



CITY OF LYNN HAVEN, FLORIDA

AGENDA

NOTICE

CHARTER REVIEW COMMITTEE MEETING - WED, JANUARY 7TH, 2026 – 5:00 P.M.
WALTER T. KELLEY CHAMBERS – CITY HALL - 825 OHIO AVENUE
THE PUBLIC IS INVITED TO ATTEND

AGENDA

Item #1. Chairman called the meeting to order and asked the Interim City Manager to call the roll.

Item #2. Additions, Deletions, Modifications of Agenda

Item #3. Approval of minutes of 12/10/25

Item #4. Review Article I Sec. 6 - 7

Item #5. Public Commentary

Item #6. Next Meeting

Item #7. Adjourn



Minutes – Charter Review Advisory Committee CITY OF LYNN HAVEN, FLORIDA

WEDNESDAY, DECEMBER 10TH, 2025
CHARTER REVIEW COMMITTEE MEETING – 5:00 P.M.

Present: Corey Langford, Chair
Ryan Scray, Vice Chair
James Marler
Thomas Tucker
David Switzer [arrived 5.32pm]
Chris Lightfoot, Interim City Manager
Amy Myers, City Attorney

Item #1. Call to Order and Roll Call

The Chair called the meeting to order at 5.02pm and the Interim City Manager called Roll.

Item #2. Additions, Deletions, Modifications of Agenda

The Chair called for any Additions, Deletions, Modifications of the Agenda.

None.

Item #3. Approval of minutes of 11/05/25

The Chair called for a motion to approve the minutes of the previous meeting held on 25/11/05.

Motion by Mr. Scray to approve the minutes of 25/11/05.

Second to the Motion: Mr. Tucker

On Vote:

Scray aye

Tucker aye

Marler aye

Langford aye

Motion passed: 4-0

Item #4. Considering an amendment to the City’s Charter to establish the office of City Clerk

The committee considered the establishment of the office of the City Clerk in the Charter S21, and S29 City Clerk – Appointment, duties.

TEMPLATE - The City Clerk serves as the official custodian and record-keeper of the City, responsible for maintaining all ordinances, resolutions, minutes, contracts, and other public documents; preparing and keeping accurate minutes of Commission meetings; managing public records requests; administering oaths; overseeing municipal elections as required by law; and ensuring proper retention, organization, and accessibility of all City records. The Clerk performs these duties independently and in accordance with state law, established policies, and other direction from the City Commission.

To keep the section numbering as S29A and S29B and not use Section 30.

Committee will review the clean updated document at the next meeting.

Must remember to update the City Manager section to remove the City Clerk certify elections.

S14 will also need updating.

Motion by Mr. Scray to approve the changes discussed.
Second to the Motion: Mr. Switzer

Public Comments:

Mrs. Parker – Feels the Whistleblower requirement should be removed as it is a Federal Law.
Mr. Walker – Feels the Clerk is a Clerk of the City not of the Commission. Provided his opinion that the Commission is not the one that should be writing the document as it is the people’s document. The last Charter Review Board was a shambles and run by the City Manager who Should not have been there. Most of the old information has an ordinance.

Mr. Scray – Florida Statute says that the employee must make the complaint to an appropriate official. The employee policy specifies the City Manager. Wants to empower staff by giving them other options.

Mr. Switzer – is a city clerk qualified to handle HR issues? It can be very sensitive.

Mrs. Rushing – confirmed that municipal clerks undergo official certification that covers HR, Employment law, financial management, etc.

On Vote:

Scray	aye	
Switzer	aye	
Tucker	aye	
Marler	aye	
Langford	aye	Motion passed: 5-0

Meeting recessed at 6.28pm

Meeting reconvened at 6.33pm

Item #5. Review Article I Sec. 1 - 7

The committee began the review of Article I Sec. 1-7.

Mr. Langford asked the committee if they wished to finish at sec 1-5 and focus on sec. 6 at the next meeting.

Motion by Mr. Scray to approve changes made in Sec. 1-5
Second to the Motion: Mr. Marler

Public Commentary:

Mr. Walker – section one says you’re cancelling the form of government but not telling you the type of government. What form of government are you going for?

