



Charter Review Commission
March 29, 2021
Council Chambers
6:00 PM



- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Minutes of Previous Meetings
 1. Approve the Charter Review Commission Meeting Minutes of March 15, 2021
- IV. Old Business
- V. Public Period
- VI. Decisions
 1. Charter Amendment - Gender Neutral Language
 2. Charter Amendment - Mayoral Succession
 3. Charter Amendment - Clarification of Term Limits
 4. Charter Amendment - Elected Officials Compensation
 5. Charter Amendment - Appointments and Removals
 6. Charter Amendment - Public Notice for Hearing Regarding Forfeiture of Office
 7. Charter Amendment - Run Off Elections
- VII. Recommendations
- VIII. Any Other Business the Board Deems Advisable
- IX. Adjournment

More than one member of the City Council may be present and speak at this meeting.

Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.

MEETING DATE		AGENDA
March 29, 2021		Section: Approval of Minutes of Previous Meetings
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Approve the Charter Review Commission Meeting Minutes of March 15, 2021		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. CRC Meeting Minutes of 03152021		
Commission/Board: Other		
Contact Person: Kathy Sotero, Deputy City Clerk 407-539-2307		
Reviewed by City Attorney		

MEETING DATE		AGENDA
March 29, 2021		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 1.

Subject: Charter Amendment - Gender Neutral Language
Requested Action or Motion: After receiving public input, move to recommend the City of Maitland's Charter be amended to replace gendered references with gender-neutral language.
Summary Explanation & Background: At the meeting of October 5, 2020, the Charter Review Commission (CRC) reviewed Articles I - III of the City Charter. During this discussion, the CRC recommended adding gender neutral language to the Charter and removing gendered references. The City Attorney's office drafted the attached language which was reviewed by the CRC at the January 19, 2021 commission meeting. The CRC asked staff to review the various changes recommended to ensure that the recommended gender neutral language was clear in the context of each substitution. Ballot Question: General Neutral Language in City Charter <i>Shall the City of Maitland's Charter be amended to replace gendered references with gender-neutral language?</i> Attached is the City Attorney's recommended language with any staff recommended changes in strike-through and underline. After taking public input, staff is recommending the CRC approve the attached ballot language and amended charter language for inclusion in the final report.
Fiscal Impact: None.
Exhibits: 1. Gender Neutral Amendment Revised
Commission/Board: Other
Contact Person: Sharon Anselmo, City Manager 407-539-6221
Reviewed by City Attorney Yes, original version was provided by City Attorney's office with staff changes in strike through and underline (red and blue, respectively).

MEETING DATE		AGENDA
March 29, 2021		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 2.
Subject: Charter Amendment - Mayoral Succession		
Requested Action or Motion: After receiving public input, move to recommend Maitland's Charter be amended to clarify that upon vacancy of the Mayor's Office, the Vice Mayor shall serve as Mayor only until the next regularly scheduled election.		
Summary Explanation & Background: At the meeting of October 5, 2020, the Charter Review Commission (CRC) reviewed Articles I - III of the City Charter. During this discussion, the CRC recommended clarifying effect of a vacancy in the office of the mayor and succession of the vice mayor. Currently the charter language is inconsistent in Section 2.03, indicating that a vice mayor would serve as mayor for the remainder of the unexpired term and a new mayor would be elected at the next regular municipal election. At the meeting of January 19, 2021, the CRC reviewed the City Attorney's draft language for the mayoral succession amendment and as staff to make some changes to the proposed charter language.		
Ballot Question: Mayoral Succession Amendment <i>Shall the City of Maitland's Charter be amended to provide that in the event of a vacancy in the office of the Mayor, the Vice Mayor shall assume the Mayor's duties until a replacement Mayor is elected and that the voters shall elect a replacement Mayor at the next scheduled municipal election where there is sufficient time for candidates to qualify?</i>		
Attached is the City Attorney's recommended language. For ease of understanding, staff has provided a clean copy of an updated version of the final language, subject to Commission edits. After taking public input, staff is recommending the CRC approve the attached ballot language and amended charter language for inclusion in the final report.		
Fiscal Impact: N/A		
Exhibits: - Vice Mayor Succession Amendment SMA - Vice Mayor Succession Amendment (JJS ^M CBS)		
Commission/Board: Other		
Contact Person: Sharon Anselmo, City Manager 407-539-6221		
Reviewed by City Attorney Original language provided by the City Attorney's office.		

