



**CIVIL SERVICE COMMISSION  
MEETING AGENDA  
Thursday, August 17, 2023 at 4:00 PM  
Commission Chambers - 300 Municipal Drive**

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Meetings will be televised on Spectrum Channel 640 and YouTube Streamed on the City's Website.

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- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

*Public participation is encouraged. If you are addressing the Civil Service Commission, step to the podium and state your name and address for the record. Please limit your comments to three (3) minutes and do not include any topic on the agenda. Public comment on agenda items will be allowed when they come up.*

- 4. APPROVAL OF MINUTES**
- 5. OLD BUSINESS**

**A.** Proposed Ordinance 2023-06, Civil Service Commission Rules

- 6. NEW BUSINESS**
- 7. NEXT MEETING** - Wednesday, September 13, 2023, at 3:30 p.m.
- 8. ADJOURNMENT**

**One or more Elected or Appointed Officials may be in attendance.**

*Any person who decides to appeal any decision of the Civil Service Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this*

*meeting Clara VanBlargan, City Clerk, at 727-391-9951, ext. 231 or 232 or email a written request to [cvanblargan@madeirabeachfl.gov](mailto:cvanblargan@madeirabeachfl.gov).*

**ORDINANCE 2023-06**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 4 (CIVIL SERVICE COMMISSION) OF ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES RELATED TO THE DUTIES AND OPERATION OF THE CIVIL SERVICE COMMISSION; AND PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Division 4 of Article III of Chapter 2 of the City of Madeira Beach Code of Ordinances provides for certain procedures related to the operation of the City's Civil Service Commission; and

**WHEREAS**, Section 5.7(C) of the City Charter provides that the Madeira Beach Civil Service Commission is responsible for the preparation of the City's personnel rules and that, once such proposed rules are concurred with by the City Manager, the same shall be proposed to the Board of Commissioners for consideration, which may adopt same with or without amendment by ordinance; and

**WHEREAS**, Section 5.7(0) of the City Charter provides that the Board of Commissioners may provide for the duties and powers of the Civil Service Commission by ordinance; and

**WHEREAS**, the Board of Commissioners has received recommendations from the City Attorney regarding revising the current substantive and procedural operations of the Civil Service Commission to reflect the intent of the City and to ensure prevailing caselaw and statutory law regarding the function of such bodies is adequately addressed; and

**WHEREAS**, the City Attorney has reviewed best practices and has recommended the provisions contained in this Ordinance to provide the policy specificity the Board of Commissioners desires; and

**WHEREAS**, the Board of Commissioners finds that it is in the best interests of the City to adopt the policy provisions set forth in this Ordinance; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of City Commissioners of City of Madeira Beach, Florida, that:

**SECTION 1.** Division 4 (Civil Service Commission) of Article III (Boards, Committees, Commissions) of Chapter 2 (Administration) of the City of Madeira Beach Code of Ordinances is hereby amended as follows:

## DIVISION 4. - CIVIL SERVICE COMMISSION

### Sec. 2-126. - Intent: appellate jurisdiction.

- (a) The intent of this division is to provide for the scope or authority of the civil service commission and to establish procedural and organizational rules related to its exercise of that authority create a civil service commission in order to review, prepare, and recommend rules for the city's personnel policies and procedures with regard to classified employees.
- (b) The civil service commission shall preside over appeals of disciplinary terminations of regular, non-probationary hear grievance for classified employees, but shall not consider appeals of disciplinary actions against employees who are classified as at-will, or who are otherwise made ineligible by the city's adopted personnel policy to file such appeals-wo believe they have a grievance ansmg from their employment and render recommendations as provided in the Charter § 6.6C.6. In performing this role, the jurisdiction of the civil service commission is to interpret the city's personnel policy and any other relevant city policies, and to ultimately find if the city had factual and legal just cause to impose the discipline. In reaching its decision, the civil service commission sits in an appellate advisory capacity. The civil service commission does not have jurisdiction over, and may not rule upon, or make findings about, any allegations of a violation of a county, state or federal law. Employees seeking to assert such violations should do so by way of the appropriate statutory procedures.
- (c) The civil service commission members also recommend cost of living increases and employee pay adjustments to the board of commissioners for consideration.

### Sec. 2-127. - Appointment and membershipOrganization.

- (a) In addition to any charter provisions concerning the appointment and membership of tThe civil service commission, unless doing so would result in the inability to have a fully-appointed commission, t membership and appointment shall be as provided in Charter § 6.6B. The term of each person appointed to the commission shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.
- (b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.
- (c) Members of the civil service comm1ss1on may be shall be suspended or removed for cause upon the filing of vritten charges by the mayor. The \\ffitten charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the

charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter. The member shall be retained, suspended or ~~be~~-removed by majority vote of the board of commissioners.