On Vote:

Scray	aye	
Marler	aye	
Tucker	aye	
Switzer	aye	
Langford	aye	Motion passed: 5-0

S6 – to add:

Mr. Scray would like to add:

“Separation of Powers in Administration

The City Commission shall act in all matters as a body. All actions of the commission require affirmative votes of at least a majority of the commission currently elected or appointed, regardless of how many members are present for quorum. Neither the Mayor-Commissioner nor any Commissioner shall individually direct or interfere with the performance of duties by the City Manager or by city employees under their supervision. Administrative authority

and day-to-day operations of the City are vested exclusively in the City Manager. The Mayor-Commissioner role shall be limited to presiding over meetings, representing the City ceremonially, and carrying out duties expressly delegated by this Charter or by ordinance approved by the Commission.”

Mr. Scray spoke would like a restriction for majority of 3 for all meetings; and to define exceptions for emergencies)

Mr. Lightfoot: Non Ad-valorem must be used for stormwater or any type of improvements, and not transferred to any other funds like labor

Mr. Lightfoot – start dates / end dates on Non Ad-valorem – if the governor ends property taxes, we will have to revisit each year. City Attorney – they must be done every year anyway.

Mr. Scray – can all send their recommended updates to CJ before the next meeting.

Mr. Scray suggested talking about Form of Government in S10.

Item #6. Public Commentary

The Chair opened the floor to the public for public commentary.

Mr. Walker – you must identify the problem to fix the problem. The problem here is the charter and it needs to be re-written by people who know what they are doing, instead of band aids on each section. You have no city manager, no mayor, two missing directors, and two directors involved in a conspiracy against the former city manager.

Mr. Scray asked who Mr. Walker thinks is qualified to review the charter.

Mr. Walker –parliamentarian and legal people at the head at FSU.

Mr. Scray – what form of government?

Mr. Walker – Strong Mayor-Commissioner

City Attorney said that Springfield and Parker are strong Mayor.

City Attorney asked that they send her their input ahead so she can research ahead of the meeting.

Item #7. Next Meeting

The Chair sought feedback on a date for the next meeting.

January 14th at 5pm should be the next meeting.

Mr. Tucker said he will be away that week.

Motion by Mr. Scray to hold the next meetings on January 7th and 28th at 5pm.

Second to the Motion: Mr. Tucker

On Vote:

Scray	aye
Tucker	aye
Marler	aye
Switzer	aye
Langford	aye

Motion passed: 5-0

Item #8. Adjourn.

There being no further business and the meeting adjourned at 7.15P.M.

APPROVED THIS ____ DAY OF _____ 2026.

Corey Langford, Chairman

ATTEST:

Chris Lightfoot, Interim City Manager

prepared by Ciceia J Rushing

PART I

CHARTER*

Article I. In General

- Sec. 1. Existing municipality abolished.
- Sec. 2. Title to property reserved to new municipality.
- Sec. 3. Contracts remain binding.
- Sec. 4. New municipality created.
- Sec. 5. Boundaries.
- Sec. 6. Powers vested in Commission; designating manner of exercise; abandoned property; payment of ad valorem taxes.
- Sec. 6A. [Reserved.]
- Sec. 7. Same-Generally.
- Sec. 8. Same-Police power; general penalty.
- Sec. 9. General laws to apply.
- Sec. 9A. Charter Review.

Article II. City Commission

- Sec. 10. Form of government.
- Sec. 11. Creation; election of members; term limits.
- Sec. 11A. Mayor Commissioner and Commissioner Compensation.
- Sec. 12. Qualifications of members; prohibited interest in City contracts; prohibiting former members from employment.
- Sec. 13. [Reserved.]
- Sec. 14. Judge of own elections; felony convictions.
- Sec. 15. Vacancies.
- Sec. 16. General law governing City Councils extended to Commissioners.
- Sec. 17. Mayor-Constued.
- Sec. 18. Same-Functions and duties.
- Sec. 19. Advisory Boards.

***Editor's note--**This compilation consists of the Charter, Laws of Fla. (1951), ch. 27685, and all subsequent acts relating to the City of Lynn Haven including Laws of Fla. (1933), ch. 16536, and Laws of Fla. (1937), ch. 18668, which were apparently not superseded by Laws of Fla. (1951), ch. 18668. A comparative table will be found immediately following the Charter which shows the disposition of these acts. The provisions of these acts have been arranged by subject matter and numbered consecutively from one through 129 for purposes of indexing and ease of reference. The origin of all sections is given in a historical citation enclosed in parentheses following each section. Where a section or act has been amended, superseded, or repealed by a later act, the amended section will list the amendatory acts in chronological order. Only the latest amendment, however, will be set out herein. The editors have supplied catchlines where necessary, inserted material in brackets where necessary to correct obvious errors or for clarification, and have omitted all titles and enacting, repealing, severability and effective date clauses. The absence of a history note indicates that the provision remains unchanged from the original act. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used.

