



**City Council Meeting  
City of Belleair Beach, Florida**

**Monday, October 2, 2023  
Community Center, 6:00 PM**

**PUBLIC MEETING NOTICE  
AGENDA**

Call to Order  
Prayer of Invocation by Councilmember Belinda Livingstone  
Pledge of Allegiance  
Roll Call

1. Approval of Agenda.
2. Citizens Comments. (Each speaker will be recognized once and will be limited to a (3) three-minute presentation on any subject that is not on the Agenda)
3. Presentation: Pinellas County Sheriff's Office.
  - Law Enforcement monthly report
  - Code Enforcement monthly report
4. Presentation: Pinellas Suncoast Fire & Rescue District.
5. Quarterly Board Reports
  - Board of Adjustment
  - Citizens Advisory Committee
  - Park and Recreation Board
  - Planning and Zoning Board
6. City Attorney Report.
7. City Manager Report.
8. City Clerk Report.

**Consent Agenda**

9. Approval of September 18, 2023, Final Public Budget Hearing Minutes.

**Public Hearing–First Reading on Proposed Ordinances**

10. Consideration of Ordinance 23-06, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Section 2.02 Of The Charter To Increase The Number Of Permissible Consecutive Terms For City Council Members, Including The Mayor, From Two Terms To Three Terms; Identifying The Issue To Appear On Said Ballot; Providing For Renumbering; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)
11. Consideration of Ordinance 23-07, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Sections 2.01, 2.02, And 2.07 Of The Charter To Reduce The Number Of At-Large Members On The City Council, Including The Mayor, From Seven Members To Five Members, To Specify The Timeline For Transitioning To Five Members, And To Adjust The Corresponding Voting Requirements For Official Action Of A Five-Member Council; Identifying The Issue To Appear On Said Ballot; Providing For Renumbering; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)
12. Consideration Of Ordinance 23-08, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Sections 2.02, 2.04, And 5.05 Of The Charter To Increase The Term Of Office For Individual Councilmembers, Including The Mayor, From Three Years To Four Years And To Amend The Regular Election Schedule To Accommodate Such Terms; Identifying The Issue To Appear On Said Ballot; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)
13. Consideration of Ordinance 23-09, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Section 5.05 Of The Charter To Adjust The Regular Election Cycle From March To November, Contingent On The Passage Of A Separate Ballot Measure Governing The Duration Of Councilmember Terms; Identifying The Issue To Appear On Said Ballot; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)
14. Consideration of Ordinance 23-10, An Ordinance Of The City Council Of The City Of Belleair Beach Amending Section 38-87 Of The City's Code Of Ordinances Governing The Permitting Process For Special Events,

Associated Costs And Fees, And Potential Penalties For Unpermitted Or Non-Compliant Special Events; Providing For The Implementation Of Administrative Actions; Providing For Codification; Providing For Severability; And Providing An Effective Date.

**Public Hearing–Second Reading and Final Hearing on Proposed Ordinances**

15. Consideration of Ordinance 23-05, An Ordinance Of The City Council Of The City Of Belleair Beach Amending Chapter 18, Section 18-5 Of The City's Code Of Ordinances, Entitled "Time For Qualifying"; Removing The Specified Qualifying Period; Providing For The Establishment Of The Qualifying Period By Resolution Of The City Council; Providing For The Incorporation Of Recitals; Providing For Severability; And Providing For An Effective Date. (Second Reading) (City Manager Riefler)
  - Business Impact Estimate regarding Ordinance 23-05

**Regular Agenda**

16. Consideration of Applicants to Fill Vacant City Council Seat.
  - Mark S. Chester
  - Michael Hayward
17. Consideration of Resolution 2023-10, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Calling For A General Election To Be Held On March 19, 2024, For The Purpose Of Electing Three (3) City Council Members For A Full Term Of Office, And A Fourth Seat For The Remaining Tenure Of A Recently Vacated Council Member Position; To Establish The Qualifying Date And Process For Persons Seeking Elective Office For The 2024 Municipal Election; Authorizing The City Manager To Enter Into An Agreement With The Supervisor Of Elections Establishing A Polling Place For The March 2024 Election; Authorizing The Pinellas County Supervisor Of Elections To Verify Candidate Petition Cards And Facilitate The Election Process; And Establishing An Effective Date.
18. Authorize the City Manager to Grant Easement to Duke Energy Florida, LLC.
19. Unfinished Business.
20. City Council Comments.

**Adjournment**

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes 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 based. The law does not require the City

Clerk to transcribe verbatim minutes, therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-595-4646 or fax a written request to 727-593-1409.

Patricia A. Gentry, CMC  
City Clerk

**Upcoming Meetings**

as of September 29, 2023

**Park and Recreation Board Meeting**

Thursday, October 12, 2023  
2:30pm

**Board of Adjustment Hearing**

Thursday, October 12, 2023  
6:00pm

**Special City Council Meeting**

Trash and Recycle Collection Agreement  
&

**City Council Work Session**

**Immediately Following**

Monday, October 16, 2023  
6:00pm



PINELLAS COUNTY SHERIFF'S OFFICE  
BOB GUALTIERI, SHERIFF



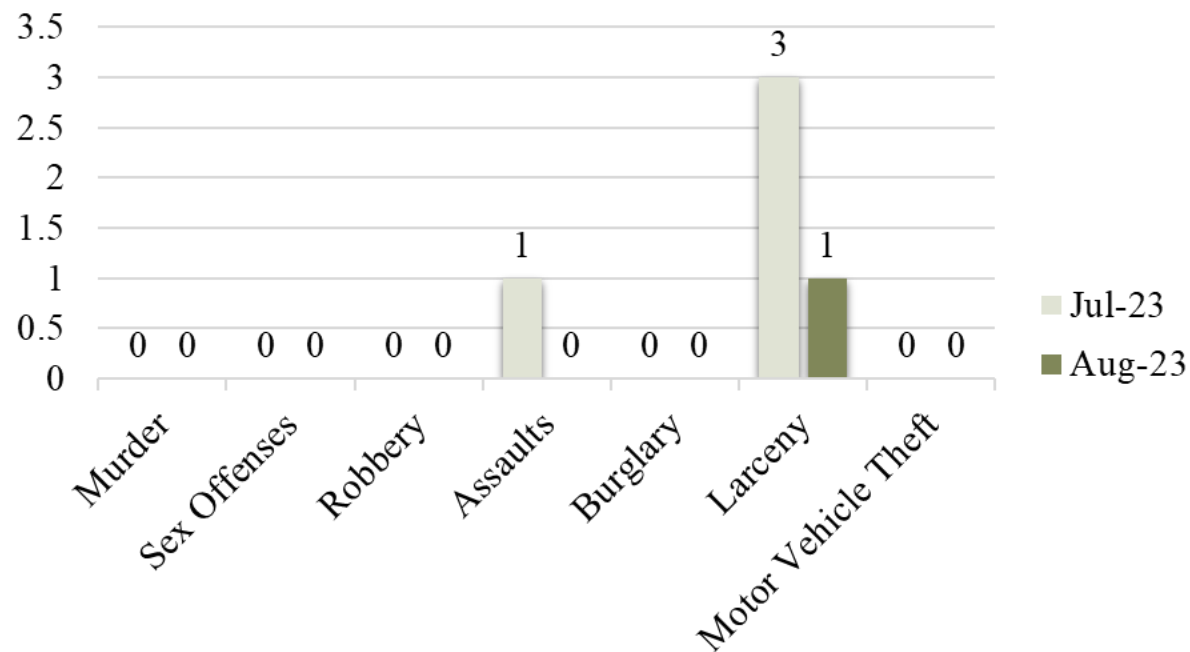
STRATEGIC PLANNING DIVISION

BELLEAIR BEACH MONTHLY ANALYSIS

Select UCR Property & Person Crimes

August 2023

Select UCR Property & Person Crimes	July 2023	August 2023	August 2022 YTD	August 2023 YTD
Murder	0	0	0	0
Sex Offenses	0	0	1	0
Robbery	0	0	0	0
Assaults	1	0	9	7
Burglary	0	0	3	0
Larceny	3	1	9	8
Motor Vehicle Theft	0	0	1	0
GRAND TOTAL	4	1	23	15



## Arrests

### August 2023

There was a total of **9** people arrested in the City of Belleair Beach during the month of August resulting in the following charges:

ARREST TYPE & DESCRIPTION	TOTAL
<b>Felony</b>	<b>4</b>
Carry Concealed Firearm	1
Contribute To Delinquency Of Minor	1
Grand Theft-Firearm	1
Possession Of Controlled Substance	1
<b>Misdemeanor</b>	<b>9</b>
False Information To LEO During Invest	1
False Name Or ID By Person Arrested	1
Livery Safety Regulation Violation	1
Loitering/Prowling	5
Possession Of Drug Paraphernalia	1
<b>Warrant</b>	<b>2</b>
Warrant Arrest	2
<b>Traffic Misdemeanor</b>	<b>4</b>
Driver's License Suspended/Revoked	2
Driver's License Suspended/Revoked-2nd Conviction	1
Driving Under The Influence	1
<b>Grand Total</b>	<b>19</b>

\*Information provided reflects the number of arrests (persons arrested) as well as the total charges associated with those arrests.

## Deputy Activity

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There was a total of **731** events in the City of Belleair Beach during the month of August resulting in **865** units responding.

The table below reflects the top twenty-five events to include both self-initiated and dispatched calls in the City of Belleair Beach for the month of August. *\*CAD data is filtered by problem type.*

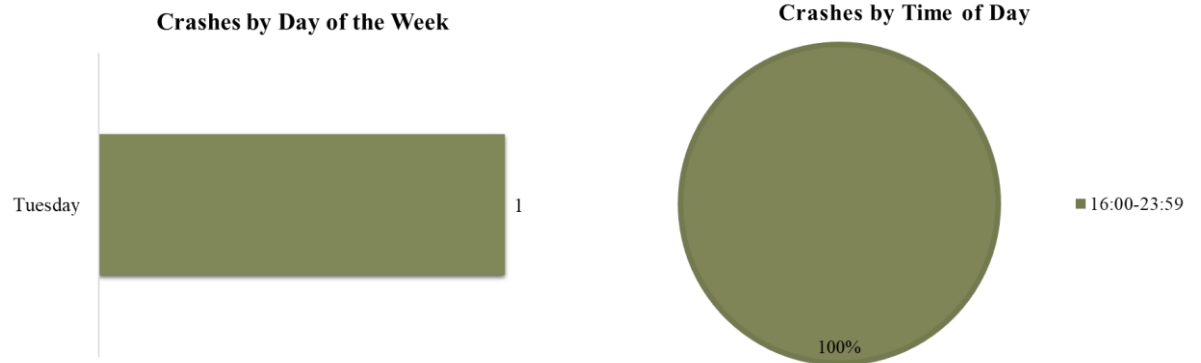
### August 2023

DEPUTY ACTIVITY	TOTAL
House Check	175
Directed Patrol	163
Traffic Stop	116
Vehicle Abandoned/Illegally Parked	83
Contact	34
Ordinance Violation	32
Area Check	21
Traffic Control	19
Assist Citizen	9
Information/Other	8
Suspicious Person	7
Special Detail	7
Assist Other Agency	5
Drug Call-Not In Progress	5
Alarm	4
Boating Vessel Stop	4
Suspicious Vehicle	4
Transport Prisoner	4
Supplement	3
Traffic Violation	3
Panhandler/Solicitor	2
Assist Motorist	2
Traffic/DWLSR	2
Warrant Service/Attempt	2
Open Door/Window	2

## Crash & Citation Analysis

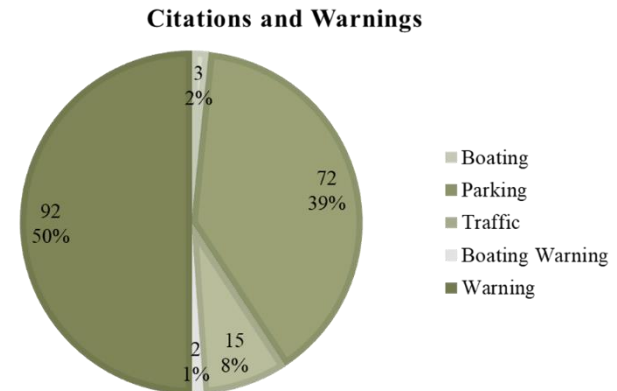
There was **1** crash in the City of Belleair Beach during August 2023. \*Crash data is filtered by disposition type and may include “accident and hit and run” problem types.

CRASH LOCATION	TOTAL
921 Gulf Blvd	1



There were a total of **184** citations and warnings issued in the City of Belleair Beach during August 2023.

