

**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
REGULAR MEETING  
WEDNESDAY, FEBRUARY 8, 2023 - 6:00 P.M.  
AGENDA**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CONSENT AGENDA**

APPROVAL OF MINUTES –Regular Meeting January 11; Special Workshop Meeting January 17; Regular Workshop Meeting January 25

**APPEARANCES AND PRESENTATIONS**

1. Beautification Committee Presentation
2. Florida League of Cities- Training Recognition for Commissioner Later

**OLD BUSINESS**

1. Resolution 01-23 - Commission Rules and Procedures
2. Resolution 02-23 - Commission Travel Expense
3. Resolution 03-23 – Reestablishing Personnel Advisory Committee
4. Updated Personnel Policy Manual

**NEW BUSINESS**

1. Administrator appraisal timeline/scheduling
2. Contribution to TIMB Chamber for a table at the luncheon
3. Council direction on Peddling
4. Gulf Blvd turtle friendly lighting
5. FDEP notice of submerged land lease application discussion
6. Nomination of Jim Parker to Audit Selection Committee

**MISCELLANEOUS**

Workshop Meeting- Wednesday, February 22, 2023- 6:00 p.m.  
Regular Meeting- Wednesday, March 8, 2023- 6:00 p.m.

**COMMISSION REPORTS**

- (1) Mayor Henderson
- (2) Vice Mayor Krouk, Commissioner District No 2
- (3) Commissioner Blackburn, District No 1
- (4) Commissioner Later, District No 3
- (5) Commissioner Krajewski, Commissioner District No 4
- (6) Town Attorney
- (7) Town Administrator

**PUBLIC COMMENTS** (Items not previously discussed on this Agenda)

**ADJOURNMENT**

“Persons are advised that, if they decide to appeal any decisions made at this meeting, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”

“The Town maintains a tape recorder for all public hearings. In the event that you wish to appeal a decision, the tape may or may not adequately ensure a verbatim record of the proceedings. Therefore, you may wish to provide a court reporter at your expense.”

**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
REGULAR MEETING MINUTES  
WEDNESDAY, January 11, 2023 - 6:00 P.M.**

**Call to Order:** 6:00 P.M. Pledge of Allegiance.

**Attendance:** In person- Mayor Commissioner Henderson, Vice Mayor Commissioner Krouk, Commissioner Blackburn, Administrator Shoobridge, Attorney Eschenfelder.  
Via phone- Commissioner Krajewski  
Absent- Commissioner Later

**Consent Agenda**

Commissioner Krouk moved to approve the consent agenda. Commissioner Blackburn 2<sup>nd</sup>. Vote taken: 4 yay.

**OLD BUSINESS**

1. 2<sup>nd</sup> Reading of Ordinance No. 2022-11; Amending Vacation Rentals: Attorney Eschenfelder read Ordinance No. 2022-11 by title. Commissioner Blackburn moved to approve the Ordinance. Commissioner Krouk 2<sup>nd</sup>. No Commission discussion. No public comment. Vote taken: 4 yay.
2. Naming of the Audit Selection Committee: Mayor Commissioner Henderson presented the item. Mayor Commissioner Henderson stated that she has no recommendation for the committee at this time. Vice Mayor Commissioner Krouk recommended Ken Kelly for the Audit Selection Committee. Commissioner Blackburn stated that she has no recommendation for the committee at this time. Commissioner Krajewski recommended Paul Herzfeld for the Audit Selection Committee. Vice Mayor Commissioner Krouk moved to appoint Ken Kelly and Paul Herzfeld to the Audit Committee. Commissioner Blackburn 2<sup>nd</sup>. No Commission discussion. No public comment. Vote taken: 4 yay. Administrator Shoobridge speaks on the selection of the sitting Commission member, and Chair, for the Audit Selection Committee. Attorney Eschenfelder spoke on the Commissioner selection process. Mayor Commissioner Henderson asked Commissioner Krajewski to sit as the Commission member and chair of the Audit Selection Committee. Commissioner Krajewski declines. Vice Mayor Commissioner Krouk nominates Mayor Commissioner Henderson to sit as the Commission member and chair of the committee. Commissioner Blackburn 2<sup>nd</sup>. Public Comment is heard.
  1. Ken Kelly- 330 176<sup>th</sup> Ave Circle, Redington Shores, FL 33708.

Commissioner Krouk motions to amend her motions for the appointment of Ken Kelly, Paul Herzfeld, and Mayor Commissioner Henderson to the correct committee, Audit Selection Committee. Blackburn 2<sup>nd</sup>. No further Commission discussion. No further public comment. Vote taken: 4 yay.

3. Adoption of Resolution No. 08-22; Solid Waste Rate Increase: Attorney Eschenfelder reads Resolution No. 08-22 by title. Vice Mayor Commissioner Krouk moves to approve the Resolution that increases the Solid Waste Rate to 8%. Commissioner Blackburn 2<sup>nd</sup>. No further Commission discussion. No public comment. Vote taken: 4 yay.

**NEW BUSINESS**

1. Request for Variance Fee Waiver: Vince LaPorta, Town Building Official, presents item. Vice Mayor Commissioner Krouk moves to release the Swanzy's responsibilities to pay the variance fee. Commissioner Blackburn 2<sup>nd</sup>. Commission discussion. Attorney Eschenfelder spoke to clarification. Vice Mayor Commissioner Krouk amends motion and moves to approve the homeowners from 227 176<sup>th</sup> Terrace Dr. E, to have a variance application at no cost. Commissioner Blackburn 2<sup>nd</sup>. No further Commission discussion. Public comment heard.
  1. Don Swanzy- 227 176<sup>th</sup> Terrace Dr. E., Redington Shores, FL 33708Vote Taken: 4 yay.

1. October and November Monthly Financial Reports: Administrator Shoobridge presented the October and November Financial Reports and explained the town finances. No Commission discussion. No public comment.
2. Year End Financial Report: Administrator Shoobridge presented the Year End Financial Report. Commission discussion. Public comment heard.
  1. Rob Francore- 18325 Gulf Blvd Unit 209, Redington Shores, FL 33708
  2. Chris Cook- 17920 Gulf Blvd Unit 1107, Redington Shores, FL 33708

#### **PUBLIC COMMENTS**

1. Christy Herig- 17609 1<sup>st</sup> St. E., Redington Shores, FL 33708.
2. Leslie Kopick- 17819 Lee Ave., Redington Shores, FL 33708.

#### **MISCELLANEOUS**

Mayor Commissioner Henderson noted the time change on the Special Workshop Meeting scheduled for Tuesday, January 17<sup>th</sup>, 2023- moved from 1:00 p.m. to 2:30 p.m.

Special Workshop Meeting- Tuesday, January 17, 2023- 2:30 p.m.

Workshop Meeting- Wednesday, January 25, 2023- 6:00 p.m.

#### **COMMISSION REPORTS**

Vice Mayor/Commissioner Krouk, Commissioner Blackburn, Commissioner Krajewski presented reports. Major Smith, and Town Administrator Shoobridge presented reports. Chief Burford gives report on Seminole fire. Chief Swann gives report on Indian Shores Police Department. Public comment was heard from Bill Blackburn- 17717 Gulf Blvd. Unit 202, Redington Shores, FL 33708 and Rich Perez- 17725 Long Point Dr., Redington Shores, FL 33708. Commissioner Krouk gives report and moves to select an Appraisal Form for Administrator review and complete individual reviews. Commissioner Blackburn 2<sup>nd</sup>. No Commission discussion. Public comment heard from Christy Herig- 17609 1<sup>st</sup> St E., Redington Shores, FL 33708. Vote taken: 3 yay- Commissioner Krajewski left before vote was taken. Commissioner Blackburn gives report and moves for Administrator Shoobridge to investigate purchase of the pier property. Commission discussed. Public comment was heard from Leslie Kopick- 17819 Lee Ave, Redington Shores, FL 33708. Vote taken: 3 yay. Administrator Shoobridge gives report. Public comment was heard from Rob Francore- 18325 Gulf Blvd. Unit 209, Redington Shores, FL 33708, Donna Walkman- 17716 Lee ave, Redington Shores, FL 33708, and Leslie Kopic- 17819 Lee Ave, Redington Shores, FL 33708.

As a result of the reports, the following action items were identified:

1. Action Item: Vice Mayor Commissioner Krouk- Distribute sample Appraisal forms for the Administrator's review and select an Appraisal form. Person Responsible: Vice Mayor Commissioner Krouk and the Commission.
2. Action Item: Commissioner Blackburn- Research the history of the pier property for possible acquisition.  
Person Responsible: Administrator Shoobridge.
3. Action Item: Commissioner Blackburn- Research the fencing along Gulf Blvd. and determine possible unintended consequences of its removal.  
Person Responsible: Administrator Shoobridge.

#### **ADJOURNMENT** 7:50 p.m.

Respectfully Submitted,

*Jolie Patterson*

Jolie Patterson  
Deputy Clerk

**SPECIAL WORKSHOP MEETING  
BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
TUESDAY, JANUARY 17, 2023 – 2:30 P.M.  
MINUTES**

**Call to Order:** 2:30 p.m.

**Attendance:**

In person: Mayor Commissioner Henderson, Vice Mayor Commissioner Krouk, Commissioner Blackburn, Commissioner Krajewski, Commissioner Later, Town Administrator Shoobridge, Attorney Eschenfelder

**APPEARANCES AND PRESENTATIONS**

None

**OLD BUSINESS**

1. **Commission Policy Manual-** Attorney Eschenfelder reviewed Roberts Rules. Commission discussed. Attorney Eschenfelder presented a review of the Commission Policy and Procedures Manual. Commission discussed necessary revisions needed, charter review to be scheduled and requested clarification of Commission areas of responsibility. No public comment.

**Next Steps:** Attorney Eschenfelder to revise Policy Manual and present at a future meeting for Commission review.

**Persons Responsible:** Attorney Eschenfelder.

**Next Steps:** Commission to identify, nominate & assemble a Charter Review Committee

**Persons Responsible:** Commission.

**NEW BUSINESS**

None

**MISCELLANEOUS**

Workshop Meeting- Wednesday, January 25, 2023- 6:00 p.m.

Regular Meeting- Wednesday, February 8, 2023- 6:00 p.m.

Workshop Meeting- Wednesday, February 22, 2023- 6:00 p.m.

**ADJOURNMENT:** 6:19 p.m.

Respectfully submitted,

*Tracy Campbell*

Tracy Campbell  
Town Clerk

**WORKSHOP MEETING  
BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
WEDNESDAY, JANUARY 25, 2023 – 6:00 p.m.  
MINUTES**

**Call to Order:** 1:03 p.m.

**Attendance:**

In person: Mayor Commissioner Henderson, Vice Mayor Commissioner Krouk, Commissioner Blackburn, Commissioner Krajewski, Commissioner Later, Town Administrator Shoobridge, Attorney Eschenfelder

**APPEARANCES AND PRESENTATIONS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

1. **Business District Parking Lot Fence** – Commissioner Blackburn motions to move item to the top of the agenda. Mayor Commissioner Henderson consents. Commissioner Blackburn distributed materials and discussed the item. Commission discussion. Public comment heard.  
Ken Smith- 17817 Lee Ave., Redington Shores, FL 33708  
Leslie Kopick- 17819 Lee Ave., Redington Shores, FL 33708

**Next Steps:** Parking lot is to be revitalized: Dumpster fence replaced, fence replaced, new signage, updated irrigation system, spaces reevaluated, resurface lot.

**Person Responsible:** Administrator Shoobridge

2. **Administrator Appraisal Process:** Vice Mayor Commissioner Krouk presents item and explains process. Commission discussion. Public Comment heard.  
Christy Herig- 17609 1<sup>st</sup> St. E., Redington Shores, FL 33708  
Attorney Eschenfelder explains the appraisal process. Commission discussion.

**Next Steps:** Attorney to format and distribute the appraisal process to commissioners by February 3<sup>rd</sup>, 2023. Administrator is to complete the appraisal form for himself.

**Person Responsible:** Attorney Eschenfelder, Administrator Shoobridge

3. **Charter Review Committee-** Administrator Shoobridge presents item. Commission discussion. No public comment.

