



TOWN OF MELBOURNE BEACH

TOWN COMMISSION WORKSHOP

NOVEMBER 6, 2024

AGENDA PACKET

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Town of Melbourne Beach

PUBLIC NOTICE

AGENDA

TOWN COMMISSION WORKSHOP

WEDNESDAY, NOVEMBER 6, 2024 at 6:00 p.m.

COMMUNITY CENTER – 509 OCEAN AVENUE

Commission Members:

Mayor Alison Dennington
 Vice Mayor Sherri Quarrie
 Commissioner Marivi Walker
 Commissioner Robert Baldwin
 Commissioner Dawn Barlow

Staff Members:

Town Manager Elizabeth Mascaro
 Town Clerk Amber Brown

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so. In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

I. Call to Order

II. Roll Call

III. Pledge of Allegiance and Moment of Silence

IV. New Business

- A. Discussion on beach tennis proposal
- B. Discussion on creating a charter review committee
- C. Discussion on organized holiday caroling and themed book readings
- D. Discussion on proposal for a citizens academy

V. Public Comment

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda. Please remember to sign the sign-in sheet provided if you will be speaking at the meeting.

VI. Adjournment

TOWN COMMISSION MEETING

SECTION: NEW BUSINESS
MEETING DATE: Wednesday, November 6, 2024
FROM: MAYOR, Alison Dennington

RE: Beach Tennis proposal from Essy Dariarow

Background:

I received a communication and details regard a request to present a proposal for a limited use of the Town's Beach Volleyball courts for "Beach Tennis" for autistic groups. I have attached an email from the request discussing the new sport. As I understand this group provides all their own equipment and does the setup and breakdown as well.

I bring this for the purposes of initial introduction and discussion.

Attachments:

Email from Mr. Essy Dariarow.

From: Essy Dariarow <edariarow@gmail.com>
Sent: Sunday, October 13, 2024 4:25:28 PM
To: Alison Dennington <adennington@melbournebeachfl.org>
Subject: Re: Rude behavior by the Town Manager Elizabeth



Alison
Denningto
n

Dear Mrs. Dennington,

Thank you for giving us the opportunity to express our plea for consideration. We understand how busy you are especially with the aftermaths of hurricane Milton . We would like to share with you some information about beach tennis. Please click the links below and go to the associated websites as well as the mission statements. This would provide a foundation for our appeal. The main Florida Beach Tennis group is located in Singer Island although there are number of large and small active groups in Miami, Fort Lauderdale, Pompano Beach, Deerfield Beach, Delray Beach, Fort Myers, Naples, Clearwater, Orlando, and Melbourne Beach. We intend to establish a permanent base in Melbourne Beach with the same mission over time.

[Autism and Beach Tennis](#)

[Beach Tennis Maryland](#)

<https://www.youtube.com/watch?v=pEupr8mP0II> *(copy the link and paste in address bar of browser or select link, right click and go to the site)*

[ITF Beach Tennis](#)

[Beach Tennis California](#)

The City of Singer Island has been very supportive. They have provided four permanent court locations on the beach plus one on the sandpit area. Small and large tournaments are organized in one or two and up to 25 temporary courts on the beach that will bring players from all over the world to compete. This brings in a lot of revenue to the hotels, restaurants and local businesses. Other Florida cities such as Clearwater, Miami, Pompano Beach and Orlando have long been supportive of this sport. It all starts with open plays to all ages few times a week utilizing the existing Volleyball courts or a dedicated area on the beach. This sport is growing due to being a fun activity to all ages, including children, seniors, families, and serious athletes as well as providing support for good causes. Additionally, the game is represented by the ITF

(International Tennis Federation) to establish competition in 2032 Olympics. Unfortunately some town or county officials are very content with the status quo and are not willing to hear anything that may trimmer their comfort level as it offers no additional personal compensations. We have frequently visited the two existing Volleyball courts at Melbourne Beach. Occasionally three to four people playing only in one court. The courts are mostly unused. We are asking to be allowed to utilize one of these two courts few times a week. We will provide the appropriate net and equipment that would make the court flexible and adjustable to be used for both Volleyball and Beach Tennis, assuming priority to Volleyball players at all times. We greatly appreciate your genuine consideration to allow a discussion on this topic. Thank You.

PS. Floridian Beach Tennis players have participated in tournaments representing USA and Florida in Ontario Canada, Cancun Mexico, Puerto Rico, Aruba, Barcelona Spain, Marina Di Ravenna Italy, Cape Town South Africa, as well as locally in Clearwater, Orlando, Miami, and as far as California, New York NY, Betterton Maryland, San Diego California and many other cities.

Sincerely,
On Behalf of Beach Tennis Group Melbourne Beach
Essy Dariarow

On Wed, Oct 2, 2024 at 11:01 AM Alison Dennington <adennington@melbournebeachfl.org> wrote:

Thank you!

I am eager to hear from yall.

I have several close friends with Austic children, including several who live in town as residents and taxpayers.

I think all programs designed to provide safe and fun opportunity for outdoor, group activities and sports for the public, and specifically for a wide range of persons, including programs designed specifically for those with Autism, have a place and it is our duty as leaders and administers of those publicly funded and maintained parks and places to give thoughtful consideration of all ideas, requests and options.

It seems to me if you have such a program in mind, and the equipment for it, and it doesn't require permanent change to our facilities nor does require or result in too much disturbance, and if it is on a temporary limited but occasionally recurring basis - it's not so inconvenient as to dismissed off-hand but rather it ought to be seriously considered, and debated, including pros and cons and unknowns and potentially allowed, even if at the outset potentially on a trial run basis.

Please send me any info you have.

I can consider it for inclusion at our next meeting as well as pass it on to the Parks board by me for them to consider and discuss their next meeting and if so, at both times, I would invite you to then come and present it as well and take questions from the members and the public.

There is a submission deadline for monthly meetings. To get it on a regular meeting, which are always the 3rd Wednesday of the Month, I would the material and explanation and request/the ask or list of “Asks” by the Tuesday night before as the Wednesday the week before is my deadline to prepare my submissions to the Clerk for her preparation of the Packet materials.

We ALSO have monthly Workshop meetings the 1st Wednesday of the month. Again the submission deadline is the Wednesday the week before.

Workshops are public meetings where the Commission gets together to talk much like monthly regular meetings - but we don't VOTE at workshops. Only Regular meetings do we make official votes to decide a topic. But at workshops we discuss ideas and vet things - and sometime decide we need more research or info etc. or sometimes we discuss something and find we DO or DONT want to proceed.

For example at a workshop if 3 of the 5 Commissions decide they like an idea and would be in favor - then it goes on the next Regular meeting for a vote because it looks to have a majority consensus. Whereas if only 1 or 2 like an idea but the other 3 are hard no - then sadly it dies at the workshop. However, even then—I find sometimes a NO can be turned into a yes, with the right amount of public support and persistence and if concessions or compromises on issues can be reached, or issues of concern can be removed or dealt with. Sometimes its a slow, frustrating process, but being patient, being open to listening to concerns and trying to address them, with a good of persistence, usually wins the day. ;)

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: Essy Dariarow <edariarow@gmail.com>
Sent: Wednesday, October 2, 2024 8:49:37 AM
To: Alison Dennington <adennington@melbournebeachfl.org>
Subject: Re: Rude behavior by the Town Manager Elizabeth

Dear Mayor,

I don't know how to thank you for such an elegant response. Thank you for being so insightful. My group was very excited to hear about your response and guidance. I will definitely gather all necessary background information and present it to you in an organized manner. I know you are a very busy individual with a lot more important issues on your agenda but you still took the time to respond and provide proper guidance. Additionally, your email sounds friendly and very sincere rather than the usual cut and dry formals. We need more people like you in our government entities. Thank you. Sincerely,
Essy Dariarow

On Tue, Oct 1, 2024 at 4:59 PM Alison Dennington <adennington@melbournebeachfl.org> wrote:

Mr. Dariarow,

Thank you for your email and I'm terribly sorry you had a bad experience.

First - you CAN always come to meetings and speak on the record. They are public meetings. It's state law and in the State Constitution and our charter the meetings are open to the public - all of public not just residents but anyone, and anyone can speak. If you were told otherwise that is entirely incorrect.

As to putting things on the agenda - there are ways to do that. 1) is to ask the manager - she can agree or refuse.

But that is NOT the dead-end of the matter.

Second option:

You can ask any single Commissioner or the Mayor (myself) to sponsor an issue or item for either a Regular meeting or a workshop meeting (both are public btw). If a Commissioner agrees to sponsor it, it goes on the agenda for discussion and a potential vote or future action or action or consideration, research, etc.

Third Option:

Even if you don't have a sponsor, and it's not on agenda - you can simply come to a meeting and speak during the Public Comment time and discuss what it is you want to discuss publicly on the record with the Commission. Everyone is permitted to speak for 3 minutes. Having comments or materials prepped in advance helps.

Also you can send an email to the Town clerk and ask HEar to read your prepared comments for you if you can't make it. The town has a new practice where the Clerk is doing that for people. She if so at the law meeting for someone who sent an email statement asking it be read during public comment.

Fourth Option:

You can ALSO seek out one of our resident-volunteer boards who also have their own separate monthly meetings and who make requests, reports and recommendations to us as well. You can attend their public meetings and speak to them on a issue -and request they look into it and present it to us.

For example we have a Parks Board that handles events and issues related to parks, and 2 history boards, and an environmental advisory board as well.

Those meetings are posted in advance to our Town website you can find out those are held and attend one of those - if your idea or discussion topic is related to history centers, town history, or related Parks or an event, etc.

If so, I have those boards contacts and I'd be happy you the contact info if the Chair of those respective boards?

If you want to call me to talk further, please do.

I tried to call the manager but got her Voicemail.

I also just tried you as well and got Voicemail. I don't leave voicemail on strangers voicemail-boxes if i can help it because I'm a bit of privacy hawk in some ways and worry about that AI collection stuff (I know I'm silly). I also like emails for transparency and clarity. Helps me remember and have a record!

Feel free to email or call me to discuss this further. I also normally have open to the public office hours but I had to cancel today because both my sons were home sick from school and I'm feeling a little icky too if I'm being honest. I won't have hours this Thursday either because I will be an a Legislatuve Advocacy conference representing the Town on a board and also at a League of Mayors Board of directors meeting in Orlando but most Tues and Thrs I'm at the Community Crntrs from 10-12 no appointment necessary - just walk in.

Again, I'm sorry you had a bad experience.

I feel sure I can find a way to help somehow, and then this around even if it's just listening and getting it as a discussion topic at a future Board or future Commission meeting or get you to someone to help.

Call me at your convenience.
321-339-9282.

P.S. while writing this the TM just sent an email to all of this and mentioned this had something to do with the volleyball courts over by the beach. That is an area of Joint jurisdiction so to speak with the Town and the County. So there could be an issue requiring some Coubty input but I'd be glad to email call the County also for you or with you to get info if that was necessary or would help if I can get more info.

I would like to hear you out. I'm curious so give me a ring or email me more info.

And after that - probably the next thing to do would be email Dawn Barlow the Park Board chair.

She is a lovely, smart, kind lady and town resident and a good thoughtful listener. She can tell when the next board meeting is and you could and discuss your ideas, request, thoughts also. I can also forward any emails pertaining to her as well.

But do call me too. I will see what I can do/figure out for ya!

Thanks.

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: Essy Dariarow <edariarow@gmail.com>

Sent: Tuesday, October 1, 2024 4:07:19 PM

To: Alison Dennington <adennington@melbournebeachfl.org>; Sherri Quarrie <squarrie@melbournebeachfl.org>; Corey Runte <crunte@melbournebeachfl.org>; Marivi Walker <mwalker@melbournebeachfl.org>

Subject: Rude behavior by the Town Manager Elizabeth

Dear Mayor and Associates,

My name is Essy Dariarow. I am a retired Doctor of Education with years of experience in public relations living in the Melbourne Beach area. I would like to inform you of the most unpleasant phone conversation I have ever experienced with your town manager Elizabeth Mascaro. She was rude and would not allow me to speak. I wanted to get on the agenda to present a request from over a 100 families living in the area of Melbourne beach. Regardless of whether or not my request would be acceptable, I should be allowed to attend the meeting and present my case. Without knowing any details of my request she had already decided her position and told me I could not attend the meeting. She said "I am the Town Manager and No you cannot attend the meeting." When I tried to explain the reason for the request to get on the agenda she simply said "good bye" and hung up on me. If this is how you expect your managers to behave what could we possibly expect from the rest. I am totally disappointed and will convey this encounter with all members of the group I represent. It is noteworthy to mention, as documented on my phone, the entire call lasted less than two minutes which includes the wait time. Sincerely,

Essy Dariarow
(561) 306 - 7976



TOWN COMMISSION MEETING

SECTION: NEW BUSINESS
 MEETING DATE: Wednesday, November 6, 2024
 FROM: MAYOR, Alison Dennington

RE: Charter Review Committee

A municipal charter review in Florida is a process to examine and recommend changes to a city's governing document, the charter:

What is a Charter Review Committee or Board?

Purpose

A charter defines the powers, duties, and responsibilities of a local government. A charter review aims to improve the charter to preserve the health, welfare, and safety of the city's residents.

A charter is akin to a municipal constitution. These should not be changed too often, but it is also vital to review and even revise them periodically.

Process

The process typically involves:

Charter Review Commission (CRC): A body appointed by the city council and mayor to review the charter and recommend changes.

Public input: The CRC holds public hearings and townhalls to encourage public involvement.

City Commission: The CRC presents its recommendations to the city commission for authorization.

Referendum: If approved, the amendments are placed on the ballot for final adoption at the next general election.

Charter Review Committees are very common in many cities and towns, large and small in Florida and elsewhere.

Some cities have annual review committees, others have a review every 2 or 3 or 5 years.

I take no position on how often this should be done.

BACKGROUND:

The Town of Melbourne Beach has had a Charter Review Committee/Board in the past. However, this has not been done for a very long time.

There are numerous provisions of the Charter which over time have (at times) caused problems of varying degrees including confusion, uncertainty, and discord.

Often the most contentious issues tend to come up involving issues related to and/or around election time.

However, that is the worst time to alter, revise, or interpret a charter.

Nonetheless, when these issues come up, and will keep coming up. Each time interpretation is required which costs money in the form of legal opinions and even then can create some amount of uncertainty and discord.

Our current attorney, as well as those before him, have conceded that there are various provisions of our Charter (in the election portion, as well as some other provisions) which are not as clear as they could be.

The ambiguities and uncertainty is not limited to the election provisions.

In addition, over time various provisions of many Town Charters become obsolete or are overruled explicitly by new statutes and/or court rulings.

Yet, these provisions often remain in the text of the charter unless and until changed, and this also creates uncertainty and potentially) the need for costly Legal review, and opinion and advice.

Finally, the mere passage of time, and encountering new or evolving circumstances sometimes brings to light latent issues never before contemplated or foreseen. But after that issue passes, the Charter is still often not revised and that same issue could pop up again years down the road and memories fade as to how it was present dealt with before.

Again, in all those instances, the Town Commission, Town Attorney, Staff, and the Public are left to wonder, and interpret, and sometimes disagree as to what each thinks the meaning of these provisions in that given situation should be, were meant to be, etc.

Therefore, I propose that the Town work NOW to create a Town Charter Review Committee, to start reviewing the charter AFTER this most recent election, and well before the next election, in order to revise and clarify various provisions of the charter.

Again it's a process that takes time and to do it WELL BEFORE the next election - we must start now.

This will allow all parties to review and consider the current language and seek to clarify it going forward - when it's abstract and not when there are actual pending issues and sides/factions, etc.

I believe addressing some of the less than clear provisions of the Charter in various places will benefit everyone, and will reduce tensions, reduce future legal costs and discord and over time will eventually benefit everyone including but not limited to the Town Clerk, the Town Attorney, the Commission and individual Commissioners, staff, and the public.

I do not have a list now of the various provisions that are potentially ambiguous but several have already come up in the last few years, and even in the last few months.

I think an initial starting list would be easy to create with the input of the Town Attorney and the Public.

Again, I feel its so much better to resolve these issues early when it is NOT a specific pending issue but only a potential future issue because its less tense and there are not specific outcomes wanted by one group or another.

If we kick the can down the road we will never do it.

It's difficult to revise a charter when there are actual, immediate, and often time sensitive issue pending.

If we wait, that will be the case each year. I hope to avoid that and work now, well in advance of the next election.

Personally, I do not think every year is necessary. I would propose a Review every 3-6 years a good medium.

However, I do think it has been a long time since the Charter has been reviewed for clean-up and clarity and I think NOW is a great time to start the process, well before the next election in 2025, or in 2026, or thereafter.

The Charter Review would an open public process and the Town attorney would assist in drafting, advise, and research when called upon or necessary in a structured manner.

The Town Attorney HAS experience in this matter and will discuss and answer any questions. He also has provided some helpful information on a recent Charter Review

conducted by one of the Town's his firm represents.

Examples of municipal charter review processes in Florida

Cooper City Conducts a Charter Review Every 4 years. Here is an excerpt from its website at

(<https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcoopercity.gov%2Fcrb&data=05%7C02%7C%7C71b48fcc001c404b7a9e08dcf95ab9e1%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638659415262979909%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=BR1y3VZmaUSJaqNPHnSfpSfefajDKjA530E%2BCRWtZ6Q%3D&reserved=0>)

"The Charter Review Board is convened pursuant to City Charter every four (4) years. The City Commission appoints the Charter Review Board consisting of ten (10) members who are qualified to serve on an advisory board pursuant to applicable provisions of the Charter and the City Code. The members of the board shall review the City Charter, as set forth in the scope of work determined by the City Commission. The board shall submit to the City Commission within six (6) months of their appointment such alterations, revisions, and amendments, if any, to the Charter, as in its judgment are desirable. The City Commission, in its sole and exclusive discretion, may permit the board an extension of six (6) months' time if the Commission determines that the scope of work will require additional time."

Other examples include:

Ocoee: The Charter Review Commission can study any or all phases of city government.

St. Petersburg: The CRC is appointed by the city council and mayor every 10 years.

Daytona Beach: The CRC examines the city's existing charter and makes recommendations for changes.

Hollywood: The Charter Review Committee is appointed by the city commission every 6 years.

Wilton Manors: The Charter Review Board is appointed every 10 years.

Orange County: The CRC holds at least four public hearings and receives recommendations from elected officials, staff, and the public.

RECOMMENDATION/REQUEST:

Discuss and works towards Creating a Charter Review Committee and/or Board to begin conducting some targeted Charter Review and potential revision recommendations to clarify certain provisions of the Town Charter which have created some uncertainty or which could be more clear and reduce uncertainty and discord in the future.

If there is consensus at the Workshop I would like to put this on the Agenda for a vote at the November 2024 regular meeting as well. It will take time to create but I hope to jumpstart that now with thoughtful discussion, debate, options and public comment and input.

I think creating a Charter Review Committee now is vital and necessary to promote harmony in town, reduce tensions, create more clarity and certainty, well before the November 2025 election.

I would also suggest that this Charter Review be conducted every 4-6 years thereafter. There are so many possibilities for structuring this review.

I would recommend we chose a basic structure in order to get the ball rolling and tweak it if necessary thereafter since this is not something that has been done in a long time, but we need to start somewhere and hopefully soon.

ATTACHMENTS (IF ANY):

- 1) Town Attorney materials already provided to the clerk.
- 2) Note - there are prior materials/precedent in the Town having had Charter Review. I don't have the prior materials as those are not available online yet. However, it could be helpful if we were able to get access to what the Town did before as historical context.

