Memorandum

To: Mayor & City Council
From: Samantha D. Abell, City Manager
Date: July 9, 2019
Subject: Ordinance 11-2019 - Proposed Amendments to City Charter

REQUEST:
Consideration of an ordinance proposing, pursuant to Florida Statutes, Section 166.031(1), amendments to the City Charter for the purpose of removing outdated purchasing and procurement procedures and instead allowing for adoption of those procedures by ordinance, or by policies and procedures adopted under an ordinance, and for the additional purpose of removing outdated Charter provisions on elections. The ordinance on the proposed Charter amendments further provides for ballot questions would become effective if approved by the electorate in a referendum election to be held, in accordance with Florida Statutes, Section 101.161, on October 8, 2019.

BACKGROUND:
At a Special Meeting held on July 8, 2019, the City Council voted unanimously to approve Ordinance 11-2019, relative to amending the City Charter on First Reading and set a Public Hearing and Second Reading at a Special Meeting to be held on Thursday, July 18, 2019.

In its meeting on July 1, 2019, the City Council voted unanimously to authorize the City Attorney to prepare certain revisions to the City Charter and transmit proposed ballot language for the referendum election to the Santa Rosa County Supervisor of Elections, and to the Santa Rosa County Board of County Commissioners. Under Florida Statutes, Section 166.031(1), the process by which a City Council may amend its charter is by ordinance subject to the approval of the electorate in a referendum election.

Ordinance 11-2019 includes the amendment considered in the previous meeting to remove the limitations and details in the Charter on purchasing and contracting so that those provisions can be set out in ordinances and policies and procedures, which can be modified from time to time to stay current with State law and common government practices.

Ordinance 11-2019 also includes the amendments considered in the previous meeting to reflect current election practices and remove outdated election procedures that have been superseded by
an interlocal agreement with Santa Rosa County. Under the interlocal agreement, the Santa Rosa County Supervisor of Elections conducts elections for the City. The amendments in Ordinance 11-2019 address two outdated provisions. Although other “cleanup” amendments to the Charter have been identified, those and others can be considered in the course of a more comprehensive Charter review.

**DISCUSSION:**
The ordinance includes the following Charter amendments and ballot language for consideration in the referendum election to be held on October 8, 2019:

**Amendment to Section 3 of the Charter (strike through old/underline new):**

Section 3. - Creation and composition of city government.
(a) The government of the city and all powers of the city, its administration and government shall be vested in a city council with the presiding officer being the mayor.
(b) The city council shall be comprised of five (5) members. One council office of the city council may be the office of mayor, which shall be a separate office and qualified electors offering themselves as candidates shall file for that office and in that event, there shall be four (4) qualified electors elected to the office of city council. There shall be separate elections for each city council office. Each council office, except the office of mayor, shall be designated by separate seats ("A," "B," "C" and "D"). All members of the city council shall be elected at-large throughout the city and shall be elected by a majority vote of the qualified voters of the city voting in the particular election. Each qualified elector may vote for one candidate for each city council office then to be elected.

Should there be no candidate for the office of mayor, the city council shall select a mayor within a period of forty-five (45) days after the election, either from among their members or may appoint a mayor from the qualified electors of the city. Should a mayor be appointed from the qualified electors of the city, he shall be the presiding officer of the council and the executive officer of the city, but shall not have the right or power to cast any vote in the deliberations of the city council.

