

ORDINANCE 832

AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA CALLING AND SCHEDULING AN ELECTION UPON AMENDMENT TO THE CHARTER OF THE CITY; PROVIDING FOR THE MANNER IN WHICH SUCH ELECTION SHALL BE CONDUCTED; ESTABLISHING THE FORM OF THE BALLOT FOR SUCH ELECTION; PROVIDING FOR PUBLIC NOTICE OF SUCH ELECTION; PROVIDING FOR THE AVAILABILITY OF COPIES OF THE PROPOSED AMENDMENTS TO THE CITY CHARTER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes chapter 166.031 provides that the governing body of a municipality may submit to the electors of that municipality proposed amendments to its charter at a referendum election; and

WHEREAS, the City Council of the City of Mexico Beach has upon recommendation from the Charter Review Committee established by the City Council for that purpose recommends that an amendment be made to the Charter of the City of Mexico Beach which amendment appears as Exhibit "A" to this Ordinance; and

WHEREAS, the City Council desires to submit the said amendment to the Charter for ratification by the electors of the City of Mexico Beach as a separate ballot question.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA, that:

SECTION 1. A referendum election is hereby called and scheduled to be held concurrent with the general election on Tuesday, April 16, 2024, to determine whether the amendment to the Charter of the City of Mexico Beach appearing in Exhibit "A" of this Ordinance shall be approved by a majority of the votes cast in such election in which the qualified electors residing in the City shall participate. Such referendum election shall be held and conducted in the manner prescribed by law for all general elections. The places for voting in such referendum election shall be the usual places for voting in the City in the general election to be held Tuesday, April 16, 2024.

SECTION 2. The ballot to be used at such referendum election shall contain a statement of the proposed subject matter of the amendment to the Charter and shall provide facilities for qualified electors to vote for or against the adoption of such Charter amendment in a separate ballot question. Said ballot shall be in substantially the following form:

BALLOT

CITY OF MEXICO BEACH, FLORIDA

QUESTION: AMENDMENT TO THE CHARTER AMENDING ARTICLE V, SECTION 5.05(B), TO PROVIDE FOR A RUNOFF ELECTION IF NO CANDIDATE RECEIVES A MAJORITY OF 50% PLUS ONE OF THE VOTES.

Shall Article V, Section 5.05(B) of the City Charter be amended to provide for a runoff election in the event that no candidate received a majority of 50% plus one votes.

_____ YES

_____ NO

INSTRUCTION TO VOTERS: If you are in favor of the adoption of the foregoing amendment to the Charter, mark the space to the left of the word "YES". If you are not in favor of the adoption of the foregoing amendment, mark the space to the left of the word "NO".

SECTION 3. The City Clerk is hereby authorized and directed to instruct the Supervisor of Elections of Bay County to include the above-described question on the ballot for the general election to be held on Tuesday, April 16, 2024.


SECTION 4. Notice of the said referendum election in substantially the form showing in Exhibit "B" to this Ordinance shall be published two times in a newspaper of general circulation according to the laws of the State of Florida. The first publication shall be during the fifth week prior to the week in which the referendum election is to be held and the second publication shall be during the third week prior to the week in which the referendum election is to be held. A minimum of five copies of the proposed amendment to the Charter shall be kept on file in the office of the City Clerk for public inspection upon demand during normal business hours.

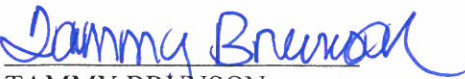
SECTION 5. Any amendment to the City Charter described herein which is approved by the electors of the City, shall take effect upon certification of the general election of the City scheduled on Tuesday, April 16th, 2024.

SECTION 6. This Ordinance shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Mexico Beach, Florida, this 31st day of January, 2024.

THE CITY OF MEXICO BEACH

BY: 
MICHELE MILLER, Mayor

ATTEST: 
TAMMY BRUNSON
City Clerk

1st reading: January 9, 2024
2nd reading: January 31, 2024

EXHIBIT "A"

CITY OF MEXICO BEACH LANGUAGE OF THE PROPOSED CHARTER CHANGE/AMENDMENT

(In all cases, words crossed out are to be deleted and words underlined are to be added.)

1. Article V, Section 5.05(B) of the Charter is to be amended by providing for a runoff election in the event no candidate receives a majority of 50% plus one votes, to read as follows:

ARTICLE V: NONINATIONS AND ELECTIONS

SECTION 5.05 ELECTIONS

(5.05(A) & (C) shall remain as written in the current Charter)

(B) Multiple candidates. When more than two (2) persons qualify as candidates for the office of City Council, for any of the designated groups to be filled, the persons so qualified shall be voted upon at the regular city election to be held as stated herein. ~~The candidate who shall receive the highest number of votes cast for the designated group shall be declared elected.~~ To win the candidate must receive the majority of all votes cast, 50% plus one vote. In the event, that no candidate receives the majority of votes, 50% plus one vote, then the two candidates receiving the most votes shall compete in a runoff election to be held two (2) weeks from the first election with the candidate receiving the most votes in the runoff election declared the winner. If any other provision contained in this Charter is in conflict with Section 5.05 (B), then Section 5.05 (B) shall take precedence and control.

EXHIBIT "B"

NOTICE OF REFERENDUM ELECTION CITY OF MEXICO BEACH, FLORIDA

Public notice is hereby given that on Tuesday, April 16, 2024, the issue of whether the City of Mexico Beach shall adopt an amendment to its City Charter will be submitted to the qualified electors of the City of Mexico Beach and will appear on the same election ballot as a referendum on that date as one separate ballot question.

The City Council of the City of Mexico Beach has adopted an ordinance calling the said election and has stated the following reasons for the adoption of the proposed amendments to the Charter:

AS TO THE QUESTION:

Is it desirable for the City Charter to be amended to provide for a runoff election in the event that no candidate receives a majority of 50% plus one votes?

The places of voting shall be the usual places in the City of Mexico Beach during the general election scheduled on Tuesday, April 16, 2024, and the polls shall open from 7:00 a.m. to 7:00 p.m. on the said date. All duly qualified electors residing within the City of Mexico Beach shall be entitled to participate and vote in said referendum election.

The ballot containing the question to be so submitted to the electors shall be in substantially the following form:

BALLOT

CITY OF MEXICO BEACH, FLORIDA

QUESTION: AMENDMENT TO THE CHARTER AMENDING ARTICLE V, SECTION 5.05(B), TO PROVIDE FOR A RUNOFF ELECTION IF NO CANDIDATE RECEIVES A MAJORITY OF 50% PLUS ONE OF THE VOTES.

Shall Article V, Section 5.05(B) of the City Charter be amended to provide for a runoff election in the event that no candidate received a majority of 50% plus one votes.

_____ YES

_____ NO

INSTRUCTION TO VOTERS: If you are in favor of the adoption of the foregoing amendment to the Charter, mark the space to the left of the word "YES". If you are not in favor of the adoption of the foregoing amendment, mark the space to the left of the word "NO".