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1                           A bill to be entitled  
2       An act relating to City of Winter Springs, Seminole  
3       County; amending the Charter of the City of Winter  
4       Springs; providing for a five-member city commission  
5       including the mayor; providing that the mayor is a  
6       voting member of the city commission; providing for  
7       mayoral duties; removing mayoral veto power; making  
8       conforming changes; providing for transition;  
9       providing severability; providing an effective date.

10  
11   Be It Enacted by the Legislature of the State of Florida:

12  
13       Section 1. Sections 4.01, 4.02, 4.03, 4.05, 4.10, 5.02,  
14       6.02, and 8.01 of Charter of the City of Winter Springs, are  
15       amended, and a new section 13.05 is added, to read:

16       Section 4.01. - Composition; qualification of members; and  
17       commission districts.

18       (a) Composition. There shall be a governing body composed  
19       of the mayor and four (4) ~~five (5)~~ commission members elected by  
20       the voters of the city as provided in this Charter. Not more  
21       than one (1) commission member shall reside in each of the four  
22       (4) ~~five (5)~~ commission districts provided for in Section 4.02  
23       (a) of this Charter. The mayor shall be elected at large and may  
24       reside anywhere within the city. Each commissioner shall be  
25       elected by the qualified electors of the City of Winter Springs.

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26   The terms "city commission" as used in this charter shall refer  
27   to the mayor and four (4) commission members elected by the  
28   qualified electors, except as otherwise provided.

29        (b) Eligibility. Only qualified voters of the city shall be  
30   eligible to hold the office of mayor or commissioner. Each  
31   candidate seeking the office of city commissioner or mayor or  
32   any other elective office of the city shall file a petition  
33   signed by fifteen (15) registered voters of the city with the  
34   city clerk. Each candidate seeking the office of city  
35   commissioner or mayor or any other elective office of the city  
36   shall have resided in the city one (1) year prior to the time of  
37   qualifying. Each candidate seeking the office of city  
38   commissioner shall be a resident of a designated commission  
39   district established by ordinance and shall have resided in the  
40   designated commission district six (6) months prior to the time  
41   of qualifying. Notwithstanding the above requirement, city  
42   commissioners shall run at large as commission candidates under  
43   district designation. All candidates for offices in municipal  
44   elections shall be registered and qualified electors of the city  
45   at the time of their qualifying as a candidate with the city  
46   clerk and shall file qualifying papers in accordance with state  
47   statutes and pay the qualifying fee and election assessment  
48   provided for by city ordinances. Such application shall be filed  
49   and the qualifying fee paid during the qualifying period  
50   established by the city commission by ordinance.

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Section 4.02. - Commission districts; adjustment of districts.

(a) Number of districts. The city commission of the City of Winter Springs, Florida, shall by separate ordinance divide the city into four (4) ~~five (5)~~ geographical commission districts.

(b) Districting commission. By the first day of February, 2027 ~~1991, the first day of February, 1992,~~ and every three (3) years thereafter, the city commission shall appoint seven (7) city electors determined from the registration of the last regular election, one (1) to be appointed by each commissioner from their respective district, and three (3) ~~two (2)~~ appointed by the mayor from the city at large, who shall comprise the districting commission. Electors chosen shall not be employed by the city in any other capacity. ~~The initial districting commission, creating and establishing the first commission districts, shall be appointed by each commissioner and the mayor from the city at large.~~

(c) Report; specifications. The districting commission shall file with the official designated by the city commission a report containing a recommended plan for establishment or adjustment of the commission district boundaries. ~~The initial districting commission, creating and establishing the first commission districts,~~ shall file such report within ~~ninety (90)~~ one hundred twenty (120) days of appointment. ~~Thereafter, such reports shall be filed within~~ one hundred twenty (120) days of appointment to the city

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~~districting~~ commission. The commission district boundaries shall comply with the following specifications:

(1) Each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the center lines of streets insofar as practical or possible, or other boundaries available.

(2) The districts shall be based upon the principle of equal and effective representation as required by the United States Constitution and as represented in the mathematical preciseness reached in the legislative apportionment of the state.

(3) The report shall include a map and description of the districts recommended and shall be drafted as a proposed ordinance. Once filed with the designated official, the report shall be treated as an ordinance introduced by a commissioner.

(d) Support. It shall be the responsibility of the city manager to provide staff assistance and technical data to the districting commission.

(e) Procedure. The procedure for the city commission's consideration of the report shall be the same as for other ordinances, provided that if a summary of the ordinances is published pursuant to this Charter and general law, it must include both the map and a description of the recommended districts.

(f) Failure to enact ordinance. The city commission shall

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101 adopt the redistricting ordinance at least one hundred twenty  
102 (120) days before the next city election. If the city commission  
103 fails to either accept or reject the redistricting ordinance,  
104 the report of the districting commission shall go into effect  
105 and have the same effect of an ordinance. The proposed  
106 redistricting ordinance may not be rejected for any reason  
107 except for failure to comply with the specifications listed in  
108 section 4.02(c) of this Charter or failure to comply with other  
109 local, state or federal law.

110 (g) Effect of enactment. The new commission districts and  
111 boundaries as of the date of enactment shall supersede previous  
112 commission districts and boundaries for all purposes; provided  
113 all incumbent commissioners shall continue to hold office for  
114 the entire term to which elected notwithstanding any change in  
115 commission district and boundaries.