From: [Alison Dennington](#)
To: [Melbourne Beach Town Clerk](#)
Subject: Fw: copy paste to send to TM - citizens academy proposal
Date: Tuesday, October 29, 2024 11:56:39 AM
Attachments: [2024 CRC FINAL REPORT 2024.06.12 with matrix fixes \(1\).pdf](#)

Please add email and attachment from Mr. Knight for workshop agenda item in proposing to discuss creating a charter review committee/board
 As explanatory material

Thanks

Sincerely,

Mrs. Alison Dennington
 Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: Ryan Knight <rknight@shepardfirm.com>
Sent: Tuesday, October 29, 2024 11:18:33 AM
To: Alison Dennington <adennington@melbournebeachfl.org>
Subject: RE: copy paste to send to TM - citizens academy proposal

Mayor,

Our firm recently held the charter review committee workshops for Mount Dora. I've attached the final report for informational purposes and to get an idea of what it entails. Typically, a charter review is 6-8 separate meetings that focus on different charter articles and one meeting where a representative from the Florida League of Cities presents to go over the various forms of government and charter provisions.

As a preliminary matter, it would need to be determined (1) how many members would be on the committee, and (2) how each member of the committee would be selected. Typically, each Commissioner would appoint a member to the committee. The meeting schedule would typically be:

Meeting 1 – Elect Chairperson and Vice-Chairperson; discussion on Sunshine Law, Public Records law, and responsibility of committee; establish meeting schedule.

Meeting 2 – Florida League of Cities Presentation; Discuss Articles I and II of charter

Meeting 3 – Discuss Articles III and V

Meeting 4 – Discuss Articles VI, VII, and VIII

Meeting 5 – Discuss Article IX and any miscellaneous provisions

Meeting 6 – Finalize proposed amendment language and finalize report to Commission

Of course, the Commission would have authority to accept or reject any proposed amendments to be placed on the ballot once presented with the committee report.

As for the Town Commissioners participating in the citizen's academy, as long as they are not together at the same time then there shouldn't be an issue.

RYAN KNIGHT | ATTORNEY AT LAW



SHEPARD, SMITH,
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From: Alison Dennington <adennington@melbournebeachfl.org>
Sent: Monday, October 28, 2024 11:46 AM
To: Ryan Knight <rknight@shepardfirm.com>
Subject: Re: copy paste to send to TM - citizens academy proposal

Thank you for these suggestions!
And yes, I really think as soon as this election is over and well BEFORE the exigencies of the next election a Charter Cleanup, with suggestions from a Charter Review Committee would really help to the Town and to all!

The town has had in the past a charter review committee and I think exploring creating one, and establishing a bi-annual or every 4-5 years Review Committee as a permanent thing would be helpful to keep up to date and periodically review and address issues timely when they come up naturally or just in response to changes in Statute/court cases which sometimes arise.

Yes - could you send any helpful info you have.
I was thinking of proposing both the draft format for the Citizens Academy AND for a charter review committee for a Workshop.
As you know workshop deadline for materials would be in 2 days - so if you could send some info soon that would really help!

As to TCs and a mock commission meeting

- I was thinking the Citizens academy would be mock TCs themselves and if current TCs came to participate the TM could kinda schedule them - maybe ? So that they weren't there at the same time. Perhaps 1 TC as a "public" member for the BOA mock, and a separate TC at the PZ Mock, and a separate TC as the TC mock meeting, and 1 TC at the "Mock code enforcement" hearing - rather than staggered TCs all the same mock event might be safer/safest. That would be 4 of the TCs at a different event. Maybe the 5th TC could participate at the PW field trip. And all could draw straws to see who gets to goto what?

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: Ryan Knight <rknight@shepardfirm.com>
Sent: Monday, October 28, 2024 11:33 AM
To: Alison Dennington <adennington@melbournebeachfl.org>
Subject: RE: copy paste to send to TM - citizens academy proposal

Mayor Dennington,

Thank you for sharing the information below. I've also attached a document from the Florida League of Cities which you may have already come across regarding Citizen's Academy. The only potential issue I see is having current Commissioners participate in any mock hearing in light of Florida's Sunshine Law. I think a good curriculum for something like the P&Z Board module would be to go over the role of P&Z, quasi-judicial hearings and what they entail (including Florida law, ex-parte communications, competent substantial evidence standard, etc.), and then have a mock case where the participants can go through the case and determine whether the applicant has met the criteria through competent substantial evidence. The same with the BOA module.

Another item to consider in the future would be a Charter Review Committee. Many municipalities have a provision in their charter that requires charter review every 4, 6, or 10 years. The Town's charter does not provide for this, which is likely why there are provisions in it that could be much clearer and brought up to date, as you are aware. If you would like additional information on this process and what it would entail, I can send you information.

RYAN KNIGHT | ATTORNEY AT LAW



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From: Alison Dennington <adennington@melbournebeachfl.org>

Sent: Friday, October 25, 2024 9:09 PM

To: Ryan Knight <rknight@shepardfirm.com>

Subject: Fw: copy paste to send to TM - citizens academy proposal

See below

Would like your input too

Can you give this a quick/cursory read - not urgent though

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: Alison Dennington <adennington@melbournebeachfl.org>

Sent: Friday, October 25, 2024 9:07:15 PM

To: Melbourne Beach Town Manager <TownManager@melbournebeachfl.org>

Subject: Fw: copy paste to send to TM - citizens academy proposal

Elizabeth,

So this is a draft. It has a lot of typos still. I typed it on my phone.

I'll clean it up later.
But I'm hoping to get your input?

It might seem like a lot of work and perhaps it might be - but I don't think it will be too much work really - because we can take materials from other cities that have these and kinda borrow - even copy paste (as long as there is no copyright issue!) - but we could use other cities material a framework base and plug in our town names, and specific info for materials. and over the course of 1 year - It would only be 1 night for each department to head to "teach" their module. And I actually think that teaching by them with residents will truly allow them to connect, explain the job/re - and to Shine. so it is a bit of work - but I think it could be great for bringing the Town together and EDUCATING them!

Please read and please share your true thoughts, inputs, suggestions - good or bad?
Have a good weekend.

Thanks!

Ps-

Maybe this November you and I could try a reset again?

I would like that?

Never too late and it be better to figure it out than to waste time not trying?

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: Alison Dennington <a.dennington@icloud.com>

Sent: Friday, October 25, 2024 8:51:26 PM

To: Alison Dennington <adennington@melbournebeachfl.org>

Subject: copy paste to send to TM - citizens academy proposal

Proposal for a Citizens Academy

Introduction

The Town of Melbourne Beach is committed to fostering civic engagement and empowering residents to understand and actively participate in local governance.

To achieve this goal, I/we propose the establishment of a Citizens Academy.

This program will provide residents with comprehensive knowledge of town operations,

promoting transparency and informed citizenship.

Program Overview

The Citizens Academy will consist of a series of interactive learning modules, each prepared and presented by the respective department or board, over a 10 month period start to finish, held in the Masney Room or Town Hall.

Each module is designed to educate participants on various aspects of town governance and departmental functions.

The program will be conducted over several months in the evening, offered to residents only up to 20 individuals on a first come first serve basis, culminating in a review, testing, and reception and Certificate Ceremony for graduates who complete the program. The programs will be recorded and viewable for non-participants who don't sign up or commit to the full program but who want to learn anyway.

Learning Modules

total of 9 Modules, many will include Hands on Mock Trial (trial runs of various aspects of governance, permitting, etc)

Plus a 10th Review, OpenBook Test, Graduation, Awards, and Certification and Reception following thereafter.

Time
options:

Every 2-3 weeks,
length _____

or

2x per month,
length _____

or

Once per month,
length 10 months

January to December with 2 breaks in spring and fall (or tbd)

Below is a suggested order but need not be done in this order, things could easily be switched in a different order.

Module 1

1. Introduction

Town and Local Government Overview Broad Basics and Introduction to all areas and concepts that will be learned in the academy.

Duration: 2 hours

Content:

This module will cover the basics of town governance, the role of the Town Clerk, public records management, Sunshine Laws, and a broad overview of various town departments, boards, budgets, etc. This will also provide lists of extra materials and reference for study

during the course and additional materials for optional additional learning.

Module 2

Fire and Police Departments

- Duration: 2-3 hours

- Content:

Roles and responsibilities of the fire and police departments, basics of policies and procedures, training requirements, basics of legal and regulatory and certification issues, public safety initiatives, and community engagement.

2. Public Works Department

Duration: 2-3 hours

Content: Overview of public works projects, infrastructure maintenance, Stormwaters basics, Town maps, and community services.

What is stormwater, where and what is a stormwater basin, what progress have we made and what's left to do in the ongoing challenges of being on a barrier island.

Plus, optional "Field Trip" to Basin and Viewing Drain Maintenance Live/In action!

3. Building and Code Compliance

Duration: 2-3 hours

Content: Understanding the basics of the building codes, FBC and local requirements, the permit processes, inspections, and compliance regulations. The who's, when's, what's and why's.

Plus:

A sample permit review with Building Official and a Mock Code enforcement case.

4. Finance and the Budget Process

- Duration: 3 hours

- Content:

Overview of town finances, budgeting processes, revenue sources, and financial management practices.

Last 30 minute

Imagine a small Recession, with a fiscal shortage, and make a budget - What should YOU Cut, With Live Mock Public Comment (Note - they will be actors, Town Commissioners themselves, and will be in character and will be polite - but will be in good fun sent to test you!!)

5. Planning and Zoning Board (P&Z)

Duration: 1.5-2 hours

Content: Functions of the P&Z Board, zoning regulations, and land use planning.

&

A Mock Zoning review and revision with Mock public comments, as a practice run and hands on, real life view into the process.

6. Board of Adjustment (BOA)

Duration: 1.5-2 hours

Content: Role of the BOA, variance applications, and decision-making processes.

&

A presentation if a short "Mock BOA hearing" to experience hands on- what happens and why.

7. Environmental Advisory Board (EAB), History Board, and Parks Board

- Duration: 2 hours (:30 each of the 4 boards)

- Content: Overview of each board's functions, projects, and contributions to the community.

8. Break - with an optional Review thus far and some practice tests

(Option: In the Last Module, OR after the Last Module - I would like to suggest a "Mock Commission Meeting" The Top 1 test Scorer gets to be "the Town Manager," and the top 2-6 scorers get to be the Mayor and TCs.

The other Participants will play other roles, Department heads, and other characters. It will be prescribed to some extent as to issues, and pre-scripted as to various things, with various viewpoints and objectives/goals to play out and/or advocate for or against.

BUT --not everyone will have the "Same Script"!!

The participants will work it all out through debate and deliberation.

Finally there will be a few "surprise" Public Commenters, including Real Staff and Real Commissioners/Mayors/Former Mayors who will (if they choose to) get to play the role of the "Public Commmt" - Again, all it will be pre-scripted and all in good fun, with humor and wit, and of course the role will be to purposely try your patience a just a little bit and give you the opp to handle it gracefully using your new knowledge and Roberts Rules!

There will be pre-pre-arranged topics in condensed packets with some a few wild and crazy (but still fun and respectful) issues presented for discussion, and public comments, and voting.)

Last Learning Module:

9. In Depth Town Charter and Governance Structure, Town Commissions Role, League of Cities and other Organizations and what they do.

Plus...

Mock Town Commission Meeting (see discussion above)

- Duration: 3 hours

- Content:

The Town Charter, in depth.

The Town Commission's role.

The Town Attorneys Role and Tricky byt Common Issues and how to deal best with them.

More on Public Records and Sunshine and some "crazy but true real-life cases" and the consequences (**from other towns and cases) explained.

What is Home Rule? Florida Constitution basics for Local Government. What's a statute, what's an ordinance, what's a rule, what's a policy?? What's the big difference?
 What is "the legislative process," what is legislative immunity and the 1st Amendment and what are the limitations?
 What's the difference between legislative issues, quasi-judicial vs policy issues?
 What is ex parte, what is quasi-judicial?
 Roberts Rules Intro.

The interplay between the Town Clerk, boards, Town Attorney, Town Manager, and various departments.

10. Review, Testing, and Reception

- Duration: 2-3

hours

- Content:

Comprehensive but short review of all modules, open book participant multiple choice test, and a graduation and certificate awards and finally a post completion reception for the participants and their families to celebrate their completion of the academy.

Conclusion

The Citizens Academy will not only enhance residents' understanding of local government but also foster a stronger sense of community and civic responsibility.
 And it will be fun too!

I/we believe that informed citizens are vital to the democratic process and can contribute positively to the future of Melbourne Beach.

Next Steps

I/We propose to schedule an initial planning meeting to finalize details, including dates, locations, and marketing strategies to promote the academy.

I/We look forward to your support in launching this valuable program for our community.

Thank you for considering this proposal.

Sent from my iPhone-ll

CHAIR LYNN TIPTON
VICE CHAIR ADRIAN COOMBES
KEASHAWN "KAY" VOLMAR
GREGG JOSHUA HEMINGWAY
FRANCIS "FRANK" KIRWIN
OZELL WARD
THOMAS HUDSON



CITY OF MOUNT DORA

2024 CHARTER REVIEW COMMITTEE

FINAL REPORT

THE FINAL REPORT OF THE MOUNT DORA 2024 CHARTER REVIEW COMMITTEE PROPOSING TO AMEND THE MOUNT DORA CHARTER TO: PROVIDE A PREAMBLE; REMOVE THE PROHIBITION ON VOTING IF NOT PHYSICALLY PRESENT; ESTABLISH THE CHARTER REVIEW COMMITTEE IN JANUARY; CREATE A PROHIBITION OF INTERFERENCE BY CITY COUNCIL MEMBERS EXCEPT THROUGH THE CITY MANAGER; RECOGNIZE GENERAL ELECTIONS ARE HELD BIANNUALLY; INCREASE TERM LIMITS TO TWELVE (12) CONSECUTIVE YEARS; REPEAL AND REPLACE CHARTER LANGUAGE REGARDING THE FILLING OF COUNCIL VACANCIES AND HOLDING SPECIAL ELECTIONS; AND REQUIRING A SUPERMAJORITY VOTE OF COUNCIL – 5 MEMBERS – TO APPOINT OR REMOVE THE CITY MANAGER.

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SECTION I – COVER LETTER

City Hall
510 N. Baker St.
Mount Dora, FL 32757

Office of the City Manager
 352-735-7126
 Fax: 352-383-4801

Customer Service
 352-735-7105
 Fax: 352-735-2892

Finance Department
 352-735-7118
 Fax: 352-735-1406

Human Resources
 352-735-7106
 Fax: 352-735-9457

Planning and Development
 352-735-7112
 Fax: 352-735-7191

City Hall Annex
900 N. Donnelly St.
Mount Dora, FL 32757

Parks and Recreation
 352-735-7183
 Fax: 352-735-3681

Public Safety Complex
1300 N. Donnelly St.
Mount Dora, FL 32757

Police Department
 352-735-7130
 Fax: 352-383-4623

Fire Department
 352-735-7140
 Fax: 352-383-0881

Public Works Complex
1501 Robie Ave.
Mount Dora, FL 32757
 352-735-7151
 Fax: 352-735-1539

W. T. Bland Public Library
1995 N. Donnelly St.
Mount Dora, FL 32757
 352-735-7180
 Fax: 352-735-0074

Website:
www.cityofmountdora.com

CHAIR LYNN TIPTON
VICE CHAIR ADRIAN COOMBES
 KEASHAWN "KAY" VOLMAR
 GREGG JOSHUA HEMINGWAY
 FRANCIS "FRANK" KIRWIN
 OZELL WARD
 THOMAS HUDSON



June 6, 2024

Dear Mayor and Council Members:

On behalf of the Charter Review Committee, we greatly appreciate the honor of serving together for this review. We met, discussed, reviewed research and listened to legal and municipal experts. While we did not have a large amount of public comments, we did read and listen to those comments shared with us. You will find our recommendations attached.

We also believe it is our responsibility to share recommendations beyond the charter itself, as the document is most successfully implemented and upheld through effective administration. We are sharing these points in the order of the charter's articles in the hope they will help the council and municipal government going forward.

Proposed preamble: having reviewed the preambles of other cities in Florida, we find that this declaration allows the citizens to state common beliefs, commitments and visions for Mount Dora.

Article II: We are in consensus that a town-hall style meeting, with public participation and comment, should be held by the

Council to discuss the options for electing a mayor under the Council-Manager form of government. The Committee discussed this with Mr. Ken Parker, Coordinator for the ICMA-FCCMA Senior Advisors Program. Whether directly electing the mayor, using a rotational election for a one- or two-year term, or electing the mayor from within the council may prove a timely and helpful discussion for the council and the public.

Further, the committee is making the recommendation for term limits to be extended to twelve years (12) due to the need for continuity in leadership and vision as Mount Dora experiences growth and development. We believe with the onset of Form 6, obtaining and retraining effective elected officials is paramount to our city's future and extending the term limits is an effective tool to achieve those goals.

In our discussion of the recommended non-interference clause charter amendment for the Council, the committee discussed that the city's employee policies and manual related to employee grievance procedures may need to be reviewed. We recommend that such a review, which would necessarily be undertaken by city staff under the manager per the non-interference clause, if adopted, may benefit from a discussion of whether an employee committee may be formed to hear employee grievances at an appropriate stage in the administrative proceedings.

Article IV: the committee spent a great deal of time discussing misinformation and the lack of public knowledge and understanding of the city's form of government and respective roles of its elected officials. We recommend a townhall-style workshop with public participation to go over these roles

thoroughly and to provide additional information on the city's website regarding the mayoral and council roles and responsibilities, and those of the charter officers and Clerk. Perhaps the workshop can be video recorded and maintained on the website for future access.

With respect to the non-interference clause recommended in this article, we further believe that if it is adopted by voters, it then necessitates education. When the council holds its organizational sessions following elections, the form of government, said roles and responsibilities, and role of the city manager should be fully discussed with new council members, and reviewed by existing council members.

Article V: The committee spent time discussing the need for regular evaluative procedures to help the council and manager with key management strategies and goals. A performance matrix is recommended to assist the council and manager with discussions on effective and timely communications, sharing of information, goal implementation and other criteria. And, said matrix should be posted on the city's website for the public's education and understanding.

We appreciate the opportunity to share these recommendations in the spirit of improving Mount Dora's governance. It has been an honor to serve on this committee; we each took our charges seriously and have been deliberate in our review. We are available to discuss these recommendations in greater detail should that be desired.

Sincerely,



CITY OF
MOUNT
D O R A

Sincerely,

Lynn Tipton, Chairperson

Ozell Ward, District 5

Adrian Coombes, Vice Chair

Thomas Hudson, At Large

Gregg Joshua Hemingway,
District 1

Kaeshawn "Kay" Volmar, At Large

Frances "Frank" Kirwin, District 4

SECTION II – INTRODUCTION

CITY OF MOUNT DORA
2024 CHARTER REVIEW COMMITTEE
INTRODUCTION

Following the establishment of the 2024 Charter Review Committee, pursuant to Resolution 2024-12, the Charter Review Committee held nine (9) public meeting on April 11, April 18, April 25, May 2, May 9, May 23, May 30, June 3, and Jun 6, 2024, to discuss the City’s Charter and make recommendations for City Council’s consideration. The Committee members include Lynn Tipton, Adrian Coombes, Keashawn “Kay” Volmar, Gregg Joshua Hemingway, Francis “Frank” Kirwin, Ozell Ward, and Thomas Hudson. Lynn Tipton was elected as chair of the Committee and Adrian Coombes was elected vice-chair. All meetings were publicly noticed, public comment was welcomed, and minutes were kept in accordance with Florida’s Sunshine and Public Records Laws.

