



**CHARTER REVIEW COMMITTEE
TOWN OF REDINGTON SHORES
REGULAR MEETING
MONDAY, MAY 20, 2024 - 6:00 P.M.
AGENDA**

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

D. OLD BUSINESS

E. NEW BUSINESS

F. MISCELLANEOUS

1. Next meeting dates: June 4, June 10 at 6:00 p.m.

G. PUBLIC COMMENT

H. ADJOURNMENT

Pursuant to Florida Statutes § 286.0105, if any person or entity decides to appeal any decision made on any matter considered at any meeting or hearing of any Redington Shores Board or Commission, he, she or it will need a record of the proceedings and, for such purpose, he, she or it may need to ensure that a verbatim record of the proceedings is made, which record includes the legal arguments, testimony, and evidence upon which the appeal is to be based.

CHARTER REVIEW COMMITTEE

TOWN OF REDINTON SHORES

REGULAR MEETING

MONDAY, MAY 13, 2024 – 6:00 P.M.

MINUTES

A **Regular Meeting** of the Charter Review Committee of the Town of Redington Shores, Florida was convened at 6:04 p.m.

Members Present: Lisa Foster (Chairperson, District 4), Jim Everett (Vice Chairperson, At Large), Marie Palena (Secretary, District 1), Christy Herig (District 2), Ginger McQuigg (District 3)

Members Absent: none

Other Municipal Officials Present: Town Administrator Mike McGlothlin, Town Attorney Robert Eschenfelder

1. ROLL CALL BY THE SECRETARY

2. Chairperson called for an amendment to the **4/30/24 minutes** to reflect no timeline as it subject to the approval of the Board of Commissioners; motion brought by C. Herig, seconded by J. Everett; approved

3. **OLD BUSINESS-** none

4. PROCESS OVERVIEW BY CHAIRPERSON

C.Herig asked if the red-line version of the Charter can be included on the on-line packet available to citizens. Chairperson Foster said it might be confusing as may be assumed as final; Attorney Eschenfelder suggested publishing final draft when available so as to prepare citizens and obtain feedback; Chairperson Foster suggested red-line version could be included based on how far the Committee gets toward a final draft at this meeting. Chairperson Foster explained that the Committee will go through each section (and those later sections related thereto).

C-1 Chairperson Foster suggested adding “to secure the benefits of Home Rule.”; agreed to by all members

C-2 Chairperson Foster asked if metes and bounds should be confirmed; Attorney Eschenfelder noted that they were set by legislative act and therefore there is no need; C. Herig asked if the legal description for the location of the Redington Shores Yacht and Tennis Club was included as was annexed subsequent to 1955; Attorney Eschenfelder will check the original ordinance and report back.

Second paragraph- Chairperson Foster asked if language gave more right to Indian Rocks South Shore (Indian Shores) and North Redington Beach more rights to encroach; per Attorney Eschenfelder the language is set by Special Act, he will check the other town's Charters to see if they include the same language and report back.

C-3 Chairperson Foster recapped prior meeting discussion and her research seemed to indicate that "Commission" only form of governance seems rare, asked for Town Administrator McGlothlin comments on how our government actually works. Town Administrator McGlothlin noted that he has a bias, but will do his best to be objective and requested that members and citizens present focus on the position versus the person currently in the position; there was discussion in hiring process to change to Commission/Administrator, though he received nothing in writing to confirm a change in governance would occur, however he was required to provide a 30-60-90 day plan of objectives (if hired) and his plan included the process to formally change to Commission/Administrator during the 61-90 day term; he discussed the need for specific management for efficiency and clarity for team, that the Commission/Administrator format delineates rolls and describes manager function. Chairperson Foster noted that she let resident/friends know what the committee was considering in this aspect and researched cost/benefit analysis, noted that S. Miami concluded that Commission/Manager (Administrator) format saves money, increased security among staff and lessened burden on Commissioners. Vice Chairperson Everett noted that Madiera Beach and Treasure Island both use Commission/Manager but that it will be a big change for us and therefore we need to get resident feedback early in the process. C. Herig suggested that we make the change to original red-line draft reflecting Commission/Administrator (noted as "DRAFT") to be posted in order to gauge resident response. Attorney Eschenfelder explained that the resulting referendum regarding the ultimate changes to the Charter would reference each change and each section(s) of the Charter impacted individually and therefore voters would be able to approve one and reject another; Vice Chairperson Everett noted that 'voter fatigue' could result if there are too many changes (voters would just check 'yes' or 'no' down the line); Chairperson Foster suggested a survey ahead of any change. G. McQuigg was concerned that we may get uninformed responses. Chairperson Foster discussed her research regarding "City Manager" versus "City Administrator" and that the differences were minimal. Secretary Palena noted regardless of title, the job responsibilities and authority would be limited by ordinance and/or job description. Members agreed to accept original red-line draft for section C-3 and related sections C-11 A 1. and C-16 C establishing "Commission/Administrator" form of government.

C-17 Chairperson Foster noted that other towns used Town Administrator description of all duties which include financial responsibilities and offered to send a draft to members. Attorney Eschenfelder stated that this information in is the Code and generally covers all of this information, also noted related language in the draft of C-3 B, he noted that a Treasurer is not required. Members agreed to strike C-17.

5. PUBLIC COMMENT (3 minute limit):

Lisa Hendrickson wants our forward momentum to continue and stated that “Commission/Manager” is the professional terminology adopted by National Council of City Managers and specifies a more specific vision.

Tom Kapper agreed with Ms. Hendrickson and that the correct naming of the form of government is more important than the title of the employee.

