CITY OF ST. PETERSBURG
Report of the 2021 Charter Review Commission

Released 07/28/21
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# REVISION HISTORY

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<td>21.1</td>
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1. ROLE OF THE CHARTER REVIEW COMMISSION

The St. Petersburg City Charter is a legal document that governs the political powers of the City’s government. The Charter functions like a municipal constitution, defining the relationship among the Mayor, City Council, various departments of City government, and the residents of St. Petersburg.

Pursuant to Charter section 8.01, the City is required to engage in a Charter-review process every ten years. That process is conducted by a nine-member “Charter Review Commission” formed of citizens appointed by the Mayor and Council Members ("CRC"). Once formed, CRC is charged with reviewing, on behalf of the citizens of St. Petersburg, the operation of City government and, if appropriate, proposing amendments to the Charter to be placed on the ballot of the next municipal general election.

This document, which was approved by CRC at its final meeting on July 26, 2021, serves as the report to the citizens required of CRC by the City Charter, and it contains seven proposed Charter amendments to be placed on the ballot of the municipal general election scheduled for November 2, 2021.

2. COMPOSITION AND MEETINGS OF THE 2021 CRC

The 2021 CRC was established in January 2021 through the following appointments:

- Mayor Kriseman: Dr. Lars Hafner
- District 1 Council Member Blackmon: Dr. Ed Carlson
- District 2 Council Member Gabbard: Vicki Shuman
- District 3 Council Member Montanari: Chris Burke
- District 4 Council Member Rice: Tami Simms
- District 5 Council Member Figgs-Sanders: Terri Lipsey Scott
- District 6 Council Member Driscoll: Roxanne Fixsen
- District 7 Council Member Wheeler-Bowman: Rev. J.C. Pritchett II
- District 8 Council Member Foster: Meiko Seymour
At the January 20, 2021 organizational meeting of CRC, the commission elected Dr. Hafner as Chair and Ms. Lipsey Scott as Vice Chair. The commission also formed a Racial Equity Subcommittee, which was comprised of the following members:

- Roxanne Fixsen, Chair
- Meiko Seymour, Vice Chair
- Terri Lipsey Scott
- Dr. Lars Hafner, Alternate

CRC met on a regular basis from January through July of 2021. Following the organizational meeting described above, CRC held more than two dozen meetings, which were broadcast on St. Pete TV and open to the public. These meetings included:

- 14 regular meetings of the full commission
- 9 meetings of the Racial Equity Subcommittee
- 3 special meetings to obtain public comment
- 1 special meeting to hear from experts on redistricting

By the end of July, CRC had worked through a pipeline of 67 discussion items drawn from a variety of sources, including CRC members, City Council Members, community organizations, and members of the public. Those items were grouped by subject matter for purposes of discussion, and over the course of seven months of discussion and deliberation, CRC ultimately approved the seven proposed Charter amendments described in the following section.

3. PROPOSED CHARTER AMENDMENTS

Pursuant to its authority under Charter section 8.01, CRC has approved seven proposed Charter amendments for the ballot of the municipal general election scheduled for November 2, 2021. The ballot title for each of these amendments is as follows:

1. Limiting City Council elections to voters in the applicable Council District and making related changes
2. Establishing new process for drawing district boundaries for election of City Council Members

3. Establishing an equity framework and Chief Equity Officer for City government

4. Establishing a requirement for Charter-protected equity funding

5. Establishing new requirements related to City Administrator, City Clerk, and City Council Administrative Officer

6. Changing the City’s Charter-review process to avoid conflict with redistricting and make other improvements

7. Adding a preamble to describe the spirit of the Charter and the City’s governing philosophy

Appendix A of this report summarizes the complete ballot text for these amendments as an approximation of how the questions will appear on the ballot, and Appendix B of this report is a compilation of the formal amendment documents approved by CRC (including legislative findings and the text that would be incorporated into the Charter if approved).
This appendix contains a summary of the ballot language approved by CRC for the general municipal election scheduled for November 2, 2021. By law, each question is limited to the following three components: (i) a title of no more than 15 words; (ii) a summary of no more than 75 words; and (iii) the choices “yes” and “no.”

Please note that, because Pinellas County is subject to the bilingual election requirements of Section 203 of the Voting Rights Act (52 U.S.C. § 10503) with respect to people of Hispanic heritage, each of these questions will ultimately appear on the ballot in both English and Spanish.

<table>
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Currently, City Council Members are elected through primary elections limited to voters in the Council district and general elections open to all City voters. Shall the Charter be amended to (i) limit primary and general elections for Council Members to voters in the Council district, thereby eliminating City-wide voting for Council Members; (ii) allow a candidate receiving more than 50% of votes in the primary to be elected; and (iii) make other clarifying changes?

Yes

No

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No. 2
Charter Amendment

Establishing new process for drawing district boundaries for election of City Council Members

Shall the City create a new process for establishing City Council district boundaries that (i) uses comprehensive standards for drawing equitable district boundaries; (ii) has requirements and restrictions for appointment, service, communication, and accepting public comment; and (iii) requires City Council to be bound by commission recommendations unless inconsistent with applicable law? The new process would occur every ten years and maintain the existing nine-member citizens commission appointed by the Mayor and Council Members.

Yes
No

No. 3
Charter Amendment

Establishing an equity framework and Chief Equity Officer for City government

Analysis of demographic and economic data for Pinellas County indicates that the region’s economy would benefit from eliminating equity gaps based on race, ethnicity, or other immutable characteristics. Shall the City Charter be amended to establish an equity framework intended to address those equity gaps? That framework must include an equity action plan implemented at City-wide and departmental levels, regular assessment and reporting, and the creation of a Chief Equity Officer for the City.

Yes
No
No. 4
Charter Amendment

Establishing a requirement for Charter-protected equity funding

Analysis of demographic and economic data for Pinellas County indicates that the region’s economy would benefit from eliminating equity gaps based on race, ethnicity, or other immutable characteristics. Shall the City Charter be amended to require that the City designate “Charter-protected equity funding” to address those equity gaps and prevent that funding from being used for other purposes? This amendment would not prohibit the City from funding equity-related initiatives with other, unrestricted funding.

Yes

No

No. 5
Charter Amendment

Establishing new requirements related to City Administrator, City Clerk, and City Council Administrative Officer

The Charter provides requirements and duties for certain City officials appointed by the Mayor with consent of City Council. Shall the Charter be amended to (i) add a residency requirement for the City Administrator; (ii) clarify that the City Clerk serves both Mayor and Council and may be removed only with consent of both; (iii) provide the City Council Administrative Officer with duties and protections similar to the City Clerk; and (iv) make related changes?

Yes

No
No. 6
Charter Amendment

Changing the City’s Charter-review process to avoid conflict with redistricting and make other improvements

Every ten years, the City conducts a Charter-review process to consider the operation of City government and propose amendments to the Charter. Issues occur when the Charter-review process changes the process for redrawing City Council districts because the two processes are scheduled to occur almost simultaneously. Shall the Charter be amended to resolve that scheduling conflict and to make other changes to improve the administration and integrity of the City’s Charter-review process?

Yes
No

No. 7
Charter Amendment

Adding a preamble to describe the spirit of the Charter and the City’s governing philosophy

Shall the Charter be amended to add a preamble containing a concise statement to describe the spirit of the Charter and the City’s governing philosophy? That aspirational statement will describe the City’s vision, goals, values, and priorities while acknowledging past shortcomings and promising a renewed and continuing commitment to improving the quality of life for all citizens.

Yes
No
APPENDIX B:
PROPOSED CHARTER AMENDMENTS

This appendix is a compilation of the formal amendment documents approved by CRC. At a minimum, each document includes (i) legislative findings made by CRC in support of the proposed Charter amendment; (ii) the language that will be incorporated into the City Charter if the amendment is approved by the voters; and (iii) the ballot text for the proposed amendment (which is summarized in Appendix A).
AMENDMENT 1
Limiting City Council elections to voters in the applicable Council District and making related changes
2021 CHARTER REVIEW COMMISSION
PROPOSED CHARTER AMENDMENT 1

CHANGING ELECTION PROCESS FOR
CITY COUNCIL MEMBERS BY LIMITING
ALL COUNCIL ELECTIONS TO VOTERS
LIVING IN THE APPLICABLE COUNCIL
DISTRICT AND MAKING RELATED
CHANGES TO IMPROVE ELECTION AD-
MINISTRATION.

SECTION 1—SUBMISSION OF AMENDMENT: Pursuant to St. Petersburg City Charter section 8.01, the 2021 Charter Review Commission (“CRC”) hereby submits the proposed amendment of the City Charter set forth in this document (collectively, the “Amendment”) to be placed on the ballot of the municipal general election scheduled for November 2, 2021 (the “Election”).

SECTION 2—FINDINGS: CRC hereby makes the following findings in support of the Amendment:

(a) Pursuant to City Charter section 3.01, the City is divided into eight City Council districts, with one Council Member elected from each district.

(b) Pursuant to City Charter section 5.01, eligibility to vote in the primary election for each Council Member is limited to electors living within the applicable Council District, while the general election for each Council Member is open to all electors living in the City.

(c) Under that hybrid system, which combines a single-district primary election with an at-large general election, voters from outside a district can override the preferences of voters within the district, which undermines the ability of the voters within a district to elect a candidate of choice.

(d) That issue is particularly problematic when it comes to minority representation on City Council. According to an analysis performed by the Southern Poverty Law Center, “[o]f the five general elections that have taken place between 1999–2017 where the election was between a white and Black candidate, the Black City Council candidate has only won against the white candidate once, in 2005. Since 2005, Black candidates have lost every general election when their opponent was white, even though these races only occurred in districts 5 and 6, which are majority-minority districts.”
Because running a City-wide campaign is necessarily more expensive than running a district-specific campaign, the requirement that every candidate for City Council run a City-wide campaign at the general election stage also unfairly favors wealthy candidates and those with access to wealthier donors.

To address the issues described in the preceding findings, the Charter should be amended to limit elections for a Council Member to only those electors living within the applicable district—for the primary and general elections. Otherwise, Council Member elections should be administered in the same manner as Mayoral elections, including the ability of a candidate to win election by securing more than 50% of the votes in the primary election.

Additionally, the applicable sections of the City Charter should be amended to improve the administration of municipal elections by improving organization, clarity, and consistency with applicable law, including:

(i) revising election notice requirements to improve voter education and reflect current newspaper printing schedules;

(ii) removing unnecessary procedural requirements that have been superseded by changes to state election law; and

(iii) removing provisions concerning canvassing and Charter amendments that are preempted under current law.

Because those changes to the Charter would improve the representation of City Council and the administration of municipal elections, they serve a valid municipal purpose.

SECTION 3—FORMATTING CONVENTIONS: With respect to the Amendment set forth in this document, unless otherwise indicated, additions are indicated by underlining, deletions are indicated by strikethrough text, and unchanged paragraphs omitted for brevity are indicated by three widely spaced ellipsis dots centered on a separate line.

SECTION 4—AMENDMENT TO ARTICLE III: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter section 3.01 will be amended as follows:

Sec. 3.01. Mayor; City council; powers, composition.

(a) There shall be a City Council, which shall be the governing body of the City with all legislative powers of the City vested therein, consisting of eight (8) Council Members, with one Council Member (1) to be elected from each of the eight (8) election districts of the City.
In exercising their duties under this Charter, each Council Member shall consider the interests of the City as a whole.

(b) There shall also be a Mayor who is elected at large and who is not a member of City Council.

SECTION 5—AMENDMENT TO ARTICLE V: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter section 5.05 will be amended as follows:

Sec. 5.05. Elections.

(a) Primary elections.

(1) On the Tuesday which is ten weeks prior to each general municipal election, the City shall hold a nonpartisan primary election for the nomination of candidates for Council Members and, if applicable, Mayor, if applicable, which primary shall be called by the Council by proper resolution, notice of which shall be published for five consecutive days in a daily newspaper published in the City, which shall contain a list of such candidates, the offices to be filled and the time when and the place where such election shall be held, and the last publication shall appear at least ten (10) days prior to the date of holding said primary with notice of that primary election provided in accordance with subsection (e).

(2) The primary election shall be used to elect or nominate candidates in accordance with the following:

A. In the primary election for Mayor, all electors of the City may cast a vote. In the primary election for a Council Member, only electors living in the district to be represented by that Council Member may cast a vote.

B. The two candidates from each district receiving the highest number of votes cast by the electors of said district shall be declared the primary nominees, and shall be entitled to have their names printed on the ballot to be used in the general municipal election. If a candidate for Mayor receives more than fifty percent (50%) of the votes cast in
the primary, then that candidate shall be considered duly declared elected and shall not be required to be without being placed on the general election ballot.

C. If no candidate for Mayor receives more than fifty percent (50%) of the vote in the primary election, then the two candidates for Mayor receiving the highest number of votes cast by the electors at large shall be declared the primary nominees, nominated for office and shall be entitled to have their names printed placed on the general election ballot to be used in the general municipal election. Only the names entitled to be on the ballot pursuant to this Subsection 5.05(a) and no others shall be certified by the City Clerk as candidates duly nominated for office.

D. A tie between two (2) or more candidates for the same nomination shall be decided by lot under the direction of the City Clerk. That decision must be open to the public, with notice provided by the City Clerk to each affected candidate and to the public in the same manner as a meeting of City Council. If there are only two (2) candidates for nomination for an office in a primary election, no primary election shall be held for that office and both candidates shall be certified by the City Clerk as candidates duly nominated for that office.

E. This subsection (2) is intended to be the only method of placing a candidate’s name on the general election ballot.

(3) In situations where if there is only one candidate for nomination to an office, neither the primary election nor the general election will be held for that office, and the candidate shall be declared elected to that office.

(b) General elections.

(1) On the first Tuesday following the first Monday in November of each odd-numbered year, a general municipal election shall be held, with notice of that election provided in accordance with subsection (e). The City Clerk, on or before the tenth day before the general municipal election, shall cause a notice to be published
Amendment 1

calling such election for three (3) consecutive days in a daily newspaper published in the City, which shall contain a list of such candidates, the office to be filled, and the time when and the place where such election will be held.

(2) In the general election for Mayor, all electors of the City may cast a vote. In the general election for a Council Member, only electors living in the district to be represented by that Council Member may cast a vote.

(3) In the general municipal election, the electors of the City at large shall, from among the candidates on the ballot, vote for one candidate from each district and, if applicable, for one candidate for Mayor; the candidate from each district receiving the highest number of votes shall be declared elected as Council Member from said district, and the candidate for Mayor an office receiving the highest number of votes shall be declared elected as Mayor to that office.

(4) A tie between two (2) or more candidates for the same office shall be decided by lot under the direction of the City Clerk. That decision must be open to the public, with notice provided by the City Clerk to each affected candidate and to the public in the same manner as a meeting of City Council.

(c) Special elections. Special municipal elections may be called by the City Council at any time for such purposes as are authorized by this Charter or by in accordance with applicable law. Notice of all special elections shall be published in accordance with applicable law a daily newspaper published in the City once a week for the four (4) weeks immediately preceding the election.

(d) Canvassing board. In accordance with applicable law, the City shall use the Pinellas County Canvassing Board county canvassing board for Pinellas County to canvass all of its election returns unless the Pinellas County Canvassing Board initiates charges which are deemed by a resolution of the City Council, receiving at least six affirmative votes, to be excessive or unless the Pinellas County Canvassing Board refuses to canvass the City election returns. In either case the City Council shall then establish a canvassing board by resolution.
(e) Terms of Council Members. The term of each Council Member and Mayor shall be determined in accordance with Article III of this Charter.

(e) Notice of primary or general election. The City Clerk shall publish notice of a primary or general election in accordance with the following:

(1) The notice must be published in a newspaper of general circulation (as that term is defined under Florida law).

(2) The notice must be published on five consecutive days, with the final notice appearing at least ten days prior to the date of the election. If the newspaper is not physically printed on five consecutive days, the days selected shall be selected to maximize the number of dates on which it is physically printed.

(3) At a minimum, the notice must contain (i) the name of each office that will be on the ballot; (ii) the name of each candidate, as it will appear on the ballot; and (iii) information on how to register and vote in that election.

(f) Whenever any State or Federal law or requirement conflicts with any provision of this Charter relating to the process or procedures for the conduct of elections, including but not limited to qualifying candidates, election campaigns, canvassing returns, or any other aspect of the election process, this Charter may be amended by ordinance, instead of referendum, to comply with the State or Federal law or requirement. When a Charter requirement concerning election dates or qualifying dates for elections is in conflict with a requirement of the Pinellas County Supervisor of Elections, which requirement is based on the Supervisor’s inability to support and conduct an election as described in this Charter, this Charter may be amended by ordinance instead of referendum, to comply with Supervisor’s requirement.

SECTION 6—BALLOT TEXT: The City shall use the following caption and explanatory statement as the ballot title and ballot summary for the Amendment:

Limiting City Council elections to voters in the applicable Council District and making related changes

Currently, City Council Members are elected through primary elections limited to voters in the Council district and general elections open to all City voters.
Shall the Charter be amended to (i) limit primary and general elections for Council Members to voters in the Council district, thereby eliminating City-wide voting for Council Members; (ii) allow a candidate receiving more than 50% of votes in the primary to be elected; and (iii) make other clarifying changes?

YES          NO

SECTION 7—SEVERABILITY: The provisions of the Amendment are intended to be severable, and a determination that any portion of the Amendment is invalid should not affect the validity of the remaining portions of the Amendment.

SECTION 8—EFFECTIVE DATE: If the Amendment is approved, the City shall incorporate the Amendment into a revised version of the City Charter along with any other amendment to the City Charter approved during the Election, subject to the conflict-resolution provisions in Charter section 5.01 and in any other amendment to the City Charter approved during the Election. Pursuant to Florida Statutes section 166.031, the City shall file that revised version of the City Charter with the Department of State, and it will be effective upon filing.

Approved as to form and content:

[Signature]
City Attorney (Designee)
AMENDMENT 2
Establishing new process for drawing
district boundaries for election of City Council Members
2021 CHARTER REVIEW COMMISSION
PROPOSED CHARTER AMENDMENT 2

CREATING A NEW PROCESS FOR ESTABLISHING DISTRICT BOUNDARIES FOR ELECTION OF CITY COUNCIL MEMBERS THAT WOULD MAINTAIN EXISTING APPOINTMENT STRUCTURE BUT WITH NEW REQUIREMENTS INTENDED TO STRENGTHEN THE INDEPENDENCE AND INTEGRITY OF THE COMMISSION, PROVIDE FOR GREATER TRANSPARENCY, AND ESTABLISH MORE EQUITABLE DISTRICT BOUNDARIES.

SECTION 1—SUBMISSION OF AMENDMENT: Pursuant to St. Petersburg City Charter section 8.01, the 2021 Charter Review Commission (“CRC”) hereby submits the proposed amendment of the City Charter set forth in this document (collectively, the “Amendment”) to be placed on the ballot of the municipal general election scheduled for November 2, 2021 (the “Election”).

SECTION 2—FINDINGS: CRC hereby makes the following findings in support of the Amendment:

(a) Currently, City Charter section 5.06 requires re-examination of the districts used for the election of Council Members every ten years, in conjunction with the regular United States decennial census. Following the release of the block-level population data from the census, the current process provides the Mayor with one year to issue a redistricting report and then provides a nine-member panel of citizens appointed by the Mayor and Council Members with 60 days to propose boundaries to City Council. Currently, City Council is authorized to reject those boundaries and substitute its own on the basis of a unanimous vote of City Council.

(b) The current process should be replaced with a new process that, generally speaking, is intended to strengthen the independence and integrity of the commission, provide for greater transparency, and establish more equitable district boundaries.
(c) The new process should promote the independence and integrity of the commissioners by establishing requirements for eligibility, restrictions on certain activities, and required disclosures.

(d) The new process should maintain the ability of the Mayor and Council Members to each appoint one member to the commission. But that appointment process should be made more transparent by requiring a written application that is based on the requirements described in the preceding finding and subject to public records laws.

(e) The new process should reflect comprehensive new standards for establishing Council district boundaries that comply with applicable law; promote equitable representation; and avoid favoring incumbents, candidates, or political groups.

(f) The new process should provide the commission with more independence by requiring Council to accept district boundaries established by the commission unless they are inconsistent with applicable law.

(g) The new process should promote transparency and public input by (i) requiring clear rules for communicating with commissioners and staff to ensure that deliberation occurs in public; (ii) holding a public hearing in each existing Council district before a preliminary plan for new boundaries is issued; (iii) obtaining public comment on that preliminary report through public hearings and written comment; and (iv) obtaining public comment on the proposed final report through public hearings and written comment.

(h) The new process should ensure the commission is properly resourced by establishing standards for administrative support and commission-specific staffers, including legal advisors.

(i) The new process should provide a mechanism for prohibiting activities intended to improperly influence the commission and a mechanism for addressing legal challenges to district boundaries.

(j) Because the new process would be approved by the voters after the block-level census data from the 2020 census is released, the process for establishing district boundaries based on that 2020 census data should be adjusted as needed to conclude the process in time for use during the 2023 municipal election cycle, with an emphasis on maintaining a six-month window for the commission to do its work.

(k) Because the new process includes a prohibition on running for City elected office after being appointed to the commission, the provisions of the City Charter concerning candidate affidavits should be revised to address that prohibition and to make other non-substantive changes to improve clarity, organization, and style.
SECTION 3—FORMATTING CONVENTIONS: With respect to the Amendment set forth in this document, unless otherwise indicated, additions are indicated by underlining, deletions are indicated by strikethrough text, and unchanged paragraphs omitted for brevity are indicated by three widely spaced ellipsis dots centered on a separate line.