- (d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the commission chairma-Rshall result in, the member's seat becoming vacant and the city clerk, serving as ex officio secretary to the civil service commission shall repol1 then declare the member's seat vacan0.t toand the board of commissioners, which shall promptly fill such vacancy. The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12 month period shall be cause for removal.
- (e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.
- (f) The members of the civil service commission shall, in November of each year, elect a chairman and a vice-chairm-an from among its members who shall be voting members. The chair, and in his or her absence the vice-chair, shall preside over meetings and hearings and shall, subject to the will of the entire commission, make rulings on points of order and procedure, and in quasi-judicial hearings shall rule on motions and objections.

gl Members of the civil service commission shall schedule in advance quarterly meetings. However, if the chair, in consultation with the city manager, determines that there are no agenda items requiring a scheduled meeting, the chair is authorized to cancel the scheduled meeting, and to instruct the city clerk, acting as ex officio secretary, to notify the members of the cancellation. In addition to its scheduled quarterly meetings, the civil service commission shall promptly schedule hearings on employee post-termination appeals, and \<'hen grievances are filed. Any other unscheduled meetings may be requested by the city manager or his or her designee to discuss personnel matters which cannot wait until the next regularly-scheduled meetingwill be at the behest of staff, in collaboration with the chair of the civil service board.

fgj(h) The city manager shall coordinate with the civil service commission chairperson and the human resources coordinator to choose and set meeting dates and time before a meeting is **noticed**

fhj(i) Pursuant to the city charter, the city clerk shall serve as the civil service commission's ex officio secretary. In that role, the clerk shall ensure board meetings are noticed and minutes are recorded and maintained so as to ensure compliance with the state's sunshine law. The clerk shall also provide civil service members with electronic copies of agenda materials and keep and maintain the official records of the commission. The clerk shall also serve as the hearing clerk for any quasi-judicial post-termination appeal hearings and in that role shall swear in all witnesses and keep the official record of the hearing, including all exhibits admitted or proffered into evidence. The City Clerk shall also utilize a com1 repol1 er for quasi-judicial post-termination appeal hearings.

fB(j) f±1The city manager and the chairperson of the civil service commission shall coordinate and agree on all agenda items prior to the civil service commission meetings except that the civil service commission cannot refuse to promptly set for hearing a timely-filed post-termination appeal.

ffi(k) f.BHuman resources staff or such other staff as may be designated by the city manager's designee shall serve as staff person(s) for the civil service commission and shall attend fill meetings of the civil service commissionooa-ro. In this role, the assigned staff person(s) shall assist the civil service commission by providing it with information, reports, historical data, surveys, or such other information or materials as the civil service commission may reasonably request to assist it in performing its duties of advising on possible policy changes, providing advice and recommendations on policy implementation, and making recommendations related to compensation and classification plans, to the extent these matters are within the scope of the civil service commission's duties as set forth in the city charter.

fti(l) The city attorney shall be the pnmry legal advisor to the civil service commission on all matters of municipal law. However, in the event the civil service commission may require specialized labor or employment counsel of a nature the city attorney is not able to provide, the city may, within established budgets, provide additional specialized counsel. Prior to each civil service commission meeting, the city manager and commission chair shall confer on the agenda and determine if the city attorney's attendance would or an employment lawyer for the city may attend civil service commission meetings as may be necessary or desired, and if so, shall request the city attorney's presence.

{mlf4-j}Notwithstanding the foregoing, if, in the sole judgment of the city manager, the nature and complexity of the appeal requires that an assistant city attorney to assist the disciplining director in the prosecution of the appeal hearing by presenting arguments and evidence and calling and questioning witnesses, the city attorney shall ensure such attorney is assigned to that role. In no circumstances may the attorney assigned to be the civil service commission's neutral legal advisor also serve as the attorney presenting the disciplining director's case and making argument before the commission.

fB(n) **A**s set forth in the Charter, the civil service commission is an advisory board that makes non-binding advisory recommendation to the city manager. In its quasi-judicial role hearing post-termination appeals, the civil service commission will make written findings of fact and conclusions as to the application of those facts to the city's policies. The written recommended order may be rendered by the civil service commission immediately upon the conclusion of a hearing or, if adequate time is required to draft a suitable order, may be rendered at a subsequent meeting to occur in a reasonable time after the conclusion of the hearing.

fmj(o) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law.

Sec. 2-128. - Procedural matters Coeduet u meeting/hearing.

- (a) The city clerk, serving as ex officio secretary to the civil service commission, shall ensure aJI notices of Notification. When and at such time a meeting is scheduled the city administration shall post a notice of the time and place when the civil service commission are posted in a manner compliant with the state's sunshine lawshall meet and the topics on their agenda.
- (b) Meetings and /public hearing . At all regular meetings the hearing of the civil service commission, the chair shall afford any interested person the ability to address the commission on any matter to be voted upon by the commission prior to the vote being takenmay be heard upon the subject matter. In addition, the civil service commission may, in its adopted rules of procedure, afford time on its agenda for any city employee or citizen to address the commission on any matter within the commission's duties and responsibilities. However, when the civil service commission is sitting in its quasi-judicial capacity during post-tenmination appeal hearings, it shall not afford such opportunity for comments, but rather shall only base its findings and conclusions on the documents and testimony admitted into evidence during the hearing, and any arguments the parties or their attorneys may make.
- (c) Recommendations. The civil service commission, by maJonty vote, may makes-hail conclude recommendations to the city on any matter within the scope of its jurisdiction. Such recommendations may take the form of motions recorded in the minutes, adoption of a written report, or for quasi-judicial appeals, adoption of a written recommended order.

