

## Call, Rosemarie

---

**From:** Kelly Myer <clearwaterpatriot@gmail.com>  
**Sent:** Friday, June 13, 2025 4:39 PM  
**To:** Call, Rosemarie  
**Cc:** Brooks Gibbs; Jill Gibbs; Tony@mmvfirm.com  
**Subject:** Citizen Initiative Update  
**Attachments:** ALTERNATIVEINITIATIVEFORPROPOSEDCITYORDINANCE.pdf

**CAUTION: This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

---

Dear Ms. Rosemarie Call, City Clerk,

Pursuant to Article VI of the Clearwater City Charter, please see the attached citizen initiative for your review. This hereby replaces the citizen initiative that we previously submitted on June 9, 2025.

This proposed ordinance requires a majority vote of Clearwater citizens before the City may vacate any public right-of-way located within the Downtown Clearwater Community Redevelopment Area (DTCRA). This change ensures that residents have the final say over whether public rights-of-way in Clearwater's downtown can be removed from public use.

Thank you.

Warm regards,

Kelly Myer  
on behalf of the Petitioners' Committee

## INITIATIVE FOR PROPOSED CITY ORDINANCE

City of Clearwater, Florida

Submitted to the City Clerk of Clearwater on June 13, 2025

### **BALLOT TITLE:**

**Voter Approval Required for the Vacation of Public Right-of-Way in the Downtown**

### **BALLOT SUMMARY:**

A vacation of public right-of-way, in whole or in part, located within the Downtown Clearwater Community Redevelopment Area (DTCRA) shall be valid and effective only if it is first approved by a majority of the electors of the City of Clearwater voting in a municipal or special referendum. This change ensures that residents have the final say over whether public rights-of-way in Clearwater's downtown can be removed from public use.

### **TEXT OF PROPOSED ORDINANCE:**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, REQUIRING DIRECT VOTER APPROVAL FOR THE VACATION OF PUBLIC RIGHT-OF-WAY IN THE DOWNTOWN CLEARWATER COMMUNITY REDEVELOPMENT AREA (DTCRA); PROVIDING FOR DEFINITIONS, EXCEPTIONS, REFERENDUM REQUIREMENT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the public right-of-way in the Downtown Clearwater Community Redevelopment Area (DTCRA) serves as a vital asset for transportation, accessibility, economic development, and public use; and

WHEREAS, the City of Clearwater seeks to ensure that decisions affecting the permanent relinquishment of public rights-of-way in this key area are made directly by the citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF CLEARWATER, FLORIDA:

### **Section 1 – Definitions**

- 1) Right-of-way means any land or interest in land, whether improved or unimproved, dedicated or otherwise set aside for public use, including but not limited to streets, sidewalks, alleys, easements, and public pathways.

- 2) Vacation means the act of legally abandoning, discontinuing, or extinguishing the public's interest in a right-of-way.
- 3) "Downtown Clearwater Community Redevelopment Area (DTCRA)" means the area defined in the official Clearwater Downtown Community Redevelopment Plan adopted by the City and any amendments thereto. The boundaries include Court-Chestnut Streets to the South, Drew-Jones Streets to the North, Clearwater Harbor to the West and Highland Avenue to the East.

## **Section 2 – Referendum Requirement**

No vacation of public right-of-way, in whole or in part, located within the Downtown Clearwater Community Redevelopment Area (DTCRA) shall be valid or effective unless first approved by a majority of the electors of the City of Clearwater voting in a municipal or special referendum.

For purposes of this ordinance, any agreement, lease, license, or public-private partnership that results in the long-term exclusive use, management, or effective control of a public right-of-way by a private or religious entity shall be treated as a vacation and shall also require voter approval under this section.

For the purposes of this ordinance, "effective control" shall be defined as any agreement, lease, license, or arrangement that grants a private or religious entity decision-making authority over the access, use, or operation of a public right-of-way for a period exceeding twelve months, or that otherwise restricts general public access in practice.

