

CHARTER FOR THE CITY OF CRESTVIEW

ARTICLE I. GENERAL POWERS OF THE CITY

Section 1.01. General Powers and Corporate Existence.

The municipal corporation now existing and known as the City of Crestview ("City"), located in Okaloosa County, Florida, within the boundaries hereinafter described shall continue to be a body politic and corporate, and shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except when expressly prohibited by law.

Section 1.02. Construction.

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power granted in this Article.

ARTICLE II. CORPORATE BOUNDARIES

Section 2.01. Corporate Boundaries.

The corporate boundaries of the City of Crestview shall remain fixed and established as they exist on the date this Charter takes effect, provided that the City shall have the power to change its boundaries in the manner prescribed by law.

ARTICLE III. ELECTED CITY POSITIONS

Section 3.01. Form of Government.

The City shall have a Council-City Administrator form of government. There shall be a City Council, which shall be the governing body of the City with all legislative powers of the City vested therein, consisting of five (5) Council Members. All Council Members shall be elected by votes cast City wide and their terms of office shall be for four years. The

Council Member from Precinct 1 shall reside in Precinct 1, the Council Member from Precinct 2 shall reside in Precinct 2, and the Council Member from Precinct 3 shall reside in Precinct 3. If at any time a Council Member elected from a precinct moves his or her official residency from said precinct a vacancy shall automatically occur in said office. The two Council Members at large may be elected without regard to the territorial limits of precincts. In such elections candidates running in any group receiving the highest vote shall be deemed elected. There shall also be a Mayor who is elected At-Large and who shall not be a member of the City Council.

Section 3.02. Election and Terms.

The nonpartisan primary and general election of the Council Members and the Mayor shall be held in the manner provided in Article VI of this Charter and the terms of office for Mayor and Council Members shall be four (4) years and will commence on the first (1st) Monday in April immediately following his or her election.

The base year for elections for Council Members for Group 1 At-Large and Group 2 At-Large, and the Mayor shall be 2011, and shall be for a four-year term. The base year for elections for Council Members for Precincts 1, 2, and 3 shall be 2013 and shall be for a four-year term. These base year dates are established only for the purpose of scheduling elections and staggering terms.

All elected officials who are in office at the time of adoption of this Charter shall continue in office until their respective terms expire or are otherwise limited or terminated; and, as to elected or appointed officials, for such additional consecutive terms for which they seek and win election. Nothing in this Charter except as specifically provided herein, shall affect the rights, privileges or immunities of elected or appointed officials, existing at the time of adoption of this Charter.

ARTICLE IV. MAYOR AND CITY COUNCIL

Section 4.01. Mayor.

(a) ***Powers and Duties.*** The Mayor shall exemplify good citizenship and exhibit a cooperative spirit. The Mayor shall have the following powers and duties:

(1) To be recognized as the official head of the City for all ceremonial purposes, and by the courts for the purpose of accepting and receiving civil process for the City, and by the governor for purpose of military law. To sign all contracts attested to by the City Clerk. In time of public danger or officially declared state of emergency the Mayor shall, if so authorized and directed by vote of the Council, take command of the police, maintain order and enforce the law.

(2) To preside at all meetings of the City Council with authority to participate in discussions, but without power to vote.

(3) To present recommendations to the City Council on the requirements of its municipal government.

(4) To exercise a veto power over ordinances adopted by the City Council within five (5) days of adoption by the City Council, except the Mayor may not exercise veto power over (i) an emergency ordinance as defined in Florida Statutes; (ii) those ordinances adopted as a result of quasi-judicial proceedings, when such proceedings are mandated by law; and (iii) ordinances proposing Charter amendments, which the Council is required by law or by this Charter to place on the ballot.

(5) The Mayor shall see that the provisions of this Charter, ordinances, laws and rules of the City are complied with, and enforced. He shall have the power to make general investigations into the official conduct and affairs of all City officers or employees of the City, and may examine into the conditions of all City books, papers, records, property, and equipment. It shall be his duty to make a report to the Council [of] all violations or neglect of duty or any misfeasance, malfeasance or nonfeasance in office, neglect of duty or improper conduct on the part of any City officer or employee that may come to his knowledge. He shall put down riots and unlawful assemblies, and may use the police and common power of the City for such purposes, and shall see that peace, good order, safety and good morals are preserved within the City, he may veto any official ordinance of the City Council, subject to the limitations hereinafter prescribed, may call the Council together in special session, and shall recommend to the Council such measures from time to time as to him shall seem wholesome and proper.

