

CRC RESOLUTION NO. 2010-006

ITEM VII. F.

A RESOLUTION OF THE BREVARD COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF BREVARD COUNTY, FLORIDA, ENTITLED "ETHICS IN GOVERNMENT" TO PROVIDE FOR ADDITIONAL RIGHTS AND PROTECTIONS INCLUDING ACCESS TO GOVERNMENT, RELIANCE ON INFORMATION PROVIDED BY GOVERNMENT, THE RIGHT TO ACCESS TO PUBLIC RECORDS, THE RIGHT TO BE HEARD, THE RIGHT TO NOTICE OF HEARINGS AND DECISIONS, THE IMPLEMENTATION OF A CODE OF ETHICS, JUST AND EQUITABLE TAXATION, AND REGULATING THE USE OF PUBLIC PROPERTY; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE COUNTY COMMISSION AT A SPECIAL REFERENDUM ELECTION TO BE HELD IN CONJUNCTION WITH THE NOVEMBER 2010 GENERAL ELECTION; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE COUNTY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after three (3) public hearings and by an affirmative vote of at least ten (10) of the fifteen (15) members, the Brevard County Charter Review Commission may submit a proposal to the Board of County Commissioners to amend the Brevard County Charter; and

WHEREAS, the Charter of Brevard County, Florida mandates that the Charter Review Commission, within one year from the date of its first meeting, present to the County Commissioners its recommendations for amendments to the Charter; and

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Words in underscored type are additions.

WHEREAS, the Charter of Brevard County, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the County Commission to the electorate at the next general election;

NOW, THEREFORE, BE IT RESOLVED BY THE BREVARD COUNTY CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 7.4. of the Charter of Brevard County, Florida, the County Commission is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held in conjunction with the November, 2010 General Election, a special referendum issue, the subject of which is to amend Article 1 to provide for a new Section 1.9 of the Brevard County Charter, entitled "Ethics in Government", the full text of which is attached hereto as **Exhibit "A"**, and incorporated herein by reference.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

CREATION OF A NEW SECTION "ETHICS IN GOVERNMENT" TO ADDRESS VARIOUS CITIZEN RIGHTS

Shall the Brevard County Charter be amended to provide for a section entitled "Ethics in Government" to provide for additional rights, including, access to government, reliance on governmental information, access to public records, the right to be heard, the right to notice, and of decisions or actions, the prohibition of conflicts of interest and compliance with a code of ethics, just and equitable taxation, and regulation of the use of public property?

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YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of Brevard County, Florida.

SECTION 4: That the County Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.
Adopted this 8th day of July, 2010.

Kendall T. Moore, Chairperson

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**RECORD OF VOTE
(CRC 2010-006)**

BOBAY	DISTRICT 1	___	PORTER	DISTRICT 2	___
FINNEY	DISTRICT 2	___	ROSASCO	DISTRICT 3	___
HARRIS	DISTRICT 1	___	SCHMITT	DISTRICT 4	___
HOLTON	DISTRICT 5	___	YOUNG	DISTRICT 3	___
JENKINS	DISTRICT 4	___	ZILAITIS	DISTRICT 5	___
LAMB	DISTRICT 5	___			
LUDWICZAK	DISTRICT 4	___			
LUNDGREN	DISTRICT 2	___			
MOORE	DISTRICT 1	___			
NYE	DISTRICT 3	___			

Resolution **CRC 2010-006** passed _____ on July 8, 2010.

BREVARD COUNTY CHARTER REVIEW COMMISSION

Attest: _____
 Maria Scruggs, Secretary, Charter Review Commission

SSG:DNT:dnt
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