



## **CHARTER REVIEW COMMITTEE - CITY OF WILDWOOD**

Chairperson – David Fontaine – Voting Member  
Vice Chairperson – Derrel Strickland – Voting Member  
Andre Nacaxe – Voting Member  
Robin Caruthers – Voting Member  
Keith Pearlman – Voting Member  
Commissioner Joe Elliott – Ex-officio Member  
Jenalys Otero – Student Liaison – Non-voting Member  
Emily Ruiz – Student Liaison – Non-voting Member

### **Agenda**

**August 11, 2025 6:00 PM**  
City Hall Conference Room 124  
100 N Main Street

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Persons with disabilities or language barriers needing assistance to participate in any of these proceedings should contact the City Clerk's Department, ADA Coordinator, at 352-330-1330, Ext. 103, forty-eight (48) hours in advance of the meeting.

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F.S.S. 286.0105 - If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City of Wildwood DOES NOT provide this verbatim record.

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1. **Call to Order**
2. **Proper Noticing**
3. **Roll Call**
4. **Determination of a Quorum**
5. **Comments from the General Public**
6. **Presentations**
7. **Action Items**

A. *MINUTES FOR APPROVAL: JUNE 16, 2025, CHARTER REVIEW COMMITTEE MEETING*

8. **Discussion Items**

A. *REVIEW OF ARTICLE III OF THE CITY CHARTER*

B. *BEGIN REVIEW OF ARTICLE IV OF THE CITY CHARTER*

9. **Adjournment**

**August 11, 2025 6:00 PM**

CHARTER REVIEW COMMITTEE  
CITY OF WILDWOOD, FLORIDA

June 16, 2025 6:00 PM  
CITY HALL CONFERENCE ROOM 124

(meeting taped)

**1. Call to Order**

Chairperson Fountaine called the meeting to order at 6 PM.

**2. Proper Noticing**

City staff confirmed there was proper noticing for the meeting.

**3. Roll Call**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
David Fountaine	Chairperson	Present
Derrel Strickland	Vice Chairperson	Absent
Andre Nacaxe	Voting Member	Present
Robin Caruthers	Voting Member	Present
Keith Pearlman	Voting Member	Present
Joe Elliott	Ex-officio Member	Present
Jenalyis Otero	Non-Voting Member	Absent
Emily Ruiz	Non-Voting Member	Absent
Cassandra Smith	Assistant City Manager/CFO	Present
Madison Guinn	Executive Assistant	Present
Joshua Bills	City Attorney	Present

**4. Determination of a Quorum**

Chairperson Fountaine confirmed that a quorum was present.

**5. Comments from the General Public**

There were no members of the public present for the meeting.

**6. Presentations**

There were no presentations.

**7. Action Items**

**A. Minutes for approval: March 3, 2025, Charter Review Committee Meeting**

Chairperson Fountaine asked the Committee to review the minutes from the previous meeting held on March 3, 2025.

<b>RESULT:</b>	<b>Passed</b>
<b>MOVER:</b>	Pearlman

<b>SECONDER:</b>	Caruthers
<b>AYES:</b>	Pearlman, Nacaxe, Caruthers, Fontaine

## 8. Discussion Items

### A. Review of Article III of the City Charter

The Charter Review Committee opened with discussion on whether to recommend switching from at-large representation to a district-based system. Concerns were raised about how district lines would be drawn and whether population-based boundaries could dilute representation in slower-growing areas. Some committee members felt districts would ensure more consistent and equitable representation, while others argued the current system already provides a voice for all areas.

The committee also discussed the mayoral selection process. Under the current system, the mayor has no additional power and is selected by the city electors at large. Some viewed this as a strength, while others felt that a commission-selected model would be better. Concerns were raised about political blocs forming under a commission-selected model, while others noted that public election can also result in inexperienced leadership, as seen in other municipalities.