SECTION 4—REPLACEMENT OF EXISTING PROVISION: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter section 5.06 will be replaced in its entirety with the following:

Sec. 5.06. Council districts.

The City shall have eight districts for the election of City Council Members, with the boundaries for each district established in accordance with Article IX.

SECTION 5—ESTABLISHMENT OF NEW PROVISION: If a majority of electors voting on the Amendment vote to approve the Amendment, the following will be added to the end of the City Charter as new article IX:

ARTICLE IX
CITY COUNCIL DISTRICT BOUNDARIES

Sec. 9.01. Definitions; authority; frequency.

(a) Definitions. For purposes of this article, the following definitions apply:

“Active period” means the period of time starting contemporaneously with the beginning of the commissioners’ terms and ending on the date 60 days after the commission’s final report is accepted.

“Census” means the regular United States decennial census.

“City appointed office” means a position in City government for which the Charter requires appointment by the Mayor and confirmation, approval, or other affirmation by City Council.

“City elected office” means the office of Mayor or City Council Member.

“City elected official” means a person holding a City elected office.

“Commission” means the commission established pursuant to this article on a decennial basis to establish district boundaries.
“Commission staffer” means a person who is not a regular City employee or official but who has been hired or contracted with specifically to support the work of the commission.

“Commissioner” means a person appointed to the commission, throughout that person’s term as a commissioner.

“District boundary” means the boundary of a district from which a Council Member is elected.

“Election” means an election for City elected office, regardless of the type of election (including primary, general, run-off, or special).

“Final report” means the report issued by the commission in accordance with Sec. 9.02.

“Lobbyist” means any person who is registered as a lobbyist, lobbying firm, or the equivalent under state law.

“Related entity” means any entity that is owned or controlled, directly or indirectly, in whole or in part, by a person or by a relative of that person.

“Relative” means a person’s parent, sibling, child, spouse, domestic partner, or someone who holds themselves out as intending to become the person’s spouse or domestic partner or otherwise form a household with the person. It also includes someone who shares the same residence as the person.

“Staffer” means a person who is an employee, contractor, consultant, or who is otherwise compensated to provide goods or services.

(b) **Authority.** The boundaries of each City Council district shall be established only in accordance with this article, and the commission has exclusive authority to establish those boundaries except as otherwise provided by this article.

(c) **Frequency.** District boundaries shall be revised only once per decade, in conjunction with the census, except as necessary to address any of the following situations:

(1) A court orders a district boundary to be revised.
The City Clerk requests a district boundary to be revised due to a change in municipal boundaries.

Revising a district boundary will settle or otherwise resolve a legal challenge.

Reference to City officials. Unless context indicates otherwise, any reference in this article to City Administrator, City Clerk, or City Attorney refers to the person actually holding that position or to a person officially designated by that person to perform that function for purposes of this article.

Sec. 9.02. Commissioner requirements and restrictions.

(a) Eligibility Requirements.

(1) To be eligible for appointment to the commission, a person must satisfy at least one of the following conditions at the time of application:

A. The person has voted in two of the last three municipal election cycles immediately preceding the application, unless there was no City elected office or City referendum question for which the person had an opportunity to vote.

B. The person has been a resident of the City for at least the seven-year period immediately preceding the application.

(2) With respect to a person’s residency:

A. To be eligible for appointment to the commission by a Council Member, a person must be a resident of that Council Member’s district (as it exists at the time of application).

B. To be eligible for appointment to the commission by the Mayor, the person must be a resident of the City.

(3) A person is not eligible for appointment to the commission if, at any point during the ten-year period preceding that person’s application, either the person or any relative or related entity of the person:
A. held City elected office or was a candidate for such office;

B. was an official or a staffer for a campaign for City elected office or a political committee or electioneering communications organization supporting or opposing a candidate for City elected office; or

C. was a lobbyist.

(4) A person is not eligible for appointment to the commission if, at any point during the four-year period preceding that person's application, either the person or any relative or related entity of the person:

A. was a City employee;

B. was a staffer for any person holding City elected office or of a related entity of a person holding City elected office; or

C. was a staffer for a redistricting contractor or consultant.

(b) Post-Appointment Restrictions.

(1) From the date of appointment through the end of the active period, a commissioner shall maintain residency consistent with subsection (a)(2).

(2) From the date of appointment through the end of the active period, a person appointed to the commission shall not:

A. take any action that would have made the person ineligible for appointment under subsections (a)(3) or (a)(4) had it occurred during the time periods specified under those subsections;

B. hold elected office at the City, county, state, or federal level or be a candidate for such an office; or

C. participate in any effort to elect a candidate for City elected office (including a candidate's campaign or a political committee or electioneering communications organization supporting or opposing a candidate).
(3) For a three-year period beginning on the date of appointment, a person appointed to the commission shall not:

A. hold City appointed office or

B. apply for or enter into a contract prohibited under subsection (c).

(4) For a ten-year period beginning on the date of appointment, a person appointed to the commission shall not hold City elected office (through election or appointment).

(c) **Prohibited City Contracts.**

(1) The City shall not enter into any paid contract that is awarded without competitive solicitation with any of the following: (i) a person appointed to the commission within the three-year period following that person’s appointment or (ii) a relative or related entity of such a person.

(2) The existence of such a contract is a violation of applicable law. Accordingly, if the City determines that it has entered into that contract and the contract can be terminated on that basis, the City shall terminate that contract unless an ordinance is adopted to waive this provision on the basis of a finding that (i) the award of the contract in violation of this provision was a good-faith error and (ii) it would not be in the City's best interests to terminate the contract on this basis.

(d) **Required Disclosures.** The following disclosure requirements apply in addition to any others imposed by then-applicable law:

(1) Each commissioner shall file a statement of financial interests for local officers as described in the Florida Ethics Code (or the then-current equivalent).

(2) Beginning on the date of a person’s appointment to the commission and continuing through the end of the active period, a person shall disclose to the commission in writing, any of the following:
A. Any contribution (financial or in-kind) to support the election of a candidate for City elected office (including to a candidate's campaign or to a political committee or electioneering communications organization supporting or opposing a candidate) made by that person or by any relative or related entity of that person.

B. Any communication that is inconsistent with the requirements of Sec. 9.07(a).

(e) Duties. Each commissioner shall carry out the duties established under this article in a manner that is impartial and that reinforces public confidence in the integrity of the process of establishing district boundaries.

Sec. 9.03. Appointment and removal.

(a) Standard Application.

(1) The City shall establish a standard application for appointment to the commission in accordance with the following:

A. For the commission that will issue its final report based on the 2020 census, the Mayor shall establish a standard application no later than November 15, 2021.

B. For each subsequent commission, the Mayor, with approval of City Council, shall establish a standard application no later than August 1 of each year ending in zero.

(2) At a minimum, that standard application must be submitted by a person prior to appointment to the commission and must confirm, under penalty of perjury, that the applicant satisfies the qualifications established by this article.

(3) This subsection (a) does not prevent the Mayor or a Council Member from requesting additional information from an applicant through a supplemental application, interview, or otherwise.
(b) **Application Process.**

(1) The City Clerk shall administer the application process in accordance with the following minimum standards:

A. The process must be open to all residents of the City who meet the requirements of this article.

B. With respect to outreach efforts, the process must promote the development of a pool of qualified applicants that is large and reflective of the diversity of the City. To that end, the City Clerk shall seek assistance from a broad range of community-based organizations in publicity and outreach efforts.

C. The process must require the submission of the standard application and of any applicable supplemental application created by a City elected official.

(2) The initial application window for service on the commission must be open as follows:

A. For the commission that will issue its final report based on the 2020 census, the application window must be open from December 1, 2021, through January 30, 2022.

B. For each subsequent commission, the application window must be open from September 1 through November 30 in a year ending in zero.

(3) No more than 15 days after the initial application window has closed, the City Clerk shall process and distribute the applications in accordance with the following:

A. City Council may, by ordinance, authorize a process for evaluating the validity of the information contained in an application. In the absence of such a process, City Clerk shall serve in a ministerial capacity with respect to the application process.

B. The City Clerk shall remove from consideration any applicant that fails to meet the requirements of this article on
the basis of the application and any authorized evaluation of that application.

C. Following the removal of those applicants from consideration, the City Clerk shall distribute each remaining application to the applicable City elected official based on residence, in accordance with subsection (d).

(4) If, after the City Clerk has removed applications from consideration in accordance with subsection (3), there are fewer than five applications from any Council district, the City Clerk shall re-open the application window for that district in accordance with subsection (c).

(c) Additional Applications. If authorized by this article, the City Clerk may re-open the application window in accordance with the following:

(1) The application window shall be re-opened for no more than 15 days.

(2) Prior to re-opening the application window, the standard application and any applicable supplemental application may be revised through the same process in which it was originally established.

(3) Outreach efforts similar to those used for the initial application window should be followed to the extent practicable, but the City Clerk may deviate to the extent necessary to effectuate the purpose of this article.

(d) Selection. The Mayor and each Council Member shall appoint one commissioner each in accordance with the following:

(1) For the commission that will issue its final report based on the 2020 census, the appointments must be complete on or before March 31, 2022.

(2) For each subsequent commission, the appointments must be complete no later than the last day in February of each year ending in zero.
(3) Regardless of the commission, each appointment must be made by submitting the name of the person being appointed to the City Clerk in writing.

(e) Terms. The term of each commissioner is approximately ten years, to run in accordance with the following:

(1) With respect to the commission issuing its final report based on the 2020 census, the term of each commissioner begins on May 1, 2022.

(2) For each subsequent commission, the term of each commissioner begins on March 1 of a year ending in one.

(3) Regardless of the commission, the term of each commissioner continues for a period of approximately ten years, ending on the last day of February of the next year ending in one.

(4) Although each commissioner remains in office following the active period, the commission will cease to meet at the end of the active period unless reconvened in accordance with this article.

(f) Vacancies. If a vacancy occurs on the commission, it shall be filled in accordance with the following:

(1) The vacancy must be filled by the City elected official holding the same position as the City elected official who made the original appointment (even if a different person now holds that position).

(2) If the vacancy occurs prior to the date on which the commission issues its final report, the City elected official shall attempt to fill the vacancy from the original applicant pool. But if none of the members of that pool are eligible or willing to serve, the City Clerk shall re-open the application window in accordance with subsection (c), and the vacancy shall be filled from that pool.

(3) Otherwise, the vacancy may remain unfilled unless and until the commission is reconvened. In that case, the vacancy shall be filled in the same manner as described in subsection (f)(2).

(4) The person appointed to fill a vacancy will continue in office through the remainder of the unfulfilled term.
Sec. 9.04. Commission organization.

(a) Size. The commission shall have nine commissioners.

(b) Quorum. Five commissioners will constitute a quorum.

(c) Approval thresholds. Except as otherwise provided by this article, any action of the commission requires the affirmative vote of the majority of commissioners present.

(d) Officers and committees. The commission shall have a chair and vice chair elected from among the commissioners. The commission may establish any subcommittee or ad hoc committee necessary or appropriate, and each such committee shall report on its activities at the next meeting of the commission.

(e) Meetings.

(1) For the commission that will issue its final report based on the 2020 census, the commission shall hold an organizational meeting in May 2022. For each subsequent commission, the commission shall hold an organizational meeting in March of each year ending in one.

(2) At the organizational meeting, the commission shall, at a minimum, do each of the following: (i) elect a chair and vice chair from among the commissioners and (ii) adopt rules and procedures in accordance with subsection (f).

(3) Following the organizational meeting, subsequent meetings of the commission shall be held upon the call of the chair or any three members of the commission.

(f) Rules and Procedures.

(1) The commission and the commissioners are each subject to (i) applicable provisions of Florida law regarding public records, open meetings, and ethics and (ii) unless superseded by this article, provisions of City Code generally applicable to City boards and commissions (including those for attendance, absenteeism, and removal).
(2) To supplement rules and procedures otherwise specified by applicable law, the City Clerk shall, in consultation with the City Attorney and prior to the organizational meeting of the commission, develop an initial set of rules and procedures for the commission to address (i) compliance with Florida law regarding public records, open meetings, and ethics; (ii) preparation for and conduct of meetings, including distribution of materials in advance of meetings; (iii) accepting public comment in accordance with Sec. 9.07; (iv) coordination with City officials and employees; (v) tracking information necessary to carry out the work of the commission; and (vi) any other matter necessary or appropriate for the operation of the commission.

(3) At the organizational meeting, the commission shall adopt those proposed rules and procedures (with or without amendment) or some other set of rules and procedures, and thereafter, the commission may change those rules and procedures.

(g) Compensation; Expenses. A commissioner shall receive no compensation for service as a commissioner but may be reimbursed for any necessary expense in accordance with applicable law. Reimbursement of any commission-related expense (whether for a commissioner, individually, or for the commission, as a whole) must be approved by the commission, and once approved, the expense shall be forwarded to the Mayor (or the Mayor’s designee) for payment.

Sec. 9.05. Standards for district boundaries.

(a) Minimum Requirements. District boundaries must meet the following minimum requirements:

(1) Collectively, the district boundaries must be geographically contiguous so as to cover the entire City.

(2) The district boundaries must comply with all applicable provisions of the following, as each may be amended from time-to-time:

A. The Federal Constitution;

B. Federal law, including the Voting Rights Act of 1965;
C. The Florida Constitution; and

D. Florida law.

(3) Districts must not be established with the intent or result of either (i) denying or abridging the equal opportunity of racial or language minorities to participate in the political process or (ii) diminishing their ability to elect representatives of their choice.

(b) Required Considerations. When establishing district boundaries, the following considerations shall be applied, in order of descending priority:

(1) The districts should be substantially equal in population.

(2) The district boundaries should be consistent with existing neighborhoods and community boundaries.

(3) The district boundaries should not divide a community of interest. For purposes of this article, a community of interest is a contiguous population that shares common social and economic interests and that should be included within a single district for purposes of its effective and fair representation. The term does not include relationships with any political party, incumbent, or political candidate.

(4) The district boundaries should emphasize integrity and compactness of territory, such that nearby areas of population are not bypassed for more distant areas of population.

(5) With respect to the district boundaries established on the basis of the 2020 census data, district boundaries should reflect the boundaries of existing election precincts.

(6) The district boundaries should reflect natural barriers and boundaries, such as those created by geography and topography.

(7) The district boundaries should reflect artificial barriers and boundaries, such as those created by major highways.

(8) The district boundaries should preserve population cores that have been consistently associated with a particular council district so as to minimize the number of residents whose Council
district number is changed following as the result of establishing new boundaries.

(c) **Prohibited considerations.** The following considerations are prohibited when establishing any district boundary:

1. A district boundary shall not be based on the place of residence of any individual or entity, including any incumbent or political candidate.

2. A district boundary shall not be established for the purpose of favoring or discriminating against any particular incumbent, political candidate, or political group.

(d) **Supplemental Considerations.** The commission may supplement the required and prohibited considerations established by this section as follows:

1. The commission may adopt definitions or explanations for any of those considerations without changing the prioritization of that consideration.

2. The commission may establish any additional consideration or prohibition, to be considered at a lower priority than those established by this section.

3. At least six affirmative votes are required to take any action authorized by this subsection (d).

(e) **Subsequent Change to Municipal Boundaries.**

1. If the municipal boundaries are changed, the City Clerk shall request the commission meet to approve a change to the district boundaries in accordance with this section.

2. If territory is annexed, consolidated, or otherwise attached to the City, it shall be allocated to a council district pursuant to this subsection, effective upon the completion of such annexation, consolidation, or other proceedings.
A. If the territory’s boundary is contiguous to the boundary of a single council district, the territory must be allocated to that council district.

B. If the territory’s boundary is contiguous to the boundaries of two or more council districts, the territory must be allocated to the council district with which it shares the longest district boundary.

C. If the territory’s boundary is not contiguous with the boundary of any council district, the territory must be allocated to the closest council district.

(3) If territory is removed from the municipal boundary, it shall be removed from the applicable Council district as well.

Sec. 9.06. Final report of the commission; effective date.

(a) Deadline; Contents. Except as otherwise provided by subsection (e), no more than six months after the block-level population data from the census has been released to the public, the commission shall affirm the existing district boundaries or propose new district boundaries by issuing a final report to City Council that includes the following, at a minimum:

(1) A written description of the district boundaries.

(2) A precise map illustrating the district boundaries or a reference to such a map.

(3) The rationale for the district boundaries, including (i) an explanation of how the district boundaries comply with the requirements of this article and (ii) a justification for any district boundary that does not meet the requirements of this article.

(b) Approval of Final Report.

(1) The final report is considered approved upon the first of the following to occur:
A. If City Council expressly approves the final report with at least five affirmative votes, the final report is approved as of the date of that vote.

B. If the rejection period provided for under subsection (b)(2) ends without City Council taking any of the actions authorized under that subsection, the final report is deemed approved as of the last date of that rejection period.

(2) Except as otherwise provided by subsection (e), in the 45 days following issuance (or reissuance) of the final report, if City Council determines, with at least six affirmative votes, that the final report does not meet the requirements of this article, the City Council may reject the final report by doing one of the following:

A. Require the commission to address each deficiency by providing a written explanation of each deficiency and establishing a deadline for the commission to revise and reissue its final report for that purpose.

B. Direct the City Attorney to petition state court for an order requiring the commission to address specific deficiencies with a deadline for the commission to revise and reissue its final report for that purpose.

C. Direct the City Attorney to petition state court for an order establishing Council district boundaries in accordance with the requirements of this article.

(c) **Effective Date.** If the final report is approved with less than nine months until the next primary election occurs, the district boundaries in the final report go into effect after that election cycle is complete (i.e., primary, general, and any applicable run-off). Otherwise, the new district boundaries go into effect upon the date the final report is approved.

(d) **Delayed Final Report.** If the commission does not issue its final report by the deadline established by subsection (a), the City Attorney shall petition a court of competent jurisdiction for an order maintaining the existing district boundaries or prescribing new district boundaries, in accordance with the requirements set forth in this article. The district boundaries prescribed by that court shall be used for all subsequent City
Council elections until they can be replaced with district boundaries established by the commission in accordance with this article. The City Attorney shall withdraw a petition filed pursuant to this subsection if, before the Court establishes new district boundaries, the commission issues a final report that is accepted by City Council.

(e) Transition Schedule. The following deadlines and time periods apply with respect to the final report issued by the commission based on the 2020 census:

(1) The final report must be issued on or before Nov. 1, 2022.

(2) The rejection period provided for under subsection (b)(2) closes on Nov. 28, 2022, regardless of how many days have elapsed since the final report was issued.

Sec. 9.07. Public comment.

(a) Process.

(1) The commission shall obtain public comment through a process that meets the following minimum requirements:

A. The process must satisfy all applicable provisions of Florida law regarding public records, open meetings, and ethics.

B. The process must allow for public comment at meetings and the submission of written public comment outside of meetings.

C. The process must be promoted through an extensive outreach program to promote broad public participation in the process of evaluating the district boundaries.

(2) The public comment process established pursuant to this section does not apply to communication between a commissioner and any City employee or official or any commission staffer. Otherwise, that process is the only authorized process for communication with a commissioner or a commission staffer about the work of the commission.
(3) If a person communicates with a commissioner outside of the process established pursuant to this section, the commissioner shall request the person re-submit the communication through the established process. If the commissioner confirms that the person has done so, no further action is required. Otherwise, the commissioner shall disclose the communication pursuant to Sec. 9.02(d).

(4) Regardless of the form of communication, any person compensated for communicating with a commissioner shall disclose, at the time of the communication and as part of the communication, (i) that the person has been compensated for the communication and (ii) the source of that compensation.

(b) Preliminary Plan. The commission shall issue a preliminary plan for district boundaries and accept public comment on that plan in accordance with the following:

(1) The commission shall issue a preliminary plan for district boundaries only after holding at least one public hearing in each of the then-current Council districts.

(2) After issuing a preliminary plan for district boundaries, the commission shall accept public comment on that preliminary plan by (i) holding at least four public hearings, geographically distributed throughout the City, and (ii) accepting written public comment for at least 14 days.

(c) Proposed Final Report. After meeting the requirements of subsection (b), the commission shall issue a proposed final report and accept public comment on that proposed final report in accordance with the following:

(1) The proposed final report must satisfy the minimum requirements of Sec. 9.02(a).

(2) Following issuance of the proposed final report, the commission shall accept public comment on that proposed final report by (i) holding at least two public hearings, geographically distributed in the north and south of the City, and (ii) accepting written public comment for at least seven days.
(d) **Final Report.** After meeting the requirements of subsection (c), the commission shall issue a final report in accordance with the following:

1. The final report must meet all requirements of Sec. 9.02(a).
2. At least six affirmative votes are required to approve issuance of the final report.
3. The district boundaries in the final report must be substantially similar to those in the proposed final report, as determined by an attorney serving as a legal advisor to the commission in accordance with Sec. 9.08(c). Accordingly, if the commission desires to make substantial changes to any district boundary in the proposed final report, the commission shall repeat the public comment process described in subsection (c) before issuing the final report.

(e) **Additional Input.** This section is intended to establish minimum requirements for obtaining public comment, and nothing in this section prohibits the commission from holding additional public hearings or taking additional written public comment.

**Sec. 9.08. Administrative Support**

(a) **Plan for Administrative Support.** Prior to the organizational meeting of the commission, the Mayor (or the Mayor’s designee) shall establish a plan for providing the commission with the guidance and administrative support necessary to carry out its duties under this article. That plan must address, at a minimum: (i) training and orientation of commissioners concerning City government, applicable law, and the rules and procedures proposed pursuant to Sec. 9.04(f); (ii) staff and resources for meetings; and (iii) staff and resources for marketing and public engagement.

(b) **City Officials and Personnel.** The City shall designate at least the following officials and staff to assist the commission in its work: (i) the City Administrator; (ii) the City Attorney; (iii) the City Clerk; and (iv) three other City officials or employees. These officials and staff may continue to perform their regular duties while assisting the commission in this capacity.
(c) **Commission Staffers.** The commission may employ commission staffers as needed to support the work of the commission, in accordance with the following:

1. The commission shall establish clear criteria for the hiring and removal of commission staffers. At a minimum, those criteria must meet or exceed the conflict requirements for commissioners in Sec. 9.02(b)(3).

2. At a minimum, the commission shall employ at least one attorney with demonstrated extensive experience and expertise in implementation and enforcement of the federal Voting Rights Act of 1965. That attorney (and any other attorney hired by the commission) will serve as an advisor to the commission. Accordingly, such an attorney shall not represent the commission in an attorney–client capacity and will not be considered an Assistant City Attorney.

3. The commission shall establish communication protocols and a code of conduct for commission staffers.

4. Each commission staffer will be a City staffer and not a staffer of the commission as an independent entity.

(d) **Improper Influence.** City Council shall, by ordinance, establish prohibitions on attempted or actual threats, intimidation, coercion, or any other adverse action against a commissioner or a commission staffer because of their affiliation with the commission or for the purpose of influencing the work of the commission.

(e) **Implementing Ordinances.**

1. City Council may, by ordinance adopted through a majority vote, establish any obligation, prohibition, or policy related to the commission that is consistent with this article.

2. Additionally, City Council may, by ordinance adopted with at least seven affirmative votes, establish any obligation, prohibition, or policy that is inconsistent with this article to the extent such inconsistency is necessary to effectuate the overall purpose of this article with respect to the following: (i) any deadline or time period in any section or (ii) any provision of Sec. 9.02).
Sec. 9.09. Legal challenge.

(a) The City Attorney shall defend any district boundary proposed or established by the commission from legal challenge. The City Attorney may not settle any legal challenge without the commission’s approval.

(b) If a legal challenge to any district boundary is successful, the City Attorney shall petition the court to either (i) correct the violation through a court order adjusting the district boundaries in a manner consistent with this article or (ii) order the commission to reconvene to establish new district boundaries that are consistent with this article.

SECTION 6—CANDIDATE AFFIDAVIT: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter subsection 5.04 will be amended as follows:

Sec. 5.04. Nominations.

(a) Nomination applications and continued residency.

(1) Nomination applications. Anyone seeking to be a candidate for nomination in the primary election shall qualify for that election only by filing an application with the City Clerk in accordance with the following:

A. The time period for filing an application shall be established by City Council by ordinance to accommodate applicable requirements of the Pinellas County Supervisor of Elections and applicable law.

B. The application must include the candidate’s name, and the desired office, and if the candidate is running for City Council, it must also include the candidate’s district or declare if the candidacy is for Mayor.

C. Each application must be accompanied by an affidavit that meets the following requirements:

1. The affidavit must state that the candidate is a qualified elector of the City of St. Petersburg, Florida, and that, as of the date of the primary election, a candidate for Council Member shall have
been a resident of the declared district for at least the preceding past twelve (12) months, or that, as of the date of the primary election, a candidate for Mayor will have been a resident of the City for at least the past preceding twelve months.

2. The affidavit will also state that the applicant has not become and is not a candidate, a nominee, or representative of any political party or of any committee or convention representing or acting for any political party.

3. The affidavit must also state that the applicant is not prohibited from holding the applicable office by any other provision of this Charter (including article IX).

D. Each application shall be accompanied by a qualifying fee in the amount of one hundred fifty dollars ($150.00) for a candidate for district Council Member or in the amount of two hundred fifty dollars ($250.00) for a candidate for Mayor.

E. In lieu of the qualifying fee specified in the preceding subsection, the application may be accompanied by a petition which shall indicate that prominently indicates the office desired and, if the candidate is running for City Council, the applicable district from which the applicant is a candidate or if the applicant is a candidate for Mayor, said. To satisfy the requirements of this section, the petition shall be signed by not less than at least five hundred (500) qualified electors if it be for Council Member and by not less than at least one thousand (1,000) qualified electors if it be for Mayor. In the case of a candidate for Council Member, the petition shall be signed by the resident electors residing in the district in which the candidate is a resident.
SECTION 7—BALLOT TEXT: The City shall use the following caption and explanatory statement as the ballot title and ballot summary for the Amendment:

Creating new process for establishing district boundaries for election of City Council Members

Shall the City create a new process for establishing City Council district boundaries that (i) uses comprehensive standards for drawing equitable district boundaries; (ii) has requirements and restrictions for appointment, service, communication, and accepting public comment; and (iii) requires City Council to be bound by commission recommendations unless inconsistent with applicable law? The new process would occur every ten years and maintain the existing nine-member citizens commission appointed by the Mayor and Council Members.

YES NO

SECTION 8—SEVERABILITY: The provisions of the Amendment are intended to be severable, and a determination that any portion of the Amendment is invalid should not affect the validity of the remaining portions of the Amendment.

SECTION 9—EFFECTIVE DATE: If the Amendment is approved, the City shall incorporate the Amendment into a revised version of the City Charter along with any other amendment to the City Charter approved during the Election, subject to the conflict-resolution provisions in Charter section 5.01 and in any other amendment to the City Charter approved during the Election. Pursuant to Florida Statutes section 166.031, the City shall file that revised version of the City Charter with the Department of State, and it will be effective upon filing.

Approved as to form and content:

City Attorney (Designee)
AMENDMENT 3
Establishing an equity framework and
Chief Equity Officer for City government
SECTION 1—SUBMISSION OF AMENDMENT: Pursuant to St. Petersburg City Charter section 8.01, the 2021 Charter Review Commission (“CRC”) hereby submits the proposed amendment of the City Charter set forth in this document (collectively, the “Amendment”) to be placed on the ballot of the municipal general election scheduled for November 2, 2021 (the “Election”).

SECTION 2—FINDINGS: CRC hereby makes the following findings in support of the Amendment:

(a) An equity profile of Pinellas County was published in 2019 by the PolicyLink research institute and the Program for Environmental and Regional Equity (PERE) at the University of Southern California, in partnership with UNITE Pinellas. That profile summarized the impact of equity gaps on the County as follows:

Mirroring national trends, Pinellas County is becoming a more diverse county. In the next few decades, the majority of the county’s residents will be people of color from a rich variety of racial and ethnic backgrounds. However, a long history of racial discrimination and disinvestment in communities of color has created entrenched and persistent racial inequities in employment, income, wealth, education, health, justice, housing, and transportation.

The success and prosperity of Pinellas County will rely on dismantling these unjust barriers and ensuring that everyone can participate in and enjoy the benefits of a thriving economy. It is estimated that without racial gaps in income, the economy in the region would have been $3.6 billion stronger in 2016. . . .
(b) Because eliminating such equity gaps would promote the economic development of the City, it would serve a valid municipal purpose for the City to address those gaps by taking steps to:

(i) prevent differential outcomes based on race, ethnicity, or any other immutable characteristic at all levels of City government and in all functions of City government;

(ii) eliminate barriers to public involvement in the decisions, programs, and services of City government; and

(iii) promote the achievement of equity throughout the St. Petersburg community.

(c) To ensure that the City’s efforts to achieve that goal are intentional and coordinated, the City should establish an overall equity action plan for developing and sustaining an organizational infrastructure that addresses equity gaps internally and externally. That plan should be implemented throughout City government, with each department implementing the plan at a departmental level through planning, staffing, and the collection of data.

(d) The City should, on an annual basis, (i) assess its progress toward implementing the plan; (ii) issue a public report on that assessment; and (iii) update the plan to reflect the results of that assessment.

(e) Additionally, the City should establish the position of Chief Equity Officer to oversee equity initiatives, including (i) coordinating the implementation, assessment, and reporting of the plan; (ii) evaluating the equity impact of the City’s annual budget; and (iii) coordinating the City’s community outreach and engagement with respect to equity issues.

(f) The framework described in the preceding findings should be incorporated into the City Charter to ensure that the City’s government will continue to take steps towards addressing equity gaps in St. Petersburg, regardless of which elected officials hold office.

**SECTION 3—EQUITY FRAMEWORK:** If a majority of electors voting on the Amendment vote to approve the Amendment, the following will be added to City Charter article I as new section 1.03:

**Sec. 1.03. Equity Framework.**

(a) *Equity Action Plan.* The City shall have an equity action plan for developing and sustaining an organizational infrastructure that is intended to (i) prevent differential outcomes based on race, ethnicity, or any other immutable characteristic at all levels of City government and in all functions of City government; (ii) eliminate barriers to public involvement in
the decisions, programs, and services of City government; and (iii) promote the achievement of equity throughout the St. Petersburg community. The plan must cover at least one fiscal year and must be revised as necessary or appropriate to address equity gaps identified in the annual report required under this section.

(b) **Annual Assessment and Reporting.**

(1) Each fiscal year, the City shall assess the implementation of the equity action plan and provide the results of that assessment in an annual report that is prepared by the Chief Equity Officer, presented to City Council, and made available to the public.

(2) At a minimum, the report must (i) assess progress towards achieving the goals set forth in the plan; (ii) identify continued equity gaps in outcomes; and (iii) propose action steps for continued progress in eliminating those equity gaps.

(c) **Departmental Implementation.** Each department shall implement the equity action plan in accordance with the following:

(1) Each department shall have a departmental plan for implementing the equity action plan at the departmental level so that the day-to-day operations of the department (including all programs, policies, procedures, plans, budgets, and other activities) are aligned with and implement the equity action plan.

(2) Each department shall designate a staff member who is responsible for the implementation of its departmental plan.

(3) Each fiscal year, each department shall assess the implementation of its departmental plan and prepare a report that satisfies the requirements of subsection (b)(2).

(4) Each department shall coordinate the implementation of its plan with the Chief Equity Officer and provide the Chief Equity Officer with any information needed to fulfill duties of the Chief Equity Officer under this Charter.

(5) Each department may impose the requirements of this subsection on any division or other lower-level organizational unit within that department.
Chief Equity Officer. The City shall have a Chief Equity Officer in accordance with the following:

(1) The Mayor, subject to City Council confirmation, shall appoint the Chief Equity Officer. The Chief Equity Officer may be removed by the Mayor only with approval by City Council receiving at least five affirmative votes.

(2) The duties of the Chief Equity Officer include the following:

A. The Chief Equity Officer shall coordinate the creation and revision of the equity action plan and the annual assessment and reporting required under this section.

B. The Chief Equity Officer shall coordinate implementation of the equity action plan required by this section across all City departments in an integrated fashion. This includes (i) supporting the development of departmental plans and the assessment of and reporting on those departmental plans; (ii) coordinating the collection of equity-related data across all departments; and (iii) ensuring that the collected equity-related data is analyzed and made available across all departments and to the public.

C. The Chief Equity Officer shall coordinate the City’s community outreach and engagement with respect to equity issues.

D. The Chief Equity Officer shall evaluate the equity impact of the proposed budget presented to City Council for each fiscal year and present that evaluation to City Council in conjunction with the proposed budget.

(3) The Chief Equity Officer shall report directly to the Mayor, and the Mayor shall provide the Chief Equity Officer with resources and authority to fulfill the duties of the Chief Equity Officer under the Charter.
SECTION 4—CHIEF EQUITY OFFICER: If a majority of electors voting on the Amendment vote to approve the Amendment, the following will be added to City Charter article III as new section 3.15:

Sec 3.15. Chief Equity Officer.

There shall be a Chief Equity Officer, and the appointment, removal, duties, and responsibilities of that position are set forth in Charter section 1.03.

SECTION 5—BALLOT TEXT: The City shall use the following caption and explanatory statement as the ballot title and ballot summary for the Amendment:

Establishing an equity framework and Chief Equity Officer for City government

Analysis of demographic and economic data for Pinellas County indicates that the region’s economy would benefit from eliminating equity gaps based on race, ethnicity, or other immutable characteristics. Shall the City Charter be amended to establish an equity framework intended to address those equity gaps? That framework must include an equity action plan implemented at City-wide and departmental levels, regular assessment and reporting, and the creation of a Chief Equity Officer for the City.

YES NO

SECTION 6—SEVERABILITY: The provisions of the Amendment are intended to be severable, and a determination that any portion of the Amendment is invalid should not affect the validity of the remaining portions of the Amendment.

SECTION 7—EFFECTIVE DATE: If the Amendment is approved, the City shall incorporate the Amendment into a revised version of the City Charter along with any other amendment to the City Charter approved during the Election, subject to the conflict-resolution provisions in Charter section 5.01 and in any other amendment to the City Charter approved during the Election. Pursuant to Florida Statutes section 166.031, the City shall file that revised version of the City Charter with the Department of State, and it will be effective upon filing.

Approved as to form and content:

City Attorney (Designee)
AMENDMENT 4
Establishing a requirement
for Charter-protected equity funding
2021 CHARTER REVIEW COMMISSION
PROPOSED CHARTER AMENDMENT 4

REQUIRING THAT THE CITY DESIGNATE “CHARTER-PROTECTED EQUITY FUNDING” TO ADDRESS EQUITY GAPS AND PREVENT THAT FUNDING FROM BEING USED FOR OTHER PURPOSES, WHILE STILL ALLOWING FOR OTHER, UNRESTRICTED FUNDING TO BE USED FOR EQUITY-RELATED INITIATIVES.

SECTION 1—SUBMISSION OF AMENDMENT: Pursuant to St. Petersburg City Charter section 8.01, the 2021 Charter Review Commission (“CRC”) hereby submits the proposed amendment of the City Charter set forth in this document (collectively, the “Amendment”) to be placed on the ballot of the municipal general election scheduled for November 2, 2021 (the “Election”).

SECTION 2—FINDINGS: CRC hereby makes the following findings in support of the Amendment:

(a) An equity profile of Pinellas County was published in 2019 by the PolicyLink research institute and the Program for Environmental and Regional Equity (PERE) at the University of Southern California, in partnership with UNITE Pinellas. That profile summarized the impact of equity gaps on the County as follows:

Mirroring national trends, Pinellas County is becoming a more diverse county. In the next few decades, the majority of the county’s residents will be people of color from a rich variety of racial and ethnic backgrounds. However, a long history of racial discrimination and disinvestment in communities of color has created entrenched and persistent racial inequities in employment, income, wealth, education, health, justice, housing, and transportation.

The success and prosperity of Pinellas County will rely on dismantling these unjust barriers and ensuring that everyone can participate in and enjoy the benefits of a thriving economy. It is estimated that without racial gaps in income, the economy in the region would have been $3.6 billion stronger in 2016. . . .
(b) Because eliminating such equity gaps would promote the economic development of the City, it would serve a valid municipal purpose for the City to address those gaps by taking steps to:

(i) prevent differential outcomes based on race, ethnicity, or any other immutable characteristic at all levels of City government and in all functions of City government;

(ii) eliminate barriers to public involvement in the decisions, programs, and services of City government; and

(iii) promote the achievement of equity throughout the St. Petersburg community.

(c) Accordingly, the Charter should be amended to create “Charter-protected equity funding” by requiring (i) that the City designate funding for the purposes described in the preceding finding and (ii) that once funding has been designated for those purposes, it may be used only for those purposes.

(d) If the City has a formal equity action plan (as would be required under a corresponding Charter amendment proposed by CRC), Charter-protected equity funding would be used to implement that plan. Otherwise, it would be used for the purposes described in the preceding findings.

(e) The new Charter provision should clarify that it is subordinate to external restrictions to avoid a situation in which external funding (e.g., from a grant) cannot be spent because the conditions of that funding are in conflict with the Charter provision.

(f) The new Charter provision should also clarify that it applies only when City Council expressly invokes it and that it does not prevent City Council from using revenue not subject to the provision for equity-related initiatives.

SECTION 3—EQUITY FUNDING: If a majority of electors voting on the Amendment vote to approve the Amendment, the following will be added to City Charter article IV as new section 4.06:

Sec. 4.06. – Charter-Protected Equity Funding.

(a) Purpose. This section is intended to ensure that the City provides and protects funding for equity-related initiatives. For purposes of this section, “equity” means the condition that would be achieved if race, ethnicity, or other immutable characteristics did not predict, in a statistical sense, a person’s opportunities or outcomes.
(b) **Imposition of designation.** City Council shall, by ordinance, expressly designate one or more forms of revenue to be subject to this section, and any such revenue received by the City while that designation is in effect is considered “Charter-Protected Equity Funding” that shall be used only as authorized by this section.

(c) **Authorized uses.** If the City has a formal equity action plan, then Charter-Protected Equity Funding shall be used only to support initiatives identified in the then-current version of that plan. Otherwise, Charter-Protected Equity Funding shall be used only to support initiatives that are intended to (i) prevent differential outcomes based on race, ethnicity, or any other immutable characteristic at any level of City government or in any function of City government; (ii) eliminate barriers to public involvement in the decisions, programs, or services of City government; or (iii) promote the achievement of equity throughout the St. Petersburg community.

(d) **More restrictive conditions allowed.** This section does not prohibit the imposition of any condition on Charter-Protected Equity Funding that is more restrictive than the conditions set forth in this section or established by ordinance pursuant to this section.

(e) **Revocation of designation is not retroactive.** Although City Council may, by ordinance, revoke any existing designation of revenue pursuant to this section, such revocation is not retroactive and applies only to revenue received after the revocation goes into effect. Accordingly, any revenue subject to the designation at the time it was received remains Charter-Protected Equity Funding subject to this section.

(f) **Conflict with external restrictions.** In the event revenue designated as Charter-Protected Equity Funding is subject to an external restriction and a conflict exists between the external restriction and this section, the external restriction controls.

(g) **Implementation.** Implementation of this section is not limited to any particular form of revenue or any particular accounting mechanism.

(h) **Other revenue.** Revenue becomes subject to this section as Charter-Protected Equity Funding only through express action of City Council in accordance with subsection (b). Accordingly, the use of revenue for an equity-related initiative does not automatically subject that revenue to
this section, and nothing in this section is intended to prevent or limit City Council from using revenue not subject to this section for an equity-related initiative.

SECTION 4—BALLOT TEXT: The City shall use the following caption and explanatory statement as the ballot title and ballot summary for the Amendment:

Establishing a requirement for Charter-protected equity funding

Analysis of demographic and economic data for Pinellas County indicates that the region’s economy would benefit from eliminating equity gaps based on race, ethnicity, or other immutable characteristics. Shall the City Charter be amended to require that the City designate “Charter-protected equity funding” to address those equity gaps and prevent that funding from being used for other purposes? This amendment would not prohibit the City from funding equity-related initiatives with other, unrestricted funding.

YES

NO

SECTION 5—SEVERABILITY: The provisions of the Amendment are intended to be severable, and a determination that any portion of the Amendment is invalid should not affect the validity of the remaining portions of the Amendment.

SECTION 6—EFFECTIVE DATE: If the Amendment is approved, the City shall incorporate the Amendment into a revised version of the City Charter along with any other amendment to the City Charter approved during the Election, subject to the conflict-resolution provisions in Charter section 5.01 and in any other amendment to the City Charter approved during the Election. Pursuant to Florida Statutes section 166.031, the City shall file that revised version of the City Charter with the Department of State, and it will be effective upon filing.

Approved as to form and content:

City Attorney (Designee)
AMENDMENT 5
Establishing new requirements related to City Administrator,
City Clerk, and City Council Administrative Officer
2021 CHARTER REVIEW COMMISSION
PROPOSED CHARTER AMENDMENT 5

ADDING A RESIDENCY REQUIREMENT
AND CLARIFYING THE DUTIES OF THE
CITY ADMINISTRATOR; CLARIFYING
THE DUTIES OF AND PROTECTIONS AF-
FORDED TO THE CITY CLERK;
ELEVATING THE CITY COUNCIL AD-
MINISTRATIVE OFFICER TO A
CHARTER POSITION WITH PROTEC-
TIONS SIMILAR TO THE CITY CLERK;
AND MAKING OTHER RELATED
CHANGES.

SECTION 1—SUBMISSION OF AMENDMENT: Pursuant to St. Petersburg City Charter section 8.01, the 2021 Charter Review Commission (“CRC”) hereby submits the proposed amendment of the City Charter set forth in this document (collectively, the “Amendment”) to be placed on the ballot of the municipal general election scheduled for November 2, 2021 (the “Election”).

SECTION 2—FINDINGS: CRC hereby makes the following findings in support of the Amendment:

(a) Article III of the Charter provides for the powers and duties of key elected and appointed City positions, including the City Administrator, City Clerk, and City Attorney.

(b) Charter section 3.11 concerns the position of the City Administrator. For purposes of clarity, that section should be amended to consolidate related provisions from other sections of the Charter, including those concerning the duties of the City Administrator and the minimum professional qualifications for the position. Additionally, due to the central role of that position in City government (e.g., pursuant to Charter section 4.03, the City Administrator must be the first person in the line of succession to serve as “Acting Mayor”), the Charter should be amended to require that the City Administrator be a resident of the City.

(c) Charter section 4.04 should be amended to remove language related to the City Administrator for purposes of consolidation (as described in the preceding finding) and other redundant language to allow the provision to address a single subject (i.e., the appointment of boards and commissions not otherwise addressed by the Charter). This amendment would improve overall clarity of the Charter without making any substantive changes.
(d) Pursuant to Charter section 3.10, the City Clerk “shall serve the entire City government,” and in that capacity, the City Clerk interacts regularly with the Mayor, the Mayor’s administration, City Council Members, and the City Council office staff. Accordingly, that section should be revised to clarify that the City Clerk may respond to and work directly with all aspects of City government, including City Council.

(e) The City Clerk, like the City Attorney, works with both branches of municipal government—i.e., the Mayor (and the Mayor’s administration) and City Council Members (and City Council office staff). Therefore, the position of City Clerk should be protected from removal in the same manner as the City Attorney, with removal by the Mayor requiring approval by a majority of City Council.

(f) The office of City Council has grown in size over the years to meet the demands of an increasingly complex City government. To meet those demands, the number of support staff has increased, including the creation of legislative aide positions. Each Council Member is currently assisted by a dedicated legislative aide, which provides support to each Council Member in a manner that promotes compliance with Florida’s Sunshine Law. To maintain the separation between the office of the Mayor and the office of City Council, the employees who work in the office of City Council should be insulated from removal solely by the Mayor or by a Council Member.

(g) To better reflect the separation of powers inherent in a strong-mayor form of government (i.e., in which the Mayor is the chief executive and not a member of City Council), the position of City Council Administrative Officer should be addressed in the Charter to require that the person holding the position be appointed by the Mayor and confirmed by Council and that the person may be removed by the Mayor only with at least five affirmative votes from City Council.

(h) Additionally, because members of the City Council office staff interact with both the Mayor (and members of the Mayor’s administration) and Council Members (individually), it makes sense to ensure that such staff members are insulated from removal from any single elected official. Accordingly, the City Council Administrative Officer should have the power to hire, fire, and supervise all City Council office staff.

(i) Because all of the changes described in the preceding findings would improve the operation of City government, it would serve a valid municipal purpose to amend the Charter to make those changes.

SECTION 3—FORMATTING CONVENTIONS: With respect to the Amendment set forth in this document, unless otherwise indicated, additions are indicated by underline, deletions are
indicated by strikethrough text, and unchanged paragraphs omitted for brevity are indicated by three widely spaced ellipsis dots centered on a separate line.

SECTION 4—CITY ADMINISTRATOR: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter section 3.11 will be amended as follows:

Sec. 3.11. City Administrator

There shall be a City Administrator, who is in charge of the daily operation of the City and for carrying out any other duty or responsibility set forth in this Charter. The City Administrator shall be appointed by the Mayor subject to confirmation by City Council, and must have relevant management, executive, or administrative experience in municipal government. If not already a resident of the City, the City Administrator shall establish such residency within six months of the first date of employment and continuously maintain that residency while serving as City Administrator. For purposes of this section, a Florida driver's license or Florida identification card bearing an address within the city limits of St. Petersburg is sufficient to prove residency.

SECTION 5—APPOINTMENT OF BOARDS AND COMMISSIONS: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter section 4.04 will be amended as follows:

Sec. 4.04. Powers and Duties of the Mayor and City Administrator.

(a) Except for the Civil Service Board and the City Council committees which are appointed as provided for in Sections 4.04(b) and 3.12 of this Charter respectively, the Mayor shall, with confirmation of the City Council, appoint all City Boards and Commissions. The Mayor shall, with confirmation of the Council, appoint the City Attorney, City Clerk and a City Administrator who shall be in charge of the daily operation of the City. The City Administrator shall have had relevant, management, executive, or administrative experience in municipal government. In addition to the appointment of any individual officer or employee that requires confirmation of City Council under this Charter (e.g., the City Administrator), the Mayor shall also appoint, with the confirmation of City Council, each member of a City board or commission unless otherwise provided by this Charter.

. . . . .
SECTION 6—CITY CLERK: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter section 3.10 will be amended as follows:

Sec. 3.10. City Clerk.

There shall be a City Clerk who shall be appointed by the Mayor subject to confirmation by City Council, and whose duties and responsibilities are as provided for by this Charter. Although an employee of the Mayor, the City Clerk shall serve the entire City government, including City Council. Accordingly, any provisions in this Charter prohibiting City Council directing, inquiring of, or ordering City administrative staff or employees do not apply to the City Clerk. The City Clerk shall keep and have the care and custody of the books, records, papers, legal documents, and journals of proceedings of the City Council and shall carry out such additional duties as may be required by the Council or the Mayor. The Mayor may remove the City Clerk only with approval of City Council receiving at least five affirmative votes.

SECTION 7—CITY COUNCIL ADMINISTRATOR: If a majority of electors voting on the Amendment vote to approve the Amendment, the following will be added to the City Charter as new section 3.15:

Sec. 3.15. City Council Administrative Officer

(a) There shall be a City Council Administrative Officer who shall be appointed by the Mayor subject to confirmation by City Council, and whose duties and responsibilities are as provided for by this Charter. Accordingly, any provisions in this Charter prohibiting City Council directing, inquiring of, or ordering City administrative staff or employees do not apply to the City Council Administrative Officer or to employees who work in the office of City Council. The Mayor may remove the City Council Administrative Officer only with approval of City Council receiving at least five affirmative votes.

(b) The City Council Administrative Officer shall be the chief administrative officer of the office of City Council and shall supervise the management of and public contact with the office of City Council. The City Council Administrative Officer assists in the development, organization, and scheduling of council meetings, committee meetings, and agendas and shall perform all other duties that may be imposed upon them by this Charter or by ordinance. The City Council Administrative Officer shall hire such staff and legislative aides as are deemed necessary and expedient.
Authority for removal of these staff and aides shall be with the City Council Administrative Officer.

SECTION 8—BALLOT TEXT: The City shall use the following caption and explanatory statement as the ballot title and ballot summary for the Amendment:

Establishing new requirements related to City Administrator, City Clerk, and City Council Administrative Officer

The Charter provides requirements and duties for certain City officials appointed by the Mayor with consent of City Council. Shall the Charter be amended to (i) add a residency requirement for the City Administrator; (ii) clarify that the City Clerk serves both Mayor and Council and may be removed only with consent of both; (iii) provide the City Council Administrative Officer with duties and protections similar to the City Clerk; and (iv) make related changes?

YES

NO

SECTION 9—SEVERABILITY: The provisions of the Amendment are intended to be severable, and a determination that any portion of the Amendment is invalid should not affect the validity of the remaining portions of the Amendment.

SECTION 10—INSTRUCTIONS FOR CODIFIER: If this Amendment is approved simultaneously with another amendment to the City Charter that would also create a new section 3.15, the provision created by section 7, above, should be added to the City Charter as subsection 3.16.

SECTION 11—EFFECTIVE DATE: If the Amendment is approved, the City shall incorporate the Amendment into a revised version of the City Charter along with any other amendment to the City Charter approved during the Election, subject to the conflict-resolution provisions in Charter section 5.01; section 10, above; and in any other amendment to the City Charter approved during the Election. Pursuant to Florida Statutes section 166.031, the City shall file that revised version of the City Charter with the Department of State, and it will be effective upon filing.

Approved as to form and content:

/s/ Heather K. Judd
City Attorney (Designee)
AMENDMENT 6
Changing the City’s Charter-review process to avoid conflict with redistricting and make other improvements
2021 CHARTER REVIEW COMMISSION
PROPOSED CHARTER AMENDMENT 6

CHANGING THE CHARTER-REVIEW
PROCESS TO AVOID SCHEDULING CONFLICTS WITH REDISTRICTING AND TO MAKE OTHER CHANGES TO IMPROVE THE ADMINISTRATION AND INTEGRITY OF THE PROCESS.

SECTION 1—SUBMISSION OF AMENDMENT: Pursuant to St. Petersburg City Charter section 8.01, the 2021 Charter Review Commission (“CRC”) hereby submits the proposed amendment of the City Charter set forth in this document (collectively, the “Amendment”) to be placed on the ballot of the municipal general election scheduled for November 2, 2021 (the “Election”).

SECTION 2—FINDINGS: CRC hereby makes the following findings in support of the Amendment:

(a) Pursuant to Charter section 8.01, every ten years, the City is required to engage in a Charter-review process. That process is conducted by a citizen commission that is appointed to review, on behalf of the citizens of St. Petersburg, the operation of City government and, if appropriate, propose amendments to the Charter to be placed on the ballot of the subsequent municipal general election.

(b) Pursuant to Charter section 5.06, every ten years, the City is also required to consider redrawing the boundaries of the districts for City Council Members. That redistricting process takes place in conjunction with the release of block-level data from the decennial census conducted by the federal government. And while the redistricting process is subject to various federal and state constitutional provisions, all of the specific details of the redistricting process are governed by Charter, including scheduling, staffing, and the criteria for drawing districts.

(c) Currently, both the Charter-review process and the redistricting process are scheduled to occur to every ten years, in years ending in one. As a result, the two processes either overlap or occur in very close proximity.

(d) With little or no time between the two processes, if the Charter-review process results in changes to the redistricting process, the City is forced to do at least one of the following: (i) implement the changes to redistricting in an expedited manner; (ii) delay redistricting
to implement the changes in full; or (iii) conduct redistricting under the prior standards, with the changes implemented only when the next redistricting occurs (which may not be for another ten years).

(e) To improve the coordination between the Charter-review process and the redistricting process, the Charter-review process should occur two years before the redistricting process. That schedule will provide the City with an appropriate amount of time to implement changes to the redistricting process that occur through the Charter-review process.

(f) In addition to revising the schedule for the Charter-review process as described in the preceding findings, the Charter should also be amended to:

(i) Provide additional time for the Charter-review process to be conducted;

(ii) establish additional requirements for participation in the Charter-review process, to promote integrity and avoid conflicts (including a prohibition on elected officials and candidates and a requirement to file a statement of financial interests);

(iii) provide additional requirements for administrative support of the Charter-review process;

(iv) clarify the process for placing items on the ballot; and

(v) make other changes to improve organization, clarity, and consistency with applicable law.

(g) Because the current Charter-review process will have been completed by the time the Amendment would be approved, the changes to the Charter-review process effectuated by the Amendment will not be retroactive.

SECTION 3—AMENDMENT OF CITY CHARTER: If a majority of electors voting on the Amendment vote to approve the Amendment, City Charter section 8.01 will be replaced in its entirety with the following:

Sec. 8.01. Charter Review Commission.

(a) Purpose; Frequency. A Charter Review Commission consisting of nine members must be established every ten years for the purpose of reviewing, on behalf of the citizens of St. Petersburg, the operation of City government and proposing amendments to this Charter to be placed on the ballot of the municipal general election occurring in each year ending in nine.
(b) **Appointments.**

(1) No later than August 1 of each year ending in eight, the Mayor, with approval of City Council, shall establish a standard application to be used by each person applying to serve on the Charter Review Commission. At a minimum, that standard application must be submitted prior to appointment and must confirm, under penalty of perjury, that the applicant satisfies the qualifications established by this section. This provision does not prevent a Council Member or the Mayor from requesting additional information from an applicant through a supplemental application, interview, or otherwise.

(2) No later than September 15 of each year ending in eight, each Council Member and the Mayor shall appoint one member to the Charter Review Commission by submitting the name of that appointment in writing to the City Clerk.

(3) If a vacancy occurs more than 30 days before the deadline established for submission of the report to City Council, the Council Member or Mayor who made the original appointment shall appoint a replacement no more than 15 days after the vacancy occurs by submitting the name of the replacement in writing to the City Clerk.

(c) **Qualifications.**

(1) No member of the Charter Review Commission may hold elected office at the local, county, or state level while serving on the Charter Review Commission or be a candidate for such an office while serving on the Charter Review Commission.

(2) Each member of the Charter Review Commission must be a resident of the City at the time of appointment and remain so while serving on the Charter Review Commission.

(3) Each member of the Charter Review Commission shall file a statement of financial interests for local officers as described in the Florida Ethics Code (or the then-current equivalent).
(d) Procedures.

(1) Prior to the organizational meeting of the Charter Review Commission, the Mayor (or the Mayor’s designee) shall establish a plan for providing the Charter Review Commission with the guidance and administrative support necessary to carry out its duties under this section. Those arrangements must address, at a minimum: (i) training and orientation concerning City government, applicable law, and the rules and procedures proposed pursuant to this subsection; (ii) staff and resources for meetings; and (iii) staff and resources for marketing and public engagement.

(2) In November of each year ending in eight, the Charter Review Commission shall hold an organizational meeting, and at that organizational meeting, the body shall elect a Chair and Vice Chair from among its membership. Further meetings of the Charter Review Commission shall be held upon the call of the Chair or any three members of the Charter Review Commission. A majority of the members of the Charter Review Commission constitutes a quorum.

(3) The Charter Review Commission and its members are subject to (i) applicable provisions of Florida law regarding public records, open meetings, and ethics and (ii) provisions of City Code generally applicable to City boards and commissions (including those for attendance, absenteeism, and removal).

(4) To supplement rules and procedures otherwise specified by applicable law, the City Clerk shall, in consultation with the City Attorney’s Office and prior to the organizational meeting, develop an initial set of rules and procedures for the Charter Review Commission to address (i) compliance with Florida law regarding public records, open meetings, and ethics; (ii) preparation for and conduct of meetings, including distribution of materials in advance of meetings; (iii) coordination with City officials and staff; (iv) tracking proposals, amendments, and other information; and (v) any other matter necessary or appropriate for the operation of the Charter Review Commission. At the organizational meeting, the Charter Review Commission shall adopt those rules and procedures (with or without amendment) or some other
set of rules and procedures, and thereafter, the Charter Review Commission may change those rules and procedures through a majority vote.

(e) **Compensation, Expenses, and Funding.** The members of the Charter Review Commission shall receive no compensation but shall be reimbursed for necessary expenses in accordance with applicable law. A majority vote of the Charter Review Commission is required to approve any expenses (whether for an individual member or for the Charter Review Commission, as a whole), and any approved expenses must be forwarded to the Mayor (or the Mayor’s designee) for payment from the General Fund of the City. The City may accept funds, grants, gifts, and services for the Charter Review Commission from the state, the county, the government of the United States, or any other source, public or private.

(f) **Report and Amendments.**

(1) The Charter Review Commission shall review, on behalf of the citizens of St. Petersburg, the operation of City government and, if appropriate, propose amendments to this Charter to improve those operations as part of a report submitted to City Council. Included within the report must be any proposed amendments to the Charter, together with the ballot title and summary to be voted on by the electorate for each such amendment. To the extent authorized by applicable law, such amendments may be included on the ballot as a single question, individual questions, or any combination thereof.

(2) The Charter Review Commission shall submit the report required by this section no later than the earliest to occur of the following dates in each year ending in nine: (i) July 31 preceding the applicable election or (ii) 15 days prior to the last regular meeting of City Council scheduled to occur before the deadline established by the Supervisor of Elections for placing a charter amendment on the ballot of the applicable election. Following submission of the report in accordance with this subsection (2), the Chair of City Council shall place that report on the agenda of a regular meeting of City Council prior to the deadline established by the Supervisor of Elections.
(3) If (i) the Charter Review Commission submits its report to City Council after the deadline established in subsection (2) but before the deadline established by the Supervisor of Elections and (ii) the Charter Review Commission was prevented from meeting because of an event or circumstance, whether or not foreseeable, that was not caused by the Charter Review Commission, the following provisions apply:

A. If a regular meeting of City Council is scheduled before the deadline established by the Supervisor of Elections, the Chair of City Council shall place the report of the Charter Review Commission on the agenda of that regular meeting to the extent authorized under applicable law.

B. Otherwise, if the Chair of City Council determines that calling a special meeting for the purpose of acting on the report of the Charter Review Commission is both authorized by applicable law and reasonable, the Chair shall call such a meeting and place the report of the Charter Review Commission on the agenda of that meeting.

(4) Regardless of when the report is submitted to City Council, the City shall make the report available to the public no later than 15 days after its submission.

(g) Placement on Ballot. Subject to the scheduling requirements of subsection (f), the report of the Charter Review Commission shall be placed on the agenda of a City Council meeting for consideration of any proposed amendments. At that meeting, City Council shall place each proposed amendment on the ballot of the applicable election without alteration (with respect to both text and ballot order) unless doing so would violate applicable law. Thereafter, the City shall provide notice of each proposed amendment on the ballot in accordance with applicable law.

(h) Approval. Adoption of each proposed amendment requires approval of a majority of electors voting on that amendment.
**SECTION 4—BALLOT TEXT:** The City shall use the following caption and explanatory statement as the ballot title and ballot summary for the Amendment:

Changing the City’s Charter-review process to avoid conflict with redistricting and make other improvements

Every ten years, the City conducts a Charter-review process to consider the operation of City government and propose amendments to the Charter. Issues occur when the Charter-review process changes the process for redrawing City Council districts because the two processes are scheduled to occur almost simultaneously. Shall the Charter be amended to resolve that scheduling conflict and to make other changes to improve the administration and integrity of the City’s Charter-review process?

YES  
NO

**SECTION 5—SEVERABILITY:** The provisions of the Amendment are intended to be severable, and a determination that any portion of the Amendment is invalid should not affect the validity of the remaining portions of the Amendment.

**SECTION 6—EFFECTIVE DATE:** If the Amendment is approved, the City shall incorporate the Amendment into a revised version of the City Charter along with any other amendment to the City Charter approved during the Election, subject to the conflict-resolution provisions in Charter section 5.01 and in any other amendment to the City Charter approved during the Election. Pursuant to Florida Statutes section 166.031, the City shall file that revised version of the City Charter with the Department of State, and it will be effective upon filing.

Approved as to form and content:

[Signature]

City Attorney (Designee)
AMENDMENT 7
Adding a preamble to describe the spirit of the Charter and the City’s governing philosophy
CREATING A PREAMBLE FOR THE CITY CHARTER OUTLINING THE CITY’S GOALS, VALUES, AND PRIORITIES.

SECTION 1—SUBMISSION OF AMENDMENT: Pursuant to St. Petersburg City Charter section 8.01, the 2021 Charter Review Commission (“CRC”) hereby submits the proposed amendment of the City Charter set forth in this document (collectively, the “Amendment”) to be placed on the ballot of the municipal general election scheduled for November 2, 2021 (the “Election”).

SECTION 2—FINDINGS: CRC hereby makes the following findings in support of the Amendment:

(a) Original versions of the St. Petersburg City Charter were imposed on the City by the Florida Legislature through Special Laws of the State of Florida. Following the adoption of the Municipal Home Rule Powers Act of 1973, the City was authorized to adopt its own Charter, and the City did so in 1975 through the adoption of City ordinance 118-F.

(b) The Charter adopted in 1975 remains the basis of the current Charter, but it has never included any introductory paragraph or preamble to serve as a concise statement of the City’s vision for the future and that governs the spirit of the Charter and City government as a whole.

(c) The City should establish such a preamble for the City Charter. That preamble should define the City’s aspirational goals, values, and priorities while acknowledging past shortcomings and promising a renewed and continuing commitment to improving the quality of life for all.

SECTION 3—AMENDMENT OF CITY CHARTER: If a majority of electors voting on the Amendment vote to approve the Amendment, the following will be added to the beginning of the City Charter as a new preamble:

PREAMBLE

We the people of St. Petersburg, under the constitution and laws of the state of Florida, in order to secure the benefits of local, responsive self-government that provides for the greatest common good, do hereby adopt this Charter. Reflecting our shared vision, St. Petersburg will be a city of opportunity for all who come...
to live, work, and play. We will be an innovative, creative, and competitive community that acknowledges our past while pursuing our future. Accordingly, this charter will advance the City’s values of civic engagement, inclusive prosperity, and cultural vibrancy in a way that is supported by a shared commitment to equity, environmental stewardship, education, public health, arts, and world-class recreation.

By this action, we secure the benefits of home rule, affirm the values of representative democracy, and assert the importance of inclusive citizen engagement.

In keeping with a commitment to more effectively represent the interests of every citizen, we commit that, as frequently as this Charter is reviewed, community members will convene to affirm and improve our structure of government with intentional priority on those self-evident determinants that work to define residents’ opportunities and quality of life. This Charter affirms the City’s values and strives to ensure a living framework to help build an ever more inclusive, engaged St. Petersburg, where everyone experiences belonging, fairness, human rights, and fundamental freedoms.

SECTION 4—BALLOT TEXT: The City shall use the following caption and explanatory statement as the ballot title and ballot summary for the Amendment:

Adding a preamble to describe the spirit of the Charter and the City’s governing philosophy

Shall the Charter be amended to add a preamble containing a concise statement to describe the spirit of the Charter and the City’s governing philosophy? That aspirational statement will describe the City’s vision, goals, values, and priorities while acknowledging past shortcomings and promising a renewed and continuing commitment to improving the quality of life for all citizens.

YES

NO

SECTION 5—SEVERABILITY: The provisions of the Amendment are intended to be severable, and a determination that any portion of the Amendment is invalid should not affect the validity of the remaining portions of the Amendment.

SECTION 6—EFFECTIVE DATE: If the Amendment is approved, the City shall incorporate the Amendment into a revised version of the City Charter along with any other amendment to the City Charter approved during the Election, subject to the conflict-resolution provisions in Charter Appendix B-62
section 5.01 and in any other amendment to the City Charter approved during the Election. Pursuant to Florida Statutes section 166.031, the City shall file that revised version of the City Charter with the Department of State, and it will be effective upon filing.

Approved as to form and content:

/s/ Heather K. Judd
City Attorney (Designee)