(6) The Mayor is to hold no other elected public office while holding said office.

(7) The Mayor may be removed from office by resolution of the City Council adopted by two-thirds of the members of the City Council for any of the grounds for removal set forth in Sec. 100.361, Florida Statutes. Written charges specifying the ground(s) for removal shall first be served upon the Mayor with notice that the removal shall not take effect until a hearing, if requested by the Mayor charged, is held by the City Council to determine the truth of the charges. Such hearing shall be held within twenty (20) days of the date of service at a regular City Council meeting.

(b) ***Vacancy.***

(1) Vacancy caused by death, resignation, refusal of the Mayor to serve, removal, or for any other reason, shall be filled by the President of City Council as Acting Mayor, who shall serve until a successor is appointed and sworn in. City Council shall fill the vacancy by a majority vote, and such vacancy shall be filled within thirty (30) days after the vacancy occurs. The appointed Mayor shall serve the unexpired term of the previous Mayor.

(2) The Mayor appointed by the Council must meet the qualifications for office as set forth in this Charter at the time of appointment.

(c) ***Compensation.*** The salary of the Mayor shall be set by ordinance, which shall

take effect upon the Mayor assuming office following the next Mayoral election.

(d) *Attestation of the Mayor.* Every ordinance passed by the City Council, before becoming law, shall be presented to the Mayor for his signature and approval within five (5) business days after it has passed. The Mayor shall sign it and return it to the City Clerk with the date of his signature. If the Mayor fails to return any ordinance to the City Clerk before the next regular City Council meeting following the date of passage of the ordinance, the Mayor shall be deemed to have approved the ordinance and it shall become law without his signature or further action.

Section 4.02. City Council.

The City Council shall consist of five (5) electors who shall be designated as follows:

- Councilmember at large Group 1.
- Councilmember at large Group 2.
- Councilmember – Precinct 1
- Councilmember – Precinct 2
- Councilmember – Precinct 3

All Council members shall be elected by votes cast City wide and their terms of office shall be for four years. The Councilmember from precincts must reside in their respective precincts.

(a) *Powers and Duties.* City Council Members shall exemplify good citizenship and exhibit a cooperative spirit. The City Council shall have the following powers and duties:

(1) To legislate for the City by adopting ordinances and resolutions in the best interest of all citizens of the City.

(2) To adopt the annual budget and all other appropriations necessary for efficient City government.

(3) To override the Mayor's veto of an ordinance by an affirmative vote of two thirds of the entire Council.

(4) To devote such time as is necessary to the performance of City Council duties, and hold no other elected public office or be an employee of the City while a City Council Member.

(5) The City Council shall appoint the City Administrator by a majority vote of the entire Council.

(6) The Council may, in the investigation of charges against municipal officers, assistants, and employees, and members of the Council, or of any other matters coming before them, issue subpoenas and compulsory process under the hands of the

president of the Council, the clerk, and the seal, for the attendance of any person, firm or corporation, and for the production of books, papers, and records; and the president of the Council and clerk shall each have authority to administer oaths and affirmations; and take depositions.

(7) The City Council members, in addition to being removed by recall pursuant to law may be removed from office by resolution of the City Council adopted by two-thirds of the members of the City Council for any of the grounds for removal set forth in Sec. 100.361, Florida Statutes. Written charges specifying the ground(s) for removal shall first be served upon said member with notice that the removal shall not take effect until a hearing, if requested by the member charged, is held by the City Council to determine the truth of the charges. Such hearing shall be held within twenty (20) days of the date of service at a regular City Council meeting.

The term “neglect of duty”, as used in Sec. 100.361, Florida Statutes, shall include but not be limited to four (4) consecutive absences from regular City Council meetings. After four (4) such absences, the matter shall be placed on the agenda for consideration by the City Council. A majority of the City Council may determine that said absences are excusable and that the charge of “neglect of duty” shall not be made.

(b) ***Vacancies.***

(1) If a vacancy on the Council is caused by death, resignation, refusal of any Council Member to serve, removal of any Council Member, the residency relocation of a Council Member from the precinct from which the Council Member is elected, or for any other reason, the vacancy shall be filled for the unexpired term of the vacated seat by a majority vote of the remaining Council Members, and such vacancies must be filled within thirty (30) days after the vacancy occurs. The appointed Council Member may serve the unexpired term of the previous Council Member unless the unexpired term of the previous Council Member, is twenty-eight (28) months or longer. If the unexpired term is twenty-eight (28) months or longer, a person shall be elected at the next general election to fill the unexpired portion of such term.