## **Section 3 – Exceptions to Referendum Requirement**

This ordinance shall not apply to any proposed vacation of public right-of-way within the Downtown Clearwater Community Redevelopment Area (DTCRA) if all the following conditions are met:

- 1) The vacation is exclusively required for a public purpose, including but not limited to:
  - a) Flood mitigation or stormwater management;
  - b) Installation or repair of utilities (e.g., water, sewer, electric, broadband);
  - c) Public transit infrastructure or emergency access routes;
  - d) City-owned public facilities such as parks, government buildings, or community centers;
- 2) The vacation does not result in ownership transfer or exclusive use by any private or religious entity;

- 3) The vacation is approved by a supermajority vote of at least four-fifths (4/5) of the City Council;
- 4) The City Council shall publicly certify the vacation by adopting a formal resolution during a publicly noticed meeting, which includes the following findings based on documented evidence and public record:
  - a) That it serves a compelling public interest;
  - b) That it maintains or improves public access; and
  - c) That it is not associated with or intended to benefit a private development entity, as demonstrated through documented findings, public disclosures, and review of relevant property ownership records, financial interests, and development plans presented at the meeting.

#### **Section 4 – Severability**

If any portion of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, the remaining portions shall remain in full force and effect.

#### **Section 5 – Effective Date**

This ordinance shall take effect immediately upon approval by voters and shall apply to all proposed right-of-way vacations thereafter, regardless of any prior action or consideration by any governmental body.

#### **Section 6 – Continuity of Boundaries**

If the Downtown Clearwater Community Redevelopment Area (DTCRA) is modified, renamed, or dissolved after the adoption of this ordinance, the provisions herein shall remain applicable to the geographic boundaries of the DTCRA as defined at the time this ordinance was approved by the voters. This ensures the continued effect of this ordinance regardless of administrative or legislative changes to redevelopment district boundaries.

## PETITIONERS' COMMITTEE

The undersigned affiants are qualified voters in the City of Clearwater and shall constitute the petitioners' committee, responsible for circulating the petition and filing it in proper form. Each affiant states their name and address below, and all notices to the committee shall be sent to the address of the first-named affiant.

**Affiant's Name:** Brooks Gibbs  
**Address:** 1204 Alameda Ave., Clearwater, FL 33759  
(Address where all notices to the committee shall be sent)  
**Signature:** *Brooks Gibbs*  
**Date:** June 13, 2025

**Affiant's Name:** Jessica Andujar  
**Address:** 549 Jasmine Way, Clearwater, FL 33756  
**Signature:** *Jessica Marie Andujar*  
**Date:** June 13, 2025

**Affiant's Name:** Kelly Myer  
**Address:** 3311 San Bernadino St., Clearwater, FL 33759  
**Signature:** *Kelly Myer*  
**Date:** June 13, 2025

**Affiant's Name:** Tonatiuh M. Tello  
**Address:** 549 Jasmine Way, Clearwater, FL 33756  
**Signature:** *Tonatiuh Manuel Tello*  
**Date:** June 13, 2025

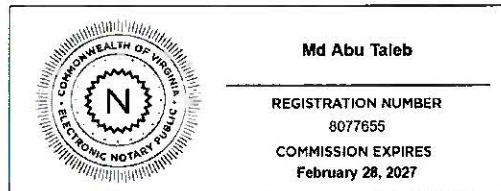
**Affiant's Name:** Jill Gibbs  
**Address:** 1204 Alameda Ave., Clearwater, FL 33759  
**Signature:** *Jill nicole Gibbs*  
**Date:** June 13, 2025

## NOTARY PUBLIC ACKNOWLEDGMENT

STATE OF ~~FLORIDA~~ Virginia  
COUNTY OF ~~PINELLAS~~ Fairfax

Sworn to (or affirmed) and subscribed before me this 13th day of June, 2025, by the above-named affiants, who are personally known to me or who have produced driver's license as identification.

**Notary Public – State of ~~Florida~~ Virginia**  
(Signature) *[Signature]*  
(Name of Notary, printed) \_\_\_\_\_  
My Commission Expires: 02/28/2027  
Commission Number: 8077655



Notarized remotely online using communication technology via Proof.

## Call, Rosemarie

---

**From:** Kelly Myer <clearwaterpatriot@gmail.com>  
**Sent:** Tuesday, October 7, 2025 3:20 PM  
**To:** Call, Rosemarie  
**Cc:** Brooks Gibbs; Jill Gibbs; Tony@mmvfirm.com  
**Subject:** Fwd: Petition Committee Update and Additional Members  
**Attachments:** AdditionalPetitionCommitteeMembers.pdf;  
AdditionalPetitionCommitteeMembersJanice.pdf

**CAUTION: This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

---

Hi Rosemarie,

Thank you for your phone call today. I wanted to send an update regarding our Petition Committee.