(c) The mayor shall act as executive officer of the city and shall perform the duties commensurate with such office. The mayor pro tem of the city shall be elected by a majority of the council from one of its members within a period of forty-five (45) days after the election. During the absence or disability of the mayor, the mayor pro tem shall act as mayor and shall perform the duties commensurate with such office.
(d) The term of mayor shall be two (2) years, beginning thirty (30) days after the date of election. Terms of each city council office, except the office of mayor, shall be four (4) years. Terms of office for members of the city council, excluding the office of mayor, shall be staggered such that two offices of [the] city council are elected at the general election every two (2) years.
(e) The city clerk, the marshal, deputy marshals and fire marshal shall be appointed by the city council and hold office at the pleasure of the city council, and provided further that no person holding elective office shall be eligible for municipal appointive office.
(f) At the general election on November 3, 1992, two seats of the city council, seats "A" and "B," shall be elected for terms of four (4) years and the candidates elected to those seats shall hold office for the duration of that term. The remaining two seats of the city council, seats "C" and
"D," shall be elected for an initial term of two (2) years and the candidates elected to those seats shall hold office for the duration of that term. At the general election in November, 1994, Seats "C" and "D" of the city council shall be elected for terms of four (4) years and the candidates elected to those seats shall hold office for the duration of that term. Thereafter, elections of seats of the city council shall be timed to coincide with general elections in November of even numbered years, and the members of the city council, except the office of mayor, elected at said general elections shall be elected for terms of four (4) years and the mayor elected at said general elections shall be elected for a term of two (2) years. All members of the city council, including the mayor, shall take office thirty (30) days after said general election.

(g) No person shall be elected a member of the council who is not a qualified elector and resident of the city. A member of the council ceasing to possess any of the qualifications specified in this section or convicted of a felony while in office, shall immediately forfeit his office.

(h) Vacancies in any office of the city shall be filled by vote of the city council and such vacancies shall be held until the next general election of the city.

(i) No salary, in excess of one dollar ($1.00) per year, shall be paid to the city council or mayor.

(j) The salary of the city clerk, marshal, deputy marshals and fire marshal shall be set by the city council.

(k) The council shall have the right to remove from office any councilmember or city officer or employee for incompetence, corruption, misconduct, malfeasance or misfeasance in office, or for unreasonable or inexcusable neglect of duty, but only after due notice, and after giving to such person opportunity to be tried and heard in his defense.

(l) The council shall be the judge of the elections and qualifications of all members of the city government and, in such case, shall have power to subpoena witnesses and compel the production of all pertinent books, records and papers; but the decision of the council, in any case, shall be subject to review by the courts. The council shall determine its own rules and order of business and keep a journal of all proceedings. It shall have the power to compel the attendance of absent members, may punish its members for disorderly behavior, and by vote of not less than four (4) members, may expel a member for disorderly conduct or for violation of its rules; but no member shall be expelled unless notified of the charges against him and be given an opportunity to be heard in his own defense.

(m) A majority of the members elected to the council shall constitute a quorum to do business, but a lesser number may adjourn from time to time to compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of the members elected to the council shall be necessary to adopt any ordinance, resolution, order of vote; except that a vote to adjourn or regarding the attendance of absent members, may be adopted by a majority of the members present. No member shall be excused from voting except on matters involving the consideration of his official conduct, or when his financial interests are involved.

(n) All meetings of the council shall be public and shall be held at such times and such places as may be set forth by ordinance. The mayor, or any three (3) members of the council, may call special meetings of the council [on] one (1) days' notice, and in such cases, notices may be waived by the members.

(o) The mayor, the council, or any committee thereof, duly authorized by the council so to do, may investigate the financial transactions of any office or department of the city government and the official acts of any city official, and by similar investigation may secure information upon any matter relating to the city's business. In conducting such investigations, the mayor, the
council, or any committee thereof, may require the attendance of witnesses and production of books, papers and other evidences, and for that purpose may issue subpoenas which shall be signed by the presiding officer of the council or the chairman of such committee, as the case may be, which may be served and executed by any policeman or marshal.

(p) [Editorially deleted.]

(q) No employee or officer of the city shall enter into any commercial transaction with the city.