Subsequently, Ord. No. 711, § 1, adopted Feb. 27, 2001, amended, renumbered, and repealed various sections of the Charter. The user's attention is directed to the Charter Comparative Table for a detailed analysis of inclusion of said Ord. No. 711.

LYNN HAVEN CODE

Article III. Officers and Employees

- Sec. 20. Incumbents holding office.
- Sec. 21. Officers and Departments enumerated.
- Sec. 22. Compensation.
- Sec. 23. Civil service system.
- Sec. 24. City Manager-Appointment; qualifications; substitute.
- Sec. 25. Same-Removal.
- Sec. 26. Same-Functions and Responsibilities.
- Sec. 27. City attorney-Appointment; duties.
- Sec. 28. [Reserved].
- Sec. 29. Same-Qualifications.
- Sec. 30. [Reserved].

Article IV. Elections

- Sec. 31. Qualifications and election of City Commission Candidates.
- Sec. 32. Canvass of returns.

CHARTER

ARTICLE I. IN GENERAL

Sec. 1. Existing municipality abolished.

The present municipal government existing under the name of the City of Lynn Haven, Florida be and the same is, hereby abolished.

(Laws of Fla. (1951), ch. 27685, § 1)

Sec. 2. Title to property reserved to new municipality.

The title, rights, and ownership of property, collected and uncollected taxes, dues, claims, judgments, moneys, decrees and choses in action, held or owned by the City of Lynn Haven, under its present or any former charter, shall pass to, and be vested in the municipal corporation organized by and under this act to succeed the municipality abolished.

(Laws of Fla. (1951), ch. 27685, § 2)

Sec. 3. Contracts remain binding.

No debt, obligation, or contract of the City of Lynn Haven, Florida, including bonds and debentures issued, shall be impaired or avoided by this act, but such debts, obligations, contracts, bonds and debentures shall pass to and be binding upon the new municipality which is organized and created.

(Laws of Fla. (1951), ch. 27685, § 3)

Sec. 4. New municipality created.

The inhabitants of the City of Lynn Haven, Florida, as its limits are hereafter established, or as such limits may be hereafter established, shall be and continue to be a body politic and corporate to be known and designated as the "City of Lynn Haven," and as such shall have perpetual succession, may have and use a common seal which it may change at pleasure, may contract and be contracted with, may sue and be sued, and may plead and be impleaded in all of the courts of this State.

(Laws of Fla. (1951), ch. 27685, § 5)

Sec. 5. Boundaries.

The corporate limits of the City of Lynn Haven in Bay County, Florida, be, and the same are hereby fixed, defined and established so as to include the following lands and territory in said County of Bay in the State of Florida, to-wit:

[The boundary description of the city is not printed herein but is on file in the City Manager's office.]

The territorial limits may be changed; enlarged or contracted in the manner provided by the general law. The jurisdiction of the City of Lynn Haven shall extend over all persons and property, franchises and privileges located or coming within said limits, and over and upon any

property the city may own or possess for municipal purposes outside of said limits.
(Laws of Fla. (1951), ch. 27685, § 6)

State law reference--Extension of municipal territorial limits, F.S. ch. 171.

Sec. 6. Powers vested in Commission; designating manner of exercise; abandoned property; payment of ad valorem taxes.

All powers of the City except as otherwise provided by this Charter or by the Constitution of the State, are vested in the City Commission, and except as otherwise provided by this Charter or by the Constitution of the State, the City Commission may by ordinance or resolution prescribe the manner in which any power of the city shall be exercised.

Mr. Scray would like to add:

“Separation of Powers in Administration

The City Commission shall act in all matters as a body. All actions of the commission require affirmative votes of at least a majority of the commission currently elected or appointed, regardless of how many members are present for quorum. Neither the Mayor-Commissioner nor any Commissioner shall individually direct or interfere with the performance of duties by the City Manager or by city employees under their supervision. Administrative authority and day-to-day operations of the City are vested exclusively in the City Manager. The Mayor-Commissioner role shall be limited to presiding over meetings, representing the City ceremonially, and carrying out duties expressly delegated by this Charter or by ordinance approved by the Commission”.

