



City of Tarpon Springs, Florida

324 E. Pine Street
Second Floor Media Room
Tarpon Springs, Florida 34689
<https://tarponspringsfl.portal.civicclerk.com>

Charter Revision Commission
WEDNESDAY, AUGUST 28, 2024
10:00 a.m.

CALL TO ORDER

ROLL CALL

1. REVIEW REVISED DRAFT CHARTER ORDINANCE

Revised Draft Ordinance

PUBLIC COMMENTS (Limited to 4 minutes)

BOARD AND STAFF COMMENTS

ADJOURNMENT

ORDINANCE NO 2024-

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, SUBMITTING THE FOLLOWING PROPOSED AMENDMENTS TO THE CITY CHARTER BY THE CHARTER REVISION COMMISSION TO THE ELECTORS OF THE CITY FOR APPROVAL: AN AMENDMENT TO SECTION 3 – LIMITATION OF POWERS; AN AMENDMENT TO SECTION 8 – BOARD OF COMMISSIONERS, COMPOSITIONS AND POWERS; AN AMENDMENT TO SECTION 11 – TERMS OF OFFICE, QUALIFICATIONS, DATE OF ANNUAL ELECTION; AN AMENDMENT TO SECTION 12 - ZONING POWERS; AN AMENDMENT TO SECTION 13 – INTERFERENCE WITH ADMINISTRATION; AN AMENDMENT TO SECTION 14 – INTERNAL AUDITOR; AN AMENDMENT TO SECTION 16 – CITY MANAGER; AN AMENDMENT TO SECTION 20 – RESIDENCY; AN AMENDMENT TO SECTION 23 – GENERAL; AN AMENDMENT TO SECTION 26 – SIDEWALK IMPROVEMENT FUND; AN AMENDMENT TO SECTION 30 – INITIATIVE AND REFERENDUM; AN AMENDMENT TO SECTION 32 – AMENDMENTS; AN AMENDMENT TO SECTION 33 – CITY HOSPITAL; PROVIDING THAT THE CHARTER SHALL BE AMENDED TO INCORPORATE ANY PROPOSED AMENDMENT RECEIVING A MAJORITY VOTE OF THE ELECTORS OF THE CITY IN FAVOR OF SUCH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 166.031, Florida Statutes, the Board of Commissioners of the City of Tarpon Springs may by ordinance propose amendments to the City Charter to the electors of the City of Tarpon Springs; and

WHEREAS, pursuant to Section 32 of the City Charter, the Board of Commissioners has appointed a Charter Revision Commission to review the City Charter and to recommend changes to the Charter; and

WHEREAS, the Charter Revision Commission has recommended certain changes to the City Charter; and

WHEREAS, Section 3 of the City Charter presently requires a voter referendum if the City wishes to purchase, sell, exchange, convey, or lease real property in any amount greater than \$350,000.00; and

WHEREAS, real property values have increased since Section 3 of the City Charter was amended; and

WHEREAS, the Charter Revision Commission recommends amending Section 3 of the City Charter to increase the real estate threshold to \$500,000.00, identifying the funding source, to allow the City to operate efficiently and resourcefully when it comes to purchasing, selling, exchanging, conveying, or leasing real property; and

WHEREAS, Section 3 of the City Charter provides for the acquisition by the city of real property under limited circumstances; and

WHEREAS, the Charter Revision Commission recommends adding dredging and spoil sites to the acquisition of real property by the city; and

WHEREAS, the Charter Revision Commission recommends requiring that real property purchased by the City by public referendum or real property which has a value equal to or greater than the maximum value the City may purchase without requiring a referendum, may not be sold, swapped or traded without first receiving approval by public referendum; and

WHEREAS, Section 8 of the City Charter presently lists the composition and powers of the Board of Commissioners; and