One of our listed members (Jessica Andujar) who was not previously registered, is updating her voter registration in the City of Clearwater tomorrow morning. Additionally, we do have two more registered Clearwater voters that are on our Petitioner's Committee. I've attached updated documents reflecting the addendum. Thank you.

Warm regards,

Kelly Myer

**PETITIONERS' COMMITTEE (additional members)**

The undersigned affiants are qualified voters in the City of Clearwater and shall constitute the petitioners' committee, responsible for circulating the petition and filing it in proper form. Each affiant states their name and address below, and all notices to the committee shall be sent to the address of the first-named affiant.

**Affiant's Name:** William Allen Mathis

**Address:** 2946 Gulf to Bay Blvd. #115, Clearwater, FL 33759

**Signature:** William Allen Mathis

**Date:** October 7, 2025

**NOTARY PUBLIC ACKNOWLEDGMENT**

STATE OF Nevada

COUNTY OF Clark

Sworn to (or affirmed) and subscribed before me this 7th day of October, 2025, by the above-named affiants, who are personally known to me or who have produced driver's license as identification.

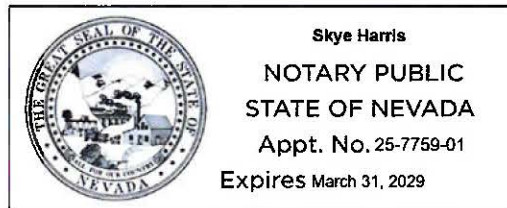
Notary Public – State of Nevada

(Signature) [Signature]

(Name of Notary, printed) Skye Harris

My Commission Expires: 03/31/2029

Commission Number: 25-7759-01



Notarized remotely using audio-video communication technology via Proof.

**PETITIONERS' COMMITTEE (additional members)**

The undersigned affiants are qualified voters in the City of Clearwater and shall constitute the petitioners' committee, responsible for circulating the petition and filing it in proper form. Each affiant states their name and address below, and all notices to the committee shall be sent to the address of the first-named affiant.

**Affiant's Name:** Janice L. Basler  
**Address:** 1327 State St., Clearwater, FL 33755  
**Signature:** Janice Basler  
**Date:** October 7, 2025

**NOTARY PUBLIC ACKNOWLEDGMENT**

STATE OF Texas

COUNTY OF Harris

Sworn to (or affirmed) and subscribed before me this 7th day of October, 2025, by the above-named affiants, who are personally known to me or who have produced DRIVER LICENSE as identification.

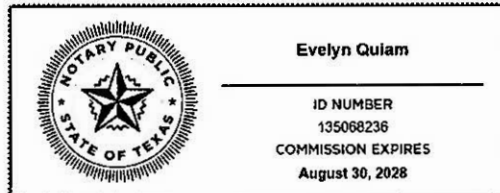
Notary Public – State of Texas

(Signature) Evelyn Quiam

(Name of Notary, printed) Evelyn Quiam

My Commission Expires: 08/30/2028

Commission Number: 135068236



Electronically signed and notarized online using the Proof platform.

# Brooks Gibbs

RECEIVED

MAR 17 2026

1204 Alameda  
Avenue, Clearwater,  
FL 33759  
248-924-6425

Brooks@BrooksGibbs.com

approx  
8,028  
Signatures

March 17, 2026

CITY CLERK DEPARTMENT

*Ms. Rosemarie Call, City Clerk | City of Clearwater | One Clearwater  
Tower 600 Cleveland Street, 6th Floor | Clearwater, FL 33756*

Subject: Submission of Citizen Initiative Petition – Voter Approval  
Required for the Vacation of Public Right-of-Way in the Downtown

Dear Ms. Call:

On behalf of the sponsors of the above-referenced citizen initiative  
petition, enclosed please find the original signed petition forms.

This submission fully meets all requirements under the Florida  
Statutes, the Clearwater City Charter, and applicable local  
ordinances for citizen initiative petitions. The petition is submitted  
for signature verification and, if not adopted by the City Council,  
placement on the August 2026 ballot.