Erin Shoos also agreed with Ms. Hendrickson and Mr. Kapper

Joe Locata also stated his agreement with the prior resident comments

C. Herig opposed the use of “Commission/Manager” in favor of “Commission/Administrator”, Remaining committee members agreed to “Commission/Manager”. Attorney Eschenfelder will make the change to the redline draft where appropriate.

PUBLIC COMMENT CLOSED

ARCHAIC LANGUAGE DISCUSSION

C-4 A. members agreed with draft change

C-4 B. members agreed with draft change

C-4 D. members agreed to defer discussion until 5/20/24 meeting

C-4 E. members agreed with draft change

C-4 G. members agreed with draft change

C-4 F. members agreed with draft change however Attorney Eschenfelder will work on alternative wording for ‘weeds’.

6. **FURTHER PUBLIC COMMENT-** none
7. **MISCELLANEOUS-** Next meeting dates: May 20, June 4, and June 10
8. **ADJOURNMENT-** There being no further business before the Committee, the meeting adjourned at 7:33 p.m.

Respectfully submitted,

Marie Palena

Secretary

Date Approved by CRC



**CHARTER REVIEW COMMITTEE
TOWN OF REDINGTON SHORES
2024**

TIMELINE

	MEETING NUMBER	DATE	TASK
✓	1	4-30-24	<ul style="list-style-type: none"> • Select Chair, Vice Chair, Secretary • Orientation by Town Attorney • Establish Schedule of Meetings
✓	2	5-13-24	REVIEW CHARTER
	3	5-20-24	REVIEW CHARTER
	4	6-4-24	REVIEW CHARTER
	5	6-10-24	FINAL REPORT AND RECOMMENDATIONS
		7-10-24	PRESENT TO BOARD OF COMMISSIONERS AT THE JULY REG MTG – ORD 1ST READING
		TBD	BOARD OF COMMISSIONERS SPECIAL MEETING – ORD 2ND READING

Deadlines for Ballot Language:

November 2024 Election – 8/9/2024

March 2025 Election – 12/31/2024

CHARTER¹

§ C-1. Creation of municipality.

A municipality to be known and designated as the "Town of Redington Shores, Florida," is hereby established and created in the County of Pinellas and, as such, shall have perpetual existence, may contract and be contracted with and may sue and be sued and be impleaded in all courts of this or any other state in the United States and in all matters whatsoever.

§ C-2. Municipal limits.

The boundaries of the Town of Redington Shores shall be as follows:

Beginning at the intersection of the south boundary of Government Lot 1, Section 32, Township 30 South, Range 15 East, with the south boundary of Block 1 in Gay Shores Subdivision as recorded in Plat Book 25 at page 64 of the public records of Pinellas County, Florida, run thence northeasterly along the southerly boundary of said Gay Shores Subdivision and of First Addition to Gay Shores Subdivision to the southeast corner of Lot 14 in Block 6 of First Addition to Gay Shores Subdivision as recorded in Plat Book 27 at page 39 of the public records of Pinellas County, Florida; run thence northwesterly along the easterly boundary of said First Addition to Gay Shores Subdivision to the southeasterly corner of Lot 24 in Block 4 of said First Addition to Gay Shores Subdivision; run thence northerly 66 degrees, 24 minutes, 14 seconds east 100 feet to a point; run thence northerly along a line parallel to and 100 feet measured at right angles from the easterly boundary of said First Addition to Gay Shores Subdivision to an intersection with a line running north 66 degrees, 24 minutes, 14 seconds east from the northeasterly corner of Lot 14 in Block 1 of said First Addition to Gay Shores Subdivision; run thence north 66 degrees, 24 minutes, 14 seconds east to the midthread of the Government Channel in Boca Ciega Bay; run thence northerly and westerly along the midthread of said Government Channel in Boca Ciega Bay and to that extension of said bay known as the Narrows, to the northern boundary of Section 31, Township 30 South, Range 15 East; run thence westerly along the northern boundary of said Section 31, Township 30 South, Range 15 East extended to the westerly boundary of Pinellas County, Florida; run thence southeasterly along the western boundary of Pinellas County, Florida, to the southern boundary of said Section 31, Township 30 South, Range 15 East extended; run thence easterly along the said southern boundary of said Section 31, Township 30 South, Range 15 East extended, to the point of beginning; all situate, lying and being in the County of Pinellas, State of Florida.

And all provided, however, that should the municipal limits hereinbefore defined be found to encroach upon the present limits of the Town of Indian Rocks South Shore or the Town of North Redington Beach, then, and

¹Editor's note(s)—Adopted by Chapter 31209 Laws of Florida, 1955*, incorporating all amendments adopted either by Legislative Act or home rule powers through August 6, 1974.

*The original preamble stated as follows: "An Act to create and organize a municipality to be known and designated as the Town of Redington Shores, Florida; and to define its territorial boundaries; to provide for its government, jurisdiction, powers, privileges, franchises and immunities; to provide for a referendum election to be held to determine whether or not this Act shall take effect; to repeal all laws and parts of laws in conflict herewith and to provide a saving clause."

in that event, the limits of the last two mentioned municipalities shall be considered the limits of the Town of Redington Shores hereby created, over so much thereof as constitutes such encroachment.

§ C-3. Form of government.