WHEREAS, the Charter Revision Commission recommends amending Section 8 of the City Charter to amend the powers, responsibilities, and duties of the Board of Commissioners, to include **maintaining** a Sustainability Committee, provide for review by the Board of Commissioners of the Charter for funding requirements during the budgeting process, provide for the review by the Board of Commissioners of the Comprehensive Plan in coordination with the State of Florida review cycle, provide for the review of the City's Master and Action Plans and increase the time period for the review of Comprehensive Plan; and

WHEREAS, Section 11 of the City Charter presently deals with the terms of office, qualifications, and date of annual elections; and

WHEREAS, the Charter Revision Commission recommends amending Section 11 of the City Charter to extend the qualifying time and provide additional notice of elections to residents; and

WHEREAS, Section 12 of the City Charter provides for zoning powers; and

WHEREAS, the Charter Revision Commission recommends removing superfluous language contained in Section 12; and

WHEREAS, Section 13 of the City Charter presently contains redundant language; and

WHEREAS, the Charter Revision Commission recommends amending the language in Section 13 of the City Charter to remove the redundant language; and

WHEREAS, Section 14 of the City Charter does not include legal review of non-compliance issues; and

WHEREAS, the Charter Revision Commission recommends amending the language in Section 14 of the City Charter to include legal review of any non-compliance issues; and

WHEREAS, Section 16 of the City Charter presently does not provide for an Assistant City Manager nor is there a provision prioritizing capital improvement programs by the city manager; and

WHEREAS, the Charter Revision Commission recommends amending the language in Section 16 of the City Charter to clearly state that the City Manager shall prioritize capital improvement programs and appoint an Assistant City Manager; and

WHEREAS, Section 20 of the City Charter presently requires numerous employees to reside within City limits; and

WHEREAS, the Charter Revision Commission believes that certain critical employees should reside within the City limits however, the current residency requirement may be difficult to satisfy and may stifle the City from attracting high-caliber, quality, and valuable employees that may be averse to displacing their families based on the present residency requirement of Section 20 of the City Charter; and

WHEREAS, the Charter Revision Commission recommends amending Section 20 of the City Charter regarding residency requirements so that the positions of City Manager, Assistant City Manager, Fire Chief and Police Chief, which are of such vital importance to the City, should live in the same community that they work in, and should therefore should be subject to the residency requirement; and

WHEREAS, the Charter Revision Commission recommends amending the language of Section 20 of the City Charter to allow Department Heads and Directors to live within a reasonable distance of City Hall; and

WHEREAS, Section 23 of the City Charter presently allows the City Manager to expend up to \$25,000.00 for budgeted goods or services City goods or services without going to competitive bid; and

WHEREAS, the Charter Revision Commission recommends amending the language of Section 23 of the City Charter to increase the expenditure for budgeted goods or services up to \$50,000.00 without going to competitive bids but following state statute; and

WHEREAS, Section 26 does not provide for a sidewalk improvement plan and contains insufficient annual funding; and

WHEREAS, the Charter Revision Commission recommends amending the language of Section 26 of the City Charter to provide for the adoption of a sidewalk improvement plan and an increase in fiscal expenditures; and

WHEREAS, Section 30 of the City Charter requires 15 percent of the qualified registered electors for an initiative ordinance or referendum and that the election be held within 90 days from the date of filing the initiative ordinance or referendum or as soon thereafter; and

WHEREAS, the Charter Revision Commission recommends amending the language of Section 30 of the City Charter to provide for 10 percent of the qualified registered electors for an

initiative ordinance or referendum and that the election be held in conjunction with the next scheduled city or county election; and

WHEREAS, Section 32 of the City Charter language needs clarification; and

WHEREAS, the Charter Revision Commission recommends amending the language in Section 32 of the City Charter to clarify the Charter Revision Commission process; and

WHEREAS, Section 33 of the City Charter presently references the city hospital as Tarpon Springs General Hospital; and

WHEREAS, the city hospital is leased to Tarpon Springs Hospital Foundation Inc.; and

WHEREAS, the Charter Revision Commission recommends amending the language of Section 33 of the City Charter to change the name in the Charter to reflect the accurate name of the Lessee on the lease of the city owned hospital property and that any subsequent leases or agreements with the hospital involve only city owned property; and

