

# CHARTER REVIEW COMMITTEE

Date: Thursday, July 26, 2007  
Time: 6:00 PM  
Place: Rail road Depot Room, 2nd Floor, Sanford City Hall,  
300 N. Park Avenue, Sanford, Florida 32771

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Present: Stephen H. Coover, Chairman  
James L. Davis, Vice Chairman  
Ed Blacksheare {joined meeting 6:29 PM}  
Jason Brodeur  
Dorothea Fogle  
Otto Garrett  
Robert J. Kinney  
Chris McLeod  
Dennis Stewart

Attorney: Kenneth W. McIntosh, Assistant City  
Attorney

Janet R. Dougherty, City Clerk

Call to Order

Mr. Coover called the meeting to order at 6:22 PM.

Approval of Minutes of July 12, 2007

Mr. Kinney moved to table the approval of the Minutes for the July 12, 2007 meeting. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Approval of the Redistricting and Related Topics  
Subcommittee Minutes of July 26, 2007

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Mr. Davis moved to approve the Minutes from June 26 and July 11, 2007. Seconded by Mr. Brodeur and carried

by a vote of the Committee as follows:

James Davis	Aye
Jason Brodeur	Aye
Robert Kinney	Aye

Approval of the Election Matters Subcommittee Minutes of July 17, 2007

Mr. Stewart moved to approve the Minutes. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Dennis Stewart	Aye
Jason Brodeur	Aye
Otto Garrett	Aye

Approval of the Public Officials Subcommittee Minutes of July 18, 2007

Mr. McLeod moved to approve the Minutes. Seconded by Ms. Fogle and carried by a vote of the Committee as follows:

Chris McLeod	Aye
Dorothea Fogle	Aye
Robert Kinney	Aye

Approval of the Relationship with City, Budget & Finance Subcommittee Minutes of July 24, 2007

Mr. McLeod moved to approve the Minutes as amended. Seconded by Mr. Coover and carried by a vote of the Committee as follows:

Dennis Stewart	Aye
Chris McLeod	Aye
Stephen H. Coover	Aye

Discussion and vote on Subcommittee recommendations

At the request of the Relationship with City, Budget & Finance Subcommittee, Mr. McIntosh presented a proposed recommendation that all reference to the Civil Service Board of the City of Sanford and all enacting

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legislation germane thereto be repealed and it is further suggested that an Administrative Due Process - Right of Appeal

Process be established to hear appeals from grievances and disciplinary actions timely filed by City employees.

Mr. Coover suggested the Charter Review Committee members look over the proposal and make any changes. He stated the proposal will be on the Agenda for the next meeting for the full committee's consent. {Mr. Blacksheare joined the meeting}

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.01(a) as follows:

### Section 2.01(a)

(a) City commission. The city commission of the City of Sanford, Florida shall consist of five (5) members; four (4) commissioners and a mayor, each of whom shall be elected for a term of four (4) years. No individual can serve in the same capacity for more than three (3) consecutive terms. The mayor shall be elected at large. Each commissioner shall live in and be elected by the voters of the district they represent. The mayor and city commissioners holding office at the time of this charter ratification shall continue in office until their present terms of office expire and their successors are duly elected and sworn into office, unless vacancies therein shall otherwise occur.

Mr. McLeod moved to approve the proposed language for Section 2.01(a) and Seconded by Mr. Blacksheare. The motion failed by the Committee as follows:

Stephen H. Coover		Nay
James Davis	Aye	
Ed Blacksheare		Nay
Jason Brodeur		Nay
Dorothea Fogle		Nay
Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Nay

Mr. Stewart moved to take no action on Section 2.01(b).

There was discussion of the addition of the last sentence per the meeting of July 12, 2007 for Section 2.01(d) as follows:

### Section 2.01(d)

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(d) Qualifying for office. Any person who is a qualified elector in the City of Sanford, and otherwise qualified, may become a candidate for the office of mayor or city commissioner upon

filing with the city clerk a written notice of his or her intention to become a candidate in accordance with Article VI, requesting that his or her name be printed upon the ballot and depositing with such written notice a sum equal to one percent (1%) of the then effective annual salary of the office the candidate seeks plus the costs of any applicable state mandated election fees as a qualifying fee for the office sought. All 1% qualification fees shall be placed in the general fund of the City of Sanford and allocated toward the cost of city elections. State election fees shall be transferred to the State of Florida as provided by general state law.

