



CHARTER REVIEW COMMISSION MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Wednesday, August 23, 2023 at 6:30 PM

AGENDA

A. CALL TO ORDER

B. ROLL CALL & DETERMINATION OF QUORUM

C. Review of Meeting Minutes

- [1.](#) 8-9-2023 Draft Meeting Minutes

D. Review of Charter Ordinances 2023-11

- [1.](#) Review of proposed Ordinance 2023-11 Charter Changes

E. ADJOURNMENT

Meeting Records Request

You are welcome to attend and express your opinion. Please be advised that **Section 286.0105**, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made.

Americans with Disabilities Act

In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the **City Clerk at (407) 851-2920**.



CHARTER REVIEW COMMISSION

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Wednesday, August 09, 2023 at 6:30 PM

DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 6:35 pm

B. ROLL CALL & DETERMINATION OF QUORUM

There was a quorum with six CRC members present. Commission Member Nelson was unable to attend.

CRC Members Present

Christopher Dawson, Chair
Tina Demostene, Co-Chair
Anita Bering
Tom Perley
Shannon Pierce
Catrin Shuetz

CRC Members Absent

Nelson Lerma

C. REVIEW OF MINUTES

1. 07-26-2023 Charter Review Commission Draft Minutes

Correction submitted for Section 3.11 - the Mayor is practically a volunteer position.

A motion was made by Co-Chair Demostene to approve the July 26, 2023 minutes with the correction; seconded by Commission Member Bering. Motion approved (6/0).

D. CONTINUATION OF CHARTER REVIEW

1. Ordinance 2308 Charter Ordinance

The following are highlights of the meeting. The CRC reviewed the proposed ballot questions, titles, and changes.

- Add question to allow the Mayor a stipend of \$3,000.
- For collective bargaining, change the question from: "Shall the Edgewood Charter be amended to removed the requirement that collective bargaining Page 7 Section D, Item 1. 3 of 8 agreements specifically be approved by ordinance?"

to: "Shall the Edgewood Charter be amended to remove the requirement that collective bargaining agreements specifically be approved by ordinance thereby allowing the City Council to approve collective bargaining agreements after a single public meeting and majority?"

- No change in Emergency Ordinances Section 3.15.
- No change in Electronic distribution of City Code section 3.18.
- No change to Article 4 for non-substantive corrections
- No change to the Mayor's budget message Section 5.02.
- Section 5.09 - Changed the question from "Shall the Edgewood Charter be amended to adjust the cap on the amount the City may set aside in its budget as unrestricted reserves?"

to: Shall the Edgewood Charter be amended to change terminology related to reserves allowed to be saved by the City to provide for a cap on "uncommitted reserves" rather than the current terminology used of "unrestricted reserves"?

- No change to Purchasing Section 5.10
- No change to Elections Section 6.05

Co-Chair Demostene made a motion to accept the amendments as amended by the City Attorney. The motion was seconded by Commission Member Pierce.

The motion was rescinded. Changes to the titles and questions will be submitted for the next meeting on Wednesday, August 23, 2023 at 6:30 pm.

E. ADJOURNMENT

Chair Dawson made a motion to adjourn the meeting, seconded by Commission Member Pierce.

The meeting was adjourned at 7:23 pm.

Christopher Dawson, Chair

Attest:

Sandra Riffle, City Clerk

Approved in the _____ meeting.

