



**TOWN OF REDINGTON BEACH
BOARD REGULAR MEETING AGENDA
Thursday, January 6, 2021
6:30 P.M.**

Town Hall

Assembly Hall

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. PUBLIC FORUM: Non-Agenda Items Only NOTE:** A three minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.
- 6. REPORTS**

Public Safety	Commissioner Kornijtschuk
Building/Code	Commissioner Will
Public Works/Parks	Commissioner Steiermann
Finance	Vice Mayor Dorgan
Mayor	
Town Clerk	
Attorney Daigneault	
Boards & Committees	
- 7. CONSENT AGENDA**
 - A. Board Regular Meeting Minutes, December 16, 2020**
 - B. Bill List for Day Ending January 4, 2021**
- 8. OLD BUSINESS**
- 9. NEW BUSINESS**
 - A. Resolution 2021-01: A Resolution of the Board of Commissioners of the Town of Redington Beach, Florida, establishing the dates for Town regular commission meetings for Calendar Year 2021, and providing for an effective date.**
 - B. Planning Board Appointment; two openings**
 - C. Gulf Beaches Public Library**



- D. **First Reading: Ordinance 2020-09: An Ordinance of the Town of Redington Beach, Florida, Amending Chapter 8 (elections) of the Town Code to Remove Outdate, Preempted or Unenforceable Provisions and to incorporate current State and Federal Law Requirements; Making Related Findings; Providing for Codification, Severability, and an Effective Date.**
- E. **First Reading: Ordinance 2020-11: An Ordinance of the Town of Redington Beach, Florida, Amending Chapter 11 (Miscellaneous Offenses) of the Town Code to Remove Outdate, Preempted or Unenforceable Provisions and to Incorporate Current State and Federal Law Requirements; Making Related Findings; Providing for Codification, Severability, and an Effective Date.**

10. OTHER BUSINESS

11. ADJOURNMENT

Note: The Town of Redington Beach Board of Commissioners meet the First and Third Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose 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 based. (F.S 286.0105) **Notice Regarding Special Accommodations: (F.S. 286.26)**



Missy Clarke is inviting you to a scheduled Zoom meeting.

Topic: BOC Regular Meeting

Time: Jan 6, 2021 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86537809146?pwd=WXovRml5emZYbk1zeUdYanhXVEVLZz09>

Meeting ID: 865 3780 9146

Passcode: 401534

One tap mobile

+13017158592,,86537809146#,,,,*401534# US (Washington D.C)

+13126266799,,86537809146#,,,,*401534# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 865 3780 9146

Passcode: 401534

Find your local number: <https://us02web.zoom.us/j/86537809146?pwd=WXovRml5emZYbk1zeUdYanhXVEVLZz09>



TOWN OF REDINGTON BEACH, FLORIDA
BOARD REGULAR MEETING MINUTES
Hybrid Meeting
Wednesday, December 16, 2020
5:30 p.m.

Having been duly advertised as required by law, the **Regular Meeting** of the Board of Commissioners of the Town of Redington Beach, Florida, was held on **Wednesday, December 16, 2020, 5:30 p.m.**, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach Florida.

Mayor Simons called the **Regular Meeting** to order and led the pledge of allegiance.

Roll Call

	Present	Absent
Commissioner Kornijtschuk	X	
Commissioner Steiermann	X	
Commissioner Will	X	
Vice Mayor Dorgan	X	
Mayor Simons	X	
Town Attorney Eschenfelder	X	
Town Clerk Clarke	X	

Agenda: A motion by Commissioner Kornijtschuk and seconded by Commissioner Steiermann to accept the agenda as presented. No public comment. Motion passed with all ayes.

Public Forum: No public comment.

Reports

Public Safety

- Nothing to Report

Building/Code

- Nothing to Report

Public Works/Parks

- Reported that the Golf Cart Parade and the park lighting were two successful events. Thanks to Steve and Lisa Miller, as well as Shawntay Skjoldager and Anna Wiggers for organizing the park lighting.

Finance

- Nothing to Report

Mayor

- Reported that the Holiday Boat Parade had about 20 boats participate. The weather was great and was enjoyed by all.

Town Clerk

- Nothing to Report

Town Attorney

- Nothing to Report

Boards and Committees

- Nothing to Report

CONSENT AGENDA: A motion by Commissioner Kornijtschuk and seconded by Commissioner Will to approve the consent agenda as presented. No public comment. Motion passed with all ayes.

UNFINISHED BUSINESS

- A. Final Reading; Ordinance 2020-02: An Ordinance of the Town of Redington Beach, Pinellas County Florida, Amending the Town's 2008 Comprehensive Plan's Conservation and Coastal Management and Intergovernmental Coordination Elements to Incorporate Goals, Objectives, and Policies related to Mitigating the Effects of Climate Change, Sea Level Rise, Extreme High Tides, and Storm Surge, in accordance with the mandates set forth in Chapter 163, Florida Statutes, Specifically Section 163.3178 (f) (1)-(4), and based on updated data and analyses; Providing for Severability; and Establishing an Effective Date.** Attorney Eschenfelder read the ordinance by title only. A motion by Commissioner Steiermann and seconded by Commissioner Will to move forward with discussion of the ordinance. Sarah Probst with LTA Engineers reviewed the ordinance and the new requirements by the state. The Department of Economic Opportunity had objections, recommendations and comments from their report in August and this ordinance will make those changes mandated by the state. A review of the ordinance by page number was reviewed by the commission. A motion by Commissioner Will and seconded by Commissioner Steiermann to adopt the ordinance on its final reading. No public comment. Motion passed with all ayes on its final reading.

	Motion	Second	Aye	Nay	Absent
Commissioner Kornijtschuk			X		
Commissioner Steiermann		X	X		
Commissioner Will	X		X		
Vice Mayor Dorgan			X		
Mayor Simons			X		

NEW BUSINESS

- A. First Reading; Ordinance 2020-12: An Ordinance of the Town of Redington Beach, Pinellas County Florida, Amending Town Code Chapter 6, Buildings and Building Regulations, Article III, Division 3, Site Plans, by Amending the Guidelines for the Preparation of Site Plans, Making Related Findings; Providing for Severability; and Establishing an Effective Date.** Attorney Eschenfelder read the ordinance by title only. A motion by Commissioner Kornijtschuk and seconded by Commissioner Steiermann to adopt Ordinance 2020-12 on its first reading. Bruce McLaughlin, town planner spoke on the two levels of site reviews, a site plan review and site sketch. Commissioners had questions regarding the landscaping requirements, liability and designing requirements. The consensus of the commission was to amend the ordinance for the

2nd reading by removing the landscape requirements. No Public Comment. Motion passed with all ayes on the first reading.

	Motion	Second	Aye	Nay	Absent
Commissioner Kornijtschuk	X		X		
Commissioner Steiermann		X	X		
Commissioner Will			X		
Vice Mayor Dorgan			X		
Mayor Simons			X		

- B. First Reading; Ordinance 2020-13: An Ordinance of the Town of Redington Beach, Pinellas county, Florida, Repealing and Replacing Town Code Chapter 10, Floodplain Management, by Creating New Administration Requirements, New Definitions and New Provisions for Flood Resistant Development, Making Related Findings; Providing for Severability; and Establishing an Effective Date.** Attorney Eschenfelder read the ordinance by title only. Town planner, Bruce McLaughlin requested that the mayor open the hearing for this ordinance and continue to a date certain. The date certain will be February 17, 2021.
- C. First Reading; Ordinance 2020-14: An Ordinance of the town of Redington Beach, Pinellas County Florida, Repealing and Replacing Town Code Chapter 18.5, Stormwater, Establishing New General Provisions, New Definitions and New Operating Requirements; Updating the Provision for Stormwater Management Utility Fees and for the Stormwater Utility Fee, Making Related Findings; Providing for Severability; and Establishing an Effective Date.** Attorney Eschenfelder read the ordinance by title only. A motion by Commissioner Steiermann and seconded by Vice Mayor Dorgan to adopt ordinance 2020-14 on its first reading. The commission reviewed the ordinance by page and questions were asked regarding authorized exceptions, penalties, applicability, and depreciation. Steve Miller, 16335 Redington Drive, asked questions regarding illicit discharge. No other public comment. Roll call was taken and motion passed with all ayes.

	Motion	Second	Aye	Nay	Absent
Commissioner Kornijtschuk			X		
Commissioner Steiermann	X		X		
Commissioner Will			X		
Vice Mayor Dorgan		X	X		
Mayor Simons			X		

A five minute recess was taken.

- D. Resolution 2020-13: A Resolution of the Town Commission of the Town of Redington Beach, Pinellas county Florida Setting the Stormwater Utility Management Fee Pursuant to Town Code Chapter 18.5, Article II, Making Related Findings; Providing for Conflicts; Providing for Severability and Establishing an Effective Date.** Attorney Eschenfelder read the resolution by title only. The proposal is for the stormwater fee to be adopted by

resolution and not have the fee in the ordinance. The consensus of the commission is to move forward with this.

- E. **First Reading; Ordinance 2020-03: An Ordinance of the Town of Redington Beach, Pinellas County, Florida Amending Town Code, Chapter 18.5, Stormwater, By Creating and Inserting Article IV, Adopting a Standard Details Manual for Public Works and Private Property Improvements which Manual Establishes Standard for all works within the Town's Public Rights of Way and for Collection, Retention and Treatment of Stormwater Runoff on Private Properties, Providing for Severability; and Establishing an Effective Date.** Attorney Eschenfelder read the ordinance by title only. A motion by Commissioner Will and seconded by Commissioner Kornijtschuk to adopt Ordinance 2020-03 on its first reading. The standard details manual was reviewed by sections in the general index. Roll call vote was taken and the motion passed with all ayes.