(2) In the event of a military leave of absence for any elected municipal officer, such leave of absence shall be in accordance with current Florida Statutes.

(3) The Council Member appointed by the Council must meet the qualifications for office as set forth in this Charter at the time of appointment.

(c) ***Compensation.*** The salary of Council Members shall be set by ordinance; said compensation shall take effect upon the Council Member assuming office following the next Council election.

Section 4.03. City Council Procedures.

(a) ***Meetings.*** The City Council shall meet regularly at least once every month at such times and places as the City Council may prescribe. Special meetings may be held on

the call of the City Council President or the Mayor or at the request of a majority of the City Council Members to the City Clerk and, whenever practicable, upon no less than twenty-four (24) hours notice to each Council Member and the public, or such shorter time as the City Council President, Mayor, or a majority of the City Council deems necessary in the event of an emergency.

(b) **Rules and Minutes.** The City Council shall determine its own rules of procedure and order of business, and shall keep minutes of its proceedings that shall be open for public inspection. The City Council shall establish procedures for making copies of all resolutions, ordinances, and this Charter available to the public for inspection and for purchase at a reasonable price, in conjunction with the requirements of Florida law.

(c) **Voting and Quorum.** Voting on ordinances and resolutions shall be by electronic tally devices, or by such other means as may be adopted by the City Council. The City Clerk Reports of Council Action shall be written and permanently recorded. A majority of the existing membership of City Council shall constitute a quorum; but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the City Council. No action of the City Council shall be valid or binding unless adopted by the affirmative vote of a majority of a quorum of the City Council present and voting.

(d) **Veto Override.** The City Council may, by an affirmative vote of at least two thirds of the entire City Council, override the Mayor's veto of an ordinance at any time prior to midnight on the fifth (5th) business day after the day the Mayor exercises the veto or prior to midnight on the day of the next regular City Council meeting after the exercise of the Mayor's veto, whichever last occurs.

If the City Council overrides a veto, the ordinance shall be effective immediately or as otherwise provided therein. If the City Council fails to override a veto, the ordinance or resolution shall fail and be of no effect. Ordinances adopted by the City Council shall be effective unless vetoed by the Mayor upon the expiration of the fifth business day after said adoption, or shall be effective upon such later date as may be provided therein. The Mayor may notify the City Council through written notice filed with the City Clerk that he or she will not veto the ordinance or resolution, whereupon the ordinance or resolution may become effective prior to the sixth business day after adoption of said ordinance or resolution if the ordinance or resolution so provides for such an earlier effective date.

(e) **President, Vice President of City Council.** The City Council shall elect one of its members as President and another as Vice President on the Second Monday of April of each year. The City Council may remove its President or Vice President by an affirmative vote of at least three (3) City Council Members. In the event of vacancy in the office of President or Vice President, the City Council shall elect one of its members to fill the remaining term of the vacant position. The President shall perform the duties consistent with the office and as otherwise imposed by the City Council.

Section 4.04. Prohibitions.

(a) ***Appointment and Removal.*** No individual City Council Member shall in any manner dictate the appointment or removal of any administrative officer or employee whom the City Administrator or Department Heads are empowered to appoint. The City Council may; however, express its views and fully and freely discuss any and all matters with the City Administrator or Department Heads pertaining to the appointment and removal of City officers and employees.

(b) ***Interference with Administration.*** The City Council or Council Members shall deal with the City officers and employees, who are subject to the direction and supervision of the City Administrator, solely through the City Administrator. Neither the City Council nor Council Members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations for improvement of municipal governmental operations by individual Council Members be made solely to and through the City Administrator.

(c) ***Holding other Office.*** No elected City official shall hold any appointive City office, City board membership, or City employment while in office, except as may be provided by State law. No former elected City official shall hold any compensated appointive City office until one year after having last served as an elected official.

(d) ***Compensation.*** The salary of the City Council shall be set by ordinance.

ARTICLE V. APPOINTED CITY OFFICIALS

Section 5.01. City Clerk.