(r) The city council shall provide by ordinance for the method of making contracts and incurring obligations for the current operation of the city, provided that all contracts for construction or materials, except for personal services, obligating the city in an amount in excess of five thousand dollars ($5,000.00) shall be let by public bid in a manner to be provided by ordinance. In the event the city manager shall enter into a contract on behalf of the city for construction or materials, except for personal services, in an amount in excess of one thousand dollars ($1,000.00) and not exceeding five thousand dollars ($5,000.00), and a documented formal procedure was not utilized by the city manager, then and under those circumstances, the city manager shall report to the city council at its next regularly scheduled meeting the purpose of the contract, the amount of the contract, the reason for not utilizing the documented formal procedure, and the name of the contractor. Any contract entered into by the city manager on behalf of the city in an amount of one thousand dollars ($1,000.00) or less shall be exempt from any reporting procedure as set forth herein except for invoices which shall be utilized for payment, accounting and finance purposes only.

The city council of the City of Gulf Breeze may enter into contracts for construction or materials without public bid under the following circumstances:

(1) When the same or similar construction or materials has been submitted to public bid by the State of Florida, any of its agencies, Escambia County or Santa Rosa County, and any of their agencies, or by any municipality in Escambia County or Santa Rosa County, chartered by the State of Florida and located in either Santa Rosa or Escambia County, and if said governmental body has accepted said bid after public hearing; and

(2) When the city council of Gulf Breeze decides that additional public bids would be of no financial benefit to the City of Gulf Breeze; or

(3) When any emergency exists, and the additional time incurred by an additional public bid process would be detrimental to the City of Gulf Breeze, Florida.

Ballot Question Number One.
The form of the ballot question for the Charter amendment provided for in Section 1 of this Ordinance shall be as follows:

Method of Contracting and Purchasing
To Be Established by Ordinance

This amendment would delete the provisions in Section 3(r) of the City Charter relating to details on contracting and incurring obligations so that those provisions can be provided for by ordinance or adopted policies and procedures. Should the provisions in Section 3(r) of the City Charter relating to details on contracting and incurring obligations be deleted from the City’s Charter?

Yes ___
Amendment to Section 9 of the Charter: (strike through old/underline new):
Section 9 of the Charter of the City of Gulf Breeze is hereby amended to read as follows:

Section 9. - Elections.
(a) Deleted by Ord. No. 05-16.
(b) Any qualified elector of the city who is also a bona fide resident of the city may become a candidate by filing with the city clerk a nominating petition signed by five (5) qualified electors, which petition must be submitted within the time period as provided in section 2-1 of the Municipal Code of Ordinances. The Santa Rosa County Supervisor of Elections conducts elections on behalf of the City of Gulf Breeze pursuant to an interlocal agreement. If the city certifies, within two (2) days thereafter, that such petition does not contain the requisite number of qualified signatures, then the petition must be completed within three (3) days thereafter. Each petition must contain an affidavit, to be made by the candidate, that he is a qualified elector and a bona fide resident of said city.
(c) All ballots shall be prepared by the city clerk for secret vote and shall list the names of the candidates in alphabetical order.
(d) After the first election which, pursuant to the provisions of this act shall be controlled as set forth in section 14, the subsequent elections shall be provided for by ordinance and the time of such elections shall be fixed so as to assure the elections being held from time to time before the expiration of the terms of office of the incumbents.
(e) In case of a tie vote for the office of mayor or city council, or if any one candidate does not receive a majority vote, another election shall be called by order of the city council within twenty (20) days from the date of the election for the purpose of running off the tie, or for having a runoff election between the two (2) candidates receiving the greatest number of votes for that office.
(f) The candidate receiving a majority of votes in an election shall be declared elected.
(g) The council shall meet as a canvassing board and duly canvass the ballots within three (3) days after any municipal election.
(h) Except as herein modified or altered, the provisions of the general laws of Florida pertaining to state municipal elections, registrations, manner of voting, qualifications of electors, duties of election officers, canvassing returns and the general holding and management of elections, shall apply.
(i) All elected officials and appointed officers shall take the following oath of office:
"I, ___________, do solemnly swear (or affirm) that I will support, protect and defend the Constitution and government of the United States and of Florida against all enemies, domestic and foreign, and that I will pledge my faith, loyalty, and allegiance to the same, and that I am entitled to hold office under the charter of this city, and that I will faithfully perform all the duties of the office of ___________ the City of Gulf Breeze, Florida, on which I am about to enter, so help me God."