{ill\_ Written records. Minutes shall be kept of all meetings and hearings by the civil service commission, and all hearings shall be open to the public. Pursuant to the city chail er, the city clerk shall serve as the ex officio secretaLy of the civil service commission, and shall perform the duties associated with that role, as set forth in the city code, including the maintenance of the commission's official record. The board of commissioners shall provide clerical and administrative personnel as may be reasonably required by the civil service commission for the proper performance of its duties. The officialwritten record shall include the vote of each member of the civil service commission upon each question, or if absent or failing to vote, indicating such fact. The minutes of all proceedings, decisions and/or recommendations of the civil service commission shall be made public record on file in the office of the city clerk. The City Clerk shall also utilize a court reporter for quasi-judicial post-termination appeal hearings.

fdj(e) The civil service commission may adopt such procedural rules to regulate the conduct of its meetings as may be deemed to be necessary and desirable. In developing such rules, the civil service commission shall consult with the city attorney to ensure they comply with the state's sunshine and records laws and, to the extent that they will govern the commission's quasi-judicial post-termination hearings, to ensure they comply with applicable due process standards. Notwithstanding the foregoing, the civil service commission's procedural rules may not place any specific duty or assignment upon any

city official or employee and may not be inconsistent with any provision of the city charter or code, or state law.

**Sec. 2-129. - Non-appellate p.P.owers and duties.**

{tl\_The civil service commission, in consultation with the city manager, is charged with the on-going development of the city's classification and pay plans. This includes periodic studies relating to equitable classification categories and pay ranges.-sha-l-l- have the power to establish rules and regulations for its o.,vn operation not inconsistent ,vith the provisions of this Code.

(b)The civil service commission, working with the city manager and relevant human resources staff, will periodically examine, by use of staff, consultants, and such other resources available, market conditions and comparative wage data for relevant public and private sector employers, and based upon the results of this examination, will make a written recommendation to the city manager concerning wage adjustments.

(c)The civil service commission, working with the city manager and relevant human resources staff, is charged with developing recommended classifications and pay plans (subject to budgets approved by the board of commissioners) as the city's business needs and operating experience dictate.

**SECTION 2.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**SECTION 3.** For purposes of codification of any existing section of the Madeira Beach City Code herein amended, words **underlined** represent additions to original text, words **strich.en** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

**SECTION 4.** The Codifier shall codify the substantive amendments to the Madeira Beach City Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

**SECTION 5.** Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS \_\_ day of \_\_\_\_\_,2023.**



\_\_\_\_\_  
**John B. Hendricks, Mayor**

ATTEST:

\_\_\_\_\_  
**Clara VanBiargan, MMC, MSM, City Clerk**

PASSED ON FIRST READING: .....

PUBLISHED: \_\_\_\_\_

PASSED ON SECOND READING: .....



**ORDINANCE 2023-06**

**AN ORDINANCE OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 4 (CIVIL SERVICE COMMISSION) OF ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES RELATED TO THE DUTIES AND OPERATION OF THE CIVIL SERVICE COMMISSION; AND PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Division 4 of Article III of Chapter 2 of the City of Madeira Beach Code of Ordinances provides for certain procedures related to the operation of the City's Civil Service Commission; and

**WHEREAS**, Section 5.7(C) of the City Charter provides that the Madeira Beach Civil Service Commission is responsible for the preparation of the City's personnel rules and that, once such proposed rules are concurred with by the City Manager, the same shall be proposed to the Board of Commissioners for consideration, which may adopt same with or without amendment by ordinance. These rules shall include, but are not limited to:

1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
2. A pay plan for all classified City positions;
3. Methods for determining the merits and fitness of candidates for appointment or promotions;
4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
5. The hours of work, attendance regulation and provisions for sick and vacation leave;
6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
7. Other practices and procedures necessary to the administration of the City personnel system;
8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.; and

**Commented [JC1]:** Can this statement follow this sentence? "Grievances against Charter Officers shall be heard by the Civil Service Commission and its findings shall be provided to the Board of Commissioners, the City Manager, and the aggrieved employee by the Civil Service Commission."

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**WHEREAS**, Section 5.7(D) of the City Charter provides that the Board of Commissioners may provide for the duties and powers of the Civil Service Commission by ordinance; and

**WHEREAS**, the Board of Commissioners has received recommendations from the City Attorney regarding revising the current substantive and procedural operations of the Civil Service Commission to reflect the intent of the City and to ensure prevailing caselaw and statutory law regarding the function of such bodies is adequately addressed; and

**WHEREAS**, the City Attorney has reviewed best practices and has recommended the provisions contained in this Ordinance to provide the policy specificity the Board of Commissioners desires; and

**WHEREAS**, the Board of Commissioners finds that it is in the best interests of the City to adopt the policy provisions set forth in this Ordinance; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of City Commissioners of City of Madeira Beach, Florida, that:

**SECTION 1.** Division 4 (Civil Service Commission) of Article III (Boards, Committees, Commissions) of Chapter 2 (Administration) of the City of Madeira Beach Code of Ordinances is hereby amended as follows:

**DIVISION 4. - CIVIL SERVICE COMMISSION**

**Sec. 2-126. - Intent: appellate jurisdiction.**

**Commented [JC2]:** Why is this here?

(a) The intent of this division is to provide for the scope of authority of the civil service commission and to establish procedural and organizational rules related to its exercise of that authority~~create a civil service commission in order to review, prepare, and recommend rules for the city's personnel policies and procedures with regard to classified employees.~~

(b) The civil service commission shall preside over appeals of disciplinary terminations of regular all classified, non-probationary ~~hear grievance for classified employees, but shall not consider appeals of disciplinary actions against employees who are classified as at-will, or who are otherwise made ineligible by the city's adopted personnel policy to file such appeals who believe they have a grievance arising from their employment and render recommendations as provided in the Charter § 6.6C-6. In performing this role, the jurisdiction of the civil service commission is to interpret the city's personnel policy and any other relevant city policies, and to ultimately find if the city had factual and legal just cause to impose the discipline. In reaching its decision, the civil service commission sits in an appellate advisory capacity. The civil service commission does not have jurisdiction over, and may not rule upon, or make findings about, any allegations of a violation of a county, state or federal law. Employees seeking to assert such violations should do so by way of the appropriate statutory procedures.~~