	Motion	Second	Aye	Nay	Absent
Commissioner Kornijtschuk		X	X		
Commissioner Steiermann			X		
Commissioner Will	X		X		
Vice Mayor Dorgan			X		
Mayor Simons			X		

- F. **First Reading; Ordinance 2020-10: An Ordinance of the Town of Redington Beach, Pinellas County, Florida, Amending Chapter 9, (Fire Prevention and Protection) of the Town Code to Remove Outdate, Preempted, or Unenforceable Provisions, and to incorporate Current State and Federal Law Requirements; Making Related Findings; Providing for Codification, Severability and an Effective Date.** Attorney Eschenfelder read the ordinance by title only. Bruce McLaughlin, town planner requested the mayor to open the hearing and continue to the regular meeting on February 17th.
- G. **Design Plan for SWFWMD Project:** Lynn Burnett, LTA Engineers, reviewed the design plan for the Boca Ciega Bay Water Quality Stormwater Improvement project with the Tampa Bay Estuary grant. Also reviewed was the time line for the construction phase of project.

Other Business

Attorney Eschenfelder noted that the Buending case has been set for oral arguments on April 21st in Miami. With no further business, a motion was made by Commissioner Kornijtschuk and seconded by Commissioner Steiermann to adjourn. Regular meeting was adjourned at 8:16 p.m.

Adopted: December , 2020

Missy Clarke, CMC, Town Clerk

12/17/2020

9632 VOID
9633 Chase Card Services
Payroll
Payroll
Payroll
Payroll

0.00
42.27

42.27

MAYOR SIMONS

COMMISSIONER WILL

COMMISSIONER KORNIJTSCHUK

VICE MAYOR DORGAN

ATTEST:

COMMISSIONER STEIERMANN

Missy Clarke, CMC, Town Clerk

Regular Meeting of January 6, 2021

TOWN OF REDINGTON BEACH

Resolution 2021-01

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA, ESTABLISHING THE DATES FOR TOWN REGULAR COMMISSION MEETINGS FOR CALENDAR YEAR 2021, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a schedule of Regular monthly meetings of the Town's Board of Commissioners for each calendar year has, in the past, been adopted by Resolution; and

WHEREAS, a schedule of such meetings for calendar year 2021, has not yet been adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA AS FOLLOWS:

Section 1: The Board of Commissioners of the Town of Redington Beach does hereby adopt a form schedule of Regular Commission Meetings as set forth in the Attached Exhibit "A" to this Resolution which is incorporated herein by this reference.

Section 2: All such meetings, unless otherwise timely noticed, shall commence at 6:30 p.m., and that the location where such meetings shall be held shall be in the Town Hall Assembly Hall at 105 164th Avenue, Redington Beach, Florida, and in accordance with the Sunshine Law of the State of Florida, a copy of this Resolution shall, upon adoption:

1. Be posted on the "Official/Legal Notices" Bulletin Board at Town Hall;
2. Be filed with the Town Clerk; and
3. Be mailed to any resident or non-resident who requests a copy of such Resolution and/or Schedule of Meetings (i.e. Exhibit A to this Resolution).

Section 3: This Resolution, 2021-01, shall become effective immediately upon its adoption.

PASSED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA, IN REGULATION SESSION THIS 6th Day of January, 2021.

Attest:

By: _____
Missy Clarke, CMC, Town Clerk

By: _____
Nick Simons, Mayor

	Motion	Second	Aye	Nay	Absent
Commissioner Kornijtschuk					
Commissioner Steiermann					
Commissioner Will					
Vice Mayor Dorgan					
Mayor Simons					

Resolution 2010-01
January 6, 2021



TOWN OF REDINGTON BEACH BOARD OF COMMISSIONERS MEETING CALENDAR 2021 REGULAR MEETINGS

**Town Hall
1ST & 3RD WEDNESDAY of the Month
6:30 p.m.**

JANUARY	6th	20th
FEBRUARY	3rd	17th
MARCH	3rd	17th
APRIL	7th	21st
MAY	5th	19th
JUNE	2nd	16th
JULY	7th	21st
AUGUST	4th	18TH
SEPTEMBER	1st	15th
OCTOBER	6th	20th
NOVEMBER	3rd	17th
DECEMBER	1st	15th

**NOTE: No meetings posted for Holidays or Election Days.
Workshop and Special Meetings may be called as needed.**

ALL MEETING SHALL FOLLOW THE STATE OF FLORIDA SUNSHINE LAW GUIDELINES.

Missy Clarke, CMC
Town Clerk



TOWN OF REDINGTON BEACH, FLORIDA

APPLICATION FOR APPOINTMENT TO TOWN BOARD OR TOWN COMMITTEE

NAME: Kenneth C. Lotterhos
ADDRESS: 16205 3rd St. E., Redington Beach, FL 33708
HOME PHONE: _____ CELL PHONE: 631-678-7302
E-MAIL: Ken.Lotterhos@guidehouse.com

SEEKING APPOINTMENT TO (Check Appropriate Choice):

☐ Board of Adjustment ☐ Planning Board ☒ Park Board ☐ Other (Specify) _____

EDUCATIONAL BACKGROUND:

School: George Washington Washington DC Location: New York Major: Law Degree: J.D.
NYU Elec. Eng. BSEE

EMPLOYMENT:

Employer: Guidehouse Consulting Industry: Energy
Address: 7650 W. Courtney Campbell City: Tampa State: FL Zip: 33607
Position: Partner How Long: 18 years
Employment Reference: Chris Lucas Phone: 801-891-7127

Prior Employment:

Employer: North American Elec. Reliability Industry: Energy
Corp. (NERC)
Address: 1325 G St. City: Washington, DC State: _____ Zip: 20005
Position: Assoc. General Counsel and How Long: 1+ yr.
Director of Enforcement.
Employment Reference: Sonia Mendonca Phone: 202-644-8046

Why would you like to be considered as a candidate for service as noted in this Application?

I have been a Planning Board member and am presently Vice Chair.
I wish to continue supporting the town in its many objectives,

Signature: [Signature]

Date: 12-7-2020



TOWN OF REDINGTON BEACH, FLORIDA

APPLICATION FOR APPOINTMENT TO TOWN BOARD OR TOWN COMMITTEE

NAME: David Christ SR
ADDRESS: 16129 4th St S, Redington Beach, FL 33708
HOME PHONE: _____ CELL PHONE: 727-385-5275
E-MAIL: davidchrist@Realtor.com

SEEKING APPOINTMENT TO (Check Appropriate Choice):

☐ Board of Adjustment ☒ Planning Board ☐ Park Board ☐ Other (Specify) _____

EDUCATIONAL BACKGROUND:

School: Zips College Location: Phila Major: Architecture Degree: AS

EMPLOYMENT:

Employer: Gulf Beach Realty Industry: Realtor
Address: 203 150th Ave City: Madeira Beach State: FL Zip: 33708
Position: Realtor How Long: 18 yrs
Employment Reference: Scott Gast Phone: 727-600-0809

Prior Employment:

Employer: Self Industry: Construction
Address: 1680 glebe rd City: Earleville State: MD Zip: 21919
Position: Owner How Long: 30 + years
Employment Reference: _____ Phone: _____

Why would you like to be considered as a candidate for service as noted in this Application?

on Board now
I am the chair -

Signature

Date:

12/3/2020



**TOWN OF NORTH REDINGTON BEACH
BOARD OF COMMISSIONERS
WORKSHOP MINUTES
SEPTEMBER 2ND, 2020**

Mayor Bill Queen called the September 2nd, 2020 workshop to order at 2:00 p.m. Vice Mayor Richard Bennett and Commissioners Curtis, Kennedy and Thornton were present. The meeting was held at the Town Hall Building, 190 - 173rd Avenue, North Redington Beach.

A. LIBRARY

Mayor Queen explained there had been some discussions with the other municipalities, that comprise the Gulf Beaches Library, regarding funding among other possible changes.

The Board discussed the interlocal agreement, the funding sources, the amount of cash on hand, the makeup of the Library Board and communication between representatives and the member cities. The Board agreed with the following recommendations:

- Reduce the board members from 10 to 5. The five members should be elected officials.*
- There is too much cash on hand. It should be spent on whatever the building or library needs.*
- A new interlocal agreement to be drafted by an independent party and to include renewal every 5 years.*
- If the library dissolves, funds should be returned to contributors.*
- The footprint of the library should not be expanded.*
- Members need to communicate with the member cities and vote according to the cities wishes.*

B. MISCELLANEOUS

Commissioner Curtis asked if Radcliffe Park would be lit and if the annual event would be held. Mayor Queen responded the park will be lit however, it is too early to know if an event could be safely held.

There being no further business, the meeting adjourned at 2:52 p.m.

Respectfully submitted,

*Mari Campbell, CMC
Town Clerk*

**INTERLOCAL AGREEMENT FOR THE CONTINUED FUNDING OF
THE GULF BEACHES PUBLIC LIBRARY, INC.**

THIS INTERLOCAL AGREEMENT is made and entered into this 29th day of August 2012 by and between the Town of Redington Shores, the Town of North Redington Beach, the Town of Redington Beach, the City of Madeira Beach, and the City of Treasure Island, all municipal corporations of the State of Florida (hereinafter: the municipalities), for the continued funding of the Gulf Beaches Public Library, Inc. (hereinafter: the library).

RECITALS

WHEREAS, the municipalities organized and created the library by articles of incorporation under the laws of the State of Florida on September 11, 1969; and

WHEREAS, Article IV, Funding, of these same articles of incorporation state, in their entirety, that "Contributions for maintenance and support shall be fairly and equitably determined and shall be set forth in written agreement between the contributing municipalities," and

WHEREAS, Section 163.01, Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, provides for the creation of agreements between governmental organizations; and

WHEREAS, the library is an important cultural institution, the maintenance of which benefits the public.

NOW THEREFORE, in fidelity to agreements each municipality entered into in creating this library the parties do agree as follows:

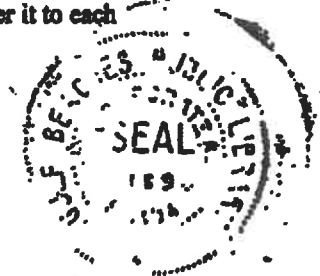
SECTION 1., PURPOSE: This agreement establishes the manner for fairly and equitably determining the funding and financial support each municipality shall provide to the library.

SECTION 2., TERM: This agreement shall begin October 1, 2012 and continue until the library corporation is dissolved or the municipalities supersede this agreement.