Residency requirements for district candidates were debated, with suggestions to increase the minimum from 90 days to at least a year to ensure candidates have strong community ties. It was also noted that districting may prevent developers or outside interests from concentrating influence by backing multiple at-large candidates. The 2014 proposed charter amendment, which included districting and a commission-selected mayor, was referenced as well. The committee agreed that public education will be critical if any changes move forward. Some committee members supported keeping the current system to avoid unintended consequences, while others saw districting as a natural response to growth. The committee agreed to continue the discussion at a longer meeting in August, where the goal will be to decide between districts or at-large. A copy of the 2014 amendment will be shared with members ahead of the next meeting for reference.

The committee convened to continued its discussion on whether to recommend shifting from an at-large representation system to a district-based model for electing city commissioners. The conversation centered around the implications of redistricting, its frequency due to population growth, and the potential impacts on equitable representation.

Several members emphasized that while the committee would not be responsible for drawing district lines, the decision to recommend districting would guide future elections. It was clarified that the Supervisor of Elections, not the City Commission, would manage the redistricting process, using legal guidelines and GIS mapping to ensure population balance and geographic logic. Concerns were raised about gerrymandering, underrepresentation of certain neighborhoods, and whether redistricting would truly resolve those disparities.

Committee members discussed the option of having four districts with a mayor elected at-large versus five districts with a commission-appointed mayor. There was a broad agreement towards a citywide election for mayor while establishing four geographic districts. Members felt this would preserve accountability while ensuring localized representation. It was noted that the current at-large system allows all residents to vote for all commissioners, and some members valued maintaining this citywide voting process even under a district residency requirement.

Historical context was provided regarding a prior failed attempt at districting in 2014. Members

speculated that the proposal's defeat stemmed from low public engagement and a lack of understanding of the issue. The need for strong public education and transparency was emphasized if any structural changes were to be proposed again. Some members expressed concern that switching to districts might be premature given the city's rapid growth, which could lead to frequent and disruptive redistricting. Others argued that growth itself made districting necessary to ensure future representation remains fair and balanced. It was also noted that the charter currently only requires candidates to reside within city limits for 90 days, prompting suggestions to consider a longer residency requirement for those seeking to represent specific districts.

The committee acknowledged differences in lived experience among residents, from long-term locals to recent transplants, and discussed whether those perspectives are currently well represented. There was recognition that growing populations in the newer areas might further dilute voices from historically underserved communities unless district lines are carefully considered.

In terms of mayoral selection, several members supported continuing to elect the mayor at-large, cautioning against a system where a newly elected commissioner with little experience might immediately become mayor under a rotation or internal appointment model. They felt that having the commission select a mayor could improve continuity and leadership but risked reducing public input and transparency.

Ultimately, the committee agreed it may not reach a unanimous recommendation and discussed the idea of forwarding both options – the current at-large system or adopting a district-based model with four districts and an at-large mayor – to the City Commission for consideration. Members emphasized that their role is advisory and that the Commission, with its deeper awareness of city operations and growth trends, is best positioned to make a final decision.

The discussion concluded with the consensus that any recommendation should be accompanied by context, noting the committee's discussions and the pros and cons considered. The committee plans to continue refining its recommendation at the next meeting.

**B. Begin Review of Article IV of the City Charter**

The committee did not begin their review of Article IV of the City Charter before the meeting concluded.

**9. Adjournment**

The meeting was adjourned at 7 PM.

SEAL

CHARTER REVIEW COMMITTEE  
CITY OF WILDWOOD, FLORIDA

Date: \_\_\_\_\_

Chairperson: \_\_\_\_\_

### **ARTICLE III. – CITY COMMISSION ADMINISTRATION**

#### Section 3-1. – Form of government.

The form of government of the City, provided for under this Charter, shall be that known as the “Commissioner-Manager” form.

#### Section 3-2. – Composition of City Commission.

There shall be a City Commission (hereinafter described as “Commission”) with the legislative powers of the City vested therein, except as otherwise provided herein. The City Commission shall consist of a Mayor-Commissioner and four (4) members (hereinafter described as “Commission Members”) whose term of office shall be four (4) years and who shall be elected by the City electors at large. The seats on the City Commission shall be identified as seats one through five. There shall be no term limits imposed upon any Commission Member and each Commission Member shall be eligible for reelection at the end of their respective term.