TOP 10 TRAFFIC CITATION LOCATIONS	TOTAL
444 Causeway Blvd	3
Gulf Blvd & 8th St	2
Gulf Blvd & Causeway Blvd	1
Gulf Blvd & 25th St	1
Gulf Blvd & 24th St	1
Gulf Blvd & 12th St	1
921 Gulf Blvd	1
Gulf Blvd & 6th St	1
Gulf Blvd & 13th St	1
920 Palm Drive	1



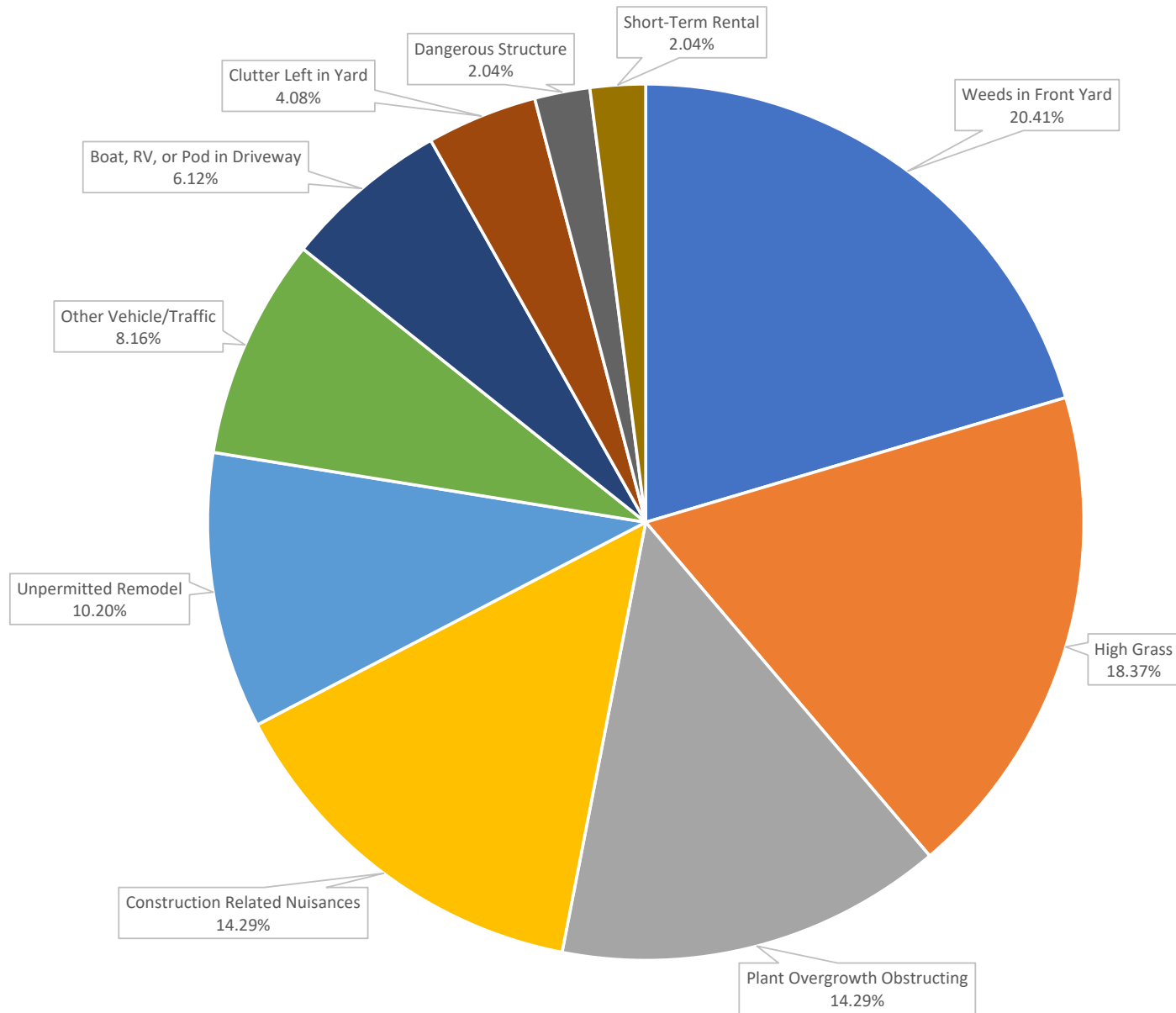


# MONTHLY CODE ENFORCEMENT REPORT

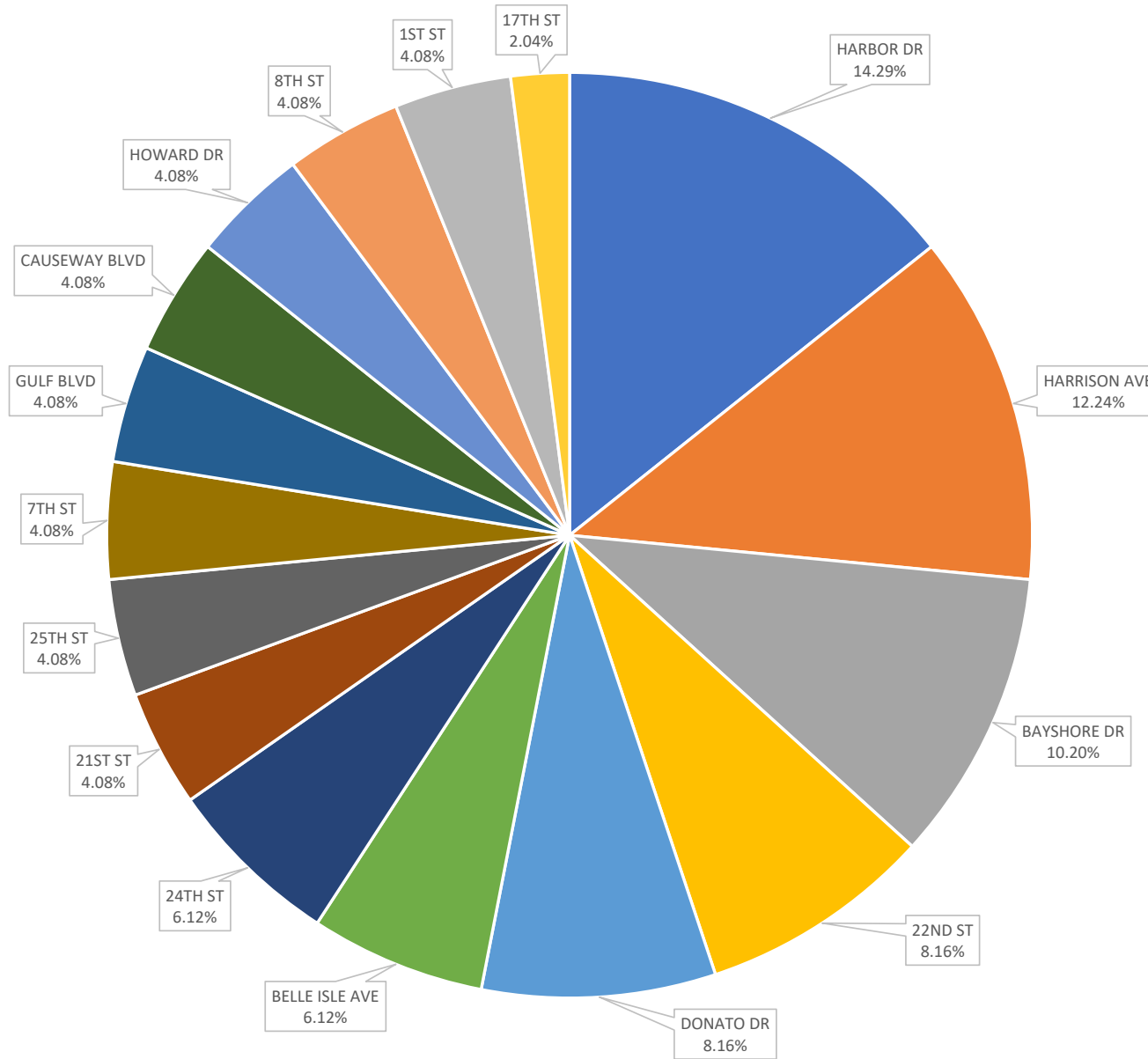
Category	Action DATE	Open DATE	Closed DATE	DAYS OPEN	#	Street Name	SOURCE	COMMENTS
Weeds in Front Yard	9/5/2023	8/3/2023	9/20/2023	48	108	24TH ST	On View	Case Pending
High Grass	9/5/2023	9/5/2023	9/13/2023	8	109	24TH ST	On View	5 Day Notice
Weeds in Front Yard	9/5/2023	9/5/2023	9/15/2023	10	2507	BAYSHORE DR	On View	5 Day Notice
Weeds in Front Yard	9/5/2023	9/5/2023	OPEN	27	2505	BAYSHORE DR	On View	5 Day Notice
Dangerous Structure	9/5/2023	8/30/2023	9/5/2023	6	2244	DONATO DR	On View	Corrected Case Closed
Construction Related Nuisances	9/5/2023	9/5/2023	9/8/2023	3	107	HARRISON AVE	On View	No Fence Around Pool
Plant Overgrowth Obstructing	9/6/2023	8/25/2023	OPEN	38	803	HARBOR DR	On View	Case Pending
High Grass	9/6/2023	9/6/2023	9/26/2023	20	428	22ND ST	On View	Case Pending
Short-Term Rental	9/7/2023	9/7/2023	9/7/2023	0	230	HOWARD DR	On View	No Violation
Other Vehicle/Traffic	9/8/2023	9/8/2023	9/8/2023	0	444	CAUSEWAY BLVD	On View	Case Closed
Construction Related Nuisances	9/8/2023	9/8/2023	9/11/2023	3	114	1ST ST	On View	Unpermitted Work
Other Vehicle/Traffic	9/8/2023	9/8/2023	9/8/2023	0	444	CAUSEWAY BLVD	On View	Case Closed
Clutter Left in Yard	9/8/2023	9/8/2023	9/8/2023	0	2400	BAYSHORE DR	On View	Case Closed
Weeds in Front Yard	9/8/2023	8/11/2023	9/8/2023	28	316	BELLE ISLE AVE	On View	Corrected Case Closed
Construction Related Nuisances	9/8/2023	9/5/2023	9/8/2023	3	107	HARRISON AVE	On View	Corrected Case Closed
Construction Related Nuisances	9/11/2023	9/8/2023	9/11/2023	3	114	1ST ST	On View	Corrected Case Closed
Plant Overgrowth Obstructing	9/11/2023	8/31/2023	9/11/2023	11	2204	DONATO DR	On View	Corrected Case Closed
Unpermitted Remodel	9/11/2023	9/11/2023	9/13/2023	2	203	HARRISON AVE	On View	Unpermitted Work
Construction Related Nuisances	9/11/2023	9/11/2023	9/15/2023	4	125	8TH ST	On View	Theft Investigation
Plant Overgrowth Obstructing	9/11/2023	8/25/2023	OPEN	38	803	HARBOR DR	On View	Letter Sent to Homeowner
Construction Related Nuisances	9/13/2023	9/11/2023	9/15/2023	4	125	8TH ST	On View	Case Closed
Weeds in Front Yard	9/13/2023	9/13/2023	9/26/2023	13	103	21ST ST	On View	5 Day Notice
Weeds in Front Yard	9/11/2023	9/11/2023	9/26/2023	15	428	22ND ST	On View	Follow Case Pending
Weeds in Front Yard	9/13/2023	9/13/2023	9/26/2023	13	2244	DONATO DR	On View	5 Day Notice
Plant Overgrowth Obstructing	9/11/2023	9/5/2023	9/13/2023	8	109	24TH ST	On View	Case Closed
Boat, RV, or Pod in Driveway	9/13/2023	9/13/2023	9/15/2023	2	106	25TH ST	On View	5 Day Notice
Clutter Left in Yard	9/13/2023	9/5/2023	9/15/2023	10	2507	BAYSHORE DR	On View	2nd Notice posted
Unpermitted Remodel	9/13/2023	9/11/2023	9/13/2023	2	203	HARRISON AVE	On View	Closed / AOA PCBD
Weeds in Front Yard	9/13/2023	9/13/2023	9/26/2023	13	209	HARRISON AVE	On View	5 Day Notice
High Grass	9/14/2023	9/14/2023	9/18/2023	4	2244	DONATO DR	CSA	Realtor had grass cut
High Grass	9/14/2023	9/14/2023	9/22/2023	8	428	22ND ST	CSA	Lot serviced
High Grass	9/14/2023	9/14/2023	9/19/2023	5	235	HOWARD DR	CSA	Abatement 9/19/23
High Grass	9/14/2023	9/14/2023	9/19/2023	5	3141	GULF BLVD	CSA	Abatement 9/19/23
High Grass	9/14/2023	9/14/2023	9/26/2023	12	412	BELLE ISLE AVE	CSA	Email/pic sent to Laura
Plant Overgrowth Obstructing	9/15/2023	9/15/2023	9/24/2023	9	703	HARBOR DR	On View	5 Day Notice

Category	Action DATE	Open DATE	Closed DATE	DAYS OPEN	#	Street Name	SOURCE	COMMENTS
Boat, RV, or Pod in Driveway	9/15/2023	9/13/2023	9/15/2023	2	106	25TH ST	On View	Case Closed
Boat, RV, or Pod in Driveway	9/15/2023	9/15/2023	9/15/2023	0	2702	BAYSHORE DR	On View	No Violation
Weeds in Front Yard	9/24/2023	9/15/2023	9/24/2023	9	703	HARBOR DR	On View	Corrected Case Closed
Construction Related Nuisances	9/24/2023	9/24/2023	9/24/2023	0	705	HARBOR DR	On View	Work on Sunday Stop Work
Plant Overgrowth Obstructing	9/24/2023	9/24/2023	9/26/2023	2	123	7TH ST	On View	5 Day Notice
Unpermitted Remodel	9/24/2023	9/24/2023	9/26/2023	2	803	HARBOR DR	On View	Stop Work Order
Unpermitted Remodel	9/24/2023	9/24/2023	OPEN	8	107	17TH ST	On View	Stop Work Order
Other Vehicle/Traffic	9/24/2023	9/24/2023	9/24/2023	0	Gulf	22ND ST	On View	Arrest
Plant Overgrowth Obstructing	9/26/2023	9/24/2023	9/26/2023	2	123	7TH ST	On View	Corrected Case Closed
Unpermitted Remodel	9/26/2023	9/24/2023	9/26/2023	2	803	HARBOR DR	On View	Corrected Case Closed
Weeds in Front Yard	9/26/2023	9/13/2023	9/26/2023	13	103	21ST ST	On View	Corrected Case Closed
High Grass	9/26/2023	9/6/2023	9/26/2023	20	412	BELLE ISLE AVE	On View	Corrected Case Closed
High Grass	9/26/2023	9/13/2023	9/26/2023	13	209	HARRISON AVE	On View	Corrected Case Closed
Other Vehicle/Traffic	9/26/2023	9/26/2023	9/26/2023	0	3500	GULF BLVD	On View	Closed / Citation

## Categories



## Streets





## OUTSTANDING CODE VIOLATIONS

Violation Category	#	STREET NAME	START DATE	DAYS OPEN	COMMENTS
Construction Related Nuisances	103	25th Street	1/22/21	983	Approximately \$281,000.00 in unpaid fines.
Dangerous Structure	105	8th Street	6/12/2022	477	Owner has submitted an application to Pinellas County for a full independent assessment.



