

CHARTER REVIEW BOARD

CITY OF LAKE CITY

May 28, 2020 at 6:00 PM

Venue: CMT - Communications Media Technology

Due to the COVID-19 social distancing requirements, the City of Lake City will hold the May 28, 2020 Charter Review Board Meeting via telephonic and video conferencing communications media technology.

To participate: The Charter Review Board Meeting instructions are located at the end of this agenda.

AGENDA

CALL TO ORDER - *Chairman Summerall*

ROLL CALL

APPROVAL OF MINUTES

1. May 26, 2020

APPROVAL OF AGENDA

PUBLIC COMMENTS

Citizens are encouraged to participate in City of Lake City Charter Review Board meetings. The Charter Review Board 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 charter@lcfla.com no later than noon on the day of the meeting. Citizens may also provide input to individual board members via phone calls, letters and e-mail that will become public record.

OLD BUSINESS - None

NEW BUSINESS

2. Charter Review Comments/Recommendation from City Council

3. Read into record email and/or mail suggestions received

4. Review Article I and II of the Charter

NEXT MEETING DATE - *Tuesday, June 2, 2020 6:00 P.M.*

ADJOURNMENT

Pursuant to 286.0105, Florida Statutes, the City hereby advises the public if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting 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.

Pursuant to 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting should contact the City Manager's Office at (386) 719-5768.

COMMUNICATIONS MEDIA TECHNOLOGY INSTRUCTIONS

Members of the public may **attend the meeting online** at:

<https://cityoflakecity.webex.com/cityoflakecity/onstage/g.php?MTID=ebbb21aebc547a1636a26e995a8836458> ; or

Telephonic by toll number (no cost to the city), audio only: at 1-408-418-9388

Enter access code: 716 118 247#

When asked for attendee number, press #

Telephonic by toll-free number (cost per minute, billed to the city, zero cost to the caller), audio only: 1-844-992-4726

Enter access code: 716 118 247#

When asked for attendee number, press #

TO PARTICIPATE IN MEETING

The public may participate at the appropriate time via: (i) video conference by utilizing the software chat function and raise hand function to request to speak; or (2) telephonically when the chair requests public comment. 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 no later than noon on the day of the meeting.

Instructions for meeting attendance and participation can also be found at www.lcfla.com in the calendar located at the bottom of the homepage. Please select the meeting you would like to attend for the details to appear.

File Attachments for Item:

May 26, 2020

The Charter Review Board as appointed by City Council Resolution No. 2020-020, for the City of Lake City, Florida met on Tuesday, May 26, 2020, beginning at 6:00 PM, via Communications Media Technology.

Call Meeting to Order

Chairman Summerall called the meeting to order at 6:00 P.M.

1. Introduction of Staff and Committee Members (Chairman Summerall)

At this time Mr. Summerall introduced all the Charter Review Board Members and the three staff members that would be assisting the members during this review.

Roll Call

Chairman	Rob Summerall
Board Members	Gwendolyn Allen – absent
	Sparkle Green
	Frederick Reed
	Ann Skinner
City Attorney	Fred Koberlein
City Manager	Joe Helfenberger – tardy
Sergeant-at-Arms	Chief Argatha Gilmore
City Clerk	Audrey E. Sikes

Approval of Agenda

Mr. Koberlein requested to add the election of a vice chair to the agenda as item 3A. **Mr. Reed made a motion to approve the agenda as amended. Ms. Skinner seconded the motion. The motion carried unanimously on a voice vote.**

New Business

2. Role and Responsibility of Charter Review Board Members (Attorney Fred Koberlein)

Mr. Koberlein provided members with a Charter Review Board Participation Handbook and briefly reviewed it with them. He discussed the role and responsibility of the Board Members and stated the recommendations of the Charter Review Board will pass directly on to the voters. Mr. Koberlein reminded members the proposed schedule of tentative meeting dates can be modified if needed.

3. Sunshine Provisions of the laws of Florida governing the Board, its members and its meeting (Attorney Fred Koberlein)

Mr. Koberlein discussed Sunshine Law and how it applies to the Charter Review Board. He provided the official definition of what constitutes a public record and briefly discussed the retention of records. Mr. Koberlein advised members not to delete any public records and to contact the City Clerks Office with any questions they may have relating to records. He stated the Sunshine Manual is attached in the agenda packet and reminded members meetings must be open to the public, reasonable notice must be provided of the meeting and minutes must be taken. Mr. Koberlein stated sunshine provisions apply to elected and appointed boards.