**Next Steps:** Pinellas County or Florida League of Cities to come in and give presentation on charter review.

**Person Responsible:** Administrator Shoobridge

**MISCELLANEOUS**

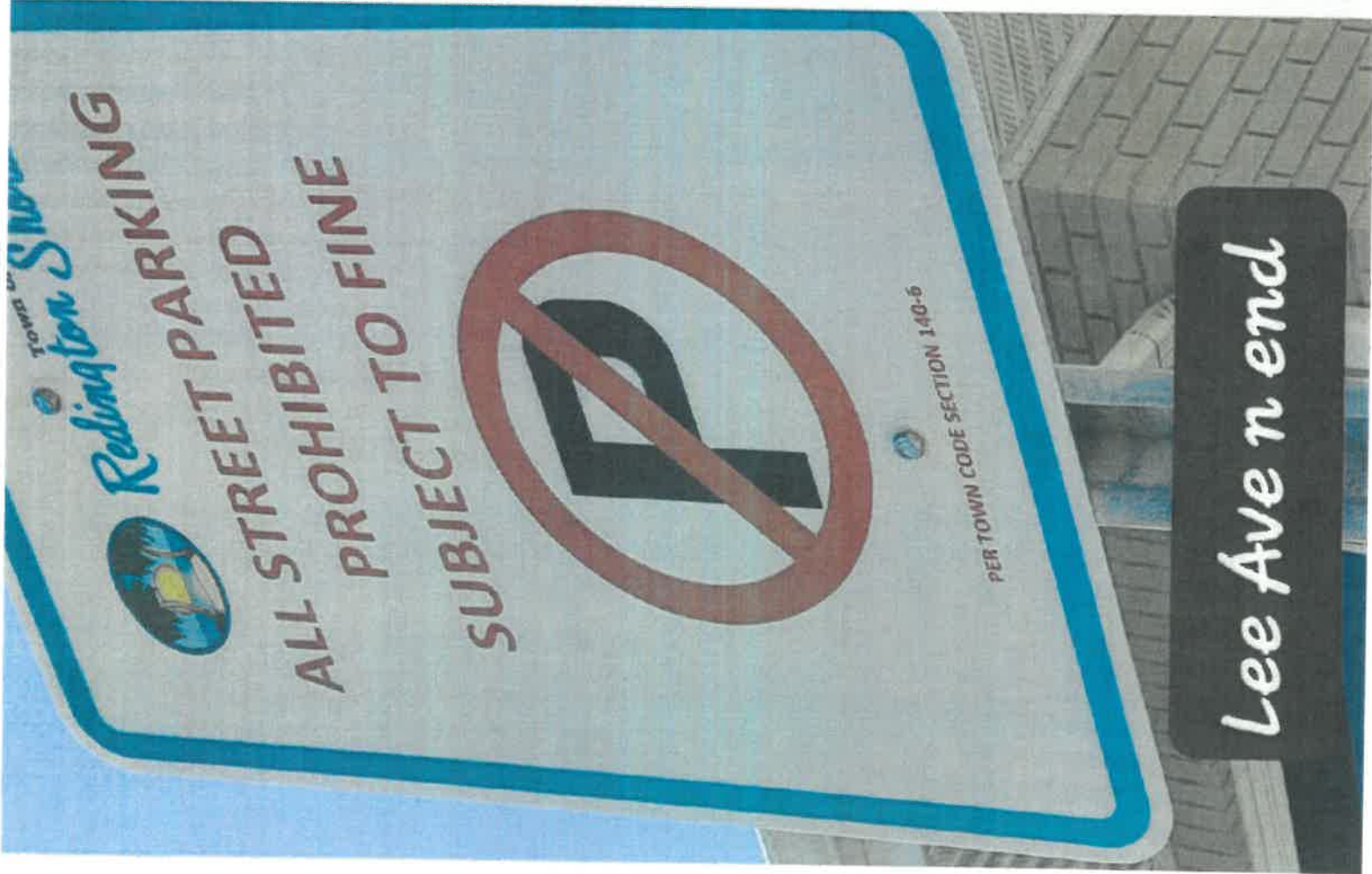
Regular Meeting – Wednesday, February 8, 2023 – 6:00 p.m.  
Workshop Meeting- Wednesday, February 22, 2023 – 6:00 p.m.

**ADJOURNMENT:** 7:34 p.m.

Respectfully Submitted,

Jolie Patterson  
Deputy Clerk





Lee Ave n end



177th Ter W





no sign

beach access & long pier



Coral Ave



NO  
DOGS  
BEYOND



across from town hall



NO  
DOGS



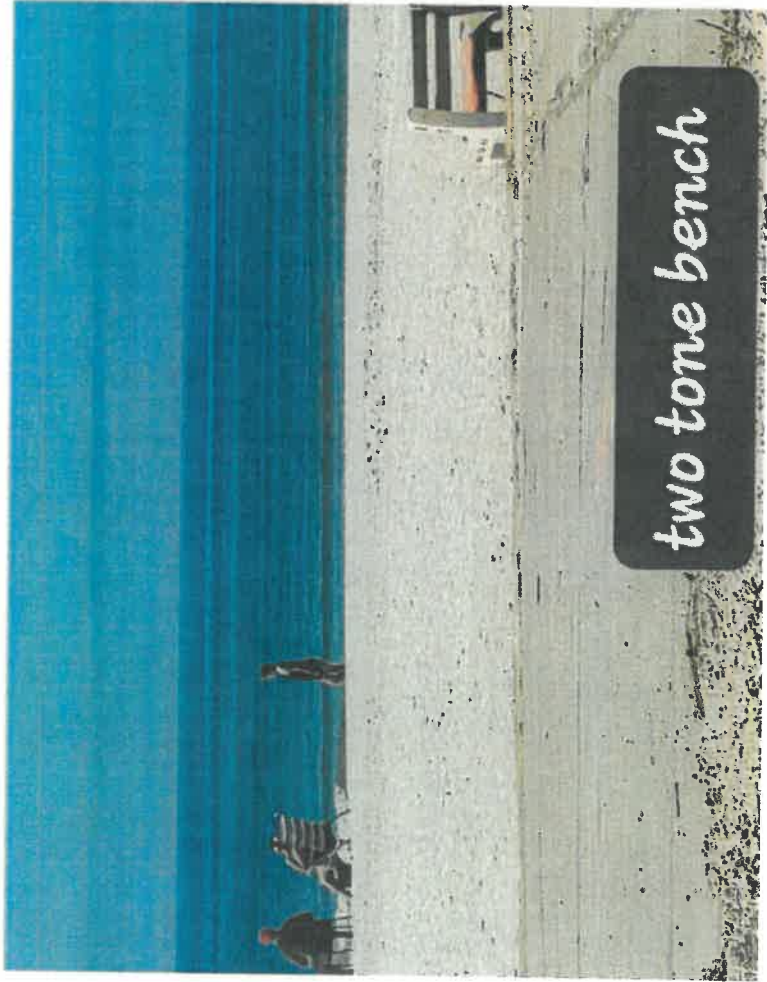




handcut beach lot



fencing & bench at Spitzer



two tone bench

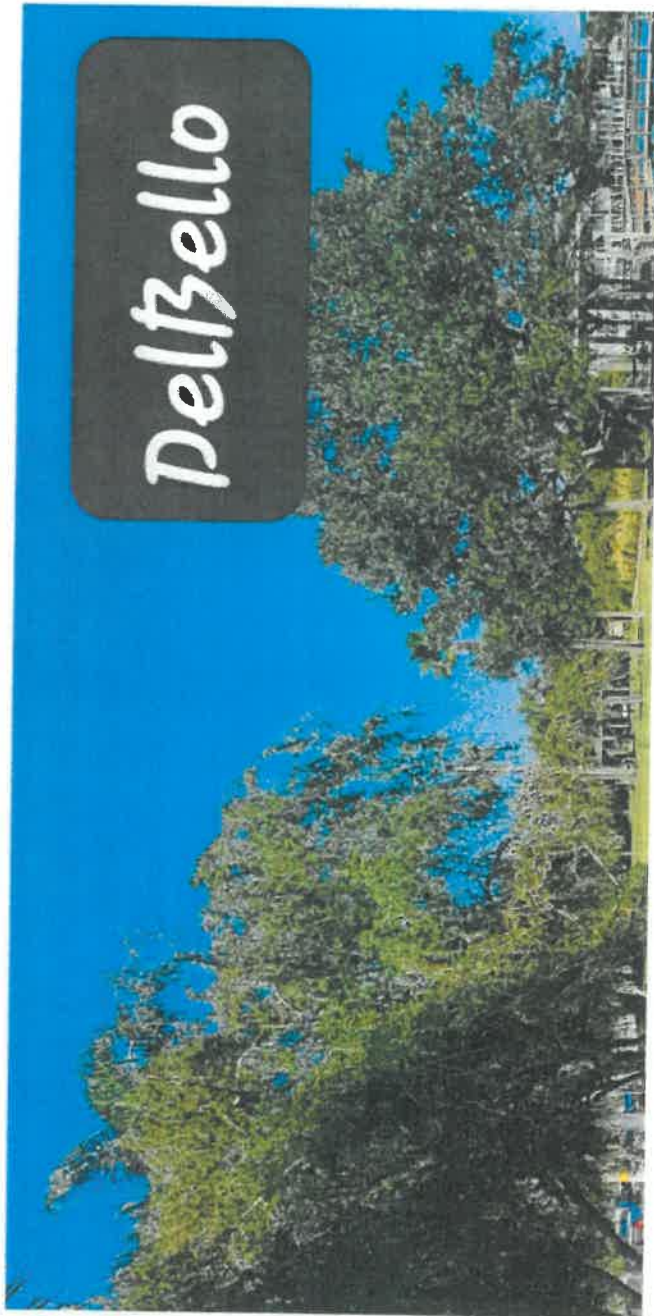




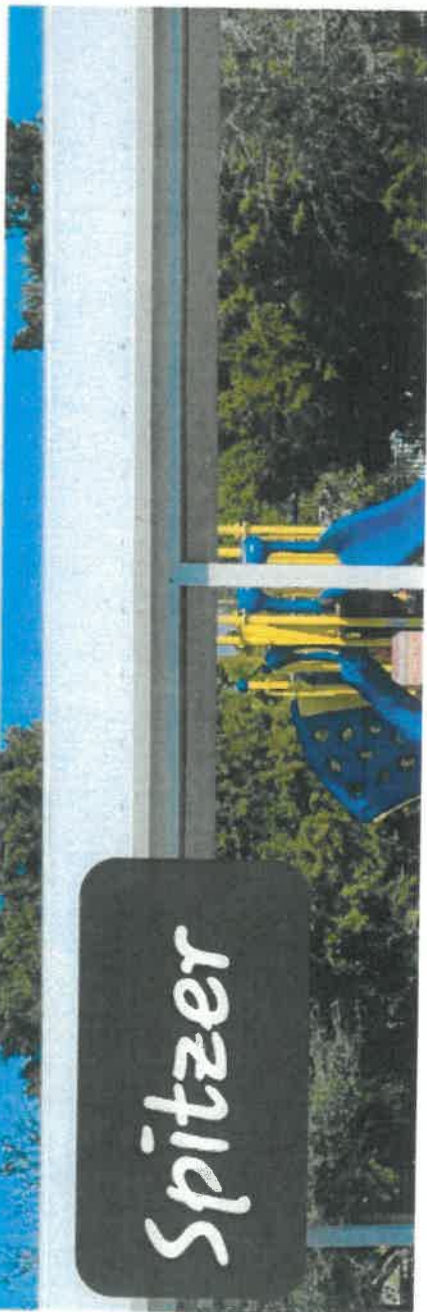
176th & Sterling  
greenspace (in residents)



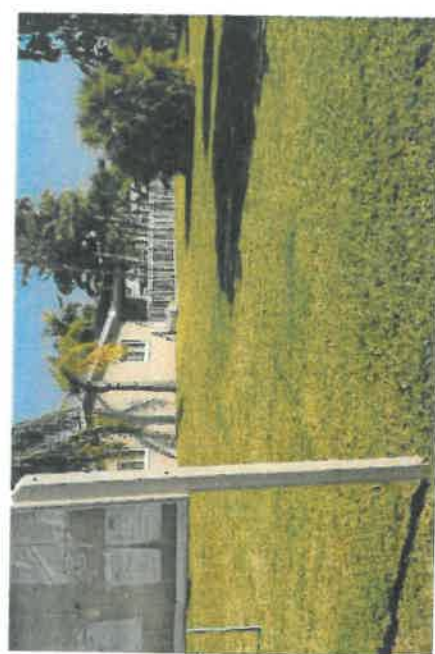
176th Ave Cir greenspace



DeltZello



Spitzer







5th Ave E cove greenspace  
st



end of 174th Ave E



cove greenspace 174th Ave E





## **RESOLUTION 01-23**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON SHORES, FLORIDA, REPEALING RESOLUTION 08-21 (RULES OF PROCEDURE); REPEALING THE COMMISSION POLICY MANUAL ADOPTED MAY 13<sup>TH</sup> 2020; ADOPTING COMPREHENSIVE NEW TOWN COMMISSION RULES OF PROCEDURE; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 5(F) of the Town Charter provides that the Town's Board of Commissioners (the Commission) may determine its rules of procedure; and

**WHEREAS**, on May 13<sup>th</sup> 2020, the Commission adopted a document entitled Commission Policy Manual which set forth a variety of provisions regarding Town operations including the authority of the Mayor Commissioner and the roles of the Commission members; and

**WHEREAS**, the Policy Manual was adopted prior to the Town's creation of a Town Administrator position; and

**WHEREAS**, the Policy Manual has become outdated and no longer reflects the way in which the Commission members function and interact with the Town's daily administration; and

**WHEREAS**, in 2022 the Commission removed certain portions of the Policy Manual as these were inconsistent with the Town Charter; and

**WHEREAS**, the Commission also adopted Resolution 08-21 in the spring of 2021 setting forth certain procedural rules related to the setting of Commission meetings and workshops, and the conduct of Commission meetings; and

**WHEREAS**, certain provisions in Resolution 08-21, including the distribution of agenda materials and the timing of Commission workshops are not consistent with actual current Town practice as has been more recently decided by the Commission; and

**WHEREAS**, neither the Policy Manual nor Resolution 08-21 set forth a detailed process for the Commission to follow during times when it is sitting in a quasi-judicial setting; and

**WHEREAS**, the Commission finds that the adoption of a new, more comprehensive policy document governing the Commission agenda and meeting process, and taking into account the administrative role of the Town Administrator, is necessary and desirable; and

**WHEREAS**, the Commission finds that adoption of the attached Commission Procedures Manual is in the best interests of the Commission, the Town, and the Town's residents.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Redington Shores, Florida, that:

**Section 1.** The May 13<sup>th</sup> 2020 Commission Policy Manual is hereby repealed in its entirety.

**Section 2.** Resolution 08-21 is hereby repealed in its entirety.

**Section 3.** The document attached to this Resolution, entitled Policy and Procedures Manual for the Redington Shores Board of Commissioners is hereby adopted and shall become effective upon the effective date of this Resolution.