WHEREAS, Section 32 of the City Charter requires the Board of Commissioners to submit changes to the Charter suggested by the Charter Revision Commission to the electors of the City of Tarpon Springs;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. The following proposed amendments to the City Charter of the City of Tarpon Springs shall be submitted to the electors of the City in an election to be held March 11, 2025, held in conjunction with the City General Elections. In the event that a proposed amendment to the Charter is approved by a majority of the voters at such election, the Charter shall be amended accordingly, and the amendment shall be effective as of the date the results of the election are certified.

Section 2. Proposed amendment to Section 3(h) of the City Charter to increase the limitation threshold on the purchase, sale, exchange, conveyance or leasing of real property and to include dredge and spoil sites under the power of eminent domain by the City:

Section 3. - Limitation of powers.

The terms for the purchase of real property, the sale, exchange, conveyance or leasing for a period greater than ten years of real property, or any interest therein, however such property is acquired or the execution of any contract by the city for a period greater than ten years, shall be ratified by a majority of the electorate voting at a referendum thereon before such shall be effective. Provided, however, that such limitation shall not apply to:

- (a) The acquisition by the city of real property by lien foreclosure, the sale of real property acquired by the city through lien foreclosure if the price thereof is for no less

than its appraised value or such property is conveyed to a charitable organization at less than appraised value for a public purpose if such charitable organization is tax exempt under the federal tax laws and such conveyance is subject to a reversionary clause appropriate for the purpose sold. A sale or conveyance for less than appraised value shall be approved only upon the affirmative vote of four members of the board of commissioners approving such transaction; or

(b) The acquisition by the city of real property under the power of eminent domain, exclusively for water and sewer utility easements, public rights-of-way, public parking, storm drainage improvements and dredge and spoil sites; or

(c) The vacation of rights-of-way or other easements by ordinance after public hearing; or

(d) The purchase, sale or exchange or leasing of real property in which all other parties thereto are governmental agencies; or

(e) The issuance of industrial revenue bonds or other revenue bonds which refinance no more than the principal balance of such bonds then outstanding, together with the cost of accumulated interest and the reasonable cost of refinancing; or

(f) Telecommunication, electric, natural gas and community antenna television franchise agreements, or other franchise agreements with public or private utilities; or

(g) Leases of personal property not to exceed ten years; or

(h) The purchase, sale, exchange, conveyance or leasing of real property or any interest therein, excluding parks, recreation, and waterfront property, except for their purchase, for a sum less than \$500,000.00 which is approved by the affirmative vote of four members of the board of commissioners. The board of commissioner(s) will identify funding source, adopt sale, purchase, conveyance and leasing procedures by ordinance to govern this paragraph.

(i) Real property purchased by the City by public referendum or real property which has a value equal to or greater than the maximum value the City may purchase without requiring a referendum, may not be sold, swapped or traded without first receiving approval by a public referendum.

Section 3. Proposed amendment to Section 8 of the City Charter to clarify and enumerate the responsibilities and powers of the Board of Commissioners:

Section 8. - Board of commissioners, composition, duties, responsibilities, and powers.

The government of the city shall be vested in a board of commissioners to consist of five members, one of whom shall be the mayor and such other officers and boards as may be appointed or elected in pursuance of law. All officers and employees of the city shall perform such duties and receive such compensation as may be prescribed by the board of commissioners, which ~~are~~ is not inconsistent with law.

