

ORDINANCE NO. 13-2024

AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA SUBMITTING TO THE ELECTORS OF THE CITY OF SEMINOLE A PROPOSED AMENDMENT TO ARTICLE III, SECTION 3.07 (c) OF THE CITY CHARTER TO AMEND THE LENGTH OF TERM FOR A VICE-MAYOR WHO BECOMES INTERIM MAYOR DUE TO THE MAYOR'S PERMANENT ABSENCE; PROVIDING FOR A REFERENDUM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 10.03 of the Seminole City Charter requires the establishment of a Charter Review Committee during the month of January 1999 and each five years thereafter with an expressed purpose to review the operations of City government in order to recommend amendments to the City Charter; and

WHEREAS, the Mayor and Council appointed a Charter Review Committee in January 2024 which has completed a comprehensive review of City government and provided the Mayor and Council with recommended charter amendments; and

WHEREAS, the City Council has reviewed such recommendations and has determined this Ordinance amending the City Charter to be in the best interest of the public health, safety, and welfare of the City of Seminole.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA, HEREBY ORDAINS:

Section 1. Section 3.07 (c) of the City Charter of Seminole is hereby amended to read as follows:

(c) *Filling of Vacancies.*

(1) *Vacancy in Council:* A vacancy in the Council shall be temporarily within 60 days of its occurrence by a majority vote of the remaining members of the Council until the vacancy may be scheduled for a regular election, when the voters will fill such vacancy for the remainder of the term unless an election is scheduled to be held within 60 days of the occurrence of such vacancy to fill the seat so vacated.

(2) *Vacancy in Office of Mayor:*

(a) *Temporary Absence.* In the event that the Mayor shall be temporarily absent or disabled the Vice-Mayor shall act as the Mayor during such

absence or disability.

(b) *Permanent Absence.* In the event that the Mayor dies, resigns, becomes permanently disabled, ceases to be qualified, or is removed from office as provided by law, the Vice-Mayor will become Interim-Mayor for the remainder of the Mayor's unexpired term with the full powers, salary, and duties of the Mayor as provided by this Charter or other law. ~~The office of Mayor shall be filled at the next regular election for any unexpired portion of the term.~~

Section 2. The City Council shall separately adopt a Resolution setting forth the proposed ballot statement and ballot summary in a manner that conforms with applicable state law.

Section 3. The City Clerk is hereby directed to notify the Pinellas County Supervisor of Elections that the referendum item provided in this Ordinance and the corresponding Resolution shall be considered on the same ballot as the election to be held on November 5, 2024.

Section 4. This Ordinance shall be published in accordance with the law.

Section 5. This Ordinance shall take effect immediately upon its passage and adoption. The referendum measure shall take effect only upon the approval of a majority of the City electors voting at the referendum election voting on this issue.

APPROVED ON FIRST READING: _____

PUBLISHED: _____

PASSED AND ADOPTED ON

SECOND AND FINAL READING: _____

Leslie Waters, Mayor

City Clerk

Business Impact Estimate

Proposed ordinance's title/reference: **Ordinance No. 13-2024**

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This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): **The proposed ordinance submits to the City's electors a proposed charter amendment to amend the length of term for a vice mayor who becomes interim mayor because of the mayor's permanent absence. The proposed amendment serves the public purpose of preserving the City's resources by not requiring a costly election to fill the mayor's position prior to the expiration of a term.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

None.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

None.

4. Additional information the governing body deems useful (if any):

None.