



AGENDA

**CHARTER REVIEW COMMITTEE MEETING
WEDNESDAY, FEBRUARY 14, 2024, AT 6:00 P.M.**

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. INTRODUCTIONS AND RECAP OF PUBLIC PARTICIPATION
- V. REVIEW CHANGES FROM MEETING 3
 1. Commission Limitations
 - a. Report From City Staff (Definition of Real Property)
 - b. Review 1-16 Changes
 2. Absentee Ballots
 3. Commission Offices Groups and Terms
 - a. Clean Up Language
 - b. Alternative Language
 4. Form of Ballot - Removed
- VI. REVIEW SECTIONS 2-8 THROUGH SECTION 3-1. TOPICS:
 1. Citizen Referendum
 2. Amendment of Charter
- VII. NEXT MEETING: MARCH 6, 2024. TOPICS:
 1. Final Review of Changes
 2. Vote On Which To Recommend To the Commission
- VIII. ADJOURNMENT

NOTE:

The agenda material containing background information for this meeting is available on the City's website in pdf format or on a CD, for a \$5 fee, upon request at the City Manager's office.

NOTICES: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities act, persons needing a special accommodation to participate in this proceeding should contact the City Manager's Office not later than seven days prior to the proceeding at the address provided, or telephone 904-471-2122, or email sabadmin@cityofsab.org.



MINUTES

CHARTER REVIEW COMMITTEE MEETING WEDNESDAY, JANUARY 10, 2024, AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

Dr. Dumont called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Members Marc Craddock, Margaret England, Jeremiah Mulligan, and Heather Lane Neville, and Alternates Doug Wiles and Margaret Van Ormer.

Members Kevin Cavanaugh, Edward George, and Scott Patrou were absent.

Also present: Facilitator Dr. Georgette Dumont, City Manager Max Royle, City Clerk Dariana Fitzgerald, Building Official Brian Law, and Planner Jennifer Thompson.

IV. INTRODUCTIONS AND RECAP OF PUBLIC PARTICIPATION

Dr. Dumont began a PowerPoint presentation [Exhibit A] and ran through the procedure for the meeting.

V. REVIEW OPEN TOPICS FROM MEETING 2

a. City Manager (Sec. 1-8)

Dr. Dumont noted that she moved some language from the fourth paragraph to the first for clarity and flow and changed the phrase "indefinite term" to "agreed to in the negotiated contract between the incoming city manager and the commission".

The Committee agreed with those changes.

b. Law Enforcement (Sec. 1-9)

Dr. Dumont noted that she removed the requested language in the first paragraph and changed the phrase "unless removed due to misfeasance or malfeasance" to "unless removed for cause".

The Committee discussed whether they wanted to further define "for cause", but decided to leave those details up to the Commission and any contract negotiations.

The Committee agreed with the changes.

Dr. Dumont also suggested changing "he" to "Chief of Police" in the third paragraph, but stated that City Manager Royle is going to check and see if minor changes like that would need to be on the ballot or not.

c. Validation of Individual Sections (Sec. 1-12) (Reposition)

Dr. Dumont stated that she moved and renumbered several paragraphs to flow better, so City Clerk (1-13) and City Attorney (1-14) were moved up to 1-10 and 1-11 respectively, which moved Public Improvements (1-10), Fire Protection, Trash and Garbage Removal and Other Municipal Services (1-11), and Validation of Individual Sections (1-12) were all moved down two spots.

The Committee agreed with those changes.

d. City Clerk (Sec. 1-13) (Reposition)

e. City Attorney (Sec. 1-14) (Reposition and Changes)

VI. REVIEW SECTIONS 1-16 THROUGH SECTION 2-7. TOPICS:

a. Commission Limitations

Dr. Dumont read Section 1-16 (a) and stated that this means that before the City can sell, lease, etc. a park, it must be voted on by the Commission and the citizens.

Mr. Craddock noted that the City has areas of donated conserved land which are not officially parks as he understands it. He proposed adding language to include conservation easements or conserved land owned by the City.