At the first meeting, presentations were made by the City Attorney and Chair Tipton regarding charters generally, the charter review process, and Florida’s Sunshine and Public Records laws. Members were invited to identify those areas of the charter warranting further discussion. By consensus, the Committee decided to review the entire Charter by section. At its April 18, 2024 meeting the Committee reviewed Articles I and II of the Charter, and a great deal of discussion occurred regarding the creation of a preamble to the City’s Charter and the role of the Mayor. The Committee invited ICMA and FCCMA Senior Advisor Ken Parker to attend a future Committee meeting to discuss the various forms of municipal government and their respective advantages and disadvantages. Mr. Parker provided his presentation on May 9, 2024. The Committee reviewed Article III, regarding elections and vacancies, and Article IV, regarding the Mayor, on April 25, 2024. The Committee reviewed Article V, concerning the City Manager, and Articles VI and VII on May 2, 2024. Following its initial review of all sections of the Charter, the Committee discussed the various proposed amendments it had identified and drafts of proposed Charter Amendments were prepared by the City Attorney. On May 9, May 23, May 30, and June 3, the Committee went back through each section of the Charter, and narrowed and revised each of the proposed Charter Amendments presented in this Final Report. On June 3, 2024, the 2024 Charter Review Committee voted to propose eight (8) charter amendments to the City Council for its consideration to be placed on the ballot for the November general election. On June 6, 2024, the 2024 Charter Review Committee approved this Final Report for the City Council’s consideration. In addition to the proposed charter amendments, the cover letter to this Final Report contains further recommendations for the City Council to consider going forward.

**SECTION III – AMENDMENTS RECOMMENDED
BY 2024 CHARTER REVIEW COMMITTEE**

Ballot Title, Summary and Proposed Amendment – Preamble

A. Introduction/Purpose.

This Charter amendment would create a preamble to the charter. Many other municipalities have preambles, but the City of Mount Dora’s charter does not. While the preamble does not create any specific rights or duties, it provides a statement of who Mount Dora is and its goals.

B. Ballot Proposal: The ballot title and question for Question # __ are as follows:

CREATING A PREAMBLE TO THE CHARTER
OF THE CITY OF MOUNT DORA

Amending the charter by creating a preamble, stating the values, goals and purposes of the charter and acknowledging that Mount Dora is “SOMEPLACE SPECIAL.” This charter amendment does not create any new rights, duties, obligations, or prohibitions.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Part I, Preamble of the Mount Dora Charter is created. (Underline text is added to the charter).

PART I - PREAMBLE

We the people of the City of Mount Dora, Florida, under the constitution and laws of the State of Florida do hereby adopt this charter to secure the benefits of local self-government and provide for honest and accountable council-manager government. Mount Dora is “SOMEPLACE SPECIAL.” We seek to ensure that our history, arts, culture, quality of life and commitment to social equity endure. Our charter aspires to enshrine these values to preserve and strengthen all that is best about our City.

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

Ballot Title, Summary and Proposed Amendment – Section 4

A. Introduction/Purpose.

This Charter amendment would remove the prohibition on members of the city council being able to cast votes *in absentia*. The pandemic and advances in technology have created the possibility of having members who are physically absent being able to fully participate in city council meetings. Removing the prohibition means that whether a member may participate and vote while not being physically present will be determined in the future by the general law of the State of Florida.

B. Ballot Proposal: The ballot title and question for Question #__ are as follows:

REMOVING THE PROHIBITION ON VOTING IN
ABSENTIA

Amending the charter by removing the prohibition on city council members voting *in absentia*. This amendment will cause the determination of whether a member of the city council can participate and vote while not physically present will be determined by the general law of the State of Florida.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Art. II., Sec. 4, is amendment, Preamble of the Mount Dora Charter is created. (Underline text is added to the charter and ~~strikethrough~~ text is removed).

Art. II., Sec. 4

The city council shall consist of seven (7) members, including the mayor. The mayor shall be considered a member of the city council for all purposes. ~~Members of the city council may not cast votes *in absentia*.~~

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

Ballot Title, Summary and Proposed Amendment – Section 9(a) – Scheduling Charter Review

A. Introduction/Purpose.

This Charter amendment would amend when the charter review ad hoc committee would be formed and establish the year from when the review period would begin.

B. Ballot Proposal: The ballot title and question for Question # __ are as follows:

AMENDING THE MONTH FOR ESTABLISHING
THE CHARTER REVIEW COMMITTEE

Amending Section 9, to establish the charter review committee in January instead of April, and to amend the year from which the establishment of the committee begins.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Art. II., Sec. 9, amending the month establishing the charter review committee. (Underline text is added to the charter and ~~strikethrough~~ text is removed).

Art. II., Sec. 9

The city council shall cause this charter to be reviewed ~~in 2014~~from 2024 no less than once every 5 years thereafter, by ad hoc committee and the city attorney. The city council may also cause the Charter to be reviewed as necessary at its direction. The ad hoc committee shall be appointed no later than the first regularly scheduled meeting of ~~April~~ January. The report of the ad hoc committee shall be presented to the city council no later than the second regularly scheduled council meeting of June.

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

**Ballot Title, Summary and Proposed Amendment – Section 9(b) –
Non-Interference**

A. Introduction/Purpose.

This Charter amendment would create a prohibition on members of the city council interfering with the administration of the City except through the City Manager. Many cities operating under the council-manager form of government have a charter provision prohibiting members of the city council from interfering with the operations of the City except through the City Manager. Creating this prohibition is consistent with best practices and the majority of other cities having this form of government. This amendment would also renumber Section 9.

B. Ballot Proposal: The ballot title and question for Question #__ are as follows:

RENUMBERING AND PROHIBITING CITY
COUNCIL MEMBERS FROM INTERFERING
WITH OPERATIONS EXCEPT THROUGH CITY
MANAGER

Amending Section 9, renaming section, renumbering, and adding a prohibition on city council members interfering with city operations except through the City Manager.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Art. II., Sec. 9, creating Section 9(b), renaming section, and renumbering section. (Underline text is added to the charter and ~~striketrough~~ text is removed).

Art. II., Sec. 9

(a) Duties.

- (1) The city council shall, by resolution, annually adopt a budget which is consistent with state law, city policy and procedures, and generally accepted accounting principles.
- (2) The city council shall annually cause to be conducted an audit of the accounts and records of the City of Mount Dora. The audit shall be performed by an independent certified public accountant, who shall be engaged for a term of no longer than five

successive years, and who may not be engaged for an immediately successive term of any length following any five successive years, including any years served prior to the adoption of this provision. Upon receipt of the auditor's annual report, the city council shall adopt, by resolution, time parameters and procedures for the correction of all deficiencies noted in the auditor's annual report.

- (3) The city council shall create and maintain a codification of ordinances. The codification shall contain those ordinances designated by the city council in its sole and absolute discretion. The city council shall annually cause the codification established hereunder to be reviewed under the supervision of the city attorney. The city shall also periodically update the codification established hereunder. A report of the codification review shall be presented to the city council no later than the first regularly scheduled council meeting of August.
- (4) The city council shall cause this charter to be reviewed in 2011 and no less than once every 5 years thereafter, by ad hoc committee and the city attorney. The city council may also cause the Charter to be reviewed as necessary at its discretion. The ad hoc committee shall be appointed no later than the first regularly scheduled council meeting of April. The report of the ad hoc committee shall be presented to the city council no later than the second regularly scheduled council meeting of June.
- (5) The city council shall individually make appointments to all boards and ad hoc committees created by the city council based upon procedures from time to time be established by the city council.

(b) Prohibitions.

- (1) Interference with administration. Except for the purpose of inquiries and investigations authorized by the city council, the city council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager; neither the city council nor its members shall directly issue orders to these staff members, publicly or privately. This provision shall not be construed to restrict individual councilmembers from actively monitoring city operations, including asking questions and engaging in discussions with the city manager regarding matters concerning supervised employees, and to offer opinions and recommendations on such matters. Suggestions for improvement in city government operations from individual council members shall be made through the city manager so that the city manager may coordinate efforts of all city departments to achieve the greatest possible savings through the most efficient and sound means available.

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

**Ballot Title, Summary and Proposed Amendment – Section 11–
Biannual General Elections**

A. Introduction/Purpose.

This Charter amendment corrects changes made to the election cycle in 2019 to reflect that general elections will be held biannually.

B. Ballot Proposal: The ballot title and question for Question #__ are as follows:

CORRECTING THE CHARTER TO REFLECT
GENERAL ELECTIONS ARE HELD
BIANNUALLY

Amending Section 11 to correctly reflect general elections are held biannually.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Art. III, Sec. 11, amending to reflect biannual general elections. (Underline text is added to the charter and ~~strikethrough~~ text is removed).

Art. III., Sec. 11

A general election shall be held ~~each year~~ biannually on the first Tuesday after the first Monday in November. Special elections, other than those expressly provided for herein, may be called for by the city council as the city council, in its sole and absolute discretion, deems necessary.

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

**Ballot Title, Summary and Proposed Amendment – Section 12–
Renumbering and Increasing Term Limits**

A. Introduction/Purpose.

This Charter amendment provides subheadings, brings the language up to date, and increases the term limits from eight (8) consecutive years to twelve (12) consecutive years.

B. Ballot Proposal: The ballot title and question for Question # __ are as follows:

INCREASING THE TERM LIMITS TO TWELVE
CONSECUTIVE YEARS AND ADDING
SUBHEADINGS

Amending Section 12 to increase the term limits to twelve (12) consecutive years, adding subheadings, and bringing language up to date.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Art. III, Sec. 12. (Underline text is added to the charter and ~~strikethrough~~ text is removed).

Art. III., Sec. 12. Terms.

(a) Terms. The term of each city council office, including the office of the mayor, shall be four (4) years. However, all office holders shall continue in office until the office holder's successor is appointed or sworn to office, unless the office holder's office is declared vacant pursuant to this Charter. All elected councilmembers, including the mayor, shall assume office and be sworn at the first regularly scheduled meeting following certification of the election results.

(b) Staggered terms. All members of the city council, including the mayor, shall each serve staggered terms. In 2024 and every four years thereafter, the mayor, the representative of district 1, the representative of district 4, and the representative of district 5 shall be elected for a three (3) year term beginning in 2021 and thereafter, beginning in 2024, for four (4) year terms. In 2022 and every four years thereafter, the representative of district 2, the representative of district 3, and the at-large representative shall be elected for four (4) year terms beginning in 2022.

(c) Term limits. The mayor, any district representative, and the at-large representative may only serve ~~eight (8)~~ twelve (12) consecutive years ~~in the same position~~. The time served by a person appointed or elected to fill the remainder of a vacant position shall ~~not~~ be included in the ~~eight-year~~ twelve (12) year limitation.

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

**Ballot Title, Summary and Proposed Amendment – Section 17–
Council Vacancies**

A. Introduction.

This Charter amendment repeals and replaces the current Section 17 language regarding council vacancies in office and the holding of a special election to fill a council vacancy. The amendment further creates subheadings and reorganizes the language of the current charter regarding council vacancies and forfeiture from office.

B. Ballot Proposal: The ballot title and question for Question # __ are as follows:

REPLACING AND REORGANIZING CHARTER
LANGUAGE REGARDING COUNCIL
VACANCIES AND SCHEDULING SPECIAL
ELECTIONS

Amending Section 17 to clarify requirements for filling council vacancies and holding special elections, reorganizing section with subheadings.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Art. III, Sec. 17. (Underline text is added to the charter and ~~striketrough~~ text is removed).

Art. III., Sec. 17. Vacancies.

~~The office of any councilmember, including the office of the mayor, who dies or resigns, or who is removed from office, or who is absent from four (4) consecutive regularly scheduled council meetings, shall be declared vacant by resolution of the remaining councilmembers. The office of any councilmember, including the office of the mayor, who is absent from four (4) nonconsecutive regularly scheduled council meetings during a calendar year, may be declared vacant by resolution of the remaining councilmembers. The office of any councilmember who is a district representative, and who establishes a permanent residence outside of the district which the councilmember represents, shall be declared vacant by resolution of the remaining councilmembers.~~

~~Should the office of any councilmember, including the office of the mayor, be declared vacant more than one hundred eighty (180) days prior to the first Tuesday after the first~~

~~Monday of the immediately following November, the city council shall call for a special election to fill the vacancy for the remainder of the term of the office vacated.~~

~~Should the office of any councilmember, not including the mayor, be declared vacant less than one hundred eighty (180) days prior to the first Tuesday after the first Monday of the immediately following November, the mayor shall appoint, with the approval of city council, an elector of the city, who is qualified to hold the particular office declared vacant, to fill the vacancy.~~

~~Should the office of the mayor be declared vacant less than one hundred eighty (180) days prior to the first Tuesday after the first Monday of the immediately following November, the vice mayor shall assume the office of the mayor. The council office held by the vice mayor shall be declared vacant and shall be filled in accordance with this section.~~

~~Any city council office, including the office of the mayor, filled by appointment pursuant to this section shall be open for election on the first Tuesday after the first Monday of the immediately following November, whereupon the office will be filled for the unexpired portion of the existing term or for a full term, whichever is applicable.~~

- (a) Vacancies. The office of any councilmember shall become vacant upon the member's death, resignation, removal from office in any manner authorized by law, or by forfeiture of office.
- (b) Forfeiture of office. A councilmember's forfeiture of office shall be declared by resolution of the remaining councilmembers under the following circumstances:
- (1) By absence. A councilmember shall forfeit their office if the councilmember is absent from four (4) consecutive regularly scheduled council meetings without good cause as determined by the city council. The council may, in its discretion, declare a member's forfeiture if the councilmember misses four (4) non-consecutive meetings within a calendar year.
 - (2) By disqualification. Any councilmember who is a district representative shall forfeit their office upon establishing a permanent residence outside the district they represent.
- (c) Filling vacancies. A vacancy in the council other than the mayor's seat shall be filled by appointment of a qualified person by a majority vote of the remaining members of city council to serve until the next biannual general election, at which time the vacant position shall be filled by a vote of the electors for the remainder of the original term, if any. If the city council fails to appoint a successor to serve to the date of the next general election within sixty (60) days following the occurrence of the vacancy, the election authority shall call a special election to fill the vacancy, to be held as soon as practicable. If a vacancy in the office of the mayor occurs, the vice-mayor shall assume the office of the mayor for the remainder of the mayor's original term, and the council

office held by the vice-mayor shall be filled in the manner provided in Section 7 of the Charter.

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

Ballot Title, Summary and Proposed Amendment – Sections 20 and 21 – Appointment/Removal of City Manager - Super Majority

A. Introduction/Purpose.

This Charter amendment provides that the City Manager shall be appointed and removed by a super majority vote of the City Council, meaning five (5) members of the City Council must vote to appoint or remove the City Manager.

B. Ballot Proposal: The ballot title and question for Question #__ are as follows:

REQUIRING SUPER MAJORITY VOTE OF CITY
COUNCIL TO APPOINT OR REMOVE CITY
MANAGER

Amending Sections 20 and 21 to require a super majority vote of the city council, five (5) votes, to appoint or remove the City Manager.

Budget Director’s estimated financial impact: _____.

_____ Yes

_____ No

C. Text Revisions: Art. V. Secs. 20-21. (Underline text is added to the charter and ~~striketrough~~ text is removed).

Art. V., Sec. 20. Appointment.

The city council shall, by a super majority (five (5) members) vote of the full council, appoint a city manager.

Art. V., Sec. 21. Removal.

The council may remove the city manager by a super majority (five (5) members) vote of the full council. However, upon demand by the city manager, a public hearing shall be held prior to a vote to remove the city manager. The public hearing shall be held, at a city council meeting, not earlier than fifteen (15) days nor more than thirty (30) days after the demand is served. The demand must be in writing and served upon the mayor. The city manager shall continue to receive full salary until removed from office.

D. Financial Analysis and Impact:

Based on information provided by the Budget Director, the cost of the proposed amendment is approximately _____, which represents _____.

**SECTION III – SPANISH TRANSLATIONS OF
BALLOT TITLES AND SUMMARIES**

(To be supplied following City Council Adoption)

SECTION IV – EXHIBITS

(Minutes of All Meetings of 2024 CRC; Presentations Provided to CRC During Public Meetings; and Matrix of All Proposed Charter Amendments)

EXHIBIT A - MINUTES

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE MINUTES
APRIL 11, 2024, 3:00 P.M.**

**Mount Dora City Hall
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 3:00 p.m. City Attorney Patrick Brackins called to order the April 11, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Keashawn “Kay” Volmar, Mayoral Appointee
Francis “Frank” Kirwin, Vice-mayoral Appointee
Gregg Joshua Hemingway, District 1
Lynn Tipton, District 2
Adrian Coombes, District 3
Ozell Ward, District 5
Thomas Hudson, At-large

Also Present

Vince Sandersfeld, Acting City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

Committee members and staff introduced themselves.

ELECTION

A. Chairperson

MOTION BY MR. HEMINGWAY TO NOMINATE MS. TIPTON TO SERVE AS COMMITTEE CHAIRPERSON; MS. VOLMAR SECONDED THE MOTION. MS. TIPTON WAS ELECTED CHAIRPERSON BY A 7-0 ROLL CALL VOTE.

B. Vice-chairperson

MOTION BY MR. KIRWIN TO NOMINATE MR. COOMBES TO SERVE AS VICE-CHAIR; MR. HEMINGWAY SECONDED THE MOTION. MR. COOMBES WAS ELECTED VICE-CHAIR BY A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment. No one spoke. Chairperson Tipton closed public comment.

CITY ATTORNEY REPORT-LEGAL REVIEW PRESENTATION

Mr. Brackins suggested the committee set their meeting schedule. He provided an overview of the committee’s duties and the timeline for their work to be completed. Mr. Brackins recommended the committee be prepared with their final report toward end of May. The Supervisor of Elections needs amendments to be received no later than August 23rd. Mr. Brackins explained requirements for amendment ballots.

Mr. Brackins reviewed Sunshine Law and Public Records laws, especially as they apply to the committee members.

NEW BUSINESS

A. Charter Overview

Ms. Tipton opened discussion regarding frequency of meetings and length of meetings.

Meetings would take place on Thursday afternoons, beginning at 3:00 p.m., and lasting as long as necessary. Committee members discussed the method by which they would conduct the charter review. Ms. Tipton suggested members notify the City Clerk regarding absences.

Committee members were advised that material to be shared with the committee should be communicated through the City Clerk.

Ms. Tipton shared a presentation from the Florida League of Cities on the topic of Charters, which included information specific to the State of Florida and the City of Mount Dora.

The committee began a review of Articles I through VII to consider sections for possible amendment.

Committee members discussed considering form of government, Charter positions, length of term, Council size, the roles of Mayor and Vice-mayor, residency requirements for City positions, Council actions and minutes, non-interference charter provisions, and the City Manager role and evaluation.

The extent to which the Committee could suggest actions to Council was discussed.

Mr. Hemingway expressed interest in Initiative and Referendum (Article VI.)

ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATE

Chairperson Tipton worked with the committee to define their approach for continuing their review at future meetings. The committee acknowledged the meetings may sometimes exceed two hours. It was noted that public participation may occur at different times throughout the meeting. The committee discussed methods for obtaining public feedback.

Chairperson Tipton asked committee members to confirm that the contact information appearing on the roster was correct.

Committee consensus would be sought for proposed Charter changes.

ADJOURNMENT

MOTION BY MR. COOMBES TO ADJOURN; MR. WARD SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

There being no further business for discussion, the meeting adjourned at approximately 4:19 p.m.



 LYNN TIPTON, CHAIRPERSON
 2024 Charter Review Committee



 JEANANN HAND, CITY CLERK
 City of Mount Dora

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE MINUTES
APRIL 18, 2024, 3:00 P.M.**

**Mount Dora City Hall
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 3:00 p.m. Chairperson Tipton called to order the April 18, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Lynn Tipton, Chairperson, District 2
Adrian Coombes, Vice-chair, District 3
Keashawn "Kay" Volmar, Mayoral Appointee
Francis "Frank" Kirwin, District 4
Gregg Joshua Hemingway, District 1
Ozell Ward, District 5

Also Present

Vince Sandersfeld, Acting City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

Members Not Present

Thomas Hudson, At-large

APPROVAL OF MINUTES

A. April 11, 2024 Charter Review Committee Minutes

MOTION BY MR. KIRWIN TO APPROVE THE MINUTES FROM THE APRIL 11, 2024 CHARTER REVIEW COMMITTEE MEETING; VICE-CHAIR COOMBES SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment.