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, SUBMITTING TO THE ELECTORS OF EDGEWOOD PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF EDGEWOOD; PROVIDING BALLOT TITLES, SUMMARIES AND TEXT FOR THE PROPOSED AMENDMENTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE FOR APPROVED AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City Council established a Charter Review Commission to review the City Charter and make recommendations for amendments thereto; and

WHEREAS, on September 19, 2023, the Charter Review Commission submitted its final report and recommendations to the City Council; and

WHEREAS, the City Council and the Charter Review Commission have, in public meetings, studied and reviewed the City of Edgewood Charter (the “Charter”) and received public input regarding the proposed amendments to the Charter; and

WHEREAS, the Charter Review Commission recommended that the Charter be updated in various sections, all as set forth herein; and

WHEREAS, the City Council has fully considered the report and recommendations of the Charter Review Committee; and

WHEREAS, Section 166.031, Florida Statutes, provides that the governing body of a municipality may, by ordinance, submit to the electors of said municipality proposed amendments to its charter, which amendments may be to any part or to all of its charter except that part describing the boundaries of such municipality; and

WHEREAS, the City Council finds it to be in the best interests of its citizens to submit said proposed charter amendments to the voters at the next general election.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Edgewood, Florida, as follows:

Section 1. The City Council of the City of Edgewood, pursuant to Section 166.031, Florida Statutes, hereby proposes and approves amendments to the Charter of the City of Edgewood, which proposed amendments and the complete text thereof, as amended, is set forth in Section 2 below. The text of the amendments reflects the proposed changes by showing additions with underlining and deletions with ~~strike-through~~ type. Such election shall be held in conformity with

46 the laws of the State of Florida and the ordinances of the City of Edgewood now in force relating to
47 elections in the City of Edgewood. The Supervisor of Elections of Orange County is hereby
48 requested to coordinate all matters to said referendum election with the City Clerk. The proposed
49 charter amendments shall be submitted to the voters at the March, 2024 election.

50
51 Section 2. The ballot titles, questions and proposed charter changes are as follows:

52
53 **REMOVAL OF UNNECESSARY TRANSITION SCHEDULE AMENDMENT:**

54
55 *Shall the Edgewood Charter be amended to delete the now unnecessary transition schedule used to*
56 *phase in the adjustment to the current staggered three-year terms for Council members?*

57
58 YES FOR APPROVAL

59
60 NO FOR REJECTION

61
62 **Section 7.01. ~~Transition schedule.~~ RESERVED**

63 ~~Upon the adoption of this Charter amendment, the transition~~
64 ~~from two (2) year terms to three (3) year terms shall be accomplished~~
65 ~~as follows:~~

66 ~~In the 2018 election three council members shall be elected. In the~~
67 ~~2018 election the two (2) city council candidates receiving the largest~~
68 ~~number of votes shall take office for a term of three (3) years and the~~
69 ~~one (1) city council candidate receiving the third largest number of~~
70 ~~votes shall be elected to a term of two (2) years.~~

71 ~~In the 2019 election two council members and the mayor shall be~~
72 ~~elected. In the 2019 election the one (1) city council candidate~~
73 ~~receiving the largest number of votes shall take office for a term of~~
74 ~~three (3) years and the one (1) city council candidate receiving the~~
75 ~~second largest number of votes shall be elected to a term of one (1)~~
76 ~~year. The candidate for mayor receiving the largest number of votes~~
77 ~~shall be elected to a term of three (3) years.~~

78 ~~In all subsequent elections candidates shall be elected to a term of~~
79 ~~three (3) years.~~

80 **MAYORAL STIPEND AMENDMENT**

81

82 *Shall the Edgewood Charter be amended to increase the maximum monthly stipend amount the City*
83 *Council is authorized to approve for payment to a mayor from the current \$1,000 to \$3,000.*

84 YES FOR APPROVAL

85 NO FOR REJECTION

86 **Section 3.11. - Compensation and expenses.**

87 None of the council members shall receive a salary. All city public
88 officials, either elected or appointed, shall receive reimbursement for
89 their expenses incurred in the performance of their duties of office as
90 provided by law. The city may pay the mayor a stipend not to exceed
91 ~~one thousand dollars (\$1,000)~~ three thousand dollars (\$3,000) per
92 month as approved by the city council in its sole discretion.