Should there be any questions, notices of deficiency, issues  
regarding signature validity, ballot placement, or any other matters,  
please contact us immediately so that we may promptly  
communicate directly with our legal counsel and address the issue.

We also request written acknowledgment once the petition has  
been accepted for processing.

Thank you in advance for your assistance.

Sincerely,

Brooks Gibbs

Sponsor / Authorized Representative / Petition Committee



# CITY OF CLEARWATER

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748  
600 CLEVELAND STREET, SUITE 600, CLEARWATER, FL 33755  
TELEPHONE (727) 562-4090 FAX (727) 562-4086

CITY CLERK

## CERTIFICATE OF CITY CLERK

1. Article VI of the Clearwater Charter sets forth the process for voters of the City to propose ordinances to City Council through initiate or referendum petitions.
2. Pursuant to Section 6.04, Article VI of the Charter, any five voters may commence initiative proceedings by filing with the City Clerk an affidavit and the proposed initiative ordinance.
3. Section 6.05, Article VI of the Charter requires that the initiative petition must be signed by voters of the City equal in number to at least 10 % of the total number of voters registered to vote in the last regular city election; that all papers of a petition must be in uniform size and style; and that each paper of a petition shall have attached to it an affidavit of the circulator.
4. In the last regular City election, there were 70,675 registered voters. For an initiative petition to be sufficient, the petition would need to be signed by at least 7,067 voters.
5. On June 13, 2025, a Petitioner's Committee, comprised of Brooks Gibbs, Jessica Andujar, Kelly Myer, Tonatiuh Tello, and Jill Gibbs, submitted an Initiative Petition pursuant to Article VI of the Clearwater Charter.
6. The Initiative Petition contained a proposed ordinance for adoption into the Clearwater Code of Ordinances. The proposed ordinance would require voter approval for the vacation of public right-of-way located within the Downtown Clearwater Community Redevelopment Area.
7. In addition, the Initiative Petition contained an affidavit from the Petitioner's Committee which stated that Brooks Gibbs, Jessica Andujar, Kelly Myer, Tonatiuh Tello, and Jill Gibbs "are qualified voters in the City of Clearwater and shall constitute the petitioner's committee, responsible for circulating the petition and filing it in proper form...."
8. In October 2025, the City became aware that the Petitioner's Committee was not comprised of five voters. I contacted the Petitioner's Committee and informed them that Jessica Andujar was not a voter of the City.

Bruce Rector, Mayor

Ryan Cotton, Councilmember  
Mike Mannino, Councilmember



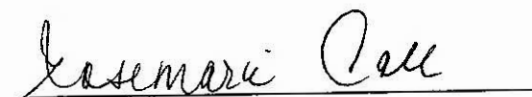
David Allbritton, Councilmember  
Lina Teixeira, Councilmember

9. On October 7, 2025, the Petitioner's Committee added William Allen Mathis and Janice Basler as new Committee members.
10. The first day that the Petitioner's Committee included five voters was October 7, 2025.
11. On March 17, 2026, Petitioner's Committee submitted petitions signed by approximately 8,051 individuals.

### **FINDING OF INSUFFICIENCY**

12. Upon examination of the Initiative Petition, I determined that the signature petitions contain 2,702 valid signatures and 5,349 invalid signatures.
13. 4,306 signatures were collected prior to the Petitioner's Committee being comprised of five voters on October 7, 2025. Section 6.04 of the Charter requires five voters to commence initiative proceedings. Since the Petitioner's Committee was not comprised of five voters prior to October 7, 2025, all signatures collected prior to October 7, 2025 are invalid.
14. 3,745 signatures were collected on or after October 7, 2025. 1,043 signatures were signed by individuals who were not registered voters of the City and are invalid. 2,702 signatures were signed by individuals who are voters of the City and are valid.
15. Therefore, the Initiative Petition is deemed insufficient due to the lack of required number of valid signatures.
16. Section 6.05(b) requires the petition contain or have attached hereto throughout the circulation the full text of the ordinance proposed. The petitions submitted on March 17, 2026 did not contain the full text of the proposed ordinance or have attached hereto the proposed ordinance.
17. Pursuant to Section 6.06(a), the Petitioner's Committee may amend its Petition once for lack of the required number of signatures by filing a notice of intent to amend with the City Clerk within two working days after receiving this Certificate and by filing a supplementary petition within ten days after receiving this Certificate. If the Petitioner's Committee does not elect to amend, it may file a request for City Council to review this Certificate within two working days after receiving this Certificate.