Joe Lewis, 148 Charles Avenue, spoke about public perception of the role of Mayor and ways the City could imprint a more accurate perception of the powers of that role.

Chairperson Tipton closed public comment.

NEW BUSINESS

A. Charter Review: Article I-Establishment of Entity

Chairperson Tipton introduced the topic and City Attorney Brackins explained the purpose of the items in Article I.

Section 1. Corporate Boundaries is not something that would be changed by the Charter Review Committee.

Section 2. Powers currently cites F.S. ch. 166 as the basis for Municipal Home Rule powers. Mr. Brackins mentioned that a more accurate statement would be "...all power allowed by general law," which would then more comprehensively state the derivation of the municipality's powers from the Constitution of the State of Florida.

Mr. Brackins referenced material he had distributed to the committee, comparing the Powers

section of the Charter from the City of Maitland and from the Charter of Ponce Inlet with the current Charter of the City of Mount Dora.

At the request of the committee, Mr. Brackins reviewed the hierarchy and weight of governing documents, from Constitution to Resolution, and the role of Home Rule Authority.

The Committee considered the addition of a Preamble.

The Committee discussed the importance of certain boards and commissions appointed by Council, and the role of the Charter in protecting the existence of those bodies.

The Committee discussed including historic preservation in the preamble, if one were to be added to the Charter.

Chairperson Tipton confirmed the Committee's consensus to revisit Article I with the consideration of adding a Preamble. Charter Review Committee members will submit Preamble ideas to the City Clerk.

The City would provide and the Committee would review Ordinance No.2007-954, which is referenced in Article I, Section 3 of the current Charter.

B. Charter Review: Article II-Legislature

The Committee discussed the number of Councilmembers, the various methods for choosing a Mayor, and the configuration of districts. Continuing the option of running At-large was discussed. The Committee discussed changing the method of electing the Mayor. The Committee discussed the advantages of districts and the specialized role of the Mayor.

The Committee discussed the impact of growth, especially when considering district boundaries.

The Committee further discussed the role of Mayor, public perceptions of that role, compensation for that role, and methods of election. Some Committee members favored rotation of Councilmembers filling the position of Mayor, or a Council-elected Mayor. Others favored the current process, voicing appreciation for the benefits of longevity, specialized dedication to the position, and the cross-district reach of the At-large election for this role.

The Committee consulted the City's District Map, which was presented on the monitors in the chamber.

The Committee would continue discussion of Article II at the next meeting.

The City would invite ICMA and FCCMA Senior Advisor Ken Parker to attend a Charter Review Committee meeting to speak about the various forms of municipal government structure and their advantages and disadvantages.

The Committee requested:

- The population changes in each district
- The number of voters who participated in the last election in each district, by candidate.

ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATE

A. April 25, 2024, 3:00 p.m.

Chairperson Tipton would not be present at the next meeting. Article III-Elections and Vacancies, and Article IV-Mayor would be discussed at the next meeting. Further discussion on Articles I and II will continue once Chairperson Tipton and an outside subject-area expert are able to attend the meeting.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment.

Christine King-Harris, 402 East Jackson Avenue, spoke about maintaining the character of the community throughout periods of growth.

Chairperson Tipton closed public comment.

OTHER BUSINESS

Mr. Brackins referred to the material he distributed to Committee members and staff at the beginning of the meeting, pointing out examples of non-interference clauses and references to minutes.

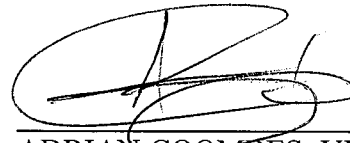
Mr. Brackins brought to attention the sentence in Article II, Section 4 of Mount Dora's Charter which prohibits Councilmembers voting in absentia

ADJOURNMENT

MOTION BY MR. COOMBES TO ADJOURN; MR. WARD SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

There being no further business for discussion, the meeting adjourned at approximately 5:02 p.m.

All documents referenced at this meeting are available at the following link: <https://files.ci.mount-dora.fl.us/?u=xyYp&p=T2Ff>



ADRIAN COOMBES, VICE-CHAIR
2024 Charter Review Committee



JEANNANN HAND, CITY CLERK
City of Mount Dora

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE MINUTES
APRIL 25, 2024, 3:00 P.M.**

**Mount Dora City Hall
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 3:00 p.m. Vice-chair Coombes called to order the April 25, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Adrian Coombes, Vice-chair, District 3
Gregg Joshua Hemingway, District 1
Francis “Frank” Kirwin, District 4
Thomas Hudson, At-large

Also Present

Vince Sandersfeld, Acting City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

Members Not Present

Lynn Tipton, District 2
Ozell Ward, District 5
Keashawn “Kay” Volmar, Mayoral Appointee

APPROVAL OF MINUTES

A. April 18, 2024 Charter Review Committee Minutes

MOTION BY MR. HEMINGWAY TO APPROVE THE MINUTES FROM THE APRIL 18, 2024 CHARTER REVIEW COMMITTEE MEETING; MR. HUDSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Vice-chair Coombes opened public comment. No one spoke. Vice-chair Coombes closed public comment.

NEW BUSINESS

Vice-chair Coombes reminded the Committee that they had decided to complete their review of Articles I and II at a later meeting. He announced Ken Parker’s visit to speak to the Committee on May 9th.

Mr. Coombes reviewed the preamble assignment. Mr. Brackins told Committee members he would provide preamble examples to them.

Committee members acknowledged receipt of an email from a resident who communicated his thoughts on the Committee’s task. The email is attached to the minutes as Exhibit A.

A. Charter Review: Article III-Elections and Vacancies

Committee members acknowledged the need for a revision to the current Charter’s **Section 11. General and special elections**, which states “a general election shall be held each year.” Committee members discussed options for filling a seat if a position is vacated.

Vice-chair Coombes mentioned the current **Section 12. Terms** leaves open the possibility for an individual to serve 24 years, since the stated 8-year term limit applies only to a particular seat. Mr. Coombes also suggested removing the language that was written specifically to guide the City through its transition in term lengths, since the language had served its purpose and was no longer

necessary.

Committee members reviewed **Section 17. Vacancies** and discussed options for filling vacated seats. Members considered filling a vacated seat by Council appointment of the candidate who placed second in the election, or by Council receiving applications from those who wish to serve and appointing from the applicant pool. Committee members wished to save the City from the expense of a special election. Committee members discussed the value of staggered terms. Mr. Brackins informed Committee members about various ways this challenge had been addressed in other municipalities.

Committee members favored the process of appointing from the pool of submitted applications. After choosing an applicant, Councilmembers would make a nomination and vote on the appointment of the desired applicant. The chosen applicant would take seat until next general municipal election. Their re-election would follow the City's regular election schedule.

Mr. Brackins would provide for the Committee's review draft language of Sections 12 and 17 according to the Committee's discussion.

Mr. Kirwin suggested the sections about absences should be modified to allow for attendance and/or participation by electronic communication technology such as Zoom. The Committee and Mr. Brackins discussed allowances and limitations for electronic communication technology.

Committee members suggested the term limit language in the last paragraph of Section 12 should not include "...in the same position," and that the word "not" should be stricken from the last sentence so that a partial term that occurs as the result of a vacancy would contribute to the measurement of the overall term limit.

The Committee reviewed and discussed **Section 16. Removal**. Mr. Hemingway expressed concern over the lack of recourse available should an official's behavior be found unacceptable for their office.

Mr. Brackins would provide the Committee a broad non-interference clause that the Committee could customize to what they believe is best for the City's Charter.

B. Charter Review: Article IV-Mayor

Mr. Kirwin distributed a draft of his suggestions for this section, which included the powers already listed in the Charter as a. through h., with the addition of prohibitions listed in his draft. Mr. Kirwin's draft is attached to the minutes as Exhibit B. The Committee discussed reasons certain duties are performed by the Mayor. The Committee discussed purchasing limits and signing authority. Florida Statute requires the head of the city government sign plats. Checks and balances were discussed. The Committee was in favor of prohibitions applying to councilmembers as well as the mayor. They discussed reasons why certain items are or are not included in the Charter.

Non-interference language would be included in Article II.

The Committee discussed what would be appropriate to include in their recommendations to Council. They also discussed appropriate communications with the City Attorney.

C. City Attorney and Staff Reports

Mr. Brackins would provide to the Committee drafts of preambles, a draft for Article II, Section 9, possible solutions for language regarding voting in absentia, and information on staggered elections.

The Committee briefly reviewed statistics from the 2022 District 3 election.

Mr. Sandersfeld would provide maps of the Mount Dora districts with population counts from the last Census.

The Committee was provided with printed copies of preamble drafts submitted by Mr. Kirwin

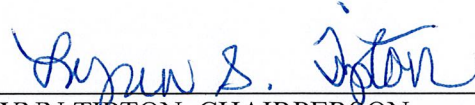
and Mr. Coombes, which are attached to the minutes as Exhibit C and Exhibit D.

ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATE

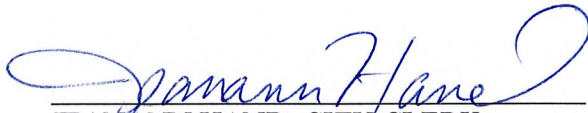
A. May 2, 2024, 3:00 p.m.

ADJOURNMENT

There being no further business for discussion, Vice-chair Coombes adjourned the meeting at approximately 4:48 p.m.



LYNN TIPTON, CHAIRPERSON
2024 Charter Review Committee



JEANANN HAND, CITY CLERK
City of Mount Dora

Hand, Jeanann

From: Mark Slaby <markslaby@gmail.com>
Sent: Thursday, April 25, 2024 8:38 AM
To: Kvolmar97@gmail.com; GJ Hemingway; tipster5fla@gmail.com;
 adriancoombesmdpz@gmail.com; Fkirwin1@gmail.com; ozchrtrev24@gmail.com;
 thudson009@comcast.net
Cc: Hand, Jeanann
Subject: Charter Review Work - Thoughts

**** This message originated outside of the City of Mount Dora network. Please think before you click. ****

Team,

Thanks for taking time to work on this important task.

Over the years, I've noted a few things and wanted to share them with you for your consideration as you review. Most of these items have come out from conversations with people who have asked me about x, y or z... I found some other cities, notably, Winter Park to find examples. I did not go too deep into the reasoning — feel free to individually contact me (sunshine) if you care to talk more on this or any other issue.

I'm being as brief as I can here to not belabor a point.

Best,
 Mark Slaby
 Citizen of Mount Dora
 352 973 1604 Phone/text

Item 1.

Article III - Section 17. Filling Vacancies... This might need your review since terms are for four years now. Would it be ok that if, say, a seat opens up early in the term that the seat is filled as provided and the special election is on the next 2 year cycle... so that the city would not incur costs of a special election. Just look it over to see if there is a way to avoid special elections.

Item 2.

Term limits/terms- 8 years is what we have now... but with At large, Districts and Mayor — without moving one could serve 24 years — might want to change it to be more absolute. The citizens wanted term limits — and this does not match

Also — small item — but the phase in of the 4 year terms is done and the paragraph in the Charter for that could be removed or cleaned up... in 2075, for example, we don't need to know how the phase in worked in 2021-2023...

Example

Sec. 2.04. - Term of office.



- (a) *Term.* The term of office of any person or persons elected commissioner or mayor at any general election held in the city shall be three (3) years and shall commence and begin on the date of the first city commission meeting following certificate of the election results.
- (b) *Term limits.* Consecutive terms of any Member of the City Commission and the mayor shall be limited to four (4) consecutive full terms in office, either as Mayor or Commissioner or any combination thereof. The time served by a person appointed, or elected to fill a vacancy on the City Commission shall not constitute a full term of office. The time served by a City Commissioner or Mayor who resigns or otherwise vacates office shall constitute a full term in office regardless of the time served.

Item 3.

Use of resources by Council Members acting individually — not as Council Members. City Attorney and City Manager work for the Council, not any of the people individually. I remember a conversation with James Homich many years ago (so I may be wrong on the details) but there was a case somewhere with a School Board where the individual members, meeting with the Superintendent, were basically getting a count of votes on things without the sunshine — the point for me is more a waste of City Manager time — SEVEN council members with meeting time with the City Manager going over things that could be taking care of once at a public meeting. — Not sure how to solve that in the Charter but just know that the citizens of the city are getting less manager time for doing the job with the SEVEN members getting more than needed.

Similar for the Attorney — Mr. Crail is sending out \$ on attorney fees — some council members are burning up attorney time — the attorney is for the Council — not individuals. Not sure how to handle that. The City Attorney currently might be able to offer ideas on how the Charter might be a good spot for a fix.

Example:

ARTICLE VII. - PROHIBITIONS



[Section 7.01. - Established.]



- (a) *Appointment and removals.* Neither the mayor nor the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the city administrator or any of the subordinates are empowered to appoint, but the council or mayor may express their views and full and freely discuss with the city administrator, anything pertaining to appointment and removal of such officers and employees.
- (b) *Interference with administration.* Except for the purpose of inquiries and investigations, the mayor[,] the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city administrator solely through the administrator, and neither the mayor, the council, nor its members shall give orders to any such officer or employee, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the council or the mayor from closely scrutinizing by questions and personal observation, all aspects of city government operations so as to obtain independent information to assist the members in the formulation of sound policies to be considered by the council. It is the express intent of this Charter, however, that recommendations for improvement in city government operations by individual councilmembers or the mayor be made to and through the city administrator so that the administrator may coordinate efforts of all city departments to achieve the greatest possible savings through the most efficient and sound means available.

Item 4

I cringe when staff recommends the auditor and the rubber stamp of Council approves the recommendation. Not that the staff are crooks, but a Charter should be the place to safeguard citizens... and what better way for dastardly things to occur as when the Council — often not accounting/financial people — have to hire an

auditor... Listen to the recordings of the last appointment or two of auditors “I trust staff to pick the auditor to audit themselves” was the theme...

Sec. 2.17. - Annual financial audit.



In accordance with the general laws of the state, there shall be an annual financial audit to be completed, within six (6) months after the end of the fiscal year, by an independent certified public accountant. The city commission shall institute a competitive selection process and to this end shall establish an auditor selection board consisting of five (5) members. One (1) member of this board shall be a city commissioner appointed by the commission. The remaining four (4) members shall be residents of the city who have the qualifications of electors therein and are not city employees. This board shall be charged with the responsibility to solicit proposals and to screen and evaluate the proposals received. The auditor selection board shall submit its recommendations to the city commission which shall then select an auditor and award a contract for a term not to exceed three (3) years.

Item 5

The last few election cycles have seen direct contributions to candidates from political organizations — if you want nonpartisan elections, seems more teeth is needed.

Sec. 3.01. - Nonpartisan elections.



- (a) All qualifications and elections for the office of city commissioner or mayor shall be conducted on a nonpartisan basis without regard for or designation of political party affiliation. Upon qualifying for office through the election, a candidate for the office of city commissioner or mayor shall not:
- (1) Campaign and/or publicly represent or advertise herself or himself as a member of any political party; or
 - (2) Accept campaign contributions from any political party.
- (b) A candidate for commissioner or mayor who violates a provision of this section shall be liable for a civil fine of up to \$1,000.00 per violation. The city commission shall adopt an ordinance describing the procedure to determine violations, provide due process, and set fines.

Item 6.

Compensation of Council. Language that says something like this would be good. — “Compensation is X monetary only. No other benefits to Council members...” The attorney should be able to assist with some tighter language.

The ability of council to get “more” than just the direct monetary Compensation is not good for oversight. In the past, Council members were able to use the clinic and pay a fee. Where does objectivity go when you participate in something that you review (budgetary)? Will you vote to end the clinic if it is shown to not be a good fit for the city? I see an appearance issue. Independent oversight, not participatory oversight.

Remember — The Charter protects the citizens in cases where someone might act in selfish best interest.

It is the clinic now.. in the future...(made up examples)... Get the city rate for gas at the motor pool, get to participate in the ‘free massages for employees’, “Free 3 hours of legal advise for all employees”.

I’m not making a character comment on those that have used the clinic — they see no problem in it as they are thinking that if there was a vote — they would be angelic and impact themselves and family negatively to close the clinic if that was the best path at the time. I’m just saying that there might be a Council person someday that is just after the ‘Gimme stuff’ ... and staff might also be inclined to dream up more “Gimme stuff” if they know that they can get the Council members hooked into it too which would preserve that item.

Item 7.

Council Make Up

4 districts, 2 at large and 1 mayor seemed better to me... (I'd think that a 5 person council would be politicians might lose their mind)... I don't expect you to come up with that as a recommendation but most cities have smaller councils. The representation is not much different.. 20,000 people represented by 5 or 7 members is not materially different. When we get to 30,000, should we have 9 members? No.... Not expecting this to go through — just pointing it out.

ARTICLE IV: Mayor

Section 18: Powers, Duties and Prohibitions

The mayor shall have the following powers and duties:

(a)through (h)

Prohibitions

(a) The elected or appointed mayor shall hold no other office during the term of duty.

(b) The elected or appointed mayor shall not in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager is empowered to appoint.

(c) The elected or appointed mayor shall not deal in any manner with the city officers and employees who are subject to the direct or by authorized supervision of the manager. The mayor may not give orders to such officers or employees, either publicly or privately.

This should also be reworded and added the Article II Section 9 directing Council.

Some line of punishment might also be considered. Often there is no power to a restriction if there is no penalty attached.

EXHIBIT C

We the people of the City of Mount Dora, Florida, under the constitution and laws of the State of Florida do hereby adopt this charter to secure the benefits of local self-government and provide for honest and accountable council-manager government. By this action we aim to encourage and protect our unique environment, cultural and architectural history, social diversity with justice and equality for all community members. We intend this charter to provide a government that responds to the will and values of the people, promotes social equity, improves efficiency, authority and provides responsibility and cooperation.

Hand, Jeanann

From: adriancoombesmdpz@gmail.com
Sent: Wednesday, April 24, 2024 12:51 PM
To: Hand, Jeanann
Cc: 'Patrick Brackins'
Subject: Draft City of Mount Dora Charter preamble

**** This message originated outside of the City of Mount Dora network. Please think before you click. ****

Jeanann, (Patrick FYI)

Following on from last week's Charter Review Committee meeting, here is a draft effort at a Charter preamble for Mount Dora for consideration by members at one of our upcoming Charter Review meetings.

Suggested Mount Dora Chart preamble

Since the first charter was awarded to the City of Mount Dora, Florida in 1910, residents and visitors alike have highly valued the historical ambience of our town, which is further enhanced by its unique geographical location on the shores of Lake Dora. In the minds of our citizens, Mount Dora is "**Someplace Special**". The vision and legacy of our founding families continues to serve as a beacon for how we want our City to continue to be seen in the future. With a strong National reputation as a City that values the arts, Mount Dora is regularly cited as one the best small towns/cities to visit in the USA. Our Charter serves to guide both our citizens and elected officials to ensure that our history, arts, culture and ambience, combined with a welcoming attitude to all visitors, is enshrined in a way that preserves and strengthens all that is best about our City for the future.