There shall be a City Clerk who shall be appointed by the City Council, by a majority vote of the entire Council, and who shall serve at the pleasure of the City Council and whose duties and responsibilities are as provided by this Charter. The City Clerk shall prepare the agenda of all meetings of the City Council, shall attend all meetings of the City Council, and shall maintain minutes and records of all meetings of the City Council. The City Clerk shall countersign all checks and attest to all contracts which shall be signed by the Mayor. The City Clerk shall sign all licenses issued by the City, and issue receipts for all money received and shall deposit said money in the proper depositories on the first regular banking day after receipt. The Clerk shall serve the entire City government and shall keep and have the care and custody of the books, records, papers, legal documents and journals of proceedings of the City Council and shall carry out such additional duties as may be required by the Council. All other powers and duties of the City Clerk shall be as provided by ordinance.

Section 5.02. City Administrator.

There shall be a City Administrator who shall be appointed or dismissed by the City Council, by a majority vote of the entire Council, and who shall serve at the pleasure of the City Council. The City Administrator shall direct all Department Heads and oversee the daily operations of the City. Additionally the City Administrator shall:

- (a) Attend the meetings of the Council.
- (b) Draw and sign vouchers upon the depositories, which vouchers shall be countersigned by the City Clerk; and keep a true and accurate account of same.
- (c) The City Administrator shall prepare and submit to the Council once each month a statement of all finances, receipts, and disbursements.
- (d) Provide administrative services as required by the City Council.
- (e) See that all laws, provisions of this charter, and acts of the Council, subject to his/her direction and supervision, are faithfully executed.
- (f) Coordinate with the City Clerk and Department Heads and submit the annual budget, budget message, and capital programs to the Council in the form prescribed by general law.
- (g) Submit to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
- (h) Keep the Council fully advised as to the financial condition and future needs of the City and make recommendations to the Council concerning the affairs of the City.
- (i) Perform such other duties as are specified in this charter or which may be required by the Council.

Section 5.03. City Attorney.

The City Attorney shall serve as the chief legal adviser to the City Council, and shall represent elected or appointed officials, boards and commissions, and employees in the course and scope of their official duties or employment, respectively. The City Attorney shall represent the City in legal proceedings and shall perform any other duties prescribed by State law, by this Charter, or by ordinance or resolution. The City Council shall appoint or remove the City Attorney by an affirmative vote of a majority of its members.

Section 5.04. Departments.

Department Heads shall be appointed by the City Council with the recommendation of the City Administrator. The City Administrator shall direct the department heads of the Public Library Department, the Fire Department, the Police Department, the Community Services Department, and the Public Services Department consistent with this Charter. The City Administrator shall make recommendations to the City Council regarding the organization of the City government and prescribe the duties and responsibilities assigned to the various departments.

Section 5.05. City Boards, Commissions and Authorities.

(a) *Establishment.* Unless otherwise provided by law, the City Council shall establish or terminate by ordinance, such boards, commissions and authorities as it may deem advisable from time to time.

(b) *Membership and Removal.* Unless otherwise provided by law, the City Council shall determine procedures, membership and removal from City boards, commissions and authorities.

ARTICLE VI. ELECTIONS

Section 6.01. Nonpartisan Elections.

All nominations and elections for the offices of Mayor and City Council Members shall be conducted on a nonpartisan basis.

Section 6.02. Electors.

Any person, who is a resident of the City, is a qualified Florida elector, and who has been assigned a voter registration number by the County Supervisor of Elections to vote shall be an elector of the City.

Section 6.03. Qualifications, Eligibility, and Filing Fee.

(a) *Qualifications and Eligibility.* Any person who is a resident of the City, has qualified as a Florida elector, and has been assigned a voter registration number by the County Supervisor of Elections to vote not less than one (1) year prior to the end of the qualification period, shall be an eligible candidate for the office of Mayor or City Council member. Candidates for Council Member from a Precinct must have been a resident of the declared precinct for at least one (1) year prior to the end of the qualification period.

(b) *Qualifying Fee.* Each candidate shall pay to the qualifying officer a qualifying fee in the amount as set forth by City ordinance, as well as an election assessment as provided by Florida State Law.

(c) *Determination of Qualifications and Eligibility.* The Supervisor of Elections shall be the judge of qualifications for candidates for the positions of Mayor and City Council.

Section 6.04. Elections. Procedures.

General Elections. The Supervisor of Elections shall make all necessary arrangements for holding the regular City elections and shall declare the results thereof. The general election shall be held on the second Tuesday in March. Elections shall be held every two (2) years.