#### Section 3-3. – Powers of the City Commission.

1. *Generally.* The City Commission shall have the legislative powers of the City, including the power to pass ordinances, adopt resolutions, and appoint such officers, boards, and commissions by resolution as is provided in this Charter and to exercise all other powers provided for by this Charter and federal, state, and local law.

2. *Exceptions.* All powers of the City, except as otherwise provided by this Charter or by state law, are hereby vested in the City Commission; and except as otherwise provided by this Charter or by state law, the City Commission may by ordinance or resolution prescribe the manner in which any powers of the City shall be exercised.

#### Section 3-4. – Functions and power of the Mayor-Commissioner.

The Mayor-Commissioner shall preside at meetings of the City Commission, shall retain all rights and privileges provided for members of the City Commission in this Charter, shall be recognized as head of City government for all ceremonial purposes, by the governor for purposes of military law, for service of process, execution of contracts, deeds, bonds, revenue certificates, negotiable instruments, evidence of indebtedness, or other instruments in writing to which the City shall be a party when authorized so to do by the City Commission, and as the City official designated to represent the City in all agreements with other governmental entities or certifications to other governmental entities. The Mayor-Commissioner shall have no other administrative duties except as required to carry out the responsibilities herein.

The Mayor-Commissioner shall have the right to vote upon all questions and matters before the City Commission, but there shall be no veto power vested in the Mayor-Commissioner. He or she shall vote last upon the roll call of City Commissioners.

#### Section 3-5. – Selection and duties of Mayor-Commissioner pro tem.

At the first regular meeting following each regular municipal election, at which meeting newly elected City Commissioners assume their duties of office, the five (5) City Commissioners shall select one of their number, exclusive of the Mayor-Commissioner, to act as Mayor-Commissioner pro tem. The Mayor-Commissioner pro tem, when selected by a majority vote of the City Commissioners voting, shall have all the powers and duties of the Mayor-Commissioner in the absence of the Mayor-Commissioner

or his or her inability to act, whether by reason of his or her death, resignation, impeachment, sickness, mental or physical, or for any other reason and the City Clerk shall certify as to the absence from the City of the Mayor-Commissioner or his or her inability to act, upon demand, when the Mayor-Commissioner is absent from the City or unable to act.

Section 3-6. – Compensation and expenses.

The City Commission may determine the annual salary of Commission Members by ordinance. However, no ordinance increasing such salary shall become effective until the date of commencement of the term of Commission Members elected at the next General Election. Each Commission Member shall be entitled to reimbursement for allowable expenses in accordance with City ordinances.

Section 3-7. – Vacancies; forfeiture of office; suspension; recall; filling of vacancies.

1. *Vacancies.* A vacancy in the office of the Mayor-Commissioner or of a City Commission seat shall occur upon any of the following: upon the death of the incumbent; removal from office as authorized by law; resignation; appointment to other public office which creates dual office holding; judicially determined incompetence; or forfeiture of office as herein described.

2. *Forfeiture of office.* The City Commission shall have the power and authority to impeach or remove the Mayor-Commissioner or any member of the City Commission after due notice to said member and an opportunity to be heard in his or her defense. The Mayor-Commissioner or any other Commission Member shall forfeit his or her office upon determination by the City Commission, acting as a body, that he or she:

- a. Lacks at any time, or fails to maintain during his or her term of office, any qualification for the office prescribed by this Charter or otherwise required by law;
- b. Is convicted of a felony, or enters a plea of guilty or nolo contendere to a crime punishable as a felony, even if adjudication of guilt has been withheld;
- c. Is convicted of a first degree misdemeanor arising directly out of his or her official conduct or duties or enters a plea of guilty or nolo contendere thereto, even if adjudication of guilt has been withheld;
- d. Is found to have committed a crime of moral turpitude or has violated any standard of conduct or code of ethics established by law for public officials and has been suspended from office by the Governor, unless subsequently reinstated as provided by law;
- e. Is absent from three consecutive regular City Commission meetings without being excused by the City Commission;
- f. Has demonstrated or shown incompetence, corruption, misconduct, malfeasance while in office; or
- g. For any other good and sufficient causes.