Declaration of voting conflicts and parliamentary procedures were also covered. Mr. Koberlein reminded members discussion among two or more members of the same board must be in an open meeting and applies only to items in which a reasonable person would see foreseeable action to take place.

A. Appointment of Vice-Chair to Charter Review Board

At this time Chairman Summerall addressed the nomination of a vice chair for the Charter Review Board and asked members for a volunteer. After receiving no response to serve in this capacity, **Chairman Summerall made a motion to nominate Ann Skinner to serve as vice chair for the 2020 Charter Review Board. Mr. Reed seconded the motion. A roll call vote was taken and the vote passed 4-0.**

Chairman Summerall	Aye
Mr. Reed	Aye
Ms. Green	Aye
Ms. Skinner	Aye

NOTE: The motion to appoint Ms. Skinner took place at the end of the meeting.

4. Meeting Schedule

The tentative meeting schedule provided to the members is as follows:

May 26, 2020 (Tuesday)	6:00 PM	Introduction Meeting
May 28, 2020 (Thursday)	6:00 PM	Review Sections I and II
June 2, 2020 (Tuesday)	6:00 PM	Review Section III
June 5, 2020 (Friday)	4:00 PM	Review Section IV
June 9, 2020 (Tuesday)	6:00 PM	Review Section V and VI
June 11, 2020 (Thursday)	6:00 PM	Board discussion Charter Review Changes
June 16, 2020 (Tuesday)	6:00 PM	Approval of letter (Charter Changes/Modifications)
June 19, 2020 (Friday)	4:00 PM	Overflow date
June 23, 2020 (Tuesday)	6:00 PM	Overflow date
June 25, 2020 (Thursday)	6:00 PM	Overflow date
June 29, 2020 (Monday)	6:00 PM	Overflow date

July 6, 2020 (Monday)	On City Council agenda as an ordinance for first reading.
July 20, 2020 (Monday)	On City Council agenda as an ordinance for second/final reading.
August 3, 2020 (Monday)	Ballot language deadline for Supervisor of Elections

Ms. Skinner made a motion to approve the meeting schedule as presented. Ms. Green seconded the motion. A roll call vote was taken and the motion passed 4-0.

Ms. Skinner	Aye
Ms. Green	Aye
Mr. Reed	Aye
Chairman Summerall	Aye

5. City Charter

Mr. Summerall stated the Charter is attached to the agenda packet for review. He reminded, starting with the next meeting we will begin the review of Section I and Section II of the City Charter. Ms. Sikes will ensure members are provided a hard copy to work from.

Public Comments

None

6. Read into record email and/or mail suggestions received

Mr. Summerall reported effective today, there is a City email account that has been set up to receive email suggestions for the Charter Review Board to consider. The email address is charter@lcfla.com. Suggestions may also be mailed to the Charter Review Board, C/O Rob Summerall, Chair at 205 North Marion Avenue, Lake City, Florida 32055. Additionally, each Charter Review Board Member also has an email and cell phone account that has been set up for their use while serving on the Charter Review Board. The email account and city cell phone number for the members are as follows:

<u>Board Member</u>	<u>Email account</u>	<u>City Cell Phone Number</u>
Gwendolyn Allen	alleng@lcfla.com	386-984-2799
Sparkle Green	greens@lcfla.com	386-365-4778
Frederick Reed	reedf@lcfla.com	386-984-2743
Ann Skinner	skinnera@lcfla.com	386-365-5839
Rob Summerall	summerallr@lcfla.com	386-984-2722

At this time the members took official action to formally appoint the vice chair for the Charter Review Board. **Ms. Green made a motion to appoint Ann Skinner as the vice chair of the Charter Review Board. Mr. Reed seconded the motion. A roll call vote was taken and the motion passed 4-0.**

Ms. Green	Aye
Mr. Reed	Aye
Ms. Skinner	Aye
Chairman Summerall	Aye

Next Meeting Date – May 28, 2020 at 6:00 PM

Adjournment

All matters having been handled, the meeting adjourned at 6:43 PM on a **motion made by Ms. Skinner and seconded by Mr. Reed. A roll call vote was taken and the motion passed 4-0.**

Ms. Skinner	Aye
Mr. Reed	Aye
Ms. Green	Aye
Chairman Summerall	Aye

Rob Summerall, Chair

Audrey E. Sikes, City Clerk

File Attachments for Item:

4. Review Article I and II of the Charter

ARTICLE I. - INCORPORATION, BOUNDARIES AND CHARTER

Section 101. - Incorporation.