**City Manager Report  
October 2023**

<b>Project / Discussion Item</b>	<b>Key Dates</b>	<b>Unforeseen Issues</b>	<b>Assistance Required</b>	<b>Status</b>
Gulf Blvd Undergrounding	October 2 <sup>nd</sup> – Approval of easement for switchgear at Crossman Park.	None	None	UCF is working to put together the survey details so they can officially request than Duke Energy place a majority of the Phase II equipment in the right-of-way.
Stormwater Improvement Projects	October 2 <sup>nd</sup> – Finishing cleaning and video recording of pipes.	None	None	Gemini Engineering is reviewing video to make final design recommendations to Council and provide bid documents.
FMIT Property Insurance Deductible Options	September 27 <sup>th</sup> – Forwarded the options available to Council.	None	None	Council to discuss whether to change coverage plan.
Emergency Beach Erosion Control Project	October – Dune reconstruction planned by Pinellas County.	None	None	Collecting temporary easement from selected condominium properties (2900-3400 Gulf Blvd.).
Dune Walkover Modifications	September 26 <sup>th</sup> – Discussed permittable option with FDEP.	None	None	Manager is updating Council to inquire on how to proceed.

City Clerk Search	October 3 <sup>rd</sup> – Post final job description after Council revisions.	None	None	Collecting and qualifying applications.
RFP 2023-01 Trash/Recycling Collection	September 12 <sup>th</sup> – Manager met with Waste Pro management to discuss draft contract.  October 16 <sup>th</sup> – Special City Council Meeting to approve contract.	None	None	Manager sent the revised contract to Waste Pro for review and comments.
RFP for Auditing Services		None	None	Drafting RFP with Financial Consultant for City Attorney's review.
Code Review Services	October 1, 2024 – Senate Bill 250 restrictions end.	None	None	Drafting a piggyback agreement with the City Attorney.



## City Clerk Report October 2023

Item	Description
4 Council Meetings	Regular Meeting, First Budget Hearing, Final Budget Hearing, Work Session
3 Variance Request Hearings	1 Pool, 2 docks, 1 boat hoist, 1 catwalk
1 Park and Recreation Board Mtg	Regular Meeting
City Email List	Five new contacts received

**CITY OF BELLEAIR BEACH**  
**FINAL BUDGET PUBLIC HEARING**  
**PUBLIC MEETING NOTICE AGENDA**  
Monday, September 18, 2023  
5:05 p.m.

**PUBLIC MEETING MINUTES**

The meeting was called to order by Mayor Dave Gattis, followed by a Pledge of Allegiance to the Flag of the United States of America.

**Roll Call:** Present were Councilmembers Leslie Notaro, and Lloyd Roberts; Mayor Dave Gattis, Vice Mayor Jody Shirley; City Manager Kyle Riefler, City Clerk Patricia Gentry, and City Attorney Randy Mora. Councilmember Frank Bankard was not present. Councilmember Belinda Livingstone was unable to attend.

**PUBLIC HEARING**

- 1. Consideration of Resolution 2023-08, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Establishing The Final Ad Valorem Millage Rate For The Fiscal Year 2023 – 2024 For The City Of Belleair Beach, Florida, At 2.0394 Mills And Establishing An Effective Date.**

City Attorney Mora read Resolution 2023-08.

Mayor Gattis opened the Public Hearing.

Seeing no one, the Public Hearing was closed.

**MOTION** was made by Councilmember Notaro and seconded by Councilmember Roberts to take Resolution 2023-08 to the final vote.

Mayor Gattis called for the vote.

Councilmember Notaro	Yes
Councilmember Roberts	Yes
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

**Motion passed 4-0.**

Mayor Gattis stated: The final millage rate for the City of Belleair Beach is 2.0394 mills for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024, and is 10.27% higher than the rolled back rate of 1.8494 mills due to a 10.85% increase in property values. The purpose for setting the millage rate at 2.0394 is to fund the General Fund expenses for the Fiscal Year beginning October 1, 2023, through September 30, 2024.

**2. Consideration of Resolution 2023-09, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Making Appropriations For Certain Expenditures, Expenses, Capital Improvements And Certain Indebtedness Of The City Of Belleair Beach, Florida For The Fiscal Year Beginning October 1, 2023, And Ending September 30, 2024, And Establishing An Effective Date.**

City Attorney Mora read Resolution 2023-09.

Mayor Gattis opened the Public Hearing.

Seeing no one, the Public Hearing was closed.

**MOTION** was made by Councilmember Notaro and seconded by Vice Mayor Shirley to take Resolution 2023-09 to the final vote.

Mayor Gattis called for the vote.

Councilmember Notaro	Yes
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Councilmember Roberts	Aye
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Vice Mayor Shirley	Aye
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Mayor Gattis	Aye
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**Motion passed 4-0.**

Mayor Gattis stated: Resolution 2023-09 is adopted establishing a budget for the City of Belleair Beach for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024, with the final millage rate of 2.0394 mills which is 10.27% higher than the rolled back rate of 1.8494 mills.

**ADJOURN**

**MOTION** was made by Vice Mayor Shirley and seconded by Councilmember Roberts to adjourn at 5.14pm.

**Motion passed 4-0.**

\_\_\_\_\_  
Date Approved

APPROVED: \_\_\_\_\_  
Dave Gattis, Mayor

ATTEST: \_\_\_\_\_  
Patricia A. Gentry, City Clerk

**CITY OF BELLEAIR BEACH**  
**SEPTEMBER 28, 2023**  
**PROPOSED BALLOT MEASURES, IF ALL ADOPTED**

**Section 2.01. – Composition and eligibility of city council.**

There shall be a city council of **five** members elected at large by the electors of the city. One member will be elected as mayor and the balance will be elected as city council members.

(a) *Eligibility.* Only persons who have been registered voters in Belleair Beach for the 12 months immediately preceding the first day of qualification for election; who have physically resided in the city for the 12 months immediately preceding the first day of qualification; and who remains as a permanent resident of the city during their term of office, shall be eligible to run for and hold the office of council member. Any person who is deprived of their civil rights through conviction for committing a crime involving a felony or moral turpitude shall not be qualified to hold office.

**Section 2.02 – Election and terms.**

(a) Council members shall be elected in the manner provided for in this Charter. **Commencing with the regular election held in 2024, the** offices of those council members whose terms begin in **2024,** shall be for a term of **four** years. The positions of those council members whose **full** terms **of office, at the time of their election or appointment, were originally set to expire in March 2025,** shall **be extended to expire upon a regular election to be held in 2026. Thereafter, the term of office for all subsequent elections for all council member seats, including the Mayor, shall** be for a term of **four** years, **such that the next regular election for the three council member seats elected in 2024 will be held in 2028, and the regular election for the balance of council member seats elected in 2026, including the Mayor, will be held in 2030.** Elections shall be held thereafter in those years when incumbents' terms expire. The council members shall begin their terms in accordance with section 2.07 of the Charter. **Individual** council members, including the mayor, shall be prohibited from holding office for more than **three** consecutive terms.

(b) **Beginning with the regular election cycle for the council member seats whose full terms of office, at the time of their election or appointment, were originally set to expire in March 2025, the city shall transition to a five-member council, including the mayor, by holding a regular election for the mayor and only one, as opposed to three, at-large city council positions. Thereafter, the at-large city council positions, including the position of mayor, shall remain subject to the election schedule compelled by the expiration of their term of office as otherwise established in this Charter, or as vacancies may require.**

(c) No election shall be required to be held if the number of vacancies to be filled at the election is equal to or greater than the number of duly qualified candidates for city council or mayor.

#### **Section 2.04 – Mayor**

(a) *Election.* The mayor shall be elected for a **four-year** term, as set forth in section 2.02(a) of this Charter.

(b) *Duties.* The mayor shall preside at meetings of the council and shall be recognized as head of the city government for service of process and ceremonial matters.

(c) *Absences.* The vice-mayor shall act as mayor during the absence or disability of the mayor and if a vacancy occurs or exists in the office of mayor. The vice-mayor shall become mayor for the completion of the unexpired term of the former mayor. In the temporary absence of the mayor and vice-mayor the remaining council members shall select a mayor pro tempore. In the event of a permanent vacancy in the office of mayor and vice-mayor, the council shall select a mayor and vice-mayor from the remaining members of the council to serve in that capacity until the next election.

#### **Section 2.07. – City council meetings.**

(a) *Organizational meeting.* The first meeting of each newly elected council for induction into office shall be held on the Monday following certification of the election by the Supervisor of Elections.

(b) *Time and place.* The council shall meet regularly at least once a month at such times and places as the council may prescribe by resolution. Special meetings of the city council may be held at the call of the presiding officer, or at the request of a majority of the council members; and, whenever practicable, shall provide for not less than 24 hours notice to each member of the council and the public.

(c) *Quorum.* Except as provided in subsection 2.06(c), a majority of the council shall constitute a quorum. No action of the council shall be valid unless adopted by the affirmative vote of **a majority of** the council.

(d) *Voting.* Voting on ordinances and resolutions shall be by roll call and recorded by the city clerk in the official minutes of the meeting.



**Section 5.05. – Schedule and notice of elections.**

(a) *Regular.* The **regular 2024** election of three council members **shall be** for a term of **four** years, and **shall be held** every **four** years thereafter. The **next regular** election of **the remaining** council members and the mayor for a term of **four** years shall be held in **2026**, and every **four** years thereafter, **such that the next regular election for the three council member seats elected in 2024 will be held in 2028, and the regular election for the balance of council member seats elected in 2026, including the mayor, will be held in 2030.** If there is a tie vote for winner of a seat, the council shall make provision at a special meeting to determine the winner by drawing lots. **Beginning with the regular election to be held in 2026, the** regular annual election shall be held **on the Tuesday next after the first Monday in November, in alignment with the federal election cycle,** unless the council by ordinance declares a different date

(b) *Special.* Special municipal elections shall be held in the same manner as the regular annual elections. The city council, by resolution, shall fix the qualifying period and the date of a special election.

(c) *Public notice.* All elections held pursuant to this Charter shall have at least thirty days notice of election or referendum by publications in a local newspaper of general circulation as defined by F.S. ch. 50 of Florida Statutes. The publication shall be made at least twice, once in the fifth week prior to the week in which the election or referendum is to be held.

**CITY OF BELLEAIR BEACH  
SEPTEMBER 28, 2023  
PROPOSED BALLOT MEASURES, IF ALL ADOPTED**

**CHARTER AMENDMENT NO. 1  
REFERENDUM INCREASING LIMIT ON CONSECUTIVE TERMS**

Shall the City amend the Charter to prohibit council members, including the Mayor, from serving more than three (3) consecutive terms, as opposed to the existing limitation prohibiting a councilmember from serving more than two (2) consecutive terms?

YES ☐ to amend the Charter provision

NO ☐ to retain the existing Charter provision

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**CHARTER AMENDMENT NO. 2  
REDUCING THE CITY COUNCIL TO  
FIVE MEMBERS FROM SEVEN MEMBERS**

Shall the City amend the Charter to provide for a city council composed of five (5) at-large council members, including the Mayor, as opposed to the existing language providing for a city council composed of seven (7) at-large city council members, including the Mayor, and adjust the corresponding voting requirements for the council to take action?

YES ☐ to amend the Charter provisions

NO ☐ to retain the existing Charter provisions

**CHARTER AMENDMENT NO. 3  
INCREASING TERM OF OFFICE FROM  
THREE YEARS TO FOUR YEARS**

Shall the City amend the Charter to provide that each individual term of office for city council members, including the mayor, shall be for four (4) years, as opposed to the existing three (3) year term, beginning with the officials elected in 2024, and amend the regular election cycle to accommodate the longer election terms?

YES ☐ to amend the Charter provisions

NO ☐ to retain the existing Charter provisions

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**CHARTER AMENDMENT NO. 4  
CONDITIONALLY ALIGNING LOCAL ELECTION CYCLE  
WITH FEDERAL ELECTION CYCLE IN NOVEMBER**

If a majority of the City's electors approve an amendment extending councilmember terms to four years, shall the City also amend the Charter to provide that its regular local elections for councilmembers shall be held in November, in general alignment with federal election cycles, as opposed to the existing requirement that regular local elections occur in March?