**Section 4.** The phrases, clauses, sentences, paragraphs and sections of this Resolution, inclusive of the attached and incorporated procedures manual, are severable, and if any phrase, clause, sentence, paragraph or section hereof is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Resolution.

**Section 5.** This Resolution shall become effective immediately upon adoption.

**DULY ADOPTED** with a quorum present and voting this \_\_\_\_ day of \_\_\_\_\_,  
2023.

\_\_\_\_\_  
MaryBeth Henderson, Mayor-Commissioner

**Attest:**

\_\_\_\_\_  
Tracy Campbell, Town Clerk



**POLICY AND PROCEDURES MANUAL FOR THE  
REDINGTON SHORES BOARD OF COMMISSIONERS  
AND TOWN OFFICIALS**

**ADOPTED BY RESOLUTION 01-23**

## **TABLE OF CONTENTS**

Preamble and Statement of Intent .....	1
Section 1: Applicability .....	1
Section 2: Official Board Action .....	1
2.1 Applicability; Matters for Board Consideration .....	1
2.2 Delegation of Authority .....	1
2.3 Designees .....	1
Section 3: Board Officers .....	2
3.1 Election of Vice-Mayor .....	2
3.2 Assignment of Commissioner Oversight Duties .....	2
3.3 Quorum and Officers .....	2
3.4 Vacancy in Office .....	3
3.5 Appointment of Members to Other Boards .....	4
Section 4: Meetings .....	4
4.1 Types of Public Meetings .....	4
4.2 Private Sessions .....	5
4.3 Preparation of Agenda .....	6
4.4 Continuance of Meetings Due to Emergency .....	7
Section 5: Conduct of Meetings .....	7
5.1 Generally .....	7
5.2 Rules of Debate .....	7
5.3 Addressing the Board .....	8
5.4 Orderly Meetings .....	9
5.5 Public Hearings .....	11
5.6 Adjournment .....	21
Section 6: Function of Town Officials .....	21
Section 7: Conflicts; Use of Other Rules .....	23
7.1 Conflict with Laws .....	23
7.2 Robert's Rules of Order .....	23
Section 8: Publication .....	23



# **PROCEDURES FOR THE REDINGTON SHORES BOARD OF COMMISSIONERS' MEETINGS AND TOWN OPERATIONS**

## **PREAMBLE AND STATEMENT OF INTENT**

Consistent with the requirements of Chapters 166, 163 and 286, Florida Statutes, and other applicable law, the Redington Shores Board of Commissioners has adopted these rules (hereinafter, the Commission Procedures) to govern its meetings, hearings, and workshops, and to address the workflow of Town administrative officials. As to meetings of the Board of Commissioners, while encouraging appropriate public participation and an informal and civil atmosphere, the Board of Commissioners intends to maintain the structure and decorum required for the orderly, efficient, and professional conduct of its business.

### **1. APPLICABILITY.**

These Commission Procedures shall govern and be applicable to the meetings, hearings, and workshops of the Redington Shores Board of Commissioners, and in accordance with Town Code § 5-6(b), to any subordinate boards, commissions or advisory committees created by the Commission. If any such subordinate bodies adopt their own additional procedures, such procedures shall not be materially inconsistent with these Procedures, and shall first be reviewed by the Town Attorney to ensure legality. These Procedures shall also be applicable to the Town Administrator and the administrative functions of the Town to the extent provided for herein.

### **2. OFFICIAL COMMISSION ACTION.**

**2.1 APPLICABILITY; MATTERS FOR BOARD CONSIDERATION.** Any matters that relate to the Commission's duties, authority or powers under the Town Charter, Florida Statutes Chapter 166, or other applicable law, or which relate to the Town's property, legal or financial interests, or to the public health, safety or welfare of the Town and its residents, may be brought before the Commission for appropriate consideration or action.

**2.2 DELEGATION OF AUTHORITY.** The Town of Redington Shores acts through its Board of Commissioners and the authorized actions of its employees, agents, and legal representatives. To the extent permitted by law, the Commission may delegate its authority to perform action on behalf of the Town. In delegating authority, the Commission shall provide sufficient guidelines and expression of its objectives to enable efficient performance of the action for which the authority has been delegated.

**2.3 DESIGNEES.** Wherever these Commission Procedures delegate authority or responsibility to the Town Clerk (the Clerk) or the Town Administrator, such authority or responsibility is understood to extend to his or her respective designee. However, this delegation of duties does not relieve the delegating officer for ultimate responsibility for said delegation.

### 3. ADMINISTRATIVE COMMISSION OFFICERS.

#### 3.1 CLERK OF THE COMMISSION SELECTION OF VICE MAYOR.

Pursuant to § 113B of the Town Charter, the Town Clerk shall ensure meetings of the Commission are noticed as required by law, keep the official minutes of the Commission's meetings, and authenticate by his or her signature and record in full in a book kept for the purpose all ordinances and resolutions. ~~Mayor-Commissioner shall appoint a Vice Mayor-Commissioner with the consent of the Board of Commissioners.~~

#### 3.2 ADMINISTRATIVE OVERSIGHT DUTIES. Pursuant to § 1-20 of the Town Code, the Town Administrator shall serve as the chief administrative officer of the town and shall be responsible for directing, coordinating and managing the administration of the town's business, as performed through the town's employees and contractors. Pursuant to § 1-20(H), the Board of Commissioners will conduct an annual review of the Administrator's performance, and may conduct such additional evaluations at any other times it determines, using such method of review as the Commission establishes.

#### 3.3 QUORUM AND OFFICERS.

3.3.1 A quorum exists when a majority of the Commissioners are present, physically or electronically. Unless otherwise provided by law, Charter or Town Code, a majority vote, where a quorum is present, constitutes action of the Commission.

3.3.2 In the absence of the Mayor-Commissioner, the Vice Mayor-Commissioner shall have all the duties and authority of the Mayor-Commissioner until the arrival of the Mayor-Commissioner. In the absence of the Mayor-Commissioner and Vice Mayor-Commissioner at the time scheduled for the opening of a public meeting or workshop, the remaining three Commissioners shall select a Commissioner to preside over the meeting until the Mayor-Commissioner or Vice Mayor-Commissioner becomes present, physically or electronically. In the absence of a required quorum, those Commissioners assembled, including a single Commissioner, if only one is present, may take measures to obtain a quorum, fix the time to which to adjourn or take a recess, and open and continue a public hearing on any scheduled matter to a time and date certain, but shall take no testimony and conduct no other business. Nothing in this Section 3.3 shall limit any procedure, rules, statutes, or other lawful authority governing the conduct of business in the event of a disaster or emergency.

3.3.3 A Commissioner seeking to attend all or any portion of a meeting via electronic means shall inform the Clerk with as much advance notice as possible. The Clerk shall inform the other Commissioners of the Commissioner's intent to appear electronically. The Clerk and

Administrator shall ensure the chambers is appropriately equipped to permit any audio/video interaction needed. The term "appropriately equipped" shall mean that level of equipment allowing Commissioners attending electronically to hear fellow Commissioners and any person presenting at the microphone; allowing all other Commissioners and all persons attending in the Chambers to hear Commissioners attending electronically; and for matters expected to include video or graphic presentations, the ability of Commissioners attending electronically to view via a video feed the same images seen by Commissioners physically attending.

3.3.4 It is generally expected that Commissioners will attend meetings in person whenever possible, and that Commissioners should not seek to attend remotely based solely on convenience. While electronic attendance is permitted where necessary, including when a Commissioner is incapacitated due to illness or injury or hindered by logistical circumstances from physically attending, a remotely-appearing Commissioner must otherwise be able to concentrate and give his/her attention to the business of the Commission

3.3.5 Given the importance of a Commissioner's ability to assess witness credibility, and to review documents, videos, photographs, and other exhibits admitted into evidence when the Commission is sitting in a quasi-judicial setting, Commissioners should make every effort to attend in person meetings at which a quasi-judicial matter is on the agenda.

### ~~3.4 — VACANCY IN OFFICE.~~

~~3.4.1 Pursuant to § 13 of the Town Charter, should the Mayor-Commissioner become unable for any reason to discharge his or her duties and responsibilities, it shall be the duty and responsibility of the Vice Mayor-Commissioner to assume the duties and responsibilities of the Mayor-Commissioner until the Commission appoints a new Mayor-Commissioner.~~

~~3.4.2 Pursuant to § 5(D) of the Town Charter, in the event of a vacancy in the office of Commissioner, the remaining members of the Commission shall appoint a qualified registered voter of the Town to serve for such period as is set forth in the Charter.~~

### 3.53.4 **APPOINTMENT OF COMMISSION MEMBERS TO OTHER BOARDS.**

The Commission may appoint individual Commissioners to serve on any county, state or federal board, commission, committee or workgroup either when a Town appointment is required by law or interlocal agreement, or where the governmental entity at issue has invited the Town to appoint a representative, unless accepting such appointment would constitute dual office holding. While individual members of the Board of Commissioners may elect privately to serve on non-governmental

boards or committees (such as non-profits or homeowner association boards), such service shall be a private matter, the Commission will not make such appointments, and the serving Commissioner's actions on such private boards or committees shall not constitute Town action for any purpose.

#### **4. MEETINGS.**

##### **4.1 TYPES OF PUBLIC MEETINGS.** The Commission shall have the authority to hold the types of meetings set forth below:

**4.1.1 Regular Meetings.** The Commission may establish and announce a regular meeting schedule. The schedule may include regular and special meetings, including meetings primarily focused on items considered under or specifically related to the Town's Comprehensive Plan or Land Development Code which may also be designated Land Use Meetings. All regular meetings shall ordinarily commence on the second Wednesday of the month at 6 p.m. in the Town Hall Chambers. Any noticed regular meeting may be commenced earlier or later, postponed or canceled, or held in a different location pursuant to a motion adopted at a regular meeting, except that no quasi-judicial proceeding shall be conducted on a date or at a time different than the date and time which had been noticed for that matter to be heard.

**4.1.2 Special Meetings.** A special meeting of the Commission may be called by the Mayor-Commissioner, the Vice Mayor-Commissioner, or may be set by a majority of the Commissioners present at a meeting of the Commission. Whenever a special meeting is called, it shall be posted on the Town's website and notice shall be given by the Clerk to Commissioners, the Town Attorney, and any persons entitled to notice as a matter of law, stating the date, hour and place of the meeting, and the purpose(s) for which the meeting is called. At least twenty-four (24) hours must elapse between the time the meeting is noticed and the time the meeting is to be held. While the Commission's discussion of topics need not be confined to the matters noticed for a special meeting, the Commission may not take any action on a matter not included in the noticed special meeting agenda.

**4.1.3 Emergency Meetings.** An emergency meeting may be called by the Mayor-Commissioner or the Vice Mayor-Commissioner. An emergency meeting may be called only when the official calling the meeting believes that circumstances exist that may involve serious legal, financial or safety consequences for the Town or its residents requiring immediate consideration or action by the Commission. Whenever such emergency meeting is called, the Clerk, or if she or he is unavailable, the Town Administrator, or if he or she is unavailable the official calling the meeting, shall make a diligent and good faith attempt to telephonically or by email notify each Commissioner, the Clerk, the



Town Administrator, the Town Attorney, members of the local news media, and any persons entitled to notice as a matter of law, informing them of the date, hour, and place of the meeting, the nature of the emergency, and the purpose(s) for which the meeting is being called. No other business shall be transacted at the meeting other than Commission actions required to respond to the emergency, and the minutes of each emergency meeting shall include the nature of the emergency and shall set forth the efforts made to provide notice.

4.1.4 **Workshops.** The Commission may hold workshops from time to time for consideration of matters that are not ready for Commission action or for mere informational gathering purposes. Regular workshops normally occur on the last Wednesday of the month at 2 p.m. No final vote or other approval action may be taken at workshops.

4.1.5 **Public Notice.** The Clerk shall provide public notice of all meetings and workshops in accordance with law. The minutes of all meetings shall include the Clerk's confirmation that the meetings were noticed as provided for by law.

## 4.2 CLOSED SESSIONS.

4.2.1 **Litigation Meetings.** The Town Attorney and other attorneys representing the Town may meet in private session with the Commission to discuss pending litigation to which the Town is a party before a court or administrative agency so long as such meetings are noticed, held and reported, and the records thereof preserved and made available to the public upon conclusion of the litigation in compliance with Florida Statutes § 286.011(8).

4.2.2 **Risk Management Meetings.** Portions of the Commission's meetings and proceedings that are conducted pursuant to the Town's risk management program and that relate solely to the evaluation of claims filed with the risk management program, or that relate solely to offers of compromise of such claims, may be held in private session, so long as such meetings or portions of meetings are held and a record thereof is preserved in compliance with Florida Statutes § 768.28(16). In accordance with Florida Statutes § 768.28(16)(d), the minutes of risk management meetings and other records thereof are exempt from public disclosure until termination of all litigation and settlement of all claims arising out of the same incident.

4.2.3 **Collective Bargaining Meetings.** As provided in Florida Statutes § 447.605, all discussions between the Commission and the Town Attorney relative to collective bargaining shall be closed and exempt from the provisions of Florida Statutes § 286.011.