The board of commissioners shall have the following duties, responsibilities and powers:

- a. To establish dates and times for meetings and to meet in regular sessions on at least two occasions per month to listen to and address concerns, ideas, and goals of citizens, businesses, community groups, and staff.
- b. To adopt written rules of procedure for all meetings.
- c. To set the local millage rate as prescribed by law.
- d. To adopt a City budget as prescribed by law in conjunction with reviewing the Charter for funding requirements.
- e. To conduct a public hearing at the beginning of each budget cycle, no later than June 30th, to obtain public input on budget priorities.
- f. To set zoning and land use policy.
- g. To act as the Community Redevelopment Agency Board.
- h. To appoint a Sustainability Committee to implement the Sustainability Plan and recommend changes to the Board of Commissioners.
- i. ~~To review and update, every three fiscal years beginning October 1, 2020 all elements of the Comprehensive Plan in addition to all implementation master plans in existence currently or in the future.~~ As a result of the effects of population growth, environmental changes and impacts, including the introduction of invasive species, the City of Tarpon Springs shall maintain a Sustainability Plan and committee which shall provide for the improvement and maintenance of the environmental, social and economic vitality of the City of Tarpon Springs and allocate adequate resources to implement the plan.
- j. To review and update the Comprehensive Plan in coordination with the state required Evaluation and Appraisal review cycle. Conduct an interim review of the City's Comprehensive Plan at the mid-point of the state mandated Evaluation and Appraisal cycle.
- k. To review, update, retire, abandon or deem completed all City Master and Action Plans, every five fiscal years beginning October 1, 2024.
- l. To review and update, every ~~three-five~~ fiscal years beginning October 1, 2023-4, a Citywide Strategic Plan. The Strategic Plan shall be implemented and utilized for creating city policy, budgeting and capital project planning, consistent with its mission statement, core values, and vision statement.

- m. To create, alter, or abolish departments, boards, commissions, committees, offices, and agencies other than those specifically established by this Charter. All appointive officers and boards shall serve at the pleasure of the board of commissioners. The board of commissioners may appoint any city resident to serve on one permanent board or committee, and such other boards and committees having duration of less than one year, so long as no person shall simultaneously serve on two boards or committees addressing the same issue. Only city residents may serve on city boards, committees, or other such bodies designated or appointed to perform some service or function.
- n. To maintain and update essential city departments' Continuity of Government Plan each April, beginning in 2020. Each essential city department Continuity Plan must be able to be implemented within 12 hours of a declared emergency.
- o. To preserve and maintain all City-owned ~~p~~ Park, recreation, and waterfront property. No park, recreation, or waterfront property, or a ~~portioned~~ portion thereof owned by the City may be sold, or donated, without specific authorization by a majority vote in a City-wide referendum. The board of commissioners, by ordinance, may change the use, including the elimination of greenspace, of any city park, or portion thereof, only after an affirmative vote of four members of the board of commissioners, after three public meetings. The board of commissioners may allow on such property special events as defined and provided by ordinance.
- p. To improve, maintain, repair, clean, and light alleys, walkways and public sidewalks.
- q. To evaluate the performance of charter officers, during the month of August of each fiscal year, beginning in the fiscal year of 2020, at which time the board of commissioners shall submit individual written evaluations based on the standard format adopted by the board of commissioners to the director of human resources.
- r. To pass all ordinances and resolutions necessary for the health, convenience, safety and general welfare of its residents and to carry out the full intent and meaning of this Charter as fully as if specifically authorized.
- s. At least once every five years, beginning in fiscal year 2021, the board of commissioners shall review the city ordinances, exclusive of the City Charter, the Land Development Code, and the Special Area Plan; for purposes of determining their legality or obsolescence.

- t. To improve and maintain the navigation of the Anclote River and city bayous in accordance with this section:
1. The board of commissioners by resolution, shall report to the United States Army Corps of Engineers when such conditions exist that require maintenance of the Anclote River Federal Channel, or any portion thereof.
 2. Recreational boating access to and between the Anclote River, its estuaries, and the city bayous shall be provided by maintaining a safe navigational depth as determined by the city, state regulatory agencies, and the United States Army Corps of Engineers, of the City's historically established local channels and cuts.
 3. The city shall maintain a navigation chart of the local channels and cuts and a bathymetric survey shall be done at least every five years of those navigational areas, beginning fiscal year 2021. The bathymetric survey shall be presented at a board of commissioners meeting. The bathymetric survey, any analysis of the survey, the minutes of the board of commissioner's meeting when the survey was discussed and a letter of recommendation from the board of commissioners will be transmitted to the County Administrator of Pinellas County and all appropriate state agencies.