YES ☐ to amend the Charter provision

NO ☐ to retain the existing Charter provision

**CITY OF BELLEAIR BEACH  
ORDINANCE NO. 23-06  
CHARTER AMENDMENT NO. 1**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTION 2.02 OF THE CHARTER TO INCREASE THE NUMBER OF PERMISSIBLE CONSECUTIVE TERMS FOR CITY COUNCIL MEMBERS, INCLUDING THE MAYOR, FROM TWO TERMS TO THREE TERMS; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR RENUMBERING; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Belleair Beach Charter, Section 2.02 (a) presently limits members of the City Council to two (2) consecutive terms; and

**WHEREAS**, the City Council of Belleair Beach finds that adding an additional permissible elected term would give its elected officials the means to better serve the interests of the public's health, safety, and welfare and effectively engage in interlocal activities and associations; and

**WHEREAS**, the City Council desires to adopt this Ordinance proposing a ballot measure to the electorate to amend the City Charter to increase the number of permissible consecutive terms for its councilmembers from two (2) consecutive terms to three (3) consecutive terms.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BELLEAIR BEACH** as follows:

**Section 1.** That an amendment to Section 2.02 of the City's Charter be proposed to the electors of the City of Belleair Beach at a referendum election to be held on March 19, 2024, said Section 2.02 of the Charter to read, as amended, as follows:

**Section 2.02 – Election and terms.**

(a) Council members shall be elected in the manner provided for in this Charter. The offices of those council members whose terms begin in 2012 shall thereafter be for a term of three years commencing in 2012 and expiring in 2015. The positions of those council members (including the Mayor) whose terms begin in 2013 shall thereafter be for a term of three years commencing in 2013 and expiring in 2016. The term for all subsequent elections shall be three years. Elections shall be held thereafter in those years when incumbents' terms expire. The council members shall begin their terms in accordance with section 2.07 of the Charter. ~~Commencing with the offices of those council members whose terms begin in 2021.~~

Individual council members, including the mayor, shall be prohibited from holding office for more than ~~two~~ three consecutive terms.

(b) No election shall be required to be held if the number of vacancies to be filled at the election is equal to or greater than the number of duly qualified candidates for city council or mayor.

**Section 2.** The City Council shall separately adopt a Resolution setting forth the proposed ballot statement and ballot summary, in a manner that confirms with applicable state law.

**Section 3.** The City Clerk is hereby directed to notify the Pinellas County Supervisor of Elections that the referendum item provided in this Ordinance and the corresponding Resolution shall be considered on the same ballot as the election to be held on March 19, 2024.

**Section 4.** This Ordinance shall be published in accordance with the law.

**Section 5.** This Ordinance shall take effect immediately upon its passage and adoption. The referendum measure shall take effect only upon the approval of a majority of the City electors voting at the referendum election voting on this issue.

**ADOPTED ON FIRST READING** by the City Council of the City of Belleair Beach, Florida, held on the \_\_\_\_ day of October 2023.

**PUBLISHED THE** \_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED AND ADOPTED ON SECOND READING AND PUBLIC HEARING** this \_\_\_\_ day of November 2023.

ATTEST:

\_\_\_\_\_  
Patricia A. Gentry, City Clerk

\_\_\_\_\_  
Dave Gattis, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Randol D. Mora, City Attorney

# **Business Impact Estimate**

Proposed ordinance's title/reference: **Ordinance No. 23-06**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTION 2.02 OF THE CHARTER TO INCREASE THE NUMBER OF PERMISSIBLE CONSECUTIVE TERMS FOR CITY COUNCIL MEMBERS, INCLUDING THE MAYOR, FROM TWO TERMS TO THREE TERMS; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR RENUMBERING; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The proposed ordinance submits a referendum to the electors of the City to change the number of permissible consecutive elective terms, increasing the limit from two to three terms.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**None.**

4. Additional information the governing body deems useful (if any):

**The proposed ordinance is an ordinance of general application amending the number of permissible consecutive terms for elected officials.**

**CITY OF BELLEAIR BEACH  
ORDINANCE NO. 23-07  
CHARTER AMENDMENT NO. 2**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTIONS 2.01, 2.02, AND 2.07 OF THE CHARTER TO REDUCE THE NUMBER OF AT-LARGE MEMBERS ON THE CITY COUNCIL, INCLUDING THE MAYOR, FROM SEVEN MEMBERS TO FIVE MEMBERS, TO SPECIFY THE TIMELINE FOR TRANSITIONING TO FIVE MEMBERS, AND TO ADJUST THE CORRESPONDING VOTING REQUIREMENTS FOR OFFICIAL ACTION OF A FIVE-MEMBER COUNCIL; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR RENUMBERING; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Belleair Beach Charter, Section 2.01 (a) presently provides for the existence of a city council of seven members, elected at large by the electors of the city; and

**WHEREAS**, the City of Belleair Beach Charter, Section 2.07 (c) presently provides that a majority of the council shall constitute a quorum and that no action of the council shall be valid unless adopted by the affirmative vote of at least four (4) members of the council; and

**WHEREAS**, the City Council of Belleair Beach finds that a seven-member council is disproportionately large based on its geographical boundaries and number of registered electors; and

**WHEREAS**, the City Council desires to adopt this Ordinance proposing a ballot measure to the electorate to amend the City Charter to reduce the composition of the City Council from seven members to five members, with matters approved by a majority vote of the Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BELLEAIR BEACH** as follows:



**Section 1.** That an amendment to Sections 2.01 and 2.07 of the City's Charter be proposed to the electors of the City of Belleair Beach at a referendum election to be held on March 19, 2024, said sections of the Charter to read, as amended, as follows:

**Section 2.01. – Composition and eligibility of city council.**

There shall be a city council of ~~seven~~ five members elected at large by the electors of the city. One member will be elected as mayor and the balance will be elected as city council members.

(a) *Eligibility.* Only persons who have been registered voters in Belleair Beach for the 12 months immediately preceding the first day of qualification for election; who have physically resided in the city for the 12 months immediately preceding the first day of qualification; and who remains as a permanent resident of the city during their term of office, shall be eligible to run for and hold the office of council member. Any person who is deprived of their civil rights through conviction for committing a crime involving a felony or moral turpitude shall not be qualified to hold office.

**Section 2.02 – Election and terms.**

(a) Council members shall be elected in the manner provided for in this Charter. The offices of those council members whose terms begin in 2012 shall thereafter be for a term of three years commencing in 2012 and expiring in 2015. The positions of those council members (including the Mayor) whose terms begin in 2013 shall thereafter be for a term of three years commencing in 2013 and expiring in 2016. The term for all subsequent elections shall be three years. Elections shall be held thereafter in those years when incumbents' terms expire. The council members shall begin their terms in accordance with section 2.07 of the Charter. Commencing with the offices of those council members whose terms begin in 2021, individual council members, including the mayor, shall be prohibited from holding office for more than two consecutive terms.

(b) Beginning with the next regular election for the council member seats whose full terms of office, at the time of their election or appointment, were originally set to expire in March 2025, the city shall transition to a five-member council, including the Mayor, by holding a regular election at the time otherwise established in this Charter for the Mayor and only one, as opposed to three, at-large city council positions. Thereafter, the at-large city council positions, including the position of Mayor, shall remain subject to the regular election schedule compelled by the expiration of their term of office as otherwise established in this Charter, or as vacancies may require.

(c) No election shall be required to be held if the number of vacancies to be filled at the election is equal to or greater than the number of duly qualified candidates for city council or mayor.

**Section 2.07. – City council meetings.**

(a) *Organizational meeting.* The first meeting of each newly elected council for induction into office shall be held on the Monday following certification of the election by the Supervisor of Elections.

(b) *Time and place.* The council shall meet regularly at least once a month at such times and places as the council may prescribe by resolution. Special meetings of the city council may be held at the call of the presiding officer, or at the request of a majority of the council members; and, whenever practicable, shall provide for not less than 24 hours notice to each member of the council and the public.

(c) *Quorum.* Except as provided in subsection 2.06(c), a majority of the council shall constitute a quorum. No action of the council shall be valid unless adopted by the affirmative vote of ~~at least four members of~~ a majority of the council.

(d) *Voting.* Voting on ordinances and resolutions shall be by roll call and recorded by the city clerk in the official minutes of the meeting.

**Section 2.** The City Council shall separately adopt a Resolution setting forth the proposed ballot statement and ballot summary, in a manner that confirms with applicable state law.

**Section 3.** The City Clerk is hereby directed to notify the Pinellas County Supervisor of Elections that the referendum item provided in this Ordinance and the corresponding Resolution shall be considered on the same ballot as the election to be held on March 19, 2024.

**Section 4.** This Ordinance shall be published in accordance with the law.

**Section 5.** This Ordinance shall take effect immediately upon its passage and adoption. The referendum measure shall take effect only upon the approval of a majority of the City electors voting at the referendum election voting on this issue.

**ADOPTED ON FIRST READING** by the City Council of Belleair Beach, Florida, held on the \_\_\_\_ day of October 2023.

**PUBLISHED THE** \_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED AND ADOPTED ON SECOND READING AND PUBLIC HEARING** this \_\_\_\_ day of November 2023.

ATTEST:

\_\_\_\_\_  
Patricia A. Gentry, City Clerk

\_\_\_\_\_  
Dave Gattis, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Randol D. Mora, City Attorney

# **Business Impact Estimate**

Proposed ordinance's title/reference: **Ordinance No. 23-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTIONS 2.01, 2.02, AND 2.07 OF THE CHARTER TO REDUCE THE NUMBER OF AT-LARGE MEMBERS ON THE CITY COUNCIL, INCLUDING THE MAYOR, FROM SEVEN MEMBERS TO FIVE MEMBERS, TO SPECIFY THE TIMELINE FOR TRANSITIONING TO FIVE MEMBERS, AND TO ADJUST THE CORRESPONDING VOTING REQUIREMENTS FOR OFFICIAL ACTION OF A FIVE-MEMBER COUNCIL; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR RENUMBERING; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The proposed ordinance submits a referendum to the electors of the City to change the composition of the City Council from a seven member body to a five member body.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**None.**

4. Additional information the governing body deems useful (if any):

**The proposed ordinance is an ordinance of general application amending the number of members serving on the City Council.**

**CITY OF BELLEAIR BEACH  
ORDINANCE NO. 23-08  
CHARTER AMENDMENT NO. 3**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTIONS 2.02, 2.04, AND 5.05 OF THE CHARTER TO INCREASE THE TERM OF OFFICE FOR INDIVIDUAL COUNCILMEMBERS, INCLUDING THE MAYOR, FROM THREE YEARS TO FOUR YEARS AND TO AMEND THE REGULAR ELECTION SCHEDULE TO ACCOMMODATE SUCH TERMS; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, City of Belleair Beach Charter, Sections 2.02 (a) and 5.05 (a) presently set forth the schedule for regular elections of the City Council; and

**WHEREAS**, City of Belleair Beach Charter, Sections 2.02 (a), 2.04 (a), and 5.05 (a) presently provide that council members, including the mayor, shall serve three year terms; and

**WHEREAS**, the City Council of Belleair Beach finds that the City's electors, guests, and residents would be better served by council members whose terms are extended to a period of four years, instead of three years; and

**WHEREAS**, the City Council deems it prudent to amend the schedule of the City's regular elections in order to accommodate the amended terms of office;

**WHEREAS**, the City Council desires to adopt this Ordinance proposing a ballot measure to the electorate to amend the City Charter to increase the regular term of office for city council members, from three years to four years and amend the election schedule to ensure a regular election would occur every two years going forward.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BELLEAIR BEACH** as follows:

**Section 1.** That an amendment to Sections 2.02, 2.04 and 5.05 of the City's Charter be proposed to the electors of the City of Belleair Beach at a referendum election to be held on March 19, 2024, said sections of the Charter to read, as amended, as follows:

**Section 2.02 – Election and terms.**

(a) Council members shall be elected in the manner provided for in this Charter. Commencing with the regular election held in 2024, the offices of those council members whose terms begin in 2024, shall thereafter be for a term of three four years commencing in 2024 and expiring in 2028. The positions of those council members ~~(including the Mayor)~~ whose full terms of office, at the time of their election or appointment, were originally set to expire in March 2025, begin in 2024 shall be extended to expire upon a regular election to be held in 2026. ~~Thereafter, the term of office for all subsequent elections for all council member seats, including the mayor, shall be for a term of three four years, commencing in 2013 and expiring in 2016. The term for all subsequent elections shall be three four years, such that the next regular election for the three council member seats elected in 2024 will be held in 2028, and the regular election for the balance of council member seats elected in 2026, including the mayor, will be held in 2030.~~ Elections shall be held thereafter in those years when incumbents' terms expire. The council members shall begin their terms in accordance with section 2.07 of the Charter. Commencing with the offices of those council members whose terms begin in 2021, individual council members, including the mayor, shall be prohibited from holding office for more than two consecutive terms.

(b) No election shall be required to be held if the number of vacancies to be filled at the election is equal to or greater than the number of duly qualified candidates for city council or mayor.

**Section 2.04. - Mayor**

(a) *Election.* The mayor shall be elected for a ~~three-year~~ four-year term, as set forth in section 2.02(a) of this Charter.

(b) *Duties.* The mayor shall preside at meetings of the council and shall be recognized as head of the city government for service of process and ceremonial matters.

(c) *Absences.* The vice-mayor shall act as mayor during the absence or disability of the mayor and if a vacancy occurs or exists in the office of mayor. The vice-mayor shall become mayor for the completion of the unexpired term of the former mayor. In the temporary absence of the mayor and vice-mayor the remaining council members shall select a mayor pro tempore. In the event of a permanent vacancy in the office of mayor and vice-mayor, the council shall select a mayor and vice-mayor from the remaining members of the council to serve in that capacity until the next election.

**Section 5.05. – Schedule and notice of elections.**

(a) *Regular.* The regular 2024 election of three council members shall be for a term of ~~three~~ four years, ~~shall be held in 2012,~~ and ~~shall be held~~ every ~~three~~ four years thereafter. The next regular election of ~~three~~ the remaining council members and the mayor for a term of ~~three~~ four years shall be held in ~~2013~~ 2026, and every ~~three~~ four years thereafter, such that the next regular election for the three council member seats elected in 2024 will be held in 2028, and the regular election for the balance of council member seats elected in 2026, including the mayor, will be held in 2030. If there is a tie vote for winner of a seat, the council shall make provision at a special meeting to determine the winner by drawing lots. The regular annual election shall be held on the second Tuesday in the month of March, unless the council by ordinance declares a different date.