A. The ~~form of government of the~~ Town of Redington Shores ~~provided for in this Charter~~ shall be ~~the a~~ commissioner ~~manager form of governance~~ ~~plan~~. ~~There shall be a~~ The Board of Commissioners ~~which~~ shall consist of five members who shall be residents and qualified registered voters in said Town and elected as hereinafter provided. Said board shall consist of a Mayor-Commissioner elected at large and four District Commissioners, each elected from a district hereinafter provided. ~~There shall also be a Town Manager who shall be appointed by, and report to, the Commission.~~

A.B. ~~The Town Manager shall oversee the administrative affairs of the Town, subject to such regulations and duties as are established for the position by the Commission. Neither the Commission nor any of its members shall in any manner dictate the appointment or removal of any Town employee whom the Manager is empowered to appoint. No member of the Commission may give any order to any Town employee who reports to the Manager. All requests or inquiries from Commissioners dealing with any portion of the Town's administration shall be made to the Town Manager, and neither the Commission nor any member thereof shall give any orders to any subordinate or officer of the Town either publicly or privately, directly or indirectly.~~

§ C-4. General powers.

Without denial or disparagement of other powers now held or that may hereafter be held or that may hereafter be given to the Town under the Constitution or Laws of the State of Florida, the Town of Redington Shores shall have power:

- A. As given to such municipal corporations and the officers thereof under the general laws of this state in existence or that may hereafter be passed, not inconsistent with the provisions of this Charter; also the power to purchase, lease and hold property, real, personal and mixed, within said Town, and may sell, lease or otherwise dispose of the same for the benefit of the Town and may purchase, lease, receive and hold property, real and personal, beyond the limits of the Town to be used for the ~~burial of the dead, for the~~ erection of waterworks, ~~power plants~~ and sewerage disposal plants, for the establishment of ~~poorhouses, pest houses and houses for detention and for~~ public parks and promenades, recreation parks and pavilions, ~~hospitals, golf courses~~ and buildings incident thereto.
- B. To acquire, own, hold, build, construct and operate such garbage disposal equipment or garbage disposal plants as deemed necessary, and to contract with any responsible person, firm or corporation, municipal or private, to establish a garbage disposal service and police and fire protection for the use of the inhabitants of the Town as may to the governing authorities seem advisable and best and suitable to the best interests and protection of the Town.
- C. To establish and impose ~~by ordinance~~ a charge or fee for the service of garbage collection rendered by the Town.
- D. In addition to the acquisition and ownership of real estate and personal property above provided for, to own and operate said property for such other public purposes as the Board of Commissioners may deem necessary and proper, and may sell, lease or otherwise dispose of said property for the benefit of the Town to the same extent that natural persons may do, provided that before said Town shall sell or lease real property owned by the Town and dedicated to public use as distinguished from property held in its proprietary function for a term exceeding 10 years, such proposed sale or lease for a term of more than 10 years shall be submitted to a vote of those persons who are residents and qualified registered voters within the Town and are otherwise qualified to vote at Town elections at an election

to be called by the Board of Commissioners of said Town, and the majority of the votes cast shall be in favor thereof, except as hereinafter provided.

- E. To make a special assessment upon a pro rata basis upon property benefited for the purpose of building sidewalks, seawalls, wharves and piers and constructing drainage and sanitary sewers and grading, paving and curbing streets, sidewalks and promenades and to subject itself to a bonded indebtedness for the purpose of building sidewalks, seawalls, wharves and piers and constructing drainage and sanitary sewers and grading, paving and curbing streets, to construct waterworks ~~and power plants~~, securing protection from fires or for such other public municipal improvements as the Board of Commissioners shall decide upon, provided that before any bonded indebtedness shall be incurred, the Board of Commissioners shall submit the same to a vote of those persons who are residents and qualified registered voters of property situated within the limits of the Town and are otherwise qualified to vote at Town elections and the majority of the votes cast shall be in favor thereof and provided, further, that said bonded indebtedness shall never exceed 15% of the assessed value of the real and personal property within the corporate limits.
- F. By ordinance to require the owner or agent of vacant lots or other property in the Town to clean the same of ~~overgrowth weeds~~ and remove therefrom any stagnant pools of water and other matter injurious to the public health and to prescribe the penalty for the violation thereof, and in case such owner or their agents fail to comply with requirements of said ordinance, to have work done and to assess the cost thereof and constitute the same a lien against such property ~~and enforce the collection thereof in the manner as taxes are collected that may be due upon such property.~~
- G. By ordinance or otherwise, to define, prevent or abate nuisances; to regulate and prevent the bringing into and depositing within the Town limits of any carcasses or any offensive or unwholesome matter and to require the removal or destruction thereof by any person who shall have placed upon or near his or her premises any offensive matter and to provide penalties for the violation of such regulation; to restrain and punish gambling or other disorderly conduct; to prevent running at large of cattle, horses, dogs, cats, fowl, sheep, hogs and goats in the streets of the Town or within the Town limits; to provide for the purchasing or establishing of waterworks, electric or other lighting plants and all the other plants necessary for the Town, and to provide for the regulation thereof; to regulate the use of streets, avenues and beaches within the Town and to prevent encroachment thereof; to regulate the speed at which bicycles, automobiles or other vehicles may be ridden, driven or propelled through the streets of the Town; to regulate height below which airplanes, dirigibles or other aircraft may operate over Town or in corporate limits; to regulate the speed at which street or other railway cars, locomotives or motors shall run in the Town limits; to regulate the speed and manner in which boats may be operated over or through the waters lying within the Town limits; to license privileges, businesses, occupations and professions carried on and engaged in within the Town limits, and the respective amounts of such licenses to be fixed by Town ordinance and the amounts of such taxes shall not be dependent upon the general state revenue law; to establish quarantine and health provisions of the State Board of Health; to organize and provide a Fire Department and to regulate the same so as to protect the Town from fire; to establish fire limits and to prescribe the character and method of construction of buildings to be erected or repaired therein and the materials to be used in the construction and repair thereof; to provide for and authorize Town planning and zoning and to regulate and control the agencies therefor; to establish hospitals and, in conjunction with the County of Pinellas, to establish rules and regulations respecting the poor, indigent, infirm and insane, and to provide for their support and to fix the conditions upon which such persons coming into said Town shall be allowed to remain; and in conjunction with the County of Pinellas, State of Florida, or any other municipality, agency or authority, to build bridges leading from the Town across any body of water to the other shore thereof, within the County of Pinellas, and to make payment for such bridges and maintenance thereof, the cost, construction and maintenance to be such as may be agreed upon between the Town and such other governmental agency; to provide for the punishment of persons