**Commented [JC3]:** This should read "hear grievance for classified...".

(c) ~~The civil service commission members also recommend cost of living increases and employee pay adjustments to the board of commissioners for consideration.~~

**Commented [JC4]:** Restore this clause.

**Sec. 2-127. - Appointment and membershipOrganization.**

- (a) ~~In addition to any charter provisions concerning the appointment and membership of the civil service commission, unless doing so would result in the inability to have a fully-appointed commission, membership and appointment shall be as provided in Charter § 6.6B.~~ The term of each person appointed to the commission shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.
- (b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.
- (c) Members of the civil service commission ~~may be shall be suspended or removed for cause upon the filing of written charges by the mayor. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter. The member shall be~~ Retained, suspended or be removed by majority vote of the board of commissioners.
- (d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the ~~commission chairman shall result in; the member's seat becoming vacant and the city clerk, serving as ex officio secretary to the civil service commission, shall report then declare the member's seat vacancy to and~~ the board of commissioners, which shall promptly fill such vacancy. ~~The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.~~
- (e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.
- (f) ~~The members of the civil service commission shall, in November-October of each year, elect a chairman and a vice-chairman from among its members who shall be voting members. The chair, and in his or her absence the vice-chair, shall preside over meetings and hearings and shall, subject to the will of the entire commission, make rulings on points of order and procedure, and in quasi-judicial hearings shall rule on motions and objections.~~
- (g) Members of the civil service commission shall ~~schedule in advance quarterly meetings. However, if the chair, in consultation with the city manager ex officio secretary, determines that there are no agenda items requiring a scheduled meeting, the chair is~~

Commented [JC5]: Restore this clause.

Commented [JC6]: We need to add a statement that all terms expire on September 30th.

Commented [JC7]: It should never be the City Manager. This must be the Ex Officio Secretary.

authorized to cancel the scheduled meeting, and to instruct the city clerk, acting as ex officio secretary, to notify the members of the cancellation. In addition to its scheduled quarterly meetings, the civil service commission shall promptly schedule hearings on employee post-termination ~~appeals, complaints and grievances,~~ and when grievances are filed. Any other unscheduled meetings ~~may be requested by the city manager or his or her designee~~ the Ex Officio Secretary, through the civil service commission chair to discuss personnel matters which cannot wait until the next regularly-scheduled meeting will be at the behest of staff, in collaboration with the chair of the civil service board.

**Commented [JC8]:** I believe this should be "grievance" so that it complies with the terminology within the Charter.

**Commented [JC9]:** The CSC holds the meetings and should approve all unscheduled meetings.

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~~(g)(h)~~ The city manager shall coordinate with the civil service commission chairperson and the human resources coordinator to choose and set meeting dates and time before a meeting is noticed, and

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**Commented [JC10]:** The city manager and the hr representative may not schedule meetings without approval from the CSC.

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~~(h)(i)~~ Pursuant to the city charter, the city clerk shall serve as the civil service commission's ex officio secretary. In that role, the clerk shall ensure board meetings are noticed and minutes are recorded and maintained so as to ensure compliance with the state's sunshine law. The clerk shall also provide civil service members with electronic copies of agenda materials and keep and maintain the official records of the commission. The clerk shall also serve as the hearing clerk for any quasi-judicial post-termination appeal hearings and in that role shall swear in all witnesses and keep the official record of the hearing, including all exhibits admitted or proffered into evidence. The City Clerk shall also utilize a court reporter for quasi-judicial post-termination appeal hearings.

~~(i)(j)~~ ~~(2)~~ The city manager, ex officio secretary, and the chairperson of the civil service commission shall coordinate and agree on all agenda items prior to the civil service commission meetings, except that the civil service commission cannot refuse to promptly set for hearing a timely-filed post-termination appeal grievance.

**Commented [JC11]:** The city manager should never decide the content of a CSC meeting. He may request items to add through the chair or ex officio secretary, and if they agree on it, then it is added to the agenda.

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~~(j)(k)~~ ~~(3)~~ Human resources staff or such other staff as may be designated by the city manager's designee shall serve as staff person(s) for the civil service commission and shall attend all meetings of the civil service commission board. In this role, the assigned staff person(s) shall assist the civil service commission by providing it with information, reports, historical data, surveys, or such other information or materials as the civil service commission may reasonably request to assist it in performing its duties of advising on possible policy changes, providing advice and recommendations on policy implementation, and making recommendations, determinations and decisions related to compensation and classification plans, to the extent these matters are within the scope of the civil service commission's duties as set forth in the city charter.

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~~(k)(l)~~ The city attorney shall be the primary legal advisor to the civil service commission on all matters of municipal law. However, in the event the civil service commission may require specialized labor or employment counsel ~~of a nature the city attorney is not able to provide,~~ the city may, ~~within established budgets,~~ provide additional specialized counsel. Prior to each civil service commission meeting, the city manager ex officio secretary and commission chair shall confer on the agenda and determine if the city attorney's attendance would ~~or an employment lawyer for the city~~

**Commented [JC12]:** This troubles me. The HR representative and the City Manager should both be available for the CSC, when requested. However, they should not be permanent members of the CSC.

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~~may attend civil service commission meetings as may be necessary or desired, and if so, shall request the city attorney's presence.~~

~~(m)(4) Notwithstanding the foregoing, if, in the sole judgment of the city manager chair and the ex officio secretary, the nature and complexity of the appeal grievance requires that an assistant city attorney to assist the disciplining director in the prosecution of the appeal hearing by presenting arguments and evidence and calling and questioning witnesses, the city attorney shall ensure such attorney is assigned to that role. In no circumstances may the attorney assigned to be the civil service commission's neutral legal advisor also serve as the attorney presenting the disciplining director's case and making argument before the commission.~~

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~~(n)(5) As set forth in the Charter, the civil service commission is an advisory board that makes non-binding advisory recommendations to the city manager and the board of commissioners. In its quasi-judicial role hearing post-termination appeals, the civil service commission will make written findings of fact and conclusions as to the application of those facts to the city's policies. The written recommended order may be rendered by the civil service commission immediately upon the conclusion of a hearing or, if adequate time is required to draft a suitable order, may be rendered at a subsequent meeting to occur in a reasonable time after the conclusion of the hearing. Grievances against Charter Officers shall be heard by the Civil Service Commission and its findings shall be provided to the Board of Commissioners and the aggrieved employee by the Civil Service Commission.~~

- Commented [JC13]: This is troubling. The City Manager should not request legal counsel for the CSC. This request should be made through the members of the CSC. Input and advice from the City Manager should be welcomed.
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Commented [JC14]: This must also reference the BOC. Should it include that the findings are rendered to the employee, the City Manager, and the BOC?

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~~(o) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law.~~

**Sec. 2-128. - Procedural matters**~~Conduct a meeting/hearing.~~

- ~~(a) The city clerk, serving as ex officio secretary to the civil service commission, shall ensure all notices of Notification. When and at such time a meeting is scheduled the city administration shall post a notice of the time and place when the civil service commission are posted in a manner compliant with the state's sunshine law shall meet and the topics on their agenda.~~
- ~~(b) Meetings and /public hearings. At all regular meetings the hearing of the civil service commission, the chair shall afford any interested person the ability to address the commission on any matter to be voted upon by the commission prior to the vote being taken may be heard upon the subject matter. In addition, the civil service commission may, in its adopted rules of procedure, afford time on its agenda for any city employee or citizen to address the commission on any matter within the commission's duties and responsibilities. However, when the civil service commission is sitting in its quasi-judicial capacity during post-termination appeal hearings, it shall not afford such opportunity for comments, but rather shall only base its findings and conclusions on the~~

Commented [JC15]: Should we have a time designation for responses?

documents and testimony admitted into evidence during the hearing, and any arguments the parties or their attorneys may make.

(c) Recommendations. The civil service commission, by majority vote, ~~may make~~ shall ~~conclude~~ recommendations to the city board of commissioners on any matter within the scope of its jurisdiction. Such recommendations may take the form of motions recorded in the minutes, adoption of a written report, or for quasi-judicial appeals, adoption of a written recommended order.

**Commented [JC16]:** Our findings and decisions must go before the BOC. It is important that that is stated in this rule  
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(d) Written records. Minutes shall be kept of all meetings and hearings by the civil service commission, and all hearings shall be open to the public. Pursuant to the city charter, the city clerk shall serve as the ex officio secretary of the civil service commission, and shall perform the duties associated with that role, as set forth in the city code, including the maintenance of the commission's official record. ~~The board of commissioners shall provide clerical and administrative personnel as may be reasonably required by the civil service commission for the proper performance of its duties.~~ The official written record shall include the vote of each member of the civil service commission upon each question, or if absent or failing to vote, indicating such fact. The minutes of all proceedings, decisions and/or recommendations of the civil service commission shall be made public record on file in the office of the city clerk. The City Clerk shall also utilize a court reporter for quasi-judicial post-termination appeal hearings.

~~(d)~~ (e) The civil service commission may adopt such procedural rules to regulate the conduct of its meetings as may be deemed to be necessary and desirable. In developing such rules, the civil service commission shall consult with the city attorney to ensure they comply with the state's sunshine and records laws and, to the extent that they will govern the commission's quasi-judicial post-termination hearings, to ensure they comply with applicable due process standards. ~~Notwithstanding the foregoing, the civil service commission's procedural rules may not place any specific duty or assignment upon any city official or employee and may not be inconsistent with any provision of the city charter or code, or state law.~~

**Commented [JC17]:** This sentence is NOT a requirement of the charter. How does this interact with the charter's requirement that the CSC conduct inquiries regarding the implementation of the Personnel Policy? We will have to task personnel with minor items with respect to questions and response?  
**Formatted:** Highlight  
**Commented [JC18]:** The CSC is charged with this responsibility. The City Manager has not place in it with respect to the Charter.  
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**Formatted:** Strikethrough  
**Commented [JC19]:** The Charter does not reflect this language.

**Sec. 2-129. - Non-appellate pPowers and duties.**

(a) The civil service commission, in consultation with the city manager, is charged with the on-going development of the city's classification and pay plans. This includes periodic studies relating to equitable classification categories and pay ranges, shall have the power to establish rules and regulations for its own operation not inconsistent with the provisions of this Code.

(b) The civil service commission, working with the city manager and relevant human resources staff, will periodically examine, by use of staff, consultants, and such other resources available, market conditions and comparative wage data for relevant public and private sector employers, and based upon the results of this examination, will make a written recommendation to the city manager ~~board of commissioners~~ concerning wage adjustments.



(c) The civil service commission, ~~working with the city manager and relevant human resources staff,~~ is charged with developing recommended classifications and pay plans (subject to budgets approved by the board of commissioners) ~~as the city's business needs and operating experience dictate.~~

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**Commented [JC20]:** The Charter does not reflect this language.

**SECTION 2.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**SECTION 3.** For purposes of codification of any existing section of the Madeira Beach City Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

**SECTION 4.** The Codifier shall codify the substantive amendments to the Madeira Beach City Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

**SECTION 5.** Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
**James “Jim” Rostek, Mayor**

ATTEST:

\_\_\_\_\_  
**Clara VanBlargan, City Clerk**

PASSED ON FIRST READING:

PASSED ON SECOND READING:



- A. *Merit principal.* All appointments and promotions of City employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.
- B. *Civil Service Commission; Membership.* There shall be a Civil Service Commission of the City of Madeira Beach, Florida, which Commission shall be composed of five citizens of said City. The Civil Service Commission shall be appointed by the Board of Commissioners of the City of Madeira Beach, Florida. The term of office for each member shall be three years and shall be staggered so that not more than two terms expire within any one year. Three Commissioners shall constitute a quorum. Members of the Civil Service Commission shall hold no remunerative office or employment under the City of Madeira Beach, Florida. The Board of Commissioners of the City of Madeira Beach, Florida, shall have the authority to remove for cause any and/or all Civil Service Commissioners.
- C. *Personnel Rules.* The Civil Service Commission shall prepare personnel rules. When concurred by the City Manager, the rules shall be proposed to the Board of Commissioners, and the Board of Commissioners may by Ordinance adopt them with or without amendment. These rules shall include, but are not limited to:
1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
  2. A pay plan for all classified City positions;
  3. Methods for determining the merits and fitness of candidates for appointment or promotions;
  4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
  5. The hours of work, attendance regulation and provisions for sick and vacation leave;
  6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
  7. Other practices and procedures necessary to the administration of the City personnel system;
  8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.
- D.

*Duties and powers of the Civil Service Commission.* All duties, powers, reservations of power, and functions for the Civil Service Commission may be provided for by Ordinance duly passed by the Board of Commissioners of the City of Madeira Beach, Florida.

E. *Powers to collectively bargain recognized.* Nothing contained in this Charter shall limit the power of the Board of Commissioners of the City of Madeira Beach, Florida, acting through its Manager from entering into collective bargaining negotiations with any officers, employees, or group of employees for the purpose of establishing by contract conditions of employment, rules or compensation of said officers, employees, or groups of employees. For the purposes of this Charter, ARTICLE I, Section 6, of the Constitution of the State of Florida is specifically recognized.

(Ord. No. 446, 1-28-1975; Ord. No. 664, 8-14-1984/11-7-1984; Ord. No. 2018-09, § 1(Exh. A), 8-20-2018)

**Section 5.2 - City Clerk.**

The Board of Commissioners shall appoint an officer of the City, who shall have the title of City Clerk. The Clerk shall be appointed on the basis of executive, professional, and administrative qualifications with special reference to actual experience in, or knowledge in respect to the duties of the City Clerk's office.

The City Clerk must be a member, and maintain membership in good standing, of the International Institute of Municipal Clerks (IIMC) and the Florida Association of City Clerks (FACC), and be a certified municipal clerk through IIMC, and maintain certification in good standing.

The City Clerk shall give notice of its meetings, who shall keep the journal of its proceedings, who shall authenticate by his/her signature and record in full in a book kept for the purpose, all Ordinances and Resolutions and who shall perform other duties as shall be required by this Charter or by Ordinance.

The City Clerk, with the approval of the City Commission, may appoint Deputy Clerks who when appointed shall have such powers and authority as shall be conferred by the Board of Commissioners.

The Public Records of the City of Madeira Beach shall be in the custody of the City Clerk of said City and he shall be responsible for their safety.

**The City Clerk shall be the secretary ex-officio for the Civil Service Commission.**

(Ord. No. 2018-09, § 1, 8-20-2018)

**State Law reference**— Pubic records act, Florida Statutes ch. 119.

so long as all of the requirements of public notice and hearing are adhered to, as provided in this Code.

(Code 1983, § 2-310; Ord. No. 974, § 2, 9-24-02; Ord. No. 1044, § 3, 5-24-05; Ord. No. 1050, § 2, 8-9-05)

**Editor's note**—Ord. No. 974, § 2, adopted September 24, 2002, changed the title of § 2-82 from "Authority to institute amendments to zoning regulations" to "Authority to initiate amendments to zoning regulations and zoning boundaries." See note at § 2-81.

### Sec. 2-83. Conflict of interest provisions.

(a) No member of the local planning agency shall communicate with another member of the local planning agency concerning their intent on any issue or potential issue which is or may be placed before them except at their scheduled meetings.

(b) No member of the local planning agency shall communicate with any party, witness, representative of a party, or interceding person concerning any issues except at their scheduled meetings or as otherwise specified in article I, division 2 for ex-parte communications.

(c) Failure on the part of a member of the local planning agency to comply with the provisions of this section shall constitute grounds for removal of such member from the local planning agency. (Code 1983, § 2-312; Ord. No. 974, § 2, 9-24-02; Ord. No. 1044, § 3, 5-24-05; Ord. No. 1050, § 2, 8-9-05)

**Editor's note**—See note at § 2-81.

**State law references**—Public meetings, Florida Statutes § 286.011; ex parte communications, Florida Statutes § 286.0115.

### Secs. 2-84—2-100. Reserved.

## DIVISION 3. RESERVED\*

### Secs. 2-101—2-125. Reserved.

**\*Editor's note**—Ord. No. 1019, § 2, adopted May 25, 2004, repealed division 3 in its entirety, which pertained to the board of adjustment and derived from the Code of 1983, §§ 2-402—2-410, 2-412, and Ord. No. 953, § 1, adopted November 13, 2001.

## DIVISION 4. CIVIL SERVICE COMMISSION†

### Sec. 2-126. Intent.

(a) The intent of this division is to create a civil service commission in order to review, prepare, and recommend rules for the city's personnel policies and procedures with regard to classified employees.

(b) The civil service commission shall hear grievance for classified employees who believe they have a grievance arising from their employment and render recommendations as provided in the Charter § 6.6C.6.

(c) The civil service commission members also recommend cost of living increases and employee pay adjustments to the board of commissioners for consideration.

(Code 1983, § 2-502)

### Sec. 2-127. Organization.

(a) The civil service commission membership and appointment shall be as provided in Charter § 6.6B. The term of each person appointed shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.

(b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.

(c) Members of the civil service commission shall be suspended or removed for cause upon the filing of written charges by the mayor. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter.

†**Charter reference**—Civil service commission, § 6.6.

**Cross reference**—Personnel, ch. 50.

The member shall be retained, suspended or be removed by majority vote of the board of commissioners.

(d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the chairman, the civil service commission shall then declare the member's seat vacant and the board of commissioners shall promptly fill such vacancy. The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.

(e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.

(f) The members of the civil service commission shall, in November of each year, elect a chairman and a vice-chairman from among its members who shall be voting members.

(g) Members of the civil service commission shall meet quarterly, as necessary, or at the call of the chairman. All meetings of the civil service commission shall be public.

(h) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law. (Code 1983, § 2-503; Ord. No. 1028, § 2, 8-24-04; Ord. No. 1075, § 1, 4-25-06)

**Charter reference**—Civil service commission membership, § 6.6B.

#### **Sec. 2-128. Conduct a meeting/hearing.**

(a) *Notification.* When and at such time a meeting is scheduled the city administration shall post a notice of the time and place when the civil service commission shall meet and the topics on their agenda.

(b) *Meetings/public hearing.* At the hearing of the civil service commission any interested person may be heard upon the subject matter.

(c) *Recommendations.* The civil service commission, by majority vote, shall conclude recommendations.

(d) *Written records.* Minutes shall be kept of all meetings and hearings by the civil service commission, and all hearings shall be open to the public. The board of commissioners shall provide clerical and administrative personnel as may be reasonably required by the civil service commission for the proper performance of its duties. The written record shall include the vote of each member of the civil service commission upon each question, or if absent or failing to vote, indicating such fact. The minutes of all proceedings, decisions and/or recommendations of the civil service commission shall be made public record on file in the office of the city clerk.

(Code 1983, § 2-504)

#### **Sec. 2-129. Powers.**

The civil service commission shall have the power to establish rules and regulations for its own operation not inconsistent with the provisions of this Code.

(Code 1983, § 2-505)

#### **Secs. 2-130—2-150. Reserved.**

### **ARTICLE IV. DEPARTMENTS, OFFICERS, EMPLOYEES\***

#### **Sec. 2-151. Generally.**

(a) The administrative departments of the city shall be as follows:

- (1) City manager/administration department.
- (2) Building and zoning department.
- (3) Finance department.
- (4) Community services department—Administrative.

\***Charter references**—City manager, art. V; charter officers, § 6.1; city clerk, § 6.2; city attorney, § 6.3; treasurer, § 6.4; administrative departments, § 6.5.

**Cross reference**—Any ordinance establishing positions, classifying employees and setting salaries, or regarding personnel policies or pensions or retirement benefits not inconsistent with this Code saved from repeal, § 1-11(7).

## ORDINANCE 1075

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY, AS NECESSARY OR AT THE CALL OF THE CHAIRMAN; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

**WHEREAS**, the Civil Service Commission, although a very important board, does not have enough work to meet monthly; and

**WHEREAS**, City Administration inquired if the membership would object to amending the Code to meet quarterly as necessary or at the call of the chairman; and

**WHEREAS**, the membership had no objections, since it could meet more often if necessary or at the call of the chairman; and

**WHEREAS**, the City of Madeira Beach Board of Commissioners believe this amendment to the Code is in the public's best interest.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA**, as follows:

**SECTION 1:** That Chapter 2 (Administration), Article III (Boards, Committees, Commissions), Division 4 (Civil Service Commission), Section 2-127. (Organization), be amended to read as follows:

**Sec. 2-127. Organization.**

- (a) The civil service commission membership and appointment shall be as provided in Charter § 6.6B. The term of each person appointed shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.
- (b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.



- (c) Members of the civil service commission shall be suspended or removed for cause upon the filing of written charges by the board of commissioners. A written charge shall not be issued except upon majority vote of the board of commissioners. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter. The member shall be retained, suspended or be removed by majority vote of the board of commissioners.
- (d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the chairman, the civil service commission shall then declare the member's seat vacant and the board of commissioners shall promptly fill such vacancy. The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.
- (e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.
- (f) The members of the civil service commission shall, in November of each year, elect a chairman and a vice-chairman from among its members who shall be voting members.
- (g) Members of the civil service commission shall meet ~~on the second Thursday of each month~~ quarterly, as necessary, or at the call of the chairman. All meetings of the civil service commission shall be public.
- (h) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law.

(Code 1983, § 2-503, Ord 1075-4/25/06)

**SECTION 2:** The provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

**SECTION 3:** That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

**SECTION 4:** That this Ordinance shall be in full force and effect upon adoption in the manner provided by law.


**PUBLISHED** the 9th day of April, 2006. (City Charter 7.3b).

**PASSED ON FIRST READING** by the Board of Commissioners of the City of Madeira Beach, Florida, held on the 11th day of April, 2006.

**ADOPTED ON SECOND READING AND PUBLIC HEARING** this 25th day of April, 2006.

AYES: (5) Commissioners Alloway, Boos, Thomas, Wolbert and Mayor Parker  
NAYS: (0)  
ABSENT: (0)  
ABSTAIN: (0)

APPROVED AS TO FORM

  
\_\_\_\_\_  
Michael A. Connolly  
City Attorney

  
\_\_\_\_\_  
Charles H. Parker  
Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk



# ST. PETERSBURG TIMES

Published Daily  
St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA }  
COUNTY OF PINELLAS } S.S.

Before the undersigned authority personally appeared B. Stamper who on oath says that he is Legal Clerk of the Neighborhood Times - Beaches Edition

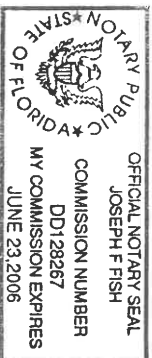
a daily newspaper published at St. Petersburg, in Pinellas County, Florida: that the attached copy of advertisement, being a Legal Notice in the matter RE: Ordinances 1075, 1076, 1077, 1078, 1080, 1081

was published in said newspaper in the issues of April 9, 2006

Affiant further says the said Neighborhood Times - Beaches Edition is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

B. Stamper  
Signature of Affiant

Sworn to and subscribed before me this 10th day of April A.D. 2006



Joseph F. Fish  
Notary Public

### LEGAL NOTICE THE CITY OF MADEIRA BEACH, FLORIDA NOTICE OF PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN:**

• That the Board of Commissioners of the City of Madeira Beach will hold a Meeting to conduct the First Reading/Public Hearing on Ordinances 1075, 1076, 1077, 1078, 1080, and 1081 on TUESDAY, APRIL 11, 2006, at 7:00 P.M.  
• That upon passage of Ordinances 1075, 1076, 1077, 1078, 1080, and 1081 on first reading, the Board of Commissioners of the City of Madeira Beach will conduct the Second and Final Reading /Public Hearing on TUESDAY, APRIL 25, 2006, at 7:00 P.M.

The title of said Ordinances are as follows:

**ORDINANCE 1075 - AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY AS NECESSARY OR AT THE CALL OF THE CHAIRMAN, PROVIDING FOR SEVERABILITY, TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

**ORDINANCE 1076 - AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH CODE OF ORDINANCES CHAPTER 26 (ELECTIONS); BY CREATING SECTION 26-6 (CANDIDATE WITHDRAWAL), TO REQUIRE THAT A QUALIFIED CANDIDATE THAT WITHDRAWS AFTER 5 WORKING DAYS OF THE QUALIFYING PERIOD SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE CREATION OF A NEW BALLOT, THE COST OF ABSENTEE BALLOT KITS, THE REMAINING OF ABSENTEE BALLOTS, AND ANY PAID AND PREPAID POSTAGE ASSOCIATED WITH SUCH; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

**ORDINANCE 1077 - AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, PROPOSING AN AMENDMENT TO THE CITY CHARTER, ARTICLE III (ELECTIONS), TO ALLOW THE BOARD OF COMMISSIONERS TO DESIGNATE A CANVASSING BOARD FOR EACH ELECTION TO CERTIFY ALL TESTS OF ELECTION EQUIPMENT AND CANVASS ASSEMBLER AND PROVISIONAL BALLOTS, PROVIDING THAT THE PROPOSED AMENDMENT BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE BALLOT LANGUAGE TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION.**

TION: PROVIDING AND PROVIDING  
ORDINANCE 1077 - AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, PROPOSING AN AMENDMENT TO THE CITY CHARTER, ARTICLE III (ELECTIONS), TO ALLOW THE BOARD OF COMMISSIONERS TO DESIGNATE A CANVASSING BOARD FOR EACH ELECTION TO CERTIFY ALL TESTS OF ELECTION EQUIPMENT AND CANVASS ASSEMBLER AND PROVISIONAL BALLOTS, PROVIDING THAT THE PROPOSED AMENDMENT BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE BALLOT LANGUAGE TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION.

**ORDINANCE 1076 - AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH CODE OF ORDINANCES, CHAPTER 26 (ELECTIONS); BY CREATING SECTION 26-6 (CANDIDATE WITHDRAWAL), TO REQUIRE THAT A QUALIFIED CANDIDATE THAT WITHDRAWS AFTER 5 WORKING DAYS OF THE QUALIFYING PERIOD SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE CREATION OF A NEW BALLOT, THE COST OF ABSENTEE BALLOT KITS, THE REMAINING OF ABSENTEE BALLOTS, AND ANY PAID AND PREPAID POSTAGE ASSOCIATED WITH SUCH; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

A copy of the for inspection between the hour through Friday. All persons are they make to 1 encouraged to Board of Comm individual to p public at large, any decision of matter consider of the proceed to ensure that is made, which evidence upon Florida Statute City of Madeira Denise M. Sch 04/09/06