MEETING DATE		AGENDA
March 29, 2021		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 3.
Subject: Charter Amendment - Clarification of Term Limits		
Requested Action or Motion: After receiving public input, move to recommend the City of Maitland's Charter be amended to clarify the waiting period for Mayor or Councilmember who has served two consecutive terms.		
Summary Explanation & Background: At the meeting of October 5, 2020, the Charter Review Commission (CRC) reviewed Articles I - III of the City Charter. During this discussion, the CRC recommended clarifying the waiting period for the Mayor and Councilmembers who have served two consecutive terms. City Attorney provided the attached memorandum outlining how the current language would impact a Mayor or Councilmember who was termed out. On February 15, 2020, the CRC reviewed draft language provided by Commissioner Lowndes. The Commission provided direction to staff to revise the language so that the term limits applied to a termed out Mayor or Councilmember are the same (one year after the end of that person's last term).		
Ballot Question: Clarification of Term Limits <i>Shall Section 2.01 of the Maitland Charter be amended to clarify that a mayor or councilmember who has served two consecutive terms may not again hold office of mayor or councilmember until one year after the end of that person's last term?</i>		
Attached is a strike through version and a clean version of staff's recommended amendment.		
Fiscal Impact: N/A		
Exhibits: 1. Term Limits Mayor and Councilmembers Clean 2. Term Limits Mayor and Council members		
Commission/Board: Other		
Contact Person: Sharon Anselmo, City Manager 407-539-6221		
Reviewed by City Attorney No		

MEETING DATE		AGENDA
March 29, 2021		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 4.
Subject: Charter Amendment - Elected Officials Compensation		
Requested Action or Motion: After receiving public input, move to recommend the City of Maitland's Charter be amended to update elected official salaries to the current amount and eliminate the provision for decreases to future elected officials salaries for decreases in the Consumer Price Index.		
Summary Explanation & Background: At the meeting of October 5, 2020, the Charter Review Commission (CRC) reviewed Articles i - III of the City Charter. During this discussion, the CRC recommended that the compensation of elected officials be updated to the current salaries as adjusted for changes in the Consumer Price Index. Language was drafted by the City Attorney and reviewed at the March 15, 2021 CRC meeting. At that time the CRC provided direction to staff to remove the provision for decreases to the elected officials salaries based on decreases in the CPI, either by amending the question or drafting another question. Based upon discussion with the City Attorney, these items are separate decision items - as one simply update the dollar values with no actual change to how salaries are calculated or set and the other question will impact how future salaries are calculated. Attached are staff's recommended changes, including the City Attorney's recommendations along with some additional administrative clean up.		
Question __: Update Elected Official Salaries to Reflect Consumer Price Index Changes <i>Shall the City of Maitland's Charter be amended to reflect the current salary for the mayor and councilmembers as adjusted for changes in the consumer price index since the salaries were initially set?</i>		
Question __: Eliminate Provision to Decrease Elected Officials Salaries Based on Decreases in the Consumer Price Index <i>Shall the City of Maitland's Charter be amended to eliminate the provision to decrease the salaries of the mayor and councilmembers for future decreases in the consumer price index?</i>		
Two versions of the amendments are attached, a strike through and underline version and a "clean" version to review how the final charter language will appear.		
Fiscal Impact: No impact from updating salaries to current amount, however eliminating the provision for the decrease will immaterially increase personnel costs in the future.		
Exhibits: 1. Compensation 2. Compensation Clean		

Commission/Board: Other
Contact Person: Sharon Anselmo, City Manager 407-539-6221
Reviewed by City Attorney Original language provided by the City Attorney, amended by staff and second question drafted by staff.

MEETING DATE		AGENDA
March 29, 2021		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 5.

