated Seat, the vacancy shall be filled through appointment by the Mayor, subject to approval by a majority of the Council, of a qualified individual to serve as interim Council Member ("Interim Council Member"). In the event that no individual nominated to serve as Interim Council Member by the Mayor is approved by the Council within 60 days of the vacancy, any Council Member may nominate a qualified individual to fill the vacancy for the consideration and approval of the Council in accordance with procedures which may be established in the City Code of Ordinances.~~
  - (iii) ~~Except as provided in Section 2.05(d), an Interim Council Member shall serve until the next regularly scheduled election, at which time the remainder of the term of the vacated Seat shall be filled. Six months or less remaining in term. If six months or less remain in the term of the vacated Seat, the Mayor may, in his/her discretion, either appoint a qualified individual to serve as Interim Council Member or allow the seat to remain~~

vacant. Any appointment shall be approved by a majority of the remaining members of the Council.

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(d) Vacancy in the office of Mayor or Vice Mayor.

- (ii) In the event of a vacancy in the office of the Mayor, the Vice-Mayor shall serve as the interim Mayor ("Interim Mayor") for the remainder of the vacated Mayoral term of office. Should the Interim Mayor elect to run for the office of Mayor at the next Mayoral election, he or she shall resign his or her Seat as required by Florida Law, and continue to serve as Interim Mayor until the election. Should the Interim Mayor not seek election to the office of Mayor, he or she shall return to his or her Seat on the Council (the "Interim Mayor's Seat") to serve the remainder of their term in the office of Council Member, and Vice Mayor to the extent applicable, upon: (a) the swearing in of the newly elected Mayor, or (b) the return of the elected Mayor in accordance with Section 2.05(e). Should the Interim Mayor have time remaining in their Council Member term at the conclusion of the Mayoral term of office the Interim Mayor may elect to return to his or her seat on the Council (the " Interim Mayor' s Seat") or resign to run for the office of Mayor in accordance with the requirements of Florida Law and this Charter. An Interim Mayor returning to the Interim Mayor's Seat to serve the remainder of the applicable term of office as Council Member, and Vice Mayor as applicable, upon: 1) the swearing in of a newly elected Mayor, or (2) the return of the elected Mayor in accordance with Section 2. 05( e) of this Charter.

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- (iii) The Council shall designate an interim Vice Mayor from among its remaining members. In the event that the position of Vice Mayor becomes vacant whether as a result of the ascension of the Vice Mayor to the office of Mayor as provided in Section 2.05.(d)(i), a vacancy is created in the Vice Mayor's Council Seat, or the position of Vice Mayor is otherwise vacated, the candidate receiving the next highest number of votes for Vice Mayor during the preceding election shall fill the position of Vice Mayor for the remainder of the Vice Mayoral term. In the event that there was a single candidate on the ballot for the position of Vice Mayor during the preceding election, or the individual receiving the second highest number of votes declines to fill the position, the Council shall designate an interim Vice Mayor from among its remaining members.

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**Sec. 8.04. - Charter Review Committee.**

At its first regular meeting in December of every fifth year after the adoption of this Charter provision, commencing with December, 2007, the Mayor, subject to approval of the Council, shall ~~appoint~~ convene a Charter Review Committee (the "CRC") consisting of ~~five~~ seven persons. Each member of the Council shall appoint a single member to the CRC. The City Attorney shall serve as counsel to the CRC. The CRC shall commence its proceedings within 45 days after appointment by the Council. If the CRC determines that a revision is needed, it shall direct the City Attorney to draft such amendments to this Charter as it deems appropriate and submit the same to the Council as the CRC's recommendation not later than the 120th day after their appointment by the Council.

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**Sec. 9.05. - Transitional provision to 2021 charter amendments.**

- (a) The change established in Section 2.03(a), providing for a four-year term of office for the Mayor shall take effect during the term commencing immediately following the 2023 election.
  
- (b) Section 2. 03(d) has been amended to impose a limit of 12 consecutive years of combined service as a Council Member or Mayor (the "Combined Service Limit") The consecutive years of service accrued by the Mayor and Council Members prior to the adoption of the Combined Service Limit shall be included in the calculation of consecutive years of service under the Combined Service Limit.

**1. Mayor Term of Office.**

The City Charter currently provides that the Mayor shall be elected for a two-year term of office.

Shall the Charter be amended to extend the Mayor term of office to four years?

YES

NO

**2. Term Limits.**

The City Charter currently permits individuals to serve a maximum of twelve consecutive years as Council Member or eight consecutive years as Mayor.

Shall the Charter be amended to impose an additional limit restricting consecutive service to a total of twelve years of combined service as Council Member and Mayor?

YES

NO

**3. Resign To Run Notice.**

The City Charter currently does not impose notice requirements for an elected official desiring to resign their office to run for another elected office in the City.

Shall the Charter be amended to require an elected official desiring to resign their office in order to run for another elected office in the City to provide the City Clerk with 30-days' notice of their intent to resign to run for another City office?

YES

NO

**4. Calculation of Term Limits.**

The City Charter currently provides that an individual may serve for twelve consecutive years as Councilmember or eight consecutive years as Mayor.

Shall the Charter be amended to provide that a Mayor or Council Member who resigns prior to the completion of their term be deemed to have served all years of their term?

YES

NO

**5. Filling of Council Vacancy.**

The City Charter currently requires a vacant Councilmember seat with six months or more remaining in the term to be filled by appointment.

Shall the Charter be amended to require that a vacancy in a Councilmember seat to be filled by special election if one year or more remain in the term and by appointment with less than a year remaining in the term?

YES

NO

**6. Filling of Council Vacancy by Appointment.**

The City Charter currently provides for Councilmember seat vacancies with less than six months remaining in the term to be filled by appointment and allows the Mayor an exclusive 60-day window to nominate an individual to serve as Interim Councilmember.

Shall the Charter be amended to extend the Mayor's exclusive window to nominate an individual to 90 days?

YES

NO

**8. Filling of Vacancy in the Office of Vice Mayor.**

The City Charter currently provides that in the event of a vacancy in the office of Vice Mayor, the Council shall designate an interim Vice Mayor from among its remaining members.

Shall the Charter be amended to provide that a vacancy in the office of Vice Mayor be filled by the Councilmember who received the next highest number of votes in the previous Vice-Mayor election?

YES

NO

**9. Charter Review Committee Composition.**

The City Charter currently provides that the regularly scheduled Charter Review Committee be comprised of five members appointed by the Mayor, subject to Council approval.

Shall the Charter be amended to provide that regularly scheduled Charter Review Committee be comprised of seven members with each Council Member appointing a single member?

YES

NO