Ballot Question Number Two.
The form of the ballot question for the Charter amendment provided for in Section 3 of this Ordinance shall be as follows:
Elections to Be Conducted by
Santa Rosa County Supervisor of Elections

This amendment would amend Section 9 of the City Charter to state the current practice that the Santa Rosa County Supervisor of Elections conducts elections for the City pursuant to an interlocal agreement. The amendment would also delete provisions on elections that have been superseded by an interlocal agreement. Should Section 9 of the Charter be amended to state current practice on elections and delete provisions superseded by interlocal agreement?

Yes ___
No ___

RECOMMENDATION:
Staff recommends that the City Council hold a Public Hearing on Thursday, July 18, 2019, and adopt Ordinance 11-2019 on Second Reading.

ATTACHED:
Version 1375924_5 Ordinance 11-2019 on Charter Amendments revised final
ORDINANCE NO. 11-2019

AN ORDINANCE OF THE CITY OF GULF BREEZE, FLORIDA, PROPOSING AMENDMENTS TO THE CHARTER OF THE CITY OF GULF BREEZE, SUBJECT TO APPROVAL BY THE ELECTORATE OF THE CITY IN A REFERENDUM ELECTION TO BE HELD ON OCTOBER 8, 2019, FOR THE PURPOSE OF DELETING PROVISIONS IN SECTION 3 OF THE CHARTER ON THE DETAILS OF MAKING CONTRACTS AND INCURRING OBLIGATIONS THAT HINDER EFFICIENCIES IN PURCHASING, AND FOR THE PURPOSE OF DELETING OUTDATED PROVISIONS IN SECTION 9 OF THE CHARTER RELATING TO ELECTIONS; PROVIDING FOR BALLOT LANGUAGE; PROVIDING FOR NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND INCORPORATION OF AMENDMENTS INTO CHARTER.

WHEREAS, Florida Statutes, Section 166.031(1) provides, in part, that “[t]he governing body of a municipality may, by ordinance, … , submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries of such municipality”; and

WHEREAS, the City’s Charter includes outdated provisions in Section 3 relating to purchasing and procurements that should be removed and added to the City’s Code of Ordinances, or policies and procedures adopted pursuant thereto, in order to allow for periodic review and amendments to ensure compliance with State law and common municipal practices; and

WHEREAS, the City’s Charter includes outdated provisions in Section 9 relating to elections that have been superseded by the December 5, 2016 interlocal agreement between Santa Rosa County, Florida, and the City, under which the Santa Rosa County Supervisor of Elections conducts elections for the City; and

WHEREAS, the City Council has concluded that it is in the best interests of the citizens of the City of Gulf Breeze for the City Council to propose amendments to the City’s charter at a referendum election to be held on October 8, 2019, in accordance with Section 166.031(1), Florida Statutes, and in the form set forth herein;

WHEREAS, words with underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gulf Breeze, Florida, as follows:
SECTION 1: Proposed Amendments to Section 3 of the City Charter.

Section 3 of the Charter of the City of Gulf Breeze is hereby amended to read as follows:

Section 3. - Creation and composition of city government.
(a) The government of the city and all powers of the city, its administration and government shall be vested in a city council with the presiding officer being the mayor.
(b) The city council shall be comprised of five (5) members. One council office of the city council may be the office of mayor, which shall be a separate office and qualified electors offering themselves as candidates shall file for that office and in that event, there shall be four (4) qualified electors elected to the office of city council. There shall be separate elections for each city council office. Each council office, except the office of mayor, shall be designated by separate seats ("A," "B," "C" and "D"). All members of the city council shall be elected at-large throughout the city and shall be elected by a majority vote of the qualified voters of the city voting in the particular election. Each qualified elector may vote for one candidate for each city council office then to be elected.