Signed this 2<sup>nd</sup> day of April, 2026.



Rosemarie Call  
City Clerk

## Call, Rosemarie

---

**From:** Call, Rosemarie  
**Sent:** Monday, April 6, 2026 4:50 PM  
**To:** Brooks Gibbs  
**Cc:** Kelly Myer; Jill Gibbs; Anthony Sabatini; Gavin Rollins  
**Subject:** RE: Certificate of City Clerk

Good afternoon, Mr. Brooks,

This is to confirm receipt of your email.

Sincerely,  
Rosemarie

---

**From:** Brooks Gibbs <brooks@brooksgibbs.com>  
**Sent:** Monday, April 6, 2026 3:38 PM  
**To:** Call, Rosemarie <Rosemarie.Call@myClearwater.com>  
**Cc:** Kelly Myer <clearwaterpatriot@gmail.com>; Jill Gibbs <jill@brooksgibbs.com>; Anthony Sabatini <anthony@sabatinilegal.com>; Gavin Rollins <gavin@sabatinilegal.com>  
**Subject:** Re: Certificate of City Clerk

**CAUTION:** This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.

---

Dear Ms. Rosemarie,

Please accept this email as the Petitioner's Committee's official Notice of Intention to Amend the initiative petition pursuant to Section 6.06(a) of the Clearwater City Charter.

We intend to file a supplementary petition within ten (10) days of receipt of the City Clerk's Certificate, as the Charter permits. The supplementary petition will comply with the requirements of subsections (b) and (c) of Section 6.05.

We also reserve all rights to request City Council review under Section 6.06(b) should the amended petition be certified insufficient.

Thank you for your attention to this matter. Please confirm receipt of this notice.

Sincerely,

Brooks Gibbs

-----

[www.BrooksGibbs.com](http://www.BrooksGibbs.com)

All Socials: @BrooksGibbs

On Mon, Apr 6, 2026 at 9:06 AM Call, Rosemarie <[Rosemarie.Call@myclearwater.com](mailto:Rosemarie.Call@myclearwater.com)> wrote:

Good morning, Mr. Brooks,

This is to confirm receipt of your request.

Sincerely,

Rosemarie

---

**From:** Brooks Gibbs <[brooks@brooksgibbs.com](mailto:brooks@brooksgibbs.com)>

**Sent:** Friday, April 3, 2026 4:59 PM

**To:** Burrows, Scott <[scott.burrows@MyClearwater.com](mailto:scott.burrows@MyClearwater.com)>

**Cc:** Call, Rosemarie <[Rosemarie.Call@myclearwater.com](mailto:Rosemarie.Call@myclearwater.com)>; Anthony Sabatini <[anthony@sabatinilegal.com](mailto:anthony@sabatinilegal.com)>; Gavin Rollins <[gavin@sabatinilegal.com](mailto:gavin@sabatinilegal.com)>; Kelly Myer <[clearwaterpatriot@gmail.com](mailto:clearwaterpatriot@gmail.com)>

**Subject:** Re: Certificate of City Clerk

**CAUTION:** This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.

---

Rosemarie (and Scott),

We would like to **"file a request that it be reviewed by the council"** - a provision we are entitled to according to **City Charter Section 6.06 (b). - Procedure to filing.**

Thank you,  
Brooks

-----

[www.BrooksGibbs.com](http://www.BrooksGibbs.com)

All Socials: @BrooksGibbs

On Fri, Apr 3, 2026 at 10:14 AM Burrows, Scott <[scott.burrows@myclearwater.com](mailto:scott.burrows@myclearwater.com)> wrote:

Mr. Gibbs,

I hope you are well. Please see the attached Certificate of City Clerk that I am sending on behalf of City Clerk Call.