Mr. Mulligan commented that donated land usually has contract language with a reverter clause, but it does raise a point about the City's parkettes. He stated that we would need to decide how to define real property owned by the City that's not specifically a park; if there would be different categories, if so how many and what would they be called.

Dr. Dumont noted that you want to be careful in a Charter not to be so restrictive that you could force a vote requirement for otherwise routine projects.

In response to questions, City Manager Royle confirmed that Ocean Hammock Park and Hammock Dunes Park are considered parks that the City holds the deed for. The parkettes are considered common elements and there is no deed for them since they are part of the public right-of-way.

Dr. Dumont stated that we have two issues to look into further: First, how is real property defined by the City, and second, review the language in the current conservation agreements and deeds to see what already protects it.

Dr. Dumont read the first paragraph of Section 1-16(b) and asked Planner Thompson to speak on this section.

Planner Thompson gave the Committee a handout [Exhibit B] to further explain the changes being requested. She noted that 1-16(b) contains references to ordinances that have since been replaced, so having the specific references does a disservice to anyone who tries to look them up. For 1-16(b)1, she stated that the 35-foot height limitation is perfect as far as the Planning and Zoning division is concerned, but the issue is with the architectural features, which would allow an extra 10 feet to be added above the 35-foot structure. She noted that she would like to change the City Code to only allow these architectural features to be on commercial buildings, since this section could allow for residential building to construct 10-foot towers or parapet walls to create essentially a 45-foot home. She suggested striking the highlighted section, 1-16(b)1.a, which would allow the City Code to be altered to make specific differentiation between commercial and residential properties.

Mr. Craddock suggested looking into the County's 35-foot restriction and seeing if we could adopt the same language to be more consistent along the beach. Planner Thompson stated that she

would look into it, but she wasn't sure if that would be as reflective of the City's need since the County has different zoning standards.

Dr. Dumont asked how often someone tries to surpass the 35-feet. Planner Thompson commented that it was not too often, sometimes people try to slip in a few extra feet which are usually caught during review, but this section opens up where they'd have to allow the features referenced if requested.

Dr. Dumont commented that you'd have to be careful with the language here unless you want a city full of flat roofs, maybe there should be some restrictions but not getting rid of all architectural features on the roof.

Building Official Law commented that this is putting Land Development Regulations (LDRs) inside the city charter, which is not the place for that. He stated that getting rid of this section would allow for any possible loopholes to be closed in the LDRs, that's what the Code is for. He suggested adding something like "... (35) feet as described in detail in the current Land Development Regulations" and removing paragraph (b)1.a. He noted that there is a variance procedure to evaluate any deviations on a case-by-case basis.

Ms. England commented that she doesn't want to encourage variances, but she does want some language that allows architectural features. It's important for the character of the City to have interesting roof lines and architectural features.

The Committee asked Dr. Dumont to develop language keeping the 35-foot height limit and 10-foot cap on architectural features, adding a reference to the Land Development Regulations, and otherwise striking paragraph (b)1.a.

Dr. Dumont read Section 1-16(b)1.b. Mr. Mulligan suggested striking it since the State preempts that power anyway. Building Official Law agreed that it was not needed, and they do not permit telecommunications anyway.

The Committee agreed to strike paragraph (b)1.b.

Dr. Dumont moved on to Section 1-16(b)2.

Planner Thompson stated that this section contradicts paragraph (b)2.e and Section 10.01.03 of the Land Development Regulations [Exhibit B], which states that nonconforming structures must be brought into compliance with current code if the cost of reconstruction is more than 50% of the assessed value. She noted that this paragraph contradicts some FEMA (Federal Emergency Management Agency) regulations as well. Building Official Law noted that it also contradicts the Florida Building Code.

The Committee agreed to strike paragraph (b)2 in its entirety.

b. Election Procedures

Dr. Dumont read Section 2-1(a) through 2-1(e).

The Committee had no changes to this section.

c. Absentee Ballots

Dr. Dumont read Section 2-2.

