

ORDINANCE NO. 1660

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA, CALLING AN ELECTION ON PROPOSED CHARTER REVISIONS TO BE HELD ON TUESDAY, AUGUST 28, 2018; PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF A PROPOSAL TO REPEAL AND REPLACE THE EXISTING CHARTER WITH A NEW CHARTER, OR PORTION THEREOF, WITH THE PROVISIONS STATED HEREIN BELOW; PROVIDING THAT SUPERVISOR OF ELECTIONS APPOINTED AS ELECTIONS OFFICER; PROVIDING THAT CITY SHALL BEAR ALL COSTS OF ELECTION; ESTABLISHING BALLOT TITLES AND SUMMARIES; PROVIDING FOR NEW COMPREHENSIVELY REWORDED CITY CHARTER; PROVIDING FOR ADOPTION OF A COUNCIL-MANAGER FORM OF GOVERNMENT; PROVIDING FOR AN APPOINTED CITY CLERK; PROVIDING FOR CONFORMANCE; PROVIDING SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF CRESTVIEW, FLORIDA:

WHEREAS, the Charter Review Committee was created to review the current Charter of the City of Crestview and make recommendations as to any changes; and

WHEREAS, the Charter Review Committee finalized the revisions to the City Charter at its meeting on September 7, 2017, and recommended the proposed revisions to the City Council on October 9, 2017; and

WHEREAS, the City Council received and considered the revisions to the City Charter recommended by the Charter Revision Committee; and

WHEREAS, the City Council approved a proposed new City Charter containing proposals recommended by the Charter Review Committee at its meeting on December 11, 2017; and

WHEREAS, the proposed new City Charter is required to be submitted to the electors of the City of Crestview for their consideration and approval before becoming effective;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF CRESTVIEW, FLORIDA:

SECTION 1. Election Referendum Set. The City Council calls for the holding of a referendum of the electors of the City of Crestview on August 28, 2018, to consider and vote for or against the approval of the proposed City Charter revisions as herein below approved by the City Council.

SECTION 2. Supervisor Appointed. The Supervisor of Elections of Okaloosa County is hereby appointed as the election officer of the election to be held on August 28, 2018, by ballot in accordance with Florida Statutes. The City of Crestview shall bear all related costs of said ballot.

SECTION 3. City to Bear Costs. The City of Crestview shall reimburse the Supervisor of Elections for any costs incurred by that office directly related to the preparation for, conducting of, and certifying the results of the referendum on the proposed City Charter revisions.

SECTION 4. Ballot Titles and Summaries. The ballot titles and summaries to appear on the ballot of the referendum on the proposed City Charter revisions shall be:

**CITY OF CRESTVIEW
CHARTER REVISION QUESTIONS**

**CHARTER AMENDMENT NO. 1
RELATING TO A NEW CITY CHARTER FOR THE CITY OF CRESTVIEW
FLORIDA.**

Much of the current City Charter is obsolete and redundant. **Shall the current City Charter be repealed and replaced with a comprehensively reworded Charter that conforms to municipal home rule powers granted by Florida Law; describes and clarifies the duties, responsibilities and authority of City officials; makes format changes; and deletes obsolete and redundant language?**

YES For adopting the amendment to the City Charter.

NO Against adopting the amendment to the City Charter.

CHARTER AMENDMENT NO. 2

RELATING TO THE ADOPTION OF A COUNCIL - MANAGER FORM OF GOVERNMENT

The current Charter provides for a Council-Mayor form of Government. **Shall the City Charter be amended to provide a Council-Manager form of Government whereby the City Council shall, by majority vote, appoint a City Manager?** If adopted, the City Manager will answer to the City Council and will direct all department heads, allowing Council to focus on legislative responsibilities.

YES For adopting the amendment to the City Charter.

NO Against adopting the amendment to the City Charter.

