

RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA CALLING A SPECIAL REFERENDUM TO BE HELD CONCURRENT WITH THE NOVEMBER 5, 2024 GENERAL ELECTION, ON THE QUESTION OF WHETHER BREVARD COUNTY SHOULD AMEND THE BREVARD COUNTY HOME RULE CHARTER TO PROVIDE FOR TERM LIMITS OF THREE CONSECUTIVE FULL TERMS FOR THE OFFICES OF SHERIFF, PROPERTY APPRAISER, TAX COLLECTOR, CLERK OF THE CIRCUIT COURT, AND SUPERVISOR OF ELECTIONS, WHICH AMENDMENT IS CONSISTENT WITH THE FLORIDA CONSTITUTION, GENERAL LAW, AND THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA:

**SECTION 1. AUTHORITY FOR RESOLUTION.** This resolution is adopted pursuant to the authority of the Board under Chapter 125, Florida Statutes, the Brevard County Home Rule Charter, Article VII, Section 7.3.1, and Article VIII, Section 1(c) of the Florida Constitution, and any other applicable provision of law.

**SECTION 2. FINDINGS.** It is hereby found and determined as follows:

- A. A charter has been adopted for Brevard County entitled “Brevard County Home Rule Charter.”
- B. The Brevard County Commission, by a vote of at least four commissioners, has proposed an amendment to the Brevard County Charter.
- C. The Three Person Panel (also known as the “Attorney Review Panel”) review of the amendment found the proposal to be consistent with the Florida Constitution, general law, and the Brevard County Charter and to contain a single subject.
- D. The general election to be held on November 5, 2024, is an appropriate and desirable date to conduct a concurrent special election on the proposed amendment.
- E. All things required to be done prior to the calling of a special election within the County on the question of amending the Brevard County Charter have been done.

**SECTION 3. SPECIAL ELECTION.** A special election is hereby called and ordered to be held concurrently with the general election to be held on November 5, 2024, to determine

whether to amend the Brevard County Home Rule Charter Article 4, Section 4.1 in the manner set forth below.

**SECTION 4. NOTICE OF SPECIAL ELECTION.** This resolution shall be published once a week for four (4) consecutive weeks in full as part of the Notice of Special Election, together with a notice in substantially the form attached hereto as “Exhibit A”, in Florida Today, a newspaper of general circulation in the County, the first such publication being not more than forty-five (45) days prior to the date set for the election.

**SECTION 5. PLACES OF VOTING, INSPECTORS, CLERKS.** The polls will be open at the voting places on the date of such special election during the hour prescribed by law. All qualified electors shall be entitled and permitted to vote at such special election on the proposition provided below. The places of voting and inspections and clerk for the special election shall be those designated by the Supervisor of Elections of Brevard County.

**SECTION 6. OFFICIAL BALLOT.** The ballots to be used in the special election shall contain a statement of the description of the proposed amendment to the County Charter, and shall be in substantially the following form:

**BALLOT**  
**Brevard County, Florida**

**BREVARD COUNTY CHARTER AMENDMENT, ARTICLE 4, TERMS OF OFFICE**

Shall the Brevard County Charter be amended to add term limits for the offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court, and Supervisor of Elections of three (3) consecutive full terms, with no term beginning before November 5, 2024, counted towards the term limit?

\_\_\_\_\_ YES FOR APPROVAL

\_\_\_\_\_ NO FOR REJECTION

**SECTION 7. CHARTER AMENDMENT.** The full text of the amendment reads as follows:

- A. Article 4. – Administrative Departments of the Brevard County Home Rule Charter is hereby amended to provide for a new section 4.1.3, which shall read as set forth below. In interpreting the proposed amendment, new language is underlined. The proposed amendment states as follows:

4.1.3 Terms of office.

No person elected for three consecutive full terms to the office of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court, or Supervisor of Elections shall

be eligible for election to that same office in the next succeeding term. No terms commencing prior to November 5, 2024, shall be considered terms for purposes of determining consecutive full terms under this section.

- B. The above amendment to Article 4, Section 4.1 shall become effective immediately upon approval of the electors of Brevard County.

**SECTION 8. PAYMENT OF SPECIAL ELECTION EXPENSES.** The County Manager is hereby authorized and directed to approve the payment of lawful expenses associated with conducting the special election and the Clerk of the Board of County Commissioners is hereby authorized and directed to disburse funds necessary to pay such expenses.

**SECTION 9. VOTER REGISTRATION BOOKS.** The Supervisor of Elections for Brevard County is hereby authorized and requested to furnish to the inspectors and clerks at each place where the votes are to be cast in such special election, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors.

**SECTION 10. ELECTION ADMINISTRATION.** The special election shall be held and conducted in the manner prescribed by law and as soon as practicable, shall be returned and canvassed in the manner prescribed by law. The result shall show the number of qualified electors who voted at such special election and the number of votes cast respectively for and against approval of the amendment. Upon certification in the manner prescribed by law, the results shall be recorded in the minutes of the Board of County Commissioners.

**SECTION 11. ELECTION RESULTS.** If at least sixty percent of the votes cast at such a special election shall be "Yes For Approval," the amendment shall pass.

**SECTION 12. SEVERABILITY.** In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, sentence or paragraph hereof.

**SECTION 13. REPEALING CLAUSE.** All resolutions or other actions of the County which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

**SECTION 14. EFFECTIVE DATE.** This resolution shall take effect upon adoption by the Board of County Commissioners.

**DONE AND ADOPTED** in Regular Session of the Board of County Commissioners of  
Brevard County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA**

\_\_\_\_\_  
Rachel M. Sadoff, Clerk  
(SEAL)

By: \_\_\_\_\_  
Jason Steele, Chair

As approved by the Board on \_\_\_\_\_

Reviewed for form and legal sufficiency:

\_\_\_\_\_  
County Attorney

## EXHIBIT A

### NOTICE OF REFERENDUM ELECTION ON AMENDMENTS TO BREVARD COUNTY HOME RULE CHARTER, ARTICLE 4, SECTION 4.1

Notice is hereby given that a referendum election shall be held to consider a certain amendment to the Brevard County Home Rule Charter, Article 4. – Administrative Departments, Section 4.1. – Elected county officers. The referendum election shall be held on November 5, 2024, at which the question described in the following resolution number 24-\_\_\_\_ adopted by the Board of County Commissioners of Brevard County, Florida on the \_\_\_\_ day of \_\_\_\_\_, 2024 shall be submitted to the electors:

[RECITE RESOLUTION]