93 **COLLECTIVE BARGAINING APPROVAL PROCESS AMENDMENT:**

94
95 *Shall the Edgewood Charter be amended to remove the requirement that collective bargaining*
96 *agreements specifically be approved by ordinance thereby allowing the City Council to approve*
97 *collective bargaining agreements after a single public meeting and majority?*

98
99 YES FOR APPROVAL

100
101 NO FOR REJECTION

102
103 **Section 3.14. Legislative action requiring an ordinance.**

104
105 The following types of council actions shall be implemented
106 by ordinance providing the ordinance does not conflict with the
107 provisions expressed in this Charter amendment and does not violate
108 state or federal statutes.

109
110 In addition to other acts required by law or by specific provision of
111 this Charter to be done by ordinance, those acts of the city council
112 shall be by ordinance which:

- 113 A. Adopt or amend an administrative code or alter or abolish any
- 114 city department, office or agency;
- 115 B. Provide for a fine or other penalty or establish a rule or
- 116 regulation for violation of which a fine or other penalty is imposed;
- 117 ~~C.~~ ~~[Reserved];~~
- 118 ~~D.~~ Grant, renew or extend a franchise including the negotiation
- 119 of rates;
- 120 ~~E.~~ Authorize the borrowing of money;
- 121 ~~F.~~ ~~Approve union contracts~~ [Reserved];

122 ~~GE.~~ Adopt with or without amendment ordinances proposed under
123 the initiative power;

124 ~~HF.~~ Amend or repeal any ordinance previously adopted, except as
125 otherwise provided in Article VI with respect to repeal or ordinances
126 reconsidered under the referendum power.

127
128 Acts other than those referred to in the preceding sentences may be
129 done either by ordinance or by resolution in accordance with State
130 law.

131
132 **ADOPTION OF EMERGENCY ORDINANCES AMENDMENT:**

133
134 *Shall the Edgewood Charter be amended to delete local provisions regarding emergency ordinances*
135 *and to provide that emergency ordinances may be adopted in the manner set forth in Florida state*
136 *law?*

137
138 YES FOR APPROVAL

139
140 NO FOR REJECTION

141
142 **Section 3.15. Emergency ordinances.**

143 **Emergency ordinances may adopted in accordance to State Law.**

144
145 Emergency ordinances may be adopted in the manner set forth
146 in Florida Statutes.

147
148 ~~To meet a public emergency affecting life, health, property or~~
149 ~~the public peace, the council may adopt one (1) or more emergency~~
150 ~~ordinances, but such ordinances may not levy taxes, grant, renew or~~
151 ~~extend a franchise, regulate the rate charged by any public utility for~~
152 ~~its services or authorize the borrowing of money except as provided~~
153 ~~in subsection 5.06(b). An emergency ordinance shall be introduced in~~
154 ~~the form and manner prescribed for ordinances generally, except that~~
155 ~~it shall be plainly designated as an emergency ordinance and shall~~
156 ~~contain, after the enacting clause, a declaration stating that an~~
157 ~~emergency exists and describing it in clear and specific terms. An~~
158 ~~emergency ordinance may be adopted with or without amendment or~~
159 ~~rejected at the meeting at which it is introduced, but the affirmative~~
160 ~~vote of at least four (4) council members or three (3) council~~
161 ~~members and the mayor shall be required for adoption. After its~~
162 ~~adoption, the ordinance shall be published and printed as prescribed~~
163 ~~for other adopted ordinances. It shall become effective upon adoption~~
164 ~~or at such time as it may specify. Every emergency ordinance, except~~
165 ~~one made pursuant to subsection 5.06(b), shall automatically stand~~
166 ~~repealed as of the sixty first (61st) day following the date on which it~~

167 was adopted, but this shall not prevent reenactment of the ordinance
168 in the manner specified in this section if the emergency still exists.
169 An emergency ordinance may also be repealed by adoption of a
170 repealing ordinance in the same manner specified in this section for
171 adoption of emergency ordinances.
172

