

RESOLUTION NO. 01-2009

**A RESOLUTION OF THE TOWN COUNCIL OF GRANT-VALKARIA
BREVARD COUNTY, FLORIDA, PROVIDING AN INTERPRETATION OF
SECTION 10.04 OF THE TOWN CHARTER; PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Section 10.04 of the Town Charter provides that the initial election of the Mayor and Council members shall be held on November 7, 2006; and

WHEREAS, the initial term for the Mayor and Council Seats 1, 3 and 5 expire 2 weeks after the General Election in 2010 and the initial term for Seats 2, 4 and 6 expire 2 weeks after the General Election in 2008; and

WHEREAS, the Charter does not expressly state the terms for the Mayor and Seats 1 through 6 after the expiration of their initial term; and

WHEREAS, the Town Attorney has interpreted the Charter to provide for four year terms, more specifically the Town Attorney has stated:

“In my opinion the terms are four years for all seats from this point forward. This will keep the staggered term that the Charter contemplates. The Mayor’s Seat and Seats 1, 3 and 5 will be up in 2010. Seats 2, 4 and 6 will be up in 2012. Therefore the terms will be 4 year staggered terms”; and

WHEREAS, interpretation of the Town Charter is a matter for the Town Attorney, *See AGO 90-54, fn1 and Informal Opinion of the Attorney General, April 23, 2003.*

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Grant-Valkaria as follows:

Section 1. The Town Council hereby interprets Section 10.04 of the Town Charter to provide for four year staggered terms for the office of the Mayor and Seats 1 through 6 of the Council. In keeping with the intent of the Charter the office of the Mayor and Seats 1, 3 and 5 will come up for election during the general election in November, 2010 and every 4 years thereafter. Seats 2, 4 and 6 which were filled during the November, 2008 election will come up for election during the general election in November, 2012 and every 4 years thereafter.

Section 2. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, ON THIS 12th DAY OF NOVEMBER, 2008.

TOWN OF GRANT-VALKARIA
BREVARD COUNTY, FLORIDA

(Signature on file)

Del Yonts, Mayor

ATTEST:

(Signature on file)

Susanne Krueger, Town Clerk