

ORDINANCE NO 2025-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GULFPORT, FLORIDA, SUBMITTING THE FOLLOWING PROPOSED AMENDMENTS TO THE CITY CHARTER TO THE ELECTORS OF THE CITY FOR APPROVAL: AN AMENDMENT TO SECTION 103 - EXTRATERRITORIAL POWERS; AN AMENDMENT TO SECTION 302 - TERMS; AN AMENDMENT TO SECTION 305 - PROHIBITIONS; AN AMENDMENT TO SECTION 306 - VACANCIES; ESTABLISHING FORFEITURE OF OFFICE; ESTABLISHING SECTION 306.1 - REMOVAL FROM OFFICE; AN AMENDMENT TO SECTION 314 -CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 166.031, Florida Statutes, the City Council of the City of Gulfport may by ordinance propose amendments to the City Charter to the electors of the City of Gulfport; and

WHEREAS, pursuant to Section 314 of the City Charter, the City Council has appointed a Charter Review Committee to review the City Charter and to recommend changes to the Charter; and

WHEREAS, the Charter Review Committee has recommended certain changes to the City Charter; and

WHEREAS, the City Council has reviewed the recommendations of the Charter Review Committee, at several public meetings, and has determined that the following sections of the Charter shall be proposed to the electorate for consideration.

WHEREAS, Section 103 of the City Charter presently states no lease of real property owned by the City of Gulfport shall exceed thirty (30) years; and

WHEREAS, leased real property owned by the City of Gulfport should be at Fair Market Value; and

WHEREAS, the Charter Review Committee recommends amending Section 103 of the City Charter to reduce leasing of real property owned by the City of Gulfport from thirty (30) years to five (5) years, lease real property owned by the City of Gulfport at Fair Market Value and determine Fair Market Value through a licensed appraiser.

WHEREAS, Section 302 of the City Charter provides for the terms of the Mayor and Council Members; and

WHEREAS, the Charter Review Committee and the City Council recommends amending Section 302 to establish term limits and increase council members' terms to three (3) years; and

WHEREAS, Section 305 of the City Charter provides for criminal conviction; and

WHEREAS, the Charter Review Committee recommends amending Section 305 of the City Charter to remove the language involving criminal conviction; and

WHEREAS, Section 306 of the City Charter provides for vacancies and filling of vacancies regarding members of the City Council; and

WHEREAS, the Charter Review Committee recommends amending the language to provide for procedures for vacancies and forfeiture of office; and

WHEREAS, the City Council desires, pursuant to Charter Section 306.1, to establish a method for the removal of Council Members from office; and

WHEREAS, the City Council recommends establishing Section 306.1 to provide for removal of Council Members; and

WHEREAS, Section 314 of the City Charter contains Charter review at least every ten (10) years; and

WHEREAS, the Charter Review Committee recommends amending the language of Section 314 of the City Charter to allow Charter review every five (5) years by a City Council appointed citizen committee; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA, AS FOLLOWS:

Section 1. The following proposed amendments to the City Charter of the City of Gulfport shall be submitted to the electors of the City in an election to be held March 10, 2026, held in conjunction with the City General Elections. In the event that a proposed amendment to the Charter is approved by a majority of the voters at such election, the Charter shall be amended accordingly, and the amendment shall be effective as of the date the results of the election are certified.

Section 2. Proposed amendment to Section 103 of the City Charter to reduce the number of years that real property may be leased from thirty (30) years to five (5) years, to establish monetary value of any lease through a licensed appraiser chosen and paid by the lessee, the City may obtain a second appraisal, upon the sale of City real property the buyer shall record the deed within thirty (30) days or the property reverts back:

Section 103. – Extraterritorial Powers.

The city may acquire property within or without its corporate limits for any city purpose in fee simple or lesser interest or estate, by purchase, gift, devise, lease or condemnation, and may sell lease, mortgage, hold, manage, and control such property

in any manner not prohibited by this Charter. No lease of real property shall exceed a period of ~~thirty (30)~~ five (5) years. The monetary amount of any lease for real property shall be at Fair Market Value, to be determined through a licensed appraiser paid for and chosen by the lessee. The city reserves the right to obtain a second (2nd) appraisal, paid for and chosen by the city, should there be a discrepancy in Fair Market Value. No real property interest held by the city, as of the date of the adoption of this Charter revision, which provides park, beach or recreational lands or beach access or submerged lands, shall be sold, traded, given away, vacated, or alienated in any way, except after a referendum approval of the city's electorate.

Any and all real property used for administrative and support facilities shall not be sold, traded, given away, vacated, or alienated in any way, during the pendency of the administrative and support facilities use, except after a referendum approval of the City's electorate.