3. *Suspension from office.* The Mayor-Commissioner or any other Commission Member shall be suspended from office by the City Commission acting as a body upon return of an indictment or issuance of any information charging the Commission Member or Mayor-Commissioner with any crime which is punishable as a felony or with any crime arising out of his or her official conduct or duties which is punishable as a misdemeanor. Pursuant thereto:

a. During the period of suspension, the Mayor-Commissioner or the Commission Member shall not perform any official act, duty, or function or receive any allowance, emolument, or privilege of office.

b. If the Mayor-Commissioner or the Commission Member is subsequently found not guilty of the charge, or if the charge is otherwise dismissed or altered so that suspension would no longer be required as provided herein, the suspension shall be lifted by the City Commission, and the Commission Member or Mayor-Commissioner shall be entitled to receive full back allowances and such other emoluments as he or she would have been entitled to had the suspension not occurred.

4. *Recall.* The qualified voters of the City shall have the power to recall and to remove from office any elected official of the City as provided by state law.

5. *Filling of vacancies.*

a. If, for any reason other than recall, a vacancy occurs in the office of Mayor-Commissioner, the Mayor-Commissioner pro tem shall assume the position of Mayor-Commissioner. A Special Election shall be called as outlined in Section 5-5(3)(a) of Article IV within thirty (30) days following the occurrence of such vacancy. The Special Election for Mayor-Commissioner shall be for the remainder of the unfilled term.

b. If, for any reason other than recall, a vacancy occurs in the office of any City Commission seat within the first two (2) years of a term, the office shall be filled by appointment within thirty (30) days following the occurrence of such vacancy by a majority vote of the remaining Commission Members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the remaining two (2) years of the original term, thereby continuing the original staggering of district seats.

c. If, for any reason other than recall, a vacancy occurs in the office of any City Commission seat within the last two (2) years of a term, the office shall be filled by appointment within thirty (30) days following the occurrence of such vacancy by a majority vote of the remaining Commission Members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the regular four-year term.

d. If a vacancy occurs as a result of a Recall Petition, such vacancy will be filled by Special Election.

e. Any person appointed to fill a vacant seat on the City Commission is required to meet all the qualifications for office.

Section 3-8. – Conduct of meetings.

1. *Rules.* The City Commission shall conduct its meetings in accordance with Roberts Rules of Order. The City Commission may adopt its own rules and procedures from time to time by resolution or ordinance.

2. *Disruptive, disorderly persons; contempt.* The City Commission shall have the power to expel any member of the audience who is disorderly while the City Commission is in session.

Section 3-9. – Regular meetings.

On the second Monday in January, at 7:00p.m., the City Commission shall meet at the usual place of holding meetings, at which time the newly elected City Commissioners shall take office. Thereafter, the City Commission shall meet regularly at least once in every month at such times and places as the City Commission may prescribe by rule or resolution.

The meetings of the City Commission shall be open to the public, and any citizen shall have access to the minutes and records thereof at all reasonable times and under the supervision of the City Clerk of his or her designee.

Section 3-10. – Manner of calling special meetings.

Special meetings may be held on the call of the Mayor-Commissioner, Mayor-Commissioner pro tem, a majority of Commission Members, or the Manager upon proper notice to each Commission Member which may be served personally, transmitted by electronic mail to the address last filed by each Commission Member with the City Clerk, or left at the Commission Member's usual place of residence or business. The regularity or validity of any proceedings, taken at any special meeting at which a majority of members of the City Commission and the Manager is present, shall not be questioned on account of any omission or irregularity in calling such special meeting.

The public shall be properly noticed as required under state law.

Section 3-11. – Required vote for City Commission action.

The affirmative vote of three members of the City Commission shall be necessary to adopt ordinances and resolutions. The vote on all ordinances and resolutions shall be taken by yeas or nays and entered in the minutes kept by the City Clerk or his or her designee. No other action of the City Commission shall be valid or binding unless adopted by the affirmative vote of a majority of a quorum present. No Commission Member shall be excused from voting, except on matters involving the consideration of his or her own official conduct or when his or her financial interests are involved.

