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# **SPECIAL CALLED CITY COUNCIL CANVASSING BOARD MEETING**

**CITY OF LAKE CITY**

**November 16, 2020 at 5:30 PM**

**Venue: Columbia County School Board Administrative Complex Auditorium**

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## **AGENDA**

*Due to the COVID-19 social distancing requirements, the City of Lake City will meet at the Columbia County School Board Administrative Complex Auditorium located at 372 West Duval Street, Lake City, FL 32055. The meeting will also be available via communications media technology.*

**CMT instructions are located at the end of this Agenda.**

**Call to Order**

**Pledge of Allegiance (Mayor Stephen Witt)**

**Invocation (Mayor Stephen Witt)**

**Roll Call**

**Approval of Agenda**

**Persons Wishing to Address Council**

*Citizens are encouraged to participate in City of Lake City meetings. The City of Lake City encourages civility in public discourse and requests that speakers direct their comments to the Chair. Those attendees wishing to share a document and or comments in writing for inclusion into the public record must email the item to [submissions@lcfla.com](mailto:submissions@lcfla.com) no later than noon on the day of the meeting. Citizens may also provide input to individual council members via office visits, phone calls, letters and e-mail that will become public record.*

**Topics:**

1. City Clerk to announce the returns of the election for the office of City Council Member District 13, proposed Charter Amendment Number One, proposed Charter Amendment Number Two, proposed Charter Amendment Number Three, Proposed Charter Amendment Number Four, proposed Charter Amendment Number Five, proposed Charter Amendment Number Six, proposed Charter Amendment Number Seven and proposed Charter Amendment Number Eight.

Special Called City Council Canvassing Board Meeting Agenda  
November 16, 2020

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- [2.](#) City Council Resolution No. 2020-132 - A resolution of the City Council of the City of Lake City, Florida declaring Christopher Todd Sampson to have been elected City Council member for District Thirteen in the November 3, 2020, run-off election.
- [3.](#) City Council Resolution No. 2020-133 - confirming the results of the election relating to proposed amendments to Section 105, Section 305, Section 306, Section 404, Section 505, Section 512, Section 513 and Section 603 of the City Charter.

### **Council Comments**

### **Adjournment**

#### **Zoom CMT Information**

#### **Members of the public may attend the meetings online at:**

<https://us02web.zoom.us/j/85143910809> or

Telephonic by toll number (no cost to the city), audio only at: 1-346-248-7799

**Meeting ID:** 851 4391 0809#

Then it will ask for Participant id, just press #.

Telephonic by toll-free number (cost per minute, billed to the city, zero cost to the caller), audio only at: 1-888-788-0099

**Meeting ID:** 851 4391 0809#

Then it will ask for Participant id, just press #.

#### **Public Participation**

The public may participate at the appropriate time via: (i) video conference by utilizing the software chat function or raise hand function to request to speak; or (2) telephonically by dialing \*9 to raise hand. The Chair will allow for sufficient time for all participants to be heard.

Those attendees wishing to share a document must email the item to **[submissions@lcfla.com](mailto:submissions@lcfla.com)** no later than noon on the day of the meeting.

Instructions for meeting attendance and participation are also available at [www.lcfla.com](http://www.lcfla.com) under the calendar entry for the corresponding City Council Regular Session Meeting.

To receive a copy of the agenda packet with supporting documentation, please contact the City Clerk's Office at **[clerk@lcfla.com](mailto:clerk@lcfla.com)** or **386-719-5826**.

**Contingency Information**

**Contingency Plan Meeting:** This will be activated and held if the City experiences connection or web conferencing failure. Any meeting taking place via the contingency plan will be held and/or reconvened via a conference call utilizing the information provided below.

**The public may attend the contingency plan meeting as follows:**

1-844-992-4726 (toll free)

**Enter access code:** 173 541 6832#

Then it will ask for attendee ID number, just press #

The public may participate in the contingency plan meeting at the appropriate time when the chair requests public comment. The Chair will allow for sufficient time for all participants to be heard.