The period within which a candidate may qualify as above stated shall begin ninety-two (92) days prior to the election and shall terminate at 12:00 noon on the last regular working day for the city clerk's office eighty-eight (88) days in advance of the election date. Qualification can be effected only during normal working hours for the city clerk's office.

Any person who is a qualified elector in the City of Sanford, and otherwise qualified, may alternatively become a candidate for the office of mayor or city commissioner upon filing with the city clerk a written notice of his or her intention to become a candidate in accordance with Article VI, requesting that his or her name be printed upon the ballot and presenting a written petition with the names of 250 signers who are eligible electors residing in the commission seat the candidate seeks. Candidates for mayor qualifying by petition shall present a written petition with the names of 500 signers who are eligible voters residing within the city. The petitions shall include the printed name, signature, address, precinct number, voter identification number and telephone number of the signer for verification purposes. Petitions for placing a candidate's name on the ballot may be submitted to the city clerk for verification in whole or in part. Candidates qualifying by petition may begin collecting and turning in names on petitions one hundred and twenty (120) days in advance of the opening of the qualifying period. All petitions for placing a candidate's name on the ballot must be received by the city clerk's office prior to the end of the qualifying period. The city clerk shall present the names on written qualification petitions to the supervisor of elections office for certification as a valid elector and shall provide timely notification of the number of certified electors to the candidate until the requisite number of electors has been met or the qualification period has ended with the candidate being unable to meet the required numbers of certified electors during their qualification petition attempt.

The costs of elector certifications shall be paid to the city clerk by the individual candidate(s) requesting the certification as a part of the qualifying procedures.

Mr. Stewart moved to approve the Section 2.01(d) as amended. Seconded by Ms. Fogle and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye

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Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved

by the Public Officials Subcommittee for Section 2.02 as follows:

Commissioners shall receive compensation for their expenses in the performance of their official duties. The commission may determine the annual salary of commissioners by ordinance. Upon passage of such ordinance, a consulting group will be hired from outside the City of Sanford to research similar municipalities and their compensation for elected commissioners. The consulting group's findings will be reported back to the city manager for review and then to the city commission for approval. No ordinances increasing such salary shall become effective until the date of commencement of the terms of the commissioners elected at the next regular election. Commissioners shall receive expenses in the performances of their duties of office.

Ms. Fogle moved to take no action on Section 2.02. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.03(b) as follows:

(b) The commission shall select from among its members a vice-mayor in accordance with seniority. The selection of vice-mayor shall be done annually at the first regular scheduled commission meeting in January of each year. The office of vice mayor shall be rotated annually based upon seniority. In the event that two or more members of the City Commission have equal seniority; the remaining mayor and commissioners will choose the vice mayor by majority vote.

Ms. Fogle moved to approve Section 2.03(b) as amended. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

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Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Nay
Dorothea Fogle	Aye
Otto Garrett	Aye

Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.03(c) as follows:

(c) The vice-mayor shall act as the mayor during the absence or disability of the mayor. If a vacancy occurs the vice-mayor shall act as mayor until such vacancy is filled in accordance with section 2.06(c) filling of vacancies.

Mr. McLeod moved to approve Section 2.03(c) as amended. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language rejected by the Public Officials Subcommittee for Section 2.06(b) (5) as follows:

(5) Moral turpitude shall be defined as an act or crime that is illegal or so based vile or depraved in nature that the private and public social duties and responsibilities commonly due and expected of public officials are adversely impacted to the point that the offender's character, professionalism, reputation, judgment and ability to duly act in an objective and equitable fashion to uphold the offender's public trust is prominently compromised. Examples of moral turpitude include but are not limited to felony crimes, open lewd sexual acts, uncontrolled substance addiction, public corruption, an abuse of children or the elderly, violent behavior, abuse of position, misfeasance in office or repeated refusal to engage in

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parliamentary behavior.

There was no action taken by the Committee.