CHARTER AMENDMENT NO. 3

RELATING TO THE OFFICE OF CITY CLERK

The City Charter currently provides for an elected City Clerk. **Shall the City Charter be amended to provide for a City Clerk that is appointed by a majority vote of the City Council?** If the amendment passes it further defines the City Clerk's powers and duties but does not diminish the Clerk's governmental role.

YES For adopting the amendment to the City Charter.

NO Against adopting the amendment to the City Charter.

SECTION 5. Publication of Notice. The appropriate officials shall cause to be published in a newspaper of general circulation in the City the notices of the referendum required by Florida law.

SECTION 6. Charter Amendments. In the event one or more of the foregoing Charter Revision Questions (Section 4 above) is approved by a majority of the electors voting on the proposal, on October 1, 2018, the existing Charter included as Exhibit "A" hereto shall be repealed either in its entirety, or in part, depending on the results of the election (provided that all extra territorial powers of the City conferred by special act or otherwise are preserved and can be repealed or modified only by further referendum or as otherwise provided by law) and the following new Charter for the City of Crestview shall, either in its entirety, or in part, depending on the results of the election, replace the existing Charter and become effective on October 1, 2018:

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CHARTER FOR THE CITY OF CRESTVIEW

ARTICLE I. GENERAL POWERS OF THE CITY

Section 1.01. General Powers and Corporate Existence.

The municipal corporation now existing and known as the City of Crestview ("City"), located in Okaloosa County, Florida, within the boundaries hereinafter described, shall continue to be a body politic and corporate, and shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except when expressly prohibited by law.

Section 1.02. Construction.

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power granted in this Article.

ARTICLE II. CORPORATE BOUNDARIES

Section 2.01. Corporate Boundaries.

The corporate boundaries of the City of Crestview shall remain fixed and established as they exist on the date this Charter takes effect, provided that the City shall have the power to change its boundaries in the manner prescribed by law.

ARTICLE III. ELECTED CITY POSITIONS

Section 3.01. Form of Government.

The City shall have a Council-City Manager form of government. There shall be a City Council, which shall be the governing body of the City with all legislative powers of the City vested therein, consisting of five (5) Council Members. All Council Members shall be elected by votes cast by City electors (Article VI, Section 6.02). The Council Member from Precinct 1 shall reside in Precinct 1, the Council Member from Precinct 2 shall reside in Precinct 2, and the Council Member from Precinct 3 shall reside in Precinct 3. If at any time a Council Member elected from a precinct moves his or her official residency from said precinct, a vacancy shall

automatically occur in said office. The two Council Members at large may be elected without regard to the territorial limits of precincts. In such elections candidates running in any group receiving the highest vote shall be deemed elected.

There shall also be a Mayor who is elected At-Large and who shall not be a member of the City Council.

Section 3.02. Election and Terms.

The nonpartisan primary and general election of the Council Members and the Mayor shall be held in the manner provided in Article VI of this Charter and the terms of office for Mayor and Council Members shall be four (4) years and will commence on the first (1st) Monday in April immediately following his or her election.

The base year for elections for Council Members for Group 1 At-Large and Group 2 At-Large, and the Mayor shall be 2019, and shall be for a four-year term. The base year for elections for Council Members for Precincts 1, 2, and 3 shall be 2021 and shall be for a four-year term. These base year dates are established only for the purpose of scheduling elections and staggering terms.

All elected officials who are in office at the time of adoption of this Charter shall continue in office until their respective terms expire or are otherwise limited or terminated; and, as to elected or appointed officials, for such additional consecutive terms for which they seek and win election. Nothing in this Charter except as specifically provided herein, shall affect the rights, privileges or immunities of elected or appointed officials, existing at the time of adoption of this Charter.

ARTICLE IV. MAYOR AND CITY COUNCIL

Section 4.01. Mayor.