### 4.3 PREPARATION OF AGENDA.

- 4.3.1 **Administrator and Clerk.** The Town Administrator shall confer with the Clerk prior to all scheduled Commission meetings and workshops to set an agenda. Once set, the Clerk shall prepare and publish the agenda, and assemble the accompanying agenda materials for posting on the Town website and distribution to Town officials. Commissioners must receive ~~either electronic or paper~~ copies of the agenda materials (in either paper or electronic form as each Commissioner requests) by noon on the Friday before all regular Commission meetings and workshops.
- 4.3.2 **Town Attorney.** The Town Attorney will notify the Administrator if she or he requests an item be placed on the agenda, and may add supplemental items to the agenda whenever, in the discretion of the Town Attorney, such items require Commission attention at that meeting to preserve the Town's legal interests or position.
- 4.3.3 **Commissioner.** Any Commissioner may ~~confer with the Administrator prior to the agenda's being finalized to request an item be placed on the agenda of a regular meeting. Unless adding~~ If sufficient time remains to allow the item to be added to the agenda would violate and published, and any applicable legal notice requirements can be met, the Administrator shall add the item. If a Commissioner adds an agenda item, the Commissioner must submit any supporting materials to the Clerk for publication by 2 p.m. on the Thursday before. However, an individual Commissioner cannot add an item to an agenda if the Town cannot meet legal notice requirements by the date set for the meeting.
- 4.3.4 **Items Not on Agenda.** Matters that do not require separate public or other legal notice may, with the consent of the majority of the Commissioners present, be added to the agenda of any regular (but not special or emergency) meeting, and may thereafter be considered and acted upon.
- 4.3.5 **Adoption Not Required.** The Commission is not required to adopt or approve the agenda for any meeting. ~~Advertised meeting agendas are presumed to be approved by the Commission.~~ The Commission reserves the right, once a meeting has been convened, to add, remove, or relocate any agenda items as it deems necessary or advisable, except that quasi-judicial matters may not be begun prior to the time set forth in the notice.

### 4.4 CONTINUANCE OF MEETINGS DUE TO EMERGENCY.

Where necessary to continue a public meeting due to an emergency and where the full Commission is not assembled, the Mayor-Commissioner, Vice Mayor-Commissioner, a Commissioner, the Clerk, the Administrator, or the Town Attorney are hereby delegated authority to continue the meeting to a date certain or indefinitely. The continuance shall be announced at the time and place where

the meeting was scheduled to begin and, where possible, shall be publicly announced prior thereto to provide reasonable public notice thereof.

For purposes of this rule, an “emergency” means an emergency as defined in Florida Statutes § 252.34(3), or as declared by the Governor of Florida, the Board of County Commissioners, or the Town Commission, or a natural or manmade disaster or threat thereof that in the reasonable judgment of the Mayor-Commissioner or the Town’s chief law enforcement officer renders the meeting environment unduly dangerous to the Commission, staff or the public.

## **5. CONDUCT OF MEETINGS.**

**5.1 GENERALLY.** On the day and at the hour set for each meeting, members of the Commission, the Clerk, the Administrator, and the Town Attorney shall be seated and the business of the Commission shall be taken up in accordance with the agenda advertised for the meeting. The Administrator, at his or her discretion and in light of the anticipated agenda items, may require that either the designated Town Planner or Town Building Official also be in attendance. The presiding officer may, with the assent of the Commission, take business out of order if she or he determines that such a change will expedite the business of the Commission, will accommodate a large group of residents present to address a particular item, will accommodate recognition of a public official present to make a presentation, or will otherwise be in the Town’s best interest.

## **5.2 RULES OF DEBATE.**

**5.2.1 Questions Under Consideration.** When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except to adjourn, to recess, to end debate, to ‘lay on the table’ (i.e., to postpone indefinitely), to continue or defer to a date uncertain (i.e., to postpone until the occurrence of an independent event which will definitely occur at an unknown time), to continue or defer to a date certain, or to amend a motion currently on the floor. These types of motions shall have precedence in the order in which they are mentioned, and motions to adjourn, recess, or to end debate shall be decided without debate. Upon the request of the Town Administrator or Town Attorney, made prior to final action on any matter, that the matter be deferred or continued to a future Commission agenda, the Commission shall vote on whether to defer or continue the matter as requested prior to continuing to consider the matter.

**5.2.2 Motions/Seconds by the Mayor-Commissioner.** The Mayor-Commissioner may second any motion. As the presiding officer, the Mayor-Commissioner may not make any motion unless she/he relinquishes the gavel to the Vice Mayor-Commissioner. The Mayor-Commissioner shall

not recover the gavel and resume presiding over the meeting until the motion is withdrawn or acted upon.

**5.2.3 Discussion.** Every Commissioner desiring to speak shall notify the presiding officer and, upon being recognized, shall confine him or herself to the question under debate. At her or his discretion, the presiding officer may allow two members to dialogue with each other to obtain information or clarification on an issue under discussion. Otherwise, all comments should be directed to the presiding officer.

**5.2.4 Interruption.** A Commissioner, once recognized, shall not be interrupted when speaking unless it is to call that Commissioner to order or as herein otherwise provided. If a Commissioner, while speaking, is called to order (a “point of order” is used to object to point out an approved procedure is not being followed or to point out a personal affront), or if a question of personal privilege is raised (a “point of personal privilege” is an opportunity to raise issues such as disruptive noise, inadequate ventilation, or introduction of a legally confidential subject in the presence of those not entitled to knowledge thereof), the Commissioner who had the floor shall cease speaking until the question of order or privilege is addressed or ruled upon by the presiding officer. If ruled in order, the challenged Commissioner shall thereafter be permitted to proceed. A ruling of the presiding officer on a point of order may be overturned by a majority vote of the Commission.

**5.3 ADDRESSING THE COMMISSION.** A member of Town staff who addresses the Commission shall be identified and shall use a microphone to allow her or his comments to be heard by those in attendance and properly recorded by the Clerk. All residents or other persons addressing the Commission shall do so from the speaker’s lectern facing the Commission unless a disability requires a different location and use of a portable microphone. Time limits on members of the public addressing the Commission shall be as set forth below or as otherwise established by the Mayor-Commissioner or the Commission, and shall be monitored and enforced by the Clerk or Administrator.

**5.3.1 Public Comments as to Consent Agenda Items.** Subject to sections 5.4.2 and 5.4.3, before voting on the consent agenda at any regular or special meeting, the Commission shall allow individual members of the public to address the Commission as to any consent agenda items. Persons commenting on the consent agenda shall be limited to three (3) minutes for each such item, but shall be limited to a total of ten (10) minutes to address all consent agenda items she or he desires to address. Public comment prior to approval of the consent agenda items is not permitted to the extent the comment is directed at the adoption of minutes or ceremonial proclamations, or other similar ministerial acts.

**5.3.2 Public Forum.** Subject to § 5.4.2 and § 5.4.3, the Commission will provide on its agenda for regular (but not special or emergency)



meetings, a period for public comments on matters which are not on the agenda, and which address matters which may be appropriate for the Town Commission to act on at a future meeting. This portion of the meeting will occur at the end of the meeting agenda, after the Commission has acted on all other agenda items. Each person speaking during the public forum shall be limited to three (3) minutes. At any special meeting or Commission workshop, the Commission may, in its sole discretion, permit members of the public in attendance to provide comments of no longer than three (3) minutes, but such comments must only address the subject being discussed at the meeting or workshop.

- 5.3.3 **Speaker Cards.** Persons wishing to speak on any matter on the agenda, including public forum, are required to complete the speaker information cards available from the Town Clerk before the meeting. Cards are to be returned to the Town Clerk who will organize them by agenda matter and provide them to the presiding officer so each person desiring to speak can be called when the appropriate point during the meeting occurs. The presiding officer may, with the assent of the Commission, allow persons who did not fill out speaker cards to speak on a matter, but such persons will also be required to provide their name and address for the record and complete a speaker card after the fact. Persons refusing to provide their name and address will not be permitted to provide comments.
- 5.3.4 **Matters not on the agenda.** While Florida law does not require a matter to appear on a published agenda before it is acted on, the Commission always desires to provide notice to Town residents in advance of a vote. Therefore, as to matters not on the published agenda but which are added to the agenda at the meeting, the Commission will not ordinarily take action at the same meeting wherein a matter is first raised, but may direct that the item be placed on a future agenda. However, the Commission reserves the right to vote on matters added to the agenda where the matter is either minor in nature, addresses a matter of internal Town operations or staffing, or where a deadline (such as a grant application deadline) would not provide enough time for the item to wait to the next agenda.
- 5.3.5 **Public Forum not created.** Nothing in this section 5.3 is intended to create a general public forum for discussion, debate or comment on any matter an individual desires to discuss. Town Commission meetings occur so as to conduct the pending Town business and, to that end, must proceed as efficiently as possible.
- 5.3.6 **Right to Speak.** Pursuant to Florida Statutes § 286.0114, subject to the Commission's right to maintain orderly conduct and proper decorum, members of the public shall be given a reasonable opportunity during the decision-making process to be heard on a proposition before the Commission. However, the statute also provides that an invitation for comment need not be afforded where: (a) an official act must be taken to deal with an emergency situation affecting the public health, welfare, or

safety, where providing for comments would cause an unreasonable delay in the ability of the Commission to act, (b) the act involves no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations, (c) the meeting is exempt from the Sunshine pursuant to law, or (d) the meeting is one in which the Commission is acting in a quasi-judicial capacity.

#### 5.4 ORDERLY MEETINGS.

5.4.1 The presiding officer shall preside at the meetings, shall ensure order is maintained, that the procedural rules are followed, and shall initially rule upon all procedural questions. In making a ruling, the presiding officer may consult with the Town Attorney, as parliamentarian, as to the applicable rules of order. The ruling of the presiding officer on a procedural issue can only be overturned by a Commission majority vote.

5.4.2 All persons in attendance at a Commission meeting, hearing, or workshop shall conduct themselves in a civil manner and refrain from actions that disrupt the meeting or hinders the Commission in performing its duties. To these ends, such persons are prohibited from:

- committing acts of violence toward any person;
- making threats of violence or speaking "fighting words" that are likely to provoke violence;
- disrupting the proceedings with excessive commotion or excessively loud shouting or other noise or use of obscene or crude language;
- interfering with the rights of others to speak, hear, see, or attend the proceedings;
- being unduly repetitious or presenting matters not relevant to the agenda item under consideration;
- speaking on a subject about which the Commission has already taken a position or about which the Commission has voted not to receive further comment;
- making ad hominem (in a way that is directed against a person rather than the position they are maintaining) attacks or insults against any person;
- continuing to speak after the allotted time has expired or after having been ruled out of order; or
- speaking on a subject that is clearly outside the purview of section 2.1

- 5.4.3 The presiding officer shall rule out of order any person(s) violating these provisions for orderly meetings. In appropriate situations (e.g., if such person(s) refuse to cease such violations), the presiding officer may have such person(s) removed from the meeting, hearing, or workshop by law enforcement personnel, or take such other actions as may be reasonably necessary to maintain order and enforce these requirements.

## 5.5 PUBLIC HEARINGS.

- 5.5.1 **Explanation of Terms.** For purposes of these Commission Procedures, unless the context requires otherwise, the following terms have the definitions set forth or the usages explained below:

"Public Hearing" - refers to a hearing where the public is both invited and entitled to be heard on a matter pending before the Commission, typically requiring an advertisement on the Town website or in a local newspaper of the matter to be considered. Some examples are hearings to consider adoption, repeal, or amendment of ordinances, or in some cases, resolutions.

"Quasi-Judicial Hearing" - refers to a type of public hearing in which the Commission is required to assume a more adjudicatory role, as distinguished from a legislative role. In quasi-judicial hearings, certain procedural requirements are imposed by law. The following types of public hearings shall be conducted as quasi-judicial hearings: individual parcel zoning atlas amendments; development agreements if accompanied by a quasi-judicial development application; developments of regional impacts ("DRI"); consideration of a general development plan or site plan application; an appeal to the Commission of an administrative determination if provided for by Town Code; and such other hearings as may be required by law to be treated as quasi-judicial.

"Applicant(s)" - means person(s) who has/have duly made formal application for Commission action or approval in a quasi-judicial context of an item affecting their legal or property rights.

"Proponent(s)" - in a quasi-judicial setting, means person(s) other than an applicant, who support an applicant's position; or, in other settings, means person(s) who favor adoption of an ordinance or resolution or an affirmative decision on a matter under consideration by the Commission.

"Opponent(s)" - in a quasi-judicial setting, means person(s) who

oppose an applicant's position; or, in other settings means persons who oppose adoption of an ordinance or resolution or an affirmative decision on a matter under consideration by the Commission.

**"Affected Persons"** - means an applicant in a quasi-judicial hearing or an opponent or proponent whose interest and involvement in a public hearing matter is such that he or she would have legal standing under Florida law as a party in court or administrative litigation challenging Commission action in the matter.

5.5.2 **Conduct of Public Hearings (Non-Quasi-Judicial).** Public hearings involving (a) non-quasi-judicial matter(s) shall ordinarily proceed in the following manner:

5.5.2.1 **Initial Presentation by Staff.** Town staff **or attorney** shall make the initial presentation to the Commission regarding any item under consideration.