The majority of the City Commission must be physically present to constitute a quorum. A lesser number may adjourn from time to time and compel the attendance of absent members in such a manner and under such penalties as may be prescribed by ordinance.

Section 3-12. – Committees.

The City Commission shall provide by ordinance or resolution for such standing and ad hoc committees as they deem necessary, fixing the number of members that shall compose each respective committee, and prescribing their responsibilities and duties.

Section 3-13. – Interference with appointment of employees or City officers.

1. *Appointments and removals.* Except as otherwise provided in this Charter, neither the City Commission nor any of its members shall in any manner dictate the appointment or removal of any City officers or employees whom the Manager or his or her subordinates are empowered to appoint. However, the City Commissioner may express its views and fully and freely discuss with the Manager anything pertaining to appointment and removal of such officers and employees.

2. *Interference with administration.* Except for the purpose of inquiries and investigations, the Mayor-Commissioner and the Commission Members shall deal with City officers and employees who are

subject to the direction and supervision of the Manager solely through the Manager, and neither the Mayor-Commissioner nor the Commission Members shall give orders to any such officer or employee, either publicly or privately, except as provided herein. Nothing in the foregoing is to be construed to prohibit the Mayor-Commissioner or Commission Members from closely scrutinizing, by questions directed to the Manager and personal observation, all aspects of City operations so as to obtain independent information to assist in the formulation of sound policies to be considered by the City Commission. It is the express intent of this Charter, however, that recommendations for improvement in City operations by the Mayor-Commissioner and individual Commission Members be made to and through the Manager, so that he or she may coordinate the efforts of each department to achieve the greatest possible savings through the most efficient and sound means available. Nothing in the foregoing will preclude any Commission Member from giving an order to any City officer or employee who is in the process of performing an act which is in violation of this Charter, municipal ordinance or policy, state law, or in such a manner as to endanger life or property.

3. *Holding another office.* No former Commission Member shall hold any compensated appointive City office or employment until one year after the expiration of the term for which he or she was elected. No individual may qualify as a candidate for public office who holds another elective or appointive office, whether state, county, or municipal, the term of which or any part thereof runs concurrently with the term of office for which he or she seeks to qualify without resigning from such office not less than ten (10) days prior to the first day of qualifying for the office he or she intends to seek. Said resignation shall be effective no later than the date upon which he or she would assume office, if elected to the office to which he or she seeks to qualify, the expiration date of the term of the office which he or she presently holds, or the General Election day at which his or her successor is elected, whichever occurs earliest.

#### Section 3-14. – Ordinances and resolutions.

Ordinances and resolutions shall be enacted as provided by general law.

#### Section 3-15. – Records of ordinances and resolutions.

1. *Codification of ordinances.* The City Commission shall keep a properly indexed book to provide for the authentication and recording in full of all ordinances adopted by the City Commission, and the same shall at all times be a public record. The City Commission shall further maintain a current codification of all ordinances. Such codification shall be printed and be made available to the public.

2. *Record of resolutions.* Every resolution shall upon its final passage be kept in a properly indexed resolution book and shall be authenticated by the signature of the presiding officer and the City Clerk. The record shall be verified with the resolution passed. After any resolution has been copied into the resolution book and authenticated by the signature of the presiding officer and the City Clerk, such copy shall be the official resolution, and certified copies of same may be obtained upon request.

3. *Minutes of meetings.* The City Commission shall keep minutes of all meetings in accordance with state law.

4. *Execution of ordinances and resolutions.* All ordinances or resolutions of the City Commission shall be signed by the Mayor-Commissioner or in the Mayor-Commissioner's absence, by the Mayor-Commissioner pro tem, or in the absence of both, by the Acting Mayor-Commissioner, and attested to by the City Clerk. A copy of any ordinance or resolution therefrom, certified by the City Clerk under the seal of the City, shall be received in evidence in any court of the State of Florida.

Section 3-16. – Certified copies of official documents admissible in evidence.