SECTION 3., IMPLEMENTATION.

Section 3.1. The library shall create an annual budget for its operation and sustinment prior to the start of its fiscal year, which currently starts October 1 and ends September 30. The library shall then determine the amount due from each municipality apportioned as to their populations using the most recent population data from the Bureau of Economic and Business Research of the University of Florida, or its successors.

Section 3.2. The library shall prepare an annual service agreement for each municipality which shall specify each municipality's financial apportionment for the new fiscal year, and deliver it to each municipality before the start of the new fiscal year in question.



**INTERLOCAL AGREEMENT FOR THE CONTINUED FUNDING OF
THE GULF BEACHES PUBLIC LIBRARY, INC.**

Section 3.3. The municipalities shall then consider the service agreements and accept or reject them. If accepted the service agreement becomes a financial obligation of the municipality with payments due to the library quarterly during the fiscal year, currently October 1, January 1, April 1, and July 1.

SECTION 4., TERMINATION.

Section 4.1. If any municipality rejects the service agreement or otherwise fails to fund or insufficiently funds the library then that municipality shall immediately notify the other municipalities and the library of that occurrence and this interlocal agreement shall terminate as it relates to said municipality at the end of the current fiscal year. Termination shall be without penalty or expense to any other municipality for any time up until the date of termination of the terminating municipality. The terminating municipality shall remain liable for any charges or payments pursuant to this interlocal agreement that have accrued or been incurred for any time up until the date of termination.

Section 4.2. A municipality may, for any reason, terminate its inclusion in this interlocal agreement effective at the end of the current fiscal year, currently September 30, by providing written notice to the municipalities and the library on or before three months prior to the end of the current fiscal year, currently June 30.

Section 4.3. If any municipality terminates its inclusion in this interlocal agreement then the residents of that municipality shall be considered non-resident and may lose library privileges which may include any interlibrary lending agreements the library may be party to. All items out on loan to the residents shall be immediately returned; a list of which will be given to the municipality. The municipality shall make every effort to cause the return of loaned items to the library.

Section 4.4. A terminating municipality may reinstate its participation in the library upon the execution of a new interlocal agreement provided the remaining municipalities agree.

SECTION 5., LIBRARY ASSETS: The municipalities agree that all monies given to the library in accordance with this interlocal agreement are freely given and that the municipalities give up any and all claims to the assets of the library. In the event of termination of this interlocal agreement by all municipalities, all of the assets of the library shall remain with Gulf Beaches Public Library, Inc.

SECTION 6., AMENDMENTS: Amendments to this interlocal agreement may be proposed by any of the municipalities or by the library, but must be accepted by all of the municipalities before the beginning of a new fiscal year for such proposed amendments to take effect; otherwise the proposed amendments must be reintroduced again.



**INTERLOCAL AGREEMENT FOR THE CONTINUED FUNDING OF
THE GULF BEACHES PUBLIC LIBRARY, INC.**

IN WITNESS WHEREOF, the parties have caused this interlocal agreement to be executed for the uses and purposes therein expressed on the day and year first above-written.

For the Town of Redington Shores:

Bert Adams
Mayor

Mary Palmer
Clerk

Attorney

For the Town of North Redington Beach:

Bill Queen
Mayor

Mari Campbell
Clerk

Attorney

For the Town of Redington Beach:

Nick Simmons
Mayor

Janina Patrus
Clerk

Attorney

For the City of Madeira Beach:

Travis Palladeno
Mayor

Ginger Stilton
Clerk

Attorney

For the City of Treasure Island:

Robert Minning
Mayor

Dawn Foss
Clerk

Attorney

For the Gulf Beaches Public Library, Inc.:

Alan Bildz
Board of Trustees Chairman

Maggie Cinnella
Library Director



**INTERLOCAL AGREEMENT FOR THE CONTINUED FUNDING OF
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For the Town of Redington Shores:

Bert Adams
Mayor

Mary Palmer
Clerk

James W. K. [unclear]
Attorney

For the Town of North Redington Beach:

Bill Queen
Mayor

Mari Campbell
Clerk

[unclear]
Attorney

For the Town of Redington Beach:

Nick Simmons
Mayor

Janina Patrus
Clerk

[unclear]
Attorney

For the City of Madeira Beach:

Travis Palladeno
Mayor

Ginger Stilton
Clerk

[unclear]
Attorney

For the City of Treasure Island:

Robert Minning
Mayor

Dawn Foss
Clerk

[unclear]
Attorney

For the Gulf Beaches Public Library, Inc.:

Alan Bildz
Board of Trustees Chairman

Maggie Cimella
Library Director



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For the Town of Redington Shores:

Bert Adams
Mayor

Mary Palmer
Clerk

Attorney

For the Town of North Redington Beach:

Bill Queen
Mayor

Mari Campbell
Clerk

Attorney

For the Town of Redington Beach:

Nick Simmons
Mayor

Janina Patrus
Clerk

Attorney

For the City of Madeira Beach:

Travis Palladeno

Travis Palladeno
Mayor

Ginger Stilton

Ginger Stilton
Clerk

Therese Lock

Attorney

For the City of Treasure Island:

Robert Minning
Mayor

Dawn Foss
Clerk

Attorney

For the Gulf Beaches Public Library, Inc.:

Alan Bildz
Board of Trustees Chairman

Maggie Cinnella
Library Director



**INTERLOCAL AGREEMENT FOR THE CONTINUED FUNDING OF
THE GULF BEACHES PUBLIC LIBRARY, INC.**

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For the Town of Redington Shores:

Bert Adams
Mayor

Mary Palmer
Clerk

Attorney

For the Town of North Redington Beach:

Bill Queen
Mayor

Mari Campbell
Clerk

Attorney

For the Town of Redington Beach:

Nick Simmons
Mayor

Janina Patrus
Clerk

Attorney

For the City of Madalga Beach:

Travis Palladino
Mayor

Ginger Stilton
Clerk

Attorney

For the City of Treasure Island:

Robert Minning
Mayor

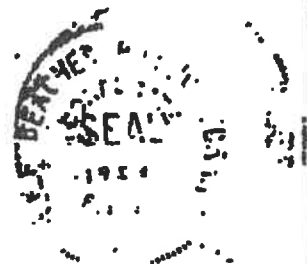
Reid Silverboard
City Manager

Attorney

For the Gulf Beaches Public Library, Inc.:

Alan Bildz
Board of Trustees Chairman

Maggie Cinnella
Library Director



**INTERLOCAL AGREEMENT FOR THE CONTINUED FUNDING OF
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For the Town of Redington Shores:

Bert Adams
Mayor

Mary Palmer
Clerk

Attorney

For the Town of North Redington Beach:

Bill Queen
Mayor

Mari Campbell
Clerk

Attorney

For the Town of Redington Beach:

Nick Simmons
Mayor

Janina Patrus
Clerk

Attorney

For the City of Madeira Beach:

Travis Palladano
Mayor

Ginger Stilton
Clerk

Attorney

For the City of Treasure Island:

Robert Minning
Mayor

Dawn Foss
Clerk

Attorney

For the Gulf Beaches Public Library, Inc.:

Alan Bildz
Alan Bildz
Board of Trustees Chairman

Maggie Cinnella
Maggie Cinnella
Library Director



For the Town of Redington Shores:

Bert Adams
Mayor

Mary Palmer
Clerk

Attorney

For the Town of North Redington Beach:

Bill Queen
Mayor

Mari Campbell
Clerk

Attorney

For the Town of Redington Beach:

Nick Simmons
Mayor

Janina Patrus
Clerk

Attorney

For the City of Madeira Beach:

Travis Palladeno
Mayor

Ginger Stilton
Clerk

Attorney

For the City of Treasure Island:

Robert Minning
Mayor

Dawn Foss
Clerk

Attorney

For the Gulf Beaches Public Library, Inc.:

Alan Bildz
Board of Trustees Chairman

Maggie Cinnella
Library Director



townclerk@townofnorthredingtonbeach.com

From: Gulf Beaches Public Library <gulfbeacheslibrary@icloud.com>
Sent: Thursday, October 15, 2020 1:54 PM
To: mayor@townofnrb.com
Subject: Articles of Incorporation
Attachments: Articles of Incorporation with Amendment.pdf; Untitled attachment 00007.html; 2.png; Untitled attachment 00010.html

Bill,

Here are the articles of incorporation. They will definitely need to be changed.

Thanks
Vince

1864
7-16

State of Florida

Secretary of State



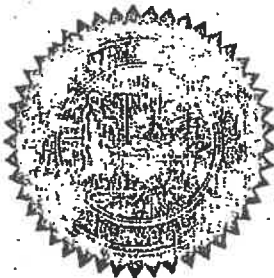
I, Tom Adams, Secretary of State of the State of Florida,
Do Hereby Certify That the following is a true and correct copy of

Certificate of Incorporation
of

GULF BEACHES PUBLIC LIBRARY, INC.

a corporation not for profit organized and existing under the Laws of the
State of Florida, filed on the 11th day of September,
A.D., 1969 as shown by the records of this office.

Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital,
this the 12th day of September,
A.D. 1969.



Tom Adams

Secretary of State

ARTICLES OF INCORPORATION
GULF BEACHES PUBLIC LIBRARY, INC.
A Corporation Not For Profit

FILED
SEP 11 11 02 AM '69
CLERK OF DISTRICT COURT
JACKSONVILLE, FLORIDA

We, the undersigned, with other persons being desirous of forming a corporation for cultural, educational and philanthropic purposes, under the provisions of Chapter 617, Florida Statutes, do agree to the following:

ARTICLE I. NAME

The name of this non-profit corporation shall be GULF BEACHES PUBLIC LIBRARY, INC.

ARTICLE II. PURPOSES

The general nature of the objects and purposes of this corporation is to administer and conduct a public library for the promotion of education and entertainment of the citizens of the Cities of Madeira Beach, Redington Beach, North Redington Beach, Redington Shores and Treasure Island, Florida; and of any other person or persons desiring to use said library, whether residents of the named cities or not.

