

Ordinance No. (ID # 1113)

SECOND READING OF ORDINANCE 2962 - CHARTER BALLOT QUESTIONS

ORDINANCE NO. 2962

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTED PURSUANT TO FLORIDA STATUTE SECTIONS 101.161 AND 166.031 SETTING FORTH PROPOSED AMENDMENTS TO THE CITY'S CHARTER TO BE SUBMITTED TO THE VOTERS OF THE CITY AT A SPECIAL ELECTION ON NOVEMBER 3, 2015; PROVIDING FOR A BALLOT SUMMARY AND TITLE FOR EACH PROPOSED AMENDMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission created a Charter Review Commission to review the Charter and propose recommended changes to the City Charter; and

WHEREAS, the City Commission has reviewed the recommendation of the Charter Review Committee and the City Commission believes the recommendations of the Charter Review Commission should be submitted to the electors of the City of Holly Hill.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

Section 1. The first proposed amendment to the City's Charter is the following:

BALLOT SUMMARY

The City Charter currently does not require a periodic Charter Review. Most city charters require charter review periodically. This proposed Charter Amendment would require a charter review at least every 10 years.

MANDATORY CHARTER REVIEW

Should the City Charter be amended to require a Charter review at least every 10 years?

_____ Yes. In favor of amending the Charter to require a Charter Review at least every 10 years.

_____ No. Against amending the Charter to require a Charter review at least every 10 years.

Section 2. The second proposed amendment to the City Charter is the following:

BALLOT SUMMARY

The Charter contains a Civil Service Act, which includes certain employment protections for City employees. However the vast majority of employees are protected by union contracts and do not seek Civil Service protection. Certain employment benefits are not available to City employees because Civil Service exists in the Charter, even if not utilized. The City has extensive employment policies, and when combined with Union contracts, City employees have significant employment protection.

ELIMINATION OF CIVIL SERVICE ACT

Should the City Charter be amended to eliminate the Civil Service Act?

_____ Yes. In favor of amending the Charter to eliminate the Civil Service Act.

_____ No. Against amending the Charter to eliminate the Civil Service Act thereby retaining the Civil Service Act.

Section 3. The third proposed amendment to the City Charter is the following:

BALLOT SUMMARY

Typically, a city manager serves at the pleasure of the governing body and the terms and conditions of the employment relationship are outlined in an employment contract, which would include termination provisions. The City's Charter contains a process for termination of the City Manager which is time consuming, costly for the City, not consistent with industry standards and is often in conflict with employment contracts.

ELIMINATING CHARTER PROCEDURE FOR TERMINATING CITY MANAGER

Should the City Charter be amended to eliminate the City Manager termination procedure and instead provide an employment contract outlining the terms and conditions of employment?

_____ Yes. In favor of eliminating the procedure for terminating the City Manager and requiring an employment agreement for the City Manager.

_____ No. Against eliminating the procedure for terminating the City Manager and

against requiring an employment agreement for the City Manager.

Section 4. The fourth proposed amendment to the City Charter is the following:

BALLOT SUMMARY

Although the Charter currently requires candidates for Mayor or Commissioner to be a resident of the City, the Charter does not require any proof of residency. A candidate need only state that he or she is a resident. This amendment would require evidence of residency as part of the qualifying process, such as a driver's license, property deed, lease or utility bill.

REQUIRE PROOF OF RESIDENCY

Should the City Charter be amended to require proof of residency as part of the qualifying process?

_____ Yes. In favor of requiring proof of residency as part of the qualifying process.

_____ No. Against requiring proof of residency as part of the qualifying process.

Section 5. The fifth proposed amendment to the City Charter is the following:

BALLOT SUMMARY

The Charter limits the term of office of the Mayor and Commissioners to two (2) year and currently all elected offices are on the same election cycle. This amendment proposes four (4) year staggered terms for elected offices. If approved, the Mayor and two (2) Commissioners will be elected during one election cycle and the other two (2) Commissioners will be elected in next election cycle two (2) years later.

FOUR YEAR STAGGERED TERMS

Should the City Charter be amended to provide for four (4) year staggered terms for the Mayor and Commissioners?

_____ Yes. In favor of amending the Charter to provide four (4) year staggered terms of office for the Mayor and Commissioners.

_____ No. Against amending the Charter to provide four (4) year staggered terms of office for the Mayor and Commissioners thereby retaining two year terms.

Section 6. The sixth proposed amendment to the City Charter is as follows:

BALLOT SUMMARY

The Charter currently limits the Mayor to serve two consecutive terms, but no such limit exists for the City Commission. The proposed amendment would eliminate the two consecutive term limit, thereby allowing the voters of Holly Hill to decide how long a particular person can serve as Mayor instead of arbitrarily limiting term.

ELIMINATION OF MAYOR TERM LIMIT

Should the Charter be amended to eliminate the two consecutive term limit on the office of Mayor?

_____ Yes. In favor of amending the Charter to eliminate the two consecutive term limit on the office of Mayor.

_____ No. Against amending the Charter to eliminate the two consecutive term limit on the office of Mayor thereby retaining the two consecutive term limit.

Section 7. The seventh proposed amendment to the City Charter is the following:

BALLOT SUMMARY

The Charter currently provides that the Commission Districts shall be established based on even representation of registered electors. It is more appropriate for Commission Districts to be based on evenly allocating constituents, instead of registered electors as Commissioners represent their constituents.

COMMISSION DISTRICTS BASED ON CONSTITUENT REPRESENTATION

Should the Charter be amended to provide for Commission Districts on constituent representation?

_____ Yes. In favor of amending the Charter to base Commission Districts on representation of constituents.

_____ No. Against amending the Charter to base Commission Districts on representation of constituents.

Section 8. The eighth proposed amendment to the City Charter is the following:

BALLOT SUMMARY

The Charter contains old procedures for conducting an election which are no longer used as the State Election Code has superseded these provisions. The City follows the State Election Code. The proposed Charter amendment would eliminate the Charter provisions that have been superseded by State law and are no longer followed.

REMOVAL OF OBSOLETE PROVISION FROM CHARTER

Should the City Charter be amended to eliminate the election procedures that have been superseded by the State Election Code?

_____ Yes. In favor of amending the Charter to eliminate the election procedures that have been superseded by the State Election Code.

_____ No. Against amending the City Charter thereby keeping Charter.

Section 9. Amendments shall become effective upon voter approval and shall be incorporated into the Charter as required by law.

Section 10. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

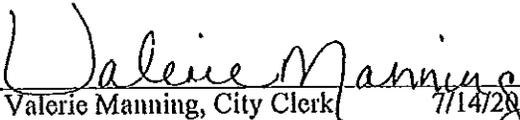
Section 11. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 12. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED this 14th day of JULY, 2015.



John Penny, Mayor 7/14/2015



Valerie Manning, City Clerk 7/14/2015

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny