



# CITY OF LYNN HAVEN, FLORIDA

AGENDA

## *NOTICE*

**CHARTER REVIEW COMMITTEE – WEDNESDAY, FEBRUARY 18TH, 2026 – 5:15 P.M.**  
**WALTER T. KELLEY CHAMBERS – CITY HALL - 825 OHIO AVENUE**  
*THE PUBLIC IS INVITED TO ATTEND*

## AGENDA

<b>Item</b>
1. Call to order.
2. Additions, Deletions, Modifications of Agenda.
3. Approval of Minutes dated 02/04/2026.
4. Receive feedback from the Interim City Manager on behalf of the City Commission regarding preferred timeline for ballot questions; and confirm final city clerk ballot verbiage and Committee submittal to the Commission.
5. Confirm reviewed updates recommended for Article I Sec. 6B-1 through Sec. 6C-2b; and continue the review from Sec. 6C-3 onwards.
6. Tabled from last meeting - Discuss when Mr. Switzer's request to add "Governing in a Digital Age" will be added to the agenda for discussion.
7. Public Comments.
8. Next meeting.
9. Adjourn.



**WEDNESDAY, FEBRUARY 4TH, 2026  
CHARTER REVIEW COMMITTEE MEETING – 5:15 P.M.**

**Present:** Corey Langford, Chair  
Ryan Scray, Vice Chair  
Thomas Tucker  
David Switzer *[until 6.27pm]*  
Chris Lightfoot, Interim City Manager  
Amy Myers, City Attorney

**Apologies:** James Marler

**Item #1. Call to Order**

The Chair called the meeting to order at 5.15 pm and asked Mr. Lightfoot to call the roll.

Motion by Tucker to excuse Marler’s absence.

Second to the Motion: Scray

On Vote:

All in favor Motion passed: 4-0

**Item #2. Additions, Deletions, Modifications of Agenda**

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

Motion by Scray to switch items 4&5 to after 6&7.

Second to the Motion: Tucker

On Vote:

All in favor Motion passed: 4-0

Motion by Scray to add after Item 3 to discuss the verbiage for the clerk position and discuss deliverables timeframe to present to the commission.

Second to the Motion: Switzer

On Vote:

All in favor Motion passed: 4-0

**Item #3. Approval of minutes of 01/21/26**

The Chair called for a motion to approve the minutes of the previous meeting held on 01/21/26.

Motion by Scray to approve the minutes of 01/21/26.

Second to the Motion: Switzer

On Vote:

All in favor Motion passed: 4-0

**Item # 4. To discuss the verbiage for the clerk position and discuss deliverables timeframe to present to the commission**

Mr. Scray spoke about the commission discussion at the last commission meeting about clerk ballot language and timeframe for the special election.

- They would like to move forward and have the language finalized for the clerk’s position.
- Mr. Scray is hesitant to put forward any other section until the charter is fully finalized. The decisions made as a committee after the clerk issue is finally decided will be dependent on whether there will or won’t be a clerk.
- Dates: May (special – March 20<sup>th</sup> deadline for commission to call for a referendum), August (primary), November mid-terms (General).

Further discussion ensued.

By March 20<sup>th</sup> the committee will have to complete ballot language by end of next meeting for any items to send to the commission.

Mr. Switzer – what is the process? Do we send items when the commission asks for it or when the committee is ready to send items to them?

- Chairman Langford – the committee should attempt to meet the deadlines the commission asks for. Once the commission receives it, they will review it and may send it back to the committee for further development.
  - The committee needs directions from the commission about when they want the deliverables.

Chairman Lanford asked Mr. Lightfoot to have add agenda item to the next commission meeting to ask the Commission to decide and inform the committee of dates for specific items. (Ms. Myers suggested doing this before the Arc presentation item).

Mr. Scray’s preference is the AI generated 74-word option (the clerk independence version)

Mr. Tucker – if we go with this and they want clerk/treasurer will the language have to change? Ms. Myers - that specifically can be changed by resolution.

Chairman Langford – prefers “hired” rather than appointed. Ms. Myers – yes, they want that power to hire – to change the word appointed to hire.