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*Pursuant to 286.0105, Florida Statutes, the City hereby advises the public if a person decides to appeal any decision made by the City with respect to any matter considered at its meetings or hearings, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

**SPECIAL REQUIREMENTS:** *Pursuant to 286.26, Florida Statutes, persons needing special accommodations to participate in these meetings should contact the **City Manager's Office at (386) 719-5768.***

FLK/bm  
11/4/20

**CITY COUNCIL RESOLUTION NO. 2020-132**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA DECLARING CHRISTOPHER TODD SAMPSON TO HAVE BEEN ELECTED CITY COUNCIL MEMBER FOR DISTRICT THIRTEEN IN THE NOVEMBER 3, 2020, RUN-OFF ELECTION.**

**WHEREAS**, pursuant to the provisions and requirements of the City Charter and all applicable general laws of the State of Florida, James Crenshaw, Alden Rosner, and Christopher Todd Sampson properly qualified for the seat of Council Member of the City of Lake City in the August 18, 2020, primary election; and

**WHEREAS**, pursuant to Article V, Section 512 of the Charter of the City of Lake City, Florida, the City Council, acting in its capacity as the Canvassing Board for said election, at a special meeting on September 21, 2020, determined and found that the results of the returns to be that James Crenshaw received 160 votes, Alden Rosner received 145 votes, and Christopher Todd Sampson received 245 votes; and

**WHEREAS**, Section 510 of the Charter of the City of Lake City, Florida requires that all City elections be called by resolution of the City Council; and

**WHEREAS**, a run-off election was necessary and was held on November 3, 2020, to determine the Council Member elect for District Thirteen; and

**WHEREAS**, as the winner of a majority of the votes in the run-off election, Christopher Todd Sampson is entitled to be declared the duly elected City Council Member for District Thirteen.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

**Section 2.** Pursuant to the provisions of the City Charter, City ordinances and other applicable provisions of the general election laws of the State of Florida, Christopher Todd Sampson, is hereby declared the duly elected City Council Member of the City of Lake City for a term of four (4) years, and pursuant to the provisions of Section 509(c), City Charter, shall assume office at the first regularly scheduled City Council meeting following the November, 2020 State General Election, upon taking and subscribing an oath or affirmation required by Section 513, City Charter.

**PASSED AND ADOPTED** at a meeting of the City Council this \_\_\_\_ day of November, 2020.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

**CITY COUNCIL RESOLUTION NO. 2020-133**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, CONFIRMING THE RESULTS OF THE CANVASSING BOARD RELATING TO THE REFERENDUM ELECTION ON PROPOSED AMENDMENTS TO SECTIONS 105(c), 305, 306, 404(b), 505, 512, 513, AND 603 OF THE CITY CHARTER; CONFIRMING THE ADOPTION OF THE EIGHT AMENDMENTS TO THE CITY CHARTER; DIRECTING THE CITY ATTORNEY TO AMEND THE CITY CHARTER TO INCORPORATE THE AMENDMENTS; AND DIRECTING THE CITY CLERK TO FILE A COPY OF THE AMENDED AND RESTATED CHARTER WITH THE SECRETARY OF STATE OF THE STATE OF FLORIDA AS REQUIRED BY STATE LAW.**

**WHEREAS**, the City of Lake City, Florida (hereinafter “City”) is a municipality organized and existing under the laws of the State of Florida; and

**WHEREAS**, on, or about, April 5, 1977, the electorate of the City approved the current Charter which, as amended, has been the governing Charter of the City (hereinafter “Charter”); and

**WHEREAS**, section 605 of the Charter requires the appointment of a Charter Review Board at least every ten (10) years and the City Council appointed a charter review board through City Council Resolution No. 2020-020; and

**WHEREAS**, the Charter Review Board held public meetings through the months of May and June of 2020, and on June 29, 2020, proposed to the City Council eight (8) amendments to the Charter that were required to be presented to the electorate for consideration at the next general or special election of the City; and

**WHEREAS**, the City Council by adoption of Ordinance No. 2020-2158 proposed certain amendments to sections 105(c), 305, 306, 404(b), 505, 512, 513, and 603, of the Charter; and

**WHEREAS**, pursuant to the Charter and the general laws of the State of Florida the City held an election, by referendum, on November 3, 2020 to consider proposed amendments to the Charter; and

**WHEREAS**, the pursuant to the Canvassing Board the eight amendments to the Charter were adopted by a majority of the electors voting in said election; and

**WHEREAS**, the City Council desires to have the eight amendments incorporated into the Charter as amended and restated and to have the amended and restated Charter filed with the Department of State of the State of Florida.

**NOW THEREFORE**, be it resolved by the City Council of the City of Lake City, Florida, as follows:

**Section 1.** The above recitals are true and accurate and are adopted and incorporated herein.

**Section 2.** The following proposed eight (8) amendments to the Charter shall be incorporated into the Charter:

**Amendment 1. Section 105(c) of Article I**

Section 105. - Rights of officers and employees.

