



**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Ordinance**

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**MEETING DATE:** December 11, 2018  
**FROM:** Valerie Manning  
**SUBJECT:** **SECOND READING - Ordinance 3012 An Ordinance of the City Commission of the City of Holly Hill, Florida, Repealing Ordinance 3010 and Adopted Pursuant to Florida Statute, Section 166.031, Incorporating into the City of Holly Hill Charter Amendments, a Referendum was Passed During the Municipal General Election Held on Tuesday, August 28, 2018, Repealing the Civil Service Act and Approving the 4-Year Staggered Terms for the Mayor and City Commissioners; Repealing All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date.**

**NUMBER:** (ID # 2282)  
**APPLICANT:**  
**PLANNER:**

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**DISCUSSION:**

On Tuesday, August 28, 2018 the Holly Hill electors approved two amendments to the City of Holly Hill Charter repealing the Civil Service Act and approving 4 year staggered terms.

The attached Ordinance repeals the Civil Service Act in its entirety and establishes the staggered four year terms.

To implement staggered terms, beginning with the election to be held in 2020, the Mayor and City Commissioner, District 1 and City Commissioner, District 3 shall be elected to a 4 year term and City Commissioner, District 2 and Commissioner, District 4 shall be elected to a 2 year term.

At the election to be held in 2022, City Commissioner, District 2 and City Commissioner, District 4 shall be elected to a 4 year term.

**FISCAL ANALYSIS:**

N/A

**STAFF RECOMMENDATION:**

Approve the second reading of Ordinance 3012, which repeals Ordinance 3010 from the October 23, 2018 City Commission meeting due to scrivener's error.

**COMMISSION GOAL:**

N/A

**MOTION:**

**APPROVE SECOND READING OF ORDINANCE 3012, REPEALING ORDINANCE 3010 AND ADOPTED PURSUANT TO FLORIDA STATUTE, SECTION 166.031, INCORPORATING INTO THE CITY OF HOLLY HILL CHARTER AMENDMENTS, A REFERENDUM WAS PASSED DURING THE MUNICIPAL GENERAL ELECTION HELD ON TUESDAY, AUGUST 28, 2018, REPEALING THE CIVIL SERVICE ACT AND APPROVING THE 4-YEAR STAGGERED TERMS FOR THE MAYOR AND CITY COMMISSIONERS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**HISTORY:**

11/27/18

City Commission

APPROVED AT 1ST READING

Next: 12/11/18

**Mayor Via opened public participation. No one spoke.**

**Ordinance No. (ID # 2282)**

**SECOND READING - ORDINANCE 3012 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING ORDINANCE 3010 AND ADOPTED PURSUANT TO FLORIDA STATUTE, SECTION 166.031, INCORPORATING INTO THE CITY OF HOLLY HILL CHARTER AMENDMENTS, A REFERENDUM WAS PASSED DURING THE MUNICIPAL GENERAL ELECTION HELD ON TUESDAY, AUGUST 28, 2018, REPEALING THE CIVIL SERVICE ACT AND APPROVING THE 4-YEAR STAGGERED TERMS FOR THE MAYOR AND CITY COMMISSIONERS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**ORDINANCE 3012**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING ORDINANCE 3010 AND ADOPTED PURSUANT TO FLORIDA STATUTE, SECTION 166.031, INCORPORATING INTO THE CITY OF HOLLY HILL CHARTER AMENDMENTS, A REFERENDUM WAS PASSED DURING THE MUNICIPAL GENERAL ELECTION HELD ON TUESDAY, AUGUST 28, 2018, REPEALING THE CIVIL SERVICE ACT AND APPROVING THE 4-YEAR STAGGERED TERMS FOR THE MAYOR AND CITY COMMISSIONERS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, due to scrivener's error, Ordinance 3010 is hereby repealed; and

**WHEREAS**, on Tuesday, August 28, 2018, the Holly Hill electors approved two amendments to the City of Holly Hill Charter repealing the Civil Service Act and approving 4 year staggered terms; and

**WHEREAS**, pursuant to Florida Statute Section 166.031, upon adoption of amendment(s) to the municipal Charter by the majority of the electors, the governing body shall

have the approved amendment(s) incorporated into the Charter and the revised Charter shall be filed with the Department of State by the City Clerk; and

**WHEREAS**, words which are underlined (underlined) are additions to the text and words with strike through (~~strike through~~) characters are deletions from the text.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:**

**SECTION 1.** The City Commission of the City of Holly Hill, hereby repeals the Civil Service Act in its entirety.

**SECTION 2.** The City Commission of the City of Holly Hill, hereby amends Section 9 of the City Charter to read as follows:

**Sec. 9. - The City Commission - Creation; Term; Oath; Compensation.**

There is created a City Commission composed of five qualified electors of the city, consisting of four Commissioners and one Mayor. Beginning with the election held in 2010, the Mayor and Commissioners shall serve two-year terms. During the General Election on Tuesday, August 28, 2018, a referendum was presented to the electors of the city and passed by the voters to approve 4 year staggered terms of office. To implement staggered terms, beginning with the election to be held in 2020, the Mayor and City Commissioner, District 1 and City Commissioner, District 3 shall be elected to a 4 year term and City Commissioner, District 2 and Commissioner, District 4 shall be elected to a 2 year term. At the election to be held in 2022, City Commissioner, District 2 and City Commissioner, District 4 shall be elected to a 4 year term. The office of Mayor is hereby limited to two consecutive terms beginning with the election held in 2010. The present Mayor and City Commissioners shall hold office until their respective successors are duly elected and qualified and take office as herein provided.

All City Commissioners and officers of the city shall, before entering upon their duties, take and subscribe to an oath or affirmation, to be filed and kept in the office of the City Clerk, which oath shall be in the form prescribed for State Officers by the Constitution of Florida.

**SECTION 3.** The City Clerk shall file the revised Holly Hill Charter with the Department of State.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

**SECTION 5.** That all ordinances made in conflict with this Ordinance are hereby repealed.


**SECTION 6.** That this Ordinance shall become effective immediately upon its adoption.

**APPROVED AND AUTHENTICATED on this 11<sup>th</sup> day of DECEMBER, 2018 for second reading.**

**Chris Via**

Chris Via, Mayor

12/11/2018

  
Valerie Manning, City Clerk, CMC 12/11/2018

<b>RESULT:</b>	<b>ADOPTED AT 2ND READING [UNANIMOUS]</b>
<b>MOVER:</b>	John Penny, District 1 - Commissioner
<b>SECONDER:</b>	Penny Currie, District 2 - Commissioner
<b>AYES:</b>	Via, Penny, Currie, Danio, Johnson