- City Attorney will review Mr. Scray’s queries about powers of the Commission and majority or super vote.

Non ad-valorem Assessments:

should have term limits

cap on annual increases (to match the fire assessment)

require assessment to be placed on the ballot for residents to vote

can increase above cap only if done on the ballot at each election.

Mr. Lightfoot: non ad-valorem must be used for stormwater or any type of improvements, and not transferred to any other funds.

Mr. Scray will email citizens’ rights paragraph to CJ.

(Laws of Fla. (1951), ch. 27685, § 10; Laws of Fla. ch. 61-2434, § 1)

Editor's note--This section has been editorially amended to delete the reference to municipal courts as municipal courts were abolished pursuant to art. V, § 4(d) of the Florida Constitution. The provision regarding abandoned property on public streets, etc., has been deleted as superseded by F.S. § 705.101 et seq. The statement regarding payment of ad valorem taxes has been editorially deleted as superseded by F.S. ch. 192 et seq. The provision regarding vacating streets, plats, etc., has been editorially transferred to the Code of Ordinances as certain provisions of a Charter adopted prior to July 1, 1973, and not subsequently amended by

referendum have been converted to ordinances by operation of F.S. § 166.021(5). This section is section 58-26 in the Code of Ordinances.

Sec. 6A. [Reserved.]

Editor's note--Ord. No. 711, § 1, adopted Feb. 27, 2001, repealed § 6A which pertained to corporate limits enlarged. See the Charter Comparative Table.

Sec. 7. Same-Generally.

The City of Lynn Haven hereby created, established and organized, shall have full power and authority to acquire, take, hold and control property real, personal and mixed, both within and without its corporate limits for the use, benefit, welfare and best interest of said municipality, by purchase, lease, grant, gift, devise, condemnation or otherwise, and to sell, lease or otherwise dispose of such property for the benefits of said municipality to the same extent that a natural person might or could do; to issue and sell bonds, debentures and certificates of indebtedness or other obligations, upon its property both within and without its corporate limits, or in the earnings thereof, or both, for any lawful municipal purpose.

(Laws of Fla. (1951), ch. 27685, § 7; Ord. No. 711, § 1, 2-27-01/4-25-01)

Editor's note--Parts of this section regarding enumerated powers which have not been amended by referendum after July 1, 1973, and which are not extraterritorial powers have been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and RS. ch. 166 and the provisions regarding planning have been superseded by F.S. § 163.3161 et seq.

Sec. 8. Same-Police power; general penalty.

The City Commission shall have power to pass all such ordinances and laws, not inconsistent with the Constitution and laws of the United States and of this State, as may be expedient and necessary for the preservation of the public safety, peace and order.

(Laws of Fla. (1951), ch. 27685, § 106)

Editor's note--Parts of this section which have not been amended by referendum after July 1, 1973, and which are not extraterritorial powers have been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

Sec. 9. General laws to apply.

All general laws of the State applicable to municipal corporations, now or which are to be enacted, and which are not in conflict with the provisions of this Charter or with the ordinances and resolutions enacted by the City Commission, shall be applicable to this City; provided, however, that nothing contained in this Charter shall be construed as limiting the power of the City Commission to enact any ordinance or resolution not in conflict with the Constitution of the State or with the express provisions of this Charter.

(Laws of Fla. (1951), ch. 27685, § 107)

State law reference--Municipal home rule powers, F.S. ch. 166.

Sec. 9A. Charter Review.

This Charter shall be reviewed by a Committee appointed by resolution of the City Commission every five years.

Editor's note--Ord. No. 711, § 1, adopted Feb. 27, 2001, repealed § 9A, which pertained to procedure for amending charter. See the Charter Comparative Table.

ARTICLE II. CITY COMMISSION*

Sec. 10. Form of government.

The form of government of the City of Lynn Haven provided for under this act [Laws of Fla. (1951), ch. 27685] shall be known as the "Commission-Manager Plan." The City Commission shall constitute the governing body with powers to pass ordinances, adopt resolutions and appoint a chief administrative officer to be known as the "City Manager."

(Laws of Fla. (1951), ch. 27685, § 8; Ord. No. 711, § 1, 2-27-01/4-25-01)

State law reference--Municipal home rule powers, F.S. ch. 166.