City Manager Royle addressed the last sentence "For each election, the city commission shall pass a resolution designating who will perform such duties in respect to the absentee ballots." He stated that it is an obsolete provision that forces an extra step for each election, since the County Supervisor of Elections is always the one designated.

Mr. Mulligan commented that he is worried that the Legislature may do away with absentee ballots at some point and would like to make sure this section could leave it open for the City to continue to do its own absentee ballots in the event the Supervisor of Election cannot.

The Committee agreed to strike the last sentence.

d. Commission Offices, Groups, and Terms

Dr. Dumont read Section 2-3 and noted that there was public comment on this item.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, commented that ten years ago he was on the Charter Review Committee. He stated that one thing considered then was instead of candidates running for a specific seat, have all candidates run together and the top voted get any open seats. That way people are not running against a specific opponent for one position, they are running for any open seat. Also discussed ten years ago were term limits, they proposed eight and twelve year potential limits, but the proposal did not pass the Commissioners' vote.

Dr. Dumont noted the new Form 6 requirements, which may make it more difficult to attract interested candidates in the future. These forms require elected officials to disclose detailed financial information and several cities have had commissioners resign over it, a few have even lost their entire councils. She stated that Mr. Binder's suggestion of a jungle election might get more people interested because they're not directly running against an incumbent or someone else they know.

Mr. Mulligan stated that it might be interesting to give this idea to the Commission and the voters as an option. He noted that it doesn't seem too controversial a change and might be something that gets people engaged in a little bit more debate and an engaged electorate is a good thing.

Dr. Dumont noted that it shouldn't be an issue since the seats are all at large.

Mr. Wiles commented that this could still provide an advantage to incumbents, just due to name recognition. He stated that it is still an interesting idea to explore and questioned if there was any place else in Florida that's doing that and what has been their experience.

Ms. England suggested cleaning up this section and getting rid of the references to 1968 and 1970, but have the revised election idea proposed to the Commission separately.

Dr. Dumont indicated that she could research that and work on language. She asked for comments on term limits.

Ms. Neville stated that she supports term limits, perhaps two or three terms with the ability to return after a break. She commented that it might help usher in some change.

Ms. England stated that she supports a three term limit with the ability to come back after a full four year term away.

Mr. Wiles commented that he does not like term limits; that it causes you to lose institutional knowledge and gives lobbyists and staff more power since they become more familiar with the system. He noted that there has not been a history of term abuse in St. Augustine Beach, and this seems like a solution looking for a problem.

Ms. Neville agreed she could see that in larger jurisdictions, but this is a smaller community and people who previously served often remain available and continue to serve, like Mr. George and Ms. England on this Committee. She commented that it could incentivize people to get things accomplished quicker.

Dr. Dumont noted that on the current Commission, only one Commissioner is in their third term and would be running for a fourth if they continue to serve.

Mr. Wiles noted that only one Commissioner has run for more than three terms since 2011 and that in 2014 two seats were unopposed, none in 2016, two in 2018, one in 2020, and four unopposed in 2022.

Ms. Neville said that ultimately the issue is that we don't have people running; the goal isn't necessarily to limit terms to change the voting structure, it's how to get people to run. She stated that she has had conversations with people who don't want to run against their neighbors and term limits may help solve that problem.

Ms. Van Ormer stated that from listening to this discussion, she doesn't think term limits are the problem, it's a lack of people running for office. She commented that it wouldn't be about just one thing, like running against friends, but also about personal information, financial information, volunteerism, etc. becoming public. There must be ways of having new people volunteer and be interested in the community, but if we're having a difficult time getting people to run and we're talking about term limits and about adding these other things on, that seems to be making it more difficult.

Mr. Craddock stated that he wasn't interested in term limits after hearing the debate and the discussion here, but the other is an interesting concept that we should pursue.

Ms. England stated that she is in support of term limits, but perhaps it could be presented as an alternative idea to the Commission without the recommendation of this board.

Mr. Mulligan stated that he supports term limits. He agrees that we may not have a problem now, but it makes sense to look to the future.

Ms. Neville stated that she just wants a solution to the lack of people running and thinks term limits need to be part of that conversation.