- (a) *Powers and Duties.* The Mayor shall exemplify good citizenship and exhibit a cooperative spirit. The Mayor shall have the following powers and duties:
- (1) To be recognized as the official head of the City for all ceremonial purposes, and by the courts for the purpose of accepting and receiving civil process for the City, and by the governor for purpose of military law. To sign all contracts the City enters into on behalf on the City.
 - (2) In time of public danger or officially declared state of emergency, the Mayor shall assume the role of Emergency Management Director, take command of the police and fire departments, maintain order, and enforce the law.
 - (3) To preside over all meetings of the City Council with authority to participate in discussions, but without power to vote.

- (4) To present recommendations to the City Council on the requirements of its municipal government.
- (5) To exercise a veto power over ordinances adopted by the City Council within five (5) days of adoption by the City Council, except the Mayor may not exercise veto power over:
 - (i) an emergency ordinance as defined in Florida Statutes;
 - (ii) those ordinances adopted as a result of quasi-judicial proceedings, when such proceedings are mandated by law; and
 - (iii) ordinances proposing Charter amendments, which the Council is required by law or by this Charter to place on the ballot.
- (6) The Mayor shall see that the provisions of this Charter, ordinances, laws, and rules of the City are complied with, and enforced. The Mayor shall have the power to make general investigations into the official conduct and affairs of all City officers or employees of the City, and may examine the conditions of all City books, papers, records, property, and equipment. It shall be his/her duty to make a report to the Council of all violations or neglect of duty or any misfeasance, malfeasance or nonfeasance in office, neglect of duty or improper conduct on the part of any City officer or employee that may come to his knowledge. The Mayor shall put down riots and unlawful assemblies, and may use the police and common power of the City for such purposes, and shall see that peace, good order, safety, and good morals are preserved within the City; the Mayor may veto any official ordinance of the City Council, subject to the limitations hereinafter prescribed; may call the Council together in special session; and shall recommend to the Council such measures from time to time, as to him/her shall seem wholesome and proper.
- (7) The Mayor is to hold no other elected public office while holding said office.
- (8) The Mayor may be removed from office as set forth in Sec. 100.361, Florida Statutes.
- (9) The Mayor Pro Tem shall be chosen to serve in event of the Mayor's absence, as set forth in Section 4.03(b).

(b) *Vacancy.*

- (1) Vacancy caused by death, resignation, refusal of the Mayor to serve, removal, or for any other reason, shall be filled by the Mayor Pro Tem as Acting Mayor, who shall serve until a successor is appointed and sworn in. The City Council shall fill the vacancy by a majority vote, and such vacancy shall be filled within thirty (30) days after the vacancy occurs. The appointed Mayor shall serve the unexpired term of the previous Mayor.
- (2) The Mayor appointed by the Council must meet the qualifications for office as set forth in this Charter at the time of appointment.

- (c) **Compensation.** The salary of the Mayor shall be set by ordinance, which shall take effect upon the Mayor assuming office following the next Mayoral election.
- (d) **Signature of the Mayor.** Every ordinance passed by the City Council, before becoming law, shall be presented to the Mayor for his signature and approval within five (5) business days after it has passed. Unless exercising veto power, the Mayor shall sign it and return it to the City Clerk with the date of his/her signature. If the Mayor fails to return any ordinance to the City Clerk before the next regular City Council meeting following the date of passage of the ordinance, unless the ordinance has been vetoed the Mayor shall be deemed to have approved the ordinance and it shall become law without his signature or further action.

Section 4.02. City Council.