(a) **Appointments by Supervisor of Elections.** The Supervisor of Elections determines appointment of inspectors, clerks and deputies of the elections.

(b) **Notice of Elections.** The Supervisor of Elections shall cause a notice of the time and place of holding all City elections to be published in a newspaper published in the City, for at least once a week for two (2) consecutive weeks during the thirty (30) days prior to the beginning of qualifying.

(c) **One Candidate.** No election for Mayor or for any City Council office shall be required in any election in which there is only one (1) duly qualified candidate for the particular office.

(d) **Canvassing Board.** Elections shall be conducted and results shall be tabulated, returned and canvassed by a board in accordance with general law. The canvassing board shall submit certified election results to the City Clerk. In a City election where a county canvassing board would not be empanelled, then the canvassing board shall include the Supervisor of Elections, a sitting county judge, and the City Clerk.

(e) **Ballots.** In the election, the names of all candidates qualified for nomination to the office of Mayor or the office of City Council for each seat shall be placed on the ballot in their respective seats in alphabetical order, and the candidate who receives the highest number of votes in the election for a respective seat shall be declared elected.

Section 6.05. Candidate Qualifying Oath.

(a) **Qualifying Oath or Affirmation.** Any person who is qualified under the laws of the State and this Charter may become a candidate for the office of Mayor or City Council by taking and subscribing to an oath or affirmation, and filing the same with the Supervisor of Elections during business hours during the period prescribed by general law for qualification of candidates for election to City offices.

(b) **Form.** The form of the oath or affirmation shall be as provided by Florida law.

Section 6.06. Commencement of Term of Office.

The term of office of any elected official (Mayor or City Council Member) will commence on the first (1st) Monday in April, after his or her election, at which time the newly elected official shall take an oath of office and be installed in office.

In the event of a special election or other election other than the primary or

general election, the term of office of any elected official will commence on the third (3rd) day after his or her election has been certified, at which time the newly elected official shall be given an oath of office and installed in office, or as provided by State law, unless the commencement date falls on a legal or City holiday, in which case the term of office will commence on the next day that is not a legal or City holiday.

Section 6.07. Council Precincts.

(a) *Number of Precincts.* There shall be three (3) City Council precincts. The boundaries of the three (3) precincts shall remain the same as they existed prior to the approval of this charter by the electorate of the City until changed as provided herein.

(b) Precinct Commission; Composition, Appointment, Terms, Vacancies, and Compensation.

(1) There shall be a Precinct Commission consisting of five (5) members. The City Council shall appoint one (1) member from each of the three (3) Council precincts of the City and two (2) members at large.

(2) No member of the commission shall be employed by the City or hold any other elected or appointed position in the City.

(3) The City Council shall appoint the commission no later than one year and five months before the first general election of the City Council after each federal decennial census. The commission's term shall end upon adoption of a precinct plan.

(4) In the event of a vacancy on the commission by death, resignation or otherwise, the City Council shall appoint a new member from the same precinct from which his or her predecessor was selected to serve the balance of the term remaining.

(5) No member of the commission shall be removed from office by the City Council except for cause and upon notice and hearing.

(6) The members of the commission shall serve without compensation.

(7) The commission may hire or contract for necessary staff assistance and may require agencies of City government to provide technical assistance. The commission shall have a budget as provided by the City Council.

(c) Powers and Duties of the Commission; Hearings, Submissions and Approval of Plan.

(1) Following each decennial census, the commission shall consult the City Council and the Supervisor of Elections, and shall prepare a plan for dividing the City into precincts for the election of Council Members elected from precincts. In preparing the plan, the commission shall be guided by the criteria set forth in section 7.08(d). The report on the plan shall include a map and description of precincts recommended.

(2) The commission shall hold one or more public hearings not less than one month before it submits the plan to the City Council. The commission shall make its plan available to the public for inspection and comment not less than one month before its public hearing.

(3) The commission shall submit its plan to the City Council not less than one year before the first general election of the City Council after each decennial census.

(4) The plan shall be deemed adopted by the City Council unless disapproved within three weeks by the vote of the majority of all members of the City Council. If the City Council fails to adopt the plan, it shall return the plan to the commission with its objections and with the objections of individual members of the Council.