(b) *Special.* Special municipal elections shall be held in the same manner as the regular annual elections. The city council, by resolution, shall fix the qualifying period and the date of a special election.

(c) *Public notice.* All elections held pursuant to this Charter shall have at least thirty days notice of election or referendum by publications in a local newspaper of general circulation as defined by F.S. ch. 50 of Florida Statutes. The publication shall be made at least twice, once in the fifth week prior to the week in which the election or referendum is to be held.

**Section 2.** The City Council shall separately adopt a Resolution setting forth the proposed ballot statement and ballot summary, in a manner that confirms with applicable state law.

**Section 3.** The City Clerk is hereby directed to notify the Pinellas County Supervisor of Elections that the referendum item provided in this Ordinance and the corresponding Resolution shall be considered on the same ballot as the election to be held on March 19, 2024.

**Section 4.** This Ordinance shall be published in accordance with the law.

**Section 5.** This Ordinance shall take effect immediately upon its passage and adoption. The referendum measure shall take effect only upon the approval of a majority of the City electors voting at the referendum election voting on this issue.

**ADOPTED ON FIRST READING** by the City Council of Belleair Beach, Florida, held on the \_\_\_\_ day of October 2023.

**PUBLISHED THE** \_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED AND ADOPTED ON SECOND READING AND PUBLIC HEARING** this \_\_\_\_ day of November 2023.

ATTEST:

\_\_\_\_\_  
Patricia A. Gentry, City Clerk

\_\_\_\_\_  
Dave Gattis, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Randol D. Mora, City Attorney



# **Business Impact Estimate**

Proposed ordinance's title/reference: **Ordinance No. 23-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTIONS 2.02, 2.04, AND 5.05 OF THE CHARTER TO INCREASE THE TERM OF OFFICE FOR INDIVIDUAL COUNCILMEMBERS, INCLUDING THE MAYOR, FROM THREE YEARS TO FOUR YEARS AND TO AMEND THE REGULAR ELECTION SCHEDULE TO ACCOMMODATE SUCH TERMS; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The proposed ordinance submits a referendum to the electors of the City of Belleair Beach to extend the tenure of council members from three years to four years, and makes specific provision for the amendment of the regular election schedule to accommodate the extended terms.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**None.**

4. Additional information the governing body deems useful (if any):

**The proposed ordinance is an ordinance of general application, governing the tenure of the City's elected officials.**

**CITY OF BELLEAIR BEACH  
ORDINANCE NO. 23-09  
CHARTER AMENDMENT NO. 4**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTION 5.05 OF THE CHARTER TO ADJUST THE REGULAR ELECTION CYCLE FROM MARCH TO NOVEMBER, CONTINGENT ON THE PASSAGE OF A SEPARATE BALLOT MEASURE GOVERNING THE DURATION OF COUNCILMEMBER TERMS; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Belleair Beach Charter, Section 5.05 (a), provides that the regular annual election shall be held on the second Tuesday in the month of March, unless the council by ordinance declares a different date; and

**WHEREAS**, federal elections for Congress and the Presidency are typically held in November of each year; and

**WHEREAS**, 2 U.S.C. § 7, provides that the timing of federal elections shall occur as follows: “The Tuesday next after the 1st Monday in November, in every even numbered year, is established as the day for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3d day of January next thereafter”; and

**WHEREAS**, the City Council of Belleair Beach finds that the City has the capacity to limit the costs associated with its elections and increase voter-participation by aligning its regular local elections with the federal election cycle; and

**WHEREAS**, the City Council desires to adopt this Ordinance proposing a ballot measure to the electorate to amend the City Charter to adjust the annual election cycle from March to November, in direct alignment with the federal election cycle.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BELLEAIR BEACH as follows:**

**Section 1.** That an amendment to Section 5.05 of the City's Charter be proposed to the electors of the City of Belleair Beach at a referendum election to be held on March 19, 2024, said sections of the Charter to read, as amended, as follows:

**Section 5.05. – Schedule and notice of elections.**

(a) *Regular.* The election of three council members for a term of three years shall be held in 2012, and every three years thereafter. The election of three council members and the mayor for a term of three years shall be held in 2013, and every three years thereafter. If there is a tie vote for winner of a seat, the council shall make provision at a special meeting to determine the winner by drawing lots. Beginning with the regular election to be held in 2026, the regular annual election shall be held on the second Tuesday in the month of March, on the Tuesday next after the first Monday in November, in alignment with the federal election cycle, unless the council by ordinance declares a different date.

(b) *Special.* Special municipal elections shall be held in the same manner as the regular annual elections. The city council, by resolution, shall fix the qualifying period and the date of a special election.

(c) *Public notice.* All elections held pursuant to this Charter shall have at least thirty days notice of election or referendum by publications in a local newspaper of general circulation as defined by F.S. ch. 50 of Florida Statutes. The publication shall be made at least twice, once in the fifth week prior to the week in which the election or referendum is to be held.

**Section 2.** The City Council shall separately adopt a Resolution setting forth the proposed ballot statement and ballot summary, in a manner that confirms with applicable state law.

**Section 3.** The City Clerk is hereby directed to notify the Pinellas County Supervisor of Elections that the referendum item provided in this Ordinance and the corresponding Resolution shall be considered on the same ballot as the election to be held on March 19, 2024.

**Section 4.** This Ordinance shall be published in accordance with the law.

**Section 5.** This Ordinance shall take effect immediately upon its passage and adoption if, and only if, a majority of the City electors voting at the election on this issue approve both: (a) this referendum measure amending the charter provisions governing the schedule of elections; and (b) the referendum measure amending the charter provisions extending the term of office for councilmembers from three years to four years.

**ADOPTED ON FIRST READING** by the City Council of Belleair Beach, Florida, held on the \_\_\_\_ day of October 2023.

**PUBLISHED THE** \_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED AND ADOPTED ON SECOND READING AND PUBLIC HEARING** this \_\_\_\_ day of November 2023.

ATTEST:

\_\_\_\_\_  
Patricia A. Gentry, City Clerk

\_\_\_\_\_  
Dave Gattis, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Randol D. Mora, City Attorney

# **Business Impact Estimate**

Proposed ordinance's title/reference: **Ordinance No. 23-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS A REFERENDUM QUESTION ON THE AMENDMENT OF SECTION 5.05 OF THE CHARTER TO ADJUST THE REGULAR ELECTION CYCLE FROM MARCH TO NOVEMBER, CONTINGENT ON THE PASSAGE OF A SEPARATE BALLOT MEASURE GOVERNING THE DURATION OF COUNCILMEMBER TERMS; IDENTIFYING THE ISSUE TO APPEAR ON SAID BALLOT; PROVIDING FOR THE ADOPTION OF BALLOT LANGUAGE BY RESOLUTION; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE LAW; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The proposed ordinance submits a referendum to the electors of the City to change the election cycle from March to November, in alignment with the federal election cycle.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**None.**

4. Additional information the governing body deems useful (if any):

**The proposed ordinance is an ordinance of general application amending the timing of City elections.**

## ORDINANCE 23-10

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, AMENDING SECTION 38-87 OF THE CITY'S CODE OF ORDINANCES GOVERNING THE PERMITTING PROCESS FOR SPECIAL EVENTS, ASSOCIATED COSTS AND FEES, AND POTENTIAL PENALTIES FOR UNPERMITTED OR NON-COMPLIANT SPECIAL EVENTS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, special events are an integral part of tourism, economic development, free speech and sense of community in the City of Belleair Beach; and

**WHEREAS**, the City has a legitimate ability and duty to regulate the safe and responsible administration of its limited recreational resources and facilities for the protection of public health, safety, and welfare of its residents and visitors; and

**WHEREAS**, to manage the impacts of gatherings and to protect the public health, safety and welfare related to special events and gatherings in the City's parks and public facilities, the City Council finds it necessary and prudent to revise its Code of Ordinances in the manner set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, THAT THE CODE OF ORDINANCES IS AMENDED AS FOLLOWS:**

**Section 1. Revised Ordinance.** Section 38-87 of the City of Belleair Beach code of ordinances is hereby revised as follows:

**Sec. 38-87. - Picnic or public gathering permit. Special Event Use Permits.**

~~(a) Any resident, or group of predominately residents, and their guests, other person or group numbering ten or more, who desire to have a gathering in any city park or playground or other public property, shall obtain a permit for such picnic or other public gathering from the city manager at the city hall during office hours, at least 12 hours prior to the time of such gathering. The city manager may require any person or group seeking to use any public property of the city to provide the city manager with a certificate of liability insurance naming the City of Belleair~~



~~Beach, as an additional insured thereunder and a damage and clean-up deposit in an amount as may be determined by the city manager.~~

~~(b) No permits shall be granted by the city manager for the conduct of any commercial, political, or organized event by any person, group or organizer.~~

(a) **Declaration of Policy.** The open, outdoor areas of the City of Belleair Beach's parks are generally available for use by the public, including for noncommercial expressive activity protected by the First Amendment to the United States Constitution and Sections 4 and 5 of the Florida Declaration of Rights, during times when parks are open for use to the public.

(b) **Permits Required.** A special event permit or authorization from the City is required for:

- (1) Any event that involves exclusive, private use of an area in any City park, street, or other public property.
- (2) Any event on any public street or right-of-way that will obstruct traffic. Such events may include, but are not limited to, "fun runs," roadway foot races, fundraising walks, auctions, "bike-a-thons," parades, carnivals, filming/movie events, circuses, block parties, markets, and fairs.
- (3) Any event in any City park, street, or other public property that involves the construction or maintenance of any building, structure, equipment, or scaffolding in, on, over, or under any street, right-of-way, park, or other public place.
- (4) Any planned event in any City park, street, or other public property that will involve a gathering of at least fifty (50) people.

(c) **Exemptions.** The following categories of events are exempt from the permit requirement in subsection (b):

- (1) Events designated by the city manager or City Council as "city-sponsored special events" including events sponsored financially or in-kind, whether in whole or in part, by the City.
- (2) Funeral processions.
- (3) Groups required by law to be so assembled.
- (4) Spontaneous rallies or demonstrations for which there is no prior promotion or organization.

- (5) Spontaneous rallies or demonstrations when the events or circumstances that gave rise to the purpose of the rally or demonstration occurred less than three (3) business days before the rally or demonstration.

(d) **Permit Application Process.**

- (1) Special event permits required under this section must be sought by filing an application with the city manager on a form to be made available at city hall at least three (3) business days prior to the date on which the event is to occur. If the event will require road or park closures, the application must be filed at least ten (10) business days prior to the date on which the event is to occur. Upon a showing of good cause or at the discretion of the City, the City shall consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police and other city services necessary for the safe and responsible administration of the event. Good cause can be demonstrated by the applicant showing that the circumstance that gave rise to the permit application did not reasonably allow the participants to file within the time prescribed.
- (2) The city manager shall timely transmit a copy of a special event permit application to the director of public works, the Pinellas County Sheriff's Office, and fire chief for prompt review, and any other agency or administrative department the city manager deems necessary and appropriate based on the nature of the contemplated event.
- (3) The city manager or his/her designee shall approve or deny the special event permit application within seven (7) business days for events that require road or park closures, and within three (3) business days for all other events, based on clear, published, content- and viewpoint-neutral criteria and subject to conditions outlined in this section. If no decision is made on the special permit application within the required time specified in this section, it shall be deemed approved.
- (4) Any permit involving the sale, serving, or consumption of beer, wine, or liquor on City property shall be processed in accordance with section 34-3 (b), and applicable Florida statutes and administrative procedures.
- (5) Absent an affirmative commitment to do so in the permitting documents, issuance of a special event permit under this section shall not obligate or require the City to provide City services, equipment, or personnel in support of a special event beyond those City services, equipment, and personnel the City would ordinarily provide. This section does not relieve the City of its obligation under the First and/or Fourteenth Amendments of the United States Constitution to make bona fide efforts to protect event organizers and participants from violence, true threats, and other forms of unlawful interference to enable events to proceed.

(c) **Fees and Taxes.**

(1) **Taxes.** The applicant is responsible for payment of all applicable federal, state, and local taxes.

(2) **Fees.**

- i. All criteria used for determining whether fees, indemnification agreements, or insurance requirements will be required, including deposits, must be published, and based on reasonable, content- and viewpoint-neutral criteria that comply with the First and Fourteenth Amendments to the United States Constitution.
- ii. Liability of Permittee/Sponsor. The person or persons to whom a permit is issued shall be liable for any loss, damage, or injury sustained by any other person or entity whatever by reason of the negligence of the person or persons to whom such permit is issued. The city manager may, in his or her discretion, condition the granting of a special event permit upon demonstration of adequate insurance naming the city as additional insured for events where the expected attendance is fifty (50) or more people.
- iii. The city manager shall provide a process for individuals or groups who cannot afford to pay fees or obtain insurance to obtain a waiver, exempting them from such requirements.

(f) **Grounds for denial.**

(1) The City may deny an application for a special event permit upon the occurrence of any one of the following events or circumstances:

- i. The applicant provides false or deliberately misleading information; the applicant fails to complete the application or supply other required information or documents; or the applicant declares or demonstrates an unwillingness or inability to comply with the reasonable, content- and viewpoint-neutral terms or conditions contained in the proposed permit; or
- ii. The proposed event would materially conflict with another proximate event or interfere with construction or maintenance work in the immediate vicinity; or
- iii. Absent an approved waiver, the permit application is submitted less than three (3) days prior to the event if the event will not require road or park closures; or

iv. Absent an approved waiver, the permit application is submitted less than ten (10) days prior to the event if the event will require road or park closures.

