

ORDINANCE NO. 784

**AN ORDINANCE CHANGING THE POSITION OF THE CITY CLERK FROM AN ELECTED POSITION TO THAT OF AN APPOINTED POSITION; SETTING FORTH QUALIFICATIONS; SETTING FORTH TERMS OF EMPLOYMENT; PROVIDING ESTABLISHMENT OF SALARY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of DeFuniak Springs, Florida, has determined that it is in the best interest of the City of DeFuniak Springs, Florida, that the position of the City Clerk be changed from that of an elected position to that of an appointed position; and

WHEREAS, the City Council feels that the Office of the City Clerk can be more efficiently filled through the hiring of said person by the City Council; and

WHEREAS, the City Council feels that it would be in the best interest of the City of DeFuniak Springs, Florida, that the City Council hire a City Clerk and that the City Council establish the City Clerk's term of employment; and

WHEREAS, it is necessary that the City Council submit to the electors of the City of DeFuniak Springs, Florida the issue of whether or not the City Clerk should be an appointed position rather than an elected position; and

WHEREAS, the City Council feels that a referendum on this issue should be held at the special election scheduled for April 13, 2010; and

WHEREAS, in the event no one qualifies for the election to be held in April 2010 and the referendum passes, the City Council shall begin filling the position in April of 2010; and

WHEREAS, in the event no one should qualify for the election to be held in April of 2010, and the referendum passes, the City Council shall be filling the position in April of 2011; and

NOW THEREFORE, BE IT ENACTED by the City Council of the City of DeFuniak Springs, Florida:

SECTION 1: Provided that approval is obtained by a majority of the City's electors at referendum, and no one qualifies for the election to be held in April of 2010 to fill the position of City Clerk, Section 10 of the City Charter of the City of DeFuniak Springs, Florida is amended to read as follows: "Commencing in April 2010, the City Clerk position shall be filled by appointment by a majority vote of the City Council."

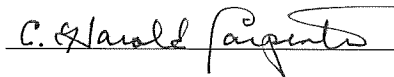
SECTION 2: Provided that approval is obtained by a majority of the City's elector's at referendum and some one qualifies for the election to be held in April of 2010 to fill the position of City Clerk " Commencing in April of 2011, the City Clerk position shall be filled by appointment by a majority vote of the City Council."

SECTION 3: The Supervisor of Elections of Walton County, Florida is hereby directed to place the following question before the electors of the City of DeFuniak Springs, Florida, at the next general municipal election:

Title: A referendum for election of the City Clerk. Question: "Should the position of City Clerk be changed from an elected position to an appointed position filled by majority vote of the City Council of the City of DeFuniak Springs, Florida?"

SECTION 4: This Ordinance shall take effect immediately upon passage.

ADOPTED in regular session this 22 day of March, 2010.



C. Harold Carpenter, Mayor

ATTEST:



Vanessa Mitchell, Deputy City Clerk