(5) Upon rejection of its plan, the commission shall prepare a revised plan and shall submit such revised plan to the City Council no later than nine months before the first general election of the City Council after the decennial census. Such revised plan shall be deemed adopted by the City Council unless disapproved within two weeks by the vote of two-thirds (2/3) of all the members of the City Council and unless, by a vote of two-thirds (2/3) of all of its members, the City Council votes to file a petition in the Circuit Court in and for Okaloosa County, for determination that the plan fails to meet the requirements of this Charter. The City Council shall file its petition no later than ten days after its disapproval of the plan. Upon a final determination upon appeal, if any, that the plan meets the requirements of this Charter, the plan shall be deemed adopted by the City Council and the commission shall deliver the plan to the City Clerk. The plan delivered to the City Clerk shall include a map and description of the precincts.

(6) If in any year population figures are not available at least one year and five months before the first general election following the decennial census, the City Council may, by local law, shorten the time periods provided for commission action in paragraphs (2), (3), (4), and (5) of this subsection.

(d) ***Precinct Plan; Criteria.*** In preparation of its plan for dividing the City into precincts for the election of Council Members, the commission shall apply the following criteria which, to the extent practicable, shall be applied and given priority in the order in which they are herein set forth.

(1) Precincts shall be equal in population except where deviations from equality result from the application of the provisions hereinafter set forth, but no such deviation may exceed five percent (5%) of the average population for all City Council precincts according to the figures available from the most recent census.

(2) Precincts shall consist of contiguous territory; but land areas separated by waterways shall not be included in the same precinct unless said waterways are traversed by highway bridges, tunnels or regularly scheduled ferry services, both termini of which are within the precinct.

(3) Consistent with the foregoing provisions, the aggregate length of all

precinct boundaries shall be as short as possible.

(4) To the extent possible, consideration should be given to coordinating precinct lines for the various public offices, as well as precincts.

(5) The precincts shall be based upon the principle of equal and effective representation as required by the United States Constitution and general law.

(e) ***Effect of Enactment.*** The new City Council precincts and boundaries as of the date of enactment shall supersede previous Council precincts and boundaries for all purposes of the next regular City election, including nominations. The new precincts and boundaries shall supersede previous precincts and boundaries for all other purposes as of the date on which all Council Members elected at that regular City election take office.

ARTICLE VII. CHARTER REVIEW AND CHARTER AMENDMENTS

Section. 7.01. Charter Review Commission.

(a) ***Charter Review Commission Established.*** During the month of January 2022 and every ten (10) years thereafter, there shall be established a Charter Review Commission ("CRC") provided; however, that the City Council shall have the power to establish a CRC more often in the event it so chooses.

(b) ***Composition.*** Every ten (10) years, the Mayor and City Council shall appoint six (6) members to the CRC. The CRC shall be composed of seven (7) members. The committee members are to be recommended by each of the five members of the City Council, the Mayor and the City Clerk. No members of the CRC shall be elected officials. Each member of the CRC shall be a City resident and elector. Vacancies shall be filled within 30 days in the same manner as the original appointments.

(c) ***Procedures.*** The CRC shall meet prior to the third week in January 2022, and every ten (10) years thereafter, for the purposes of organization. The CRC shall elect a Chair and Vice Chair from among its membership. Further meetings of the CRC shall be held upon the call of the Chair or any three members of the CRC. All meetings shall be open to the public. A majority of the members of the CRC shall constitute a quorum. The City Council shall direct the assistance of City staff for this committee. Staff will provide CRC with a notated copy of the existing charter reflecting outdated, grammatical errors and conflicting segments as highlighted.

(d) ***Rules and Compensation.*** The CRC may adopt other rules for its operations and proceedings as it deems desirable. The members of the CRC shall receive no compensation.

(e) **Expenses.** Expenses of the CRC shall be verified by a majority vote of the CRC and forwarded to the Mayor for payment from the general fund of the City. The City may accept funds, grants, gifts and services for the CRC from the State, the County, and the government of the United States or other sources, public and private.

(f) **Review.** The CRC shall review, on behalf of the citizens of the City of Crestview, the City Charter in order to recommend amendments to this Charter, if any.