Sec. 11. Creation; election of members; term limits.

A City Commission is hereby created to consist of a Mayor-Commissioner and four Commissioners who shall be qualified as hereafter prescribed and whose term of office shall begin immediately following the canvass of and certification of election returns as provided herein Elections shall be held on the Tuesday immediately following the third Monday in April with any necessary run-off election to be held the Tuesday immediately following the third Monday in May. The City shall hold elections for the Mayor-Commissioner and Commissioners every year ending in an odd number after the election of 2009. The Mayor-Commissioner and Commissioner seats one and two shall be elected every four years starting with the election of 2011. Commissioner seats three and four shall be elected every four years starting with the election of 2009. The Mayor-Commissioner and the Commissioners shall be elected at large in the City. The incumbent shall hold office until a successor is elected and qualified as herein provided. No Commissioner shall serve more than 2 consecutive four-year terms in office, plus 2 consecutive four-year terms as Mayor, not inclusive of any partial terms. In order to serve any further terms as Mayor or Commissioner, such person shall have been out of office a minimum of two years.

***Code reference**--City commission, § 2-26 et seq.

State law references--Code of ethics, F.S. § 112.311 et seq.; open records law, F.S. ch. 119; open meetings law, F.S. § 286.011 et seq. (Laws of Fla. (1951), ch. 27685, § 9; Laws of Fla. ch. 69-1271, § 1; Ord. No. 711, § 1, 2-27-01/4-25-01; Ord. No. 754, § 1, 10-14-03/9-9-03); Ord. No. 868, § 1, 1-23-07/4-17-07)

Sec. 11A. Mayor-Commissioner and Commissioner Compensation.

Compensation for the Mayor-Commissioner shall be \$1,500.00 per month and each Commissioner shall be \$1,250.00 per month, with a cost of living adjustment each fiscal year consistent with any such adjustment given to the employees of the City, so long as said adjustment is approved in the annual budget.

Sec. 12. Qualifications of members; prohibited interest in City contracts; prohibiting former members from employment.

Members of the Commission shall be qualified electors and residents of the City. Officers and employees of the City shall not be interested in the profits or emoluments of any contract, work or service for the City, and any such contract in which any member is, or may become interested, shall be declared void by the Commission. Members of the Commission shall not

become employed by the City for a period of not less than two years after leaving office.
(Laws of Fla. (1951), ch. 27685, § 11; Ord. No. 711, § 1, 2-27-01/4-25-01)

Sec. 13. [Reserved.]

Editor's note--Ord. No. 711, § 1, adopted Feb. 27, 201, repealed § 13, which pertained to candidates prohibited from making certain promises. See the Charter Comparative Table.

Sec. 14. Judge of own elections; felony convictions.

The Commission shall be the judge of the election and qualification of its own members subject to review by the courts. The Commission shall serve as the Canvassing Board. Any member of the Commission who shall be convicted of felony while in office shall immediately forfeit his office.

(Laws of Fla. (1951), ch. 27685, § 13; Ord. No. 711, § 1, 2-27-01/4-25-01)

Sec. 14A. Background checks for City Manager, City Clerk, and Department Heads

The City of Lynn Haven shall conduct a Level 2 Background check, including but not limited to sex offender registry checks, and criminal background checks, on the City Manager, City Clerk, and every Department Head. The convictions not acceptable for employment with the City of Lynn Haven shall include but not be limited to violent crimes, drug sales, sex offense charges, and/or crimes of moral turpitude including but not limited to, theft, embezzlement, rape, forgery, and solicitation of prostitutes, and pornography.

Sec. 15. Vacancies.

Any vacancy in the Commission may be filled until the next regular municipal election by vote of the remaining members of the Commission; provided that if such vacancy is not filled within thirty (30) days after it shall have occurred, appointment to fill such vacancy shall be made by the Governor of the State of Florida and provided further, that vacancies resulting from a recall election shall be filled in the manner hereafter prescribed.

(Laws of Fla. (1951), ch. 27685, § 14)

State law reference--Filling of vacancies by the Governor, F.S. § 112.51(3) Sec. 16. General law governing City Councils extended to Commissioners.

Any right or authority given or permitted by the Constitution and laws of the State of Florida to City Councils not inconsistent with the provisions of this Act shall be given, permitted and extended to the City Commissioners of the City of Lynn Haven.