who may at any time disturb the peace of the Town, or violate any of its ordinances, or any of the rules and regulations of said Board of Commissioners; to fix and regulate from time to time the salaries of the appointed or hired employees of the Town except as herein provided; to provide, erect, construct and maintain a Town sanitary sewerage system and to compel property owners or occupants to connect with Town sanitary sewer, and to do and regulate any other matter or thing that may tend to promote the peace, health, prosperity, morals and general welfare of the Town; and shall have the right and power of eminent domain for the purpose of condemning private property for the purpose of opening any street, alley, sidewalk or promenade in said Town or for constructing any sewer or for parks, beach, municipal docks or any other public purpose.

- H. To extend its territorial limits by the annexation of any unincorporated tract of land or any incorporated city or town lying contiguous to said Town of Redington Shores in accordance with the provisions of the general laws of the State of Florida pertaining to extension of municipal territorial limits.
- I. In all matters pertaining to the Board of Commissioners, Town employees and the operation of the Town, strict adherence shall be given to all provisions of the Florida Statutes, pertaining to the ethical standards for public employees, elections and financing.
- J. Personal financial interest. Any Town officer or employee who has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the Town or in the sale of any land, material, supplies or services to the Town or to a contractor supplying the Town shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as a Town officer or employee in the making of such sale or in the making or performance of such contract. Any Town officer or employee who willfully conceals such a financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his office or position. Violation of this section with the express or implied knowledge of the person or corporation contracting with or making a sale to the Town shall render the contract or sale voidable by the Board of Commissioners. All Town officers and employees shall strictly comply with the provisions of the Florida Ethics Code as contained in the Florida Statutes.

(Ord. No. 12-04, 7-25-2012)

§ C-5. Creation of Board of Commissioners.

- A. There is hereby created a Board of Commissioners to consist of one Mayor-Commissioner and four District Commissioners who shall be residents and qualified registered voters of the Town.
- B. Qualifications and term of office. Each District Commissioner shall be a resident and qualified registered voter of the district from which he or she is elected, and the Mayor-Commissioner shall be a resident and qualified registered voter of said Town. Terms of office of all Commissioners shall be for a period of two years and shall commence on the day following their election to office as soon as the ballots have been canvassed and the results certified and declared and shall terminate the day of their successors' election to office. Commencing with the general election in March 2000, the term of office of the Mayor shall be for a period of three years and shall commence on the day following his or her election to office as soon as the ballots have been canvassed and the results certified and declared and shall terminate the day of his or her successor's election to office.
- C. Anything herein to the contrary notwithstanding, the first Commissioners elected from Districts 2 and 4 shall serve for terms of only one year, it being the intent and purpose hereof that the Commissioners from even-numbered districts shall be elected on alternate years with the Commissioners from the odd-numbered districts.

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- D. Vacancies. Any vacancy in the Board of Commissioners shall be filled by appointment by the majority of the remaining members of the Commission for the unexpired term (or until the next election provided that the vacancy not occur within less than 30 days of a Town election). If the Mayor-Commissioner ceases to be a resident or if any District Commissioner ceases to be a resident of the district from which he or she was elected, there shall immediately occur a vacancy in that office and the remaining members of the Board of Commissioners shall fill that office in accordance with this subsection. No elective incumbent office holder shall be qualified to hold or run for any other elective office unless he or she shall resign his or her incumbent office.
 - E. Removal of Commissioners. The Board of Commissioners shall have the power and authority to remove any member of such Board for incompetency, corruption, misconduct, misfeasance or malfeasance in office, absence from four successive meetings unless physically disabled or unless excused for other good and sufficient cause after due notice to said member and an opportunity to be heard in his or her defense.
 - F. Rules of procedure. The Commission may determine its own rules of procedure, may punish its own members for misconduct and may compel attendance. The majority of all members of the Commission shall constitute a quorum to do business. A smaller number may adjourn from time to time. The Commission shall hold regular meetings at such time and place as may be prescribed by ordinance or resolution. Special meetings may be called by the Mayor-Commissioner, or in his or her absence, the Vice Mayor when necessary. All meetings of the Commission shall be open to the public.

(Ord. No. 90-11, 12-12-1990; Ord. No. 97-8, 11-11-1997; Ord. No. 12-04, 7-25-2012)

§ C-6. Expenses of Commissioners.

The Mayor-Commissioner of the Town shall receive for his or her monthly per diem expenses the sum of two hundred dollars (\$200.00) per month, and a salary of six hundred dollars (\$600.00) per month. The other Commissioners of the Town shall receive as their monthly per diem expenses the sum of one hundred fifty dollars (\$150.00) each, per month, plus a salary of five hundred dollars (\$500.00) each, per month. In addition, the Mayor-Commissioner and other Commissioners shall be reimbursed for out-of-town travel under procedures established from time to time by the Town Commission of the Town of Redington Shores. The salaries authorized by this section shall take effect January 1, 2007.

(Ord. No. 87-1, 1-27-1987; Ord. No. 95-12, 1-9-1996; Ord. No. 06-11, 8-8-2006)

§ C-7. First Commissioners.

- A. The following persons shall be and are hereby named and constituted as members of the first Board of Commissioners of the Town of Redington Shores hereby created, who shall hold office until their successors are duly elected in a general election of the Town which shall be held in December 1955, and until their successors have been duly qualified as herein provided.

