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July 5, 2018

MEMORANDUM

To: Board of County Commissioners

From: Courtney K. Grimm, County Attorney

Re: Proposed resolution acknowledging receipt of report approved by the 2017-18 Charter Review Commission including two proposed amendments to the Clay County Home Rule Charter, calling a special election, directing placement of referenda for the proposed amendments on the ballot, and providing for publication of notice of the referenda as required under Section 100.342, Florida Statutes

At its meeting of June 13, 2018, the 2017-18 Charter Review Commission (the CRC) approved a Report to the Board which included the proposal of two amendments to the Clay County Home Rule Charter (the Charter). The Board received the CRC Report at its June 26, 2018, Board meeting. Under Charter Section 4.2.B(5) the Board is required to place the proposed amendments (referenda) on the November 6, 2018, General Election ballot, as the CRC proposals were delivered to the Board not later than 90 days prior to the General Election. The Board is authorized under Section 125.01(1)(y), Florida Statutes, to call a special election for such purpose.

Section 100.151, Florida Statutes, requires that before the Board may call a special election, it must give notice to the Supervisor of Elections and obtain his consent as to the date upon which the voter registration books will be available for the purpose of conducting such special election. I advised the Supervisor of Elections of the Board's consideration of a Resolution calling a special election concurrent with the General Election scheduled for November 6, 2018, in accordance with the requirements of the law. A copy of my correspondence to the Supervisor of Elections dated July 3, 2018, is attached. A copy of any response received from the Supervisor of Elections will be provided.

Attached is a Resolution that upon adoption would (i) acknowledge receipt of the CRC Report; (ii) call a special election concurrent with the General Election scheduled for November 6, 2018; (iii) place the referenda on the

ballot as provided in the CRC Report¹; and (iv) provide for and direct the publication of the special election notice required under Section 100.342, Florida Statutes, in the *Clay Today*.

The proposed Resolution is submitted to the Board for its consideration.

CKG/dpr

Attachments

¹ After discussion with the CRC Attorney, the ballot summary for the second proposed amendment in the CRC Report has been revised to remove the word “county” before commissioner in two places in order to ensure compliance with Section 101.161, Florida Statutes.