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.07(a) as follows:

(a) The commission shall serve as the examiners and judge of city elections and of the

qualifications of its members to hold their office. The commission may remove the mayor or commissioner from office upon showing by clear and convincing evidence that the elected official has committed any offense qualifying them for removal from office as set forth in Section 2.06(b).

Mr. Stewart moved to approve Section 2.07(a) as amended. Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.07(b) as follows:

(b) No mayor or commissioner shall be removed from office prior to the completion of an investigation authorized by a simple majority vote of the commission. The commission shall cause a timely and thorough investigation and hearing of any allegations against the mayor or commissioner.

Mr. Stewart moved to approve Section 2.07(b) as amended. Seconded by Ms. Fogle and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye

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Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.07(c) as follows:

(c) A Mayor or Commissioner charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand. Notice of such hearing against a Mayor or

Commissioner and date of the hearing shall be posted and published in a manner normally afforded public hearings at least two weeks in advance of the hearing.

Mr. McLeod moved to approve Section 2.07(c) with an amended section in the 1<sup>st</sup> sentence "members" changed to "mayor or commission", 2<sup>nd</sup> sentence striking the words "detailing the allegations against the member and date of the hearing", the word "posed" should be "posted", and the word "hearing" before "at least two weeks" should be "hearings". Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.07(d) as follows:

(d) The commission shall have the power to subpoena witnesses, administer oaths, compel testimony, require the production of and weigh the evidence submitted as proof of the allegations, appoint special counsel to represent the interests of the city, and hire or appoint investigative staff needed to conduct an investigation of allegations against the mayor or commissioner. The commission shall hear evidence and testimony and shall formulate a conclusion based upon the evidence and testimony presented during the hearing. The mayor or commissioner so charged shall not vote at such hearing.

Mr. McLeod moved to approve Section 2.07(d) as amended.

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Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye

Dennis Stewart Aye

Mr. Brodeur moved to add the sentence "The mayor or commissioner so charged shall not vote at such hearing" to the end of Section 2.07(d). Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.07(e) as follows:

(e) The mayor or commissioner may be suspended from office pending the decision at the public hearing conducted under Section 2.07(d) by a simple majority vote of the commission upon a showing of probable cause that the mayor or commissioner committed any offense as set forth in Section 2.06(b). The Mayor or Commissioner so charged shall not vote at such hearing.

Mr. McLeod moved to approve Section 2.07(e) with amended changes set forth by both Mr. Coover and Mr. McIntosh. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye

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Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 2.07(f) as follows:

(f) Commissioners or mayors may be removed from office or censured upon a showing of clear and compelling evidence that the allegations are founded. Members shall be cleared of

allegations when the adduced evidence shall not be deemed to be clear and convincing. Decisions made by the commission under this section shall be subject to a review by the courts. Nothing in this section shall preclude the right of the people to initiate and carry through a recall petition under article VII.

Mr. McLeod moved that Section 2.07(f) be excluded in its entirety. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Nay

Mr. McIntosh distributed Resolution 2007-\_\_\_ regarding Charter Review proposed amendments and what ever is proposed will be exhibit to this document. Mr. Coover stated the committee should review the document and it will be discussed at the next meeting.

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 4.01(a) as follows:

(a) *Creation, amending or abolishment of departments.* The commission may establish, amend or abolish city departments, offices, boards, committees or commissions or agencies CRC 07/26/07

in addition to those created and governed by this charter to conduct the business of the city in an efficient, orderly, effective manner that best benefits the city and its constituents unless otherwise prohibited by state law. The commission may prescribe the authority, scope and function of all city departments, offices, agencies, boards, committees or commissions, except that no functions assigned by this charter or by special state legislation to a particular department, office, agency, board, commission or committee may be discontinued or assigned to any other foreign agency, unless this charter or state law specifically so provides.

Mr. Kinney moved to approve Section 4.01(a). Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye

Dorothea Fogl e	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 4.01(a) (1) as follows:

(1) The commission may appoint and remove from office appointees to the city's offices, boards, commissions and charter committees unless such appointments and removals there from are otherwise provided by state statute or this charter. The commission shall have the power to appoint or remove an appointee by a simple majority vote. Appointees may be removed from office prior to the end of the appointee's term of office should the commission determine that such removal to be in the best interest of the city. The commission shall fill vacancies in the same manner as appointments.