Certified copies of the records, papers, and books of the City and the City officials shall be admissible in evidence in all courts when certified by the lawful custodian of same and attested by said custodian under seal of the City.

Section 3-17. – Oath of office.

Every officer of the City shall, before entering upon the duties of his or her office, take and subscribe to an oath or affirmation to be filed and kept in the office of the City Clerk. Such oath shall be in the form prescribed for state officers by the Constitution of the State.

## ARTICLE IV. – ADMINISTRATIVE OFFICERS AND DEPARTMENTS

### Section 4-1. – Officers.

1. *City Manager.* There shall be a City Manager (“Manager”), who shall be the administrative officer of the City. The Manager shall be responsible to the City Commission for the administration of all City affairs placed in his or her charge by or under this Charter.

2. *Police Chief.* There shall be a Police Chief who shall be designated as the chief law enforcement officer of the City and shall be responsible to the Manager. The Police Chief shall be appointed by the City Commission upon recommendation of the Manager and shall serve under the direction and supervision of the Manager. The City Commission may, at its discretion, enter into a contract with a third party for the provision of law enforcement services. Where the City Commission enters into a contract with a third party, there shall be no need for a Police Chief.

3. *Limitation.* The offices of the Manager and Police Chief shall not be combined.

4. *City Clerk.* There shall be a City Clerk appointed by the Manager subject to City Commission approval, who shall keep the minutes and shall be records custodian.

5. *City Attorney.* The City Commission may employ an attorney or attorneys from time to time, or by the year, to perform such legal services as the City Commission may authorize, designate, and pay such attorney for services rendered.

### Section 4-2. – City Manager: appointment; qualifications; compensation.

The City Commission may appoint a Manager who shall be the administrative head of the City government, under the direction and supervision of the City Commission, and who shall hold office at the pleasure of the City Commission. He or she shall receive such compensation as the City Commission may set by resolution or contract. He or she shall be chosen solely on the basis of his or her executive and administrative qualifications, without regard to his or her political belief, and shall be over the age of 21 years. The City Commission shall have discretion to require that the Manager reside within the City during his or her term of office, but he or she need not be a resident of the city, county, or state at the time of his or her appointment.

### Section 4-3. – Acting City Manager.

During the absence or disability of the Manager, the City Commission may by resolution designate a person with sufficient experience and training to temporarily execute and undertake the executive functions and administrative duties of the office of City Manager. The person thus designated shall have the same powers and duties as the Manager, and shall be known while so serving as “Acting City Manager.”

### Section 4-4. – Removal.

The Manager or Acting City Manager may be removed by the City Commission at any time. However, if removed at any time after having served six months, the Manager may be removed only by the passage of a resolution, designating such removal. The City Commission may suspend him or her from office pending such removal; such suspension may last up to 90 days unless extended by further action of the City Commission. There shall be no appeal by the Manager from the City Commission's action to remove the Manager and the action of the City Commission shall be final and conclusive. The Manager is deemed to have knowledge of this provision of the Charter at the time of his or her employment and such provision shall be construed as a part of his or her contract of employment, if not

specifically included in the contract. The City Commission may provide for additional or alternative removal provisions in any contract entered into by the City Commission and the Manager.

Section 4-5. – Manager: powers and duties.

The Manager shall:

1. Appoint, and when he or she deems it necessary for the good of the City, suspend or remove City employees, heads of department, and appointive administrative officers provided for, by, or under this Charter, except as otherwise provided by law or personnel rules adopted pursuant to this Charter. The Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise any and all necessary powers with respect to subordinates in that department head's or officer's department, office, or agency;
2. Direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by this Charter or by law. With the consent of the City Commission, the Manager may serve as the head of one or more departments, offices, or agencies or may appoint one person as the head of two (2) or more such departments, offices, or agencies;
3. Attend all City Commission meetings and shall have the right to participate in the discussions of the City Commission but may not vote;
4. Ensure that all laws, ordinances, provisions of this Charter, and acts of the City Commission, subject to enforcement by him or her, or by officers subject to his or her direction and supervision, are faithfully executed;
5. Prepare and submit the annual budget and capital program for all departments of the City to the City Commission;
6. Submit to the City Commission and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;
7. Make such other reports as the City Commission may require concerning the operations of City departments, offices, and agencies subject to his or her direction and supervision;
8. Keep the City Commission fully advised as to the financial condition and future needs of the City and make such recommendations to the City Commission concerning the affairs of the City as he or she deems desirable, or as directed by the City Commission;
9. Sign contracts on behalf of the City pursuant to City Commission directive, if signature by the Mayor-Commissioner is impractical under the circumstances; and
10. Perform such other duties as are specified in this Charter or may be required by the City Commission.