Regards
Adrian Coombes

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE MINUTES
May 2, 2024, 3:00 P.M.**

**Mount Dora City Hall
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 3:00 p.m., Chairperson Tipton called to order the May 2, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Lynn Tipton, Chair, District 2
Adrian Coombes, Vice-chair, District 3
Gregg Joshua Hemingway, District 1
Francis "Frank" Kirwin, District 4
Ozell Ward, District 5
Thomas Hudson, At-large
Keashawn "Kay" Volmar, Mayoral Appointee

Also Present

Vince Sandersfeld, Acting City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

APPROVAL OF MINUTES

A. April 25, 2024 Charter Review Committee Minutes

MOTION BY MR. KIRWIN TO APPROVE THE MINUTES FROM THE APRIL 25, 2024 CHARTER REVIEW COMMITTEE MEETING; MR. HUDSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment.

Christine King-Harris, 402 East Jackson Avenue, requested clarification on the percentage comprising plurality. Mr. Brackins explained that for Council to pass an item, there must be a majority vote of the members present, assuming there is a quorum in attendance. A charter amendment would require a majority vote of the public.

Chairperson Tipton closed public comment.

NEW BUSINESS

A. Charter Review-Article V. City Manager

The Committee considered Section 19. Establishment of Office.

The Committee discussed the appropriate place for a non-interference clause, specifically a clause to prevent Council from interfering with the duties of the City Manager. It was suggested that the clause would be more appropriately placed in Article II. Legislature, which addresses the behavior of Council.

The Committee recognized instances for the adjustment of pronouns to be converted to gender neutral terms. Mr. Brackins recommended a charter amendment to solely address gender neutrality.

Ms. Tipton pointed out that City Manager candidates frequently examine a City Charter to consider their prospective role in the City.

The Committee discussed whether particular requirements or qualifications would be most effectively placed in the Charter, or placed in other documents, such as employment agreements, resolutions, or ordinances.

The Committee recognized their duty to avoid placing elements in the Charter that would conflict with other governing documents of the City.

The Committee concluded they would like a non-interference clause to be placed in Article IV.

The Committee considered Section 20. Appointment

The Committee discussed interpretation of the language "majority vote of full council."

Committee members exchanged ideas regarding the minimum number of Councilmembers required to be present to vote upon the appointment of a City Manager. They considered the allowance to vote in absentia. The current Charter does not allow for voting in absentia.

Committee members discussed requirements for valid voting in absentia.

Chairperson Tipton confirmed that, at this point, the Committee agrees that a super-majority vote of the full Council (5) must vote to appoint a City Manager. The Committee also agreed the same would be required for City Manager removal.

Ms. Tipton reminded the Committee that these are not yet their final recommendations, and they would have time to reconsider before presenting their report to Council.

The Committee reviewed Section 21. Removal.

The Committee discussed availability of due process for a City Manager in the event of removal.

The Committee considered the objectives of changes to this section, if any.

The Committee considered Section 22. Compensation

The Committee considered how compensation is determined. They discussed what role, if any, Council should have in determining compensation. They discussed a recommendation to Council for a policy that sets a schedule for evaluation of City Manager performance and fair compensation. They acknowledged the importance of competitive compensation, and of communication regarding goals. They discussed the appropriate level of explicit direction that should be included in Charter language.

Mr. Brackins would bring suggested language to accomplish the Committee's intention for this section regarding a clear yet broad statement related to performance goals and evaluation.

Section 23. Power and Duties

The Committee found no points of discussion regarding (a) through (j).

They discussed a residency requirement, and agreed the requirement should not be listed in the Charter.

The Committee discussed Section 24. Acting City Manager, noting the time frame mentioned in the Charter. They acknowledged Council’s power in this section to revoke or appoint within or beyond the conditions stated in the Charter. The Committee had no suggestions for this section.

B. Charter Review-Article VI. Initiative and Referendum

The Committee had no recommendations for changes to Article VI. Initiative and Referendum. Mr. Brackins explained Severability.

C. Article VII. Building Heights

The Committee had no suggestions.

ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATE

A. Thursday, May 9, 2024, 3:00 p.m.

Chairperson Tipton mentioned Mr. Parker’s presentation at the next meeting. Mr. Kirwin announced he would be absent from next week’s meeting. Mr. Kirwin was asked if he had any questions for Mr. Parker. Mr. Kirwin mentioned his interest in at-large seats.

After Mr. Parker’s presentation, the Committee would go back to review Articles I and II.

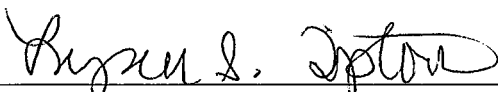
PUBLIC COMMENT

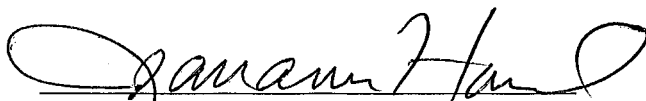
Chairperson Tipton opened public comment. No one spoke. Chairperson Tipton closed public comment.

ADJOURNMENT

MOTION BY MR. HEMINGWAY TO ADJOURN; MR. WARD SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

There being no further business for discussion, Chairperson Tipton adjourned the meeting at 5:03 p.m.


LYNN TIPTON, CHAIRPERSON
2024 Charter Review Committee


JEANANN HAND, CITY CLERK
City of Mount Dora

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE MINUTES
MAY 9, 2024, 3:00 P.M.**

**Mount Dora City Hall
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 3:00 p.m. Chairperson Tipton called to order the May 9, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Lynn Tipton, Chairperson, District 2
Adrian Coombes, Vice-chair, District 3
Gregg Joshua Hemingway, District 1
Ozell Ward, District 5
Keashawn "Kay" Volmar, At-large
Thomas Hudson, At-large

Also Present

Vince Sandersfeld, City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk
Ken Parker, ICMA Senior Advisor

Members Not Present

Frank Kirwin, District 4

APPROVAL OF MINUTES

A. May 2, 2024 Charter Review Committee Minutes

MOTION BY MR. WARD TO APPROVE THE MINUTES FROM THE APRIL 18, 2024 CHARTER REVIEW COMMITTEE MEETING; MR. HEMINGWAY SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment. No one spoke. Chairperson Tipton closed public comment.

NEW BUSINESS

A. Presentation by FCCMA Senior Advisor Ken Parker: Forms of Government

Ms. Tipton introduced Mr. Parker. Mr. Parker's presentation is attached to the minutes as Exhibit A.

Mr. Parker spoke to the Committee about forms of government and various methods to elect a mayor and City Councilmembers. Mr. Parker explained the function of the mayor, councilmembers, and city administrators under each form. He spoke of his real-life experience with the hybrid form and an elected mayor in Port Orange. Mr. Parker pointed out that a collegial atmosphere could be fostered when the elected officials choose mayor from among themselves. Mr. Parker and the Committee discussed the strengths and weaknesses of Mount Dora's current form.

The Committee discussed the importance of having clear roles that are understood by those elected and the public. The Committee discussed the challenges of enforcing the powers and limitations described in the Charter. Penalties for Charter violations were considered. The role of City Attorney

was discussed. Mr. Parker described his experience with a well-structured chain of command, in which the City Manager worked under the Council, and staff clearly worked under the City Manager. The effectiveness of public participation at Council meetings was discussed. Some Committee members expressed frustration, feeling Public Comment, as it currently functions, is unsatisfying and does not lead to resolution. They considered practical reasons why results may not be seen immediately. They agreed clarity of communication is crucial for all sides.

They spoke about the role of Councilmembers as representatives of their constituents, and their responsibility to make the best decisions for the City. The importance of education was mentioned. The pros and cons of a rotation of elected officials to serve as mayor, including the inability to grow as a leader under such short terms, public confusion about the identity of the mayor, and the public perception they are being deprived of a power.

The Committee discussed who should assume the responsibility of upholding the Charter, especially in the face of possible violations. Chairperson Tipton explained the duties of Council as defined by statute. The expense of running At-large was discussed. The Committee acknowledged that Councilmembers serve as representatives of the people yet are independently elected to make their own decisions. Chairperson Tipton pointed out the delicate balance of those two elements has been the challenge of democracy since its earliest times.

Vice-chair Coombes requested Committee address material he received from Mr. Brackins regarding meeting agendas and action points.

B. Review Article I-Establishment of Entity

This topic would be addressed at the May 23rd meeting.

C. Review Article II-Legislature

This topic would be addressed at the May 23rd meeting.

Chairperson Tipton opened public comment. No one spoke. Chairperson Tipton closed public comment.

ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATE

Chairperson Tipton told the Committee she would be unable to attend a May 16th meeting. The Committee agreed they would not meet on May 16th. The next meeting would be on May 23rd. The May 16th meeting would return to a review of Articles I and I, the materials Mr. Coombes mentioned earlier, and the example and draft preambles.

ADJOURNMENT

***MOTION BY MR. HEMINGWAY TO ADJOURN; MR. WARD SECONDED THE MOTION.
MOTION PASSED WITH A UNANIMOUS VOICE VOTE.***

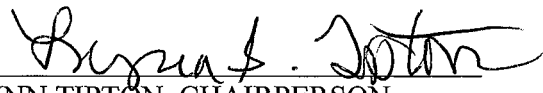
There being no further business for discussion, Chairperson Tipton adjourned the meeting at approximately 4:59 p.m.

was discussed. Mr. Parker described his experience with a well-structured chain of command, in which the City Manager worked under the Council, and staff clearly worked under the City Manager. The effectiveness of public participation at Council meetings was discussed. Some Committee members expressed frustration, feeling Public Comment, as it currently functions, is unsatisfying and does not lead to resolution. They considered practical reasons why results may not be seen immediately. They agreed clarity of communication is crucial for all sides.

They spoke about the role of Councilmembers as representatives of their constituents, and their responsibility to make the best decisions for the City. The importance of education was mentioned. The pros and cons of a rotation of elected officials to serve as mayor, including the inability to grow as a leader under such short terms, public confusion about the identity of the mayor, and the public perception they are being deprived of a power.

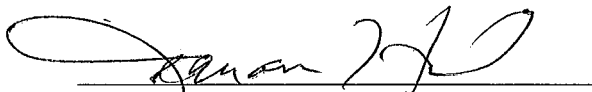
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Vice-chair Coombes requested Committee address material he received from Mr. Brackins regarding meeting agendas and action points.



LYNN TIPTON, CHAIRPERSON

2024 Charter Review Committee



JEANANN HAND, CITY CLERK

City of Mount Dora

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE
MINUTES MAY 23, 2024, 3:00 P.M.**

**Mount Dora City Hall |
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 3:00 p.m. Chairperson Tipton called to order the May 23, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Lynn Tipton, Chairperson, District 2
Adrian Coombes, Vice-chair, District 3
Frances "Frank" Kirwin, District 4
Ozell Ward, District 5
Keashawn "Kay" Volmar, At-large
Thomas Hudson, At-large

Also Present

Vince Sandersfeld, City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

Members Not Present

Gregg Joshua Hemingway, District 1

APPROVAL OF MINUTES

A. May 9, 2024 Charter Review Committee Minutes

MOTION BY VICE-CHAIR COOMBES TO APPROVE THE MINUTES FROM THE MAY 9, 2024 CHARTER REVIEW COMMITTEE MEETING; MR. KIRWIN SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment. No one spoke. Chairperson Tipton closed public comment.

NEW BUSINESS

Chairperson Tipton briefly described the concept of the cover memo that would be submitted to City Council with the Charter Review Committee's report.

The Committee reached a consensus that gender neutral language would be recommended to Council, using the pronouns "they/them."

A. Preamble

The Committee reached a consensus that they would provide a Preamble to Council. Committee members reviewed the Preamble examples that had been distributed for their review, and the draft Preambles submitted by Committee members. They narrowed their focus to the draft Preambles submitted by Committee members.

They discussed the value of a Preamble, noting that it is an appropriate place to include content that may not belong in other sections of a charter. They discussed Preamble length and considered the phrases and concepts they felt were of value to the Preamble. They favored the word "stewardship."

The Committee's discussion resulted in the following Preamble draft:

“We the people of the City of Mount Dora, Florida, under the constitution and laws of the State of Florida do hereby adopt this charter to secure the benefits of local self-government and provide for honest and accountable council-manager government. Mount Dora is ”Someplace Special.” We seek to ensure that our history, arts, culture, quality of life and commitment to social equity endure. Our charter aspires to enshrine these values to preserve and strengthen all that is best about our City.”

B. ARTICLE I. ESTABLISHMENT OF ENTITY

Chairperson Tipton confirmed the Committee had no recommendations for Section 1. Corporate Boundaries or Section 2. Powers.

The Committee considered whether Section 3. Government should be altered, and finally agreed there were no recommendations for that section.

C. ARTICLE II. LEGISLATURE

The Committee agreed to recommend a change in Article II, Section 4. City Council in consideration of allowances for attendance through electronic communication technology. The City Attorney presented draft language striking the final sentence in Section 4, “Members of city Council may not vote in absentia,” and replacing that sentence with, “So long as a physical quorum of the city council is present, a member of the city council may attend, participate and vote by available audio/video teleconferencing, but only if that member's physical absence arises from an exceptional or extraordinary circumstance which shall be determined in the good judgment of the quorum of city council members physically present.”

The Committee had no changes to recommend for Section 5. Qualifications.

The Committee had previously considered changes to Section 6. Compositions; districts, relevant to discussion of a Council of five members rather than seven. The Committee was advised that a change to this section would not take effect until after the next two election cycles. Committee members discussed changes that could be made regarding the role of mayor, expressing concern over the perception of mayoral powers. Some members favored a mayor elected among the Council. It was suggested that education might clarify the understanding of the mayor role.

The Committee discussed the pros and cons of at-large representation rather than district representation. They considered the potential for varying levels of accountability and district advocacy with at-large representatives rather than district-specific representation. They acknowledged certain things are not controllable by legislation.

It was suggested that the role of mayor may be clarified in the Duties and Prohibitions clause under ARTICLE IV. MAYOR.

The Committee expressed consensus that there are no recommended changes for Section 6 at this time, although the Committee, in their report to Council, may mention areas they believe should be examined more thoroughly regarding the composition of districts and the role of mayor.

The Committee had no recommendations for Section 7. Vice-mayor or Section 8. Meetings.

Chairperson Tipton told the Committee that the addition of Prohibitions under Section 9 will require renumbering. The title “Duties” would be (a) under Section 9 with “Prohibitions” following as (b).

The Committee discussed penalties for violations of the Charter. Public reprimand, censure, or monetary fines were mentioned. The process for removal from office is governed by State law. The Committee discussed self-policing under Home Rule. They reviewed the section of Daytona Beach’s code of ordinances, which addresses the matter in a manner similar to that which the Committee is discussing, and they considered the difficulties of enforcement. The appropriate role of the City Attorney was discussed.

The Committee agreed that (b) Prohibitions would be included in their report recommendations to City Council.

The Committee agreed they wish to recommend replacing the current Charter Review clause under ARTICLE II. Section 9. Duties with the following: “The City Council shall cause this charter to be reviewed from 2024 no less than every five years thereafter, by ad hoc committee and the city attorney.”

The Committee considered deviating from the Roman numeral number system, but decided against it.

D. ARTICLE III. ELECTIONS AND VACANCIES

The Committee agreed on a change to the first sentence of **Section 11. General and special elections** so that it reads **“A general election shall be held biennially on the first Tuesday after the first Monday in November.”**

Section 12 would be revised with the following subheadings:

(a) **Terms.** The term of each city council office, including the office of the mayor, shall be four (4) years. However, all office holders shall continue in office until the office holder's successor is appointed or sworn to office, unless the office holder's office is declared vacant pursuant to this Charter. All elected councilmembers, including the mayor, shall assume office and be sworn at the first regularly scheduled meeting following certification of the election results.

(b) **Staggered terms.** All members of the city council, including the mayor, shall each serve staggered terms. In 2024 and every four years thereafter, the mayor, the representative of district 1, the representative of district 4 and the representative of district 5 shall be elected. In 2022 and every four years thereafter, the representative of district 2, the representative of district 3 and the at-large representative shall be elected.

(c) **Term limits.** The mayor, any district representative and the at-large representative may only serve twelve (12) consecutive years. The time served by a person appointed or elected to fill the remainder of a vacant position shall be included in the twelve-year limitation.

Committee members discussed the benefits and drawbacks of term limit lengths.

Section 17. Vacancies

The Committee considered Section 17. Vacancies. Chairperson Tipton brought up various reasons this section is important. Abundant absences make for a less effective Councilmember. The Committee considered the expense of special elections.

Chairperson Tipton confirmed the Committee by consensus agreed with the recommendation of (a) and (b) below for Section 17. Vacancies:

(a) Vacancies. The office of any councilmember shall become vacant upon the member's death, resignation, removal from office in any manner authorized by law, or by forfeiture of office.

(b) Forfeiture of office. A councilmember's forfeiture of office shall be declared by resolution of the remaining councilmembers under the following circumstances:

(1) By absence. A councilmember shall forfeit their office if the councilmember is absent from four (4) consecutive regularly scheduled council meetings without good cause as determined by the city council. The council may, in its discretion, declare a member's forfeiture if the councilmember misses four (4) non-consecutive meetings within a calendar year.

(2) By disqualification. Any councilmember who is a district representative shall forfeit their office upon establishing a permanent residence outside the district they represent.

The Committee considered the appropriate number of days of vacancy in relation to the timing of an election to fill the vacant seat.

The Committee agreed upon the following text for (c).

(c) Filling vacancies. A vacancy in the council other than the mayor's seat shall be filled by appointment of a qualified person by a majority vote of the remaining members of city council to serve until the next biennial general election, at which time the vacant position shall be filled by a vote of the electors for the remainder of the original term, if any. If the city council fails to appoint a successor to serve to the date of the next general election within sixty (60) days following the occurrence of the vacancy, the election authority shall call a special election to fill the vacancy as soon as practical.

The Committee discussed what must be accomplished within their final meetings. The final opportunity for discussing changes will be June 7th.

The Committee discussed a recommendation for ARTICLE IV. MAYOR that emphasized the ceremonial role of the mayor.

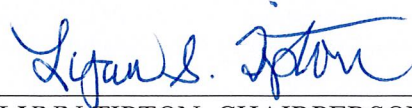
ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATES

The Committee set the following meeting dates and times: Thursday, May 30th from 2 pm until 6 pm; Monday, June 3rd from 1 pm until 3 pm; and Thursday, June 6th from 3 pm until 5 pm.

ADJOURNMENT

MOTION BY MR. KIRWIN TO ADJOURN; MR. WARD SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

There being no further business for discussion, the meeting adjourned at approximately 5:25 p.m.



LYNN TIPTON, CHAIRPERSON
2024 Charter Review Committee



JEANANN HAND, CITY CLERK
City of Mount Dora

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE
MINUTES MAY 30, 2024, 2:00 P.M.**

**Mount Dora City Hall |
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 2:10 p.m. Chairperson Tipton called to order the May 23, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Lynn Tipton, Chairperson, District 2
Adrian Coombes, Vice-chair, District 3
Frances “Frank” Kirwin, District 4
Ozell Ward, District 5
Keashawn “Kay” Volmar, At-large, Mayor
(Ms. Volmar arrived after roll call at 2:54 pm.)

Also Present

Vince Sandersfeld, City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

Members Not Present

Gregg Joshua Hemingway, District 1
Thomas Hudson, At-large

APPROVAL OF MINUTES

A. May 23, 2024 Charter Review Committee Minutes

The Committee agreed that in the Preamble drafted at the May 23rd meeting, they would like the phrase “someplace special” to be formatted with the first letter of each word capitalized and the phrase contained in quotation marks, so that it would appear as “Someplace Special.”

The minutes were corrected on page three at Section 12 (c) to read

(c) Term limits. The mayor, any district representative and the at-large representative may only serve twelve (12) consecutive years. The time served by a person appointed or elected to fill the remainder of a vacant position shall be included in the twelve-year limitation.

MOTION BY MR. WARD TO APPROVE THE MINUTES FROM THE MAY 23, 2024 CHARTER REVIEW COMMITTEE MEETING AS AMENDED IN THE PREAMBLE AND AT SECTION 12 (c); MR. KIRWIN SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment. Christine King-Harris, 402 East Jackson Avenue, spoke about the rural protection area. Chairperson Tipton closed public comment.

NEW BUSINESS

A. ARTICLE IV - MAYOR

The committee considered ARTICLE IV. MAYOR. There were no proposed changes at this time. Earlier concepts discussed by the committee regarding the mayor role would be included in a proposed non-interference and/or prohibition clause under ARTICLE II. Section 9. Duties.

ARTICLE V. – CITY MANAGER was briefly discussed near the close of the May 23rd meeting, but no draft language existed. Any draft language proposed for this article would be presented to the committee at the June 3rd meeting, at which time the committee could review a draft report and

possible ballot language. The final meeting on June 6th would be the occasion for the committee to view any changes to the report provided on June 3rd and would be the committee's opportunity to approve the final report.

Mr. Ward would not be able to physically attend the June 6th meeting.

MOTION BY MR. KIRWIN TO EXCUSE MR. WARD'S PHYSICAL PRESENCE FROM THE JUNE 6, 2024 MEETING TO ATTEND VIA ZOOM DUE TO EXCEPTIONAL CIRCUMSTANCES; VICE-CHAIR COOMBES SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

The committee continued to consider ARTICLE IV. MAYOR. Members had previously discussed a desired emphasis on the ceremonial role of the mayor under the council-manager form of government under which the City operates. The committee considered adding the word "operational" to Section 18 (a) so that it would read "The mayor shall have no administrative or operational duties except as set forth herein," but decided against it. They concluded that the additional word may be distracting, and bring with it the burden of further definition. They reasoned that the conveyance of the mayor's operational limits would be more efficiently accomplished through education and training efforts.

The committee discussed the role of elected officials in the employee grievance process. Concerns regarding this topic would be addressed with the non-interference clause.

The committee proposed no changes to ARTICLE IV. (a) through (h).

B. ARTICLE V. – CITY MANAGER

The committee proposed no changes to Section 19. Establishment of Office.

In Section 20, Appointment, the committee wished to change the required vote from majority to super majority. The proposed line would read "The city council shall, by a super majority (five (5) members) vote of the full council, appoint a city manager."

In Section 21, Removal, the committee similarly proposed to change the required vote to a super majority, so that the first sentence of Section 21 would read "The council may remove the city manager by a super majority (five (5) members) vote of the full council."

In Section 22, Compensation, the committee proposed to add the word "evaluation" to the title of the section, and to add the line "At least once each year, the city council shall evaluate the city manager's performance, in accordance with such procedures as the city council shall, from time to time, adopt."

The committee discussed the structure of city staff succession plans, and whether the topic would be effectively addressed in the charter, in city policy or through other means.

The committee proposed no changes to Section 24. Acting City Manager.

Chairperson Tipton reminded the committee of their previously-stated intent to, in the cover letter accompanying their report, request Council to consider their city manager evaluation process. They wished to recommend Council adopt an outline of standards by which they would evaluate the city manager performance over clearly-defined intervals of time. The evaluation would explicitly list goals and objectives, and key areas for the council and the manager to review, while allowing for open-ended discussion and conversation facilitating productive communication for all parties in the process. The City Attorney referred to a recent workshop had taken place to begin the establishment of such a structure. The City Manager informed the committee of the evaluation structures detailed in his employment agreement, and the performance matrix that had been created for this purpose. The committee discussed which elements of this, if any, should be included in a charter. They determined a recommendation in the report would be most effective.

Further discussion ensued regarding council involvement with city staff.

C. ARTICLE VI. – INITIATIVE AND REFERENDUM

The committee considered whether Section 25. Initiative and Section 26. Referendum are appropriate for the charter. The permissions for Mount Dora electors as described in sections 25 and 26 are unusual and are not required by state law. The committee considered the process by which Mount Dora electors could exercise the rights allowed under these sections.

No recommendations were proposed by the committee for sections 25 through 31.

D. ARTICLE VII. - BUILDING HEIGHTS

No changes were recommended for ARTICLE VII.

Chairperson Tipton opened public comment. Christine King-Harris, 402 East Jackson Avenue, asked for clarification regarding the committee's meeting schedule. There have been minimal changes to the meeting schedule. All have been properly noticed. Chairperson Tipton closed public comment.

E. SUMMARY OF DISCUSSION

Chairperson Tipton reviewed with the Committee their recommendations for gender neutral language and the addition of the preamble.

F. NON-CHARTER RECOMMENDATIONS

Chairperson Tipton reviewed with committee members non-charter recommendations for future actions by the council:

ARTICLE II. - LEGISLATURE

Section 6. Compositions; districts

The committee recommends a future Council workshop to discuss the options for the election of the mayor under the council-manager form of government which include mayors being elected from within the council or through a rotational election. The workshop should include public participation.

Section 9. Duties

The committee recommends that in addition to the non-interference clause that will be part of the charter review report, the city should conduct lengthier or more detailed training during orientation for mayors and council members. The committee recommends the training include presentations from an ICMA Senior Advisor. The committee also recommends more intentional education offered for the public on the subject of mayor and council roles. It may be a City Council workshop with public attendance and participation. It could be noticed as a community meeting

ARTICLE V. – CITY MANAGER

The committee recommends the implementation of an evaluation matrix for city manager job performance, and tracking of goal achievement.

Working with Mr. Brackins, Chairperson Tipton will provide a draft of the recommendation document at the June 3rd meeting.

PUBLIC COMMENT

Chairperson Tipton opened public comment. Christine King-Harris, 402 East Jackson Avenue, asked what happens when a charter violates state law. It was explained that state law has more power than a municipal charter.

Chairperson Tipton informed Ms. King-Harris that the rural area protection map is not a charter or city issue.

ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATES

The next meeting will be held on Monday, June 3rd from 1 pm until 3 pm with an agenda to include:

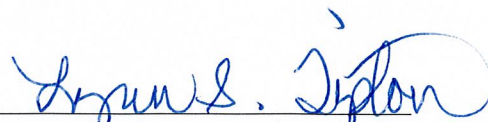
- proposed language changes section by section, including the preamble
- approval of minutes
- review and preparation of June 6th meeting content that will be presented to Council for adoption, including ballot language.

The final meeting will take place on Thursday, June 6th from 3 pm until 5 pm.

ADJOURNMENT

MOTION BY VICE-CHAIR COOMBES TO ADJOURN; MR. KIRWIN SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

There being no further business for discussion, the meeting adjourned at approximately 3:36 p.m.


 LYNN TIPTON, CHAIRPERSON
 2024 Charter Review Committee

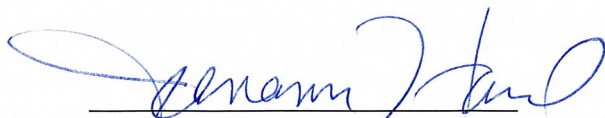

 JEANANN HAND, CITY CLERK
 City of Mount Dora

EXHIBIT B - PRESENTATIONS



City of Mount Dora: City Charter Review

April 2024

Municipal Charters in Florida

- ▶ All charters are unique; haven't found any two identical
- ▶ 411 cities, towns and villages – all have a charter
- ▶ Goal for today: discuss charter review roles, municipal characteristics in Florida, and compare Mount Dora using data collected



Charters

- Like a Constitution – broad framework
- Explains the vision, mission and structure of the municipality
- Explains how the representatives will be elected; chain of command and fiscal authority
- Details are by ordinance (law) and policies
- Short: 8 to 10 pages in length

Charter Review Committees

- Some are created by charter with specific appointment terms
- Some are created by ordinance, or at the request of a city council; varies widely across Florida's municipalities
- Committee is usually tasked with a time-specific review, assisted by counsel, and to bring back any recommendations to the council
- The council may choose to place items directly on the ballot based upon recommendations of the counsel and committee
- The role of citizens in this process is crucial: representation of the public; ability to weigh issues and to understand the charter's importance as the city's governing foundation

Common Charter Elements

- ▶ Preamble
- ▶ Boundaries
- ▶ Legislative Body
- ▶ Form of Government
- ▶ Charter Officers (positions defined)
- ▶ Fiscal and Fiduciary Authorities and Responsibilities
- ▶ Amendment Process



Comparable Charter Characteristics: Legislative

- Size of Council or Commission: five (5) members is most common; some seven (7) and some (6) where mayor is non-voting
- Length of term: two- and four- year terms are fairly evenly spread across 41 1; smaller percentage use three-year term
- Type of election per council seat: at-large; single-member district (SMD); elected seat with at-large voting; true at-large; some councils are mix of at-large and SMD
- Selection of mayor: 3 options: elected at large; elected from within the council; rotational

Forms of Municipal Government in Florida

- ▶ **Council-weak mayor:** original form brought over from England; council shares all powers; about 85 Florida cities with populations less than 25,000
- ▶ **Council-strong mayor:** an elected executive implements council actions and administers the city; about 40 Florida cities in all populations
- ▶ **Commission:** each elected official oversees one or more departments autonomously; come together as legislative body. About 2 Florida cities have this
- ▶ **Council-Manager or Commission-Manager:** professional manager appointed by mayor & council to administer city, prepare agenda and recommend actions to council, and present a budget each year; about 280 Florida cities of all populations
- ▶ **Hybrid:** elements of the above

Charter Offices and Departments

- ▶ Some cities seek to establish a department by including it in the charter so that any changes would require referendum
- ▶ The other way to establish departments is by resolution or ordinance
- ▶ Examples can include utilities, police and fire, or a specific service unique to that municipality
- ▶ Charter positions most often include attorney, clerk and manager (if that form of government)

Mount Dora Comparisons:

- Using populations from 16,492 to 19,428 for nine (9) to compare
- Characteristics: 0 are Rural; 0 urban; 10 suburban
- 10 are Council-Manager or Commission-Manager; 0 Council-Strong Mayor; 0 Commission; 0 Council-Weak Mayor; 0 Hybrid
- Number of elected seats: 1 has seven seats; 2 have six seats; 7 with five seats
- *Should also compare scope of services if any charter elements are compared more deeply*

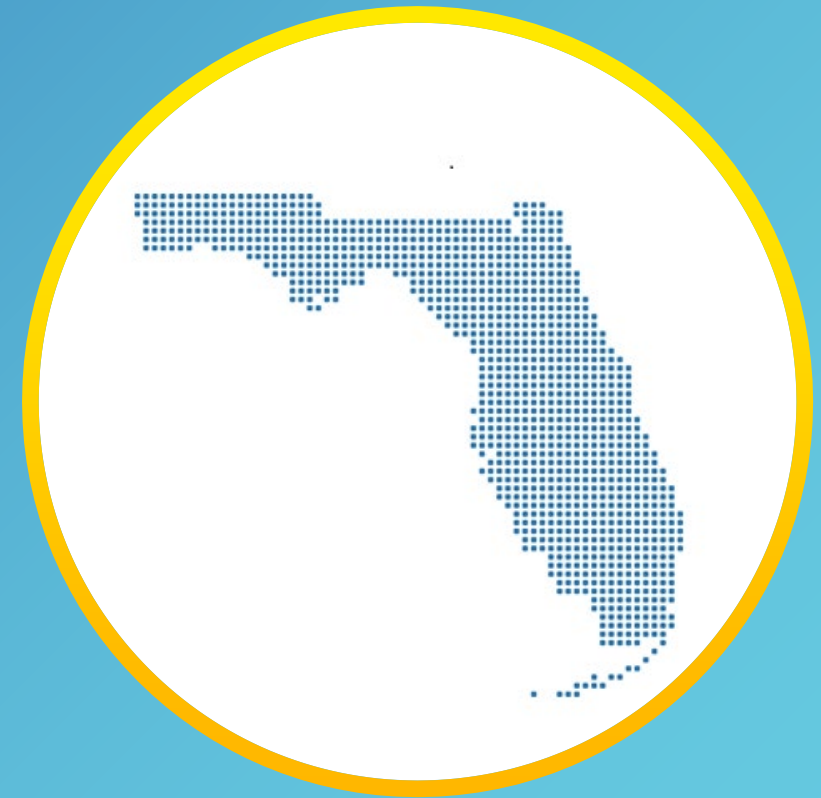
City of Mount Dora: Chart of Comparisons

Municipality (County)	2023 Popltn	Form	Council Seats	Notes
Niceville (Okaloosa)	16,492	C-M		6
New Port Richey (Pasco)	17,313	C-M		5
Lake Mary (Seminole)	17,366	C-M		5
Lake Wales (Polk)	17,384	C-M		5
Mount Dora (Lake)	17,843	C-M		7
Pinecrest (Miami-Dade)	18,395	C-M		5
Stuart (Martin)	19,264	C-M		5
Auburndale (Polk)	19,298	C-M		5
Zephyrhills (Pasco)	19,337	C-M		6 M non-voting
Seminole (Pinellas)	19,428	C-M		5

Forms Note:

C-M refers to Council-Manager

M non-voting in 6 member coun.



Best Practices in Charter Reviews

- Appointing representative citizens
- Holding several public forums for discussion (especially if referendum is scheduled)
- Use of website for agenda, minutes of meetings, display of current and proposed language – can help engage citizens
- If referendum is scheduled, develop “FAQ” for website
- Consider partnering with other civic organizations to help with forums, public discussions – reach out and include these groups

More Best Practices: Charter Review Committees

- Charter powers/authority granted to more than one entity
- Confusing language in elections section – usually in qualifications
- Writing too much: less is better



Charter Trends in Florida

- ▶ **Form of government:** trend since 1950s toward the council-manager and commission-manager form of government (including new incorporations)
- ▶ **Charter review time periods:** 10- to 15-year periods are widely seen



Charter Review: Questions to Consider

- From the 2021 ninth edition of the Model City Charter:
- Is the charter reflective of the city's current population?
- Is the council representative of the population, both resident and business?
- Does the charter address responsible professionalism, and do it adequately?
- Has the city provided opportunities for citizen participation in the process?
- Is the city engaged in civic education about the charter (web site, for example)?

Resources

- The Model City Charter- National Civic League
- www.ncl.org – use their questions, not language
- Charters in FL: www.municode.com/library select FL and view list of codified city charters
- FLC Research: Center for Municipal Research tab on FLC website for Peer City information



Questions and Discussion





Thank you for including the Florida League of Cities in your process!



MEMORANDUM

To: The City of Mount Dora, Charter Review Committee

From: Patrick Brackins, Esq.

CC: Vince Sandersfeld

Re: Charter Review Process, Recommended Procedures

April 11, 2024

Welcome to the 2024 Mount Dora Charter Review Committee. Please find below a brief summary of your responsibilities under the Charter, a summary of the ballot summary and title requirements for charter amendments under Florida law, and a recommended procedure for you to consider. I look forward to working with you.

Charter Review Committee.

Section 9 of the Charter provides that the City Council shall appoint an ad hoc committee to review the charter no less than once every five years. The final report of the 2019 Charter Review Committee has been included in your packet. On April 2, 2024, the City Council, pursuant to Resolution 2024-12, established the 2024 Charter Review Committee. Under Section 9, your report and recommendations to the City Council must be presented no later than the second regularly scheduled City Council meeting in June. However, because any recommended charter amendments approved by the City Council to be placed on the ballot for the next general election must be done by ordinance, my recommendation is that your final report be presented to the City Council no later than the end of May.

Ballot Summary and Ballot Title Requirements.

Florida law requires that a ballot summary not exceed 75 words in length and a ballot title may not exceed 15 words in length. Fla. Stat. § 101.161(1). The ballot summary is an explanatory statement and

it must “provide fair notice of the content of the proposed amendment so that the voter will not be misled as to its purpose, and can cast an intelligent and informed ballot.” *Advisory Op. to Att’y Gen. re Term Limits Pledge*, 718 So. 2d 798, 803 (Fla. 1998). Similarly, a ballot title may not be written in a manner that misleads the public. I am happy to provide more detailed information on this topic if it will assist you.

Recommended Review Procedure.

With less than two months to conduct a comprehensive, efficient, and effective review of the City of Mount Dora Charter, I want to offer the following recommendations based on our firm’s collective experience and participation in numerous charter reviews while serving as legal counsel. My recommendations are as follows:

- Set a realistic regular meeting schedule at today’s meeting with the understanding that each meeting will be publicly noticed, agendas will be prepared, and minutes will be taken.
- The Charter has seven (7) articles. You can dedicate certain meetings to certain articles for review, but you also do not have to be beholden to that schedule. For example, if a majority of the public comments and members’ attention is directed to a particular article, you can devote more time to those items.
- Remember, the Sunshine Law and Public Records Act applies to this committee and its meetings. While I can share memorandums with the committee between meetings, the committee’s discussions must take place between the gavels at a public meeting. Please plan accordingly when determining your meeting schedule.
- Conduct the meetings like any regular public meetings by allowing a public comment period at the beginning, before getting into the actual discussion of the charter sections on the agenda for that specific meeting. Three minutes is widely used for individual public comments. Once the working portion of the meeting begins (the committee’s discussion of the various sections), make sure the discussion stays with the committee and does not become an open forum. Remind the public that they may submit written public comments. If it is your wish to adopt Robert’s Rules of Order, do so only as a guide since strict application will only hinder your ability to perform your work in an efficient manner due to the time constraints.
- Set a time limit for the meetings (2 hours for example) and stick to it.
- Include legal counsel at all meetings (in person or by Zoom) so any suggestions for changes that may be headed down a problematic path can be redirected or advised upon before they

gain traction. In other words, before the community and council members get invested in a change that is not legally permissible, please consult your counsel. For example, as many of you know, the Committee may not change the legal boundaries of the City via a charter amendment. In addition to oral opinions, please seek memorandums of law on particular subjects as they arise so you can make fully informed decisions about what the Committee may recommend to the City Council.

- While I will attend all of your meetings, if I have a conflict, another member of our firm will attend each of your meetings.

Charter Presentation

May 9, 2024

Forms of Government

- ▶ There are 4 basic forms of government in the United States.
 - Strong Mayor Form of Government
 - Weak Mayor Form of Government
 - Council–Manager Form of Government
 - Commission Form of Government

Forms of Government

- ▶ Characteristics of Strong Mayor Form of Government
 - Presidential in Model
 - Concentrates Executive Power and Authority in One Individual
 - The Mayor Appoints all Department Heads–Some Charters do require advice and consent by the City Council.
 - The Mayor usually retains veto authority over Council actions. Council may over ride Mayor veto. Charter defines the percentage to over ride a veto.

