

CRC RESOLUTION NO. 2010-007

A RESOLUTION OF THE BREVARD COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF BREVARD COUNTY, FLORIDA, TO PROVIDE FOR A PROCESS FOR CITIZENS OR GROUPS TO SUBMIT FORMAL WRITTEN RECOMMENDATIONS FOR THE ENHANCEMENT OF COUNTY GOVERNMENT'S EFFECTIVENESS AND EFFICIENCY TO THE COUNTY COMMISSION; 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

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 2 to provide for a new Section 2.12 of the Brevard County Charter, entitled "Citizens Process for Making Recommendations to the County Commission", 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 NEW CHARTER SECTION "CITIZENS PROCESS FOR MAKING RECOMMENDATIONS TO THE COUNTY COMMISSION"

Shall the Brevard County Charter be amended to provide for a section entitled "Citizens Process for Making Recommendations to the County Commission" to provide process which allows for citizens or organized groups to make recommendations to the County Commission with respect to the enhancement of County Government's effectiveness and efficiency, and require the County Commission to review and either accept, accept with modifications, or reject the recommendations within a specified time frame?

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 C. Moore, Chairperson

**RECORD OF VOTE
(CRC 2010-007)**

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 2010-007** passed 13-0 on July 8, 2010.

BREVARD COUNTY CHARTER REVIEW COMMISSION

Attest: Maria Scuggs
 Maria Scuggs, Secretary, Charter Review Commission

SSG:DNT:dnt

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EXHIBIT "A"

Section 2.9.10 CITIZENS PROCESS FOR ADVISING THE COUNTY COMMISSION

The Board of County Commissioners shall develop procedures that will provide a mechanism for an individual, or an organized group of individuals to submit a formal written recommendation for the enhancement of the effectiveness and efficiency of County government to the County Commission on an annual basis. The County Commission's procedures shall include the following provisions:

- a. An annual filing date;
- b. The written recommendations shall be reviewed by the County Commission, and following the review, the County Commission shall vote to either accept the recommendation, accept the recommendation with revisions, or reject the recommendation; and,
- c. The County Commission's final vote and consideration of the recommendation shall occur no later than 120 days after receipt of the written recommendation.

Coding: Words in ~~struck-through~~ type are deletion from existing text.
Words in underscored type are additions.

2009-2010 Brevard County Charter Review Commission

Concept Proposal Voting Record

Concept Proposal: **Proposed Res. No. 2010-007; Proposal #54 Citizens Recommendation to County Commission**

Date: **July 8, 2010**

MOTION/SECOND BY: John Porter/Tom Jenkins

MOTION TO: **Approve**

#	DISTRICT	COMMISSIONER	YES	NO	COMMENTS
1	1	Mr. Bobay	X		
2	1	Mr. Moore	X		
3	1	Ms. Harris	X		
4	2	Mr. Lundgren	X		
5	2	Mr. Porter	X		
6	2	Ms. Finney	X		
7	3	Mr. Nye			ABSENT
8	3	Mr. Rosasco	X		
9	3	Mr. Young	X		
10	4	Mr. Ludwiczak	X		
11	4	Mr. Jenkins	X		
12	4	Ms. Schmitt	X		
13	5	Mr. Holton	X		
14	5	Mr. Lamb			ABSENT
15	5	Mr. Zilaitis	X		
Vote Total				PASSES X	FAILS

Result: The vote was unanimous, 13-0.