173 **ELECTRONIC DISTRIBUTION OF CITY CODE AMENDMENT:**

174
175 *Shall the Edgewood Charter be amended to provide an option for electronic distribution of the City*
176 *Code?*

177
178 YES FOR APPROVAL

179
180 NO FOR REJECTION

181
182 **Section 3.18. Authentication, recording and disposition of Charter amendments,**
183 **ordinances and resolutions.**

184
185 A. *Authentication.* The council president and the city
186 clerk shall authenticate by their signature all ordinances and
187 resolutions adopted by the council. In addition, when Charter
188 amendments have been approved by the electors, the council
189 president and the city clerk shall authenticate by their signatures the
190 Charter amendment, such authentication to reflect the approval of the
191 Charter amendment by the electorate.
192

193 B. *Codification.* Upon adoption of this Charter and at
194 least every year thereafter, the city clerk shall provide for the
195 preparation of a general codification of all city ordinances and
196 resolutions having the force and effect of law. The general
197 codification shall be published promptly together with this Charter
198 and any amendments thereto, pertinent provisions of the Constitution
199 and other laws of the State of Florida and such codes of technical
200 regulations and other rules and regulations as the council may
201 specify. This compilation shall be known and cited officially as the
202 Edgewood City Code. Copies of the Code shall be furnished to city
203 officers upon request and shall be placed in the city hall or made
204 available electronically for free public reference and made available
205 for purchase by the public at a reasonable price fixed by the council.
206

207 **GRAMMATICAL CORRECTION AMENDMENT:**

208
209 *Shall the Edgewood Charter be amended to make non-substantive corrections in Article 4.*
210

211 YES FOR APPROVAL

212 NO FOR REJECTION

213
214 **Section 4.05. City clerk.**

215
216 The city clerk shall be recommended by the mayor and
217 appointed by the city council and shall serve at the pleasure of city
218 council. The following are the major areas of responsibility of the city
219 clerk:

- 220 A. Custodian of municipal records in accordance with state law.
- 221 B. Provide public notice of all meetings subject to Sunshine and
- 222 State Law and keeps a journal of its proceeding.
- 223 C. Administration of the daily functions of city hall.
- 224 D. Record, type and distribute minutes of meetings and agendas.
- 225 ~~D~~E. Maintain city hall budget and expenditures within the
- 226 approved annual budget.
- 227 ~~E~~F. Provide reports, personnel actions, etc., to the council.
- 228 ~~F~~G. Execute policies and directions issued by the council and
- 229 expressed in resolutions, ordinances, the City Code of Ordinances
- 230 and Charter.
- 231 ~~G~~H. Perform other duties assigned by the mayor or council
- 232 president.

233 The duties, hours, salary, etc., shall be established by the council who
234 may also delegate the supervision of the city clerk to an elected
235 official.
236
237

238 **TIMING OF BUDGET MESSAGE AMENDMENT:**

239
240 *Shall the Edgewood Charter be amended to change the timing of the Mayor’s annual budget*
241 *message?*

242
243 **Section 5.02. Submission of budget and budget message.**

244
245 At least 60 days prior to the start of the fiscal year Concurrent
246 with the first reading of the Ordinance for the adoption of the fiscal
247 year budget, the mayor shall ~~propose~~ present a budget message.
248

249 **RESERVES SAVINGS CAP AMENDMENT:**

250
251 *Shall the Edgewood Charter be amended to change terminology related to reserves allowed to be*
252 *saved by the City to provide for a cap on “uncommitted reserves” rather than the current*
253 *terminology used of “unrestricted reserves”?*
254

255 **YES FOR APPROVAL**

257 **NO FOR REJECTION**

258

259 **Section 5.09. Unrestricted reserves.**

260 ~~Unrestricted~~ Uncommitted reserves shall not exceed 75%
261 of gross annual revenues.

