

MINUTES OF THE DECEMBER 4, 2013 MEETING GREEN COVE SPRINGS CHARTER REVIEW COMMITTEE

1. **Invocation and Pledge of Allegiance to the Flag.**

Invocation performed by Chairman Bob Page and Pledge of Allegiance by all Committee Members.

2. **Roll Call.**

The Charter Review Committee meeting of December 4, 2013 was called to order by Chairman, Robert C. Page at 5:04 p.m.

The following members were present for the meeting: Bob Page, Chairman, Luke Byrne, Joseph Chao, Marsha Fields, Foster Forehand, Marilyn Haddock, Bob Lewis, Joseph Sobotta, L. J. Arnold, III, City Attorney, and F. Lee Bentley, City Clerk.

The following members were absent: Sarah Spurrier, Vice Chairman, Bruce Bickner, and Danielle J. Judd, City Manager.

3. **Approval of Minutes.**

A motion was made by Bob Lewis, seconded by Marsha Fields, to approve the minutes of the September 12, September 18, October 2, and October 30, 2013 meetings as presented. The vote was unanimous.

4. **Report regarding Joint Meeting with Municipalities concerning a "Super Tuesday" Elections Process. *City Clerk***

Discussion ensued with the Committee regarding the joint meeting with the municipalities of Clay County concerning a "Super Tuesday" election process. Mr. Bentley advised that Mr. Chambless presented a PowerPoint presentation explaining the advantages and there were no objections expressed by anyone. He would contact the municipalities concerning their positions on the issue. He would also provide a copy of the PowerPoint presentation to the Committee Members.

He advised the Committee that, as City Clerk, he would strongly suggest and support the Committee's recommendation to the City Council to proceed with drafting of an Ordinance to transfer the administration of the 2014 City Elections to the Clay County Supervisor of Elections Office. If possible, the Ordinance could be presented to Council for first reading on January 14, 2014. The second and final reading would have to be scheduled under a Special Session to meet the opening of qualifying on January 24, 2014. According to Mr. Bentley, an amendment to Section 7.05 of the Charter would address a Super Tuesday process providing the other municipalities could align their Charters to coincide with the City's proposal.

A motion was made by Luke Byrne, seconded by Marilyn Haddock, to direct the City Clerk and City Attorney to take whatever steps necessary to proceed posthaste in having Chris Chambless take over the election process and free up City Staff from that task.

Under discussion of the motion, Mr. Page noted that, per Mr. Chambless, the City's current rules did not meet the State Statutes regarding qualifying periods to allow mailing of overseas ballots. The Council would need to take every appropriate step to advertise and post notices locally to alert the citizens. A notice was also required to be placed in the paper and would be posted on the City website. Mr. Page further explained that the Ordinance would bring the Charter into

compliance with State Statutes and give the City the opportunity to move the administration of the elections to the Supervisor of Elections. Should the "Super Tuesday" proposal not proceed, the City Charter would still be in compliance.

The motion was approved unanimously with Committee Member Foster Forehand dissenting.

5. Discussion and action regarding proposed revisions to City Charter based on Charter Review Committee's previous evaluations. *Chairman Page and Committee*

Ms. Haddock advised she had spoken with Ms. Howell of the Property Appraiser's Office regarding residency and homesteading laws. She was informed that a person was only required to be living in a house on January 1st of the tax year that the homeowner was claiming a homestead exemption as their primary residence. There were no regulations requiring a certain number of days you had to be there. The homesteaded address was also required by law to be on your Florida Driver License as your primary residence.

Mr. Arnold clarified the definition of a Proclamation for Ms. Haddock stating it was not necessary to define it in the City Charter when it was not a law of the City or of long-standing duration. It was simply an expression of the City Council.

Regarding the letter to the City Council as drafted by Mr. Page, Mr. Arnold made comments clarifying the definition of term limits in Section 2.02 (D).

A motion was made by Luke Byrne, seconded by Bob Lewis, confirming the Committee's intent was that someone who was term limited would have to be separated from the Council for one full year to be eligible to run again for another City Council seat if they so desired.

Under discussion of the motion, Mr. Page recognized Karen Kenney, 701 Cove Street, Green Cove Springs, for comment.

The motion was amended by Luke Byrne, seconded by Bob Lewis, confirming the Committee's intent and to add the following words to Section 2.02 (D): "After a one (1) year absence from the Council following his/her third full term, a term limited former Council Member may file as a candidate". The motion was approved unanimously.

Amendment No. 6 – Mr. Arnold suggested a Committee vote be added. Mr. Bentley agreed and would include the proper wording.

Amendment No. 7 – A semi-colon/strike-through could be removed.

Amendment No. 10 – (a) "shall govern the timeframes, method, and type of advertising..." instead of regulate. (c) change regulate to: govern if council fails to adopt a budget.

Amendment No. 11 – delete last sentence.

Recommendation No. 2 – At the end of the first line, change the word "~~discussion~~" to "discussed". On the second line of the next paragraph, add "proposed change be presented to the community."

A motion was made by Marilyn Haddock, seconded by Luke Byrne, to accept the changes proposed by the City Attorney. The motion was approved unanimously.

A motion was made by Marsha Fields, seconded by Luke Byrne, to accept the letter written by the Chairman to draft to the Council with the items discussed in this meeting including Mr.

Arnold's clean-up of some of the wording and verbiage and approve this letter to be presented to the Council.

Under discussion of the motion, Mr. Page acknowledged Committee Member Foster Forehand's opposition to Recommendation No. 2 and suggested he voice his concern to the Council so it would be reflected in the Minutes.

The motion was approved by a vote of seven (7) Yays and one (1) Nay with Committee Member Foster Forehand dissenting.

6. Other business or comments.

Mr. Bentley clarified for Ms. Fields that the Committee would remain under the Sunshine Law until the Committee was disbanded by the Council at the January 14, 2014 meeting when the recommendations of the Committee would be presented.

7. Announce next meeting date and time (If necessary).

Wednesday, December 11, 2013 at 5 p.m.

8. Adjournment.

Charter Review Committee Meeting adjourned at 6:09 p.m.

Robert C. Page, Chairman

Attest:

F. Lee Bentley, City Clerk