Mayor-Commissioner: Jacob Mason.

Commissioners:

District 1 Harold Olsen
District 2 Leo A. Poldevaart, Jr.
District 3 Clayton Grimes
District 4 Della Jackson

- B. In the event that any of the above-named persons are unable or unwilling to act as a member of the first Board of Commissioners of said Town, the governor of the State of Florida, with the advice and counsel of

the remaining members above-named, shall appoint a resident or residents of the Town hereby created to fill such vacancies.

§ C-8. Election districts.

- A. The Board of Commissioners above-named shall divide, within 20 days of this Act becoming law, the territory lying within the municipal boundary of the Town of Redington Shores into four areas to be known as "districts." These four districts shall be created by the Board of Commissioners by dividing said territory such that each district shall contain as nearly as possible the same number of electors. The districts shall be numbered 1 to 4 in order, from south to north, with District No. 1 being that district lying most southerly within the municipal limits. Upon completion of the divisions of the territory into four districts, the Board of Commissioners shall forthwith prepare a map setting forth the four districts, showing their numbers and boundaries, and file the same with the Town Clerk, and a copy shall be provided for public inspection.
- B. Thereafter, the Board of Commissioners may from time to time by ordinance change the boundaries of said districts as it may deem expedient so that each district shall contain as nearly as possible the same number of electors. No change in districts shall be made within six months next preceding an election in said Town, and the election district so fixed by the Board of Commissioners pursuant to this subsection shall remain as so fixed until, in the judgment of the Board of Commissioners, a change may be necessary.

§ C-9. Nominations for Board of Commissioners.

Every person who shall desire to become a candidate for election under the provisions of this Charter to the office of Mayor-Commissioner and District Commissioner shall qualify to become such candidate by filing with the Town Clerk his or her application to have his or her name printed upon the ballot as a candidate for election to the office for which he or she aspires, in which application he or she shall declare from which district he or she is a candidate and so declare if he or she is a candidate for Mayor-Commissioner during the qualifying period established by ordinance and as stated in Chapter 12 of the Redington Shores Code, Elections. All applications shall be accompanied by an affidavit that the candidate is a qualified elector of the Town of Redington Shores, Florida, and has been a resident of the area included in the Town hereby created for one year immediately prior to the date of said application and has been a resident of the area included in the district for which he or she declares himself or herself to be a candidate for a period of one year prior to the date of said application. With said application shall be filed a petition which shall indicate prominently the district from which the petitioner is a candidate, or if he or she is a candidate for Mayor-Commissioner, said petition shall so state. The petition shall be signed by not fewer than 15 nor more than 25 qualified electors, for District Commissioner. Said petition shall be signed by not fewer than 75 nor more than 100 qualified electors for Mayor-Commissioner. In the case of a candidate for District Commissioner, his or her petition shall be signed by the electors of the district in which he or she resides. No electors shall sign more than two petitions, one of which may be that of a candidate of and from the district in which the elector resides and one of which may be that of a Mayor-Commissioner. The Board of Commissioners shall prescribe the form of and prepare such petition papers.

§ C-10. Elections.

- A. An election shall be held in the Town of Redington Shores on the second Tuesday in March of each year for the purpose of electing successors to each elective office, whose terms shall expire on the day following the election of such year.
- B. The provisions of the general laws of the State of Florida pertaining to state and municipal elections relating to the qualification of electors, registrations, transfer of electors from one district to another, manner of voting, duties of election officers, canvassing the returns and all other particulars in respect to the management of elections, shall, so far as the same may be applicable, govern all Town elections.

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- C. The candidate who receives the greatest number of votes at the general election shall be declared the winner of such election.

§ C-11. Powers and duties of Board of Commissioners.

- A. Powers. All powers of the Town and determination of all matters of policy shall be vested in the Board of Commissioners. Without limitation of the foregoing, the Board of Commissioners shall have power to:
- (1) Appoint and remove the Town Clerk, Town Attorney and ~~Town Manager~~all other employees of said Town.
 - (2) Establish ~~or abolish other~~ administrative departments ~~on recommendation of and distribute the work of other departments~~ Town Manager.
 - (3) Adopt a budget of the Town.
 - (4) Authorize issuance of bonds ~~in accordance with Florida law~~by appropriate ordinances or resolution.
 - (5) Inquire into the conduct of any office, department or agency of the Town and make investigations as to municipal affairs.
 - (6) Appoint the members of the Town boards and committees.
 - (7) Approve and adopt plats.
 - (8) Regulate and restrict the height and number of stories of buildings and other structures, the side of yards and courts, the density of populations and location and use of buildings for trade, industry, business, residence or other purpose.
 - (9) Provide for independent audit.
- B. Town Clerk. The Board of Commissioners shall appoint an officer of the Town who shall have the title of Town Clerk and who shall give notice of its meetings, keep the journal of its proceedings and authenticate by his or her signature and record in full in a book kept for the purpose all ordinances and resolutions and shall perform such other duties as shall be required by this Charter or by ordinance.
- C. Induction of Board of Commissioners into office. The first meeting of each duly elected Board of Commissioners for induction into office shall be on the first business day following the ballots having been canvassed, the results certified and declared and the officials so elected shall have been qualified ~~(or as soon thereafter as is practical)~~ (or as soon thereafter as is practical) at which time such officials shall take the oath of office, after which the Board of Commissioners shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month. All meetings of the Board of Commissioners shall be open to the public, as required by state law.
- D. Town Attorney. The Town Commission shall appoint a Town Attorney upon such terms and for such compensation as the Commission may fix, who shall act as legal advisor to and [an] attorney for the Town and all of its officers and matters relating to their official duties and shall prosecute and defend for and on behalf of the Town all complaints, suits and controversies in which the Town is a party and shall perform such other professional duties as may be required of him or her by the Board of Commissioners. The Town Attorney shall be an attorney at law, admitted to practice in the courts of Florida. The Board of Commissioners may appoint such Assistant Town Attorneys as they may deem necessary.