Should there be no candidate for the office of mayor, the city council shall select a mayor within a period of forty-five (45) days after the election, either from among their members or may appoint a mayor from the qualified electors of the city. Should a mayor be appointed from the qualified electors of the city, he shall be the presiding officer of the council and the executive officer of the city, but shall not have the right or power to cast any vote in the deliberations of the city council.

(c) The mayor shall act as executive officer of the city and shall perform the duties commensurate with such office. The mayor pro tem of the city shall be elected by a majority of the council from one of its members within a period of forty-five (45) days after the election. During the absence or disability of the mayor, the mayor pro tem shall act as mayor and shall perform the duties commensurate with such office.

(d) The term of mayor shall be two (2) years, beginning thirty (30) days after the date of election. Terms of each city council office, except the office of mayor, shall be four (4) years. Terms of office for members of the city council, excluding the office of mayor, shall be staggered such that two offices of [the] city council are elected at the general election every two (2) years.

(e) The city clerk, the marshal, deputy marshals and fire marshal shall be appointed by the city council and hold office at the pleasure of the city council, and provided further that no person holding elective office shall be eligible for municipal appointive office.

(f) At the general election on November 3, 1992, two seats of the city council, seats "A" and "B," shall be elected for terms of four (4) years and the candidates elected to those seats shall hold office for the duration of that term. The remaining two seats of the city council, seats "C" and "D," shall be elected for an initial term of two (2) years and the candidates elected to those seats shall hold office for the duration of that term. At the general election in November, 1994, Seats "C" and "D" of the city council shall be elected for terms of four (4) years and the candidates elected to those seats shall hold office for the duration of that term. Thereafter, elections of seats of the city council shall be timed to coincide with general elections in November of even numbered years, and the members of the city council, except the office of mayor, elected at said general elections shall be elected for terms of four (4) years and the mayor elected at said general elections shall be elected for a term of two (2) years. All members of the city council, including the mayor, shall take office thirty (30) days after said general election.
(g) No person shall be elected a member of the council who is not a qualified elector and resident of the city. A member of the council ceasing to possess any of the qualifications specified in this section or convicted of a felony while in office, shall immediately forfeit his office.

(h) Vacancies in any office of the city shall be filled by vote of the city council and such vacancies shall be held until the next general election of the city.

(i) No salary, in excess of one dollar ($1.00) per year, shall be paid to the city council or mayor.

(j) The salary of the city clerk, marshal, deputy marshals and fire marshal shall be set by the city council.

(k) The council shall have the right to remove from office any councilmember or city officer or employee for incompetence, corruption, misconduct, malfeasance or misfeasance in office, or for unreasonable or inexcusable neglect of duty, but only after due notice, and after giving to such person opportunity to be tried and heard in his defense.

(l) The council shall be the judge of the elections and qualifications of all members of the city government and, in such case, shall have power to subpoena witnesses and compel the production of all pertinent books, records and papers; but the decision of the council, in any case, shall be subject to review by the courts. The council shall determine its own rules and order of business and keep a journal of all proceedings. It shall have the power to compel the attendance of absent members, may punish its members for disorderly behavior, and by vote of not less than four (4) members, may expel a member for disorderly conduct or for violation of its rules; but no member shall be expelled unless notified of the charges against him and be given an opportunity to be heard in his own defense.

(m) A majority of the members elected to the council shall constitute a quorum to do business, but a lesser number may adjourn from time to time to compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of the members elected to the council shall be necessary to adopt any ordinance, resolution, order of vote; except that a vote to adjourn or regarding the attendance of absent members, may be adopted by a majority of the members present. No member shall be excused from voting except on matters involving the consideration of his official conduct, or when his financial interests are involved.