Section 4. Proposed amendment to Section 11(a) of the City Charter to extend the qualifying time for the office of city commissioner and providing for additional notification to qualify for the election for city commissioner:

Section 11. - Terms of office, qualifications, date of annual election.

(a) The municipal election to select the board of commissioners shall be held on the second Tuesday in March. All elections shall be conducted on a nonpartisan basis without regard for the political party affiliation of any party. Candidates for the office of city commissioner shall qualify for a single specific seat. The qualifying time for the office of city commissioner shall be thirty (30) days prior to the qualifying period. A notice, by First Class mail, shall be sent to all City registered voters thirty (30) days prior to the qualifying period identifying all Commission seats open for election and indicating who currently holds the seat and their eligibility for reelection. The information shall also be posted on the City's social media site and announced in a Press Release. The candidate receiving the greatest number of votes for the office of mayor, and for each respective seat, shall be declared elected, if otherwise qualified.

(b) No person shall be a candidate for the office of mayor or commissioner until such person has paid a qualification fee of \$25.00 and has been requested to be a candidate for such office by at least 25 qualified electors. Such a person shall be a registered voter and shall have been a continuous resident of the city for at least one year prior to the final day for qualifying for such office. Each newly elected officer shall assume their office at the first regular meeting of the board of commissioners in April following the election, and shall accept the following oath:

"I do solemnly swear or affirm that I will support, protect, and uphold the Constitution of the United States and of the State of Florida, and the Charter and Laws of the City of Tarpon Springs; that I am duly qualified to hold the office of (title of office); that I will faithfully perform the duties of that office on which I am now about to enter."

(c) The term of office for the mayor and commissioners shall be three years. No person shall be eligible to hold the office of mayor or commissioner, or both, for more than two consecutive full terms. If any mayor or commissioner ~~be~~ is appointed to such office as provided herein, such person may be a candidate for such office for two consecutive terms. Thereafter, such person shall not be a candidate for either such office for a period of one year. If any mayor or commissioner is elected to complete a portion of a term, such person may only be eligible for such office for one consecutive term.

(d) In the event that any mayor or commissioner dies, resigns, ceases to be qualified for the office or is removed from office in any manner prescribed by law, that office shall become vacant. If there is a vacancy in the office of mayor or commissioner, the board of commissioners by majority vote shall, within 60 days of such vacancy appoint a qualified person to serve the vacated office until the next regular city or county election. At such an election, a qualified person shall be elected to serve the remaining term of the vacated office. Should the board of commissioners fail to fill the vacancy within 60 days, the governor shall appoint a qualified person to fill the vacated office. In the event that there shall be a simultaneous vacancy of three or more members of the board of commissioners, the governor shall appoint successors to fill the remaining terms of such vacancies or until such time as successors thereof are elected.

(e) The board of commissioners shall judge the qualifications, election, and returns of its own members, and shall prescribe rules for the determination for contested or tied elections. Any mayor or commissioner who ~~shall~~ ~~misses~~ two regular meetings in succession shall be deemed to have resigned from such office, unless such absence is excused by the board of commissioners. The procedure for the recall of a mayor or commissioner shall be according to the provisions of Section 100.361, Florida Statutes.

Section 5. Proposed amendment to Section 12 of the City Charter dealing with zoning powers to remove superfluous language:

Section 12. Zoning powers.

The board of commissioners shall have all powers concerning land use as may be prescribed by general law. Provided, however, that the board of commissioners shall appoint a board of adjustment to be composed of five members, and two alternates, who shall vote in the absence of a regular member, to hear and decide appeals solely from administrative staff decisions ~~for special exceptions~~ and for variances to zoning and land use regulations of the City. Any person aggrieved by a decision of the board of adjustment may present a petition to a court of competent jurisdiction setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality, within 30 days of the decision of the board of adjustment. The board of commissioners shall appoint a planning and zoning commission to advise the board of commissioners on issues concerning land use and such other powers as may be provided by law.