(2) In the event subsection (f)(1)(ii) or (iii) of this section applies, the city shall offer the applicant the opportunity to submit an alternative date or place for the proposed event before denying the application, to the extent practicable.

(g) **Permit Conditions Generally.** The city may condition the issuance of a special event permit by imposing reasonable requirements concerning the time, place, and manner of the event, such as those necessary to protect the safety and rights of persons and property, as well as the safe and orderly control of traffic, so long as any such restriction is neutral as to the content and viewpoint of any speech or expression associated with the event and does not unduly burden the lawful exercise of rights secured by the First and Fourteenth Amendments.

(h) **Permit Revocation.** Any permit issued under this section may be summarily revoked by the City at any time when, by reason of disaster, public calamity, riot or other emergency or exigent circumstances beyond the city's capacity to control, the city determines the safety of the public or property requires such immediate revocation. The city may also summarily revoke any permit issued pursuant to this section if the city finds that the permit has been issued based upon false information or when the permittee exceeds the scope of the permit or fails to comply with any condition of the permit. Notice of such action revoking a permit and a detailed explanation of the reasons for the decision shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in the application, or by electronic transmission if the applicant consents to receive notices in that format in its permitting submission.

(i) **Violation and Penalty.**

(1) It shall be unlawful for any person to host or conduct a special event requiring a special event permit pursuant to this section unless a valid permit has been issued and remains in effect for the event.

(2) The special event permit authorizes the permittee/sponsor to conduct only such an event as is described in the permit, and in accordance with the terms and conditions of the permit. It is unlawful for the permittee/sponsor to willfully violate the terms and conditions of the permit, or for any event participant with knowledge thereof to willfully violate or exceed the terms and conditions of the permit, or to continue with the event if the permit is revoked or expired.

(3) Whenever a special event is conducted without a special event permit when one would have been required or is conducted in violation of the terms of an issued special event permit, the event organizer may be responsible for, and the city may charge the event organizer for, all costs incurred by the city as a result of the adverse impacts of the special event or the violation of the special event permit.

(j) **Appeal Procedures** — Any person who is denied a permit or has a permit revoked may file an appeal to the city manager within ten (10) days of the denial of the permit. The city manager shall promptly hear the appeal and issue a decision in writing within three (3) business days of the appeal.

**Section 2. Implementing Administrative Actions.** The City Manager is hereby authorized and directed to take such actions as he deems necessary and appropriate to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary, and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

**Section 3. Severability.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**Section 4. Effective Date.** This Ordinance shall become effective immediately upon enactment by the City Council.

**ADOPTED ON FIRST READING** on the \_\_\_\_ day of \_\_\_\_\_, 2023, by  
the City Council of the City of Belleair Beach, Florida.

**ADOPTED ON SECOND AND FINAL READING** on the \_\_\_\_ day of  
\_\_\_\_\_, 2023, by the City Council of the City of Belleair Beach, Florida.

\_\_\_\_\_  
Dave Gattis  
Mayor, City of Belleair Beach

**ATTEST:**

\_\_\_\_\_  
Patricia Gentry, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Randy Mora, City Attorney

# **Business Impact Estimate**

Proposed ordinance's title/reference: **Ordinance No. 23-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, AMENDING SECTION 38-87 OF THE CITY'S CODE OF ORDINANCES GOVERNING THE PERMITTING PROCESS FOR SPECIAL EVENTS, ASSOCIATED COSTS AND FEES, AND POTENTIAL PENALTIES FOR UNPERMITTED OR NON-COMPLIANT SPECIAL EVENTS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The proposed ordinance amends the City's ordinance governing special event permits to better align the code with Constitutional doctrines relating to freedom of expression and assembly.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

**Any applicant for a special event permit may incur costs associated with hosting and responsibly coordinating a special event in compliance with this Ordinance. The anticipated costs, such as insurance coverage, City labor, and attendant rental fees will vary dependent upon the nature, scope, and resources required for the event.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

**The Ordinance does not, by itself, impose new charges for which businesses will generally be responsible. Any applicant, whether as an individual, non-profit, or business bears the same costs of compliance proportionate to the nature and scope of the contemplated programming.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**The City cannot presently estimate its regulatory costs associated with this Ordinance. The City has not historically received, reviewed, or administered special events requiring significant resources from the City.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**The City cannot estimate this figure as the Ordinance is of general application, and does not require any business or individual to affirmatively plan and pursue special event programming in the City.**

4. Additional information the governing body deems useful (if any):

**The proposed ordinance is an ordinance of general application governing the permissible tenure of the City's elected officials.**



## **ORDINANCE 23-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH AMENDING CHAPTER 18, SECTION 18-5 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "TIME FOR QUALIFYING"; REMOVING THE SPECIFIED QUALIFYING PERIOD; PROVIDING FOR THE ESTABLISHMENT OF THE QUALIFYING PERIOD BY RESOLUTION OF THE CITY COUNCIL; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Belleair Beach can set guidelines governing local elections in a manner consistent with state law; and

**WHEREAS**, Florida law does not specifically establish a uniform qualifying period for local elections; and

**WHEREAS**, Section 18-5 (a) of the City's Code of Ordinances presently limits the qualifying period to a set period beginning 88th day preceding the next regular election and expiring the 81st day preceding the next regular election; and

**WHEREAS**, the qualifying period set forth in Section 18-5 (a) of the City's Code of Ordinances imposes impractical limitations on the qualifying process preventing the efficient and effective of the City's local elections; and

**WHEREAS**, the qualifying period for the March 19, 2024 election, for example, would be limited to Friday, December 22, 2023, to Friday, December 29, 2023, spanning a weekend and the Christmas holiday, during which City Hall is expected to be closed and effectively limiting the resources and time available to candidates wishing to qualify for the March 2024 election; and

**WHEREAS**, the Pinellas County Supervisor of Elections also requires all qualified candidate submissions for local elections scheduled for March 2024, to be transmitted by December 19, 2023, which precedes the qualifying period presently set forth in the Section 18-5 (a) of the City's Code of Ordinances;

**WHEREAS**, the City Council of the City of Belleair Beach desires to establish the qualifying period by resolution for its elections, each year, affording sufficient time to comply with all deadlines established by the Pinellas County Supervisor of Elections while also providing sufficient time for the City and prospective candidates to secure, complete, and process all qualifying documents.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, THAT:**

**Section 1. Recitals Incorporated:** Each of the above recitals are incorporated herein as the findings of the City Council.

**Section 2. Amending City Code:** Section 18-5 of the City's Code of Ordinances, entitled "Time for Qualifying", is hereby amended as follows:

**Sec. 18-5. - Time for qualifying.**

- (a) No person shall qualify as a candidate in any regular city election prior to or following the qualifying period established by resolution of the city council. ~~to 8:00 a.m. on the 88th day preceding the next regular election, nor later than 12:00 noon of the 81st day preceding the next regular election.~~
- (b) The qualifying period for a special election shall be by resolution of the city council in accordance with the provisions of section 5.05(b) of the City Charter.
- (c) The city manager, and the city clerk, as the city's supervisor of elections, are authorized to contract with the Pinellas County Supervisor of Elections to change the date of the municipal elections to coincide with the date of a presidential preference primary election as provided for by state law.

**Section 3. Severability:** It is declared to be the intent of the City Council of the City of Belleair Beach that if any section, subsection, sentence, term, clause, or provision of this Ordinance is held invalid, or unconstitutional by any court of competent jurisdiction, the remainder of the Ordinance shall be construed, the invalidated portion shall be severed from this Ordinance and the remainder shall be construed as not having contained said section, subsection, sentence, term, clause or provision, and shall not be affected by such holding.

**Section 4. Effective Date:** This Ordinance shall take effect immediately upon its adoption.

The above and foregoing Ordinance was read by title only and passed by a majority vote upon its first reading at a meeting of the City Council of the City of Belleair Beach, Florida, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

The above and foregoing Ordinance was read by title only and passed by a majority vote upon its second reading at a meeting of the City Council of the City of Belleair Beach, Florida, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Dave Gattis, Mayor

**ATTEST:**

\_\_\_\_\_  
Patricia Gentry, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Randy Mora, City Attorney

# **Business Impact Estimate**

Proposed ordinance's title/reference: **Ordinance No. 23-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH AMENDING CHAPTER 18, SECTION 18-5 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "TIME FOR QUALIFYING"; REMOVING THE SPECIFIED QUALIFYING PERIOD; PROVIDING FOR THE ESTABLISHMENT OF THE QUALIFYING PERIOD BY RESOLUTION OF THE CITY COUNCIL; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The proposed ordinance amends the City's Code of Ordinances to eliminate a rigid qualifying period that is inconsistent with timelines established by the Pinellas County Supervisor of Elections, and overlaps with the holiday season for the purposes of the 2024 election. This is an ordinance of general application.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**None.**

4. Additional information the governing body deems useful (if any):

**The proposed ordinance is an ordinance of general applicability that empowers the City Council to establish a qualifying period by resolution.**

# City of Belleair Beach

OCTOBER 2, 2023 – 6:00 PM



## RECOMMENDATION:

*Staff requests that Council use the process for appointment of the Councilmember as outlined.*

**DATE:** September 29, 2023  
**TO:** Mayor and City Council  
**FROM:** Patricia A. Gentry, City Clerk  
**SUBJECT:** Appointment of City Councilmember

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## Background

The following residents have applied to fill the seat vacated by former Councilmember Zabel's resignation. Each applicant was verified through the Pinellas County Supervisor of Elections Office as a registered voter in the City of Belleair Beach immediately preceding the first day of qualification for election as stated in the City Charter. As per the City Charter the appointee shall hold office until the next annual election in the City on March 19, 2024.

1. Mark S. Chester, 429 22nd Street
2. Michael Hayward, 3201 Hibiscus Drive E

## Discussion

Procedure to appoint Councilmember:

- The Mayor has the duty to maintain firm control of the meeting consistent with the provisions of the City Charter, City Code, and Roberts Rules of Order. The Mayor shall announce that the audience must refrain from any outward display of approval or disapproval of any applicant.
- The Mayor states that the seat being filled shall hold office until the next annual election in the city on March 19, 2024.  
*Charter Section 5.05(a)*
- The Mayor shall confirm with each applicant that they are a qualifying registered voter; qualifying physical resident; qualifying permanent resident; and qualified by civil rights.  
*Section 2.01(a)*
- Each applicant present, in alphabetic order, shall be allowed a three-minute presentation of their qualifications and desire to serve.

- Following each applicant's presentation councilmembers may make inquiry of each applicant, after being recognized by the Mayor.
- After council has concluded its inquiry of the applicants, the floor shall be opened to the public with each being recognized by the Mayor. The city clerk shall be the time keeper.

*Section 2-64(a)(b)*

- After the public addresses council, councilmembers shall vote by paper ballot with results announced that an applicant has attained a majority of the votes of the councilmembers voting. The city clerk shall announce the results.
- The Mayor will call for a motion to appoint the applicant who has received at least four votes.
- In the event of a tie between the two candidates, council may use an alternative method to decide the winner such as drawing lots or flipping a coin.

*Charter Section 5.05(a)*

#### **Recommendation**

Staff requests that Council use this process for appointment of the Councilmember as outlined above.



## CITY OF BELLEAIR BEACH

### City Council Vacancy Application

(Please **print** clearly)

Name: MARK S. CHESTER

Address: 429 22ND STREET

Home Phone: NONE Cell Phone: 661-644-4611

Email: mschester58@aol.com

Length of Residency in Belleair Beach: THREE YEARS

Are you registered to vote in Belleair Beach? YES

Voter Registration Date: 12/11/19

Reason you are interested in serving:

I'M RETIRED, SO I HAVE TIME TO GIVE  
BACK. I'M INTERESTED IN WHAT HAPPENS  
IN OUR COMMUNITY. MY ONLY AGENDA IS TO  
SERVE OUR COMMUNITY AND DO MY PART TO  
MAKE OUR COMMUNITY GREAT.

Community activities/involvement:

I VOLUNTEER AT NEIGHBORLY AND  
DELIVER MEALS ON WHEELS TO THE  
ELDERLY.

Applicable education, occupational, and specialized experience:

BS. IN EDUCATION FROM EASTERN  
MICHIGAN UNIVERSITY (1981)  
RETIRED TEACHER/COACH OF 35 YEARS.



## City Council Vacancy Application

**Council members make recommendations and decisions that affect the entire community.**

1.) Do you foresee possible conflicts of interest with any of your current employment or civic positions?    ☐ Yes (Please explain)    ☒ No

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2.) When making recommendations and decisions do you feel you could be impartial and base your decision on the overall need and benefit of the Community? ☒ Yes    ☐ No (Please explain)

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**Have you represented any other private person, group or entity for compensation before the City Council or any board/committee of the City within the last two years?** NO

**Do you, your spouse, or your employer have any financial interest, directly or indirectly, in any contracts with the City?** NO

## City Council Vacancy Application

Are there any days or evenings you are unavailable to meet?

☐ Yes (Please explain) ☒ No

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I hereby apply for appointment to the vacant City Council seat and file this statement of candidacy. I declare that I meet all requirements to hold said office and that I agree to serve if appointed.