Thank you,

Scott Burrows, MPA, FCRM

Documents & Records Specialist

City Clerk's Office

727-444-8528

# SABATINI LAW FIRM P.A.

Anthony Sabatini  
Managing Partner  
Anthony@SabatiniLegal.com

Francheska Sabatini  
Partner  
Francheska@SabatiniLegal.com

Gavin Rollins  
Associate Attorney  
Gavin@SabatiniLegal.com

Sabatini Law Firm, P.A.  
1601 E. 1<sup>st</sup> Avenue  
Mount Dora, Florida 32757  
Phone: 352-455-2928  
Fax: 352-388-5126

RECEIVED

APR 17 2026

CITY CLERK DEPARTMENT

## Re: Certificate of Insufficiency

Dear Ms. Call:

As you are aware, our firm, along with a growing team of attorneys, represents the Petitioners' Committee and writes regarding your Certificate of Insufficiency and the review of the petition signatures submitted to your office.

After reviewing the Certificate, the underlying records produced in response to our public records request, and the applicable statutory and charter provisions governing petition review, we respectfully request immediate reconsideration and correction of several material errors in the evaluation process.

### **1. 4,306 signatures were excluded without evaluation**

Your office excluded 4,306 signatures without any substantive review, based on the asserted incompleteness of the Petitioners' Committee at the time those signatures were collected.

Those signatures were not individually evaluated for voter registration, authenticity, residency, or any other applicable validity criteria. We object based on Florida Law to the categorical rejection and request that each be reviewed on the merits.

Florida law requires that, where a petition form is otherwise proper, a signature must be verified and counted as valid if the supervisor can determine that the signer is a registered voter, even if the name does not appear in substantially the same form as in the registration system. See Fla. Stat. § 99.097(3)(a).

### **2. Item 16 the attachment of the proposed ordinance**

The Certificate states that the proposed ordinance was required to be attached to each petition sheet "throughout the circulation." The proposed ordinance was, in fact, attached throughout the circulation process.

# SABATINI LAW FIRM P.A.

*Anthony Sabatini*  
**Managing Partner**  
Anthony@SabatiniLegal.com

Francheska Sabatini  
**Partner**  
Francheska@SabatiniLegal.com

Gavin Rollins  
**Associate Attorney**  
Gavin@SabatiniLegal.com

Sabatini Law Firm, P.A.  
1601 E. 1<sup>st</sup> Avenue  
Mount Dora, Florida 32757  
Phone: 352-455-2928  
Fax: 352-388-5126

To the extent that signatures were rejected because the ordinance was not physically attached to every sheet at the time of submission, that appears to impose a requirement not found in the City's Charter. Please identify the legal basis for that determination.

### **3. Signatures from voters who moved within Clearwater**

The records produced in response to our public records request—received less than 48 hours before the amendment deadline—indicate that at least 28 registered voters were disqualified because they moved from one Clearwater address to another, or because their registration records had not yet been updated.

Please identify the legal basis for excluding those signatures.

Florida law provides that if a voter signs a petition and lists an address other than the legal residence where the voter is registered, the supervisor must treat the signature as if the voter had listed the registered address. See Fla. Stat. § 99.097(3)(c).

Where the signer remained a registered voter and the signature otherwise matched the voter registration record, a change of residence within the City should not serve as a basis for disqualification. These signatures should be re-evaluated and counted if otherwise valid.

### **4. Request for corrected certification**

Accordingly, we request that your office:

- Reconsider and evaluate the 4,306 signatures previously excluded without review;
- Re-evaluate all signatures disqualified solely on the basis of the ordinance-attachment issue, consistent with the governing charter language and Florida law;
- Re-examine the signatures of registered Clearwater voters who moved within the City or whose addresses were not updated in the voter registration system; and

# SABATINI LAW FIRM P.A.

Anthony Sabatini  
Managing Partner  
Anthony@SabatiniLegal.com

Francheska Sabatini  
Partner  
Francheska@SabatiniLegal.com

Gavin Rollins  
Associate Attorney  
Gavin@SabatiniLegal.com

Sabatini Law Firm, P.A.  
1601 E. 1<sup>st</sup> Avenue  
Mount Dora, Florida 32757  
Phone: 352-455-2928  
Fax: 352-388-5126

- Issue a corrected certification reflecting all signatures that satisfy the applicable legal standards.

The right to petition is fundamental, and signature review must be conducted in accordance with governing law, not by imposing additional technical requirements beyond those lawfully authorized.