(n) All meetings of the council shall be public and shall be held at such times and such places as may be set forth by ordinance. The mayor, or any three (3) members of the council, may call special meetings of the council [on] one (1) days' notice, and in such cases, notices may be waived by the members.

(o) The mayor, the council, or any committee thereof, duly authorized by the council so to do, may investigate the financial transactions of any office or department of the city government and the official acts of any city official, and by similar investigation may secure information upon any matter relating to the city's business. In conducting such investigations, the mayor, the council, or any committee thereof, may require the attendance of witnesses and production of books, papers and other evidences, and for that purpose may issue subpoenas which shall be signed by the presiding officer of the council or the chairman of such committee, as the case may be, which may be served and executed by any policeman or marshal.

(p) [Editorially deleted.]

(q) No employee or officer of the city shall enter into any commercial transaction with the city.

(r) The city council shall provide by ordinance for the method of making contracts and incurring obligations for the current operation of the city, provided that all contracts for
construction or materials, except for personal services, obligating the city in an amount in excess of five thousand dollars ($5,000.00) shall be let by public bid in a manner to be provided by ordinance. In the event the city manager shall enter into a contract on behalf of the city for construction or materials, except for personal services, in an amount in excess of one thousand dollars ($1,000.00) and not exceeding five thousand dollars ($5,000.00), and a documented formal procedure was not utilized by the city manager, then and under those circumstances, the city manager shall report to the city council at its next regularly scheduled meeting the purpose of the contract, the amount of the contract, the reason for not utilizing the documented formal procedure, and the name of the contractor. Any contract entered into by the city manager on behalf of the city in an amount of one thousand dollars ($1,000.00) or less shall be exempt from any reporting procedure as set forth herein except for invoices which shall be utilized for payment, accounting and finance purposes only.

The city council of the City of Gulf Breeze may enter into contracts for construction or materials without public bid under the following circumstances:

(1) When the same or similar construction or materials has been submitted to public bid by the State of Florida, any of its agencies, Escambia County or Santa Rosa County, and any of their agencies, or by any municipality in Escambia County or Santa Rosa County, chartered by the State of Florida and located in either Santa Rosa or Escambia County, and if said governmental body has accepted said bid after public hearing; and

(2) When the city council of Gulf Breeze decides that additional public bids would be of no financial benefit to the City of Gulf Breeze; or

(3) When any emergency exists, and the additional time incurred by an additional public bid process would be detrimental to the City of Gulf Breeze, Florida.

SECTION 2: Ballot Question Number One.

The form of the ballot question for the Charter amendment provided for in Section 1 of this Ordinance shall be as follows:

Question One:

Method of Contracting and Purchasing
To Be Established by Ordinance

This amendment would delete the provisions in Section 3(r) of the City Charter relating to details on contracting and incurring obligations so that those provisions can be provided for by ordinance or adopted policies and procedures. Should the provisions in Section 3(r) of the City Charter relating to details on contracting and incurring obligations be deleted from the City’s Charter?

Yes ___
No ___
SECTION 3. Proposed Amendment to Section 9 of the City Charter.

Section 9 of the Charter of the City of Gulf Breeze is hereby amended to read as follows:

