

Meeting Date
January 21, 2010



AGENDA	
Proposal #	6
Item No.	IX. A.

AGENDA REPORT
BREVARD COUNTY CHARTER REVIEW COMMISSION

SUBJECT: Voter approval of Charter Amendments that affect Municipal Home Rule

PETITIONER: Space Coast League of Cities

Requested Action:

Add section 1.8 to Brevard County Charter that allows citizens of Municipalities to Vote on Charter amendments that affect their municipality.

Summary Explanation & Background:

Background: Currently the Charter protects Municipalities from Charter Amendments that are adverse to existing Ordinances within the municipality.

Current Situation: The Brevard County Charter does not protect the Citizens of Municipalities from charter amendments that affect the home rule of their municipalities. If a charter amendment is placed on the ballot that directly affects home rule, the affected citizens have no voice in the matter if the amendment passes throughout the county.

Explanation: The Space coast League of cities request that language be added to the charter as section 1.8 to allow election results to determine whether or not each municipality can opt out or if residents desire, the amendment will pass in the city.

Suggested language:

BALLOT TITLE: Requires Municipal Voter Approval of County Charter Amendments Affecting Municipal Service, Function, Power or Authority (max. 15 words)

BALLOT SUMMARY: Shall the Brevard County Charter be amended to require that charter amendments approved after December 1, 2010, by a majority of Brevard County voters only take effect in a municipality if the amendment is also approved by a majority of voters in that municipality, when the proposed amendment transfers or limits a municipal service, function, power, or authority? (max. 75 words)

Section 1.7.1. Charter amendments affecting municipalities.

No provision of this Charter adopted after December 1, 2010, which transfers or limits any function, service, power, or authority of a municipality within Brevard County, shall be effective with regard to a municipality unless the amendment is also approved by a majority of the voters in the municipality voting in the referendum.

Contacts: Georgia Phillips, Councilwoman City of Rockledge
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Exhibits Attached:

Pinellas County Charter Duval Vote 2006 Election; Palm Beach Dual Vote provision on Nov 2008 ballot

Reviewed by Administrative Secretary/Chairman

Yes No

County Department