Mr. Davis moved to approve Section 4.01(a) (1) as amended. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogl e	Aye

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Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language which was tabled by the Public Officials Subcommittee for Section 4.01(b) as follows:

(b) *Directions by city manager.* All departments, offices, agencies, boards, commissions or committees under the direction and supervision of the city manager shall be administered by an officer appointed by and subject to the direction and supervision of the city manager. With the consent of the commission, the city manager may serve as the head of one or more such departments, offices, agencies, boards, commissions or committees or may appoint one person as the head of two or more of them.

Mr. Brodeur moved to table Section 4.01(b). Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover		Aye
James Davis	Aye	
Ed Blacksheare		Aye
Jason Brodeur		Aye
Dorothea Fogle		Aye
Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Aye

Mr. Coover requested Mr. McIntosh speak with the City Manager to get an explanation for the committee as to why he doesn't favor any changes to Section 4.01(b) so that it may be discussed at the next meeting.

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 4.01(c) as follows:

(c) *Police Department created; officers and employees; appointment.* There shall be a chief of police who shall be appointed by the city manager. The chief of police shall be the head of the police department, and as such shall appoint subordinates from eligible lists furnished by the human resources department. The chief of police shall have power, for cause, to discipline any officer or employee of the police force and shall perform such other duties as may be required by this act [charter], by the laws and ordinances of the city or by the city manager.

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Ms. Fogle moved to approve Section 4.01(c) with the elimination of the last sentence. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover		Aye
James Davis	Aye	
Ed Blacksheare		Aye
Jason Brodeur		Aye
Dorothea Fogle		Aye
Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Nay

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 4.01(d) as follows:

(d) *Fire department created; officers and employees; appointment.* There shall be a fire department, to consist of a chief, who shall be appointed by the city manager. The fire chief shall

be the head of the fire department and as such shall appoint subordinates from eligible lists to be furnished by the human resources department. The chief of the fire department shall have control of all fire personnel, subject to such rules and regulations as are prescribed by the city manager and shall perform such other duties as are required by this act [charter], by the laws of the city or by the city manager.

Mr. Kinney moved to approve Section 4.01(d). Seconded by Ms. Fogle and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Nay

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 4.01(e) as follows:

(e) *Department Heads.* Department heads shall be appointed by the city manager. The city manager shall appoint subordinate officials to meet staffing needs. Department heads shall CRC 07/26/07

have power to supervise, direct, evaluate, transfer and for cause, to discipline any subordinate employee in accordance with commission approved personnel policies and the laws and ordinances of the city. Department heads and their subordinate employees shall receive such compensation and benefits as may be periodically fixed by the city commission.

Mr. Stewart moved to table Section 4.01(e). The motion failed for lack of a second.

Mr. McLeod moved to strike Section 4.01(e). Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Relationship with City, Budget and Finance Subcommittee for Section 5.04 as follows:

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law, or this charter, shall be in such form as the city commission may deem desirable. In organizing the budget, the city manager shall utilize the most feasible combination of expenditure classification by fund, organization unit program, purpose or activity, and object. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicate the proposed property tax levy, and detail all proposed expenditures, including capital outlays, and debt service for the ensuing fiscal year. The budget shall indicate in separate sections:

Mr. Stewart moved to adopt the proposed language for Section 5.04. Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye

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Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language rejected by the Relationship with City, Budget and Finance Subcommittee for Section 5.04(3) as follows:

(3) Anticipated net surplus or deficit funds for the ensuing fiscal year of each Community Redevelopment Agency (CRA) and public utility owned or operated by the city and the proposed method of its disposition; subsidiary budgets for each such CRA and public utility, giving detailed income and expenditure information, shall be attached as appendices to the budget.

Mr. Stewart moved to approve the language as proposed for Section 5.04(3). The motion failed for lack of a second.

There was discussion of proposed language rejected by the Relationship with City, Budget and Finance Subcommittee for Section 5.05(b) (2), (4), and (5) as follows:

(2) A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements and the commission district(s) where each capital improvement project is located;

(4) A list of all capital reserve funds and/or anticipated to be expended by the end of the current fiscal year or extended into the new fiscal year; and,

\*\*\* New paragraph - change paragraph (4) below to paragraph (5) \*\*\*

(5) The city manager shall provide the commission with an annual year end comprehensive financial report of the city's income and expenditures during the budget year that shall comply with the reporting requirements of state law. The year end report shall contain numerical values for the income and expenditures of the city and shall include visual displays of city expenditures by commission district.