(Laws of Fla. (1951); ch. 27685, § 108; Ord. No. 711, § 1, 2-27-01/4-25-0i)

State law reference--Municipal home rule powers, F.S. ch. 166.

Note--Formerly § 20.

Sec. 17. Mayor-Constued.

Whenever the term Mayor is used in this Charter, it is understood to refer to the Mayor-Commissioner.

(Laws of Fla. (1951), ch. 27685, § 15; Ord. No. 711, § 1, 2-27-01/4-25-01)

Note--Formerly § 21.

Sec. 18. Same-Functions and duties.

The Mayor shall preside at all meetings of the Commission and perform such other duties consistent with his office as may be imposed upon him by the Commission and he shall have a voice and a vote in the proceedings of the Commission, but no veto power. He shall use the title of Mayor in any case in which the execution of legal instruments in writing, or other necessity arising from the general laws of the State, so requires. He shall be recognized as the official head of the City by the Courts for the purpose of serving civil processes; by the government in the exercise of military law, and for all ceremonial purposes, and shall countersign all checks and vouchers prepared by the City Manager. He may take command of the police and fire departments and govern the city by proclamation during the times of grave public danger or emergency, and he shall himself be the judge of what constitutes such danger or emergency. The powers and duties of the Mayor shall be such as are conferred upon him by this Charter and by the City Commission in pursuance of the provisions of this Charter, and no others. Annually at the first Commission meeting in May the members of the City Commission shall appoint a Mayor Pro Tem to serve in the Mayor's absence. No Commissioner may serve as Mayor Pro Tem more than once during a four-year term.

(Laws of Fla. (1951), ch. 27685, § 16; Ord. No. 711, § 1, 2-27-01/4-25-01)

Note--Formerly § 22.

Sec. 19. Advisory Boards.

The City Commission may at any time appoint an Advisory Board (or Boards), composed of men and women who are residents of the City of Lynn Haven and who are not disenfranchised by law. These people shall act in an advisory capacity to the City Commission or City Manager with respect to the management of City property or the exercise of any public function. An individual shall only serve on one standing Board at a time. Service by an individual on a standing Board, except the Planning Commission, is limited to six (6) consecutive years. An individual on the Planning Commission shall not serve more than eight (8) consecutive years.

(Laws of Fla. (1951), ch. 27685, § 51; Ord. No. 711, § 1, 2-27-01/4-25-01)

Editor's note--The reference to freeholder in this section has been deleted as it is of questionable validity pursuant to a decision in *Turner v. Fouche*, 396 U.S. 346 (1969).

Note--Formerly § 25.

ARTICLE III. OFFICERS AND EMPLOYEES*

Sec. 20. Incumbents holding office.

All officers elected or appointed and holding office in the City shall continue to hold their respective offices and to discharge the duties thereof until their successors are elected and confirmed under the provisions of this act [Laws of Fla. (1951), ch. 27685]; provided, that if no such successors are clearly provided for in this act [Laws of Fla. (1951), ch. 27685], then such officers shall hold office and discharge their duties only during the pleasure of the City Commission herein created; and all existing ordinances of the City, not in conflict with the provisions of this act [Laws of Fla. (1951), ch. 27685], shall continue in effect and unimpaired until repealed, amended or modified by the City which is hereby organized and created. (Laws of Fla. (1951), ch. 27685, § 4; Ord. No. 711, § 1, 2-27-01/4-25-01)

Editor's note--Laws of Fla. (1951), ch. 27685, became effective on June 11, 1951.

Note--Formerly §.26.

Sec. 21. Officers and Departments enumerated.

- A. Officers of the City of Lynn Haven shall consist of a City Manager, City Clerk, and City Attorney.
- B. The Department Heads of the City of Lynn Haven shall consist of the Police Chief, Fire Chief, Public Works Director, Finance Director and those Departments as established by ordinance.
- C. Department Heads shall be appointed by the City Manager, subject to confirmation by a formal majority vote of the Commission.
- D. In the absence of an appointment by the City Manager, the Mayor-Commissioner shall make such appointments subject to confirmation by formal majority vote of the City Commission.
- E. Nothing herein shall be construed to prevent the City Manager from acting as head of any department, upon his being so accepted by the majority of the City Commission.