Section 6. Proposed amendment to Section 13 of the City Charter dealing with interference with administration to remove superfluous language:

Section 13. Interference with administration.

Except for the purpose of inquiries and investigations, the board of commissioners or its members individually shall deal with city officers and employees who are subject to the direction and supervision of a charter officer solely through the charter officer who supervises that city officer or employee, and neither the board of commissioners nor its members individually shall give orders to any such officer or employee, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual commissioners from closely scrutinizing by questions and personal observation, all aspects of city government operations so as to obtain independent information to assist the members in the formulation of sound policies to be considered by the board of commissioners. ~~It is the express intent of the Charter, however, that recommendations for improvement in city operations, under the jurisdiction of the city manager, by individual commissioners be made to and through the city manager, so that the manager may coordinate efforts of all city departments to achieve the greatest possible savings through the most efficient and sound means available.~~

Section 7. Proposed amendment to Section 14 of the City Charter to require the internal auditor to notify the City Attorney of all non-compliance issues:

Section 14. - Internal auditor.

The board of commissioners shall appoint an internal auditor who shall serve at the pleasure of the board of commissioners and who shall perform such duties and functions as the board of commissioners may direct, including but not limited to the following:

- (a) Audits of all departments for compliance with city written policies and procedures, federal, state, and local laws, and maintain compliance as may be required by the state Auditor-General;

- (b) Develop and maintain an internal audit manual, outlining the objectives and procedures of the position;
- (c) Prepare an annual internal audit calendar;
- (d) Review all revenue sources and monitor payments to and from the city;
- (e) Review utility billing calculations, city receipts, and disbursements for accuracy;
- (f) Review the means for verifying and safeguarding all city assets;
- (g) Recommend and assist in improvements of controls to assure compliance with all applicable laws and regulations;
- (h) Perform special examinations, prepare studies, and report as directed by the Board of Commissioners;
- (i) Through audits, recommend improvements to ensure city resources are being used economically and efficiently. Report all findings or non-compliance issues to the City Manager and the City Attorney to review before being provided to the Board of Commissioners.

The internal auditor shall be a charter officer and a full-time employee of the city, and shall be exempt from civil service.

Section 8. Proposed amendment to Section 16 of the City Charter to notify the City Manager to prioritize capital improvement programs and select an assistant city manager:

Section 16. - City manager; acting city manager and assistant city manager.

[(1) City manager.] There shall be a city manager who shall be appointed by, and serve at the pleasure of and under the direct supervision of, the board of commissioners. The city manager shall be the chief administrative officer of the city and shall have the power to execute the laws and administer the government of the city. The city manager shall be responsible to the board of commissioners for the proper administration of all affairs of the city and to that end shall have the rights, powers and duties necessary and proper to the enforcement thereof. The city manager shall not simultaneously serve as city clerk/collector. In the event of involuntary termination, the city manager shall not be entitled to more than three months' severance pay, payable monthly during the period that such person is not gainfully employed, together with accrued vacation pay.

The powers and duties of the city manager shall include the following:

- (f.) Prepare and submit the annual budget, budget message, and prioritizing capital improvement program to the board of commissioners in a form provided by ordinance or by law;

(g.) Keep the board of commissioners fully advised as to the financial condition and future needs of the city, prioritizing future capital improvement programs, and make such recommendations to the board of commissioners concerning the affairs of the city;

[(2) Acting city manager.] The city manager shall designate in writing, subject to approval of the board of commissioners, a qualified city administrative officer to exercise the powers and perform the duties of city manager during any temporary absence or disability. During such absence or disability, the board of commissioners may revoke such designation at any time and appoint another officer of the city to serve until the city manager shall return or the disability shall cease.