The City Council shall consist of five (5) electors who shall be designated as follows:

- Councilmember at large Group 1.
- Councilmember at large Group 2.
- Councilmember – Precinct 1
- Councilmember – Precinct 2
- Councilmember – Precinct 3

- (a) **Powers and Duties.** City Council Members shall exemplify good citizenship and exhibit a cooperative spirit. The City Council shall have the following powers and duties:
 - (1) To legislate for the City by adopting ordinances and resolutions in the best interest of all citizens of the City.
 - (2) To adopt the annual budget and all other appropriations necessary for efficient City government.
 - (3) To override the Mayor's veto of an ordinance by an affirmative vote of two thirds of the entire Council.
 - (4) To devote such time as is necessary to the performance of City Council duties, and hold no other elected public office or be an employee of the City while a City Council Member.
 - (5) The City Council shall appoint the City Manager, City Attorney, City Clerk and Department Heads by a majority vote of the entire Council.
 - (6) The Council may, in the investigation of charges against municipal officers, assistants, employees, and members of the Council, or of any other matters coming before them, issue subpoenas and compulsory process under the hands of the Mayor, the Clerk, and the seal, for the attendance of any person, firm or corporation, and for the production of books, papers, and records; and Mayor and

Clerk shall each have authority to administer oaths and affirmations; and take depositions.

- (7) The City Council, by majority vote, may remove any member of the Council with four (4) consecutive unexcused absences.
- (b) *Vacancies.*
- (1) If a vacancy on the Council is caused by death, resignation, refusal of any Council Member to serve, removal of any Council Member, the residency relocation of a Council Member from the precinct from which the Council Member is elected, or for any other reason, the vacancy shall be filled for the unexpired term of the vacated seat by a majority vote of the remaining Council Members, and such vacancies must be filled within thirty (30) days after the vacancy occurs. The appointed Council Member may serve the unexpired term of the previous Council Member unless the unexpired term of the previous Council Member, is twenty-eight (28) months or longer. If the unexpired term is twenty-eight (28) months or longer, a person shall be elected at the next general election to fill the unexpired portion of such term.
 - (2) In the event of a military leave of absence for any elected municipal officer, such leave of absence shall be in accordance with current Florida Statutes.
 - (3) The Council Member appointed by the Council must meet the qualifications for office as set forth in this Charter at the time of appointment.
- (c) *Compensation.* The salary of Council Members shall be set by ordinance; said compensation shall take effect upon the Council Member assuming office following the next Council election.

Section 4.03. City Council Procedures.

- (a) *Meeting Rules and Procedures.* The City Council shall determine its own rules of procedure and order of business. The City Council shall meet regularly at least once every month at such times and places as the City Council may prescribe. Policies and Procedures for the City Council shall be set forth by ordinance.
- (b) *Mayor Pro Tem.* The City Council, at its first regular meeting in April, shall select from among its members a Mayor Pro Tem. The Mayor Pro Tem so chosen shall, in the absence or disability of the Mayor, preside over the meetings of the City Council and perform all the duties and exercise all the authorities of the Mayor. The Mayor Pro Tem's term of service shall be for one year. The Mayor Pro Tem shall retain all voting privileges of an elected member of the City Council.

Section 4.04. Prohibitions.

- (a) *Appointment and Removal.* No individual City Council Member shall in any manner

dictate the appointment or removal of any administrative officer or employee whom the City Manager or Department Heads are empowered to appoint. The City Council may, however, express its views and fully and freely discuss any and all matters with the City Manager or Department Heads pertaining to the appointment and removal of City officers and employees.

- (b) ***Interference with Administration.*** The City Council or Council Members shall deal with the City officers and employees, who are subject to the direction and supervision of the City Manager, solely through the City Manager. Neither the City Council nor Council Members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations for improvement of municipal governmental operations by individual Council Members be made solely to and through the City Manager.
- (c) ***Holding other Office.*** No elected City official shall hold any appointive City office, City board membership, or City employment while in office, except as may be provided by State law. No former elected City official shall hold any compensated appointive City office until one year after having last served as an elected official.

ARTICLE V. APPOINTED CITY OFFICIALS

The City Council shall appoint the City Manager, the City Attorney, and the City Clerk.

Section 5.01. City Manager.