262
263 **PROCUREMENT THRESHOLD AMENDMENT:**

264
265 *Shall the Edgewood Charter be amended to provide that for any procurement between \$10,000 and*
266 *\$25,000, the City shall obtain at least three quotes and that for any procurement over \$25,000, the*
267 *City shall utilize a competitive bidding method?*

268
269 YES FOR APPROVAL

270
271 NO FOR REJECTION

272
273 **Section 5.10. Purchasing.**

274
275 The mayor shall be the purchasing agent for the city, by whom all purchases of supplies shall
276 be made, and he/she shall approve all vouchers for the payment of same. In the capacity of
277 purchasing agent, he/she shall also conduct the sales of personal property which the council may
278 authorize to be sold as having become unnecessary or unfit for the city's use. All purchases and sales
279 shall conform to such regulations as the city council may from time to time prescribe, but in any case
280 the City shall obtain at least three quotes for any purchase over \$10,000.00 up to \$25,000.00 and
281 shall competitively bid any purchase over \$25,000.00. ~~if any amount in excess of 10,000.00 is~~
282 ~~involved, the city council shall make a selection after competitive procurement. at least two (2)~~
283 ~~competitive bids shall be invited.~~

284
285 **RESOLUTION OF TIE VOTES IN CITY ELECTIONS AMENDMENT:**

286
287 *Shall the Edgewood City Charter be amended to provide that in the event of a tie in a city*
288 *council election result, the winner shall be determined between the two tied candidates by a coin*
289 *flip?*

290
291 YES FOR APPROVAL

292
293 NO FOR REJECTION

294
295 **Section 6.05. Elections.**

296
297 A. *Conduct of Elections.* City elections will be conducted
298 according to State law. Regular city elections shall be held on the

299 second Tuesday in March. In the event of a change in the date of the
300 Florida Presidential Preference Primary, the city council by ordinance
301 may change the date for regular city elections to a yearly date that
302 corresponds to the date of the Florida Presidential Preference
303 Primary.

304 B. *Single Office.* For a single office such as that of the mayor, the
305 candidate receiving the greatest number of votes shall be deemed
306 elected.

307 C. *Multiple Offices.* When more than one office is being voted on
308 such as that of council seats, those candidates receiving the highest
309 number of votes shall be deemed elected.

310 D. *Absentee Ballots.* For all elections, absentee ballots will be
311 administered according to State law.

312 E. Tie Votes. In the event of a tie between two or more
313 candidates for the City council, the winner of the tie shall be decided
314 by a coin flip.

315
316 Section 3. The City Clerk is hereby directed to ensure that all advertising, translation and
317 notice requirements are complied with and to coordinate all activities necessary to conduct the
318 referendum election called for in Section 1 of this Ordinance with the Supervisor of Elections for
319 Orange County.

320
321 Section 4. If any section, subsection, sentence, clause, phrase or portion of this
322 Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,
323 such portion shall be deemed a separate, distinct and independent provision and such holding shall
324 not affect the validity of the remaining portion hereto. Further, the lack of approval by a majority of
325 electors of one or more separate amendments to this Charter, as set forth in Section 2 herein, shall
326 not be deemed to affect the validity of any amendments that may be approved by a majority of the
327 electors.

328
329 Section 5. All ordinances and Charter provisions, or parts of ordinances and Charter
330 provisions in conflict herewith are hereby repealed.

331
332 Section 6. This Ordinance shall take effect immediately upon its final passage and
333 adoption. The revised Charter provisions proposed for approval in this Ordinance shall become
334 effective upon their approval at a referendum election of the electors of the City of Edgewood in
335 accordance with Section 166.031, Florida Statutes. If the electors reject an amendment, the rejected
336 amendment shall not take effect.

337
338 **PASSED AND ADOPTED** this _____ day of _____, 2023, by the City
339 Council of the City of Edgewood, Florida.

Richard A. Horn, Council President

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346
347
348
349
350
351

ATTEST:

Sandra Riffle, City Clerk