



**AGENDA REPORT**  
**March 6, 2018**

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**SUBJECT:**

Legislative Intent, Permission to advertise RE: Amending Sec. 82-6(2), Brevard County Ordinances, to create term limits

**DEPT/OFFICE:**

District 3

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners approve legislative intent and permission to advertise an amendment to Sec. 82-6(2) in order to add a provision for term limits.

**ATTACHMENTS:**

**Description**

- **Draft Amendment Sec. 82-6(2)**

**REVIEWERS:**

**Department**  
**District 3**  
**County Manager**

**Reviewer**  
**Tobia, John**  
**Abbate, Frank**



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March 7, 2018

MEMORANDUM

TO: John Tobia, Commissioner District 3

RE: Item VI.F.1., Legislative Intent and Permission to Advertise for Amending Section 82-6(2), Brevard County Ordinance, to Create Term Limits

The Board of County Commissioners, in regular session on March 6, 2018, denied legislative intent and permission to advertise an amendment to Section 82-6(2), Brevard County Ordinance, in order to add a provision for term limits.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

**ORDINANCE NO. 2018-**

**AN ORDINANCE AMENDING SECTION 82-6 OF THE CODE OF ORDINANCES OF  
BREVARD COUNTY THEREBY IMPOSING TERM LIMITS OF EIGHT YEARS TO  
MEMBERS OF THE PERSONNEL COUNCIL; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Personnel Council plays a vital role in Brevard County government; and

**WHEREAS**, such role includes hearing appeals, receiving evidence, and making determinations on administrative action against employees; and

**WHEREAS**, it is in the best interests of Brevard County citizens to prevent entrenchment in a board which plays such an important function; and

**WHEREAS**, Brevard County citizens have determined that an eight year term limit is appropriate for Brevard County Commissioners, the leaders of the legislative branch of Brevard County government, through Article 2, Sec. 2.4, Brevard County Charter; and

**WHEREAS**, Brevard County Commissioners, under Sec. 82-6(2), Brevard County Code of Ordinances, themselves appoint members of the Personnel Council; and

**WHEREAS**, it is equitable and consistent to impose similar term limits on the members of the Personnel Council.

**NOW, THEREFORE, BE IT ORDAINED** BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that Sec. 82-6(2), Code of Ordinances, Brevard County, Florida, be amended as follows:

**SECTION 1.**

**Sec. 82-6. Personnel Council.**

(2) *Term of office; term limits.* ~~Members of the personnel council shall serve at the pleasure of the board of county commissioners, subject to annual review, and may be removed at the discretion of the board. Members shall each to be appointed for a term of one year. Members of the Personnel Council shall serve at the pleasure of the board of county commissioners, and may be removed at the discretion of the board. No member shall serve more than eight (8) consecutive terms, or more than eight (8) years in any twenty (20) year period.~~

**SECTION 2.**

**Severability.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**SECTION 3.**

**Effective Date.** This ordinance shall take effect January 1, 2019

DONE, ORDERED AND ADOPTED, in regular session, this 6<sup>th</sup> Day of March, 2018.

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RITA PRITCHETT, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FL

ATTEST:

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SCOTT ELLIS, CLERK