- Mr. Switzer – need to start with “serving as the city’s official custodian and record keeper” ... “hired and compensated by and reporting directly to the city commission”

After further discussion the following verbiage was decided on:

*Shall the City Charter be amended to create the office of City Clerk, hired and compensated by and reporting to the City Commission, serving as the City's official custodian and record-keeper, responsible for maintaining ordinances, resolutions, minutes, contracts, and public documents; managing public records requests; preparing meeting minutes; administering oaths; overseeing municipal elections as required by law; and performing these duties independently in accordance with state law, City policies, and direction from the City Commission?*

- Ms. Myers will put this into the form of a resolution and bring it back to the next committee meeting (18th) to discuss and vote on.
  - She should be able to finalize these in the first meeting in March to send to the commission.

**Item # 5. Review and confirm updates recommended for Article I Sec. 6B-1 through Sec. 6C-2b (was item 6)**

Discussion ensued. To continue the review at the next meeting.

**Item #6. Continue the Review of Article I from Sec. 6C-3 (was 7)**

The committee concurred to table considering and updating Article I from Sec. 6C-3 seeing as only three members remain.

Motion by Scray to table item 6 as only 3 members remain

Second by Tucker

On Vote:

All in favor 3/0

**Item #7. Tabled from last meeting - Discussion about Mr. Scray’s request to add “Citizens’ Rights Guarantee” (was 4)**

Mr. Scray – discussed his paper.  
Recommended putting on the ballot for April 2027 to add to the Charter.

**Item #8. Tabled from last meeting - Discuss when Mr. Switzer’s request to add “Governing in a Digital Age” (was 5)**

Motion by Scray Tabled to the next meeting in the absence of Mr. Switzer.

Second by Tucker

On Vote:

All in favor 3/0

**Item #9. Public Commentary (was 8)**

Lorraine Reeder – Came to speak about the Citizens’ Rights Guarantee” and feels an appeal process is a good idea in dealing with citizen’s rights. She said she thinks there is a need for arbitration avenues for residents considering issues she has been having in dealing with various staff at various departments.

Mr. Tucker asked Ms. Myers if an arbitration method could work.

- Ms. Myers – there are avenues in the city code for such mediation.

**Item #10. Next Meeting (was 9)**

The Chair confirmed the next meeting is set for 02/18/26 at 5.15pm and all agreed on 03/11/26 at 5.15pm for the first meeting in March.

**Item #11. Adjourn (was 10)**

There being no further business and the meeting was adjourned at 7.03P.M.

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2026.

\_\_\_\_\_  
Corey Langford, Chairman

ATTEST:

\_\_\_\_\_  
Chris Lightfoot, Interim City Manager

prepared by CJ 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-Construed.
- 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:*

**Sec. 6A. Separation of Powers in Administration**

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 the City Manager's supervision. Administrative authority and day-to-day operations of the City are vested exclusively in the City Manager.

The Commission shall set their meeting rules and protocol within the first 45 calendar days following the swearing in of a newly elected or appointed member, as approved in majority by the Commission.

*Mr. Langford would like to add:*

**Sec. 6B. Non ad-valorem Assessments**

**Sec. 6B-1. Requirement for Voter Approval**

All Non Ad-Valorem Assessments proposed by the City of Lynn Haven shall be submitted to the qualified electors of the City subject to the proposed assessment for approval by referendum at the next regular election for City of Lynn Haven electors. This does not apply to assessments affecting a single property for nuisance abatement costs

(a) No Non Ad-Valorem Assessment shall be imposed, levied, or collected without receiving approval by a minimum amount set by the Commission prior to the Referendum that is at least 45% unless a higher minimum is set, but no minimum threshold can be above 50% +1 to succeed.

(b) The ballot language shall clearly state the following information within each referendum:

1. Defined Start and End Date
2. Brief Description of Methodology of Assessment
3. Estimated Specific Cost per Year By Property (Rate)
4. Total Project Cost Annual and Overall
5. Specific Statement on Usage of Funds
6. Limit on Annual Increase
7. Specific Compliance and Oversight Requirements

**Example Referendum Statement (≈75 words):**

This sidewalk assessment project shall run from October 1, 2026, through September 30,

2031. Costs are assessed annually per parcel based on linear frontage. The estimated rate is \$165 per property per year. Total project cost is \$495,000 annually and \$2,475,000 overall. Funds may only be used for sidewalk construction, repair, and ADA compliance. Annual increases are capped at 3%. Expenditures require annual independent audit, public reporting, and City Commission approval.