5.5.2.2 **Public Comment.** After presentation by staff **or attorney**, the presiding officer shall open the public comment portion of the public hearing for the purpose of hearing persons who want to be heard on the item under consideration.

5.5.2.3 **Closing of Public Comment.** The presiding officer shall close the public comment portion of the public hearing upon the conclusion of the comments of the last appropriate speaker or the expiration of the speaking times allowed under the procedures. Thereafter, unless time for public comment is extended or public comment is re-opened in accordance with these procedures, no additional public comments shall be allowed except in specific response to questions by staff or Commissioners.

5.5.2.4 **Staff Response and Summary.** After public comment is closed, staff shall be allowed an opportunity to respond, to summarize, or to further explain staff's position and to advise of changes in staff's position, if any.

5.5.2.5 **Inquiry, Clarification and Comments During Presentations.** It is the intent of the Commission that its public hearings be orderly and to that end interruption of presentations is ordinarily to be avoided. It is also the intent of the Commission that a complete record of relevant facts be established and a complete understanding of the matters under consideration be obtained. Accordingly, the presiding officer, at any time during a public hearing, may allow Commissioners to



comment or make inquiry of persons addressing the Commission, or of staff or other persons in attendance, or may allow staff, Town consultants, or the Town Attorney to comment or make such inquiries.

### **5.5.3 Conduct of Quasi-Judicial Public Hearings.**

- 5.5.3.1 Oath or Affirmation. Prior to addressing the Commission at a quasi-judicial public hearing, each person who intends to provide testimony to the Commission (including citizens not affiliated with the applicant) shall declare, pursuant to oath or affirmation administered by the Clerk, or other duly authorized person, that the factual statements or representations that he or she will present shall be truthful and accurate. The form of oath or affirmation shall be substantially similar to: "Do you swear, or affirm, that the factual statements and factual representations which you are about to give or present before or to this Commission during this public hearing will be truthful and accurate?" Any person who knowingly makes a false statement or representation under oath or affirmation shall be subject to criminal and other sanctions as provided by law, in addition to any consequences provided for under the Commission Procedures or any Town ordinance.
- 5.5.3.2 Introduction by Attorney and Staff. The Town Attorney will provide a brief overview of the steps in the hearing. The Town staff will then introduce the quasi-judicial matter to the Commission so as to provide an overview of the proposed matter, and identify issues the Commission will be considering.
- 5.5.3.3 Ex Parte Communications. Commission members may enter into the record factual matters which are not already contained in the record, when such Commission members have personal knowledge pertaining to the physical characteristics of a site, its surroundings, or other communications relevant to the matter being heard.
- 5.5.3.4 Applicant's Presentation. After staff presentation, the applicant(s) shall be allowed to make a presentation to the Commission. The applicant has the burden of proving that the proposal is consistent with the comprehensive plan and complies with the standards for approval in the Land Development Code.
- 5.5.3.5 Staffs Presentation. After the applicant's(s') presentation, staff

shall present the staffs report and recommendation.

- 5.5.3.6 Public Comment. After presentation by the applicant(s) and staff, the presiding officer shall open the public comment portion of the quasi-judicial hearing for the purpose of hearing persons who want to be heard on the item under consideration.



- 5.5.3.7 Closing of Public Comment. The presiding officer shall close the public comment portion of the public hearing upon the conclusion of the comments of the last appropriate speaker or the expiration of the speaking times allowed under these procedures. Thereafter, unless time for public comment is extended or public comment is re-opened in accordance with these procedures, no additional public comments shall be allowed except in specific response to questions by staff or Commissioners.
- 5.5.3.8 Staff Response and Summary. After public comment is closed, staff shall be allowed an opportunity to respond, to summarize, or further explain staff's position and to advise of changes in staff's position, if any.
- 5.5.3.9 Applicant's(s') Rebuttal Presentation. After staff response, Applicant's(s') rebuttal shall be allowed in quasi-judicial matters. Rebuttal shall only address comments made in the previous presentations.
- 5.5.3.10 Factual Errors. Any person(s) who believe that the rebuttal presentation includes an error of fact may be allowed an opportunity to point out such error of fact. This relates to a demonstrable falsehood or misstatement of objective fact. It is not an opportunity to argue the merits of a proposal.
- 5.5.3.11 Commission and Staff Inquiry. After staff and applicant(s) have made presentations as outlined above and the public comments portion of the hearing is closed, the Commission shall have a final opportunity to comment or ask questions of any applicant(s), staff member or other persons who provided testimony. The ~~presiding officer Mayer~~ may allow staff to respond to comments of an applicant(s) or Citizen at this time.
- 5.5.3.12 Inquiry, Clarification and Comments During the Quasi-Judicial Presentations. It is the intent of the Commission that its quasi-judicial public hearings be orderly and to that end interruption of presentations is ordinarily to be avoided. It is also the intent of the Commission that a complete record of relevant facts be established and a complete understanding of the matters under consideration be obtained. Accordingly, the presiding officer, at any time during a public hearing, may allow Commissioners to comment or make inquiry of persons addressing the Commission, or of staff or other persons in attendance or may allow Town staff or the Town Attorney to comment or make such inquiries. In quasi-judicial hearings, affected parties may ask questions, through the

presiding officer, of the person(s) who make a presentation to the Commission. The presiding officer may allow the affected parties' question(s) to be posed during the presentation or may require the question(s) to await the conclusion of the presentation, in accordance with the above stated intent of the Commission.

**5.5.4 Time Periods for Public Hearing Matters.** The following time limits shall apply to presentations in public hearings:

- 5.5.4.1 an applicant in a quasi-judicial matter shall be entitled to a total of fifteen (15) minutes without interruption;
- 5.5.4.2 persons who have been authorized to represent an organization with five (5) or more members or a group of five (5) or more persons shall be entitled to speak ten (10) minutes without interruption;
- 5.5.4.3 all other persons shall be entitled to speak three (3) minutes each without interruption;
- 5.5.4.4 an applicant's rebuttal shall be limited to five (5) minutes, unless otherwise set by the presiding officer; and
- 5.5.4.5 pointing out factual errors shall be limited to one (1) minute, unless otherwise set by the presiding officer.

**5.5.5 Other Procedural Guidelines.**

- 5.5.5.1 Registration of Speakers. Persons who desire to make presentations at a public hearing shall, prior to the time at which the item is to be heard, register with the designated staff on the forms provided, and shall provide such information as required to organize the agenda and order of presentation. Five (5) or more persons associated together as Proponents or opponents of an item may be required to select a spokesperson.
- 5.5.5.2 Limit on Presentations. No person who has made a presentation for or against an item at a given meeting shall be allowed to make additional comments as of right except where due process requires it.
- 5.5.5.3 Authorization of Group Representatives. Before a person representing an organization or group speaks, that person shall state whom he or she represents and establish how he or she received authorization to speak on behalf of such organization or group of persons, which must include submission of a written authorization. In quasi-judicial hearing matters, anyone representing an organization

must present written evidence of their authority to speak on behalf of the organization in regard to the matter under consideration, unless the presiding officer waives this requirement. The Commission may make further inquiry into the representative authority of such person. Only one ten-minute time allotment per hearing is allowed for each organization or group of persons represented at the hearing.

5.5.5.4 Interruption of Presentations. Notwithstanding any provisions herein, the presiding officer, a Commissioner, the Town Planner as to Land Use items, or the Town Attorney may interrupt and request termination or other appropriate limitation of any presentation or discussion of matters that should not appropriately or legally be considered by the Commission under applicable Florida Statutes, decisions of Florida or federal courts, or Town code provisions in deciding the item then under consideration.

5.5.5.5 Experts. In quasi-judicial proceedings, persons purporting to offer expert testimony shall identify any educational, occupational, and other expertise that they possess that is relevant to their qualifications to speak regarding the matter under consideration. Persons purporting to offer expert testimony in other contexts, such as legislative proceedings, may likewise be required to identify their expertise. Any Commissioner, the Town Planner, or the Town Attorney may inquire further as to such expertise.

5.5.5.6 Additional Time for Presentations. The presiding officer or Commission may allow more than the allotted time for presentations by an Applicant, Proponent, or an Opponent, or other speaker regarding an item, if the additional time is requested. To conserve time and facilitate an orderly meeting, preference shall be given to such requests when they are made in advance of the meeting to the Town Clerk, or in the case of land use items, to the Town Planner. If more than a total of one-half ( $\frac{1}{2}$ ) hour is requested by an applicant, proponent, or opponent, the request must be submitted in writing not later than the day before the meeting at which the item is to be heard; provided, however, that even in the absence of a timely request for additional time to make a presentation, the presiding officer, without objection, or the Commission may grant such extension where, in its discretion, it determines it is necessary to do so because of the considerations of law, equity, or fairness.

5.5.5.7 Continued Public Hearings.

5.5.5.7.1 GENERALLY. In any matter where it is known that a scheduled public hearing will be continued to a future date certain, the staff report may be postponed or abbreviated and public comment may be limited to those persons who state that they believe they cannot

be available to speak on the date to which the public hearing is being continued. Such persons shall be allowed to make their comments at the then current meeting if there is a quorum; provided, however, that upon making their comments, such persons shall waive the right to repeat or make substantially the same presentation at any subsequent meeting on the same subject. This waiver shall not preclude such persons from making different presentations based on new information or from offering response to other persons' presentations, if otherwise allowable, at any subsequent meeting.

5.5.5.7.2 **REQUEST FOR A FULL COMMISSION.** Not more than one continuance of a public hearing shall be granted on the grounds of a desire to obtain attendance by the entire membership of the Commission. Once a request to continue has been granted on those grounds, further continuances may be granted only for other grounds and where good cause is shown.

5.5.5.8 **Termination of Presentations.** At any Commission proceeding, the presiding officer, unless overruled by a majority of the Commissioners present, may restrict or terminate presentations which in the presiding officer's judgment are irrelevant, frivolous, unduly repetitive, out of order, or in violation of these Commission Procedures.

5.5.5.9 **Written Comments.** Applicant(s) Proponent(s), and Opponent(s) of any matter under consideration by the Commission shall be entitled to submit timely written comments for consideration by the Commission. Relevant and admissible written comments submitted shall be considered and entered into the record of the meeting as provided elsewhere in the Commission Procedures. Written comments received by Commissioners regarding a matter that is the subject of a quasi-judicial public hearing shall be distributed to all Commissioners, the Town Planner and the Town Attorney and shall be made available for review by the applicant and the public in a project reading file maintained by the Town Planner (land use matters) and by the Town Clerk (for all other matters).

5.5.5.10 **Officials and Dignitaries.** Notwithstanding other provisions hereof, the presiding officer may allow any elected or appointed public official, or representative thereof, or other dignitary to appear and make presentations at any time with regard to matters under consideration.



## **5.5.6 Voting, Motions, and Reconsideration.**

- 5.5.6.1 Voting. Unless otherwise provided by law, when the Commission has finished discussion and is ready to vote on a question, the presiding officer shall call for the vote. Upon request, the Clerk shall read back or restate a motion before a vote is taken. Each Commissioner shall vote “yes” or “no” or abstain from voting (but only when legally required by Florida Statutes § 112.3143 or § 286.012). Immediately prior to, or after the vote, the presiding officer may allow any Commissioner to give a brief statement to explain his or her vote, which shall not be used to further argue in favor of or against the motion. A Commissioner shall have the privilege of filing with the Clerk a written explanation of his or her vote which shall become part of the record of the proceeding, but this privilege shall not be available in quasi-judicial matters. The vote upon any question shall be by voice vote unless any Commissioner requests that a roll call vote or show of hands be taken. However, when necessary for the purpose of accurately ascertaining the outcome of a vote or for compliance with legal requirements, the Clerk may require a roll call vote, paper vote, or show of hands.
- 5.5.6.2 Form of Motions. A motion may be made to either “approve” a question, proposition, or application, or to “deny” a question, proposition, or application.
- 5.5.6.3 Preparation or Modification of Motions. Prior to a vote on any matter, a Commissioner may request that staff prepare or modify the motion during a recess called for that purpose. Alternatively, if advisable in the Commission’s discretion, staff may be instructed to prepare wording to be brought back to the Commission later for motion and vote at that meeting or a subsequent meeting of the Commission. The Town Attorney, the Town Administrator, or Town Planner may request that a motion and vote be delayed to allow preparation or revision of a motion, as provided hereunder.
- 5.5.6.4 Tie Votes. When the vote of the Commission is equally divided, the status quo ante shall be maintained. In such an event, a person who sought a change in status quo shall be considered to have had the request denied and shall have available the same remedies or rights of review that one would have had if the request had been denied by a majority vote of the Commission, unless, at the same meeting, the Commission votes to approve it with conditions or stipulations attached, or to table, defer, or continue the matter in an attempt to obtain action by a majority vote.