(g) **Report and Process.** The CRC shall complete its review and submit a report to the City Council by July 31, 2022, and every ten (10) years thereafter. Included within the report shall be any proposed amendments to the Charter, together with the wording of the proposed amendments. The City Council shall make the final decision as to whether the proposed amendments are (i) returned to the CRC for further review, (ii) revised and included on a ballot, (iii) included on a ballot without change, or (iv) subject to other action. Any such amendments may be included on the ballot as a single question, individual questions or any combination of either. If one or more proposed Charter amendments are submitted by the CRC and the City Council so chooses, the City Council, in consultation with the Supervisor of Elections, shall place the amendments on the ballot of the general election to be held in 2022 and every ten (10) years thereafter, for the purpose of voting on the proposed amendments submitted by the CRC through City Council. Notice of said election shall be published by the City Council. Any such proposed amendment shall be placed on the ballot by City Ordinance as provided in Sec. 166.031, Florida Statutes. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.

Section 7.02. Charter Amendments.

(a) **Initiation by City Council.** The City Council may propose amendments by ordinance to this Charter. Upon adoption of the initiating ordinance, the City Council shall submit the proposed amendment to a vote of the electors at the next general election held within the City or at a special election called for such purpose.

(b) **Initiation by Petition.** The electors of the City may propose amendments to this Charter in accordance with the provisions of Sec. 166.031, Florida Statutes.

(c) **Consistency.** The method for Charter amendments shall be consistent with State law.

ARTICLE VIII MISCELLANEOUS

Section 8.01. Code of Ethics.

The City of Crestview shall subscribe to and abide by the *Code of Ethics for Public Officers and Employees* as provided in the Florida Statutes.

ARTICLE IX. SCHEDULE

Section 9.1. Effective Date.

Upon approval of a majority of the electorate voting at a referendum on this Charter, this Charter will become effective on January 1, 2013.

Section 9.02. Ordinances Preserved.

All ordinances in effect upon the adoption of this Charter, to the extent not inconsistent herewith, shall remain in full force and effect until amended or repealed.

Section 9.03. Repeal of Former Charter Provisions.

All provisions in effect prior to the effective date of this Charter; including, but not limited to the Charter provisions contained in Chapter 15425, Laws of Florida (1931), as amended (the former Charter), which are not embraced herein and which are not inconsistent with this Charter shall become ordinances of the City subject to modification or repeal in the same manner as other ordinances of the City provided that all extra territorial powers of the City conferred by special act or otherwise are preserved and can be repealed or modified only by referendum or as otherwise provided by law.

Section 9.04. Precedence over Code Provisions.

If a conflict exists between the provisions of this Charter and the Code of Ordinances, the Charter provisions shall prevail.

Section 9.05. Officers and Employees.

The adoption of this Charter shall not affect or impair the rights, privileges or immunities of City officers or employees at the time of the effective date of this Charter, including rights provided for pursuant to Chapter 447, Florida Statutes, and collective bargaining agreements. Elected officers shall continue to hold their offices for the terms prescribed by the Charter in effect on the date of their election, and they shall discharge their duties until their successors are elected.

Section 9.06. Existing Rights, Obligations, Duties and Relationships.

(a) *Continuity.* All rights, claims, actions, orders, contracts and legal or administrative proceedings involving the City shall continue except as modified pursuant to the provisions of this Charter.

(b) *Obligations.* No debt, contract obligation, or assessment by the City shall be impaired by adoption of this Charter. All existing debts, obligations and assessments shall remain valid and enforceable, according to their terms, under the Charter provisions

applicable at the time the debt was incurred, contract signed, or assessment imposed. All obligations and rights arising in connection with projects financed under former Charter provisions shall be unaffected and remain in full force and effect as if the borrowing, taxing, bonding or other financing provisions had survived the adoption of this Charter.

(c) ***Other Government Units.*** All existing rights, obligations, duties and relationships by law or agreement between the City and other governmental units shall be unaffected by the adoption of this Charter and remain in full force and effect.

(d) ***Commencement of Terms for Year 2011 Elections.*** The terms for the Council Members and Mayor elected in the 2011 general election shall commence on the first (1st) Monday of April 2011 as provided for in the former City Charter, or on such earlier date as the office becomes vacant after the 2011 general election. This provision shall be effective solely for the purposes of transition from the former City Charter to Section 3.02 of this Charter.

Section 9.07. Transition.

The City Council shall adopt such ordinances and resolutions as are required to effect the transition. Ordinances adopted within sixty (60) days of the first Council meeting under this Charter for the purpose of facilitating the transition may be passed as emergency ordinances following the procedures prescribed by law.

Section 9.08. Severability.

If any section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, the court decision invalidating any section or part of section shall not affect the remainder of this Charter or the context in which the invalidated section or part of section may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which the court decision may directly apply.