ARTICLE III. QUALIFICATION OF MEMBERS

The initial membership of the corporation shall constitute all persons hereinafter named as subscribers, who shall be two members from each of the cities of Madeira Beach, Redington Beach, North Redington Beach and Treasure Island; and one member from Redington Shores, which cities shall hereinafter be designated as contributing municipalities.

In addition, there shall be four ex-officio members.

consisting of the Librarian, a representative of the Gulf Beach Woman's Club, a member of the Friends of the Gulf Beaches Public Library, Inc., and a representative to be appointed by the City Commissioners of the City of Madeira Beach, Florida.

ARTICLE IV. FUNDING

Contributions for maintenance and support shall be fairly and equitably determined and shall be set forth in written agreement between the contributing municipalities.

ARTICLE V. TERM OF EXISTENCE

This corporation is to exist perpetually.

ARTICLE VI. SUBSCRIBERS

The names and residences of the subscribers to these

Articles are:

<u>Name</u>	<u>Residence</u>
Douglas Craig	730 - 123 Ave., Treasure Island
Joseph J. Mate	568 Crystal Drive, Madeira Beach
Alleva Oliveira	17717 Wall Circle, Redington Shores
William E. Bloomer	500 - 173 Ave., N., Redington Beach
Flo M. Mallory	16107 - 6 St., E., Redington Beach
John R. Foley	207 - 161 Ave., Redington Beach
Mary Elizabeth Van Dyke	10090 Paradise Blvd., Treasure Island
Dorothy T. Seydewitz	17371 Kennedy Dr., N. Redington Beach
John R. Hancock	492 Crystal Dr., Madeira Beach

ARTICLE VII. OFFICERS

Section 1. The officers of the corporation shall be a Chairman, a Secretary and a Treasurer.

Section 2. The names of the persons who are to serve as initial officers of the corporation, each of whom shall be voting members of the Board of Trustees and elected by the Trustees, are:

<u>Office</u>	<u>Name</u>
Chairman	John R. Hancock
Secretary	Flo M. Mallory
Treasurer	Douglas Craig

Each shall serve until his successor is elected.

Section 3. The officers shall be elected at the annual meeting of the Board of Trustees and shall serve a term of one year. A nominating Committee, consisting of three persons shall be appointed annually by the Board of Trustees as provided in the By-Laws of the corporation. Vacancies in office shall be filled at the next regular meeting of the Board after the vacancy occurs.

ARTICLE VIII. BOARD OF TRUSTEES

Section 1. The business affairs of the corporation shall be managed by a Board of Trustees consisting initially of nine members, who shall be appointed by resolution or other lawful manner of the contributing municipalities as provided in Section 2 hereof. The number of trustees may be increased from time to time by resolution or other lawful manner of the contributing municipalities.

Section 2. The numbers and terms of the trustees to be appointed by the contributing municipalities are as follows:

Madeira Beach: One member to serve one year initially;
One member to serve two years initially;

Thereafter each member shall be appointed or re-appointed for a two-year term.

Redington Beach: One member to serve one year initially;

One member to serve two years initially;

Thereafter each member shall be appointed or re-appointed for a two-year term.

North Redington Beach:

One member to serve one year initially;

One member to serve two years initially;

Thereafter each member shall be appointed or re-appointed for a two-year term.

Treasure Island: One member to serve one year initially;

One member to serve two years initially;

Thereafter each member shall be appointed or re-appointed for a two-year term.

Redington Shores: One member to serve one year initially

and thereafter each member shall be appointed for one year.

Section 3. The Board of Trustees shall meet annually on the fourth Monday of October, with all other meetings to be held as provided by the By-Laws.

Section 4. The names and addresses of the persons who shall constitute the first Board of Trustees are:

Douglas Craig
Joseph J. Mate
Alleva Oliveira
William E. Bloomer
Flo M. Mallory
John R. Foley
Mary Elizabeth Van Dyke
Dorothy T. Seydewitz
John R. Hancock

730 - 123 Ave., Treasure Island
568 Crystal Dr., Madeira Beach
17717 Wall Circle, Redington Shores
500 - 173 Ave., N. Redington Beach
16107 - 6 St., E., Redington Beach
207 - 161 Ave., Redington Beach
10090 Paradise Blvd., Treasure Island
17371 Kennedy Dr., N. Redington Beach
492 Crystal Dr., Madeira Beach

Section 4. Members of the corporation herein designated as ex officio members shall have a voice in all matters pertaining to Library operations, but shall not vote.

ARTICLE IX. BY-LAWS

Section 1. The Board of Trustees of this corporation may provide such by-laws for the conduct of its business and the carrying out of its purposes as they may deem necessary from time to time.

Section 2. Upon proper notice the by-laws may be amended, altered or rescinded by a majority vote of the members of the Board of Trustees at any regular or special meeting called for such purpose.

ARTICLE X. AMENDMENTS

These Articles of Incorporation may be amended at any regular or special meeting called for such purpose by a majority vote of the members of the Board of Trustees and ratified by each of the contributing municipalities. Written notice of such meetings held for such purpose shall be given to each of the contributing municipalities.

ARTICLE XI. LOCATION

The corporation shall be located at 200 Municipal Drive, Library Building, in the City of Madeira Beach, Pinellas County, Florida.

ARTICLE XII. RECORDS AND ACCOUNTINGS

The records and accountings of Library receipts and expenditures shall be kept by the Treasurer and shall be available for inspection by the Board of Trustees and the contributing municipalities upon reasonable notice of such intent.

IN WITNESS WHEREOF, We, the undersigned subscribing

incorporators, have caused these presents to be duly executed this 3rd day of September, 1969, for the purpose of forming this corporation not for profit under the laws of the State of Florida.

John R. Hancock

Douglas Craig

Joseph J. Mate

Alleva Oliveira

William E. Bloomer, M.D.

Flo M. Mallory

John R. Foley

Mary Elizabeth Van Dyke

Dorothy T. Seydewitz

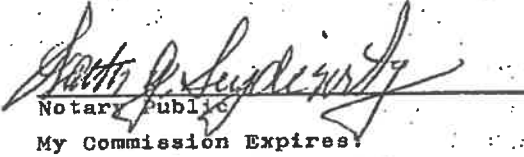
STATE OF FLORIDA

COUNTY OF PINELLAS

Before me, a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared John R. Hancock, Douglas Craig, Joseph J. Mate, Alleva Oliveira, William E. Bloomer, M.D., Flo M. Mallory, John R. Foley, Mary Elizabeth Van Dyke and Dorothy T. Seydewitz, to me known to be the persons described as subscribers in and who executed the foregoing

Articles of Incorporation, and they acknowledged before me
that they executed and subscribed to these Articles of
Incorporation.

WITNESS My hand and official seal this 3^d day
of Sept., 1969.


Notary Public

My Commission Expires:

Notary Public, State of Florida at Large

My Commission Expires Apr. 15, 1972

Bonded By American Life & Casualty Co.

*See next page for
Amendment*

State of Florida

Department of State



I, Richard (Dick) Stone, Secretary of State of the State of Florida,
Do Hereby Certify That the following is a true and correct copy of
Certificate of Amendment to Articles of Incorporation of GULF
BEACHES PUBLIC LIBRARY, INC., a corporation not for profit,
organized and existing under the Laws of the State of Florida,
amending ARTICLE XIII, filed on the 30th day of August, A. D.,
1971, as shown by the records of this office.

Given under my hand and the Great Seal of the
State of Florida at Tallahassee, the Capital,
this the 31st day of August,
A.D. 1971.

Richard (Dick) Stone

Secretary of State



CERTIFICATE OF AMENDMENT OF CORPORATION NOT FOR PROFIT

STATE OF FLORIDA)

COUNTY OF PINELLAS)

We, the undersigned trustees of Gulf Beaches Public Library, Inc., a corporation not for profit organized and existing under the Laws of the State of Florida by virtue of Certificate of Incorporation filed in the office of the Secretary of State of Florida on the 11th day of September, 1969, do hereby, for the purpose of amending said Certificate of Incorporation, and in accordance with Section 617.02 F.S. and Article X of said Certificate of Incorporation, make and attest this Certificate and certify as follows:

That a meeting called for the purpose of amending the Certificate of Incorporation of Gulf Beaches Public Library, Inc. was held June 28, 1971, and at said meeting a resolution was unanimously passed to amend said Certificate of Incorporation as follows:

ARTICLE XIII

"In the event of dissolution, the residual assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in Section 501 (c)(3) and 170 (c) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future Internal Revenue Code, or to the Federal, State or Local government for exclusive public purpose."

IN WITNESS WHEREOF, we have made and executed this Certificate this 6th day of August, 1971, at Gulf Beach, Florida.

John A. Aronson (seal)
Chairman of the Board of Trustees

John M. Mallory (seal)
Secretary

Trustees:

Alleen C. Linn

Irma Elizabeth Van Dine

John M. English

Rudolph R. Clayton

William E. Dickey

William E. Dickey

William E. Dickey

William E. Dickey

William E. Dickey

FILED
AUG 30 5 23 PM '71
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

DD3

STATE OF FLORIDA
COUNTY OF PINELLAS

Before me, a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared John Hancock, Flo M. Mallory, Allena Oliveira, Mary Elizabeth Van Dyke, Irma M. English, Rudolph R. Klages, Charles D. Toole, Jr., Elsie M. Mockler, William E. Bloomer, Walter G. Seydewitz.

_____, to me known to be the persons described as trustees in and who executed the foregoing Certificate of Amendment of Corporation Not for Profit, and they acknowledged before me that they executed and subscribed to this Certificate of Amendment of Corporation Not for Profit.

WITNESS my hand and official seal this 6 day of Aug, 1971.

Agnes M. Redmond
Notary Public

My commission expires:

Notary Public, State of Florida at Large
My commission expires May 6, 1972
Bonded by Aetna Insurance Co.

RATIFICATION

We, the contributing municipalities of Gulf Beaches Public Library, Inc., do hereby consent to and ratify the foregoing Certificate of Amendment.

(corporate seal) City of Madeira Beach, Florida
By John Hollingsworth (seal)

(corporate seal) City of Redington Beach, Florida
By William C. M. Connel (seal)
Mayor

(corporate seal) City of North Redington Beach, Florida
By Robert R. Walton (seal)
Mayor-Commissioner

(corporate seal) City of Treasure Island, Florida
By Richard H. Laughton (seal)

(corporate seal) City of Redington Shores, Florida
By George M. O'Leary (seal)

GULF BEACHES PUBLIC LIBRARY, INC.
(a non-profit corporation)

BYLAWS

ARTICLE I: OFFICES

The principal office of the corporation shall be located at 200 Municipal Drive, Madeira Beach, County of Pinellas, Florida.

The corporation shall have and continuously maintain in the State of Florida a registered office and agent whose office is identical with such registered office. The registered office may, but need not be, identical with the principal office in the State of Florida, and the address of the registered office may be changed from time to time by the Board of Trustees.

The general purpose and intent of this Corporation is to:

- Establish and operate the Library in order to improve library services to residents of the five municipalities and beyond
- Do all things toward enhancing the quality and performance of the Library
- Make the library services envisioned available to the public in the most fair and administratively successful means possible
- Undertake, assist, create and provide direction in the acquisition of funds that are available

In addition to the foregoing and not intended to be limited thereby to do any and all things provided for and consistent with Chapter 617 of the Florida Statutes relating to not-for-profit corporations and Chapter 257 relating to public libraries and state archives.

ARTICLE II: TRUSTEES

SECTION 1: CLASSES OF TRUSTEES: The Corporation shall have two (2) classes of Trustees. The designation of each such class and the qualifications and rights of the Trustees of each class shall be as follows:

- A. Voting Trustees who shall be two (2) Trustees from each of the municipalities of Redington Shores, North Redington Beach, Redington Beach, Madeira Beach and Treasure Island.
- B. Ex-officio Trustees who shall be the Library Director and one (1) member of the Friends of the Gulf Beaches Public Library, Inc.

SECTION 2: VOTING RIGHTS: Each Trustee shall have one (1) vote on each matter submitted to a vote of the Trustees. Ex-officio Trustees shall not be entitled to vote, however, shall have a voice in all matters pertaining to the operation of the Library.

SECTION 3: APPOINTMENT OF TRUSTEES: The contributing municipalities, who will determine how any of its Trustees shall be appointed, shall appoint the voting Trustees.

SECTION 4: TERMINATION OF MEMBERSHIP: The Board of Trustees, by an affirmative vote of two-thirds of all of the members of the Board, may suspend or expel a member for cause after an appropriate hearing, after ten (10) day's notice to the sponsoring municipality.

SECTION 5: RESIGNATION: Any voting Trustee may resign by filing a written resignation with the Mayor of the town represented and a letter to the Chairperson of the Board of Trustees, but such resignation shall not relieve that Trustee's municipality of the obligation to pay any dues, assessments or other charges theretofore accrued or unpaid. That municipality shall then have the opportunity and obligation to fill the vacancy.

SECTION 6: TRANSFER OF MEMBERSHIP: Membership in this corporation is not transferable or assignable.

SECTION 7: EX-OFFICIO TRUSTEES: The ex-officio Trustees of this corporation shall have a voice in all matters pertaining to library operations, but shall not vote.

ARTICLE III: BOARD OF TRUSTEES

SECTION 1: GENERAL POWERS: The affairs of the corporation shall be managed by its Board of Trustees. Trustees must be residents of the municipalities that appointed them.

SECTION 2: DUTIES:

- A. The Board of Trustees, at a duly organized meeting, shall establish such policies for the corporation as necessary to make its purpose, approve and review the annual budget of the corporation and any other business necessary to the corporation. The duties shall include, but not be limited to: establishing administrative policy, adopting the Bylaws, overseeing the affairs of the library, investing library funds, employing and directing an administrator, conducting open monthly meetings and establishing the operating budget and overseeing its execution, including approving expenditures for administration.
- B. A Trustee has a fiduciary responsibility to the stakeholders (residents of the communities of Redington Shores, North Redington Beach, Redington Beach, Madeira Beach and Treasure Island) to:
 - Make decisions for the corporation (duty of care)
 - Act in the best interest of the corporation (duty of loyalty)
 - Act in accordance with the corporation's mission statement (duty of obedience)
 - Stand aside when there is a conflict of interest (recusal)

SECTION 3: NUMBER, TENURE AND QUALIFICATIONS: The number of Trustees shall consist of the ten (10) voting Trustees, appointed by resolution or other lawful manner by

the contributing municipality. The number and term of the Trustees are to be appointed by the contributing municipalities.

ARTICLE IV: MEETINGS OF THE BOARD OF TRUSTEES

SECTION 1: ANNUAL MEETING: An annual meeting of the Board of Trustees shall be held at the offices of the corporation in October of each year, for the transaction of all such business as may come before the meeting.

SECTION 2: REGULAR MEETINGS: A regular meeting of the Board of Trustees shall be held at a time and place to be determined by the Trustees. The Board of Trustees may provide by resolution the time and place.

SECTION 3: SPECIAL MEETINGS: Special meetings of the Trustees may be called by the Chairperson of the Board, or in his/her absence, by the Vice Chairperson, or by not less than a quorum of the voting Trustees. Such notice shall be given at least two (2) days in advance by telephone, mail or email. The attendance of a Trustee at any meeting shall constitute a waiver of notice of such meeting except where a Trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened. The purpose for which the meeting was called shall be stated in the notice.

SECTION 4: NOTICE OF MEETINGS: Written or printed notice stating the place, date and hour of business meetings shall be mailed or emailed to each Trustee not less than three (3) days before the date of each meeting.

SECTION 5: QUORUM: A majority of the voting Trustees shall constitute a quorum at any meeting of the Trustees for the transaction of business of any meeting of the Board; but if less than a majority of the Trustees are present at the said meeting, the Trustees must adjourn the meeting without further notice.

SECTION 6: VOTING: The voting Trustees may vote only in person and no voting Trustee shall be entitled to vote by proxy or mail.

SECTION 7: PARLIAMENTARY PROCEDURE: On questions of parliamentary procedure not covered by these Bylaws, "Roberts Rules of Order" shall prevail.

SECTION 8: CHAIRPERSON: The chief presiding officer of the Board of Trustees shall be a Chairperson who shall be elected by the Board of Trustees from its own number by a majority vote for a term of one (1) year beginning with the first annual meeting of the corporation. The Chairperson shall preside at meetings of the Board of Trustees and shall be a voting member of all committees.

SECTION 9: COMPENSATION: Trustees shall not receive any compensation or salaries for their services. This includes the Executive Committee.

ARTICLE V: OFFICERS

SECTION 1: OFFICERS: The officers of the corporation shall be a Chairperson, Vice Chairperson, Secretary and Treasurer and shall be known as the Executive Committee.

SECTION 2: ELECTION AND TERM OF OFFICE: The officers of the corporation shall be elected annually by the Board of Trustees at the regular September meeting of the Board and assume office the first day of October. If the election of officers is not held at such meeting, such election shall be held as soon thereafter as convenient. New offices may be created and filled by the Board of Trustees. Each officer shall hold office until his successor shall have been duly elected and shall have qualified.

SECTION 3: REMOVAL: The Board may remove any officer elected or appointed by the Board of Trustees whenever in its judgment the best interests of the corporation would be served.

SECTION 4: VACANCIES: A vacancy in any office because of death, resignation, removal or otherwise, may be filled by the Board of Trustees for the remainder of the term.

SECTION 5: CHAIRPERSON: The Chairperson shall be the principal executive officer of the corporation and shall supervise and control all of the business affairs of the corporation. He/she shall also act as chief presiding officer of the Board of Trustees and shall be elected by them as provided in Article IV, Section 8 and serve for a period of one (1) year. He/she shall preside at all meetings of the Board of Trustees. He/she shall sign, together with the Secretary or any other member of the Executive Committee, any deeds, mortgages, bonds, contracts or other instruments which the Board of Trustees have authorized to be executed, and in general, shall perform all duties incident to the office of Chairperson and such other duties as may be prescribed by the Board of Trustees.

SECTION 6: VICE CHAIRPERSON: The Vice Chairperson shall perform all the functions and duties of the Chairperson in his/her absence.

SECTION 7: TREASURER: The Treasurer shall be responsible for reviewing the financial health of the corporation with the authority to investigate any area he/she deems necessary and report any findings to the Board of Trustees. The Treasurer will monitor and safeguard the financial condition of the library and its investment accounts. He/she shall also perform such other duties as may be assigned by the Chairperson.

SECTION 8: SECRETARY: The Secretary shall keep the minutes of all meetings of the Board of Trustees and shall see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law. He/she shall see that the Seal of the corporation is affixed to all documents as necessary. He/she shall also keep a register of the address of each member and in general, perform any other duties that may be assigned by the Chairperson or the Board. Each of the officers shall be a voting member of the corporation, elected by the Trustees.

SECTION 9: EXECUTIVE COMMITTEE:

- A. This committee shall consist of four (4) members, who serve a term of one (1) year and shall be elected at the September meeting of the Board of Trustees. Each of the committee members shall be voting members of the corporation, elected by the Trustees.
- B. The Board Chairperson can call a meeting of the Executive Committee to act upon special circumstances in cases when a Board quorum cannot be gathered. All Board members are to be notified in accordance with Article IV Section 4.

SECTION 10: LIBRARY DIRECTOR: The Library Director and/or his/her designee shall be responsible for making purchases for the library in accordance with State law and under the direction of the Board of Trustees, and for the daily business management of the corporation. He/she shall also receive and give receipts for monies due and payable to the corporation from any source whatsoever, make deposits and keep all records and accountings of library receipts and expenditures, in conjunction with the library's accountant and which shall be available for inspection by the Board of Trustees and the contributing municipalities. Other duties shall be as outlined in the Library Director's Job Description.

SECTION 11: SPECIAL PERSONS: The Board of Trustees shall have the authority to hire any person for specific needs, such as accountant, attorney and others as deemed necessary.

ARTICLE VI: COMMITTEES

SECTION 1: COMMITTEES OF TRUSTEES: The Board of Trustees may designate one or more committees, each of which shall consist of two or more Trustees, to serve under the Board of Trustees for whatever purpose necessary. No committee shall have other than advisory powers.