Forms of Government

- ▶ Strong Mayor Form of Government
 - Direct Control over the day-to-day operation of the City
 - Often there is a Split Policy Agenda
 - Appoints the City Administrator who is responsible of carrying out the Mayor's Policies. City Administrator is responsible to the Mayor only
 - Council retains all legislative authority
 - Mayor proposes a budget and Council approves the budget. Mayor is responsible for administering the budget. Council has oversight responsibility

Forms of Government

- ▶ Strong Mayor Form of Government
 - Council Agenda and Priorities often do not agree with the Agenda and Priorities of the Mayor
 - Council selects its own presiding officer
 - Charter outlines in detail the powers and authority of both the Mayor and Council
 - This form of government tends to be more political
 - This form of government is often seen in larger cities. However, there are a number of large cities in the US who have other forms of government
 - Approximately 28% of cities in Florida operate under this form of government

Forms of Government

- ▶ **Weak Mayor–Council Form of Government**
 - Mayor is directly elected but power and authority are restricted
 - Mayor may or may not be the chair of the Council. Normally, the Council selects its own chair.
 - The Mayor is responsible for the day-to-day operations of the City
 - The Council retains far more authority over the daily operations of the City
 - The Council maintains control of the budget
 - All legislative authority is retained by the Council
 - Can be a conflict between the Mayor and Council over policy direction and issues
 - Slightly more than 1% of cities in Florida operate under this form of government

Forms of Government

- ▶ Commission Form of Government
 - Distinctly American
 - First Commission Form of Government was Galveston, Texas. (Galveston does not currently operate under Commission Form of Government)
 - Commissioners serve as elected department heads or areas of governance
 - The Commission form is very administrative inefficient
 - Conflicts of interest are common because Commissioners often prioritize their own Department needs ahead of the overall city needs

Forms of Government

- ▶ Commission Form of Government
 - Legislative authority is vested in the Commission
 - Commissioners come together to form the governing body
 - Tends to in very small cities. Today less than .1% of cities in Florida operate under the Commission Form of Government
 - Each Commissioner is responsible of the daily operation of their individual department or area
 - Each Commissioners runs on an agenda for their specific department
 - Tends to be very political
 - Mayor or chair is more ceremonial with no real power

Forms of Government

- ▶ **Council–Manager Form of Government**
 - Distinctly American
 - First created in the early 1900s, in response to political machine scandals (example–KC Bosses James & Tom Pendergast–saloons, gambling & prostitution)
 - In the SE, Virginia, South Carolina and North Carolina were among the first with “professional manager” positions. Stanton, Virginia is often recognized as the first city in the nation to adopt the Council–Manager Plan. In Florida Approximately 69% of the cities have Council–Manager Form of Government in their charters

Form of Government

- ▶ **Goal of Council Manager Form of Government**
 - Supporters wanted to separate political pressures from the day-to-day administration of cities and counties
 - Focus on merit-based employment & professional service delivery
 - Patterned after business model: with voters as stockholders; Mayor and Council as board of directors setting the policy; CM as CEO responsible for day-to-day administration

Form of Government

▶ Council–Manager Details

- City Charter defines the role of the legislative body (council)
- City Charter defines powers and duties of the appointed manager
- The City Council appoints a professional manager to manage the day-to-day operation of the City and to implement City Council Policy, Priorities, Ordinances and Resolutions. Often the Charter will outline the qualifications that the Council will use in appointing a manager
- The Manager is responsible to the City Council for implementation of Council Policies, Ordinances and Resolutions
- The Manager is responsible to the City Council and can be removed at any time by the City Council, for cause and without cause
- Additional policies related to both roles are then written into city policies that are adopted by the council—examples could include—finance and procurement policies; investment policies; guidelines for conducting public meetings & citizen boards.

Form of Government

▶ Role of the Mayor and Council

- Unified form of government meaning that the Mayor and City Council are responsible for developing the vision for the City and establishing the Policy direction for the City
- Establishment of Policy is a Shared responsibility with the Mayor & Council. The Manager and staff are advisors to the Mayor and Council on Policy offering Policy Options and Recommendations
- Mayor is presiding Officer of City Council & ensures civility and structure during meetings
- Mayor & Council approve the annual budget, set the tax levies; approve all local ordinances, such as planning and zoning, stormwater, impact fees, etc. and establish annual policy priorities/goals for completion by the Manager

Form of Government

▶ Additional Council Roles

- Council is the local legislative body; state law requires appropriation of funds and most city charter contain fiscal, fiduciary, legislative and oversight responsibilities by Council
- Council works toward their decisions in publicly-noticed meetings (Open Meeting Laws) – including workshops, public hearings and legislative meetings
- Council also works with other elected officials (local, state & federal) to support the established priorities and goals of the City

Form of Government

▶ City Manager's Role

- Manager is responsible for day-to-day administration with personnel authority for staff (Note-Clerk & City Attorney are often separate Charter Officers appointed by Council)
- Manager prepares the budget to present to City Council reflecting Council priorities
- Manager has expenditure authority after the budget adopted (limits set by Council)
- Manager prepares agenda material with recommendations/research for council
- Manager provides updates on council priorities

Form of Government

- ▶ Key Steps in Council–City Manager Partnership
 - The International City–County Management Association (ICMA) recommends that City Councils discuss expectations and performance measurements with their City Manager annually
 - Attainable Goals (example–financially feasible), should be set for the Manager
 - The ICMA Code of Ethics ensures that managers remain non–political
 - Communication is the key: regular discussion times (individual meetings, workshops, etc) with mayor and council on priorities

Orientations and Retreats

- ▶ Many councils find it helpful to hold annual retreats for priorities/goal setting, long-range planning and to review specific strategies with the manager as required
- ▶ Newly-elected council members should have orientation time with the manager on priorities, issues, strategies and roles/responsibilities of Council and key staff
- ▶ Which is being covered today with the Council, manager and FCCMA senior advisors

Additional Resources

- ▶ The Model City Charter published by the National Civic League—an excellent guide
- ▶ Florida League of Cities for newly elected officials, annual conferences, and advanced sessions for elected officials
- ▶ Senior Advisors (retired city and county managers) available to work with cities on form of government questions. Senior Advisors may be requested through FCCMA.

Election of the Mayor

- ▶ There are three basic methods that Cities use to elect the Mayor
 - Direct Election of the Mayor
 - Elected by the Governing Body
 - Rotation Amongst the Members of the Governing Body

Election of the Mayor

- ▶ Under the Strong Mayor and Weak Mayor Form of Government, the Mayor is directly elected
- ▶ Under the Council–Manager Form of Government, the Mayor is a member of the governing body
 - The Direct election method under the Council–Manager Form of Government designates one of the Council seats as the Mayor’s position. The Mayor runs city–wide. The Charter outlines responsibilities of the Mayor. More Cities are using this method of selecting the Mayor
 - Elected by the City Council was the traditional method of electing the Mayor when it was formed. The Mayor’s primary role is chairing the meeting, signing documents, etc.
 - Rotation Method is used by some cities. It means that the Mayor’s position is rotated annually amongst the membership allowing each Council Member the opportunity to be Mayor. The Mayor’s primary role is chairing the meeting, signing documents, etc.

Electing City Council Members

- ▶ There are three distinct ways of electing Council Members
 - Single Member Districts
 - Council seats are organized into districts of equal population
 - A member of Council is elected to represent each district
 - Only those voters in that district can vote for their representative
 - One of the pitfalls of a single member district is that the elected official may have a district perspective, not a city-wide perspective

Electing City Council Members

- ▶ Three distinct ways of electing Council Members
 - At Large
 - The number of Council seats is determined by Charter
 - No requirement to live in a specific area of the City
 - Voted on by all the voters
 - All members have to have a city-wide perspective
 - One of the pitfalls is that all members could live in only one area
 - A second pitfall is it potentially limits minority participation

Electing City Council Members

- ▶ Three distinct ways of electing Council Members
 - Hybrid
 - City is divided in Council Districts based on population
 - In order to run for office, a person must reside in the district
 - The candidates run city wide
 - Guarantees representation of all areas of the city rather than a potential concentration of elected officials from one specific area of the city
 - Council Members must have a city-wide perspective

EXHIBIT C – MATRIX OF CHARTER AMENDMENTS

Charter Section	Title and Ballot Question	Purpose	Proposed Language
Part I - (Create Preamble)	<p>CREATING A PREAMBLE TO THE CHARTER OF THE CITY OF MOUNT DORA</p> <p>Amending the charter by creating a preamble, stating the values, goals and purposes of the charter and acknowledging that Mount Dora is "SOMEPLACE SPECIAL." This charter amendment does not create any new rights, duties, obligations, or prohibitions.</p>	<p>This Charter amendment would create a preamble to the charter. Many other municipalities have preambles, but the City of Mount Dora's charter does not. While the preamble does not create any specific rights or duties, it provides a statement of who Mount Dora is and its goals.</p>	<p><u>We the people of the City of Mount Dora, Florida, under the constitution and laws of the State of Florida do hereby adopt this charter to secure the benefits of local self-government and provide for honest and accountable council-manager government. Mount Dora is "SOMEPLACE SPECIAL." We seek to ensure that our history, arts, culture, quality of life and commitment to social equity endure. Our charter aspires to enshrine these values to preserve and strengthen all that is best about our City.</u></p>
Article II Establishment of Entity			
Section 4 City Council	<p>REMOVING THE PROHIBITION ON VOTING IN ABSENTIA</p> <p>Amending the charter by removing the prohibition on city council members voting in absentia. This amendment will cause the determination of whether a member of the city council can participate and vote while not physically present will be determined by the general law of the State of Florida.</p>	<p>This Charter amendment would remove the prohibition on members of the city council being able to cast votes in absentia. The pandemic and advances in technology have created the possibility of having members who are physically absent being able to fully participate in city council meetings. Removing the prohibition means that whether a member may participate and vote while not being physically present will be determined in the future by the general law of the State of Florida.</p>	<p>The city council shall consist of seven (7) members, including the mayor. The mayor shall be considered a member of the city council for all purposes. Members of the city council may not cast votes in absentia.</p>

Charter Section	Title and Ballot Question	Purpose	Proposed Language
Section 9(a) Charter Review	<p>AMENDING THE MONTH FOR ESTABLISHING THE CHARTER REVIEW COMMITTEE</p> <p>Amending Section 9, to establish the charter review committee in January instead of April, and to amend the year from which the establishment of the committee begins.</p>	<p>This Charter amendment would amend when the charter review ad hoc committee would be formed and establish the year from when the review period would begin.</p>	<p>The city council shall cause this charter to be reviewed in 2014 <u>from 2024</u> no less than once every 5 years thereafter, by ad hoc committee and the city attorney. The city council may also cause the Charter to be reviewed as necessary at its direction. The ad hoc committee shall be appointed no later than the first regularly scheduled meeting of April January. The report of the ad hoc committee shall be presented to the city council no later than the second regularly scheduled council meeting of June.</p>

Charter Section	Title and Ballot Question	Purpose	Proposed Language
Section 9(b) - Non-Interference	<p>RENUMBERING AND PROHIBITING CITY COUNCIL MEMBERS FROM INTERFERING WITH OPERATIONS EXCEPT THROUGH CITY MANAGER</p> <p>Amending Section 9, renaming section, renumbering, and adding a prohibition on city council members interfering with city operations except through the City Manager. .</p>	<p>This Charter amendment would create a prohibition on members of the city council interfering with the administration of the City except through the City Manager. Many cities operating under the council-manager form of government have a charter provision prohibiting members of the city council from interfering with the operations of the City except through the City Manager. Creating this prohibition is consistent with best practices and the majority of other cities having this form of government. This amendment would also renumber Section 9.</p>	<p>(a) <i>Duties.</i></p> <p>(1)The city council shall, by resolution, annually adopt a budget which is consistent with state law, city policy and procedures, and generally accepted accounting principles.</p> <p>(2)The city council shall annually cause to be conducted an audit of the accounts and records of the City of Mount Dora. The audit shall be performed by an independent certified public accountant, who shall be engaged for a term of no longer than five successive years, and who may not be engaged for an immediately successive term of any length following any five successive years, including any years served prior to the adoption of this provision. Upon receipt of the auditor's annual report, the city council shall adopt, by resolution, time parameters and procedures for the correction of all deficiencies noted in the auditor's annual report.</p> <p>(3)The city council shall create and maintain a codification of ordinances. The codification shall contain those ordinances designated by the city council in its sole and absolute discretion. The city council shall annually cause the codification established hereunder to be reviewed under the supervision of the city attorney. The city shall also periodically update the codification established hereunder. A report of the codification review shall be presented to the city council no later than the first regularly scheduled council meeting of August.</p> <p>(4)The city council shall cause this charter to be reviewed in 2011 and no less than once every 5 years thereafter, by ad hoc committee and the city attorney. The city council may also cause the Charter to be reviewed as necessary at its discretion. The ad hoc committee shall be appointed no later than the first regularly scheduled council meeting of April. The report of the ad hoc committee shall be presented to the city council no later than the second regularly scheduled council meeting of June.</p> <p>(5)The city council shall individually make appointments to all boards and ad hoc committees created by the city council based upon procedures from time to time be established by the city council.</p> <p>(b) <i>Prohibitions.</i></p> <p><u>(1)Interference with administration. Except for the purpose of inquiries and investigations authorized by the city council, the city council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager; neither the city council nor its members shall directly issue orders to these staff members, publicly or privately. This provision shall not be construed to restrict individual councilmembers from actively monitoring city operations, including asking questions and engaging in discussions with the city manager regarding matters concerning supervised employees, and to offer opinions and recommendations on such matters. Suggestions for improvement in city government operations from individual council members shall be made through the city manager so that the city manager may coordinate efforts of all city departments to achieve the greatest possible savings through the most efficient and sound means available.</u></p>

Charter Section	Title and Ballot Question	Purpose	Proposed Language
Election and Vacancies			
Section 11 - Biannual General Elections	<p>CORRECTING THE CHARTER TO REFLECT GENERAL ELECTIONS ARE HELD BIANNUALLY</p> <p>Amending Section 11 to correctly reflect general elections are held Biannually</p>	<p>This Charter amendment corrects changes made to the election cycle in 2019 to reflect that general elections will be held biannually.</p>	<p>A general election shall be held each year <u>biannually</u> on the first Tuesday after the first Monday in November. Special elections, other than those expressly provided for herein, may be called for by the city council as the city council, in its sole and absolute discretion, deems necessary.</p>
Section 12 - Renumbering and Increasing Term Limits	<p>INCREASING TERM LIMITS TO TWELVE CONSECUTIVE YEARS AND ADDING SUBHEADINGS</p> <p>Amending Section 12 to increase the term limits to twelve (12) consecutive years, adding subheadings, and bringing language up to date.</p>	<p>This Charter amendment provides subheadings, brings the language up to date, and increases the term limits from eight (8) consecutive years to twelve (12) consecutive years.</p>	<p><u>(a) Terms.</u> The term of each city council office, including the office of the mayor, shall be four (4) years. However, all office holders shall continue in office until the office holder's successor is appointed or sworn to office, unless the office holder's office is declared vacant pursuant to this Charter. All elected councilmembers, including the mayor, shall assume office and be sworn at the first regularly scheduled meeting following certification of the election results.</p> <p><u>(b) Staggered terms.</u> All members of the city council, including the mayor, shall each serve staggered terms. In 2024 and every four years thereafter, the mayor, the representative of district 1, the representative of district 4, and the representative of district 5 shall be elected for a three (3) year term beginning in 2021 and thereafter, beginning in 2024, for four (4) year terms. <u>In 2022 and every four years thereafter,</u> the representative of district 2, the representative of district 3, and the at-large representative shall be elected for four (4) year terms beginning in 2022.</p> <p><u>(c) Term limits.</u> The mayor, any district representative, and the at-large representative may only serve eight (8) <u>twelve (12)</u> consecutive years in the same position. The time served by a person appointed or elected to fill the remainder of a vacant position shall not be included in the eight year <u>twelve (12) year</u> limitation.</p>

Charter Section	Title and Ballot Question	Purpose	Proposed Language
<p>Section 17 - Vacancies</p>	<p>REPLACING AND REORGANIZING CHARTER LANGUAGE REGARDING COUNCIL VACANCIES AND SCHEDULING SPECIAL ELECTIONS</p> <p>Amending Section 17 to clarify requirements for filling council vacancies and holding special elections, reorganizing section with subheadings.</p>	<p>This Charter amendment repeals and replaces the current Section 17 language regarding council vacancies in office and the holding of a special election to fill a council vacancy. The amendment further creates subheadings and reorganizes the language of the current charter regarding council vacancies and forfeiture from office.</p>	<p>The office of any councilmember, including the office of the mayor, who dies or resigns, or who is removed from office, or who is absent from four (4) consecutive regularly scheduled council meetings, shall be declared vacant by resolution of the remaining councilmembers. The office of any councilmember, including the office of the mayor, who is absent from four (4) nonconsecutive regularly scheduled council meetings during a calendar year, may be declared vacant by resolution of the remaining councilmembers. The office of any councilmember who is a district representative, and who establishes a permanent residence outside of the district which the councilmember represents, shall be declared vacant by resolution of the remaining councilmembers.</p> <p>Should the office of any councilmember, including the office of the mayor, be declared vacant more than one hundred eighty (180) days prior to the first Tuesday after the first Monday of the immediately following November, the city council shall call for a special election to fill the vacancy for the remainder of the term of the office vacated.</p> <p>Should the office of any councilmember, not including the mayor, be declared vacant less than one hundred eighty (180) days prior to the first Tuesday after the first Monday of the immediately following November, the mayor shall appoint, with the approval of city council, an elector of the city, who is qualified to hold the particular office declared vacant, to fill the vacancy.</p> <p>Should the office of the mayor be declared vacant less than one hundred eighty (180) days prior to the first Tuesday after the first Monday of the immediately following November, the vice mayor shall assume the office of the mayor. The council office held by the vice mayor shall be declared vacant and shall be filled in accordance with this section.</p> <p>Any city council office, including the office of the mayor, filled by appointment pursuant to this section shall be open for election on the first Tuesday after the first Monday of the immediately following November, whereupon the office will be filled for the unexpired portion of the existing term or for a full term, whichever is applicable.</p> <p><u>(a) Vacancies.</u> The office of any councilmember shall become vacant upon the member’s death, resignation, removal from office in any manner authorized by law, or by forfeiture of office.</p> <p><u>(b) Forfeiture of officer.</u> A councilmember’s forfeiture of office shall be declared by resolution of the remaining councilmembers under the following circumstances:</p> <p><u>(1) By absence.</u> A councilmember shall forfeit their office if the councilmember is absent from four (4) consecutive regularly scheduled council meetings without good cause as determined by the city council. The council may, in its discretion, declare a member’s forfeiture if the councilmember misses four (4) non-consecutive meetings within a calendar year.</p> <p><u>(2) By disqualification.</u> Any councilmember who is a district representative shall forfeit their office upon establishing a permanent residence outside the district they represent.</p> <p><u>(c) Filling vacancies.</u> A vacancy in the council other than the mayor's seat shall be filled by appointment of a qualified person by a majority vote of the remaining members of city council to serve until the next biannual general election, at which time the vacant position shall be filled by a vote of the electors for the remainder of the original term, if any. If the city council fails to appoint a successor to serve to the date of the next general election within sixty (60) days following the occurrence of the vacancy, the election authority shall call a special election to fill the vacancy, to be held as soon as practicable. If a vacancy in the office of the mayor occurs, the vice-mayor shall assume the office of the mayor for the remainder of the mayor’s original term, and the council office held by the vice-mayor shall be filled in the manner provided in Section 7 of the Charter.</p>

Charter Section	Title and Ballot Question	Purpose	Proposed Language
Article V., City Manager			
Sections 20 and 21, Appointment and Removal	<p>REQUIRING SUPER MAJORITY VOTE OF CITY COUNCIL TO APPOINT OR REMOVE CITY MANAGER</p> <p>Amending Sections 20 and 21 to require a super majority vote of the city council, five (5) votes, to appoint or remove the City Manager</p>	<p>This Charter amendment provides that the City Manager shall be appointed and removed by a super majority vote of the City Council, meaning five (5) members of the City Council must vote to appoint or remove the City Manager.</p>	<p><u>Art. V., Sec. 20. Appointment.</u></p> <p>The city council shall, by a <u>super majority (five (5) members)</u> vote of the full council, appoint a city manager.</p> <p><u>Art. V., Sec. 21. Removal.</u></p> <p>The council may remove the city manager by a <u>super majority (five (5) members)</u> vote of the full council. However, upon demand by the city manager, a public hearing shall be held prior to a vote to remove the city manager. The public hearing shall be held, at a city council meeting, not earlier than fifteen (15) days nor more than thirty (30) days after the demand is served. The demand must be in writing and served upon the mayor. The city manager shall continue to receive full salary until removed from office.</p>

TOWN COMMISSION MEETING

SECTION: NEW BUSINESS
 MEETING DATE: Wednesday, November 6, 2024
 FROM: MAYOR, Alison Dennington

RE: Organized Holiday Caroling and Themed Booked Readings (Dickens and Dr. Seuss or others)

Proposal to Start Some Organized Town Christmas Caroling Groups and Events, Including Children's Book Readings (in Costume) in the Park Pavillion, History Center Porches, and/or Town Hall, During December Month

Introduction

The holiday season brings communities together, fostering a spirit of joy and celebration.