[(3) Assistant city manager.] The city manager shall appoint, in writing, an assistant city manager, subject to the approval of the board of commissioners. The assistant city manager shall be appointed solely on their executive and administrative qualifications. The assistant city manager is subject to the same residency requirements as the city manager. The duties of the assistant manager shall be assigned by the city manager but shall include the exercise of the powers and performance duties of the city manager during the city manager's absence from the city. The assistant city manager shall serve as the acting city manager.

Section 9. Proposed amendment to Section 20 of the City Charter to require the City Manager, Assistant City Manager, Fire Chief and Police Chief to reside within the City's planning boundary and to require Department Heads and Directors to live within ten (10) miles of City Hall with exceptions for current Department Heads and Directors:

Section 20. - Residency.

The city manager, the assistant city manager, city clerk, administrative services director, fire chief, police chief, public services director, development director, and planning and zoning director shall establish permanent legal residency within the city within one year after appointment. Provided, however, that this provision shall not apply to such employees employed prior to March 14, 2020, even if such employee is appointed to any such position listed above, nor to temporary employees or to temporarily appointed officials. Any person required to establish residency within the city pursuant to this Section upon relocation of such person's legal residence, shall be required to reside within the limits of the city. The board of commissioners may excuse the residency requirement for such time periods, no one time period to exceed one year, as it deems appropriate in the best interest of the city.

The City Manager, Assistant City Manager, Fire Chief and Police Chief are required to reside within the city limits as defined by the City's planning boundary (North: Pasco County border, South: Klosterman Road, East: East Lake Road). Established City employees who are promoted to one of the positions above do not have to meet the residency requirements unless they change their residence during their employment in the positions above.

All Department Heads and Directors, who are not listed above, are required to live within ten (10) miles of the Tarpon Springs City Hall. Established City employees who are promoted to

Department Head or Director do not have to meet this residency requirement unless they change their residency during their employment as a Department Head or Director. If the Department Heads or Directors change their residency they must reside **within ten (10) miles of the Tarpon Springs City Hall.**

Section 10. Proposed amendment to Section 23 of the City Charter to increase the authority to expend budgeted funds for budgeted goods or services without competitive bidding:

Section 23. - General.

The city manager shall not be authorized to transfer funds between departments nor borrow from one fund to benefit another fund, without the prior consent of the board of commissioners. Except as provided in Section 24, the City Manager is authorized to expend up to ~~\$25,000.00~~ \$50,000.00 for budgeted goods or services without competitive bidding. All purchases of ~~\$25,000.00~~ \$50,000.00 or more, ~~for which bids are required~~ according to state statute, shall be awarded upon an open, competitive, and sealed bid basis, by advertising on at least one occasion in a newspaper of general circulation, with at least ten days between publication and bid opening or other means of advertising as deemed appropriate by the board of commissioners. The most responsible bid shall be accepted by the board of commissioners, and signed by the mayor or city manager and attested by the city clerk and collector. Any such instrument otherwise executed shall be void and of no legal effect. If no bids are received, the board of commissioners may award the contract without bid.

~~Monthly financial statements shall be made available in the office of the city clerk and collector, and quarterly financial statements shall be made available in the public library~~

Section 11. Proposed amendment to Section 26 of the City Charter to **provide for the adoption of a sidewalk improvement plan and increase the budgeted funds**

~~The street and sidewalk improvement investment fund shall be renamed the sidewalk improvement fund.~~ The balance and interest in such a fund shall be used solely for sidewalk improvements, repairs or extensions within existing roadways of the City, in accordance with the provisions of this Section. Such funds shall only be invested in compliance with Chapter 218, Florida Statutes. **The City shall adopt a sidewalk improvement plan by 2029.**

The board of commissioners, by resolution, may direct the withdrawal and use of the balance of the fund provided that:

- ~~—The amount withdrawn from the fund is less than or equal to the amount appropriated in the City's Capital Improvement Program Budget for sidewalk improvements;~~ **The city shall appropriate a minimum of \$300,000.00, per year to be expended on sidewalk improvement during the year the funds are budgeted;**

- The amount withdrawn does not exceed \$~~1~~300,000.00, per fiscal year;
- The proceeds from this fund shall not be used for sidewalks along roadways, or roadway extensions, whether commercial or residential, where roadways or roadway extensions are not physically in existence at the time of the adoption of this section.