Signature: Markus Chester

Date: 11/9/22

Received by: Laura Motale

Date: 11/9/22

**Please Note: Any information given on this application is subject to the Public Records Law of Florida**

**APPLICATIONS MUST BE SUBMITTED TO THE  
OFFICE OF THE CITY CLERK NO LATER THAN  
3:30PM NOVEMBER 9, 2022**

Please return completed form and resume to:

[PGentry@CityofBelleairBeach.com](mailto:PGentry@CityofBelleairBeach.com)

City of Belleair Beach  
Attn: City Clerk  
444 Causeway Boulevard  
Belleair Beach, FL 33786  
727-595-4646



# CITY OF BELLEAIR BEACH

## City Council Vacancy Application

(Please **print** clearly)

**Name:** MICHAEL HAYWARD

**Address:** 3201 HIBISCUS DRIVE EAST, BELLEAIR BEACH, FL 33786

**Home Phone:** \_\_\_\_\_ **Cell Phone:** 727-458-0696

**Email:** Mhayward99@gmail.com

**Length of Residency in Belleair Beach:** 31 years

**Are you registered to vote in Belleair Beach?** Yes

**Voter Registration Date:** 2002

### Reason you are interested in serving:

Unlike most residents of Belleair Beach, I am a native of the city. I was raised in the city, and it has shaped who I am. Over the past 30 years, I have seen changes and growth. However, I know more can be done to improve the life of the citizens and our posterity. Belleair Beach needs representation from younger generations and from more diverse populations. I bring both to the table. I want to respect the values and history of the city while welcoming new ideas for growth.

### Community activities/involvement:

I regularly walk and run around the neighborhood and beach fully taking advantage of the beauty that the city provides.

### Applicable education, occupational, and specialized experience:

-Bachelor's degree in Political Science - University of Florida with coursework in local politics

-Master's degree in International Affairs - American University, Washington, DC

-Government experience - US Department of State - Bureau of Intelligence and Research

-Leadership experience - Assistant Production Coordinator of multiple feature films

## City Council Vacancy Application

**Council members make recommendations and decisions that affect the entire community.**

1.) Do you foresee possible conflicts of interest with any of your current employment or civic positions?    ☐ Yes (Please explain)    ☒ No

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2.) When making recommendations and decisions do you feel you could be impartial and base your decision on the overall need and benefit of the Community? ☒ Yes    ☐ No (Please explain)

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**Have you represented any other private person, group or entity for compensation before the City Council or any board/committee of the City within the last two years?** NO

**Do you, your spouse, or your employer have any financial interest, directly or indirectly, in any contracts with the City?** NO

## City Council Vacancy Application

Are there any days or evenings you are unavailable to meet?

☐ Yes (Please explain) ☒ No

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I hereby apply for appointment to the vacant City Council seat and file this statement of candidacy. I declare that I meet all requirements to hold said office and that I agree to serve if appointed.

Signature:  Date: 09/25/2023

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

**Please Note: Any information given on this application is subject to the Public Records Law of Florida**

**APPLICATIONS MUST BE SUBMITTED TO THE  
OFFICE OF THE CITY CLERK NO LATER THAN  
3:30PM SEPTEMBER 25, 2023**

Please return completed form and resume to:

[PGentry@CityofBelleairBeach.com](mailto:PGentry@CityofBelleairBeach.com)

City of Belleair Beach  
Attn: City Clerk  
444 Causeway Boulevard  
Belleair Beach, FL 33786  
727-595-4646

City of Belleair Beach  
Attn: City Clerk  
444 Causeway Boulevard  
Belleair Beach, FL 33786

Dear Members of the City Council Selection Committee,

I am writing to express my sincere interest in the City Council vacancy and to submit my application for your consideration. My diverse background as an Asian-American who grew up in our small beach community, coupled with my government experience and my education in political science, have equipped me with the skills, knowledge, and passion needed to serve our city effectively.

Growing up in our close-knit beach community has instilled in me a deep sense of commitment to preserving the unique character and enhancing the quality of life in our city. Furthermore, as an Asian-American, I have had the privilege of experiencing the rich tapestry of cultures and perspectives that really does exist in the city. I am dedicated to representing the diverse voices within our community and ensuring that every resident has a seat at the table.

My experience working at the State Department has afforded me valuable insights into the intricacies of government operations, policy development, and community engagement. I have had the opportunity to collaborate with a diverse range of stakeholders, navigate complex bureaucratic processes, and advocate for policies that benefit our citizens. This experience has honed my ability to analyze issues critically, find innovative solutions, and effectively communicate with constituents.

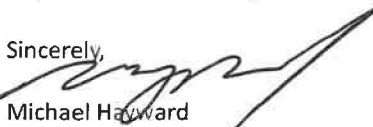
In addition to my practical experience, my academic background in political science has provided me with a solid foundation in the principles of governance, public policy, and civic engagement. I believe in the importance of evidence-based decision-making, transparency, and accountability in local government. My education equips me with the analytical and research skills necessary to tackle the challenges our city faces while making informed and responsible decisions.

If appointed to the City Council, I am committed to:

1. Listening to the concerns and ideas of our residents and actively seeking their input in shaping city policies and initiatives.
2. Advocating for responsible and sustainable development that preserves our community's unique character and values.
3. Promoting inclusivity and diversity by ensuring that underrepresented voices are heard and included in the decision-making process.
4. Collaborating with fellow council members to address pressing issues such as infrastructure improvements, public safety, and environmental sustainability.
5. Working tirelessly to enhance the quality of life for all residents and create a more prosperous future for our city.

I am excited about the opportunity to serve our community on the Belleair Beach City Council and contribute to its growth and well-being. I look forward to the chance to discuss my qualifications and vision for our city in more detail during an interview. Thank you for considering my application. I am eager to bring my dedication, diverse perspective, and government expertise to the City Council to work together towards a brighter future for our city.

Sincerely,



Michael Hayward  
3201 Hibiscus Dr E  
Belleair Beach, FL 33786  
727-458-0696

**MICHAEL J HAYWARD**

3201 Hibiscus Drive East

Belleair Beach, FL 33786

Tel: 727-458-0696    e-mail: Mhayward99@gmail.com

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**EDUCATION:**

**PENNSYLVANIA STATE UNIVERSITY**

**Graduate Certificate in Geospatial Intelligence Analytics** – Aug. 2013 – Mar. 2015

Imagery Analysis/Remote Sensing Track

Additional certification by United States Geospatial Intelligence Foundation (USGIF)

**AMERICAN UNIVERSITY**

August 2011 – May 2013

**Master of Arts in International Affairs** – Comparative and Regional Studies

Focus: East Asia and Global Security

Capstone Project: National Security in the Arctic, Client: US Dept. of State

- Analyzed the future strategic importance of the Arctic region and devised a recommended plan of governance for the US Chairmanship of the Arctic Council starting in 2015
- Briefed the Senior Arctic Official of the United States of the findings and delivered an in-depth assessment report

**LANGUAGES:**

Spanish – advanced

Chinese – advanced

Arabic – intermediate

French – intermediate

Japanese – intermediate

Tagalog – intermediate

Portuguese – intermediate

Additional ability to read and write the scripts of Thai, Russian, Greek, Hebrew, Korean, Hindi

**UNIVERSITY OF FLORIDA**

August 2003 – May 2007

**Bachelor of Arts in Political Science Certificate in International Relations**

**Minor in Asian Languages and Literature – Mandarin Chinese**

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**WORK EXPERIENCE:**

**ASSISTANT PRODUCTION COORDINATOR**

Managing production office of multiple feature films

RCR Cinema Team – Pinellas County, FL

November 2022 – April 2023 —Full Time

- Manage production logistics of over seven films for the likes of Lifetime Network and Hallmark Network
- Oversees daily expenses and budget of the entire \$400,000+ production
- Works closely with heads of film crew departments to problem solve to meet the strict deadlines.
- Manages contracts, deal memos, talent releases, locations agreements, reimbursements, transportation, lodging, and insurance across the production.

**ACTOR – MOVIE AND TELEVISION**

Featured background actor and stand-in in network and Hollywood productions

August 2021—August 2022 — Part Time 10hrs/week

- |                                |                   |                  |
|--------------------------------|-------------------|------------------|
| • South Beach Love             | • DOA at the PTA  | • Pet Detectives |
| • What Lies Behind These Walls | • Love On Retreat | • The Plus One   |



**REAL ESTATE INVESTOR – HOUSE FLIPPER**

Managing member of house-flipping enterprise – Tampa, FL

June 2020 – Present — Part Time – 20 hrs/week

- Perform market analyses to identify properties to be rehabbed
- Work with city inspectors, appraisers, etc to streamline project
- Hire general contractors and manage daily remodeling progress to meet deadlines

**INTELLIGENCE RESEARCHER AND ANALYST****UNITED STATES DEPARTMENT OF STATE**

Bureau of Intelligence and Research

Office of the Geographer and Global Issue - Geographic Information Unit - Washington, DC

Student Intern – Part Time Pay grade: GS-4

June 2012 – October 2012

**All-source intelligence analysis:**

- Analyzed, assimilated, and evaluated all available all-source intelligence relating to the assigned areas of responsibility.
- Prepared finished studies of data and assigned portions and contributions to larger studies and statistical compilations, which resulted in high-level intelligence publications for consumers such as the Secretary of State and the National Intelligence Council.
- Researched intel data, investigated trends, and drafted correspondence related to specific cases.
- Gained a thorough knowledge of the handling of classified subject matter and a working knowledge of conference, briefing, and interpretive techniques.
- Gained knowledge of the interplay of geographical, political, military, economic, and industrial forces in various regions of the world, and the ability to present and argue for a position effectively.

**Briefings:**

- Attended high-level meetings at various agencies throughout the intelligence community.
- Carried out liaison functions with other U.S. and foreign allied intelligence organizations (Five Eyes).
- Arranged for and participated in the briefing and debriefing of ambassadors and attachés returning from, or undertaking foreign travel, assuring that all interested parties were represented and that all points were covered.
- Created diagrams, charts, and other briefing aids used in high-level meetings.
- Prepared and disseminated a daily report highlighting geopolitical current events
- Worked extensively with maritime boundary issues, collaborating with the Bureau of Oceans, Environment, and Science's legal team, particularly on matters related to the United Nations Convention on the Law of the Seas treaty.

**Research and data maintenance:**

- Maintained government websites and map databases.
- Adapted to the on-the-spot needs of the office team according to the urgent nature of on-going global events.
- Translated maps, databases, and open source material
- Conducted numerous international boundary reports using Google Earth, historical documents, Library of Congress maps, and other open-source material.



**RESTAURANT – FRONT OF HOUSE MANAGER**

Green Pagoda Restaurant – St. Petersburg, FL

April 2022 – October 2022 Full Time

- Coordinate staff schedules and manage payrolls
- Ensure high level of quality standards
- Manage restaurant inventory

**GRADUATE RESEARCH CENTER ASSOCIATE****AMERICAN UNIVERSITY GRADUATE RESEARCH CENTER**

Washington, DC

January 2012 – May 2012 and October 2012 – August 2013 Part Time - 20hrs/week

- Supervised the workings of an entire section of the library.
- Assisted students in writing theses and dissertations.
- Coordinated and manage student group study events.

**ENGLISH TEACHER**

HAMAMATSU KITA HIGH SCHOOL

Hamamatsu City, Shizuoka Prefecture, Japan

JET Program

August 2007 - August 2009 Full Time

**Achievements:**

- Team-taught and solo-taught advanced English oral communication classes to roughly 1200 students.
- Attended daily staff meetings and all school events, conducted entirely in Japanese.
- Managed and led a weekly after school English club for students.
- Led a seminar on the use of technology in the classroom, attended by numerous Japanese educators from across the prefecture.
- Collaborated with regional English Language teachers to share effective teaching methods and lessons.
- Editor of the Shizuoka Chronicle English newspaper, a prefecture-wide publication for the board of education

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**KNOWLEDGE AND SKILLS:**

World Events

Collection management tools capabilities

Satellite Imagery Analysis

Critical thinking

Multi-INT collection strategies

Release and disclosure policies

TCPED process

Analytical techniques

Collaborative tools, capabilities, & applications

Display tools, capabilities & applications

Statistical analysis interpretation

Multi-INT systems

NIPF/other tasking authorities/guidance

Research tools capabilities & applications

**Travel to 70+ countries**

## **Patti Gentry**

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**From:** Michael Hayward <mhayward99@gmail.com>  
**Sent:** Monday, September 25, 2023 10:48 AM  
**To:** Patti Gentry  
**Subject:** City Council Vacancy Application  
**Attachments:** HAYWARD - City-Council-Vacancy-APPLICATION.pdf; HAYWARD - Cover Letter- Belleair Beach City Council .pdf; MICHAEL J HAYWARD - resume Sept 2023.pdf

[EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

City of Belleair Beach  
Attn: City Clerk  
444 Causeway Boulevard  
Belleair Beach, FL 33786

Dear hiring committee,

Attached are my application, resume, and cover letter for the City Council Vacancy.

I look forward to discussing my qualifications with you in more detail.

If you have any questions, please do not hesitate to ask.

Thank you,

Michael Hayward  
3201 Hibiscus Dr E  
Belleair Beach, FL 33786  
727-458-0696

## RESOLUTION 2023-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, CALLING FOR A GENERAL ELECTION TO BE HELD ON MARCH 19, 2024, FOR THE PURPOSE OF ELECTING THREE (3) CITY COUNCIL MEMBERS FOR A FULL TERM OF OFFICE, AND A FOURTH SEAT FOR THE REMAINING TENURE OF A RECENTLY VACATED COUNCIL MEMBER POSITION; TO ESTABLISH THE QUALIFYING DATE AND PROCESS FOR PERSONS SEEKING ELECTIVE OFFICE FOR THE 2024 MUNICIPAL ELECTION; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SUPERVISOR OF ELECTIONS ESTABLISHING A POLLING PLACE FOR THE MARCH 2024 ELECTION; AUTHORIZING THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS TO VERIFY CANDIDATE PETITION CARDS AND FACILITATE THE ELECTION PROCESS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Belleair Beach is subject to and has adopted the applicable provisions of the Florida Elections Code; and

**WHEREAS**, the City of Belleair Beach has requested assistance from the Pinellas County Supervisor of Elections in conducting their municipal general election to be held on March 19, 2024; and

**WHEREAS**, the Pinellas County Supervisor of Elections has agreed to providing such assistance to the City subject to conditions, considerations, and agreements; and

**WHEREAS**, the term of three of the City Council's seven at-large councilmember positions are set to expire and be placed on the ballot at the regular election to be held in March 2024; and

**WHEREAS**, in August 2023, a sitting councilmember whose term is set to expire in March 2025, resigned their seat with immediate effect, creating a vacancy on the City Council; and

**WHEREAS**, Section 2.06 (c) of the City's Charter provides the manner in which a vacancy on the council shall be filled, providing the vacancy shall be placed on the next annual election of the City.