SECTION 2: NOMINATING COMMITTEE: A nominating committee shall be appointed by the Board of Trustees consisting of three of its own members, and on or before thirty days prior to the September meeting of the Board of Trustees, shall nominate a voting member of the corporation for each of the elective offices to be filled.

SECTION 3: AD HOC COMMITTEES: For the study of special problems, an ad hoc committee shall be appointed by the Chairperson with the approval of the Board until a final report is done.

ARTICLE VII: CONTRACTS, FUNDS

SECTION 1: : CONTRACTS: The Board of Trustees may authorize any officer of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, such authority may be general or confined to specific instances.

SECTION 2: FUNDING OF THE LIBRARY: The funding of the corporation shall be

primarily as follows:

- A. Contributions from the municipalities, the county and the state
- B. Memberships
- C. Conference room rentals
- D. Penalties for overdue books
- E. Fund raising drives
- F. Donations from private sources
- G. Revenue from public copy machine/printer

Contributions for the maintenance and support of the corporation shall be fairly and equitably determined and shall be set forth in written agreement between the contributing municipalities.

ARTICLE VIII: FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of October and end on the last day of September of each year.

ARTICLE IX: SEAL

The Board of Trustees shall provide a corporate seal, which shall be in the form of a circle and shall have inscribed thereon the name of the corporation and the words **"Gulf Beaches Public Library Corporate Seal 1969 Florida."**

ARTICLE X: WAIVER OF NOTICE

Whenever any notice is required to be given under the provisions of the Non-Profit Corporation Act of the State of Florida or under the provisions of the Articles of Incorporation or the Bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XI: AMENDMENTS TO BYLAWS

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by a majority of the Trustees present at any regular meeting or at any special meeting, if at least fifteen (15) days' written notice is given of intention to alter, amend, repeal or adopt new Bylaws at such meeting.

REVISED SEPTEMBER 2010



200 Municipal Drive
Madeira Beach, FL 33701

Tel (727) 391-282

Fax (727) 399-2841

gulfbeacheslibrary@icloud.com

www.gulfbeacheslibrary.org

Gulf Beaches Public Library, Inc.

Service Agreement for City of Madeira Beach
October 1, 2020 through September 30, 2021

Please accept this annual budget, for the continued funding of the Gulf Beaches Public Library, in accordance with the Interlocal Agreement made by and between the City of Madeira Beach, Town of North Redington Beach, Town of Redington Beach, Town of Redington Shores and the City of Treasure Island.

On May 18, 2020 the Gulf Beaches Public Library Board of Trustees approved the fiscal year 2020-2021 budget in the amount of **\$660,485.22**. The Library Trustees from the five municipalities voted to locally contribute a total of **\$348,493.22**. The aforementioned figure is based on the population of the five municipalities in the Interlocal Agreement. The remaining funds in the library's budget of \$311,992 will come from the Pinellas Public Library Cooperative (PPLC), library operations, donations and reserves.

The Gulf Beaches Public Library, maintains and operates a public library at 200 Municipal Drive, Madeira Beach, Florida. The Library shall submit an annual audit of its financial conditions prepared by an independent certified auditor on or before March 31, 2021. The annual contribution of the City of Madeira Beach is apportioned at \$93,392.46 in total. The library will invoice the city quarterly at \$23,348.12 per quarter during the fiscal year starting October 1, 2020 and ending September 30, 2021.

Along with this agreement letter, I have included the approved budget, projected expenses, projected revenue, population totals and the amount each of the five municipalities will be responsible for contributing in the new year.

Please contact me with any questions.

Thank you for your continued support of the Gulf Beaches Public Library.

Sincerely,

Vincent Gadrix
Library Director

REVENUE - Gulf Beaches Public Library FY 2020-2021 Budget

It was approved by the Library Board of Trustees at its May 18, 2020 meeting that the five supporting municipalities of Madeira Beach, North Redington Beach, Redington Beach, Redington Shores and Treasure Island contribute a total of **\$348,493.22** towards the library budget. Listed below are the amounts each municipality is responsible for paying for fiscal year 2020-2021.

Local Revenue					
	Service area Population per Municipality	Percentage of Population & Local Revenue per Municipality	2020-2021 Expenses Deficit	Amount of Local Revenue per Municipality	Quarterly Revenue per Municipality
Madeira Beach	4,417	26.80%	\$ 348,493.22	\$ 93,392.46	\$ 23,348.12
North Redington Beach	1,498	9.09%	\$ 348,493.22	\$ 31,673.51	\$ 7,918.38
Redington Beach	1,481	8.99%	\$ 348,493.22	\$ 31,314.07	\$ 7,828.52
Redington Shores	2,213	13.43%	\$ 348,493.22	\$ 46,791.38	\$ 11,697.84
Treasure Island	6,873	41.70%	\$ 348,493.22	\$ 145,321.80	\$ 36,330.45
Total Population	16,482	100.00%	Total Local Revenue	\$ 348,493.22	\$ 87,123.30

*Population totals from Florida Estimates of
Population 2018, Bureau of Economic and
Business Research, University of Florida*

Other Revenue		
PPLC (Pinellas Public Library Cooperative)	(Projected)	\$ 185,000.00
Operations	(Projected)	\$ 11,000.00
Donations	(Projected)	\$ 5,000.00
CD Interest	(Projected)	\$ 5,000.00
Transfers from Reserves		\$ 95,000.00
E-Rate Funding		\$ 10,992.00
Total Other		\$ 311,992.00

Total Revenue	
Total	\$ 660,485.22

EXPENSES - Gulf Beaches Public Library FY 2020-2021 Budget

Code	Line Item	2020-2021	2019-2020
1200	Salaries & Wages	\$ 294,859	\$ 302,421
2100	FICA	\$ 22,557	\$ 23,135
2205	SEP - Wells Fargo	\$ 16,067	\$ 16,521
2300	Group Insurance	\$ 44,117	\$ 37,996
2400	Workers Compensation	\$ 900	\$ 835
2500	SUTA	\$ 84	\$ 100
3100	Professional Services	\$ 1,500	\$ 1,500
3200	Accounting & Auditing	\$ 10,825	\$ 10,825
3400	Contractual Services	\$ 3,526	\$ 3,526
3461	Integrated Library System (ILS)	\$ 6,000	\$ 6,000
3462	OCLC - ILL	\$ 550	\$ 400
4000	Travel & Training	\$ 2,000	\$ 2,200
4100	Telephone & Internet	\$ 16,500	\$ 16,500
4200	Postage	\$ 600	\$ 600
4300	Utilities	\$ 2,500	\$ 2,200
4331	Electric	\$ 14,000	\$ 13,500
4400	Rentals & Leases	\$ 4,500	\$ 3,508
4500	General Insurance	\$ 24,000	\$ 24,000
4610	Building Maintenance	\$ 9,000	\$ 7,500
4640	Other Maintenance	\$ 2,000	\$ 1,460
4700	Printing and Binding	\$ 200	\$ 200
5100	Office Supplies	\$ 4,000	\$ 3,500
5210	Departmental Supplies	\$ 8,000	\$ 7,500
5420	Dues & Subscriptions	\$ 1,500	\$ 1,500
6300	Capital Improvements	\$ 95,000	\$ 31,500
6400	Capital Equipment	\$ 1,000	\$ 1,000
6610	Library Books	\$ 45,000	\$ 37,000
6620	Library Reference Sources	\$ 9,000	\$ 9,000
6630	Library Audiobooks	\$ 5,500	\$ 5,500
6640	Library DVDs & Music CDs	\$ 8,500	\$ 6,000
6650	Library Subscriptions	\$ 3,700	\$ 5,746
9900	Contingency	\$ 3,000	\$ 3,000
	Total	\$ 660,485	\$ 586,173

ORDINANCE NO. 2020 - 09

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING CHAPTER 8 (ELECTIONS) OF THE TOWN CODE TO REMOVE OUTDATED, PREEMPTED OR UNENFORCEABLE PROVISIONS AND TO INCORPORATE CURRENT STATE AND FEDERAL LAW REQUIREMENTS; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach (the Town) has codified its ordinances over time into a Town Code (the Code) which sets forth the cumulative law of the Town; and

WHEREAS, the Town Board of Commissioners (the Commission) regularly adopts ordinances amending the Code; and

WHEREAS, however, many portions of the Code date back to 1980, with other portions of the Code not having been updated for ten or more years; and

WHEREAS, part of the Commission's duties include the necessity to ensure that the Town's ordinances, as codified in the Code, are up to date, reflect current Florida and federal statutory and case law, that they reflect current actual Town operations, and that they do not contain outdated, redundant or erroneous provisions; and

WHEREAS, in light of the foregoing, the Commission has charged the Town Attorney with the task of conducting a complete review of the Town's Code (excluding the Land Development Code) and to bring forward any recommended revisions to the Code which would alleviate any of the aforementioned potential concerns with the Code's current text; and

WHEREAS, the Town Attorney has submitted his assessment of Chapter 8 of the Code, and has recommended that the Commission make the revisions to that Chapter as are set forth in this Ordinance; and

WHEREAS, the Commission has considered the Town Attorney's recommendations and finds them to be consistent with the goals of the Commission; and

WHEREAS, the Commission therefore finds that it is in the best interests of the Town, and its citizens, property owners and businesses to adopt this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Sections 8-2, 8-7 and 8-8 of Chapter 8 (Elections) of the Redington Beach Town Code are hereby amended to read as follows:

Sec. 8-2. — Vote by mailAbsentee balloting.

(a) That portion of ~~Florida Statutes~~ § 101.62~~105~~ et seq., relative to voting by mail~~absentee balloting~~, is hereby adopted and each of the provisions thereof is hereby declared to be the law and a part of the election law applicable to and for the town as provided by F.S. § 101.70.

(b) The town clerk is hereby required to perform the several duties set forth in such state law and to provide all necessary forms and materials therefor.

Sec. 8-7. - Adoption of state election laws.

(a) The provisions of the state election laws pertaining to state and municipal elections relating to qualifications of electors, registrations, transfer of electors from one district to another, manner of voting, duties of election officers, canvassing of returns and all other particulars in respect to the management of elections, except as provided in the Charter or this chapter, shall, as far as such may be applicable, govern all municipal elections.