Dr. Dumont reported that right now there are two solutions on the floor, and she will come up with language for both of them; one is the jungle election and then the other is the term limits.

e. Runoff Elections

Dr. Dumont read Section 2-4.

The Committee had no changes to this section.

f. Determining Winners; Tie Votes

Dr. Dumont read Section 2-5.

The Committee had no changes to this section.

g. Form of Ballot

Dr. Dumont read Section 2-6.

Mr. Wiles questioned whether this section was needed. If the Supervisor of Elections was handling all elections, then they would ensure that the ballot conforms with the law.

The Committee agreed to remove this section.

h. Recall of Elected Officials

Dr. Dumont read Section 2-7. She noted that this section is required because the City needs to have some form of recall provision.

The Committee had no changes to this section.

Dr. Dumont reviewed that on section 1-16, the limitations, that staff is going to look at how does the City define real property owned by the City with regard to the parks section and do current conservation easements have reverter clauses, that's the first one, then she'll clean up sections, removing a lot and adding some wording. The elections, she will revise the language, remove some parts of section 2.2 absentee ballots. For the City Commission offices and terms: she will have two alternatives. One alternative would be the jungle election and then the other alternative would be to incorporate term limits. And with the jungle elections I'll also have information on the rest of Florida if anybody else does that. And the terms, the suggestion was for three terms, one term off, one full term off. If that is something that you want to move forward with. No more than three terms and you have to sit out one full term before deciding if you want to run again.

VII. NEXT MEETING: FEBRUARY 7, 2024. TOPICS:

- a. Sec. 2-8 General Authority for Citizen Referendum
- b. Article III: Charter Amendment, Sec. 3-1 Amendment of Charter

VIII. ADJOURNMENT

Dr. Dumont asked for a motion to adjourn.

Motion: to adjourn. **Moved by** Member Mulligan, **Seconded by** Member Wiles. Motion passed unanimously.

Dr. Dumont adjourned the meeting at 8:00 p.m.

Max Royle, City Manager

ATTEST:

Dariana Fitzgerald, City Clerk

Sec. 1-16 Limitations

(a) All city-owned parks within the city limits of St. Augustine Beach may not be sold, leased, traded, or given away absent the passage by an affirmative vote of four-fifths (⅘) of the city commission and approval by the electorate, or by a vote of the electorate through initiative as provided for in Article II [Section 2-8](#).

(b) Actions to increase the permitted height of a building or buildings ~~as established in the following ordinances: 07-13, 08-09, 13-08, [13-14](#)~~, as may be amended to comply with State and Federal Law, may be taken by the city only by ordinance approved by a majority of qualified city electors at the next general election or a special election called for such purpose.

1. Buildings and structures within the City of St. Augustine Beach, Florida, shall be limited to a maximum height of thirty-five (35) feet. Height shall be measured in accordance with the provisions of the City's Land Development Regulations.

a. The thirty-five (35) feet height limitation shall not apply to architectural features or any roof structures ~~for housing elevators, stairways, tanks, mechanical equipment, ventilating fans, solar energy collectors, or similar equipment, nor to church spires, steeples, belfries, cupolas, domes, monuments, water towers, skylights, flag poles, vents, or similar structures, which may be erected above the height limit, nor to fire or parapet walls, provided, however that~~ and such features and items shall not extend more than ten (10) feet above the structure as provided and limited by the Land Development Regulations; and

~~b. Items or structural elements required by other state laws or the Federal Telecommunications Act shall not be included in determining building height.~~

~~2. If an existing building over thirty five (35) feet is destroyed or substantially damaged by terrorist attack, accidental fire, or natural and disastrous force, such building may be built back up (reconstructed):~~

~~a. Within its pre-disaster footprint; and~~

~~b. Within the three-dimensional envelope of the area of the pre-disaster building; and~~

~~c. Up to its pre-disaster gross square footage; and~~

~~d. Up to the same number of dwelling units or commercial square footage (or combination thereof) and pre-disaster floor area ratio, but elevated above the base flood elevations required by federal flood regulations, state regulations or City Code; and~~

~~e. Conforming to City Code, the Florida Building Code, other federal and state regulations, and state coastal construction control lines in effect at the time the substantially damaged building is built back (reconstructed).~~

2. Any building built over thirty-five (25) feet that is destroyed or substantially damaged by a terrorist attack, accidental fire, or natural and disastrous for, shall be built rebuilt by conforming to City Code, the Florida Building Code, other federal and state regulations, and state coastal construction control lines in effect at the time the substantially damaged building is built back (reconstructed).