**NOW THEREFORE, THE CITY OF BELLEAIR BEACH, FLORIDA, HEREBY RESOLVES AS FOLLOWS:**

**Section 1: Qualifying Period.** The time period for qualified residents of the City of Belleair Beach to submit required documentation in order to qualify to stand for election to the office of City Council for the March 19, 2024, election is hereby established to be from the beginning of the business day at 8:00 a.m. on Friday, December 1, 2023, to 12:00 p.m. (noon) of the business day on Friday, December 8, 2023.

**Section 2: Qualifying Process.** All persons desiring to be candidates at such election shall qualify in accordance with the provisions of the Charter and Code of Ordinances for the City of Belleair Beach, and the election laws of the State of Florida pertaining to municipal elections.

**Section 3: Election.** Pursuant to the provisions of Sections 100.3605 (2) and 166.021 (4), Florida Statutes, Sections 2.02 and 5.05 of the City Charter and Section 18-5 of the Belleair Beach Code of Ordinances, the City Council of the City of Belleair Beach, Florida, does hereby call for an election to be conducted on March 19, 2024, for the purpose of elections, at-large, qualified candidates to fill the vacancies of three (3) Councilmember seats for a full elected term, and a fourth councilmember seat for the remaining tenure of a recently-vacated councilmember seat whose term is presently expected to expire in March 2025.

**Section 4: Election Outcome.** The outcome of the election to be held on March 19, 2024, shall be resolved as follows:

- (a) the outcome of the election for the three City Councilmember seats, each of which is expected to serve a full election term as provided in the City's Charter, shall be determined in favor of the three candidates receiving the greatest number of votes; and
- (b) the outcome of the election for the fourth City Councilmember seat for the position vacated in August 2023 shall be determined in favor of the candidate receiving the fourth greatest number of votes, immediately behind the three other candidates receiving the greatest number of votes for the full-term positions.

**Section 5: Polling Place.** The polling place for such election shall be the Belleair Beach Community Center, 444 Causeway Boulevard, Belleair Beach, FL 33786, and the polls shall be open from 7:00 a.m. to 7:00 p.m.

**Section 6: Canvassing Board.** The Pinellas County Canvassing Board shall conduct the Logic and Accuracy Tests, open and prepare absentee and mail ballots for tabulation, and tabulate all ballots for the March 19, 2024, General Municipal Election at the Pinellas County Supervisor of Elections' Service Center located at 13001 Starkey Road, Largo, Florida.

**Section 7: Poll Workers.** The Pinellas County Supervisor of Elections is hereby authorized to appoint poll workers.

**Section 8: Candidate Verification.** The Pinellas County Supervisor of Elections is hereby authorized to independently verify candidate petition cards and determine their compliance with the legal and administrative requirements of the City's and Florida's election laws.

**Section 9: Manager Authorization.** The City Manager shall be authorized to contract with the Pinellas County Supervisor of Elections to conduct said election and tabulate all ballots at the Pinellas County Supervisor of Elections' Service Center.

**Section 10: City Clerk Authorization.** The City Clerk is authorized to make any technical changes in the application of this Resolution as may be required by the Supervisor of Elections or the election laws of the State of Florida regarding qualifying issues.

**Section 11: Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 2nd of October 2023 at a Regular Meeting of the City Council of Belleair Beach, Florida.

**ATTEST:**

\_\_\_\_\_  
Patricia A. Gentry, City Clerk

\_\_\_\_\_  
Dave Gattis, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Randy Mora, Esq., City Attorney

## MEMORANDUM

TO: Mayor and City Council

FROM: Kyle Riefler, City Manager

DATE: September 28, 2023

SUBJECT: Authorize the City Manager to Grant Easement to Duke Energy Florida, LLC.

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### Recommendation:

Authorize the City Manager to grant easement from the City of Belleair Beach to Duke Energy Florida, LLC for placement of two switchgear systems in Crossman Park.

### History:

The switchgear systems are part of the new underground grid design for the Gulf Blvd. Undergrounding Project.

### Background:

Duke Energy designed for the project equipment to be installed in the existing rights-of-way wherever feasible. In certain project areas, obtaining easements from private property owners has been the only option. Installing the two switchgear systems in Crossman Park has been presented as the best option to satisfy the surrounding property owners affected.

### Attachments:

1. Easement Document.
2. Map of Proposed Equipment Location.
3. Conceptual Rendering of Equipment in Crossman Park.

Pinellas County, FL  
Work Request #: Belleair Beach Phase 1  
Address: Gulf Blvd, Belleair Beach, FL 33786  
STR: Section: 31; Township: 29 S; Range: 15 E

## **EASEMENT**

THIS EASEMENT ("**Easement**") from **CITY OF BELLEAIR BEACH**, a **FLORIDA** municipal corporation ("**GRANTOR**," whether one or more) to **DUKE ENERGY FLORIDA, LLC, a Florida Limited Liability Company, d/b/a DUKE ENERGY**, Post Office Box 14042, St. Petersburg, Florida 33733, and its successors, lessees, licensees, transferees, permittees, apportionees, and assigns ("**GRANTEE**");

### **WITNESSETH:**

THAT **GRANTOR**, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto **GRANTEE**, the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy and for communication purposes and for the communication purposes of Incumbent Local Exchange Carriers over, under, upon, across, through and within the following described lands in Pinellas County, Florida, and referred to hereinafter as the Easement Area to wit:

A 25.00 foot wide by 25.00 foot wide Easement Area for each switchgear and a 10.00 foot wide Easement Area lying 5.00 feet on each side of **GRANTEE's** facilities to be installed at mutually agreeable locations over, under, upon, across, through and within the following described property to accommodate present and future development:

**Lot 36, Winston Estates, according to the map or plat thereof as recorded in Plat Book 41, Page 22, Public Records of Pinellas County, Florida.**

**Tax Parcel Number: 31-29-15-98352-000-0360**

The rights herein granted to **GRANTEE** by **GRANTOR** specifically include the right: (a) for **GRANTEE** to patrol, inspect, alter, improve, add to, repair, rebuild, relocate, and remove said facilities; (b) for **GRANTEE** to increase or decrease the voltage and to change the quantity and type of facilities; (c) ingress and egress over the Easement Area and over portions of **GRANTOR's** adjoining property for the purpose of exercising the rights herein granted; (d) to trim, cut or remove from the Easement Area, at any time, trees, limbs, undergrowth, structures or other obstructions; (e) to trim, cut or remove and to keep trimmed or remove dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of **GRANTEE**, might interfere with or fall upon the Facilities; (f) to allow third parties to attach equipment to the Facilities including but not limited to wires, cables and other apparatus; (g) and all other rights and privileges reasonably necessary or convenient for **GRANTEE's** safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement for the purposes described herein. Failure to exercise the rights herein granted to **GRANTEE** shall not constitute a waiver or abandonment.

**GRANTOR** shall have the right to use the Easement Area in any manner that is consistent with the rights granted to **GRANTEE** herein; provided however, without the prior written consent of **GRANTEE**, **GRANTOR** shall not (a) place, or permit the placement of, any obstructions within the Easement Area including but not limited to, any building, house, or other above-ground or underground structure, or portion thereof; If obstructions are installed adjacent to the Easement Area, they shall be placed so as to allow ready access to **GRANTEE's** facilities and provide a working space of not less than ten (10) feet on the opening side, six (6) feet on the back for working space and three (3) feet on all other sides of any pad mounted equipment; (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area. **GRANTEE** shall have the right to remove any such obstruction(s) at **GRANTOR's** expense. Excluding removal of vegetation and obstructions as provided herein, any physical damage to the surface of the Easement Area and/or **GRANTOR's** adjoining property caused by **GRANTEE** or its contractors shall be repaired to a condition reasonably close to the previous condition. The rights and easement herein granted are exclusive as to entities engaged in the provision of electric energy service and **GRANTOR** reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to **GRANTEE** herein.

**GRANTOR** hereby warrants and covenants (a) that **GRANTOR** is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that **GRANTOR** has full right and lawful authority to grant and convey this easement to **GRANTEE**, and (c) that **GRANTEE** shall have quiet and peaceful possession, use and enjoyment of this easement. All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the heirs, successors, lessees and assigns of the respective parties hereto.



IN WITNESS WHEREOF, this Easement has been executed by Grantor on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, and is effective as of the Effective Date herein.

**GRANTOR:**

**CITY OF BELLEAIR BEACH, A  
FLORIDA MUNICIPAL CORPORATION**

\_\_\_\_\_  
Name of Corporation

**ATTEST:**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Title

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Name

**SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:**

**Grantor(s) mailing address:**

\_\_\_\_\_  
Signature of First Witness

\_\_\_\_\_  
444 Causeway Blvd

\_\_\_\_\_  
Belleair Beach, FL 33786-3326

\_\_\_\_\_  
Print or Type Name of First Witness

\_\_\_\_\_  
Signature of Second Witness

\_\_\_\_\_  
Print or Type Name of Second Witness

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day \_\_\_\_\_, 2023, by \_\_\_\_\_ and \_\_\_\_\_, its \_\_\_\_\_ and \_\_\_\_\_, respectively, of CITY OF BELLEAIR BEACH, a Florida municipal corporation, on behalf of the corporation who is personally known to me or who has produced \_\_\_\_\_ as identification.

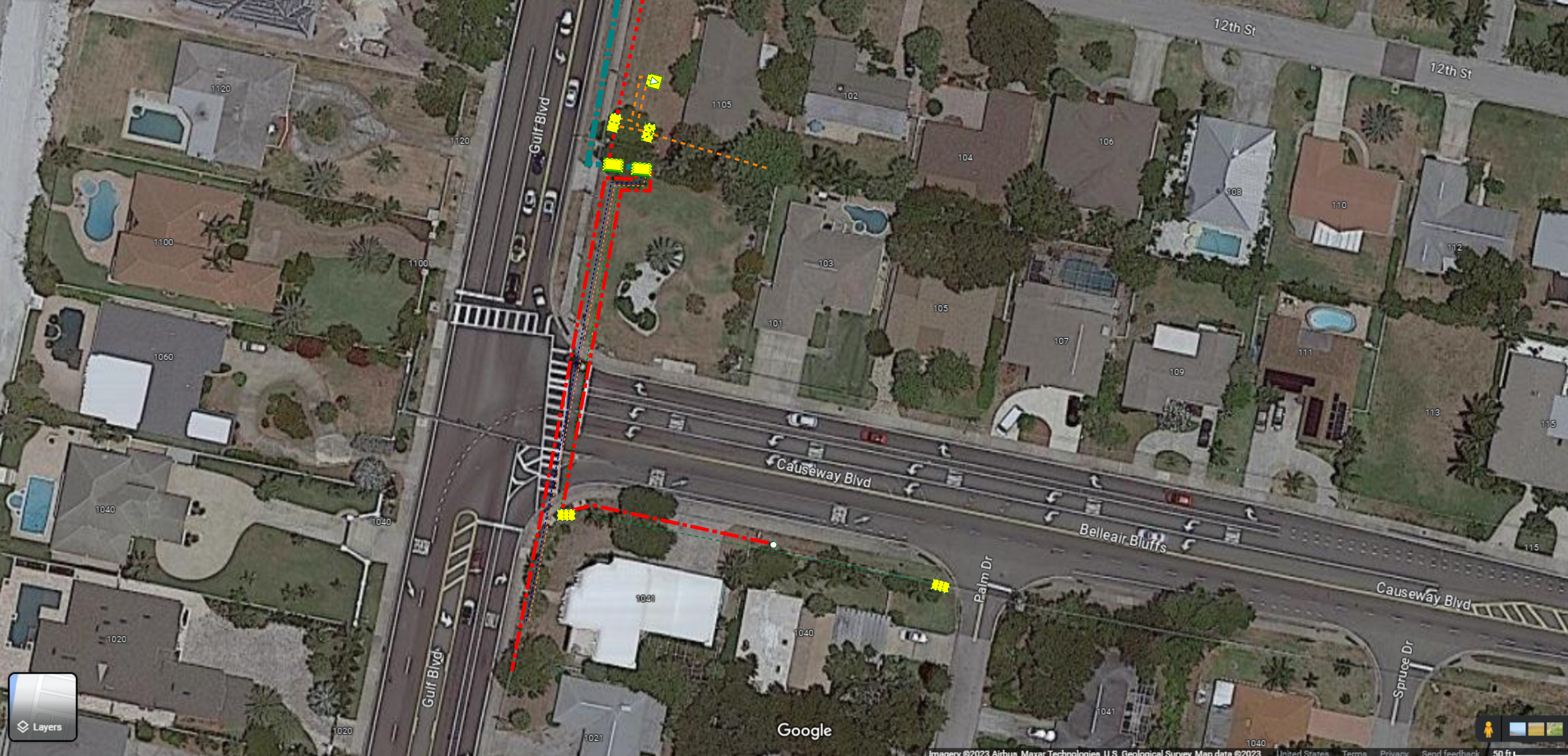
[Notary Seal]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Name typed, printed or stamped

My Commission Expires: \_\_\_\_\_





Google





ph2

ph1



24  
in

10 ft

3  
ft

10 ft