(b) Any person violating the state election laws is subject to the penalties set forth in the state election laws.

(c) If any portion, part or subsection of this section is declared invalid, the remainder hereof shall remain in full force and effect.

~~(d) All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflicts.~~

Sec. 8-8. - Supervisor of elections; election officials.

(a) The town clerk is designated as the town's "supervisor of elections" for all municipal elections.

(b) The designation of election officials shall be accomplished by appropriate motion or resolution of the town's board of commissioners.

(c) If any portion, part or subsection of this section is declared invalid, the remainder hereof shall remain in full force and effect.

~~(d) All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflicts.~~

Section 2. For purposes of codification of any existing section of the Redington Beach 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 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. The Codifier shall codify the substantive amendments to the Redington Beach Town 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 adoption.

ADOPTED ON FIRST READING on the ____ day of _____, 2020, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, 2020, by the Board of Commissioners of the Town of Redington Beach, Florida.

James Simons, Mayor

Attest:

Missy Clarke, CMC, Town Clerk

Approved as to form:

Jay Daigneault, Town Attorney

ORDINANCE NO. 2020 - 11

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING CHAPTER 11 (MISCELLANEOUS OFFENSES) OF THE TOWN CODE TO REMOVE OUTDATED, PREEMPTED OR UNENFORCABLE PROVISIONS AND TO INCORPORATE CURRENT STATE AND FEDERAL LAW REQUIREMENTS; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach (the Town) has codified its ordinances over time into a Town Code (the Code) which sets forth the cumulative law of the Town; and

WHEREAS, the Town Board of Commissioners (the Commission) regularly adopts ordinances amending the Code; and

WHEREAS, however, many portions of the Code date back to 1980, with other portions of the Code not having been updated for ten or more years; and

WHEREAS, part of the Commission's duties include the necessity to ensure that the Town's ordinances, as codified in the Code, are up to date, reflect current Florida and federal statutory and case law, that they reflect current actual Town operations, and that they do not contain outdated, redundant or erroneous provisions; and

WHEREAS, in light of the foregoing, the Commission has charged the Town Attorney with the task of conducting a complete review of the Town's Code (excluding the Land Development Code) and to bring forward any recommended revisions to the Code which would alleviate any of the aforementioned potential concerns with the Code's current text; and

WHEREAS, the Town Attorney has submitted his assessment of Chapter 11 of the Code concerning miscellaneous offenses, and has recommended that the Commission make the revisions to that Chapter as are set forth in this Ordinance; and

WHEREAS, the Commission has considered the Town Attorney's recommendations and finds them to be consistent with the goals of the Commission; and

WHEREAS, the Commission therefore finds that it is in the best interests of the Town, and its citizens, property owners and businesses to adopt this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Chapter 11 (Miscellaneous Offenses) of the Redington Beach Town Code are hereby amended to read as follows:

Chapter 11 - MISCELLANEOUS OFFENSES

ARTICLE I. – GENERAL OFFENSES

Sec. 11-1. - Adoption of state law misdemeanors.

It shall be unlawful for any person to commit within the corporate limits of the town any act which is or shall be recognized by the laws of the state as a misdemeanor.

Sec. 11-2. - Damaging public property.

It shall be unlawful for any person to injure, damage, or deface public property of any nature within the town.

Sec. 11-3. – Obstruction of public sidewalks and abutting entryways.

- (a) *Prohibition.* No person shall, either alone or in conjunction with others, stand, sit, lie, congregate, or place objects or obstructions in such a manner as to obstruct:
 - (1) The safe and efficient movement of pedestrian traffic upon any sidewalk, walkway, or right-of-way upon which the public has a right to travel, or
 - (2) Any person's safe and efficient access to the entryway of any building, where such entryway abuts a sidewalk, walkway, or right-of-way upon which the public has a right to travel.
- (b) *Notice.* If a person is found to be in violation of this section, a law enforcement officer shall notify the person that he or she is causing an obstruction in violation of this section and shall request the person to move his or her person or objects so as to remove the obstruction. The person shall not be charged with a violation of this section if the person voluntarily removes the obstruction and does not repeat a violation of this section for the 72-hour period following the law enforcement officer's notice and request.
- (c) *Exception.* The prohibition in subsection (a) of this section shall not apply to any person who causes such obstruction during the course of performing activities specifically permitted by a valid government-issued permit or in accordance with the conditions of a maintenance of traffic (MOT) plan that has been approved by the town.

Sec. 11-4. – Obstructing town officials.

It shall be unlawful for any person to hinder, obstruct or oppose any town officer or official, or any legally authorized person, in the execution of legal process or in the lawful execution of any of such person's legal duty. It shall be unlawful to hinder or interfere with any employee or contracted agent of the town in the performance of that person's official town duties.

Sec. 11-5. - Destruction of mangrove trees.

No mangrove within the town may be trimmed, cut, defoliated, killed or removed unless such act is performed pursuant to a current permit issued under the authority of article XVI of Chapter 58 of the Pinellas County Code. Violations of this section shall be enforced pursuant to § 58-609 of the Pinellas County Code, unless such enforcement authority is delegated to the town by interlocal agreement as provided for in § 58-602 of the Pinellas County Code. Owners of property on which mangroves exist shall be responsible for the protection of these trees and may be held liable for damage of the trees on their property.

ARTICLE II. – PUBLIC AND PRIVATE PROPERTY OFFENSES

Sec. 11-20. – Sleeping, lying or reclining on the rights-of-way during daylight hours.

(a) *Purpose/findings.*

- (1) Public streets, sidewalks, walkways, and other paths for vehicular or pedestrian travel are created and maintained for the primary purposes of enabling pedestrians and lawfully permitted vehicles to safely and efficiently move about from place to place, facilitating deliveries of goods and services, and providing all potential customers and visitors with convenient access to recreation, goods and services.
- (2) Such public streets, sidewalks, walkways, and paths are prone to congestion, and should be kept available to serve these primary purposes.
- (3) Except in places provided for that purpose or where reasonably necessary, the act of sleeping, lying, or reclining on public streets, sidewalks, walkways or other paths for vehicular or pedestrian travel interferes with the primary purposes of the public street, sidewalk, walkway, or path; threatens public safety; and damages public welfare.

(b) *Prohibitions.*

- (1) It shall be unlawful for any person to sleep, lie, or recline in or on any part of the prohibited areas during daylight hours.
- (2) For purposes of this section, "prohibited areas" means, collectively, all of the following areas:
 - a. The town's streets, roads and abutting rights-of-way, which shall include any public sidewalk.
 - b. Any public path for vehicular, bicycle or pedestrian travel.
 - c. A public park or public beach access point other than during daylight hours (meaning the period from sunrise to sunset).

(c) *Notice.*

- (1) If a person is found to be sleeping, lying, or reclining in a manner prohibited by this section, a law enforcement officer shall request the person to move to an area where

sleeping, lying, or reclining is not prohibited. The person shall not be charged with a violation of this section if the person voluntarily moves from the prohibited area.

- (2) No person shall be cited under subsection (b) unless the person engages in conduct prohibited by said subsection after having been notified by a law enforcement officer that the conduct violates subsection (b).
- (d) *Exceptions.* The prohibition in subsection (b) shall not apply under the following circumstances:
 - (1) To any person lying down in the prohibited zone due to a medical emergency;
 - (2) To any person utilizing an object, placed in the prohibited zone by the town or other public agency, in the manner in which it was intended, such as sitting on a transit system bench waiting for scheduled transportation;
 - (3) Any conduct that is in conformity with the conditions of any permit issued pursuant to the town code;
 - (4) Any passenger asleep while traveling in the prohibited zone if that passenger is being transported by another person in or on any device or by any method otherwise legally permitted in the part of the right-of-way or other public path for vehicular or pedestrian travel being used for such travel.

Sec. 11-21. – Trespass prohibited; authorization to issue trespass warning for private property.

- (a) It shall be unlawful and a trespass for any person to, without authority of law, go upon or remain upon the lands, buildings or premises of another, or any part, portion or area thereof, after having been forbidden to do so, either orally or in writing, by the owner, lessee, custodian or other person lawfully in charge thereof, or after having been forbidden to do so by a sign or signs posted on such lands, buildings or premises or any part, portion or area thereof, at a place or places where the sign may be reasonably seen with letters not less than two inches in height.
- (b) It shall be unlawful and a trespass for any person to enter or remain in any unoccupied or unfinished building or structure without the consent of the owner or agent thereof.
- (c) For the purposes of this section, the term "person lawfully in charge" includes officers/deputies of the town's contracted law enforcement agency when the owner, lessee, custodian, agent, manager, or other person lawfully in charge of the property provides written authorization, according to procedures set out by that agency, for officers/deputies to issue trespass warnings. Such authorizations shall be kept on file with the town's contracted law enforcement agency.

Sec. 11-22. – Trespass warnings; authorization to issue trespass warning for public property.

- (a) The town's employees or officials, or their designees, having control over a town facility, building, or outdoor area, including town hall and municipal parks, are authorized to issue a

trespass warning to any individual who violates any town ordinance, rule or regulation, or state law or lawful directive of a town employee or official, which violation was committed while on or within a town facility, building, or outdoor area (excluding rights-of-way), for the specific property where the violation occurred.