ARTICLE II – ELECTIONS

Sec. 2-1 Election procedure

(a) The city commission shall make the necessary arrangements for holding all city elections, and may appoint one (1) or more inspectors for each election.

(b) The supervisor of elections for St. Johns County, Florida, is authorized to perform all functions required to be conducted in holding of primary and general elections of the city, including acceptance of qualifying papers, filing fees, and appropriate financial reports, preparation of ballots, appointment of an election board, supervision of poll workers, counting of ballots and ascertaining the results, and all such other matters and things which are required to be performed in the holding of primary and general elections.

(c) Subject to the provisions of the City Charter and this chapter, the supervisor of elections is authorized to perform all functions required to be conducted in the holding of primary and general elections of the city in accordance with the voting methods, procedures and requirements provided in the general laws of the State of Florida.

(d) The supervisor of elections is authorized to prepare all ballots.

(e) Except as otherwise expressly provided herein, all general laws of the State of Florida relating to elections shall apply to city elections; provided however, all references in general law to political parties and party primaries shall not be applicable to city elections.

Sec. 2-2 Absentee ballots

At all municipal elections held in the City of St. Augustine Beach, ballots of absent qualified voters residing within the corporate limits of the City of St. Augustine Beach, shall be cast, canvassed and certified as provided in and by the general laws of the State of Florida, then in force. The canvassing and certification of the ballots cast by absent qualified voters shall be performed by the Supervisor of Elections of St. Johns County or the city manager, and by the county canvassing board or the city commission. ~~For each election, the city commission shall pass a resolution designating who will perform such duties in respect to the absentee ballots.~~

Sec. 2-3 City commission offices divided into groups; terms

~~In the primary election and in the general election to be held in 1968, and in each primary election and in each general election thereafter, the candidates for city commission shall run in five (5) groups, designated as Groups One, Two, Three, Four and Five, and each voter may vote for one candidate in each group. In the general election in 1968, the successful candidates in Groups One and Two shall be elected for a full term of four (4) years, and the successful candidates in Groups Three, Four and Five shall be elected for a full term of two (2) years. Commencing with the election to be held in 1970, and in elections thereafter, the successful candidates in Groups Three, Four and Five shall be elected for a full term of four (4) years. Commencing with the election to be held in 1972, and in each election thereafter, the~~ All ~~successful candidates in Groups One and Two shall be elected for a full~~ will serve a term of four (4) years.

Sec. 2-4 Run-off elections

(a) A primary election shall be held for any group for which three (3) or more persons qualify. No primary election shall be held for which two (2) or less candidates qualify. At the primary election, if a candidate receives a majority of the votes cast in his or her group, then such candidate shall be declared elected. In the event that a candidate in any group does not receive a majority of the votes cast in his group, then subject to the provisions of subsections (b) and (c)

of this section, the names of the candidates placing first and second in that group and their names only shall be placed on the ballot for that group in the general election.

(b) In all primary elections, where there is a tie for first place in any group, only the names of the candidates so tying shall be placed on the ballot for that group at the general election.

(c) In all primary elections, where there is a tie for second place in any group and the candidate placing first in that group did not receive a majority of the votes cast, then the name of the candidate placing first and the candidates tying for second shall be placed on the ballot in the general election.

Sec. 2-5 Determining winners at general elections; tie votes.

In any general election, the candidate receiving the highest number of votes shall be declared the person elected. In the event of a tie in any general election, the tie vote shall be decided by lot to be conducted by the city attorney and city manager.