(Ord. No. 12-04, 7-25-2012)

§ C-12. (Reserved)

Former § C12, Municipal Court, was repealed 1-10-1995 by Ord. No. 94-10.

§ C-13. Vice Mayor.

The Mayor-Commissioner, with the consent of the Board of Commissioners, shall appoint a Vice Mayor at its first regular meeting, and his or her duties shall be to preside over the meetings of Board of Commissioners during the absence of the Mayor-Commissioner, and in general during the absence or incapacity of the Mayor-Commissioner, he or she shall do and perform those acts and things provided in this Charter to be done by the Mayor-Commissioner.

(Ord. No. 12-04, 7-25-2012)

§ C-14. Ordinances.

- A. The Board of Commissioners shall have the power to make ordinances and establish for the government of said Town such ordinances in writing not inconsistent with this Charter, the Constitution and Laws of the State of Florida or the United States as it may deem necessary, said ordinances to be passed and become effective as hereinafter provided.
- B. All ordinances shall be passed and adopted in accordance with the procedure for adoption of ordinances as set forth by general law.

(Ord. No. 95-11, 1-9-1996)

§ C-15. Mayor-Commissioner; duties and powers.

The Mayor-Commissioner shall preside at all meetings of the Commission and shall perform other duties consistent with his or her office as imposed by the Commission. He or she shall have voice and vote in the proceedings of the Commission. He or she may use the title of Mayor-Commissioner in the execution of any legal instruments of writing or other necessity arising from the general laws of Florida or from this Charter, but this shall not be considered as conferring upon him or her the functions of a Mayor under the general laws of Florida. He or she shall be the official head of the Town for the purpose of serving civil process and for all ceremonial purposes. He or she may take command of the police and govern the Town by proclamation under the direction of the Town Commission during the times of grave public danger or emergency, and the Town Commission shall be the judge of what constitutes such public danger and shall have the power during such times to appoint additional temporary officers and patrolmen. The powers and duties of the Mayor-Commissioner shall be such as are conferred upon him or her by Florida law and this Charter, and no other.

§ C-16. Town Commission; duties and powers.

The Town Commission shall be responsible for the proper administration of all affairs of the Town, and to that end its powers are and they shall be:

- A. To see that the laws and ordinances are enforced.
- B. To appoint and remove all subordinate officers and employees of the Town.
- C. To ~~create and abolish exercise control and direct supervision over all~~ departments and divisions of the Town, on recommendation of the Town Manager municipal government under this Charter or which may hereafter be created by the Town Commission.
- D. To see that all terms and conditions imposed in favor of the Town or its inhabitants in any public utility franchise are faithfully kept and performed and, upon knowledge of any violation thereof, to call the

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same to the attention of the Town Attorney whose duty it is hereby made to take such legal steps as may be necessary to enforce the same.

- E. Purchases of the Town of Redington Shores shall be made pursuant to ordinance enacted by the Town Commission, with such ordinance requiring fairness in the preparation, evaluation and award of any bids, and with such ordinance further providing for purchases being made pursuant to competitive bids, whether formal or informal, whenever practical.
- F. At least once every five years, the Town Commission shall consider the necessity for the appointment of a Charter Review Committee, and at least once every 10 years, the Town Commission shall appoint a Charter Review Committee, for the purpose of reviewing the Charter of the Town of Redington Shores, and making recommendations to the Town Commission on any amendments, additions or deletions to the Town Charter. Such Charter Review Committee shall be made up of five residents appointed by the Town Commission, with one appointee designated by each District Commissioner from within that District, and with one appointee designated by the Mayor-Commissioner from the Town at large.

(Ord. No. 88-3, 6-14-1988; Ord. No. 02-01, 3-12-2002; Ord. No. 07-02, 7-10-2007; Ord. No. 12-04, 7-25-2012)

~~§ C-17. Town Treasurer.~~

~~The Town Clerk shall also be the Town Treasurer and, as such, shall be custodian of all moneys, including depositing funds and moneys into appropriate depositories or accounts, and shall keep the same in such manner and place as provided by the Town Commission.~~

~~(Ord. No. 95-10, 1-9-1996)~~

§ C-18. Necessary parties to instruments.

All contracts, bonds, notes, time warrants, certificates of indebtedness, improvement certificates, redemption certificates, deeds and other legal instruments shall be signed by the Town Clerk and the Town Mayor-Commissioner or Vice Mayor-Commissioner.

§ C-19. Warrants.

All warrants shall be paid in the order in which they are presented out of the moneys in the respective funds upon which drawn, provided that no warrant shall be issued against any fund unless there are sufficient moneys on hand therein to pay the same. All such warrants shall be signed by the Town Clerk and the Mayor-Commissioner or Vice Mayor-Commissioner.

§ C-20. Town Clerk; Deputies.

The Town Clerk with the approval of the Town Commission may appoint deputy clerks who, when appointed, shall have such powers and authority as shall be conferred by the Town Commission.

§ C-21. Finances and taxation.

- A. Fiscal year. The fiscal year of the Town shall begin on October 1 and end on September 30 of each year.
- B. Budget. The Town Commission shall adopt by resolution a budget, capital improvement program and other financial measures or controls as required, and make amendments thereto as deemed necessary, in accordance with appropriate provisions of Florida Statutes and the sections and paragraphs concerning financial procedures in the Redington Shores Code, as amended from time to time.