- (b) When no other town employee or official having control over a town facility, building, or outdoor area is present, a law enforcement officer is authorized to issue a trespass warning to any individual who violates any town ordinance or state law which was committed while on or within a town facility, building, or outdoor area (excluding rights-of-way), for the specific property where the violation occurred.
- (c) For the purpose of this section, right-of-way shall include those sidewalks which are closest to a paved street, provided that the street side edge of the sidewalk is within 20 feet of the curbline closest to the property.
- (d) Trespass warnings shall be issued as follows:
 - (1) For the first violation, the individual may be issued a trespass warning for a period not to exceed one year.
 - (2) For a second or subsequent violation, the individual may be issued a trespass warning for a period not to exceed two years.
- (e) A copy of the trespass warning shall be provided by mail or hand delivery to the individual and to the town employee or official having control over the town park, facility, building or outdoor area. The written trespass warning shall advise of the right to appeal and the location and telephone number for filing the appeal.
- (f) Any person found on or within any town facility, building, or outdoor area, including municipal parks, in violation of a trespass warning may be arrested for trespassing, except as otherwise provided in this section.
- (g) The town employee or official having control over a town facility, building, or outdoor area, including municipal parks, may authorize an individual who has received a trespass warning to enter the property or premises to exercise his or her First Amendment rights if there is no other reasonable alternative location to exercise such rights or to conduct necessary municipal business. Such authorization must be in writing, shall specify the duration of the authorization and any conditions thereof, and shall not be unreasonably denied.
- (h) This section shall not be construed to limit the authority of any town employee or official to issue a trespass warning to any person for any lawful reason for any town property, including rights-of-way when closed to general vehicular or pedestrian use, when necessary or appropriate in the sole discretion of the town employee or official.
- (i) *Appeal of trespass warning.* A person to whom a trespass warning is issued under this section shall have the right to appeal as follows:
 - (1) An appeal of the trespass warning must be filed, in writing, within ten days of the issuance of the warning, and shall include the appellant's name, address and phone number, if any. No fee shall be charged for filing the appeal.
 - (2) The appeal shall be filed at the desk of the town clerk.

- (3) Appeals shall be heard by a special magistrate which the town contracts with to provide this service.
- (4) Within five days following the filing of the appeal, the special magistrate shall schedule a hearing. Notice of the hearing shall be provided to the appellant in one of two ways:
 - a. By leaving or posting the notice at the desk of the town clerk, or
 - b. By telephone if a telephone number has been provided. If appellant cannot be reached by telephone, then notice at the clerk's desk shall be sufficient.
- (5) The special magistrate shall hold the hearing as soon as possible. In no event shall the hearing be held sooner than seven days following the filing of the appeal and no later than 30 days from the filing of the appeal.
- (6) Copies of documents in the town's control which are intended to be used at the hearing, and which directly relate to the issuance of the trespass warning to the appellant, shall be made available upon request to the appellant at no cost.
- (7) The appellant and the town shall have the right to attend with an attorney, the right to testify, to call witnesses, to cross-examine witnesses and to present evidence. The appellant shall have the right to bring a court reporter, at his or her own expense.
- (8) The special magistrate shall consider the testimony, reports or other documentary evidence, and any other evidence presented at the hearing. Formal rules of evidence shall not apply, but fundamental due process shall govern the proceedings.
- (9) The town shall bear the burden of proof by clear and convincing evidence that the trespass warning was properly issued pursuant to the criteria of this section.
- (10) If the appellant fails to attend a scheduled hearing, the special magistrate shall review the evidence presented and determine if the trespass warning was properly issued pursuant to the criteria of this section.
- (11) Within five days of the hearing, the special magistrate shall issue a written decision on the appeal which shall be mailed to the appellant at the address provided. If no address is provided, a copy of the decision shall be posted at the town clerk's desk.
- (12) The decision of the special magistrate shall be final and the appellant shall be deemed to have exhausted all administrative remedies. Such decision may be subject to judicial review in the manner provided by law.
- (13) The trespass warning shall remain in effect during the appeal and review process, including any judicial review.

ARTICLE III. - ALARM SYSTEMS

Sec. 11-30. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm system means any mechanical or electrical or radio-controlled device which is designed to be used for the detection of flames, smoke, heat or water flow in a building, structure or facility

which emits a sound or transmits a signal or message when activated. Alarm systems include, but are not limited to, direct-dial devices, audible alarms and proprietor alarms. Excluded from the definition of alarm systems are devices which are designed or used to register alarms that are audible, visible or perceptible in or from any motor vehicle or auxiliary devices installed by telephone companies to protect telephone systems from damage or disruption of service.

Automatic dialing devices means an alarm system which automatically sends over regular telephone lines, by direct connection, wireless or otherwise, a prerecorded voice message or coded signal indication the existence of the emergency situation that the alarm that the alarm system is designed to detect.

Commercial premises means any structure or area which is not defined in this section as a residential premise.

False alarm means the activation of an alarm system through the mechanical failure, malfunction, improper installation, or the neglect or intentional misuse by the owner or lessee of an alarm system or by her/his/its employees, servants or agents or by any other activation of the alarm system not caused by or because of an actual fire. Such terminology does not include alarms caused by acts of nature such as hurricanes, tornadoes, other severe weather conditions, or alarms intentionally activated by an owner or lessee of an alarm system by her/his/its servants, or other agents who visually observed or heard suspicious circumstances which would cause a careful and prudent person to believe that an actual fire or hazardous condition existed at the premises protected by the alarm system.

False alarm response exists when a firefighter or fire-medec is dispatched to or otherwise learns of the activation of an alarm system which is subsequently is found to be a false alarm.

Fee means an assessment of costs imposed pursuant to this article to defray the expense of responding to a false alarm.

Fire official means any respective official(s) of the fire department or district with which the town contracts for fire protection services who is designated by that department or district to perform the role.

Newly installed fire alarm system means a system that has been installed and operating for a period of less than 31 days.

Residential premises means any structure or combination of structures which serves as a dwelling unit, including single-family and multi-family units, regardless of current occupancy and regardless of the permanence of the occupants.

Responsible party means the adult person(s) occupying the premises (not including employees working in a commercial premises) or the person or entity controlling the residential or commercial premises on which the alarm is located. The term expressly includes the record owner of the premises, landlords, and tenants. It does not include guests temporarily staying with a permanent resident while that resident is also occupying the premises.

Security alarm means an alarm system subject to the provisions of § 54-2 of the Pinellas County Code or its successor, and which are not regulated by this article.

Sec. 11-31. - Notification.

Every person who shall own, operate or lease any fire alarm system within the town, whether existing or to be installed in the future, shall notify the town's contracted fire department on such forms or on-line registration system as may be provided by that department of the following:

- (1) The type, make model of the alarm system;
- (2) Whether installed in a residential or commercial premises;
- (3) The name, address, business or home phone number of the owner or lessee of the fire alarm system; and
- (4) The names, addresses and telephone numbers of no less than two persons to be notified of alarm activation.

Sec. 11-32. - Response to false alarms; required reports; corrective action penalties; disconnection.

- (a) For the purpose of this article, responsibility for a false alarm shall be borne by the person occupying or controlling the premises on which the alarm is located. To the extent the occupant and the person or entity controlling the premises are not the same, this responsibility shall be a joint responsibility of both the occupant and controlling party.
- (b) The following shall be required by each entity or adult person who owns or controls any commercial or residential premises for each incident of a response to a false alarm:
 - (1) For each of the first, second and third false alarm response to a premise within a calendar year, the responsible party shall within ten days file with the fire department a written report detailing the cause of the false alarm and the corrective action taken. A licensed contractor's service receipt detailing the service performed and corrective action taken will suffice as a written report.
 - (2) For a fourth or any succeeding false alarm response to a premise within a calendar year, a fine shall be charged. The fine shall be established by resolution of the town commission from time to time. If such fourth or any succeeding false alarm response is a result of failure to take corrective action, the fire department may order the disconnection of the alarm system and may order a mandatory fire watch for the premises, as such fire watch may be authorized by the fire code as adopted by the town or applicable to the town. Additionally, it shall be a violation of this article not to disconnect or to reconnect such alarm system without the permission of the fire department, provide that no disconnection shall be ordered on any premises required by law to have an alarm system in operation. Any order for disconnection shall be rescinded by the fire department upon presentation of evidence sufficient to establish that corrective action has been taken, and subsequent inspection by the fire department confirms that adequate corrective action has been taken.
 - (3) The provisions of this section shall not apply to any newly-installed fire alarm system for a period of 30 days from the date of installation.
 - (4) *Testing alarms systems.* Notwithstanding any other provision of this article, it shall not be a violation of this section to test an alarm system pursuant to the testing procedures of

the contracted alarm monitoring provider, or in the absence of such provider, under the following conditions:

- a. Where there is no visual, audio, electronic or other indication of the alarm which can be seen, heard, or received beyond the boundaries of the property upon which the test is occurring; or
- b. Where there is a visual, audio, electronic, or other indication of the alarm which can be seen, heard, or received beyond the boundaries of the property upon which the test is occurring, and one of the following two precautions are observed:
 1. Adequate measures are taken to ensure that anyone seeing, hearing, or receiving the indication of an alarm will not report it either directly or indirectly to the fire department as an alarm requiring assistance of the fire department; or
 2. The fire department is notified that the test is to occur and is instructed not to respond by the responsible party.

Sec. 11-33. - Failure to report to premises after notification by the fire department.

Every person who owns operates or leases an alarm system and shall knowingly or purposefully fail to respond to his premises or facility after notification by the fire department of the activation of any alarm system, whether false or not, within one hour of notification shall be deemed in violation of this article.

Sec. 11-34. - Automatic dialing devices.

It shall be a violation of this article for any person to install, maintain, own, possess or operate any automatic dialing device alarm system regulated or programmed to make connection with any telephone number installed in any town facility or any facility of the town's contracted fire department.

Sec. 11-35. - Enforcement.

Unless otherwise specified herein, violations of this article shall be enforced as a code violation in the manner set forth in § 1-14 and article III of chapter 2 of this code.

Sec. 11-36. - Security alarms.

Security alarm systems, as described by § 54-2 of the Pinellas County Code or its successor, are regulated by the provisions of that code and not by this chapter. Enforcement of such regulation is by the Pinellas County Sheriff.

Every person who owns operates or leases a security alarm system shall register his/her alarm system with the Pinellas County Sherriff's Office SHARP alarm registration program to the extent such program is maintained by the Sheriff.

Section 2. For purposes of codification of any existing section of the Redington Beach 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 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. The Codifier shall codify the substantive amendments to the Redington Beach Town 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 adoption.

ADOPTED ON FIRST READING on the ____ day of _____, 2020, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, 2020, by the Board of Commissioners of the Town of Redington Beach, Florida.

James Simons, Mayor

Attest:

Missy Clarke, CMC, Town Clerk

Approved as to form:

Jay Daigneault, Town Attorney