(Laws of Fla. (1951), ch. 27685, § 27; Ord. No. 711, § 1, 2-27-01/4-25-01)

Note--Formerly § 27.

Code reference--Officers and employees, § 2-106 et seq.

Sec. 22. Compensation.

The Commission shall fix by ordinance, the compensation of all City employees and members of Boards. The compensation so fixed, shall be uniform for like services in each grade of the City service as the same shall be graded or classified by the City Manager, or the City Commission.

(Laws of Fla. (1951), ch. 27685, § 94; Ord. No. 711, § 1, 2-27-01/4-25-01)

Note--Formerly § 28.

***Code reference**--Officers and employees, § 2-106 et seq.

Sec. 23. Civil service system.

The City Commission of Lynn Haven, Florida may, at its discretion, institute a civil service system for hiring and discharging its employees.

(Laws of Fla. (1951), ch. 27685, § 104; Ord. No. 711, § 1, 2-2 001/4--25-01)

Note--Formerly § 31.

Sec. 24. City Manager--Appointment; qualifications; substitute.

The City Commission shall appoint a City Manager who shall be the administrative head of the municipal government under the direction and supervision of the City Commission and shall hold office at the pleasure of the City Commission. He shall be chosen solely on the basis of his executive and administrative qualifications, without regard to his political belief, and he need not be a resident of the City or State at the time of his appointment, but during his tenure of office he shall reside in the City. In the absence of a Deputy City Manager, during the absence or disability of the City Manager, the City Commission may designate a properly qualified person, by resolution, to temporarily execute the functions of the office.

(Laws of Fla. (1951), ch. 27685, § 23; Ord. No. 711, § 1, 2-27-01/4--25-01)

Note--Formerly § 32.

Sec. 25. Same--Removal.

The City Manager shall only be removed by the City Commission.

(Laws of Fla. (1951), ch. 27685, § 25; Ord. No. 711, § 1, 2-27-01/4--25-01)

Note--Formerly § 34.

Sec. 26. Same--Functions and Responsibilities.

The City Manager shall be responsible to the City Commission for the proper administration of all affairs of the City and to that end, his responsibilities are and shall include:

- (a) To see that the laws and ordinances are enforced.
- (b) Except as hereafter specifically provided, to appoint and remove all subordinate officers and employees and of the City; all appointments to be made upon merit and fitness alone.
- (c) To exercise control and direct supervision over all Departments and divisions of the City under this Charter, or which may be created by the City Commission, including public utilities owned by said City.
- (d) To see that all terms and conditions imposed in favor of the City or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof, to call the same to the attention of the City Attorney whose duty it is to take such legal steps as may be necessary to enforce the same.
- (e) To attend all meetings of the City Commission, and of its Committees, with right to take part in the discussion, but without having a vote.
- (f) To recommend to the Commission for adoption such measures as he may deem necessary or expedient in the interest of the City.
- (g) To keep the City Commission fully advised monthly as to the financial condition and needs of the City and to submit for its consideration an annual budget.

- (h) To enforce and administer any zoning regulations established by said City Commission but said City Commission shall hear and review any order, requirement, decision or determination made by him in the enforcement of the zoning regulations.
- (i) To perform such other duties as may be prescribed under this Charter or as may be required of him by ordinance or resolution of the City Commission.
- (j) He shall be purchasing agent for the City, by whom all purchases of supplies shall be made, and he shall approve all vouchers for the payment of same. In the capacity of Purchasing Agent, he shall also conduct all sales of personal property which the Commission may authorize to be sold as having become unnecessary or unfit for the City's use.
- (k) Shall be a designated whistleblower complaint recipient.

(Laws of Fla. (1951), ch. 27685, § 26; Ord. No. 711, § 1, 2-27-01/4-25-01)

Note--Formerly § 35.

Sec. 27. City Attorney-Appointment; duties.

The City Commission shall appoint a City Attorney who shall act as the legal advisor to, and attorney and counselor for, the City and all of its officers in matters relating to their official duties. He shall approve all contracts, bonds, and other instruments in writing in which the City is concerned, and no contract with the City shall take effect until his approval is so endorsed thereon. He shall prosecute and defend, for and in behalf of the City, all complaints, suits and controversies in which the City is a party, unless otherwise directed by the City Commission. He shall furnish the City Commission and/or the City Manager his opinion on any question of law relating to their respective powers and duties. They shall perform such other professional duties as may be required of them by ordinance or resolution of the City Commission, or as are prescribed, for City Attorneys under the General Laws of the State which are not inconsistent with this Charter and with any ordinance or resolution which may be passed by the City Commission.

