



46 B. **Second Optional Amendment to Section 49 of Town Charter.** If and only if  
47 the Town electors vote not to approve the amendment in Subsection A, then Section 49 of the  
48 charter is amended to read as follows:

49  
50 Sec. 49. – Borrowing.

51  
52 For a capital improvement project, the Town shall incur no new non-  
53 emergency debt, beyond twelve and one half percent (12.5%) the principal  
54 amount of which exceeds thirty percent (30%) of the general operating budget for  
55 the fiscal year in which the debt for the project is incurred, unless the incurrance  
56 of such incurring the debt is first is approved by a majority vote of the citizens  
57 Town electors voting in a referendum for that purpose.  
58

59 C. **Reconciliation of Approved Amendments.** As contemplated in this  
60 Section 2, only one of the two optional amendments, if either, to Section 49 of the town  
61 charter shall take effect under this ordinance. If the amendment in Subsection A is  
62 approved by the voters, the amendment in Subsection B shall not take effect regardless of  
63 voter approval.  
64

65 D. **Approval of New Charter.** If the new, revised town charter enacted  
66 under Ordinance 2016-05 is approved by the voters, the amendments above shall pertain  
67 to Section 11.12 of the revised charter, and the Town Manager and Town Clerk are  
68 authorized and directed to publish the revised charter accordingly, with conforming  
69 changes to the revised charter as may be necessary to carry out the intent of this  
70 ordinance and the approval of the voters.  
71

72  
73 **Section 3. Filing and Publication.** The Town Clerk and the Town Manager are authorized and  
74 directed to cause the amended charter to be filed with the Florida Department of State and to be  
75 published in the Code of Ordinances of the Town of Windermere, on the Town’s website, and at  
76 such other locations as may be necessary or useful for the residents and taxpayers of the Town of  
77 Windermere.  
78

79  
80 **Section 4. Authority.** This ordinance is enacted pursuant to the authority granted the Town  
81 under Section 166.031 of Florida Statutes.  
82

83  
84 **Section 5. Referendum.**  
85

86 A. **Referendum Called.** The Town Council hereby calls a referendum to be held at  
87 the Town’s next general election on March 14, 2017, to allow the electors of the Town of  
88 Windermere to vote on the proposed optional amendments in Section 2. Only one (if either) of  
89 the two optional amendments shall take effect, as indicated in Section 2. All qualified electors of  
90 the Town of Windermere shall be entitled and permitted to vote in the referendum. The

91 referendum shall be held and conducted in the manner prescribed by law for all elections. The  
92 Town Council authorizes the cost of the election to be paid from the general funds of the Town.  
93

94 B. **Ballot.** The ballot titles and ballot summaries for the two optional amendments  
95 subject to the referendum shall be as follows and shall appear on the ballot in the order as  
96 follows:

97  
98 (i) Of the two optional amendments in Section 2, the first to be presented on  
99 the ballot shall be the amendment in Subsection 2.A. The ballot title and ballot summary shall  
100 be as follows:  
101

102  
103 **REVISION TO CHARTER BORROWING LIMITATION**

104  
105 Shall Section 49 of the Windermere charter be revised to (i) strike the prohibition  
106 against aggregate debt exceeding 12.5% of the current operating budget without  
107 voter approval and (ii) allow new debt if either (a) the resulting aggregate annual  
108 debt payments in any fiscal year will not exceed 10% of the current operating  
109 budget or (b) the voters approve the new debt? A “no” vote means the existing  
110 12.5% debt limit remains in the charter.  
111

112 Yes \_\_\_\_\_  
113 No \_\_\_\_\_  
114

115 (ii) Of the two optional amendments in Section 2, the second to be presented  
116 on the ballot shall be the amendment in Subsection 2.B. The ballot title and ballot summary  
117 shall be as follows:  
118

119 **REVISION TO CHARTER BORROWING LIMITATION**

120  
121 If (and only if) voters disapprove the previous question, shall Section 49 of the  
122 charter be amended to (i) strike the prohibition against aggregate debt exceeding  
123 12.5% of the current operating budget without voter approval and (ii) allow new  
124 debt for a capital project if the project debt either (a) does not exceed 30% of the  
125 current operating budget or (b) is first approved by the voters? A “no” vote means  
126 the 12.5% debt limit remains in the charter.  
127

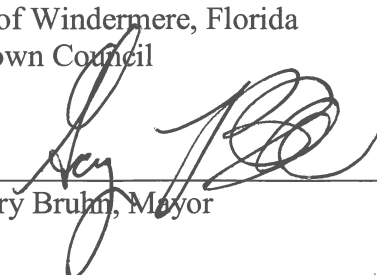
128 Yes \_\_\_\_\_  
129 No \_\_\_\_\_  
130

131  
132 **Section 6. Effective Date.** Section 5 and this Section 6 take effect immediately upon approval  
133 of this ordinance by Town Council. Sections 1 through 4 take effect immediately upon approval,  
134 and only upon approval, of an amendment as set forth in Section 2 by the electors of the Town  
135 voting in the referendum called in Section 5. If the voters do not approve an amendment as set  
136 forth in Section 2, this ordinance shall be deemed to be of no further effect.


137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157

ENACTED this 22<sup>nd</sup> day of November, 2016, at a regular meeting of the Town Council of the Town of Windermere, Florida.

Town of Windermere, Florida  
by: Town Council

by:   
Gary Bruhn, Mayor

Attest:

  
Dorothy Burkhalter, CMC  
Town Clerk

First reading: October 25, 2016  
Second reading: November 22, 2016