Section 9. - Elections.
(a) Deleted by Ord. No. 05-16.
(b) Any qualified elector of the city who is also a bona fide resident of the city may become a candidate by filing with the city clerk a nominating petition signed by five (5) qualified electors, which petition must be submitted within the time period as provided in section 2-1 of the Municipal Code of Ordinances. The Santa Rosa County Supervisor of Elections conducts elections on behalf of the City of Gulf Breeze pursuant to an interlocal agreement. If the city certifies, within two (2) days thereafter, that such petition does not contain the requisite number of qualified signatures, then the petition must be completed within three (3) days thereafter. Each petition must contain an affidavit, to be made by the candidate, that he is a qualified elector and a bona fide resident of said city.
(c) All ballots shall be prepared by the city clerk for secret vote and shall list the names of the candidates in alphabetical order.
(d) After the first election which, pursuant to the provisions of this act shall be controlled as set forth in section 14, the subsequent elections shall be provided for by ordinance and the time of such elections shall be fixed so as to assure the elections being held from time to time before the expiration of the terms of office of the incumbents.
(e) In case of a tie vote for the office of mayor or city council, or if any one candidate does not receive a majority vote, another election shall be called by order of the city council within twenty (20) days from the date of the election for the purpose of running off the tie, or for having a runoff election between the two (2) candidates receiving the greatest number of votes for that office.
(f) The candidate receiving a majority of votes in an election shall be declared elected.
(g) The council shall meet as a canvassing board and duly canvass the ballots within three (3) days after any municipal election.
(h) Except as herein modified or altered, the provisions of the general laws of Florida pertaining to state municipal elections, registrations, manner of voting, qualifications of electors, duties of election officers, canvassing returns and the general holding and management of elections, shall apply.
(i) All elected officials and appointed officers shall take the following oath of office:
"I, __________, do solemnly swear (or affirm) that I will support, protect and defend the Constitution and government of the United States and of Florida against all enemies, domestic and foreign, and that I will pledge my faith, loyalty, and allegiance to the same, and that I am entitled to hold office under the charter of this city, and that I will faithfully
perform all the duties of the office of ___________ the City of Gulf Breeze, Florida, on which I am about to enter, so help me God."

SECTION 4: Ballot Question Number Two.

The form of the ballot question for the Charter amendment provided for in Section 3 of this Ordinance shall be as follows:

**Question Two:**

**Elections to Be Conducted by Santa Rosa County Supervisor of Elections**

This amendment would amend Section 9 of the City Charter to state the current practice that the Santa Rosa County Supervisor of Elections conducts elections for the City pursuant to an interlocal agreement. The amendment would also delete provisions on elections that have been superseded by an interlocal agreement. Should Section 9 of the Charter be amended to state current practice on elections and delete provisions superseded by interlocal agreement?

Yes ___

No ___

SECTION 5: Referendum.

The Charter amendments proposed in this Ordinance shall be submitted to a vote of the electors of the City of Gulf Breeze in an election to be held on October 8, 2019. The Santa Rosa County Supervisor of Elections is hereby requested to conduct the referendum election in accordance with the provisions of the December 5, 2016 interlocal agreement between Santa Rosa County and the City of Gulf Breeze.

SECTION 6: Notice of Referendum.

Notice of the election on the proposed Charter amendments set forth in this ordinance shall be given, in accordance with the provisions of Florida Statutes, Section 100.342, at least thirty (30) days in advance of the referendum election in a newspaper of general circulation.

SECTION 7: Severability.

If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by any court to be unconstitutional, inoperative, invalid or void, such holding shall not in any manner affect the validity of the remaining portions of this Ordinance.
SECTION 8: Effective Date and Incorporation of Amendments Into Charter.

If the Charter amendments set forth in this Ordinance are approved by a majority of the electors voting in the election scheduled for October 8, 2019, such amendments shall take effect as of the day immediately following the certification of the results of the election and shall be incorporated into the Charter of the City of Gulf Breeze.

PASSED ON THE FIRST READING ON THE 8th DAY OF JULY, 2019.

ADVERTISED ON THE 8th DAY OF JULY, 2019.

PASSED ON THE SECOND READING ON THE ___ DAY OF ____________, 2019.

CITY OF GULF BREEZE, FLORIDA

By: ___________________________
    Cherry M. Fitch, Mayor

ATTEST

Leslie A. Guyer, CMC, City Clerk or
Stephanie D. Lucas, City Clerk