Subject: Charter Amendment - Appointments and Removals
Requested Action or Motion: After receiving public input, move to recommend the City of Maitland's Charter be amended to clarify that councilmembers are not prohibited from discussing the appointment or removal of city administrative officers and employees with persons other than the City Manager.
Summary Explanation & Background: At the meeting of October 5, 2020, the Charter Review Commission (CRC) reviewed Articles I - III of the City Charter. During this discussion, the CRC expressed concerns that Section 2.05 (b) Appointments and removals, could prohibit a member of Council from discussing the appointment or removal of an officer or employee with anyone other than the City Manager. Potentially, this could lead to a Charter violation for a member of Council who might discuss the appointment or removal of an officer or employee with a resident or other members of the public. This question was posed to the City Attorney's office via memorandum, and was addressed in the City Attorney's response discussed at the CRC meeting of March 15, 2021. Question __: Council Allowed to Discuss Appointment and Removal of City Officers and Employees <i>Shall the City of Maitland's Charter be amended to clarify that councilmembers are not prohibited from discussing the appointment or removal of city administrative officers and employees with persons other than the City Manager?</i> Attached is the question and amended charter language in both strike through and underline and in clean copy. After taking public input, staff is recommending the CRC approve the ballot language and amended charter language for inclusion in the final report.
Fiscal Impact: None.
Exhibits: 1. Prohibition appointments and removals 2. Prohibition appointments and removals clean
Commission/Board: Other
Contact Person: Sharon Anselmo, City Manager 407-539-6221

Reviewed by City Attorney
Amendment language drafted by City Attorney.

MEETING DATE		AGENDA
March 29, 2021		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 6.

Subject: Charter Amendment - Public Notice for Hearing Regarding Forfeiture of Office
Requested Action or Motion: After receiving public input, move to recommend the City of Maitland's Charter be amended to allow for the public notice for hearing regarding forfeiture of office on the City's website in lieu of a newspaper of general circulation.
Summary Explanation & Background: At the meeting of October 5, 2020, the Charter Review Commission (CRC) reviewed Articles I - III of the City Charter. During this discussion, staff brought up the concern that due to the reduction in newspaper circulation and the increasing cost of ads, posting the notice prominently on the City's website may be more cost effective. The City Attorney provided the attached question and amended language in his memorandum presented to the CRC at the meeting of February 15, 2021. Question __: Public Notice for Hearing Regarding Forfeiture of Office. <i>Shall the City of Maitland's Charter be amended to provide that when a council member who is being charged with conduct constituting grounds for forfeiture of office demands a public hearing, notice of said hearing may be provided on the city's website rather than by publication in a newspaper?</i> After taking public input, staff is recommending the CRC approve the attached ballot language and amended charter language for inclusion in the final report.
Fiscal Impact: The City would not need to bear the cost of a newspaper ad should this public hearing be required. The need for this type of hearing would be extraordinary.
Exhibits: 1. Public Notice
Commission/Board: Other
Contact Person: Sharon Anselmo, City Manager 407-539-6221
Reviewed by City Attorney Ballot question and amended language drafted by the City Attorney's office.

MEETING DATE		AGENDA
March 29, 2021		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 7.

Subject:
Charter Amendment - Run Off Elections

Requested Action or Motion:
After receiving public input, move to recommend the City of Maitland's Charter be amended to eliminate the provision for a run off election and establish the drawing of lots as the method for determining the winner of an election when two candidates receive an equal number of votes.

Summary Explanation & Background:
At the meeting of November 16, 2020, the Charter Review Commission (CRC) reviewed Articles IV - VIII of the City Charter. During this discussion, City Clerk Maria Waldrop brought up the concern with a potential run-off election if no candidates receive the majority of the votes. The additional cost of a run-off election would be approximately \$25,000. The alternative method is to establish that the candidate receiving the highest number of votes for an office is elected. While reviewing this section it was also noted there is no method for determining the winner of an election when two or more candidates receive an equal number of votes. The State of Florida authorizes the drawing of lots.

Question __: Method for Determination of Candidates Elected.
Shall Section 8.03 of the City Charter be amended to eliminate the provision for a run-off city election when no candidate receives a majority of the total votes cast, establishing that the candidate receiving the highest number of votes for an office is elected, and establishing that when two or more candidates receive an equal number of votes the candidates shall draw lots to determine the winner?

The City Attorney's office drafted the ballot question and amendment language which was presented to the CRC at their meeting of March 15, 2021. After receiving public input, staff is recommending the CRC approve the attached ballot language and amended charter language for inclusion in the final report.

Fiscal Impact:
The amendment would eliminate the need for a run off election in the event no candidate received a majority of the total votes cast (approximately \$25,000). The last time there was a run off election was 1992.

Exhibits:
1. Run Off Elections
2. Run Off Elections Clean

Commission/Board: Other

Contact Person: Sharon Anselmo, City Manager 407-539-6221

Reviewed by City Attorney

Ballot language and amended charter language was drafted by the City Attorney's office.