There shall be a City Manager who shall be appointed or dismissed by the City Council, by a majority vote of the entire Council, and who shall serve at the pleasure of the City Council. The City Manager shall direct all Department Heads and oversee the daily operations of the City. The compensation to be paid the City Manager for services rendered by said manager, shall be set by the City Council in the contract between the City Manager and the City.

Additionally, the City Manager shall:

- (a) Attend the meetings of the City Council.
- (b) Draw and sign vouchers upon the depositories, which vouchers shall be countersigned by the City Clerk; and keep a true and accurate account of the same.
- (c) Shall prepare and submit to the Council once each month a statement of all finances, receipts, and disbursements.
- (d) Provide administrative services as required by the City Council.

- (e) See that all laws, provisions of this Charter, and acts of the Council, subject to his/her direction and supervision, are faithfully executed.
- (f) Coordinate with the City Clerk and Department Heads and submit the annual budget, budget message, and capital programs to the Council in the form prescribed by general law.
- (g) Submit to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
- (h) Keep the Council fully advised as to the financial condition and future needs of the City and make recommendations to the Council concerning the affairs of the City.
- (i) Perform such other duties as are specified in this charter, or adopted by ordinance, or which may be required by the Council.

Section 5.02. City Attorney.

The City Attorney shall serve as the chief legal adviser to the City Council, and shall represent elected or appointed officials, boards and commissions, and employees in the course and scope of their official duties or employment, respectively. The City Attorney shall represent the City in legal proceedings and shall perform any other duties prescribed by State law, by this Charter, or by ordinance or resolution. The City Council shall appoint or remove the City Attorney by an affirmative vote of a majority of its members. The compensation to be paid the City Attorney for the services rendered by said Attorney, shall be set by the City Council in the Contract between the City Attorney and the City.

Section 5.03. City Clerk.

There shall be a City Clerk who shall be appointed or dismissed by the City Council, by a majority vote of the entire Council, and who shall serve at the pleasure of the City Council and whose duties and responsibilities are as provided by this Charter. The compensation to be paid the City Clerk for the services rendered, shall be set by the City Council.

The City Clerk shall:

- (a) Attend all meetings of the City Council.
- (b) Maintain minutes and records of the same.
- (c) Review/countersign/approve all checks and electronic financial transfers with the City Manager.
- (d) Attest to all contracts which shall be signed by the Mayor.
- (e) Sign all licenses issued by the City.

- (f) Issue receipts for all money received and shall deposit said money in the proper depositories on the first regular banking day after receipt.
- (g) Keep and have the care and custody of the books, records, papers, legal documents and journals of proceedings of the City Council
- (h) Perform such additional duties as may be required by the Council. All other powers and duties of the City Clerk shall be as provided by ordinance

Section 5.04. Departments.

Department Heads shall be appointed by the City Council with the recommendation of the City Manager. The City Manager shall make recommendations to the City Council regarding the organization of the City government and prescribe the duties and responsibilities assigned to the various departments. The City Manager shall direct the Department Heads of the City in a manner consistent with this Charter and the City's Code of Ordinances. The compensation to be paid the various Department Heads for the services rendered, shall be set by the City Council.

Section 5.05. City Boards, Commissions and Authorities.

- (a) ***Establishment.*** Unless otherwise provided by law, the City Council shall establish or terminate by ordinance, such boards, commissions and authorities as it may deem advisable from time to time.
- (b) ***Membership and Removal.*** Unless otherwise provided by law, the City Council shall determine procedures, membership and removal from City boards, commissions and authorities.

ARTICLE VI. ELECTIONS

Section 6.01. Nonpartisan Elections.

All nominations and elections for the offices of Mayor and City Council Members shall be conducted on a nonpartisan basis.

Section 6.02. Electors.

Any person, who is a resident of the City, is a qualified Florida elector, and who has been assigned a voter registration number by the County Supervisor of Elections to vote shall be an elector of the City.