Mr. Stewart moved to table Section 5.05(b) (2), (4), and (5). Seconded by Mr. Blacksheare and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye	<u>CRC 07/26/07</u>
James Davis	Aye	
Ed Blacksheare	Aye	
Jason Brodeur	Aye	
Dorothea Fogle	Aye	
Otto Garrett	Aye	
Robert Kinney	Aye	
Chris McLeod	Aye	
Dennis Stewart	Aye	

There was discussion of proposed language for Section 5.06 as follows:

Copies of the annual budget, year end report and capital program as adopted or approved shall be public records and a copy shall be made available to the public for reference at the office of the city clerk. State law references: Public records, F.S. ch. 119.

Mr. Stewart moved to strike both the proposed and the original language for Section 5.06. Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye

Dennis Stewart

Aye

There was discussion of proposed language for Section 5.07(b) and 10.2 as follows:

**Section 5.07(b). Amendments after adoption.**

(b) *Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the commission may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with provisions of section 10.2. To the extent that there are no available inappropriate revenues to meet such appropriations, the commission may, by such emergency ordinance, authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

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**Section 10.2 Emergency Ordinances and Finances.**

(a) The commission may adopt one or more emergency ordinances and resolutions to meet exigent public emergency needs at an open public meeting where public input on the emergency action(s) may be received. The city shall give the public as much notice of pending emergency legislation possible through the available media outlets but normal notice times of public hearings shall be waived due to the public necessity. All emergency ordinances and resolutions shall be narrowly constructed to meet a public emergency affecting life, health, property or the public peace. All emergency ordinances and resolutions shall be in a format as prescribed by section 2.11 and shall be in compliance with statutory provisions. Emergency ordinances and resolutions shall require a simple majority for initial passage and a super majority for passages involving the same emergency condition.

(b) The reason(s) for an emergency ordinance or resolution must be clearly delineated in the preamble of the proposed document. Such emergency documents shall contain an enabling clause, a declaration that an emergency state exists, clear language as to how the document will serve the emergency needs and an expiration date for the ordinance or resolution.

(c) Emergency ordinances and resolutions shall not exceed sixty (60) days in duration and shall become effective immediately upon adoption or as legislated in the ordinance. Emergency ordinances or resolutions shall automatically expire on the sixty-first (61) day after their adoption, upon repeal or at such times as may be set within the ordinance or resolution. The commission shall cause an adopted emergency ordinance or resolution to publicize in as rapid a fashion as is possible under the existing emergency circumstances.

(d) Emergency ordinances or resolutions may not be used to levy taxes; grant, renew or extend a franchise, authorize service or user fees for municipal services, enact a land use plan, alter zoning classifications or borrow money except as provided for under section 5.06 in this charter.

Mr. Stewart moved to table Section 5.07(b) and 10.2.  
Seconded by Mr. Kinney and carried by a vote of the  
Committee as follows:

Stephen H. Coover

Aye

James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of a new proposed Section 5.10 rejected by the Relationship with City, Budget and Finance Subcommittee as follows:

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**Section 5.10. Bids, Contracts and Purchasing.**

The city shall not discriminate as defined in Section 1.07 in the awarding of any city business operations, contracts or purchases. The city shall place all contracts for external services, supplies or equipment for public bid in compliance with general state laws. The commission shall review and select a vendor from such bids as required by law. The commission shall review and approve a purchasing process for lesser expenditures of external supplies and services necessary to conduct the city's business.

There was no action taken on Section 5.10.

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 6.01 as follows:

The regular municipal election of the city shall be held simultaneously with the general state elections of each election year. City commission seats are hereby designated as Mayor and seats 1, 2, 3, and 4. Candidates for the offices of mayor and commissioner shall file to qualify for that specified mayoral or commission seat as provided by law.

