

ORDINANCE NO. 33-19-24

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA PROPOSING AMENDMENTS TO THE CHARTER OF THE CITY OF ATLANTIC BEACH ARTICLE II. – THE COMMISSION, SECTION 5 – NUMBER OF COMMISSIONERS; SELECTION; TERM; SUBMITTING THE AMENDMENTS TO SAID SECTION 5 OF THE CHARTER FOR CONSIDERATION BY THE ELECTORS OF THE CITY FOR APPROVAL OR DISAPPROVAL; PROVIDING FOR THE APPEARANCE OF THE CHARTER AMENDMENTS ON THE BALLOT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Atlantic Beach, Florida, after receiving input from its citizens, finds that the proposed amendments to Section 5 of the City Charter as attached to this Ordinance should be submitted to the qualified electors of the City of Atlantic Beach for consideration; and

WHEREAS, the City Commission of the City of Atlantic Beach, Florida finds that the adoption of this Ordinance is in the best interest of Atlantic Beach, Florida and its citizens.

NOW THEREFORE, BE IT ENACTED by the City Commission on behalf of the people of the City of Atlantic Beach, Florida:

SECTION 1. Proposed Amendments to Charter. The City Commission of the City of Atlantic Beach, Florida hereby proposes the following amendments to Section 5 of the City Charter:

Article II – The Commission

Section 5. – Number of commissioners; selection; term. Beginning with the municipal election in November, 2022, to change the term of the mayor-commissioner from two-year terms to four-year terms; to limit the number of consecutive terms that a mayor-commissioner may serve to two (2) consecutive four (4) year terms; and to limit a mayor-commissioner in office as of November, 2022, who has served two consecutive terms, to serve only one additional consecutive four-year term,

all as more particularly set forth in Exhibit A attached hereto and incorporated herein by reference, which, if approved by the qualified electors of the City, would replace the former provisions of Section 5 of the City Charter.

SECTION 2. Submission of Charter Amendments to Public Referendum. The amendments to Section 5 of the Charter of the City of Atlantic Beach, Florida set forth in the attached Exhibit A shall be submitted to public referendum at the general election in November 2020 held in the City of Atlantic Beach, Florida for approval or disapproval by the qualified electors of the City.

SECTION 3. Appearance of Charter Amendments on Ballot.

a. The ballot title to be used in said election shall be as follows:

PROPOSED AMENDMENTS TO THE ATLANTIC BEACH
CHARTER TO MODIFY THE MAYOR-COMMISSIONER TERMS OF
OFFICE

b. The ballot summary shall be as follows:

Commencing with the election in November, 2022 shall Section 5 of the Atlantic Beach Charter be amended to: (1) extend the Mayor-Commissioner term of office from two to four years; (2) reduce the Mayor-Commissioner number of allowable consecutive terms from four to two terms; and (3) limit any Mayor-Commissioner holding office as of November, 2022, who has served two consecutive terms, to one additional consecutive four-year term?

Below the summary shall appear the following:

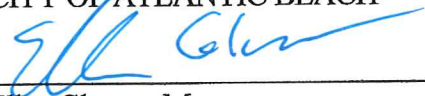
YES _____ NO _____

SECTION 4. Effective Date. The proposed amendments to Section 5 of the Charter of the City of Atlantic Beach shall become effective upon approval by the electors of the City and shall be filed with the Florida Department of State as required by law.

PASSED by the City Commission on first reading, this 25th day of February, 2019.

PASSED by the City Commission on second and final reading, this 11th day of March, 2019.

CITY OF ATLANTIC BEACH



Ellen Glasser, Mayor

ATTEST:



Donna L. Bartle, City Clerk

Approved as to form and correctness:



Brenna M. Durden, City Attorney

EXHIBIT A

PROPOSED AMENDMENTS TO SECTION 5 OF ARTICLE II OF THE CITY CHARTER

Sec. 5. – Number of commissioners; selection; term.

The city commission shall consist of five (5) electors of the City of Atlantic Beach who have the qualifications as defined in section 6 of this Charter, elected at large without regard for any designation of political party affiliation. The seats shall be known as seats 1 through 5 respectively, and seat 1 shall be ~~designed~~ designated as the mayor-commissioner. Seats 2 through 5 shall be designated as district commissioners, with each commissioner required to reside within the district from which he or she is elected. The four (4) districts shall be created using the precinct lines existing as of November, 2007, as a beginning point, shall be established by ordinance, shall be as equal in population as possible, and to the extent possible shall maintain the integrity of neighborhoods and communities of interest. Beginning with the election in November, 2022, ~~The~~ mayor-commissioner shall be elected for ~~two~~ four-year terms and the terms for seats 2 through 5 shall each be four years. ~~Effective with the municipal election in October, 1993,~~ Anyone elected or appointed to the office of mayor-commissioner shall not serve more than ~~four (4)~~ two (2) consecutive ~~two~~ four-year terms; ~~and, provided that any mayor-commissioner who is in office as of November, 2022 and has served two (2) consecutive terms, may serve only one additional consecutive four (4) year term.~~ Anyone elected or appointed to commission seats 2 through 5 shall not serve more than two (2) consecutive four-year terms. Serving any part of a term shall be considered a full term. Nothing contained herein shall prevent anyone who has served as a city commissioner from being appointed or elected to the position of mayor-commissioner and then serving in that capacity ~~four (4)~~ two (2) consecutive ~~two~~ four-year terms.

Words ~~stricken~~ are deletions; words underlined are additions.