Section 6.03. Qualifications, Eligibility, and Filing Fee.

- (a) ***Qualifications and Eligibility.*** Any person who is a resident of the City, has qualified as a Florida elector, and has been assigned a voter registration number by the County Supervisor of Elections to vote not less than one (1) year prior to the end of the qualification period, shall be an eligible candidate for the office of Mayor or City Council member. Candidates for Council Member from a Precinct must have been a resident of the declared precinct for at least one (1) year prior to the end of the qualification period.
- (b) ***Qualifying Fee.*** Each candidate shall pay to the qualifying officer a qualifying fee in the amount as set forth by City ordinance, as well as an election assessment as provided by Florida State Law.
- (c) ***Determination of Qualifications and Eligibility.*** The Supervisor of Elections shall be the judge of qualifications for candidates for the positions of Mayor and City Council.
- (d) ***Determination of person elected.*** In the case of two or more persons receive an equal and highest number of votes for the same office, the election shall be determined as per Florida Statutes, Title IX, Chapter 100, Section 100.181.

Section 6.04. Elections. Procedures.

- (a) ***General Elections.*** The Supervisor of Elections shall be the Filing Officer for the City of Crestview and shall conduct all elections in accordance with Florida Statutes. The general election shall be held on the second Tuesday in March. Elections shall be held every two (2) years.
- (b) ***Canvassing Board.*** Elections shall be conducted and results shall be tabulated, returned and canvassed by a board in accordance with general law. The canvassing board shall submit certified election results to the City Clerk. In a City election, where a County canvassing board would not be impaneled, the canvassing board shall include the Supervisor of Elections, a sitting County Judge, and the City Clerk.

Section 6.05. Candidate Qualifying Oath.

- (a) ***Qualifying Oath or Affirmation.*** Any person who is qualified under the laws of the State and this Charter may become a candidate for the office of Mayor or City Council by taking and subscribing to an oath or affirmation, and filing the same with the Supervisor of Elections during business hours during the period prescribed by general law for qualification of candidates for election to City offices.
- (b) ***Form.*** The form of the oath or affirmation shall be as provided by Florida law.

Section 6.06. Commencement of Term of Office.

The term of office of any elected official (Mayor or City Council Member) will commence on the first (1st) Monday in April, after his or her election, at which time the newly elected official shall take an oath of office and be installed in office.

In the event of a special election or other election other than the primary or general election, the term of office of any elected official will commence on the third (3rd) day after his or her election has been certified, at which time the newly elected official shall be given an oath of office and installed in office, or as provided by State law, unless the commencement date falls on a legal or City holiday, in which case the term of office will commence on the next day that is not a legal or City holiday.

Section 6.07. Council Precincts.

- (a) ***Number of Precincts.*** There shall be three (3) City Council precincts. The boundaries of the three (3) precincts shall remain the same as they existed prior to the approval of this charter by the electorate of the City, being described more particularly as:

City Council Precincts: The City of Crestview shall be divided into three precincts, numbered as follows: Number One, East Crestview, comprising all that territory within the corporate limits east of Main Street and South of U.S. Highway No. 90; Number Two, West Crestview, comprising that territory within the corporate limits west of Main Street and south and west of U.S. Highway No. 90; Number Three, North Crestview, comprising all that territory within the corporate limits north of U.S. Highway No. 90.

ARTICLE VII. CHARTER AMENDMENTS

Section 7.01. Charter Amendments.

- (a) ***Initiation by City Council.*** The City Council may propose amendments by ordinance to this Charter. Upon adoption of the initiating ordinance, the City Council shall submit the proposed amendment to a vote of the electors at the next general election held within the City or at a special election called for such purpose.
- (b) ***Initiation by Petition.*** The electors of the City may propose amendments to this Charter in accordance with the provisions of Sec. 166.031, Florida Statutes.
- (c) ***Consistency.*** The method for Charter amendments shall be consistent with State law.