Mr. Stewart moved to approve Section 6.01. Seconded by Mr. Garrett and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 6.02(a) as follows:

(a) Any person who is a qualified elector in the City of Sanford, not a convicted felon whose civil rights have not been restored and who is otherwise qualified, may become a candidate for the office of mayor or city commissioner upon filing with the city clerk a written notice of his or her intention to become a candidate in accordance with Article II and this section, requesting that his or her name be printed upon the ballot and depositing with such written notice a sum equal to one percent (1%) of the then effective annual salary of the office the candidate seeks plus the costs of any applicable state mandated election fees as a qualifying fee for the office sought. All 1% qualification fees shall be placed in the general fund of the City of Sanford and allocated toward the cost of city elections. State election fees shall be transferred to the State of Florida as provided by general state law.

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The period within which a candidate may qualify as above stated shall begin ninety-two (92) days prior to the election and shall terminate at 12:00 noon on the last regular working day for the city clerk's office eighty-eight (88) days in advance of the election date. Qualification can be effected only during normal working hours for the city clerk's office.

Mr. Kinney moved to approve Section 6.02(a).  
Seconded by Mr. Stewart and carried by a vote of the  
Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved  
by the Election Matters Subcommittee for Section 6.02(b)  
as follows:

(b) Any person who is a qualified elector in the City of Sanford, and otherwise qualified, may alternatively become a candidate for the office of mayor or city commissioner upon filing with the city clerk a written notice of his or her intention to become a candidate in accordance with Article II and this section, requesting that his or her name be printed upon the ballot and presenting a written petition with the names of 250 signers who are eligible electors residing in the commission seat the candidate seeks. Candidates for mayor qualifying by petition shall present a written petition with the names of 500 signers who are eligible voters residing within the city. The petitions shall include the printed name, signature, address, precinct number, voter identification number and telephone number of the signer for verification purposes. Petitions for placing a candidate's name on the ballot may be submitted to the city clerk for verification in whole or in part. Candidates qualifying by petition may begin collecting and turning in names on petitions one hundred and twenty (120) days in advance of the opening of the qualifying period. All petitions for placing a candidate's name on the ballot must be received by the city clerk's office prior to the

end of the qualifying period. The city clerk shall present the names on written qualification petitions to the supervisor of elections office for certification as a valid elector and shall provide timely notification of the number of certified electors to the candidate until the requisite number of electors has been met or the qualification period has ended with the candidate being unable to meet the required numbers of certified electors during their qualification petition attempt.

Mr. Brodeur moved to table Section 6.02(b) for further editing. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

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Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 6.02(c) as follows:

(c) The city clerk shall verify the residency of candidates for mayor and the city commission. Candidates shall sign an affidavit of residency and shall provide suitable documents establishing their residency as a part of the qualification process. Documents that shall suffice to serve as authoritative proof of residency include but are not limited to driver's licenses, homestead exemption documents, pass ports, voter identification cards other governmental identification cards and utilities bills.

Mr. Stewart moved to approve Section 6.02(c). Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 6.02(d)

as follows:

(d) It is understood that emergency exigent circumstances may arise. Candidates for the commission and elected commissioners shall normally actually physically reside in the district they seek or are elected to represent from the date of their qualification until the end of their term of office unless an exigent circumstance causes their abode to be destroyed or uninhabitable and they are residing in a temporary abode until their home has been made habitable. The impacted commissioner/candidate must make reasonable efforts to temporarily relocate within their elective district prior to taking up residency outside their elective district.

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The dislocated commissioner/candidate must have the approval of the commission to take up temporary exigent residency outside their elective district and maintain their candidacy/office. Commissioners/candidates may reside out of their elective district for only so long as a valid exigent relocation exists as determined by the commission.

Mr. Kinney moved to table Section 6.02(d). Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover		Aye
James Davis	Aye	
Ed Blacksheare		Aye
Jason Brodeur		Aye
Dorothea Fogle		Aye
Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Aye

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 6.02(e) as follows:

(e) Any person who is a resident of the city and has qualified as an elector therein may become a candidate for the office of mayor or commissioner by qualifying as described above and taking and subscribing to an oath or affirmation in substantially the form as required by the general laws of Florida.

