

ORDINANCE NO. 4095

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA PERTAINING TO AMENDMENT TO THE CHARTER OF THE CITY OF PINELLAS PARK; PROPOSING AMENDMENTS TO SECTIONS CC-301, CC-303 AND CC-304 OF THE PINELLAS PARK CHARTER TO PROVIDE THAT THE TERMS OF THE MAYOR AND MEMBERS OF COUNCIL, WILL BEGIN AT THE NEXT REGULAR MEETING OF CITY COUNCIL FOLLOWING THE CERTIFICATION OF THE ELECTION OF THE MAYOR AND COUNCIL MEMBERS; SETTING FORTH THE BALLOT LANGUAGE TO BE SUBMITTED TO THE ELECTORATE ON SUCH PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF PINELLAS PARK; SCHEDULING THE DATE OF THE REFERENDUM ELECTION; PROVIDING THAT SUCH AMENDMENT TO THE CHARTER OF THE CITY OF PINELLAS PARK SHALL BE ENACTED IF PASSED BY A MAJORITY OF THE ELECTORATE AT SUCH REFERENDUM ELECTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Pinellas Park desired to have the Charter of the City of Pinellas Park reviewed by a Citizens Committee and to have such Committee make recommendations for possible amendments, deletions or additions to the Charter; and

WHEREAS, to accomplish such purpose, the City Council did, on January 11, 2019, appoint a Charter Review Committee for the purpose of reviewing the Charter of the City of Pinellas Park and making recommendations to the City Council on possible amendments, additions or deletions to the Charter; and

WHEREAS, such Charter Review Committee, consisting of members Carrie Esposito, Stuart N. Hoff, Neil E. Kummerer, Jr., Ralph Marlow, Scott McPherson, Dennis Shelley and Alan Swartz conducted meetings and submitted its Report to the City Council on July 23, 2019 proposing amendments to the Charter of the City of Pinellas Park; and

WHEREAS, the Council has met and discussed such proposed amendments; and

WHEREAS, the City Council desires to submit a proposed amendment to the electorate of the City of Pinellas Park for consideration as an amendment to the Charter of the City of Pinellas Park; and

WHEREAS, the City Council desires to enact this Ordinance to submit such proposed amendment to the Charter of the City of Pinellas Park to the electorate of the City for consideration, and to schedule such referendum election.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA:

SECTION ONE: That Sections CC-301, CC-303 and CC-304 of the "Charter of the City of Pinellas Park" of the City of Pinellas Park, Florida, pertaining to the election and taking office of Council Members are hereby amended to read as follows:

Sec. CC-301. - City council; powers and composition.

There shall be a City Council with all legislative powers of the City vested therein, composed of Council members occupying seats numbered one (1) through four (4) inclusive, and a Mayor. All members of the City Council, including the Mayor, shall be elected at large by the qualified voters of the City of Pinellas Park.

The terms of all members of Council, including the Mayor, will begin ~~on~~ at the ~~Monday next following their election~~ next regular meeting of City Council following the certification of the election of Council members under this Charter, and shall continue until after their successor has been duly elected and installed under this Charter. All vacancies occurring in the Council between elections shall be filled in accordance with Section CC-306(B) of this Charter.

Sec. CC-303. Election and terms.

The regular election of the Mayor and members of City Council shall be held ~~on the first Tuesday of March~~ as scheduled by the City Council by Resolution in every even-numbered year, in the manner provided in Article VI of this Charter. The term of office for the Mayor shall be two (2) years. The term of office for each of the remaining members of City Council shall be for four (4)

years. ~~On the second Tuesday of March~~ At the next regular meeting of City Council following the certification of the election of Council members under this Charter, the newly elected members of the Council shall meet ~~at 7:30~~ at City Hall and shall organize as provided herein.

Sec. CC-304. - Mayor and Vice-Mayor.

The Mayor shall preside at meetings of the Council, shall be recognized as head of City government for all ceremonial purposes, by the governor for purposes of military law, for service of process, and as the City official designated to represent the City in all agreements with other entities or certifications to other government entities, but shall have no administrative duties except as required to carry out the responsibilities herein.

At the first Regular Council Meeting after the certification of the City Election, and at the second Regular Council Meeting of March in non-City election years, the Council shall elect from among its members a Vice-Mayor. The term of Vice-Mayor shall be for one (1) year. The Vice-Mayor shall act as Mayor during the absence or disability of the Mayor. Should the Vice-Mayor be required to act as Mayor for a period in excess of thirty (30) days, he/she shall receive the compensation of the Mayor retroactive to the date upon which he/she assumed the Mayoral duties.

Salary of council members. Changes in the salaries of the City Council Members shall be established by Ordinance. All members of the City Council, including the Mayor, may be reimbursed for any extraordinary travel and other expenses incurred in connection with their official duties inside or outside the limits of Pinellas County. The Council Members shall be eligible to participate in all benefits available to any full-time employee.

Such Sections of the Charter shall only be amended if this proposal is passed by a majority of the electorate at referendum called for such purpose.

A referendum election shall be held in conjunction with the General Election on March 17, 2020 to determine whether the electorate wishes to amend such Sections of the Charter as set forth herein.

The ballot title and the language of the referendum question to be presented to the electorate at such referendum election shall be as follows:

PINELLAS PARK CHARTER AMENDMENT

**An Amendment to the Charter as to
the Election and Taking Office of Elected Officials**

Shall Sec. CC-301, Sec. CC-303 and Sec. CC-304 of the Charter of the City of Pinellas Park, Florida, pertaining to the election and terms of the Mayor and City Council Members be amended as provided in Ordinance No. xxxx, to bring such provisions in accordance with the current provisions of the Florida Statutes?

Yes

☐

No

☐

SECTION TWO: A referendum election shall be held in the City of Pinellas Park in conjunction with the General Election to be conducted on March 17, 2020.

SECTION THREE: If such amendment is passed by a majority vote of the electorate at such referendum election, such Charter amendment shall be effective immediately upon certification of the results of the election.

SECTION FOUR: If such proposed amendment is passed by the electorate at such referendum election, the Charter of the City of Pinellas Park shall be deemed amended as worded herein, and the publisher of the Charter may renumber or reclassify such sections in order to accomplish such purpose.

SECTION FIVE: The provisions of this Ordinance and all parts and sub-parts hereof shall be deemed to be severable and independent of each other, and in the event any portion or subsection of this Ordinance is found to be invalid or unenforceable, such findings shall not affect any remaining portions of this Ordinance.

SECTION SIX: This Ordinance shall be deemed effective immediately upon its passage.

PUBLISHED THE _____ DAY OF _____, 2019.

FIRST READING THE _____ DAY OF _____, 2019.

PUBLIC HEARING THE _____ DAY OF _____, 2019.

ADOPTED THIS _____ DAY OF _____, 2019.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2019.

Sandra L. Bradbury
MAYOR

ATTEST:

Diane M. Corna, MMC
CITY CLERK