Section 12. Proposed amendment to Section 30 of the City Charter to amend the percentage of verified signatures for initiatives and referendums and establishing a new date for a referendum election:

Section 30. Initiative and referendum

The electorate shall have the power of initiative to propose ordinances to the board of commissioners and the power of referendum to require the reconsideration by the electorate of any adopted ordinance. Such powers shall be commenced by the petition addressed to the board of commissioners which contains the verified signatures of at least ~~15~~10 percent of the qualified electors registered to vote at the last regular municipal election. All petitions shall be filed with the city clerk, along with the affidavit of five qualified voters supporting such petitions, which voters shall constitute the petitioners' committee. If the city clerk finds the petitions do not comply with the above requirements, the city clerk shall notify such committee within 48 hours of the particulars of such deficiency.

Such referendum election shall be held ~~90 days from the date of filing thereof, or as soon thereafter as the supervisor of elections shall permit.~~ at the next city or county election. If conflicting ordinances are approved at the same election, that ordinance receiving the greater number of affirmative votes shall prevail to the extent of such conflict.

Section 13. Proposed amendment to Section 32 of the City Charter to clarify language to this section.

Section 32. - Amendments.

This Charter may be amended as provided by Section 166.031, Florida Statutes. The board of commissioners shall appoint a charter revision commission at least every five years to review the provisions hereof and to recommend any changes ~~in~~ to this Charter. Upon request by the board of commissioners, the most recent charter revision commission shall be reconvened in order to render an advisory opinion regarding any interpretation of this Charter.

Such commission shall be composed of seven members, and the affirmative vote of four such members shall be required to propose any change to this Charter. Such commission shall receive comments from the board of commissioners, Charter officials, and the public, and shall then transmit proposed Charter amendments, in ordinance form, to the board of commissioners, for further comment. The board of commissioners shall, within 30 days, return the proposed

amendments to the charter revision commission, with its recommended proposals. After review thereof, the charter revision commission shall make its own final report to the board of commissioners, in ordinance form, which shall be adopted verbatim by the board of commissioners. The board of commissioners shall, within 120 days ~~from~~ of such final report, hold an election on the ~~recommended proposals~~ proposed Charter revisions. In the same election, the board of commissioners may sponsor its own proposals, and also ~~including~~ include public initiative proposals. The referendum summary shall advise the public as to whether the proposal is sponsored by the charter revision commission, by the board of commissioners, or by public initiative. In the event of any conflict among proposals, that proposal receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Section 14. Proposed amendment to Section 33 of the City Charter to update the name of the **Leasee** of the City hospital to Tarpon Springs Hospital Foundation, Inc. and to clarify that future leases and amendments to leases or articles of incorporation shall only involve city owned property:

Section 33. - City hospital.

The board of commissioners shall require in all leases of the city owned hospital property leased by Tarpon Springs Hospital Foundation, Inc. that: ~~now known as Advent Health North Pinellas;~~

(a) ~~Advent Health North Pinellas~~ Tarpon Springs Hospital Foundation, Inc., and all its successors and assigns, may not unilaterally amend its articles of incorporation without the ratification of the electorate of the City, and

(b) This Section shall be required to be referenced in any lease or agreement between ~~Advent Health North Pinellas~~ Tarpon Springs Hospital Foundation, Inc., and all its successors and assigns, of ~~that~~ city owned property and any third party.

Section 15. This Ordinance shall be effective immediately upon its final passage and adoption; provided, however; that the sections hereof shall not be individually effective until such is approved by a majority vote of the electors voting in an election to be held on March 11, 2025, held in conjunction with the City's General Election and upon being filed with the Secretary of State. In the event that any such referendum question shall be defeated, then the applicable provisions of this Ordinance shall be of no further force or effect.