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- C. Transfer of funds. The Town Commission shall have authority to transfer any fund or funds of said Town to any other fund.
 - D. Capital asset acquisition or replacement funds. There shall be established by ordinance capital asset acquisition or replacement funds, with provision for periodic input of moneys thereto and restrictions upon use of said funds to stated capital asset purposes. No transfer of funds from such restricted reserve shall be made other than for the stated purpose unless such transfer is approved by the electorate at referendum in connection with a regularly scheduled municipal election.
 - E. Taxation and millage. The Town of Redington Shores shall have the right to raise by taxes such amounts as may be necessary and allowed pursuant to Florida Statute for carrying on the government of said Town, on the assessed value of all the real and personal property in said Town. In addition, said Town shall have the right to levy additional taxes as may be necessary and allowed pursuant to Florida Statute to pay the interest on any bonds that said Town may from time to time issue in accordance with the law and also to provide a sinking fund for the redemption of said bonds when the same mature. It shall be the duty of the Board of Commissioners after having adopted the budget as provided for in Subsection B above and after having been notified of the amount of the total taxable property in the Town to fix and determine the millage which shall be levied and assessed against such taxable property and to certify to the Tax Assessor of Pinellas County, Florida, the amount of such millage, such certificates to be signed by the Mayor-Commissioner or, in his or her absence, by the Vice Mayor and the Seal of the Town placed thereon and attested by the Town Clerk. All matters affecting taxation, assessment for taxes or collection of taxes for any municipal purpose shall be controlled and governed by the provisions of Chapter 26160, Laws of Florida, 1949, and any amendments thereto and by the general laws of the State of Florida affecting taxation.

§ C-22. Tax revenue bonds.

Upon the affirmative vote of 4/5 of the membership of the Board of Commissioners of said Town, the Town is hereby authorized at any time to borrow money to the extent of 1/2 of the amount of the taxes levied in any one year and to issue as evidence of indebtedness for the money borrowed revenue bonds which shall be signed by the Mayor-Commissioner of the Town and attested by the Town Clerk under the Seal of said Town.

§ C-23. (Reserved)

Editor's note(s)—Former § C-23, Power to issue bonds, limitation, ratification, type and execution, was repealed 7-25-2012 by Ord. No. 12-04. This ordinance provided as effective date of 12-1-2012.

§ C-24. Subdivisions and plats.

- A. The owner or owners of any real property lying within the corporate limits of said Town and the agent or agents of such owner or owners desiring to subdivide the same into lots and blocks and to lay out the same with one or more streets, alleys or parks shall be required to submit to the Board of Commissioners of said Town said proposed plat or plats for their approval.
- B. If the proposed plat or plats in their original or amended form are approved by resolution of the Board of Commissioners, it shall be the duty of the Mayor-Commissioner to endorse upon the same or a copy thereof the approval of said Town, and it shall be the duty of the Town Clerk to attach thereto the seal of the Town, attested by the Town Clerk. No plats subdividing lands within the corporate limits of said Town shall be entitled to record in the office of the Clerk of the Circuit Court in and for Pinellas County, Florida, without written approval so endorsed thereon, provided that in case there is a lien or encumbrance on the lands covered by said map or plat, the same shall not be accepted unless accompanied by a release from the person or persons holding the same as to the streets, alleys and parkways designated on said plat.

§ C-25. Suits against the Town.

- A. No suit shall be filed against the Town of Redington Shores, Florida, unless and until a written notice of the nature and character of the claim which may be the basis of such suit shall first be served upon the Mayor-Commissioner of the Town or one of the other Commissioners, and this written notice must be served 30 days before the institution of any suit.
- B. No suit shall be instituted or maintained against the Town for damages arising out of any personal injury unless written notice of such claim or injury is within 60 days of the date of receiving the alleged injury given to the Mayor-Commissioner, setting forth the time, place and circumstances of said alleged injury.

§ C-26. Oath of office.

All officers of the Town, before entering upon the duties of their offices, shall take and subscribe to an oath to faithfully perform the duties of their offices and uphold the Constitution and Laws of the State of Florida and of the United States of America.

§ C-27. Additional powers of Commissioners.

The Commissioners of the Town of Redington Shores shall have and exercise all powers conferred by general law upon municipal officers not inconsistent with the terms of this Charter.

§ C-28. Limitations on contracts.

The Board of Commissioners of the Town shall not employ nor contract with any member of said Board or of the Clerk of the Town nor with any son or daughter or husband or wife of said son or daughter of any member of the Board of the Town or of the Clerk thereof.

§ C-29. Public records.

The custody of the public records of the Town shall be in the keeping of the Town Clerk, and he or she shall be responsible for their safety.

§ C-30. Extension of municipal services.

- A. The Board of Commissioners is hereby empowered to enter into contracts with any other person, firm or corporation, whether such corporation is private, public, municipal or otherwise, for the purpose of furnishing municipal services of whatsoever kind or character to or for the Town of Redington Shores by such person, firm or corporation; and the Board of Commissioners may enter into contracts to furnish persons, firms or corporations such municipal services, and for the purpose of carrying out such contracts, the Town is hereby authorized to receive such municipal services from without or to extend the same beyond its corporate limits and into or through any other incorporated or unincorporated area. The term "municipal services" shall include all services usually or ordinarily furnished by municipal corporations and specifically, sewerage collection and disposal, fire protection, police protection and garbage collection and disposal.
- B. In the event that the Town hereby created shall undertake to furnish a municipal service which shall constitute in effect a duplication of a service already afforded the Town or any part thereof by the County of Pinellas, Florida, Gulf Beach Service District or any other agency or authority created by the legislature of the State of Florida, upon the Board of Commissioners enacting a resolution effectuating such service and affording said County of Pinellas, Gulf Beach Service District or other authority or agency a certified copy

thereof, such duplicated service shall thereupon cease, and any act or law authorizing the same inconsistent herewith shall thereupon be repealed or held inoperative as the same affects the area incorporated in the Town hereby created, and the County of Pinellas and such other agency, board or authority affording such duplicated service shall have no jurisdiction, authority and control whatsoever within the territorial limits of the Town hereby created; provided, however, that nothing herein contained shall be construed to limit and impair the furnishing of water to users thereof within said Town by Pinellas County, Florida.