~~Sec 2-6 Form of ballot~~

~~The ballot in all respects shall conform as nearly as possible to the form of ballot prescribed by the laws of the State of Florida.~~

Sec. 2-~~7~~⁶ Recall of elected officials

Recall of elected officials shall be as provided by general law.

Sec. 2-8. - General authority for citizen referendum.

1. Citizen Referendum. The registered voters of the city shall have power to require reconsideration by the commission of any adopted ordinance and, if the commission fails to repeal an ordinance so reconsidered, to approve or reject it at a city election, but such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of city officers or employees.

2. Commencement of Proceeding; Petitioners' Committee; Affidavit. Any five (5) registered voters may commence initiative or citizen referendum proceedings by filing with the city clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.

3. Petitions.

a. Number of Signatures. Initiative and citizen referendum petitions must be signed by registered voters of the city equal in number to at least ten percent (10%) of the total number of registered voters at the last regular city election.

b. Form and Content. 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. Initiative and citizen referendum petitions shall contain or have attached thereto throughout their circulation, the full text of the ordinance proposed or sought to be reconsidered.

c. Affidavit of Circulator. Each paper of a petition shall have attached to it when filed, an affidavit executed by the person circulating it stating that he or she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

d. Time for Filing Referendum Petitions. Referendum petitions must be filed with the city clerk within forty-five (45) days after adoption by the city commission of the ordinance sought to be reconsidered.

4. Procedure after Filing.

a. Certificate of Clerk; Amendment. Within twenty (20) days after the petition is filed, the city clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within two (2) days after receiving the copy of his or her certificate and files a supplementary petition upon additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of paragraphs (2) and (3) of [Section 2-8](#) (b.) above, and within five (5) days after it is filed, the clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request commission review under paragraph (2) of this subsection within the time required, the clerk shall promptly present his or her certificate to the commission and the certificate shall then be a final determination as to the sufficiency of the petition.

b. Commission Review. If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may, within two (2) days after receiving the copy of such certificate, file a request that it be reviewed by the commission. The commission shall review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the commission's determination shall then be a final determination as to the sufficiency of the petition.

c. Court Review; New Petition. A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

5. Referendum Petitions; Suspension of Effect of Ordinance. When a referendum petition is filed with the city clerk, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

- (1) There is a final determination of insufficiency of the petition or;
- (2) The petitioners' committee withdraws the petition, or;

(3) The commission repeals the ordinance; or

(4) Forty-five (45) days have elapsed after a vote of the city on the ordinance.

6. Actions on Petitions.

a. Action by Commission. When referendum petition has been finally determined sufficient, the commission shall promptly reconsider the referred ordinance by voting its repeal. If the commission fails to repeal the referred ordinance within sixty (60) days after the date the petition was finally determined sufficient, it shall submit the referred ordinance to the voters of the city.

b. Submission to Voters of Referred Ordinances. The vote of the city on a referred ordinance shall be held not less than thirty (30) days and not later than one year from the date of the final commission vote thereon. If no regular city election is to be held within the period prescribed in this subsection, the commission shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election, except that the commission may in its discretion provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred ordinance shall be made available at the polls.

c. Withdrawal of Petitions. A referendum petition may be withdrawn at any time prior to the fifteenth day preceding the day scheduled for a vote of the city by filing with the city clerk a request for withdrawal signed by at least two-thirds of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

7. Results of Election.

a. Referendum. If a majority of the registered voters on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results.

(Ord. No. 14-01, § 33, 6-9-14)

ARTICLE III. - CHARTER AMENDMENT

Sec. 3-1. - Amendment of Charter.

This Charter may be amended as provided by general law. Commencing with the first regular meeting following September 1, 2013, and every ten (10) years thereafter the city commission shall appoint a special committee of seven (7) qualified electors of the city to review the City Charter and make recommendations to the city commission as to amendments hereto.

Nothing herein is intended to preclude the city commission from proposing amendments to this Charter at other times or to preclude the city commission from appointing such a special committee at earlier intervals.

(Ord. No. 04-02, §§ 23, 24, 4-5-04)