- 5.5.6.5 Routine Reconsideration. When a question has been decided by the Commission, a Commissioner voting on the prevailing side may move for reconsideration of the question at the same meeting or the next regular meeting of the Commission. If the question was decided by a tie vote, any Commissioner may move for reconsideration of the question at the same meeting or at the next regular meeting of the Commission or at the next meeting of the Commission where a full Commission is present. In no event shall the motion to reconsider be made later than (30) days after a vote on a quasi-judicial matter.
- 5.5.6.6 Reconsideration Due to Vote Based on Mistake. Upon a finding by a majority of the Commission at any time that there is reason to believe that a vote of the Commission within the previous one year was based upon material mistake of fact or erroneous information, the matter may be brought up for reconsideration. Upon a finding by a majority of the Commission at any time that the material mistake of fact or erroneous information was intentionally caused or allowed by the person or entity in whose favor the previous vote was cast, the vote may be rescinded and all rights, duties, or liabilities thereunder modified or rendered null and void ab initio. Prior to rescinding such a vote, the Commission shall, where necessary to insure due process of law, grant notice and opportunity to be heard to all persons who would be affected by such action.
- 5.5.6.7 Corrections of Clerical Errors. Any Commissioner may move at any time for correction of clerical or typographical errors inadvertently included in any matter previously passed by the Commission.
- 5.5.6.8 Effect of Approvals and Denials of Motions. When a matter is brought forward to a vote based on a motion to approve it or approve it with modifications, and such motion fails, the status quo ante shall be maintained and the matter shall be considered to have been denied. A denial shall not preclude a subsequent motion to approve with different modifications at the same meeting. When a matter is brought to a vote based upon a motion to deny it, and said motion fails, the matter shall not be considered granted and shall be treated as if no action has been taken on the matter. Such a vote shall not preclude a subsequent motion at the same meeting to approve or approve with modifications.
- 5.5.6.9 Reconsideration of Item(s) on Consent Agenda. Where the Commission votes to reconsider one or more items that were previously approved on the consent agenda, the Commission may specify which item(s) shall be reconsidered and reconsider

same without affecting the previous approval of the remaining items on the consent agenda or presentations upon request agenda.

- 5.5.6.10 Reconsideration to Resolve a Legal Dispute. The Commission may reconsider a prior decision, regardless of the time elapsed, when advised to do so by the Town Attorney for the purpose of resolving a legal dispute arising from the decision.

- 5.6 **ADJOURNMENT.** At the conclusion of business, the presiding officer shall call for a motion to adjourn the meeting. Alternatively, the presiding officer may inquire whether there is any further business to come before the Commission and if no one speaks, may adjourn the meeting without motion or vote.

## 6. CERTAIN FUNCTION OF TOWN OFFICIALS

Generally. The Commission shall have oversight of the work of the Town Administrator and Town Attorney. The Town Administrator shall have oversight of the work of Town employees.

~~Service to Applicants. While the Commission acknowledges that the Town's regulatory officials (primarily the Building Official and Town Planner) must, first and foremost, ensure that the laws, codes, regulations and industry standards associated with the planning, zoning and construction activities occurring in the Town are complied with, the Commission seeks to ensure that regulatory work is performed with an eye toward customer service. To that end, whenever the Town Planner and Building Official are reviewing applications, inspecting permitted work, rendering code interpretations, or interacting with applicants or interested members of the public, such professionals shall be helpful in responding to questions and explaining the codes. If lawful alternatives are available to assist an applicant, owner, or permittee accomplish the desired outcome, rather than saying no, Town staff should make all reasonable efforts to work positively with these individuals.~~

Town Planner. Those persons assigned by contract to provide the Town with professional planning services shall have primary responsibility for assisting the Town in the development, updating, and administration of the Town's comprehensive plan, planning code, zoning code, concurrency management code, and floodplain management code.

If the Town Planner determines, in her or his professional judgment, that developments in the law or in planning and zoning best practices, requires the creation or amendment of the Town's comprehensive plan or Town Code, the Town Planner shall first advise the Commission in writing of the matter and obtain authorization to proceed before beginning work on any such project.

Unless otherwise authorized by the Administrator, the Town Planner shall have no involvement in the administration of the Town's building code, including review of construction permits.

Town Attorney. The Town Attorney will undertake any work assignment directed by the Administrator or the Commission consistent with applicable law, Town Code, and the contract between the Town and the law firm. No attorney in the Town Attorney's office will be required to render legal services where to do so would violate applicable ethical standards or create a conflict of interest.

The role of the Town Attorney includes routine handling of legal issues that are the subject of requests for legal services from the Commission or Town Administrator pertaining to Town business. Where requests for legal services come from someone other than the Administrator or a majority of the Commission (e.g., an individual Commissioner, the Town Clerk, the Town Planner, the Building Official, or the Code Enforcement Deputy), the Town Attorney will use the following guidelines in responding:

A. Town Commissioners are charter officers and are entitled to legal advice regarding issues related to the performance of their duties as Commissioners. Therefore, unless precluded by other considerations, a Town Commissioner is entitled to a complete response to a request for legal services regarding such issues without further Commission action.

B. The Town Attorney will follow normal legal/ethical principles in determining the priority to be given to work assignments, such as the approach of deadlines, the significance of the matter at issue, the consequences of delay in responding, etc. Other things being equal, requests from the Commission, Administrator, or Town Clerk acting at the behest or direction of the Commission or Administrator, shall have priority over other requests.

C. The Town Attorney's office will not undertake legal work on a project that entails an inordinate commitment of time or other resources in the absence of direction from the Commission or Administrator.

D. The Town Attorney's office will not undertake to draft an ordinance, resolution, or other formal expression of Town policy if, based on prior Commission discussion of the same or similar issues, there is reason to believe Commission majority does not support it. In such cases, the individual Commissioner seeking the drafting assistance may ask her or his Commission colleagues to approve of the drafting work which, if approved, will then be performed by the Town Attorney.

E. The Town Attorney does not review the propriety or legality of proposed future actions or inactions of a Commissioner in the absence of a request to do so from the involved Commissioner. Such review would only be confined to the Commissioner's actions as a Commissioner (for instance, taking a vote on an ordinance).

F. When legal service has been undertaken on a matter, whether or not pursuant to Commission request, and it appears that completion of the service may demand considerably more resources than anticipated at the outset of service, the Town Attorney shall request Commission direction on whether to continue the service.

G. The Town Attorney's office will not review past decisions of prior iterations of the Commission for legality in the absence of a request from a majority of the current Commission, unless there is reason to believe that the past decision could result in serious future loss or damage to the Commission or the Town, and that legal review could lead to corrective action that would prevent or mitigate the loss or damage.

H. The Town Attorney ordinarily will not undertake legal service regarding matters outside the scope of the Commission's powers and duties, (e.g., review of actions of federal,



state, county or constitutional officers), unless said action appears to pose a serious impact or concern affecting the Town's interests, or unless directed to do so by a majority of the Commission and the work can be done within the Rules Regulating The Florida Bar.

I. The Town Attorney does not represent and does not furnish legal advice to Commissioners or other Town employees or contractors regarding their personal business or legal problems encountered outside the scope of their duties as Town officials or employees. Thus, the Town Attorney will not, absent contrary direction of the Commission, represent an individual Commissioner before the Florida Commission on Ethics. The Town Attorney may, however, defend the Town and individual Town officials or employees against public records or Sunshine Law claims where the Town Attorney and Town Commission believe the relevant Town officials acted lawfully. In the event the Town Attorney is unable to represent an individual Town official or employee due to a disunity of interest between the Town and such official or employee, the Town Attorney shall inform the Commission that the official or employee will require separate representation. These decisions will be guided by the provisions of Florida Statutes § 111.07 and § 111.071, and the Rules Regulating The Florida Bar.

J. Matters that ordinarily would not be addressed may be reviewed if it appears that failure to undertake such review and advise the Commission could adversely affect the interests of the Commission or the Town, or that the review deals with issues which the Commission will likely be required to consider in the future.

Town Building Official. The Town's Building Official is primarily responsible for the administration of the Town's Building Code and all applicable state laws and administrative regulations associated with construction occurring in the Town. To the extent that any given construction permit application requires a zoning site plan review in addition to plans review, the Building Official shall coordinate with the Town Planner to obtain that review. The Building Official is the Town's sole legal authority regarding the application of the Town's Building Codes, and is the Town's sole flood plane manager. No Town official is authorized to provide any order or instruction to the Building Official as to how she or he interprets or administers the Building Code, including the permitting and inspection functions provided for therein.

Coordination Among Professionals. The Board of Commissioners expects and requires its contracted and employed professional staff to work together professionally and efficiently to ensure the best interests of the Town and its citizens and businesses are addressed. To that end, such professionals shall consult with each other at any time when the work of one has an impact on the work of another. By example, if the Town Attorney is working on the Town Code's chapter on building codes, he or she shall consult with the Building Official to ensure her or his views and input are obtained and incorporated.

Ordinances and Resolutions. The Commission wishes to obtain consistency in quality and format of the ordinances and resolutions it considers. Therefore, the substantive business or policy content of any ordinance or resolution shall be provided to the Town Attorney, who will if any Town official should develop a draft resolution or ordinance for placement, a copy thereof shall be provided to the Town Clerk and Town Attorney for review and revision before being placed on the Commission's workshop or meeting agenda.

**Code Enforcement.** The Town's Code Enforcement Deputies, who are contracted through the Pinellas County Sheriff's Office, are not under the supervisory control of the Town or its officials. Rather, the Town Clerk, assisted as needed by the Town Attorney, will ensure that the appropriate officials with the PCSO have access to the Town Code, including all new ordinances not yet codified online with MuniCode. Code Enforcement Deputies have the authorization to receive complaints of alleged code violations, to investigate alleged or suspected code violations, and to take all such enforcement actions as are provided for in Town Code and Florida law. No Town official, including elected officials, are authorized to order or direct a Code Enforcement Deputy to take, or not take, any particular action. Complaints of alleged violations received by Town officials, including potential violations observed by such officials themselves, shall be directed to the Town's Code Enforcement Deputies. While the Town Attorney is authorized to interface with the Sheriff's General Counsel as to how a given provision of Town Code is interpreted, and will work with the Code Enforcement Deputies in the development of individual case files in advance of Magistrate hearings, the Town Attorney does not provide legal advice to the Town's Code Enforcement Deputies.

**Record Requests of Contracted Service Providers.** From time to time, those companies or entities the Town contracts with to provide Town Planner services or Town Building Official services may directly receive public records requests or subpoenas for records of Town business. In such cases, the Town Planner or Building Official shall immediately provide a copy of such requests to the Town Clerk who, assisted as needed by the Town Attorney, will facilitate the response to the request to ensure all requirements of the Public Records Act are being followed.

## **7. CONFLICTS; USE OF OTHER RULES.**

**7.1 CONFLICT WITH LAWS.** In any instance where a procedure established by this procedures manual violates or is in conflict with federal or state law, Town Code, or a final order of a court or administrative agency binding on the Town, the procedures established hereunder shall be inoperative to the extent of such conflict. If any portion of this procedures manual is finally held by a court of competent jurisdiction to be invalid, such portion shall be deemed severable from the remainder and, to the extent possible, the remainder shall be operative without the invalid portion.

**7.2 ROBERT'S RULES OF ORDER.** In all cases not covered by these Commission Procedures, the most current edition of Robert's Rules of Order shall be used as a general guide and may be followed by the presiding officer, unless the Commission overrules the presiding officer.

## **8. PUBLICATION.**

Upon adoption of these Commission Procedures and any amendments to same, the Town Clerk shall cause same to be published on the Commission page of the Town's website, shall note on all future agendas that these Procedures may be reviewed on the Town website, and that persons attending Commission meetings will be expected to conduct themselves in accordance with the Procedures. Copies shall be provided by the Town Clerk via email as a PDF to all persons who request them. A copy shall be available for review by the public in Town Hall and at all meetings of the Commission.

**RESOLUTION NO. 02-23**

**A RESOLUTION OF THE TOWN OF REDINGTON SHORES,  
FLORIDA, ADOPTING A NEW COMMISSION TRAVEL  
APPROVAL AND EXPENSE REIMBURSEMENT POLICY;  
REPEALING CONFLICTING POLICIES AND RESOLUTIONS;  
MAKING RELATED FINDINGS; AND PROVIDING FOR  
SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Redington Shores Commission had historically used a travel reimbursement policy last adopted in 2004 and included in the Commission Policy Manual; and

**WHEREAS**, the Commission has recently repealed the document called Commission Policy Manual and has adopted a Policy and Procedures Manual which provides for more comprehensive policies and procedures regarding the operation of the Commission, but which does not address reimbursement of travel and training expenses; and

**WHEREAS**, the Commission recently adopted a new comprehensive personnel policy which confines itself to travel expenses for Town employees; and

**WHEREAS**, inasmuch as Town Commissioners are not employees, Commissioners should have a separately-adopted policy for travel approval and travel or training expense reimbursement; and

**WHEREAS**, Florida Statutes § 112.061 establishes a default travel approval and expense policy for Florida state and local agencies; and

**WHEREAS**, Florida Statutes § 166.021(9)(b) authorizes Florida's municipalities to provide for a per diem and travel expense policy for its travelers which varies from the provisions of § 112.061, and to thereafter be exempt from the provisions of § 112.061; and

**WHEREAS**, Florida Statutes § 166.021(9)(c) requires that any claim authorized or required to be made under any per diem and travel expense policy of a municipality or agency thereof must contain a statement that the expenses were actually incurred by the traveler as necessary travel expenses in the performance of official duties and shall be verified by a written declaration that it is true and correct as to every material matter; and

**WHEREAS**, the Commission finds that it is in the Town's best interests to adopt the new Commission travel authorization and expense reimbursement policies set forth in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Redington Shores, Florida, that:

**Section 1.** The following policies shall apply to the approval of and reimbursement for travel of Town Commission members:

**A. Authority to incur travel, training and business expenses.**

- (1) Each member of the Town Commission who is authorized by the Commission to travel to attend a convention, conference, seminar, meeting or other matter on behalf on the Town and in connection with official Town business, and when the expenses are within the intent of the adopted budget, shall be reimbursed for expenses pursuant to the provisions of this policy. For purposes of this policy, a Commissioner's attendance at educational seminars, conferences or meetings which will provide training or information which will allow the Commission member to better perform their Commission duties shall be considered Town business.
- (2) Traveling expenses shall be limited to those expenses necessarily incurred by the traveler in the performance of duties related to the functions and responsibilities of the Town.
- (3) Business expenses shall apply to those expenditures which are incurred in the performance of the public purpose to be performed, including meetings with governmental officials, seminars and training programs, recruitment of key Town personnel candidates or economic development opportunities, community promotion, meeting with state and federal officials to advance the Town's interests or to advocate for the Town's policy positions, and any other related activities essential to the performance of the public purpose.

