

**SPECIAL REFERENDUM ELECTION
TUESDAY, NOVEMBER 5, 2002
AMENDMENTS TO THE VOLUSIA
COUNTY HOME RULE CHARTER**

NOTICE IS HEREBY GIVEN that on Tuesday, November 5, 2002, a special referendum election will be held within the County of Volusia at the same time and places and on the same ballot as the general election of the State of Florida for vote by the electors on proposed amendments to the Volusia County Home Rule Charter, Ch. 70-966, Laws of Florida (Sp. Acts), as previously amended, as follows:

The ballot caption and ballot question shall read as follows:

ELECTED COUNTY CHAIR AND 4 YEAR COUNTY COUNCIL TERMS.

SHALL THE COUNTY COUNCIL BE COMPOSED OF AN OFFICE OF COUNTY CHAIR ELECTED BY THE VOTERS, 5 DISTRICT MEMBERS AND ONE AT LARGE MEMBER ELECTED FOR 4 YEAR TERMS?

The proposed amendment, in full, shall read as follows:

The Volusia County Home Rule Charter, Chapter 70-966, Laws of Florida (Sp. Acts), as previously amended, shall be further amended in pertinent part as follows:

(Except as provided herein or as otherwise provided by separate amendment, provisions of the Charter not shown are not amended.)

(Words in ~~struckthrough~~ type are deletions; words in underscored type are additions.)

**ARTICLE III. LEGISLATIVE BRANCH
COUNTY COUNCIL**

Sec. 301. Composition.

The council shall be composed of ~~seven (7)~~ six members and the county chair. There shall be five ~~(5)~~ council districts. Each district shall elect one ~~(1)~~

council member. ~~and two (2)~~ One council member shall be elected at large. The county chair shall be elected at large.

Sec. 301.1. Council districts.

After every decennial census and prior to the next ensuing general election, the council shall prepare a plan for the reapportionment of the five ~~(5)~~ districts to insure division into contiguous ~~areas~~ territory as nearly equal in population as ~~possible~~ practicable. The council shall review and adopt the reapportionment plan as an ordinance by a two-thirds ~~(2/3)~~ vote of the full council. If the council is unable to complete the reapportionment of the council districts within six ~~(6)~~ months after the official publication of the census, the county attorney upon authorization of the council or petition of twenty-five ~~(25)~~ electors of the county shall petition the circuit court having jurisdiction in the county to make such reapportionment.

Sec. 302. Qualifications.

~~Members~~ The county chair of the council and members of the county council shall be qualified electors of the county, and shall have been residents of the county for two ~~(2)~~ years immediately preceding the date on which they qualify to run for office. The five ~~(5)~~ members elected from districts shall have resided within the district from which they are elected for at least six ~~(6)~~ months prior to the date on which they qualify to run for office. Any such council member who shall move residency from the district from which elected shall thereupon become disqualified to represent said district as council member and the office of the council member shall be deemed vacant.

Sec. 303. Terms of office.

Sec. 303.1. District council members.

~~Each council member elected from a district shall serve for two (2) years, beginning on the first day of January after election, and continuing after such term until a successor is elected and qualified. No council member shall serve more than three (3) consecutive terms as a district council member.~~

Each council member elected from a district shall be elected for a term of four years. Members from even numbered districts shall be elected in years the numbers of which are multiples of four. Members from odd numbered districts shall be elected in years the numbers of which are not multiples of four. As an exception, at the election following a reapportionment, all districts shall elect council members and the districts not otherwise scheduled herein for election shall elect members for two year terms.

Sec. 303.2. At Large Member.

~~Each council member elected at large shall serve for four (4) years, beginning on the first day of January after election, and continuing after such term until a successor is elected and qualified. No council member shall serve more than two (2) consecutive terms as an at large council member.~~

The council member elected at large shall be elected for a term of four years in the years the numbers of which are not multiples of four.

Sec. 303.3. County Chair.

The county chair shall be elected for a term of four years in which the numbers are multiples of four.

Sec. 303.4. Terms.

The term of the county chair or a council member shall begin the first day of January after election. The county chair or a council member shall continue in office after the end of the term until a successor is duly elected and qualified.

Sec. 303.5. Limitation of Tenure.

No person may appear on the ballot for re-election as a district council member, at large council member or county chair if by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.

Sec. 304. Compensation.

The salaries of all a council members shall be the 50% same as of that established prescribed by law for the office of county commissioner, the state legislature for members of the School Board of Volusia County, Florida. The salary for the county chair shall be 60% of that prescribed by law for the office of county commissioner. The salaryies shall constitute full compensation for all services and in-county expenses, except that out-of-county expenses, as permitted by law, shall be authorized.

Sec. 305. Vacancies and suspensions.

Vacancies in any council member's office, the county chair's, any council member's or other elected office under this charter government shall be filled in accordance with the Constitution and laws of Florida. Suspensions from office for cause shall be in accordance with the Constitution of Florida.

Sec. 306. Meetings and organization.

The organizational meeting of the council shall be held on the first Thursday after the first Monday of January. The council shall provide for the manner, time and place for holding all regular council meetings. The county manager shall prepare and the county chair may supplement an agenda prior to each meeting. Upon the commencement of the meeting, the agenda is subject to action of the council. ~~Further, the council at its organizational meeting shall elect a chair by a majority vote to serve for a period of one (1) year and shall each year thereafter elect from its membership a chair, who may not serve consecutive terms.~~

Sec. 307.1. The County Chair.

The office of the county chair shall have all jurisdiction and powers which are now and which hereafter may be granted to it by the Constitution and laws of Florida provided that such powers shall be exercised in a manner consistent with this charter. The county chair, in addition to the powers and duties provided by this charter, shall have the specific powers and duties to:

1. Serve as the official and ceremonial representative of the government.
2. Issue proclamations on behalf of the government, which shall be reported to the county council upon issuance.
3. Preside as chair of and in all other respects participate in the meetings of the county council and have an equal vote on all questions coming before it.
4. Execute ordinances, resolutions and other authorized documents of the government.
5. Serve ex-officio as the county government's representative, and appoint others to serve in the county chair's stead, on other bodies external to county government.
6. Serve as the county council representative, and appoint county council members to serve in the county chair's stead, on other bodies internal to county government.

The county council shall elect at its first meeting in January a council member to serve at its pleasure for a one year term as vice chair of the county council to preside in the temporary absence, disqualification or disability of the county chair at county council meetings and perform other duties assigned by the county chair.

Sec. 307.2. Annual Report.

The county chair shall report annually to the county council and residents the activities of county government for the previous year and the status of

accomplishment of existing goals and objectives. The report shall set forth new and revised goals and objectives for future action. Subsequently, the county council shall meet to consider adoption of a plan of action for implementation of the goals and objectives.

TRANSITION PROVISION-2004 Election

At the election of 2004, the voters shall choose council members from districts 2 and 4 for 4 year terms, council members from districts 1, 3 and 5 for 2 year terms and a county chair for a 4 year term. The terms shall commence January 1, 2005. The council member elected at large whose 4 year term commences January 1, 2003, shall continue in office for the remainder of the term. This transition provision shall be repealed and deleted from the charter January 1,2005.

COUNTY OF VOLUSIA, FLORIDA

BY: Cynthia A. Coto
County Manager/Clerk