**ARTICLE VIII
MISCELLANEOUS**

Section 8.01. Code of Ethics.

The City of Crestview shall subscribe to and abide by the *Code of Ethics for Public Officers and Employees* as provided in the Florida Statutes.

**ARTICLE IX.
SCHEDULE**

Section 9.01. Effective Date.

Upon approval of a majority of the electorate voting at a referendum on this Charter, this Charter will become effective on October 1, 2018.

Section 9.02. Ordinances Preserved.

All ordinances in effect upon the adoption of this Charter, to the extent not inconsistent herewith, shall remain in full force and effect until amended or repealed.

Section 9.03. Repeal of Former Charter Provisions.

All Charter provisions in effect prior to the effective date of this Charter are repealed, provided that all extra territorial powers of the City conferred by special act or otherwise are preserved and can be repealed or modified only by referendum or as otherwise provided by law.

Section 9.04. Precedence over Code Provisions.

If a conflict exists between the provisions of this Charter and the Code of Ordinances, the Charter provisions shall prevail.

Section 9.05. Officers and Employees.

The adoption of this Charter shall not affect or impair the rights, privileges or immunities of City officers or employees at the time of the effective date of this Charter, including rights provided for pursuant to Chapter 447, Florida Statutes, and collective bargaining agreements. Elected officers shall continue to hold their offices for the terms prescribed by the Charter in effect on the date of their election, and they shall discharge their duties until their successors are elected.

Section 9.06. Existing Rights, Obligations, Duties and Relationships.

- (a) **Continuity.** All rights, claims, actions, orders, contracts and legal or administrative proceedings involving the City shall continue except as modified pursuant to the provisions of this Charter.
- (b) **Obligations.** No debt, contract obligation, or assessment by the City shall be impaired by adoption of this Charter. All existing debts, obligations and assessments shall remain valid and enforceable, according to their terms, under the Charter provisions applicable at the time the debt was incurred, contract signed, or assessment imposed. All obligations and rights arising in connection with projects financed under former Charter provisions shall be unaffected and remain in full force and effect as if the borrowing, taxing, bonding or other financing provisions had survived the adoption of this Charter.
- (c) **Other Government Units.** All existing rights, obligations, duties and relationships by law or agreement between the City and other governmental units shall be unaffected by the adoption of this Charter and remain in full force and effect.
- (d) **Commencement of Terms for Year 2019 Elections.** The terms for the Council Members and Mayor elected in the 2019 general election shall commence on the first (1st) Monday of April 2019 as provided for in the former City Charter. This provision shall be effective solely for the purposes of transition from the former City Charter to Section 3.02 of this Charter.

Section 9.07. Transition.

The City Council shall adopt such ordinances and resolutions as are required to affect the transition. Ordinances adopted within sixty (60) days of the first Council meeting under this Charter for facilitating the transition may be passed as emergency ordinances following the procedures prescribed by law.

Section 9.08. Severability.

If any section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, the court decision invalidating any section or part of said section shall not affect the remainder of this Charter or the context in which the invalidated section or part of section may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which the court decision may directly apply.

[End of Charter revisions]

SECTION 7. Conformance. In the event that some, but not all, of the Charter revisions are approved by majority vote of the electors, confirming amendments shall be deemed to be adopted hereby, and the City Attorney is authorized to implement and accomplish such conforming amendments to the Charter, by restoring any necessary text of the previously existing Charter and harmonizing provisions, all to the extent necessary to assure that all revisions approved by the electors conform to one another and to all remaining Charter provisions. The Clerk shall file the revised Charter as so conformed with the Department of State.

SECTION 8. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 9. Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA ON THE 29th DAY OF MAY, 2018.



J. B. WHITTEN
Council President

ATTEST:



ELIZABETH ROY
City Clerk

APPROVED BY ME THIS 29th DAY OF May, 2018



DAVID CADLE
Mayor