**B. Authorization process; travel advances.**

- (1) Wherever possible, all travel must have prior authorization by the Commission. A Commissioner seeking to travel on Town business shall inform the Commission of the Commissioner's itinerary, the estimated costs, and whether or not a travel advance is needed.
- (2) The Commission may authorize travel requests of Commissioners at any regular or special meeting. Unless a Commission member wishes to pull the request for discussion, travel, training or business expense authorization requests may be made on the Commission's consent agenda.
- (3) Should an urgent travel need arise which must be approved prior to a Commission meeting, the Commissioner shall submit the request to the Clerk and the Mayor Commissioner shall be authorized to approve the travel, subject to subsequent ratification by the Commission. If the urgent request is for travel by the Mayor Commissioner, then the Vice Mayor Commissioner shall review such requests subject to subsequent Commission ratification.
- (4) Travel advances may be issued to authorized travelers prior to departure on an authorized trip. The cash amount will be based on a schedule commensurate with the known expenses as stated in the travel authorization. The authorized traveler receiving a travel advance must keep a record of all travel expenses and report such expenses with appropriate receipts to the clerk.

**C. Forms and clerk verification.**

The Town Clerk is authorized to develop and make available to Commission members standard forms to be used by Commissioners to submit travel requests, expenses, reimbursements and mileage allowances. The Clerk shall cause requests for travel expenses and reimbursements to be verified as required by § (I) below before payment is made.

**D. Schedule for meal allowance and accommodations.**

- (1) For purposes of reimbursement, the allowance for meals will be based upon the following schedule:
  - (a) Breakfast allowance will be made when travel begins before 6:00 a.m. and extends beyond 9:00 a.m.



- (b) Lunch allowance will be made when travel begins before 11:00 a.m. and extends beyond 2:00 p.m.
- (c) Dinner allowance will be made when travel begins before 6:00 p.m. and extends beyond 8:00 p.m.
- (2) Hotel or accommodation allowance will be made when travel extends overnight.
- (3) Due to their proximity to the Town, no expenses for hotel accommodations in Pinellas or Hillsborough Counties shall be reimbursed unless approved by the Commission due to unusual circumstances.

**E. Per diem.**

- (1) When the period of travel conforms to the schedule of allowances in § (D) above, all authorized travelers may be allowed per diem when traveling to a convention, conference, seminar, activity or on Town-related business which serves a public purpose.
- (2) Composition of per diem.
  - (a) Per diem will consist of the basic travel allowance for meals as listed below and actual hotel or accommodation charges when the period of travel extends overnight:

Meal	Allowance
Breakfast	\$ 10.00
Lunch	20.00
Dinner	35.00

- (b) When a meal is included in the cost of registration or admission to a seminar, conference, etc., per diem shall not be paid for that meal.
- (c) Actual meal charges above those stated herein may be reimbursed if accompanied by a receipt and justification for incurring the additional cost. Hotel or accommodation charges must be single occupancy rate and substantiated by receipt.
- (d) Per diems are as stated above or the Federal Per Diem Rate for the location per the United States Federal Travel Regulation (FTR) and Code of Federal Regulations (CFR) chapters 300-304, whichever is greater. If the Federal Per Diem Rate is to be used, then the current breakdown for Meals and Incidental Expenses as indicated in the Federal Travel Regulation must be used accordingly.
- (3) Tips and gratuities for meals are included in the basic travel allowance for meals. When actual meal charges are reimbursed, 15 percent may be added to the meal charges, provided that the cost is stated on the receipt.

**F. Transportation.**

- (1) All travel must be on a convenient and mainly traveled route. If a Commissioner travels by an indirect route for her or his convenience, any extra cost shall be borne by the traveler. Reimbursement for expenses shall be made accordingly.

- (2) If the Commissioner is to travel by her or his privately owned vehicle, the Commissioner shall be entitled to a mileage rate of \$0.62.5 per mile or the prevailing rate allowed by the Internal Revenue Service, whichever is greater.
- (3) Transportation by a common carrier which has not been prepaid and for which the authorized traveler seeks reimbursement must be substantiated by an official paid receipt from the common carrier.
- (4) Transportation by charter vehicles may be authorized when it is determined to be the most economical method of travel, when considering the nature of the business, the number of Commissioners making the trip and the most efficient and economical means of travel (considering the time of the traveler, cost of transportation and subsistence required).

#### **G. Exceptions to transportation reimbursement.**

- (1) Travelers shall not be allowed either mileage or transportation expenses when they are transported gratuitously by another person, or when they are transported by another authorized traveler who is entitled to mileage or transportation expense.
- (2) When a privately owned vehicle is used to travel on Town business, apart from the standard per-mile mileage reimbursement, no reimbursement for expenditures related to the operation, maintenance, repair, depreciation and ownership of a vehicle shall be allowed.

#### **H. Reimbursable incidental expenses.**

An authorized traveler may be reimbursed for incidental travel expenses incurred during travel. These incidental travel expenses include, but are not limited to, the following:

- (1) Taxi, ferry and airport limousine fares.
- (2) Bridge, road and tunnel tolls.
- (3) Storage and parking fees (unless a Commissioner's disability requires valet parking, travelers shall use lower cost self-parking vs. valet parking where self-parking is available at the facility).
- (4) Telephone, internet access, and technology access charges relating to town business.
- (5) Registration, convention or tuition fees not prepaid by the Town.
- (6) Tips, other than for food, not to exceed \$5.00 per day.
- (7) Personal hotel land line calls not able to be made for free via cell phone not to exceed \$5.00 per day.

#### **I. Verification of expense claims.**

Claims submitted pursuant to this policy shall be signed by the authorized traveler and shall be verified by a written declaration that it is true and correct as to every material matter. In addition to any statutory penalty for falsely claiming or receiving travel related expense payments, any person who received a travel allowance, advance or reimbursement under this policy by means of knowingly submitting a false claim shall be liable for the repayment of the amount into the public fund from which the claim was paid.

**Section 2.** If any section, subsection, sentence, clause, provision, or word of this Resolution is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Resolution shall not be affected by such invalidity, such that any remainder of the Resolution shall withstand any severed provision, as the Board of Commissioners would have adopted the Resolution even absent the invalid part.

**Section 3.** Any prior motion, policy, procedure or Resolution adopted by the Commission which is in conflict with this Resolution is hereby repealed.

**Section 4.** This Resolution shall take effect immediately upon adoption.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023, by the Board of Commissioners of the Town of Redington Shores, Florida.

\_\_\_\_\_  
MaryBeth Henderson, Mayor-Commissioner

**Attest:**

\_\_\_\_\_  
Tracy Campbell, Town Clerk

## **RESOLUTION NO. 03-23**

**A RESOLUTION OF THE TOWN OF REDINGTON SHORES, FLORIDA, RE-ESTABLISHING A PERSONNEL ADVISORY COMMITTEE; MAKING RELATED FINDINGS; REPEALING PRIOR RESOLUTION; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Commissioners had previously established a Personnel Advisory Committee (PAC) by Resolution 03-19; and

**WHEREAS**, the Board of Commissioners has adopted Ordinance 22-1, which created a new and uniform method of establishing and regulating Town advisory committees; and

**WHEREAS**, Town Code § 5-1 provides that the Board of Commissioners may, from time to time and by resolution, create, reorganize, or dissolve standing or temporary subordinate advisory or quasi-judicial boards or committees as it determines, in its sole discretion, to be in the best interest of the town; and

**WHEREAS**, the Board of Commissioners finds that it is in the best interest of the Town to re-establish and maintain the PAC to perform the duties as set forth in this Resolution.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Town of Redington Shores, Florida, that:

### **Section 1. Creation of Committee.**

The Personnel Advisory Committee (PAC) is hereby re-established as a volunteer advisory board. Any current PAC members shall continue to serve in their current terms. Future appointments shall be made in the manner set forth in § 5-5 of the Town Code.

### **Section 2. Purpose of Committee.**

It shall be the duty of the PAC:

- A. To periodically review the Town's adopted Personnel Policy Manual, the Town's Administrative Code (as that document relates to personnel procedures) and to make recommendations to the Commission regarding any necessary or desirable updates to those documents.
- B. To periodically review the Town's personnel compensation and benefits plans and to make recommendations to the Commission regarding any necessary or desirable revisions to those plans so as to enhance the Town's ability to recruit and retain qualified staff.
- C. To study, review, and report to the Commission on any other personnel policy matters within the Town as may be referred to it by the Commission.



**Section 3. Work Product.**

Pursuant to Town Code § 5-9, the PAC's analysis and recommendations shall be presented to the Town Administrator and Board of Commissioners in its annual report, or on such more frequent basis as the Board of Commissioners, Town Administrator, or PAC deems appropriate.

**BE IT FURTHER RESOLVED** that Resolution 03-19 is hereby repealed in its entirety.

**BE IT FURTHER RESOLVED** that if any section, subsection, sentence, clause, provision or word of this Resolution is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Resolution shall not be affected by such invalidity, such that any remainder of the Resolution shall withstand any severed provision, as the Board of Commissioners would have adopted the Resolution even absent the invalid part.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

**DULY ADOPTED** with a quorum present and voting this \_\_\_\_ day of \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Marybeth Henderson, Mayor Commissioner

\_\_\_\_\_  
Tracy Campbell, Town Clerk

*Thank you for your lighting request. We look forward to working with you on this project.*

**From:** "Stapleton, Laura" <[Laura.Stapleton@duke-energy.com](mailto:Laura.Stapleton@duke-energy.com)>

**Date:** October 6, 2022 at 1:02:54 PM EDT

**Subject:** Lighting Proposal - Town of Redington Shores - Turtle Lighting WR#46681748

Good day, Jennie! We have been working with Chiquita on the request for Turtle-friendly lighting fixtures on poles identified by the town. I am very happy to assist you with this request.

Please find attached the Lighting Proposal for Town of Redington Shores. The proposal only lists the light fixtures that Duke Energy will remove & replace with the Amber Turtle-friendly light fixtures as listed by POLE ID in the Scope of Request.

When you are ready to proceed, please return the signed proposal and I will request scheduling for the field verification. After all of the quantities are verified in the field, we will begin the process of ordering material & scheduling the upgrade installation.

Please keep in mind the lead time for upgrades is running 6 – 8 months upon receipt of the signed proposal. I'll be happy to move your request forward as soon as possible.

Please feel free to call me or reply back with any questions.

Best Regards,

*Laura Stapleton*

**Business Development Sales Associate**

**Outdoor Lighting Program**

3300 Exchange Place | Lake Mary FL 32746

 407.942.9205

[Design-a-Light](#)

[New Account Business Services – 866.372.4663](#)

[Request Streetlight Maintenance – Duke Energy](#)

Because Boca Ciega Bay is an Outstanding Florida Waterbody, development of a private commercial dock requires approval of a submerged land lease from FDEP. Construction of the dock will still require approval from the Town of Redington Shores and the Pinellas County Water & Navigation Control Authority. Approval of the lease does not guarantee approval by the Town or Pinellas County.

The Town's design criteria for commercial and multiuse private docks are contained in Sec. 63-13 of the Code of Ordinances. We will need more details before making an official determination, but the plans in the submerged land lease do not appear to comply with the width, length, and setback criteria of Sec. 63-13. As I mention above, approval of submerged land lease does not grant authorization of the proposed dock construction.

Regarding how to respond to the FDEP notice, the Commission can vote to not respond, object, or to submit questions or concerns to FDEP. I have sent an E-mail to confirm what I have indicated above, and I will let you know if I receive a response.

Also, please note that the proposed location of the dock is the property that contains the offices of SAFEbuilt who owns CGA, my employer. However, SAFEbuilt is not the property owner or the applicant for this request.

Please let me know if you would like a more formal write-up regarding this issue or contact me if you would like to discuss this further.