Sincerely,

/s/ Anthony F. Sabatini  
ANTHONY F. SABATINI, ESQ.  
FL BAR No. 1018163  
SABATINI LAW FIRM, P.A.  
1601 E. 1<sup>ST</sup> AVENUE  
MOUNT DORA, FL 32757  
T: (352)-455-2928  
[anthony@sabatinilegal.com](mailto:anthony@sabatinilegal.com)

ATT: Rose Marie

Attached is our amended signature sheets.

1A - 56A = 701 Signatures.

Thanks,

4/17/26





# CITY OF CLEARWATER

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748  
600 CLEVELAND STREET, SUITE 600, CLEARWATER, FL 33755  
TELEPHONE (727) 562-4090 FAX (727) 562-4086

CITY CLERK

## **CERTIFICATE OF CITY CLERK PETITIONER'S AMENDMENT**

1. Article VI of the Clearwater Charter sets forth the process for voters of the City to propose ordinances to City Council through initiative or referendum petitions.
2. Pursuant to Section 6.04, Article VI of the Charter, any five voters may commence initiative proceedings by filing with the City Clerk an affidavit and the proposed initiative ordinance.
3. Section 6.05, Article VI of the Charter requires that the initiative petition must be signed by voters of the City equal in number to at least 10 % of the total number of voters registered to vote in the last regular city election; that all papers of a petition must be in uniform size and style; and that each paper of a petition shall have attached to it an affidavit of the circulator.
4. In the last regular City election, there were 70,675 registered voters. For an initiative petition to be sufficient, the petition would need to be signed by at least 7,067 voters.
5. On June 13, 2025, a Petitioner's Committee, comprised of Brooks Gibbs, Jessica Andujar, Kelly Myer, Tonatiuh Tello, and Jill Gibbs, submitted an Initiative Petition pursuant to Article VI of the Clearwater Charter.
6. The Initiative Petition contained a proposed ordinance for adoption into the Clearwater Code of Ordinances. The proposed ordinance would require voter approval for the vacation of public right-of-way located within the Downtown Clearwater Community Redevelopment Area.
7. In addition, the Initiative Petition contained an affidavit from the Petitioner's Committee which stated that Brooks Gibbs, Jessica Andujar, Kelly Myer, Tonatiuh Tello, and Jill Gibbs "are qualified voters in the City of Clearwater and shall constitute the petitioner's committee, responsible for circulating the petition and filing it in proper form...."
8. In October 2025, the City became aware that the Petitioner's Committee was not comprised of five voters. I contacted the Petitioner's Committee and informed them that Jessica Andujar was not a voter of the City.

Bruce Rector, Mayor

Ryan Cotton, Councilmember  
Mike Mannino, Councilmember



David Allbritton, Councilmember  
Lina Teixeira, Councilmember

9. On October 7, 2025, the Petitioner's Committee added William Allen Mathis and Janice Basler as new Committee members.
10. The first day that the Petitioner's Committee included five voters was October 7, 2025.
11. On March 17, 2026, Petitioner's Committee submitted petitions signed by approximately 8,051 individuals.
12. Pursuant to Section 6.06, I reviewed the Initiative Petition and determined that the signature petitions contained 2,702 valid signatures and 5,349 invalid signatures.
13. 4,306 signatures were collected prior to the Petitioner's Committee being comprised of five voters on October 7, 2025. Section 6.04 of the Charter requires five voters to commence initiative proceedings. Since the Petitioner's Committee was not comprised of five voters prior to October 7, 2025, all signatures collected prior to October 7, 2025 are invalid.
14. 3,745 signatures were collected on or after October 7, 2025. 1,043 signatures were signed by individuals who were not registered voters of the City and are invalid. 2,702 signatures were signed by individuals who are voters of the City and are valid.
15. Section 6.05(b) requires the petition contain or have attached hereto throughout the circulation the full text of the ordinance proposed. The petitions submitted on March 17, 2026 did not contain the full text of the proposed ordinance or have attached hereto the proposed ordinance.
16. The Initiative Petition was deemed insufficient due to the lack of required number of valid signatures as required by Section 6.05(a) and failing to comply with Section 6.05(b). Pursuant to Section 6.06, I completed the Certificate of City Clerk on April 2, 2026. The Certificate was sent by registered mail to the Petitioner's Committee and was received by the Committee on April 7, 2026.
17. On April 6, 2026, the Petitioner's Committee submitted a notice of intention to amend pursuant to Section 6.06(a). On April 17, 2026, the Petitioner's Committee submitted petitions signed by approximately 701 individuals.