The affirmative vote of a minimum of four (4) city council members shall be necessary to establish a referendum election concerning the disposal of properties pursuant to this section. Upon approval of the referendum by the city's electorate, the grantee(s) is responsible for recording the updated Deed with the Pinellas County Clerk of the Court within thirty (30) days; otherwise, said property reverts back to the city.

Section 3. Proposed amendment to Section 302 of the City Charter to establish term limits for the Mayor and Councilmembers and increase Councilmembers terms to three (3) years:

Section 302. - Terms.

Both the mayor and council members shall be elected for a three (3) year term and the other council members shall be elected for two (2) year terms. and shall be limited to three (3) consecutive terms. Any member of council who has reached the maximum term for their ward seat must be out of office for a minimum of two (2) years prior to the time of qualifying for a subsequent election of their prior office. A council member or mayor who has severed three (3) consecutive terms is barred from running for the same office. for two (2) years as noted above. An exception will only be permitted in the event there are no qualified candidates for a specific council ward office or for mayor.

Section 4. Proposed amendment to Section 305 of the City Charter to provide for removal of council members for cause:

Section 305. - Prohibitions.

(a) *Appointments and removals.* Neither the council nor any of its members shall direct or request the appointment of any employee by the city manager or by any of his/her subordinates, or in any manner take part in the

appointment or removal of any employee of the city. Except for the purpose of inquiry, the council and its members shall deal with the employees of the city solely through the city manager and neither the council nor any member thereof shall give orders to any employee of the city either publicly or privately. ~~Any council member violating the provisions of this section, shall be guilty of a 2nd degree misdemeanor and upon conviction thereof~~

Section 5. Proposed amendment to Section 306 of the City Charter to provide procedures for filling vacancies and forfeiture of public office by a City Council Member:

Section 306. - Vacancies; Forfeiture of office.

(a) ~~Vacancies. A member's seat on the council automatically becomes vacant when such member.~~

~~(1) Fails to attend three (3) consecutive meetings or a total of six (6) regular meetings in a twelve (12) month period, other than work sessions, unless a majority of the other council members vote to excuse any such absences.~~

~~(2) Dies;~~

~~(3) Resigns;~~

~~(4) Fails to meet qualifications; or~~

~~(5) Is removed from office in any manner authorized by law.~~

The office of a member of city council shall become vacant upon death, resignation, removal from office, in any manner authorized by law, or forfeiture of his or her office. Forfeiture of office requires a majority vote of the remaining city council members.

(b) Forfeiture of Office. A city council member shall forfeit their office if such council member:

(1.) Lacks at any time during the term of office any qualification for the office prescribed by this Charter or by law.

(2.) Is convicted of a crime involving moral turpitude. For the purposes of this section, "convicted" means a determination of guilt that is the result of a plea or trial, regardless of whether the adjudication is withheld.

(3.) Fails to attend three (3) consecutive regular meetings or a total of four (4) regular meetings within a twelve (12) month period, other than work sessions, of the city council unless such absence is excused by the city council.

Section 6. Establishment of Section 306.1 of the City Charter to provide for a method for the removal of a Council Member and the right to have a hearing before removal:

Section 306.1. – Removal from Office.

A Council Member may be removed from office by the city council for violations of the city charter or city council adopted rules if said violation by the affected council member is found, after an independent hearing, to be intentional, willful, flagrant, or continuous.

Section 7. Proposed amendment to Section 314 of the City Charter to reduce the time period in which to review the Charter:

Section 314. – Charter Amendment.

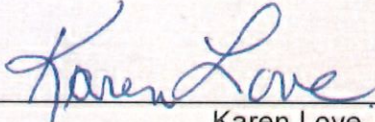
(b) At least once every ~~ten (10)~~ five (5) years, the council shall cause this charter to be reviewed in its entirety for possible amendments by a Citizens Committee appointed by Council.

Section 8. This Ordinance shall be effective immediately upon its final passage and adoption; provided, however; that the sections hereof shall not be individually effective until such is approved by a majority vote of the electors voting in an election to be held on March 10, 2026, held in conjunction with the City's General Election and upon being filed with the Secretary of State. In the event that any such referendum question shall be defeated, then the applicable provisions of this Ordinance shall be of no further force or effect.

FIRST READING : November 04, 2025

PUBLISHED : November 05, 2025

SECOND READING/
PUBLIC HEARING : December 02, 2025


Karen Love, Mayor

I, Theresa M. Carrico, City Clerk of the City of Gulfport, Florida, do hereby certify the foregoing Ordinance was duly adopted in accordance with the provisions of law and the City Charter this 2nd day of December. 2025.

ATTEST:

Theresa M. Carrico
Theresa M. Carrico, City Clerk