### **Sec. 6B-2. Limitation on Duration of Assessment Programs**

(a) Non Ad-Valorem Assessments authorized pursuant to this Section shall be established for a period not to exceed four (4) years from the date of initial approval by the qualified electors.

(b) Any continuation, renewal, or reauthorization of a Non Ad-Valorem Assessment beyond the initial four-year term shall require a subsequent referendum and receive approval by a minimum amount set by the Commission prior to the Referendum that is at least 45% unless a higher minimum is set, but no minimum threshold can be above 50% +1 to succeed approval prior to renewal.

(c) If qualified elector approval for renewal is not obtained, the assessment shall automatically expire at the conclusion of the authorized term.

Note – to discuss adding funding for staffing a department and the guardrails to put in place.

### **Sec. 6B-3. Limitation on Annual Increases**

(a) Annual increases to any Non Ad-Valorem Assessment authorized under this Section shall not exceed the average annual growth rate in Florida personal income over the previous 5 years, as determined from the Bureau of Economic Analysis affiliated with the US Department of Commerce.

(b) Any proposed increase exceeding this limitation shall be deemed invalid unless separately approved by the qualified electors in a referendum.

### **Sec. 6C. Non Ad-Valorem Assessment Implementation**

#### **Sec. 6C-1. Management and Usage of Non Ad-Valorem Assessment funds**

(a) Funds generated from a Non Ad-Valorem Assessment shall be expended solely and exclusively for the specific purpose stated in the ordinance, ballot language, or authorizing resolution approved by the voters.

(b) Assessment funds shall not be diverted, transferred, commingled, or otherwise used for any program, project, service, or fund not expressly included in the stated purpose of the assessment.

(c) The City shall maintain a separate accounting fund for each authorized assessment program and shall provide annual public reporting on Funds and expenditures.

#### **Sec. 6C-2. Prohibition on Personnel Expansion Using Assessment Funds**

(a) Reserved.

(b) The City may contract for services or procure materials necessary to fulfill the stated purpose of the assessment only where such expenditures do not result in the addition of new City personnel.

### **Sec. 6C-3. Compliance and Oversight**

(a) The City Commission shall adopt implemented procedures to ensure compliance with this Section, including financial controls, reporting standards, and independent audit requirements.

(b) Failure to comply with the restrictions set forth herein shall constitute misuse of public funds and shall require corrective action and restitution to the assessment fund.

~~annual~~

(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;

**Cicelia Rushing**

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**From:** David Switzer <david.switzer@yahoo.com>  
**Sent:** Saturday, January 10, 2026 11:02 AM  
**To:** Cicelia Rushing  
**Subject:** Charter Review Agenda Item - Governing In a Digital Age

Hello

Please forward this to the other members of the charter review group.

Hello All!

When Pat asked me to be part of the review committee he asked that I review the current charter and find out where I can add the most value to ensure our city charter is modern.

Our charter currently does not have language governing the control and use of technology by the city. Technological hardware married with AI has escalated technology past current state and federal law at a rate never seen before.

Please read the below so we can discuss the topic at the next meeting.

**Section X.X — Governing in a Digital Age**

The City recognizes that advancing technologies may enhance public safety and efficiency, but also carry the risk of undue government intrusion into the private lives of the people.

Accordingly, the City shall govern the use of emerging technologies in a manner consistent with the Constitutions of the United States and the State of Florida, with particular regard for the rights to privacy, due process, and freedom from unreasonable searches and surveillance.

No City department, officer, or agent shall deploy, operate, or participate in the use of surveillance or data-collection technologies—including but not limited to unmanned aerial systems (drones or UAVs), license plate recognition systems (LPRs), biometric identification tools, or similar technologies—except as expressly authorized by ordinance duly adopted by the City Commission.

Such authorization shall, at a minimum, require:

1. A clearly defined public purpose and scope of use;
2. Limits on data collection, retention, access, and sharing;
3. Independent oversight and accountability measures;
4. Transparency sufficient to inform the public of the technology's use and safeguards; and
5. Compliance with all applicable constitutional, statutory, and judicial requirements.

The City shall not employ technology in a manner that results in generalized, indiscriminate, or suspicion less surveillance of the public, nor shall technological capability alone be deemed justification for its use.

I look forward to the discussion.

[Sent from Yahoo Mail for iPhone](#)