#### **FINDING OF INSUFFICIENCY**

18. Upon examination of the Amended Initiative Petition, I determined that the signature petitions contain 506 valid signatures and 195 invalid signatures.
19. 701 signatures were collected for the Amended Initiative Petition. 195 signatures were signed by individuals who were not registered voters of the City and are invalid. 506 signatures were signed by individuals who are voters of the City and are valid.

20. On April 10, 2026, the Pinellas County Supervisor of Elections provided the City with an additional voter roll containing 309 registered voters. Based upon this additional voter roll, I have determined that an additional 3 signatures were signed by individuals who are voters of the City and are valid.

21. 4,306 signatures were collected prior to the Petitioner's Committee being comprised of five voters on October 7, 2025. Section 6.04 of the Charter requires five voters to commence initiative proceedings. Since the Petitioner's Committee was not comprised of five voters prior to October 7, 2025, all signatures collected prior to October 7, 2025 are invalid.

22. A summary of the Initiative Petition and Amendment is as follows:

Total signatures submitted: 8752

Total valid signatures: 3211

Total invalid signatures: 5541

Total invalid signatures due to address not matching voter roll: 35

Total number of instances where voter signed more than once: 40

23. The Petitioner's Committee has requested that 4,306 signatures be reconsidered and not excluded without review. I have reviewed the 4,306 signatures collected prior to October 7, 2025. 1,231 signatures were signed by individuals who were not registered voters of the City and would be invalid. 2,956 signatures were signed by individuals who are voters of the City and would be valid if the signatures collected prior to October 7, 2025 are considered. Therefore, even if signatures collected prior to October 7, 2025 are considered, the Initiative Petition and Amendment are still insufficient due to the lack of required number of valid signatures. A summary is as follows:

Total signatures submitted: 8,752

Total valid signatures if signatures collected prior to October 7, 2025 are counted: 6,167

Total invalid signatures if signatures collected prior to October 7, 2025 are counted: 2,391

Total invalid signatures due to address not matching voter roll: 90

Total number of instances where voter signed more than once: 104

24. Section 6.05(b) states that "All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed

in ink or indelible pencil and shall be followed by the address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.” The petitions forms utilized by the Petitioner’s Committee state in the first full paragraph that “A copy of the proposed ordinance is attached.” However, the petitions submitted on March 17, 2026 did not contain the full text of the proposed ordinance or have attached hereto the proposed ordinance. The requirement that the proposed ordinance to be included in the petition or attached hereto is contained in the petition forms and Charter.

25. The Initiative Petition and Amendment are deemed insufficient due to the lack of required number of valid signatures as required by Section 6.05(a) and failing to comply with Section 6.05(b).
26. Pursuant to Section 6.06(b), the Petitioner’s Committee may file a request for City Council to review this Certificate within two working days after receiving this Certificate.

Signed this 20<sup>th</sup> day of April, 2026.

  
\_\_\_\_\_

Rosemarie Call  
City Clerk

## Call, Rosemarie

---

**From:** Brooks Gibbs <brooks@brooksgibbs.com>  
**Sent:** Thursday, April 23, 2026 9:58 AM  
**To:** Call, Rosemarie  
**Cc:** Poirrier, Jennifer; Anthony Sabatini; Francheska Sabatini; Gavin Rollins  
**Subject:** Re: Re Save the Garden Petition

**CAUTION:** This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.

### This message needs your attention

- This is their first email to you.

Mark Safe

Report

Powered by Mimecast

Rosemarie,  
We would like to **"file a request that it be reviewed by the council"** - a provision we are entitled to according to **City Charter Section 6.06 (b) - Procedure to filing.**

Thank you,  
Brooks

-----  
[www.BrooksGibbs.com](http://www.BrooksGibbs.com)  
All Socials: @BrooksGibbs

On Thu, Apr 23, 2026 at 9:03 AM Call, Rosemarie <[Rosemarie.Call@myclearwater.com](mailto:Rosemarie.Call@myclearwater.com)> wrote:

Good morning, Mr. Gibbs,

As required by city charter, the attached document was mailed yesterday via registered mail.

Sincerely,

Rosemarie