Mr. Kinney moved to approve Section 6.02(e). Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover		Aye
James Davis	Aye	
Ed Blacksheare		Aye
Jason Brodeur		Aye
Dorothea Fogle		Aye

Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Aye

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 6.04 as follows:

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All candidates elected as mayor or to the city commission by regular election shall take office on the first regularly scheduled Monday commission meeting in January immediately following the regular election. All candidates elected by special election shall take office after certification of the election results by the Commission.

Mr. Stewart moved to approve Section 6.04. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover		Aye
James Davis	Aye	
Ed Blacksheare		Aye
Jason Brodeur		Aye
Dorothea Fogle		Aye
Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Aye

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 6.06 as follows:

No person shall be allowed to vote at any election for the purpose of electing the mayor or city commissioners who is not a qualified voter under this charter and the state law. The city commission shall, by ordinance, prescribe the method and manner of holding all elections which are not provided for by the terms of this charter. All elections shall be conducted substantially on the principals adopted for state elections insofar as there is no conflict with the terms of this charter; provided, that the city commission may, by ordinance, prescribe the method, manner and conduct of all city elections not in conflict with this charter. State law references: Qualification of electors, F.S. § 97.041.

Mr. Stewart moved to approve Section 6.06. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover		Aye
James Davis	Aye	
Ed Blacksheare		Aye

Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

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Mr. Brodeur moved to table Section 6.07. Seconded by Mr. Davis and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

No action was taken on Section 7.03.

Mr. Stewart moved to table Section 7.08. Seconded by Ms. Fogle and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

No action was taken on Section 8.01(b).

There was discussion of proposed language approved by the Election Matters Subcommittee for Section 8.02 as follows:

Notwithstanding any other provisions for charter amendment listed in 8.01, the city commission shall cause a comprehensive review of the charter to occur by selecting a charter review committee every seven (7) years from the date of the adoption of this charter. The commission shall select the members of the charter committee and by ordinance shall set forth the scope, operations and time frame for the committee to return their charter recommendations to the

commission.

Mr. Stewart moved to approve Section 8.02 as amended. Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

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Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Election Matters Subcommittee and Public Officials Subcommittee for Section 8.03 as follows:

All elected officials, department heads and other employees of the City of Sanford shall adhere to a Code of Ethics to be established by Ordinance.

Mr. Stewart moved to approve Section 8.03. Seconded by Mr. Davis and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed renumbering for Section 8.04 as follows:

**Section 8.04. Severability.**

If any provision of this charter or portion of a provision is held invalid, the other provisions of the charter shall not be affected thereby. If the application of the charter, or any of its provisions, to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby.

Mr. Blacksheare moved to approve Section 8.04 as amended. Seconded by Mr. Stewart and carried by a vote

of the Committee as follows:

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Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 9.02 as follows:

(a) *Transfer of powers.* If a city department, office or agency is abolished by this charter, the powers and duties given it by law shall be transferred to the city department, office or agency designated in this charter, or, if the charter makes no provision, as designated by the city commission.

Mr. Brodeur moved to approve Section 9.02 as amended. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Coover stated the City Attorney's office will have to make changes to Sections 9.05, Transitional schedule and Section 9.06, Effective date.

There was discussion of proposed language approved by the Public Officials Subcommittee for Section 10.1 as follows:

(a) It is recognized that that man-made or natural disasters may kill or incapacitate one or more public officials. In such an event, the following order of succession shall be implemented to provide a continuity of legal authority and responsibility to prevent a vacuum in the city's elective and appointive leadership.

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(b) The order of succession in an emergency shall be: Mayor, Vice-Mayor, the senior commissioner as designated by time of service in office, the city manager, fire chief, police chief, public works director, finance director, personnel director and then the secondary management of the above departments in successive order.

(c) The primary duty of an officer holding authority under an emergency succession shall be to reestablish public order and provide for a legal succession of elected and appointed officials as rapidly as is possible under municipal and state laws.

Mr. Kinney moved to table Section 10.1. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
James Davis	Aye
Ed Blacksheare	Aye
Jason Brodeur	Aye
Dorothea Fogle	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Coover requested the Jim Poulalion, Finance Director, be present at the next meeting to be held on Thursday, August 9, 2007, after the public hearing.

Adjournment

The meeting was adjourned at 9:41 PM.

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CHAIRMAN

Attest:

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Secretary

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