

ORDINANCE 14-08

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, AMENDING SECTION 1 OF ORDINANCE 12-19 TO CORRECT A SCRIVENERS ERROR IN THE TRANSITION OF THE TERMS OF OFFICE FOR COMMISSION SEATS TWO (2) AND FOUR (4) WHILE IMPLEMENTING THE PROVISIONS OF ORDINANCE NUMBER 10-09 FOLLOWING THE AMENDMENT OF SECTION 5.03 OF THE CITY CHARTER AS APPROVED BY REFERENDUM ELECTION IN THE SPECIAL ELECTION CONDUCTED WITHIN THE CITY OF DUNEDIN ON NOVEMBER 2, 2010; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the Electors of the City of Dunedin approved an amendment to Section 5.03 of the City Charter to provide for four (4) year terms for the Mayor and City Commissioners at a referendum election held on November 2, 2010 in which the said Charter change was approved, and

WHEREAS, seats two (2) and four (4) were automatically filled by the qualification only of the incumbents for the election of March 8, 2011 and no other candidate having qualified for those seats and the incumbents were automatically elected and shall assume their new three (3) year term at the time of the second regular City Commission meeting following March 8, 2011, and

WHEREAS, Ordinance 12-19 amended Section 5.03 of the City Charter to provide for term limits, Ordinance 11-46 amended Section 5.03 of the City Charter to change the date of the regular election from the first Tuesday in November to the first Tuesday following the first Monday in November and implemented Ordinance 10-09, which amended Section 5.03 to start the transition period.

WHEREAS, Section 5.03 of the City Charter of the City of Dunedin needs to be corrected to clarify the March 8, 2011 election was for a three year term to implement the four year term to fall on even numbered years; now therefore,

BE IT ORDAINED BY THE CITY COMMISSION. OF THE CITY OF
DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Section 1 of Ordinance 12-19 shall be corrected to read
as follows:

Section 5.03 Elections.

The regular election of Mayor and Commissioners shall be held on the first Tuesday following the first Monday in November of every year in which an election is held in the manner provided in Article V of this Charter and shall be for four (4) year terms.

In one election, the qualified electors shall elect two (2) Commissioners; in the following even numbered year election the qualified electors shall elect a Mayor and two (2) Commissioners, and thereafter, elections will fall on even numbered years.

Future elections shall be held in the same sequence. Candidates ~~of~~ for the office of City Commissioner shall qualify for a single numbered specific seat.

In the first year in which an election (*i.e. March 8, 2011*) for Commissioners is held, the qualified electors shall elect two (2) Commissioners, one for seat two (2) and one for seat four (4) to serve for a term of ~~four (4)~~ three (3) years; and thereafter seats two (2) and four (4) shall serve for a term of four (4) years.

In the following election (*i.e., November 6, 2012*), the qualified electors shall ~~select~~ a Mayor and two (2) Commissioners, one for seat one (1) and one for seat three (3) to serve for a term of four (4) years.

The candidate receiving the highest number of votes for the numbered seat shall be declared elected, if otherwise qualified.

The candidates so elected shall assume their offices at a Special City Commission meeting on the second Monday following the election.

No person shall be eligible as a candidate for Mayor who has been elected to two (2) consecutive full four year terms as Mayor immediately preceding the general election for Mayor; and no person shall be eligible as a candidate for Commissioner who has been elected to two (2) consecutive full four year terms as Commissioner without waiting until the next election (*i.e. sit out for two years to become eligible.*)

Any Commissioner who has served for two (2) consecutive full four year terms as Commissioner will be eligible as a candidate for the next Mayoral election.

The Mayor, after two consecutive full four year terms as mayor, will not be eligible to run for Commissioner without waiting until the next election.

Section 2. That in the event any portion of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this Ordinance. Further, in the event this Ordinance or any provision hereof shall be held to be inapplicable to any person, property or circumstance, such holding shall not affect its applicability to any other persons, property, or circumstance.

Section 3. That this Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 3rd day of April, 2014.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

READ FIRST TIME AND PASSED:	<u>March 20, 2014</u>
ADVERTISED:	<u>March 23, 2014</u>
READ SECOND TIME AND ADOPTED:	<u>April 3, 2014</u>

