

**ORDINANCE NO. 9354-19**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, SUBMITTING TO THE CITY ELECTORS PROPOSED AMENDMENTS TO THE CITY CHARTER MAKING NON-SUBSTANTIVE ORGANIZATIONAL AMENDMENTS TO THE CITY CHARTER; DELETING SECTION 2.01(d)(8) BECAUSE IT HAS EXPIRED; AMENDING SECTION 2.06(C) TO BE CONSISTENT WITH STATE LAW; AMENDING SECTION 3.03(F) TO REQUIRE THE CITY MANAGER TO SUBMIT TO THE COUNCIL A REPORT ON THE STATE OF THE CITY EVERY NOVEMBER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 2019 Charter Review Committee appointed by the City Council met \_\_\_\_ times over \_\_\_\_ months and reviewed the City Charter and presented their recommendations to the City Council on November 7, 2019; and

WHEREAS, Section 2.01(d)(8) of the City Charter, authorizing the lease of certain City property to the Clearwater Marine Aquarium has expired and is of no further force and effect; and

WHEREAS, Florida State Statutes provides that elected officials shall not hold compensated office or employment for two years after the term for which they were elected; and

WHEREAS, the City Manager currently reports on the financial condition and administrative activities of the city in September, however, the city's fiscal year ends on September 30. Therefore, giving the report in November would allow for a report on the entire previous fiscal year; now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF CLEARWATER, FLORIDA:

Section 1. It is hereby proposed that Section 2.01(d)(8) of the City Charter be deleted in its entirety as such has expired and has no further force and effect:

**Section 2.01. Council; composition; powers.**

\* \* \* \* \*

(d) *Limitations.* The legislative power provided herein shall have the following limitations:

\* \* \* \* \*

(8)

Section 2. It is hereby proposed that Section 2.06(c) be amended as follows:

Section 2.06. - Prohibitions.

\* \* \* \* \*

- (c) *Holding other office.* No present or former council member shall hold any compensated appointive city office or employment until two years after the expiration of the term for which such council member was elected.

Section 3. It is hereby proposed that Section 3.03(f) of the City Charter be amended as follows:

Section 3.03. - Powers and duties of the city manager.

The city manager shall:

\* \* \* \* \*

- (f) Submit to the council at the first regular meeting in November of each year and make available to the public a comprehensive report on the financial condition and administrative activities of the city.

Section 4. A referendum election is hereby called and will be held on March 17, 2020, at the regular city election for the consideration of the voters of the City of Clearwater of the proposed charter amendments shall be as follows:

REPEALING SECTION 2.01(D)(8) RELATING TO LEASING CITY  
PROPERTY TO CLEARWATER MARINE AQUARIUM

Shall the City Charter be amended by repealing Section 2.01(d)(8) relating to leasing certain city property to the Clearwater Marine Aquarium, which provision has expired?

YES \_\_\_\_\_ For Amendment to City Charter  
NO \_\_\_\_\_ Against Amendment to City Charter

AMENDMENT TO CONFORM WITH STATE LAW

Shall the City Charter Section 2.06(c) be amended to prohibit present or former councilmembers from holding any compensated appointive city

office or employment until two years after the expiration of their elected term to conform with state law?

YES \_\_\_\_\_ For Amendment to City Charter  
NO \_\_\_\_\_ Against Amendment to City Charter

ADMINISTRATIVE AMENDMENT

Shall the City Charter Section 3.03(f) be amended to change the City Manager's report from September to November?

YES \_\_\_\_\_ For Amendment to City Charter  
NO \_\_\_\_\_ Against Amendment to City Charter

Section 5. The City Clerk is directed to notify the Pinellas County Supervisor of Elections that the referendum items provided above shall be considered at the election to be held on March 17, 2020.

Section 6. This ordinance shall take effect immediately upon adoption. The amendments to the City Charter provided for herein shall take effect only upon approval of a majority of the City electors voting at the referendum election on these issues and upon the filing of the Amended Charter with the Secretary of State.

PASSED ON FIRST READING

\_\_\_\_\_

PASSED ON SECOND AND FINAL  
READING AND ADOPTED

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\_\_\_\_\_  
George N. Cretokos, Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Pamela K. Akin, City Attorney

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Rosemarie Call, City Clerk