**Luis N. Serna, AICP, LEED AP BD+C**

Planning Director, Tampa Bay



**Calvin, Giordano & Associates, Inc. - a SAFEbuilt Company**

13535 Feather Sound Dr. | Suite 135 | Clearwater, FL 33762

Office: 727.394.3825 | Direct: 727.394.3831 | Mobile: 850.556.5357

*Fort Lauderdale | Miami-Dade | West Palm Beach | Clearwater/Tampa | Estero | Port St. Lucie*



# Town of Redington Shores

## BOARD AND COMMITTEE APPLICATION

I am interested in serving on the following:

☐ PLANNING AND ZONING BOARD ☐ PARKS & RECREATION COMMITTEE  
☐ FINANCIAL ADVISORY COMMITTEE ☐ PERSONNEL COMMITTEE  
☐ FLOOD MITIGATION & PUBLIC INFORMATION COMMITTEE  
☐ BEAUTIFICATION COMMITTEE ☒ Audit Review Selection Committee

NAME: James O Parker III

ADDRESS: 233 174th Ave E Redington Shores FL 33708

CONTACT PHONE #: 727-459-0206 EMAIL ADDRESS: jparker3@gate.net

OCCUPATION: Retired savings & Loan executive, retired credit counseling executive, ex licensed real estate broker and ex mortgage broker

EMPLOYER: None

ARE YOU A RESIDENT OF THE TOWN OF REDINGTON SHORES? Yes IF YES, HOW LONG: Since 1998 25 yrs

HAVE YOU EVER SERVED OR DO YOU NOW SERVE ON ANY TOWN BOARD OR COMMISSION? Yes

IF YES, NAME OF BOARD OR COMMITTEE: Board of appeals, planning and zoning, financial advisory, personnel

ARE YOU AVAILABILITY FOR: DAYTIME MEETINGS: Yes EVENING MEETINGS: Yes

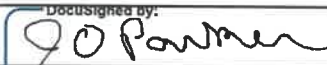
HAVE YOU EVER QUALIFIED FOR A "PROTECTED ADDRESS" STATUS UNDER FLORIDA STATUTE 119? n/a

IF YES, QUALIFYING STATUS:

ADDITIONAL INFORMATION (EDUCATION, SKILLS, INTERESTS, ETC.) IN SUPPORT OF THIS APPLICATION:

I have been active in town committees since arriving. I also served on lake wales Board Of Appeals in the 1970's

SIGNATURE:



DATE: 2/2/2023

\*\*\*\*\* ALL APPLICATIONS MUST BE SUBMITTED THE TOWN CLERK'S OFFICE \*\*\*\*\*

APPLICATIONS WILL BE KEPT ON FILE FOR A PERIOD OF ONE (1) YEAR





# City of Seminole Fire Rescue

Achieving Service Through Dedication



Jeff Shoobridge  
Town Administrator  
Town of Redington Shores  
17425 Gulf Boulevard  
Redington Shores, FL 33708

February 1, 2023

Dear Town Administrator Shoobridge,

Attached are the lists of Fire and Emergency Medical Service (EMS) responses to your Town for the month of January 2023. These lists are broken into both Emergency and Non-Emergency responses. The average response times in each category are noted at the end of the report.

The report is self explanatory with the exception of the type of Fire or Medical call referred to as "code". Only the codes which are reflected in this month's summary report are listed below.

- 
- There were four (4) **Non-Emergency Fire** responses for this time period with a response time of 7:20 minutes.
  - There were Five (5) **Emergency Fire** responses for this time period with an average response time of 6:15 minutes.

Code F52	Code for Fire Incident	Fire Alarm
Code FIS	Code for Fire Incident	Special Run Card
Code FI	Code for Fire Incident	Minor Incident

- 
- There were five (5) **Non-Emergency EMS** responses for this time period with an average response time of 3:48 minutes.
  - There were twenty-three (23) **Emergency EMS** responses for this time period with an average response time of 5:00 minutes.

Code ME	Code for Medical Incident
---------	---------------------------

---

Should you have any questions regarding this report, please feel free to contact me at (727) 393-8711 ext. 207.

Sincerely,  
*William Morelli*  
Interim Fire Chief

REDINGTON SHORES NON-EMERGENCY FIRE RESPONSES  
 DATES 01/01/23 THROUGH 01/31/23

DSTATS....	DATE....	TIME....	CODE	GRID.	TRUCKS	UNITS....	INVOLVED.	COUNT...
3001856	01/03/23	18:14:32	F52	531B	E31 T25 D29	00:07:36	00:40:37	1
3008181	01/14/23	14:11:28	FIS	531B	E31	00:09:10	00:50:29	1
3008559	01/15/23	10:13:34	FIS	531B	E31 S26 424	00:02:42	00:24:54	1
3010094	01/18/23	00:25:58	FI	548A	E31	00:09:54	00:19:10	1
						=====	=====	=====
						00:07:20	00:33:47	4

4 records listed

REDINGTON SHORES EMERGENCY FIRE RESPONSES  
 DATES 01/01/23 THROUGH 01/31/23

DSTATS....	DATE....	TIME....	CODE	GRID.	TRUCKS	UNITS....	INVOLVED.	COUNT...
3001702	01/03/23	14:28:44	F52	531B	T25 31FD T41 D29 S26	00:06:27	00:24:38	1
3005088	01/09/23	08:38:24	F52	531B	T25 31FD T41 SE600	00:07:56	00:23:07	1
3006900	01/12/23	09:47:58	FIS	548A	T25	00:04:47	00:18:07	1
3008051	01/14/23	10:14:18	F52	548A	E31	00:06:20	00:24:56	1
3016565	01/29/23	13:31:00	FIS	531B	E31	00:05:48	00:14:34	1
						=====	=====	=====
5 records listed						00:06:15	00:21:04	5

REDINGTON SHORES NON-EMERGENCY MEDICAL RESPONSES  
 DATES 01/01/23 THROUGH 01/31/23

DSTATS....	DATE....	TIME....	CODE	GRID.	TRUCKS	UNITS....	INVOLVED.	COUNT...
3011140	01/19/23	18:47:32	ME	531B	S26	00:02:50	00:33:17	1
					471			
3013111	01/23/23	07:08:50	ME	531B	T25	00:07:05	00:26:19	1
					422			
3013187	01/23/23	10:23:48	ME	531B	S26	00:03:37	00:19:48	1
					449			
3013461	01/23/23	19:35:24	ME	531B	S26	00:03:15	00:19:58	1
					498			
3015203	01/26/23	21:03:07	ME	531B	S26	00:02:16	00:21:01	1
					442			
						=====	=====	=====
						00:03:48	00:24:04	5

5 records listed

REDINGTON SHORES EMERGENCY MEDICAL RESPONSES  
 DATES 01/01/23 THROUGH 01/31/23

DSTATS....	DATE....	TIME....	CODE	GRID.	TRUCKS	RESP EXCLUDING UNITS....	INVOLVED.	COUNT...
3001239	01/02/23	18:08:33	ME	547B	S26	00:03:28	01:55:38	1
					436			
3001411	01/03/23	02:33:21	ME	547B	S26	00:05:04	00:24:25	1
					480			
3001592	01/03/23	11:59:59	ME	548A	T25	00:05:46	00:21:24	1
					995			
3001679	01/03/23	14:06:38	ME	531B	S26	00:03:07	00:31:16	1
					460			
3001765	01/03/23	15:51:31	ME	548A	S26	00:05:12	00:21:01	1
					422			
3001978	01/03/23	22:38:39	ME	531B	S26	00:03:34	00:37:10	1
					366			
3002337	01/04/23	13:44:46	ME	548A	S26	00:06:22	00:32:08	1
					992			
3002967	01/05/23	13:30:06	ME	547B	T25	00:05:46	00:36:29	1
					990			
					SR25			
					PD5			
3004025	01/07/23	12:55:09	ME	531B	S26	00:04:53	00:21:43	1
					431			
3005165	01/09/23	10:55:04	ME	531B	S26	00:03:07	00:35:08	1
					481			
					457			
3006012	01/10/23	18:08:46	ME	548A	S26	00:04:05	00:27:37	1
					989			
3006341	01/11/23	10:02:36	ME	548A	E27	00:04:22	00:13:32	1
					E29			
					274			
					424			
3006856	01/12/23	08:24:15	ME	547B	S26	00:04:39	01:06:16	1
					484			
					PD2			
					337			
					D27			
					E27			
					SR27			
					PS600			
3007556	01/13/23	11:42:01	ME	531B	S26	00:03:00	01:02:58	1
					934			
3007662	01/13/23	14:41:00	ME	548A	S26	00:05:12	00:30:56	1
					939			
3008883	01/15/23	23:02:04	ME	532A	S26	00:06:41	00:35:35	1
					431			
3012470	01/22/23	00:01:55	ME	531B	S26	00:04:06	00:43:17	1
					PD1			
					471			
3013109	01/23/23	06:54:11	ME	531B	S26	00:04:50	00:31:22	1



REDINGTON SHORES EMERGENCY MEDICAL RESPONSES  
 DATES 01/01/23 THROUGH 01/31/23

RESP  
 EXCLUDING

DSTATS....	DATE....	TIME....	CODE	GRID.	TRUCKS	UNITS....	INVOLVED.	COUNT...
3013754	01/24/23	10:15:26	ME	548A	874 T25	00:07:59	00:37:58	1
3014492	01/25/23	14:20:48	ME	531B	465 E28	00:07:06	00:40:43	1
3015003	01/26/23	13:39:29	ME	532A	633 S26	00:05:14	00:26:47	1
3015432	01/27/23	11:17:29	ME	547B	988 S26	00:08:25	01:02:05	1
3015791	01/27/23	23:25:19	ME	531B	464 PD2 T25 ME26 458	00:03:22	00:35:52	1
						=====	=====	=====
23 records listed						00:05:00	00:38:45	23

## Status of the Town Update 2-8-2023

Mayor and Commissioners;

For your review I submit my administrator's report.

### Agenda Items-

Under Old Business we are adopting updated Commission rules and procedures, A Commission travel expense policy, A resolution re-establishing the personnel advisory committee, and the adoption of the updated personnel policy manual. The Commission is being provided drafts of these items in the agenda packet for review. If errors are identified, please notify myself or the Town Clerk so corrections can be made. Substantive changes should be held for discussion at the meeting.

### New Business includes:

The scheduling of the Administrator appraisal process (Setting the date for special meeting)

A request presented by Commissioner Krajewski for the Town to contribute/purchase a table at the Treasure Island/Madeira Beach Chamber of Commerce annual luncheon for \$600.

The third item under new business is asking for Commission direction on peddling. The Town has recently had a couple of inquiries for peddling permits/licenses and it has been noted the code is silent on this item.

### Updates:

I spoke with Chief Morrelli on Thursday and we discussed the fire station project on 174<sup>th</sup>. Below is an excerpt from Chief Morrelli:

- The construction project has been delayed due to elevated costs and overruns.
- The County meet with the architect because the cost of the project went from 5 million to around 7.9 million.
- The architect is working with everyone to make design changes that will still meet hurricane standards and reduce the price.
- They are doing a design build for the project and hope to get a guaranteed price around March.

Respectfully,

*William Morelli*

Del Bello Park pavers have been repaired and the roots removed from approximately 18-24 inches out from the walkway. Staff is working on a project plan to include the business district parking area rehab in this years budget cycle as well as upgrades to the County Parking lot.

Miller Pipeline is compiling a schedule for the stormwater point repairs previously approved by the Commission.

Windriver has completed the cleanout of our CDS Vaults for the stormwater system (This is a part of NPDES reporting)

Streetsweeping Corp is continuing to maintain a monthly schedule for sweeping the town streets (also an NPDES reporting item)

I am working with Windriver/Seminole Septic to resolve a sewer issue affecting Seabreeze restaurant. There is a build up of calcified debris approx. 60' from a cleanout that is blocking about 70% of flow capacity. There is a concern that jet-cleaning the old cast-iron pipe may cause blistering and failure so Todd and I are working on a schedule where we can have a lining crew available if needed so if any repair work goes awry it can be immediately mitigated. The alternative is to work with DOT and dig up a portion of Gulf Blvd at a significantly higher expense.

We are all aware of the condition of the canopy at Constitution Park, Mike and I have reached out to several contractors with limited success. The earliest date we have been given to have the canopy tightened is late March. Mike and I are continuing to reach out to neighboring towns and search for alternative contractors in an attempt to get this resolved asap. On a more positive note, Mike has been working to rehab several aspects of the park, including paint of equipment and the replacement of the tetherball.

There has been an issue with the regional lift station located at the Fire station construction site. On two occasions in the last 6 weeks we have received high level alarms and have needed to call Pinellas County for action. The latest was the most impactful as the Pinellas County Tech responding to the call asked us to shut down our 4 lift stations due to the high level. I will be discussing the matter with Pinellas County in the upcoming week to determine cause and possible resolutions.

Records retention project is continuing as staff works to better organize the office.

The rezoning request for the Fredericks property has been scheduled for March 24<sup>th</sup>. Staff is continuing to work on all required notices.

It has been requested by Commissioner Blackburn that I not attend the meetings of her committees, it is my intention to comply with this request barring conflicting direction from the Commission.

The State Floodplain manager has been updated with contact information for our building official to be listed as our FPM.

#### Building Department Activity:

- Issued permits: 48 (no new construction)
- Inspections: 164
- Revenue: \$9298.50

#### Maint. Dept Activity:

- Constitution Park patio, sidewalks, pavilion power washed, vinyl fence being power washed on weekends until complete.
- Continuing with painting of playground area.
- Tether ball installed.

- Volleyball net purchased will be installed soon.
- Delbello Park damaged sprinklers identified and repaired (damaged during Christmas Tree lighting).
- Donated barrels (10) prepared and placed on beach.
- Pinellas County completed repair of water delivery system used to spray/ clean Lift Station #1.
- Repair of parking meter (s) at county lot.
- All lift stations shut down (emergency) at the request of Pinellas County due to a main lift station issue. Normal activities resumed shortly after.
- Spitzer Park sprinkler system ( not functioning) capped and ground re-soiled.
- Weekly beach raking (Monday/ Friday)
- Normal daily duties bus stop trash, dog waste cans, beach trash removed.
- Beach access at county lot repaired but will require further attention.
- Lift station 4 is still 1 pump down- parts on order. Expected completion 2-3 weeks

As always, feel free to reach out with any questions;

Jeff