- (a) Nothing in this Charter or any amendments properly made hereto, except as otherwise specifically provided, shall affect or impair the rights or privileges of persons who are city officers or employees at the time of adoption of this Charter or any amendment. Elected officers shall continue to hold their offices and discharge the duties thereof until their successors are elected and qualified.
- (b) The terms of office of the councilmembers, including the mayor-councilmember, serving at the time of the special election of June 20, 1978, shall expire and terminate upon approval of Ordinance A-389 by a majority of the electors of the city so voting at said special election and upon their successors being elected and taking office.
- (c) The city shall prohibit discriminatory practices and actions that are inconsistent with all state and federal laws.

**Amendment 2. Section 305, Article III**

Section 305. - Judge of qualifications.

The council shall be the judge of the ~~election and~~ qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the city at least one week in advance of the hearing. Decisions made by the council under this section shall be subject to review by the courts.

**Amendment 3. Section 306, Article III**

Section 306. - Duties of the city clerk

The council shall appoint a city clerk, who shall serve as a Charter officer under the direction and supervision of the council and shall hold office at the pleasure of the council. The city clerk shall be chosen on the basis of administrative qualifications. The council shall establish an appropriate contract for the city clerk, which shall contain the employment conditions, compensation, benefits and such other terms as may be appropriate. The direct employees of the city clerk in the office of the city clerk shall report to the city clerk. The city clerk shall have the authority to hire, direct, promote and terminate the employees in the city clerk's office. The city clerk shall serve as official custodian of the city seal and administer oaths as necessary. The city clerk shall be the custodian of all official records of the city and shall be responsible for the proper administration of all affairs concerning records of the city placed under the city clerk's authority. The city clerk shall give notice of council meetings to its members and the public and shall keep the journal of its proceedings which shall be public record, and perform such other duties as the council may from time to time assign.

**Amendment 4. Section 404(b) of Article I**

Section 404. - Powers and duties of the city manager.

The city manager shall be the chief administrative officer of the city. He shall be responsible to the council for the administration of all city affairs placed in his charge by or under this Charter. He shall have the following powers and duties:



- (a) He shall appoint, and when he deems it necessary for the good of the service, suspend or remove all city employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter. He may authorize any administrative officer, who is subject to his direction and supervision, to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (b) He shall direct and supervise the administration of all departments, officers, and agencies of the city, except as otherwise provided by this Charter or by law. ~~And perform his duties without regard to race, color, creed, or national origin.~~
- (c) He shall attend all council meetings and shall have the right to take part in discussion, but shall not vote.
- (d) He shall see that all laws, provisions of this Charter and acts of the council, subject to enforcement by him or by officers subject to his direction or supervision, are faithfully executed.
- (e) He shall prepare and submit the annual budget and capital improvement program to the council.
- (f) He shall 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.
- (g) He shall make such other reports as the council may require concerning the operations of city departments, offices and agencies subject to his direction and supervision.
- (h) He shall make such recommendations to the council concerning the affairs of the city as he deems desirable.
- (i) He shall perform such other duties as are specified in this Charter or as may be required by the council.

**Amendment 5. Section 505 of Article V**

Section 505. - Absentee Vote-by-mail voting.

~~Absentee~~ Vote-by-mail voting shall be permitted in all municipal elections in the same manner as now or hereafter provided for in The Florida Election Code (F.S. ch 97 et seq.)

**Amendment 6. Section 512 of Article V**

Section 512. - Canvass of return.

~~On the day succeeding the election, at twelve o'clock noon the mayor shall call the councilmembers together and they shall receive such returns of election and publicly shall proceed to canvass the votes of the election. They shall compile the votes of the election entirely from the returns of inspectors as signed and filed with the mayor and the city auditor and clerk, and in no case shall they change or vary in any manner the number of votes cast for the candidates, as shown by the returns of the inspectors, and the city council shall publicly declare the result.~~

To the extent that the applicable state laws are appropriate to the canvassing of returns for the city elections the city council may, in lieu of the county canvassing board, appoint a city canvassing board to canvass the returns in the municipal elections. The city canvassing board shall be comprised of (3) three citizens appointed by resolution of the city council. The results of the voting at each polling place shall be certified by return in duplicate signed by the city clerk and a majority of the inspectors of the election, a copy of the return being delivered by the city clerk to the mayor both of whom shall transmit such return to a public meeting of the city canvassing board. Notwithstanding the foregoing, with the agreement of the Columbia County Canvassing Board and Columbia County Supervisor of Elections, the city council may, by ordinance assign and abdicate the canvassing responsibilities of the city canvassing board to the Columbia County Canvassing Board in such event, the Columbia County Canvassing Board shall canvass the returns and shall declare the results of the canvass as the results of the election in a manner provided by city ordinance or as otherwise required by law.

**Amendment 7. Section 513 of Article V**

Section 513. - Oath of office.

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to an oath or affirmation to be filed and kept in the office of the city ~~auditor and~~ clerk; which oath shall be in the form prescribed for state officers by the Constitution of the state.

**Amendment 8. Section 603 of Article VI**

Section 603. - City attorney.

~~The Council shall appoint a city attorney and such assistant city attorneys as it deems necessary who shall act as legal advisors to the city and all of its officers in matters relating to their official duties. The city attorney shall approve all contracts of the municipality before the same shall become effective, which approval shall appear on every city contract signed by the city attorney.~~

The council shall appoint a city attorney and such assistant city attorneys as it deems necessary who shall act as legal advisors to the city and all of its officers in matters relating to their official duties.

- (a) Tenure of office and qualifications. The council shall appoint a city attorney, who shall act as the legal advisor to and attorney and counselor for the city and all of its officers in matters relating to their official duties. The city attorney shall serve under the direction and supervision of the council and shall hold office at the pleasure of the council. The city attorney shall be chosen on the basis of legal and administrative qualifications. The council shall establish an appropriate contract for the city attorney, which shall contain the employment conditions, compensation, benefits and such other terms as may be appropriate.
- (b) Powers and duties enumerated. The city attorney shall be responsible to the council for the proper administration of all affairs of the city assigned to the office of the city attorney and to that end perform such other professional duties as may be required of the office by ordinance or resolution of the council or as are prescribed for city attorneys under the general law of the state which are not inconsistent with this charter and with any ordinance or resolution which may be passed by the council.

**Section 3.** The City Attorney shall amend the Charter to include the eight (8) approved amendments.

**Section 4.** The City Clerk shall file the amended and restated Charter with the Secretary of State, State of Florida, pursuant to and as required by state law.

**PASSED AND ADOPTED** at a meeting of the City Council on this \_\_\_\_ day of November, 2020.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

\*\*\* Official Results \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
COLUMBIA COUNTY**

We, the undersigned, TOM COLEMAN, County Judge, ELIZABETH P. HORNE, Supervisor of Elections, TOBY WITT, Board of County Commissioners, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Thirteenth day of November, 2020 A.D., and proceeded publicly to canvass the votes given for the Proposed Amendments to the Constitution of the State of Florida and Proposed Amendments to the Constitution of the State of Florida Referendums on the Third day of November, 2020 A.D. as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

**NO. 1  
CONSTITUTIONAL AMENDMENT  
ARTICLE VI, SECTION 2  
CITIZENSHIP REQUIREMENT TO VOTE IN FLORIDA  
ELECTIONS**

This amendment provides that only United States Citizens who are at least eighteen years of age, a permanent resident of Florida, and registered to vote, as provided by law, shall be qualified to vote in a Florida election.

Yes for Approval	27,951	votes
No for Rejection	3,464	votes

**NO. 2  
CONSTITUTIONAL AMENDMENT  
ARTICLE X, SECTION 24  
RAISING FLORIDA'S MINIMUM WAGE**

Raises minimum wage to \$10.00 per hour effective September 30th, 2021. Each September 30th thereafter, minimum wage shall increase by \$1.00 per hour until the minimum wage reaches \$15.00 per hour on September 30th, 2026. From that point forward, future minimum wage increases shall revert to being adjusted annually for inflation starting September 30th, 2027.

Yes for Approval	14,139	votes
No for Rejection	17,626	votes

**NO. 3  
CONSTITUTIONAL AMENDMENT  
ARTICLE VI, SECTION 5  
ALL VOTERS VOTE IN PRIMARY ELECTIONS FOR STATE  
LEGISLATURE, GOVERNOR, AND CABINET**

Allows all registered voters to vote in primaries for state legislature, governor, and cabinet regardless of political party affiliation. All candidates for an office, including party nominated candidates, appear on the same primary ballot. Two highest vote getters advance to general election. If only two candidates qualify, no primary is held and winner is determined in general election. Candidate's party affiliation may appear on ballot as provided by law. Effective January 1, 2024.

Yes for Approval	18,265	votes
No for Rejection	12,937	votes

\*\*\* Official Results \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
COLUMBIA COUNTY

Item 3.

**NO. 4**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE XI, SECTIONS 5 AND 7**  
**VOTER APPROVAL OF CONSTITUTIONAL AMENDMENTS**

Requires all proposed amendments or revisions to the state constitution to be approved by the voters in two elections, instead of one, in order to take effect. The proposal applies the current thresholds for passage to each of the two elections.

Yes for Approval	17,267	votes
No for Rejection	13,785	votes

**NO. 5**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE VII, SECTION 4 AND ARTICLE XII**  
**LIMITATION ON HOMESTEAD ASSESSMENTS**

Proposing an amendment to the State Constitution, effective date January 1, 2021, to increase, from 2 years to 3 years, the period of time during which accrued Save-Our-Homes benefits may be transferred from a prior homestead to a new homestead.

Yes for Approval	22,276	votes
No for Rejection	8,550	votes

**NO. 6**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE VII, SECTION 6 AND ARTICLE XII**  
**AD VALOREM TAX DISCOUNT FOR SPOUSES OF CERTAIN**  
**DECEASED VETERANS WHO HAD PERMANENT, COMBAT-**  
**RELATED DISABILITIES**

Provides that the homestead property tax discount for certain veterans with permanent combat-related disabilities carries over to such veteran's surviving spouse who holds legal or beneficial title to, and who permanently resides on, the homestead property, until he or she remarries or sells or otherwise disposes of the property. The discount may be transferred to a new homestead property of the surviving spouse under certain conditions. The amendment takes effect January 1, 2021.

Yes for Approval	28,263	votes
No for Rejection	3,121	votes

**COLUMBIA COUNTY REFERENDUM ORDINANCE NO. 2020-**  
**12**

Economic Development Property Tax Exemptions

Yes for Approval	21,420	votes
No for Rejection	9,243	votes

**COLUMBIA COUNTY REFERENDUM ORDINANCE NO. 2020-**  
**13**

Non-Binding Straw Ballot for a City-County Consolidated Government

Yes for Approval	13,131	votes
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\*\*\* Official Results \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
COLUMBIA COUNTY

No for Rejection 17,079 votes

**COLUMBIA COUNTY REFERENDUM ORDINANCE NO. 2020-14**

Department Head Right to Appeal Termination

Yes for Approval 14,144 votes  
No for Rejection 15,887 votes

**COLUMBIA COUNTY REFERENDUM ORDINANCE NO. 2020-15**

Annual Review of County Manager

Yes for Approval 26,973 votes  
No for Rejection 3,387 votes

**COLUMBIA COUNTY REFERENDUM ORDINANCE NO. 2020-16**

Code of Ethics as Proposed by the Charter Review Commission

Yes for Approval 25,303 votes  
No for Rejection 4,725 votes

**COLUMBIA COUNTY REFERENDUM ORDINANCE NO. 2020-17**

Use of Surplus Year-End Funds

Yes for Approval 25,525 votes  
No for Rejection 4,695 votes

**LAKE CITY CHARTER AMENDMENT ONE**

Section 105 - Rights of Officers and Employees

Yes for Approval 3,460 votes  
No for Rejection 845 votes

**LAKE CITY CHARTER AMENDMENT TWO**

Section 305 - Judge of Qualifications

Yes for Approval 3,412 votes  
No for Rejection 884 votes

**LAKE CITY CHARTER AMENDMENT THREE**

**\*\*\* Official Results \*\*\***  
**CERTIFICATE OF COUNTY CANVASSING BOARD**  
**COLUMBIA COUNTY**

Section 306 - Duties of the City Clerk

Yes for Approval	3,514	votes
No for Rejection	749	votes

**LAKE CITY CHARTER AMENDMENT FOUR**

Section 404 - Powers and Duties of the City Manager

Yes for Approval	3,396	votes
No for Rejection	843	votes

**LAKE CITY CHARTER AMENDMENT FIVE**

Section 505 - Absentee Voting

Yes for Approval	3,070	votes
No for Rejection	1,208	votes

**LAKE CITY CHARTER AMENDMENT SIX**

Section 512 - Canvass of Return

Yes for Approval	2,548	votes
No for Rejection	1,651	votes

**LAKE CITY CHARTER AMENDMENT SEVEN**

Section 513 - Oath of Office

Yes for Approval	3,116	votes
No for Rejection	1,128	votes

**LAKE CITY CHARTER AMENDMENT EIGHT**

Section 603 - City Attorney

Yes for Approval	3,305	votes
No for Rejection	954	votes



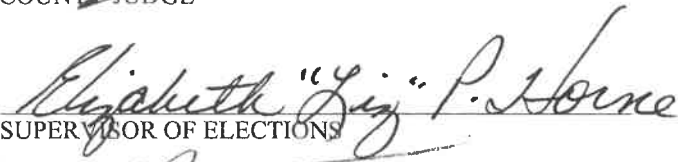
\*\*\* Official Results \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
COLUMBIA COUNTY

Item 3.

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.



COUNTY JUDGE



SUPERVISOR OF ELECTIONS



BOARD OF COUNTY COMMISSIONERS