City of Lake City, County of Columbia, State of Florida was first incorporated under Laws of Fla. ch. 940 (1858).

Section 102. - Effective date of this Charter.

The present Charter of the City of Lake City is hereby rescinded, revoked and abolished concurrent with the approval of this Charter by the electors of the City of Lake City, Florida at the election of April 5, 1977, except Section 142 relating to a park. This shall remain as an ordinance and the council may by resolution after approval of this Charter, delete this language relating to said park. This Charter shall be in full force and effect commencing with the date of its approval by the electors of the City of Lake City.

Section 103. - Boundaries.

The boundaries of the City of Lake City shall be defined by ordinance of annexation having the latest effective date.

Section 104. - Continuation of certain provisions.

All existing laws, ordinances, regulations and resolutions which are not inconsistent with this Charter shall remain in full force and effect.

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.

(Ord. No. A-389, § 1(A), 5-15-78)

ARTICLE II. - POWERS OF THE CITY

Section 201. - Powers of the city.

The City of Lake City shall have all rights and powers of local self-government which are now, or hereafter may be[,] provided by the United States Constitution and the Constitution and Laws of Florida and this Charter, including but not limited to the following:

- (a) To organize and regulate its internal affairs and to establish, alter, abolish and terminate offices, positions and employments including citizen board positions; define functions, powers and duties and fix their term, tenure and composition.
- (b) To adopt, amend and repeal such ordinances and resolutions and codes as may be required for the good government of the city.
- (c) To acquire by purchase, gift, devise, condemnation, or otherwise, property, real or personal, or any estate therein, within or without the city, to be used for any purpose necessary or to meet the needs of the city, and to operate, maintain, repair, improve, any and all properties, real or personal, streets, sidewalks, and the like by the expenditure of the monies of the city for all lawful purposes.
- (d) To raise funds by taxation and to make such levy upon the taxable property of the City of Lake City, and by license and tax upon privileges, businesses, occupations and professions whatsoever carried on and engaged in within the corporate limits of the city, such sums of money as the city council, hereinafter provided for, shall deem necessary for the purposes and needs of the city and in such manner as shall be provided by ordinances of the said city council. Such fees and taxes to be consistent with Florida Statutes.
- (e) To appropriate and expend money for any public purpose.
- (f) To borrow money for public purposes.
- (g) To levy special assessments upon property in a limited and determinable area for special benefits conferred upon such property by any municipal work, service or improvement; and to provide for the payment of all or any part of the cost of the work, service or improvement, out of the proceeds of such special assessments.
- (h) To levy special or local assessments for local improvements and to hold liens for public purposes.
- (i) To purchase, hire, construct, own, operate, maintain or lease local public utilities, including, but not limited to, bus lines, electric light and power, telephone and telegraph systems, and works for supplying the city and its inhabitants with water, sewerage, gas for heating or other purposes. To fix and collect just and reasonable fees and charges

for the services furnished by such facilities. To exercise jurisdiction, control and supervision over any municipal utilities, owned, operated, franchised, leased, or maintained by the city.

- (j) To grant a franchise to any private corporation or person for the use of streets and other public places in the furnishing of any public service to the city and to its inhabitants.
- (k) To construct, acquire, operate, maintain, improve or extend public improvements and projects for any public purpose to include but not limited to the following: Public buildings, streets, alleys, sidewalks, avenues, boulevards, lanes and promenades, drainage systems including both off-street and on-street facilities, garbage, sewerage and other waste collections and disposals including an establishment of fees for same. To regulate the speed and operation of any vehicle on public lands and vessels on waterways.
- (l) To compel the abatement and/or the removal of all nuisances within the city or upon property owned by the city beyond its limits.
- (m) To establish and administer housing, urban renewal programs, conservation, flood controls, air pollution controls and drainage programs either singly or in cooperation with governmental agencies and private enterprise in the development and operation of these programs.
- (n) To establish departments or systems.
- (o) To sue and be sued. To have a corporate seal, to contract and be contracted with, to have the power of eminent domain.
- (p) To establish, promulgate and implement a policy and program of affirmative action to provide equal employment opportunity for affected classes who have been underemployed due to their race, color, national origin, sex, [or] marital status.

(Ord. No. A-496, § 1, 8-16-82)

Section 202. - Construction.

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

Section 203. - Intergovernmental relations.

The city may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation by contract or otherwise, with any one or more states or divisions or agencies thereof, or the United States or any agency thereof.

