



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: June 5, 2018

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Proposed Charter Change

Background: As a result of the February election, the City Charter changed; however it was the Council's intent to review the entire charter to see if additional changes need to be made.

Another proposed change is to require that the charter changes must pass by at least 60% of the total vote at an election, not just by majority.

Section 7.01 of the Charter states: The council may, by ordinance, propose amendments to any part or all of this charter, except Article II prescribing boundaries, and upon passage of the initiating ordinance shall place the proposed amendment to a vote of the electors at the next general election held within the city or at a special election called for such purpose.

Section 7.01 does not states that it has to pass by a majority, but makes the assumption that it is a majority vote as the state statues refer to majority vote passage

State Statue 166.031(2) (Charter amendments) states: Upon adoption of an amendment to the charter of a municipality by a majority of the electors voting in a referendum upon such amendment, the governing body of said municipality shall have the amendment incorporated into the charter and shall file the revised charter with the Department of State. All such amendments are effective on the date specified therein or as otherwise provided in the charter.

The other reference in the charter to majority vote is in Section 6.05 which states that regular city elections shall be held on the second Tuesday after the first Monday in March, or such other date as may be approved by the city council by the passage of an ordinance receiving a majority plus one vote of those voting on such ordinance. The staff interprets this to mean that this section applies to only changing the date of a City election.

Staff Recommendation: Provide direction to the staff to prepare ordinance as done for the previous charter changes for the November 2018 ballot.

Suggested Motion: I move that we direct the City Attorney to prepare an ordinance for the proposed charter change that future charter changes must pass by at least 60% of the total vote at an election.

Alternatives: None

Fiscal Impact: None

Attachments: Draft Ordinance