116 Section 4.03. - Election and terms.

117 (a) The regular election of mayor and commissioners shall  
118 be held at the time provided for in Section 8.01 of this  
119 Charter. All elections shall be for four-year terms of office.  
120 The terms of the mayor and commissioner shall begin at the next  
121 scheduled regular or special meeting of the city commission of  
122 each year an election is held, and its members shall serve until  
123 their successors have taken office.

124 (b) City commission seats are hereby designated as seats  
125 one, two, three, and four ~~and five~~.

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(c) The mayor shall be limited to three (3) consecutive full terms of office. Commission members shall be limited to three (3) consecutive full terms of office. The mayor or any commission member who has served three (3) consecutive full terms of office after having been out of office for a period of one (1) year, shall be eligible for election to successive three (3) consecutive full terms of office; provided however, this limitation shall not prohibit a person who has served three (3) consecutive full terms of office as mayor from qualifying and being elected as a commission member; nor shall this limitation prohibit a person who has served three (3) consecutive full terms of office as a commission member from qualifying and being elected as mayor of the city.

Section 4.05. - Mayor.

At each regular election for the office of mayor, a mayor shall be elected at large for a term of four (4) years and shall serve until the mayor's successor is elected and qualified; provided such term of office shall not exceed four (4) years. The mayor shall preside at meetings of the city commission, represent the city in intergovernmental relationships, present an annual State of the City Message, and perform other duties specified by the commission. ~~The mayor shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no administrative duties.~~ The city commission shall elect from

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among its members a deputy mayor who shall act as mayor during the absence or disability of the mayor. However, if a vacancy occurs in the position of mayor, the vacancy shall be filled in accordance with section 4.08(c) of this Charter.

The mayor shall serve as a voting member ~~not vote except in ease of a tie vote~~ of the commission. The mayor shall be recognized as the head of city government for all ceremonial purposes and by the governor for the purposes of military law and shall have no administrative authority over city employees, except as expressly provided by this charter or by ordinance. ~~Within ten (10) days after the adoption of any ordinance by the city commission, the mayor shall have the power to veto said ordinance and return it to the commission at the next regular meeting with a written message. It shall require the affirmative vote of four (4) commission members to pass the ordinance after the mayor's veto.~~

Section 4.10. - City clerk.

(a) The city commission shall, after receiving a nomination from either the mayor or city commissioners ~~a commission member(s) shall, not less than four (4) commission members,~~ appoint an officer of the city who shall have the title of city clerk upon approval by not less than four (4) members of the city commission. The city clerk's compensation shall be established by the city commission. The city clerk shall give

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176 notice of commission meetings to its members and the public,  
177 keep the journal of its proceedings and perform such other  
178 duties as are provided by this Charter, by the commission or by  
179 law.

180 (b) The city clerk may be removed by a vote of not less  
181 than four (4) ~~commission~~ members of the city commission.

182 Section 5.01. - Appointment; qualifications, compensation.

183 The city commission, by the affirmative vote of not less  
184 than four (4) ~~commission~~ members of the city commission, shall  
185 appoint a city manager and fix the manager's compensation. The  
186 city manager shall be appointed solely on the basis of executive  
187 and administrative qualifications and shall serve at the  
188 pleasure of the commission.

189 Section 6.02. - City attorney.

190 (a) The city commission shall, after receiving a nomination  
191 from either the mayor or city commissioners ~~a commission~~  
192 ~~member(s) shall, by a vote of not less than four (4) commission~~  
193 ~~members~~, appoint an officer of the city who shall have the title  
194 of city attorney upon approval by not less than four (4) members  
195 of the city commission. The city attorney shall represent the  
196 city in legal proceedings and shall perform such duties as  
197 provided by this Charter, by the commission, or by law.

198 (b) The city attorney may be removed by a vote of not less  
199 than four (4) ~~commission~~ members of the city commission.

200 Section 8.01. - The city elections.



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201 The regular general city election for electing the mayor and  
202 commission members from seats two and four shall coincide with  
203 the Florida Gubernatorial election years. The regular general  
204 election for electing commission members from seats one, and  
205 ~~three, and five~~ shall coincide with the United States  
206 Presidential election years. The entire electorate shall be  
207 entitled to vote in elections for mayor and commission members.

208 Section 13.05 - Transition to Mayor as Full Member of  
209 Commission

210 (1) This transition shall not affect the term of any  
211 electd official of the City of Winter Springs serving at the  
212 time of its passage.

213 (2) Beginning with the general election held in November  
214 2026, the office of Mayor shall become a voting member of the  
215 City Commission. At that time, the City Commission shall consist  
216 of the Mayor and five commissioners.

217 (3) After the November 2026 election, the City Commission  
218 shall, by ordinance, adopt new district boundaries to provide  
219 for four (4) commissioner districts no later than January 1,  
220 2028 using the procedures provided in section 4.02 of the  
221 charter.

222 (4) In adopting new district boundaries, no district shall  
223 be drawn so as to include more than one commissioner elected in  
224 November 2026.

225 (5) At the general election held in November 2028,

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elections shall be conducted for two (2) of the four (4) newly drawn commissioner districts in which no commissioner elected in November 2026 resides. Following that election, the city commission shall consist of the Mayor and four commissioners.

Section 2. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision, and to this end the provisions of this act are declared severable.

**Section 3.** This act shall take effect upon becoming a law.