Shall be a designated whistleblower complaint recipient.

(Laws of Fla. (1951), ch. 27685, § 28; Ord. No. 711; § 1, 2-27-01/4-25-01)

Note--Formerly § 36.

Sec. 28. Same-Qualifications.

The City Attorney shall be a lawyer who has been properly admitted to the Bar of the State of Florida and is at present in good standing there with.

(Laws of Fla. (1951), ch. 27685, § 30; Ord. No. 711, § 1, 2-27-01/4-25-01)

Note--Formerly § 38 & 29.

~~(Laws of Fla. (1951), ch. 27685, § 29; Ord. No. 711, § 1, 2-27-01/4-25-01)~~

~~**Note**--Formerly § 37.~~

Sec. 29. City Clerk – Appointment, duties.

A. There is hereby created the office of City Clerk.

The City Commission shall appoint a City Clerk who shall hold office at the pleasure of the City Commission. The compensation of the City Clerk shall be as determined by the City Commission.

~~The City Clerk shall serve as the Clerk to the Commission; shall be the official custodian of the City seal and of all official records, documents and papers of the City; and shall perform such other duties as are required of the City Clerk by this Charter, state law, ordinances of the City, or direction of the City Commission.~~

(Laws of Fla. (1951), ch. 27685, § 30; Ord. No. 711, § 1, 2-27-01/4-25-01)

B. Roles & Responsibilities of the City Clerk.

Shall serve as the Clerk to the Commission

The City Clerk serves as the official custodian and record-keeper of the City, responsible for maintaining all public documents

Clerk of City elections as required by law

The Clerk performs these and other such duties independently and in accordance with state law, established policies, and other directions from the City Commission.

Shall be a designated whistleblower complaint recipient.

(Laws of Fla. (1951), ch. 27685, § 48; Ord. No. 711, § 1, 2-27-01/4-25-01)

Note--Formerly § 39.

Sec. 30-30. Reserved

~~—Roles & Responsibilities]~~

~~The City Clerk shall serve as the Clerk to the Commission; shall be the official custodian of the City seal and of all official records, documents and papers of the City; and shall perform such other duties as are required of the City Clerk by this Charter, state law, ordinances of the City, or direction of the City Commission.~~

~~(Laws of Fla. (1951), ch. 27685, § 48; Ord. No. 711, § 1, 2-27-01/4-25-01)~~

~~Note Formerly § 39.~~

ARTICLE IV. ELECTIONS

Sec. 31. Qualifications and Election of City Commission Candidates.

The offices of the City Commission, other than Mayor, shall be numbered one through four, inclusive. A candidate for City Commission must declare the seat for which he is running in order to qualify for election. At all elections, the candidate qualifying for that seat or the Mayor seat receiving a majority of votes cast for that seat or the Mayor seat shall be deemed elected. If two or more persons qualify for a seat and none receives a majority of the votes cast for that seat, the two candidates receiving the highest number of votes shall face each other in a runoff election to be held on the Tuesday immediately following the third Monday in May after the general election. The person receiving the highest number of votes at said runoff election shall be elected. The canvass of returns for said runoff election shall be the same as is provided for a general election. If a runoff election is necessary, the incumbent shall remain in office until the runoff election is canvassed and certified. The term of office of a person elected at a general election and a runoff election shall begin immediately upon the canvassing and certification of the runoff election.

(Ord. No. 711, § 1, 2-27-01/4-25-01; Ord. No. 754, § 2, 10-14-03/9-9-03)

Sec. 32. Canvass of Returns.

The result of the voting when ascertained, shall be certified to the Canvassing Board by a return in duplicate, signed by the City ~~Manager-Clerk~~ and a majority of the Inspectors of the election. Such returns shall be made to the City Commission by the Canvassing Board at the next regular scheduled City Commission meeting, or a special meeting, whichever one occurs first. At such meeting the City Commission shall convey the return and include the results of the election.

(Laws of Fla. (1951), ch. 27685, § 100; Ord. No. 711, § 1, 2-27-01/4-25-01)

Editor's note--The reference to the hours the polls are open has been editorially deleted as superseded by state law in F.S. § 100.011.

Note--Formerly § 55;