Section 4-6. – City Attorney: qualifications; residency; powers; duties.

The City Attorney shall be the chief legal advisor of the City. At the discretion of the City Commission, the City Attorney may either be retained in-house or be independently retained under contract.

1. *Qualifications.* The City Attorney shall be a member of the Florida Bar and in good standing with the Florida Bar.

2. *Residency.* If retained in-house, the City Attorney shall, within six (6) months of such appointment, establish and maintain residency within the corporate limits of the City. Upon request of the City Attorney, this six-month period may be extended by the City Commission for an additional six-month period. If City Attorney services are independently contracted, such attorney need not be a resident of the City.

3. *Powers and duties.* The City Attorney:

a. Shall serve as chief legal advisor to the City Commission, the City Manager, and all City departments, offices, City advisory boards, Commission-appointed committees, and agencies.

b. If in-house, the City Attorney shall have the discretion to appoint, suspend, or remove such assistant attorneys as may be required. The remainder of the staff of the office of City Attorney shall be employees of the City, appointed, suspended, or removed under the regular personnel policies and procedures of the City. If City Attorney services are contracted, the Manager may appoint, suspend, or remove any in-house assistant attorneys as may be required.

c. The City Attorney or designee is required to attend all City Commission meetings unless excused by the City Commission. Further, the City Attorney shall perform such other professional duties as may be required by law or by the City Commission in furtherance of the law. The City Attorney may represent the City in all legal proceedings.

4. The City Commission may remove the City Attorney for any reason with good cause shown, by a majority vote of its total membership, at any properly noticed regularly scheduled or special meeting.

Section 4-7. – Police Chief: powers and duties.

1. The Police Chief shall be the chief law enforcement officer of the City and shall aid in the enforcement of order in the City. He or she shall perform such duties appropriate to his or her office as may be imposed upon him or her by the law, the ordinances of the City, the direction of the Manager, or the City Commission.

2. He or she shall be head of the police department and charged with the responsibility of supervising and directing the enforcement of all state and local laws and ordinances applicable to the City, except when the City Commission has entered into a contract with a third party to provide such services.

3. The Police Chief shall perform such other duties that are specified by the Manager.

4. The Police Chief shall attend in-person or by deputy all meetings of the City Commission.

5. The City Commission shall have discretion to require that the Police Chief reside within the City during his or her term of office, but he or she need not be a resident of the city, county, or state at the time of his or her appointment.

Section 4-8. – City Clerk: powers and duties.

The City Clerk shall be head of the department of records and custodian of all official records of the City, be responsible to the City Commission for the proper administration of all affairs concerning the records of the City placed under the City Clerk's authority under this Charter, and shall:

1. Serve as Clerk to the City Commission and recorder of all its official actions, including, but not limited to, keeping minutes of its proceedings;
2. Attest all bonds, contracts, and other instruments on behalf of the City;
3. Maintain all documents and records in the custody of the Clerk in accordance with Florida law and authenticate documents of the City where required and be custodian of the City seal; and
4. Administer oaths required or authorized under any state law, ordinance, or this Charter.

Additionally, the City Clerk may act as the Chief Financial Officer of the City. The City Clerk shall also perform such other duties as prescribed by law or by this Charter or by any ordinances of the City or by direction of the City Commission or the Manager.

Section 4-9. – Compensation of officers and employees.

The City Commission shall by resolution or contract set the compensation of the Manager, Police Chief, and City Attorney. The Manager, with the approval of the City Commission, shall fix the compensation and rate of pay of all other officers and employees of the City.