§ C-31. Erosion control; bulkheads and seawalls.

- A. The Board of Commissioners is hereby authorized to appropriate funds for the purpose of controlling erosion along the shoreline of the Gulf of Mexico within the Town and to construct, establish and erect any and all bulkheads, seawalls, groins, jetties or other structures necessary to prevent erosion and to defray the costs thereof from any funds appropriated for such purpose, and for the purpose of carrying out such powers, the Town of Redington Shores is hereby granted the right of eminent domain.
- B. The Board of Commissioners of the Town of Redington Shores is hereby authorized to establish bulkhead lines over, upon or adjacent to the shoreline of the Gulf of Mexico within said Town and may by ordinance prohibit building of any bulkhead, seawall or other structure westward of said bulkhead line.

§ C-32. Limitation on transfer of funds.

No part of the money raised by ad valorem levy shall be diverted from the object for which it was raised except by the consent of the Mayor-Commissioner and 3/5 of the entire Board of Commissioners.

§ C-33. Notices.

All public notices required to be published by the provisions of this Charter or any ordinances adopted hereunder may be published in any daily or weekly newspaper published in the County of Pinellas and having a general circulation in the Town of Redington Shores and empowered by law to accept legal advertisements or by posting such notices at the Town Hall and at one other place of public resort within the Town, unless otherwise specifically provided elsewhere in this Charter.

§ C-34. Invalidation.

In the event any section, subsection, portion or provision of this Charter shall be held to be unconstitutional or void, it shall in no wise affect the remaining valid portions hereof.

§ C-35. Referendum.

- A. This Charter shall become operative immediately upon its becoming a law to the extent of holding a referendum as hereinafter provided, and upon a favorable vote therefor, this Charter shall thereupon become and be immediately and completely effective.
- B. For purposes of referendum, the Commissioners hereinbefore named are hereby empowered and directed to call, hold, supervise and canvass an election to effectuate this Charter as follows:
 - (1) The election shall be held on any Tuesday determined by said Commissioners not less than two months and not more than six months from this Charter becoming law.
 - (2) Notice of the time and polling places for said election shall be published by said Commissioners one time at least seven days prior to said election in a newspaper of general circulation within the area to

be incorporated and enabled by law to accept legal publications. Such notice shall recite the title of this Charter.

- (3) All electors residing in the area hereinbefore described shall be entitled to vote.
- (4) Electors shall be so qualified if registered on the rolls of the Supervisor of Registration of Pinellas County, Florida, and are residents of said area at the time of said election and for 30 days prior thereto.
- (5) Any resident otherwise qualified to vote in elections under the laws of the State of Florida but not registered may register with the Supervisor of Registration of said county for purposes of this referendum until one week prior to said election.
- (6) The polling place shall be within the area hereinbefore described as designated by said Commissioners.
- (7) Voting may be by machine method, and the County of Pinellas and all necessary departments thereof are hereby authorized and directed to afford the necessary machines and technical advice and set said machines to record the vote contemplated hereby at a charge customarily made to municipalities in municipal elections.
- (8) The form of ballot shall be a recital of the title of this Charter and then the designation:
 - () For Incorporation
 - () Against Incorporation
- (9) Hours and procedure of voting shall follow the laws of this state providing for municipal elections as are not inconsistent herewith.
- (10) Upon a canvass of the vote and a determination by said Commissioners that a majority of those voting have voted "for incorporation," this Charter shall thereupon be and become fully and completely effected and effective.
- (11) If a majority of those voting have voted "against incorporation," this Charter shall thereupon become and be null and void and held for naught.

CHARTER COMPARATIVE TABLE

This table shows the location of the sections of the Charter and any subsequent amendments since August 6, 1974 thereto.

Ord. No.	Adoption Date	Referendum Date	Effective Date	Section of This Charter
82-5	9-28-1982			C-21
86-4	4- 8-1986			C-10
86-5	4- 8-1986			C-10
87-1	1-27-1987			C-6
88-3	6-14-1988			C-16
90-11	12-12-1990			C-5 B.
				C-5 D.
94-10	1-10-1995		Rpld	C-12
95-09	12-12-1995			C-9
95-11	1- 9-1996	3-12-1996		C-14
95-10	1- 9-1996	3-12-1996		C-17
95-12	1- 9-1996	3-12-1996		C-6
97-8	11-11-1997	3-10-1998		C-5 B.

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CHARTER COMPARATIVE TABLE

97-9	11-11-1997	3-10-1998		C-10
00-3	1- 9-2001	3-13-2001		C-9
02-01	3-12-2002	11- 5-2002	12- 1-2002	C-16
06-11	8- 8-2006	11- 7-2006		C-6
07-02	7-10-2007			C-16
07-4	10-10-2007	1-29-2008		C-10
12-04	7-25-2012	11- 6-2012	12- 1-2012	C-3, C-4
				C-5 A., B.
				C-5 F.
				C-9—C-11
				C-13
				C-16
				C-21, C-22
			Rpld	C-23