To enhance our town's festive atmosphere, I propose the establishment of organized Christmas caroling groups, supported by various community organizations and local advisory boards.

This initiative aims to promote community engagement and outdoor fun and civic involvement.

Objectives

1. Promote Community Spirit: Encourage participation from all ages and backgrounds, strengthening our town's sense of community.
2. Support Local Talent: Collaborate with local schools, such as the Teachers and Students at Gemini, choirs, and engage all 3 of our Local churches to showcase musical talents, and bring joy door to door for our elderly residents and others in Town who might enjoy having a visit from local Carolers.
3. Enhance Holiday Festivities: Create a vibrant atmosphere through music and storytelling during the holiday season.

Proposed Structure

1. Formation of Caroling Groups:

- Put the word out and seek to Organize some dates and times and lists of interested participants to sing, or be sung to in the community. Depending on the level of interest this could be one or more groups on one or more select

days. These caroling groups coordinate amongst each other and divide areas to reach as many houses as possible who sign-up for a visit by the Community Carolers. This can include members from local schools, churches, residents, and other volunteer organizations, such as Rotary Club, the Volunteer firefighters and other staff or police officers. .

- The Town could provide some structure and dates and lists and allow thereafter the groups could Schedule their own practices and performances by all groups could start or end or both at certain specified central locations, such as at the Park, or the community centers, and/or local businesses.

2. Collaboration and Coordination with/through Town Advisory Boards such as:

- Parks Board,
- Environmental Advisory Board,
- History Board: (HB could Coordinate historical-themed events, featuring period costume readings of classic holiday literature, such as Dickens' works, as well as caroling from the history center buildings).

3. Partnerships with Local Choirs and Orchestras, Gemini and with our 3 local churches, as well as with Rotary Club and SBBL Baseball Organization:

- We have an elementary and 3 churches within our Town, as well as an Active Rotary Group, and an Active Little League Baseball group who could also participate and help coordinate groups, places, and areas.

Gemini:

We could Engage the elementary school choirs and orchestras to participate in caroling and holiday concerts, providing students with performance opportunities.

Local Churches:

Collaborate with local churches to include their congregations in caroling groups and special holiday services, enhancing the spiritual aspect of the season.

Other:

- SBBL - Youth Baseball Groups
- Rotary Club
- Volunteer Fire Department and Police Officers
- Others?

Additional Community Engagement Activities

1. Public Book Readings in the Park:

- Organize themed book readings, featuring characters from classic literature, including:
 - Dickens' Christmas Carol: Readings performed in period costume by volunteers from the history board and local actors.
 - Dr. Seuss: Fun, whimsical readings featuring characters from Seuss's beloved stories, presented by volunteers from local organizations, including fire fighters and police officers.

The Grinch?

The Lorax? (Env Advisory Board?)

Other Books?

2. Promotional Activities:

- Utilize social media and local advertising to promote events, encouraging community participation and attendance.

Implementation Plan

1. Initial Meeting: Publish idea and start a signup.

Host an initial meeting

At Town Hall (viewable on YouTube) with representatives from advisory boards, local schools, churches, and community organizations to discuss the proposal and gather input.

2. Event Scheduling: Develop a calendar of events, including caroling performances and book readings.

3. Volunteer Recruitment and signups:

Encourage community members to volunteer as performers, organizers, and support staff for events.

4. Feedback Mechanism: After events, gather feedback to continually improve future initiatives and adapt based on community interests.

History of Caroling

- **Origins:** Caroling dates back to the 4th century in Europe, originally tied to the celebration of Christmas with roots in pagan traditions. It evolved into a communal activity in the 19th century, where groups would sing festive songs door-to-door.
- **Modern Practices:** Today, caroling has transformed into a festive community activity, often associated with charitable events and celebrations.

Benefits of Caroling

1. Social Connection:

- **Elderly:** Caroling provides social interaction for seniors, combating feelings of loneliness. A study from the National Institute on Aging highlights that social engagement improves mental health and overall well-being in older adults (Cohen, S. (2004). "Social Relationships and Health").
- **Children:** For children, participating in group activities like caroling fosters social skills and community bonds.

2. Emotional Well-being:

- Singing has been shown to release endorphins, contributing to a sense of happiness and community spirit. Research indicates that music can reduce anxiety and promote relaxation (Bradt, J., & Dileo, C. (2014). "Music Interventions for mechanically ventilated patients").

3. Cognitive Benefits:

- Caroling can stimulate memory and cognitive function, particularly in elderly participants, as engaging with music and lyrics can enhance mental acuity (Sacks, O. (2007). "Musicophilia: Tales of Music and the Brain").

Examples of Organized Caroling in Florida, large and small cities:

1. Orlando:

- **Orlando Philharmonic Orchestra:** This organization often hosts community caroling events, where local choirs visit nursing homes and assisted living facilities to perform for residents.

2. Miami:
 - Miami Dade County: Various community groups and churches organize caroling events specifically for elderly residents in nursing homes and community centers, often collaborating with local schools.
3. Jacksonville:
 - Jacksonville Symphony Orchestra: They have community outreach programs that include holiday caroling at senior centers, enhancing the holiday experience for elderly residents.
4. Tampa:
 - Tampa Bay Community Choir: This choir often schedules performances at retirement homes and community centers, bringing music and joy to the elderly.

Smaller Florida cities:

Here are some smaller cities in Florida that have organized caroling and community events, including book readings in parks:

1. Mount Dora
 - Caroling Events: Known for its holiday festivities, Mount Dora often features community caroling events, especially during their annual Christmas festival.
2. Dunedin
 - Caroling Events: Dunedin hosts community holiday celebrations where local groups gather for caroling in the downtown area and local parks.
3. Fernandina Beach
 - Caroling Events: This charming town often features organized caroling events, particularly around the historic downtown area during the holiday season.
4. Winter Park
 - Caroling Events: Winter Park has a tradition of caroling in parks, especially during their holiday celebrations in Central Park.

5. Tarpon Springs

- Caroling Events: Tarpon Springs holds holiday events featuring caroling throughout the downtown area and at local parks.

Conclusion

Caroling serves as a powerful tool for community engagement, especially benefiting the elderly and children. Through organized events, communities can foster connections, enhance emotional well-being, and create lasting memories during the holiday season.

The establishment of organized Christmas caroling groups, complemented by community book readings during the Christmas Holiday, presents a unique opportunity to celebrate the holiday season while fostering community connections for young and the young at heart.

References

- Cohen, S. (2004). "Social Relationships and Health." *American Psychologist*.
- Bradt, J., & Dileo, C. (2014). "Music Interventions for Mechanically Ventilated Patients." *The Cochrane Database of Systematic Reviews*.
- Sacks, O. (2007). *Musicophilia: Tales of Music and the Brain*.

TOWN COMMISSION MEETING

SECTION: NEW BUSINESS
MEETING DATE: Wednesday, November 6, 2024
FROM: MAYOR, Alison Dennington

RE: Proposal for a Citizens Academy

Introduction

The Town of Melbourne Beach is committed to fostering civic engagement and empowering residents to understand and actively participate in local governance.

To achieve this goal, I/we propose the establishment of a Citizens Academy.

I have proposed this before and it was met with conditional approval subject to more specifics and a tentative outline.

This item is a tentative outline and potential framework with adjustable options.

I have contacted the Mayors of both Cocoa and Cocoa Beach requesting the opportunity to review their actual coursework as an examples from which we could base our own materials as a starting point. I will contact other cities as well if necessary or it would be helpful and will provide those to the Town Manger.

This program will provide residents with comprehensive knowledge of town operations, promoting transparency and informed citizenship.

Program Overview

The Citizens Academy will consist of a series of interactive learning modules or classes, each prepared and presented by a combination of departments and boards for a total of 6-8 courses followed by a graduation reception. Each course and the Graduation would be held in Town Hall and available for viewers on YouTube (if desired).

Each module is designed to educate participants on various aspects of town governance and departmental functions.

The program will be conducted over several weeks or several months, most likely in the evenings starting around 4 or 5 pm and lasting 2-3 hours max each class.

The total Academy is offered to residents only up to 20 individuals on a first come first serve basis,.

At the conclusion of the Academy there would be reception and Certificate Ceremony for graduates who complete the program.

Learning Modules Tentative Outline Proposal:

6-8 Classes + Graduation Reception

2-3 hrs each.

Each class will have a 15 min break midway through..

Each class will be taught by a different person/s, for part of the class or the whole class depending on the particular class and subject for that class which is fairly clear or specifically stated below in my proposed outline.

Costs:

TBA but minimal.

Most Towns provide the Academy free and only for residents.

The most significant up-front cost is simply preparing the first set of Class materials but thereafter it's fairly simple to update them minimally each year. I am prepared to donate some funds to start the course.

**Also I have reached out to and will soon have a couple of local municipality Course materials we can use as a starting drafting guide so we don't need to reinvent the whole wheel. I don't want to provide these in the packet though but will provide those to the Town Manager.

Other costs include printing course materials and graduation "certificates" and/or plaques but this is minimal, only a few hundred dollars total.

Some Towns purchase and provide special Citizens Academy Graduate Polos Shirts. We could do so or not. We could provide the option for a shirt or some other merchandise or trinket either free or we could include a cost to the Student if they want one.

Some towns provide Dinner (catered sandwiches, salads, etc). We could provide an option for dinner and include that in the registration as a cost.

Number of Classes, Duration and Frequency:

I would suggest a minimum of 6 classes, at least 2 hours long, but no longer than 3.

Additionally there could be 2 additional Courses which could be Mock Sessions such as:

- Mock Code Enforcement Case
- Mock BOA hearing
- Mock Permut Review and Mock PZ Hearing/Meeting
- Mock Town Commission Meeting
- Public Works “Field Trip” understanding Stormwater, Infrastructure and Sustainability

Time options:

1. Every week for 6-8 weeks
2. 2x per month (total 3-4 months)
3. Once per month

Below is a suggested order but need not be done in this order, things could easily be switched in a different order.

PROPOSED COURSE SCHEDULE/OUTLINE:

Class 1

Duration: 2-3 hours

Local and State Government Basics and TMB Specifics:

Introduction

Town and Local Government Overview Broad Basics and Introduction to all areas and concepts that will be learned in the academy.

Additional TMB Specific Content:

This module will cover the basics of town governance, including:

1. The role of the Town Clerk,
2. The Role of the Town Manager and Town Attorney
3. Public records management, Sunshine Laws;
4. Home Rule and the Town Charter Basics
5. a broad overview of various town departments, boards, budgets, etc.
6. This class will also provide course materials for upcoming classes, and extra materials and/or references for study during the course for optional additional learning.

Class 2

Safety: Fire and Police Departments

Duration: 2-3 hours

Content:

Roles and responsibilities of the fire and police departments, basics of policies and procedures, training requirements, basics of legal and regulatory and certification issues, public safety initiatives, and community engagement.

A day/week in the life of a TMB Firefighter, Police Officer, and Marine Rescue Unit.

Class 3

Public Works Department, Stormwater and Infrastructure Basics, Environmental and Sustainability Challenges and Best Practices

Duration: 2-3 hours

Content:

Overview of the public works department duties on a daily and yearly basis, PW projects, infrastructure maintenance, Stormwaters basics, Town maps, and community services.

What is a stormwater basin?

A day in the life of our PW Staff - how our Town stays SO beautiful?

Plus, optional "Field Trip" to Basin area and Viewing Drain Maintenance Live/In action!

Class 4

Building & Code Compliance

Duration: 2-3 hours

Content: Understanding the basics of the building codes, FBC and local requirements, the permit processes, inspections, and compliance regulations. The who's, when's, what's and why's.

Plus:

(Option 1 A sample permit review with Building Official and a Mock Code enforcement case, in class OR Option 2 later at the end of all courses)

Class 5

Town Boards

PZ & BOA (30 min each)

EAB, Parks Board and 2 History Boards (30 each)

Duration: 2.5-3 hours total

PZ Content, :30

Functions of the P&Z Board, zoning regulations, and land use planning.

BOA Content, :30

Role of the BOA, variance applications, and decision-making processes.

EAB, Parks and History Boards (:30 each)

- Content: Overview of each board's functions, projects, special events, and contributions to the community.

Class 6

HR, Finance and the Budget Process - Finance Director and Town Manager Present

Duration: 2-3 hours

Content:

Overview of town finances, budgeting processes, revenue sources, and financial management practices.

(Optional idea - Mock Budget Decision-Time:

Option 1 - Last 30 minute

Imagine a small Recession, with a fiscal shortage, and make a budget - What should YOU Cut, With Live Mock Public Comment by "Special Guests" or Option 2 at end with a final Mock Budget class along with other Mock Hearings/Meetings as a combined Lesson)

Class 7

The Town Commission

Duration 2-3 hours

—Roberts Rules of Order

—More In-depth Sunshine Law discussion and learning, the Dos and Dons, etc.

Submitting Agenda Items

—Town Comp Plan and amendments

—other potential topics covered or covered in more depth, or reviewed:

—In Depth Town Charter and Governance Structure,

—Town Commissioners Roles and Duties,

—League of Cities and other Orgs and what they do.

—The Town Attorneys Role and Tricky but Common Issues and how to deal best with them.

—More on Public Records and Sunshine (and some "crazy but true real-life cases" and the consequences **from other towns and cases** explained.

—What is Home Rule

—Florida Constitutional Provisions related to Municipalities

—1st Issues, what are the rules, who does it apply to and what are the limitations?

—What is ex parte, what is quasi-judicial?

Etc

Idea Special Guest Presenters and Panel/Speakers:

Former Town Mayors and Commissioners speak at the end or during?

Class 8 - Optional - Practice What You've Learn - LIVE

Mock Meetings:

Presented and Assisted by the Town Attorney

1. Mock BOA Quasi-Judicial Hearing (:30)
2. Mock PZ Code/Ordinance Revision Recommendation (:30)
3. Prosecuting a Mock Code Enforcement Case (:30)
4. So you think you can Budget? Mock Budget (:30)
5. Finale - A Mock Town Commission Meeting (condensed with prepared Mock packet with issues pre-approved by the Town Manager). Everyone will be given a short "script" of their positions - BUT --not everyone will have the "Same Script"!! (:45)

There will/could be a few "surprise" Public Commenters, including Real Staff and Real Commissioners/Mayors/Former Mayors who will (if they choose to) get to play the role of the "Public Commmt"

Again, all it will be pre-scripted and all in good fun, with humor and wit, and of course the role will be to purposely try your patience a just a little bit and give you the opp to handle it gracefully using your new knowledge and Roberts Rules!

And finally....

GRADUATION!!!
and Reception Ceremony/Awards

Duration: 1-2 hours
hours

A graduation and certificate awards ceremony and light snacks reception for the participants (and/or their families too) to celebrate their completion of the academy.

Conclusion

The Citizens Academy will not only enhance residents' understanding of local government but also foster a stronger sense of community and civic responsibility.

And it will be fun too!

I/we believe that informed citizens are vital to the democratic process and can contribute positively to the future of Melbourne Beach.

Next Steps

I/We propose to schedule an initial planning meeting to finalize details, including dates, locations, and marketing strategies to promote the academy.

I/We look forward to your support in launching this valuable program for our community.

Thank you for considering this proposal.

From: [Samantha Senger](#)
To: [Alison Dennington](#)
Cc: [Michael Blake](#)
Subject: Re: Citizen Academy - your program and any advice on creating one
Date: Wednesday, October 30, 2024 10:38:32 PM
Attachments: [image001.png](#)
[image016.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image023.png](#)

There were some attachments that were large files. Maybe that is why it didn't go through? I just resent again just in case. If you don't get it again, I will try and reduce the attachment size.

Get [Outlook for Android](#)

From: Samantha Senger
Sent: Tuesday, October 29, 2024 9:52:30 AM
To: Alison Dennington <adennington@melbournebeachfl.org>
Cc: Michael Blake <mblake@cocoafl.gov>
Subject: RE: Citizen Academy - your program and any advice on creating one

Hi Alison,

Here is a link to our information about Citizens Academy on our website, <https://www.cocoafl.gov/1546/Citizens-Academy>. This site has a lot of information that may be helpful for you.

We host 10 different sessions plus a graduation ceremony. I will include some previous presentations for some of our sessions. Each department put together their own presentation.

We were very intentional when put this program together to make it interactive and engaging for our residents. We didn't want to just bore them to death with presentations. So we typically do some sort of hands on activity or tour for each session. For example, they get a tour of city hall during the first session, we play a game to help them understand balancing the budget, they shoot a fire hose at the Fire Department, they get a K9 demo at PD, they get a tour of our water treatment plant, etc.

We only do one program a year and we switch between during the day sessions and then evening and weekend sessions. So currently our class is doing evening and weekends. Our next class will be offered during the weekday. There are people who like both options so we have been able to find participants for both options.

We have been considering doing a youth council but have not had the opportunity yet to pursue it. We do currently offer tours and presentations about local government to youth groups throughout the year.

Please let me know if you have any other questions that I can answer for you. I would be happy to have you sit in on one of our upcoming sessions so you can learn more.



Senger, APR, CPRC, APIO
 Director of Communication and Economic Development

65 Stone Street • Cocoa, FL 32922
 (321) 433-8685 ssenger@cocoafl.org www.CocoaFL.gov



Serving our community with P.R.I.D.E!



Samantha



From: Alison Dennington <adennington@melbournebeachfl.org>
Sent: Monday, October 28, 2024 12:17 PM
To: Samantha Senger <ssenger@cocoafl.gov>
Cc: Michael Blake <mblake@cocoafl.gov>
Subject: Citizen Academy - your program and any advice on creating one

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

Mayor Blake and Ms. Senger,

I am hoping to creating a Citizens Academy for our town, the Town of Melbourne Beach in the upcoming year.

I am contacting you both to see if you would have any tips and advice to offer. I understand you have had a citizen academy running there awhile.

I have put it up for discussion at several past meetings and it was approved provisionally subject to working out the final details, schedule, and course materials which I need to propose and work out and hope to do in the month, next 2 months.

I am curious if you would mind sharing some of your course materials that perhaps we could use as an example template - but which we could modify for our town.

And also if you had any learned tips on what and when has best fit - number and length of courses, when to offer them (evenings, etc) - ie what has worked best or not worked well (that kind of thing).

I also was hoping to create a condensed schedule for a Yourh program. I was wondering if you had something similar?

Finally, and this is just an idea, but wouldn't it be neat if at one of the 12 monthly Space Coast League Dinners, if all the cities who had a municipal Citizens academy - invited those participants/graduates to one of those Space Coast meetings to be awarded or recognized for having completed their respective programs and highlighting the benefits of Citizens Academies.

It could be done once per year OR it could be done with each respective city that hosts each month.

It's almost like the "next step" for Citizens Academy graduates in a way - to come to a Space Coast or an FLC meeting to learn that additional aspect of Municipal government and League participation/involvement.
Just an idea.

Any advice, tips, help, materials would be greatly appreciated!

Again, thank you for your time and consideration.

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

PLEASE NOTE: Florida has a very broad public records law. Most written communications (including contents of emails and email addresses) to or from City of Cocoa officials and employees regarding public business are public records available to the public and media upon request. Your written and e-mail communications may be subject to public disclosure. If you do not want your written and email communications released in response to a public records request, do not send written or email communications to City of Cocoa officials and employees. Instead, contact this office by phone.