



APOPKA CITY COUNCIL AGENDA
February 15, 2024 5:00 PM
Apopka City Hall Council Chambers

APOPKA CITY COUNCIL MEETING WILL BE LIVE-STREAMED ON YOUTUBE. TO WATCH, PLEASE VISIT:
<https://www.youtube.com/CityofApopkaFL>

CALL TO ORDER

INVOCATION

PLEDGE

PRESENTATION

1. 2024 Charter Review Information
Presented by: Clif Shepard, City Attorney

PUBLIC COMMENT PERIOD

The Public Comment Period is for City-related issues that may or may not be on today's Agenda. If you are here for a matter that requires a public hearing, please wait for that item to come up on the agenda. If you wish to address the Council, you must fill out an Intent to Speak form and provide it to the City Clerk prior to the start of the meeting. If you wish to speak during the Public Comment Period, please fill out a green-colored Intent-to-Speak form. If you wish to speak on a matter that requires a public hearing, please fill out a white-colored Intent-to-Speak form. Speaker forms may be completed up to 48 hours in advance of the Council meeting. Each speaker will have four minutes to give remarks, regardless of the number of items addressed. Please refer to Resolution No. 2016-16 for further information regarding our Public Participation Policy & Procedures for addressing the City Council.

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

2024 CHARTER REVIEW

CITY OF APOPKA

ARTICLE III. - CLERK AND CITY ATTORNEY AND CITY ADMINISTRATOR

Section 3.01 – Appointment and duties of clerk and city attorney.

The city clerk and city attorney shall be appointed by **the mayor and ratified by the city council**. The city clerk and city attorney shall serve at the pleasure of **the mayor and** the city council.

AREAS FOR DISCUSSION: No changes required under the strong mayor form of government. Specific changes required to be consistent with a council/manager form of government which is being considered.

REASONS FOR DISCUSSION: Council pleasure.

HOW IT WOULD READ WITH ALL CHANGES:

The city clerk and city attorney shall be appointed and removed by a majority vote of the city council. The city clerk and city attorney shall serve at the pleasure of the city council.

Section 3.02 - Appointment and duties of city administrator.

The city administrator shall be appointed by **the mayor** and be responsible for coordinating and integrating the administrative and executive functions of the city as directed by **the mayor** and consistent with the policy approved by the city council.

AREAS FOR DISCUSSION: No changes required under the strong mayor form of government. Specific changes required to be consistent with a council/manager form of government which is being considered.

REASONS FOR DISCUSSION: Council pleasure.

HOW IT WOULD READ WITH ALL CHANGES:

The city administrator shall be appointed and removed by a majority vote of the city council and shall be the chief executive officer of the city. The city administrator shall be responsible for coordinating and integrating the administrative and executive functions of the city as directed by and consistent with the policies approved by the city council.

ARTICLE IV – ELECTIONS

Section 4.01 - Electors.

Any person who is a resident of the city, who has qualified as an elector of the State of Florida, and who registers in the city in the manner prescribed by law shall be an elector of the city.

AREAS FOR DISCUSSION: None.

Section 4.02 – Nonpartisan elections.

All elections for the offices of mayor and city commissioner shall be conducted on a nonpartisan basis without any designation of political party affiliation.

AREAS FOR DISCUSSION: None.

Section 4.03 – Qualifying.

Candidates for the offices of mayor and city commissioner shall qualify by filing a written notice of candidacy with the city clerk at such time and in such manner as may be prescribed by ordinance. Each member of the city council, which includes the mayor, shall be a resident of the City of Apopka, Florida, for a period of one year next preceding his or her election to office and shall be a registered voter pursuant to Florida law.

AREAS FOR DISCUSSION: None **UNLESS** there is a desire to clarify the city clerk’s authority in qualifying candidates for election.

HOW IT WOULD READ WITH ALL CHANGES:

Candidates for the offices of mayor and city commissioner shall qualify by filing a written notice of candidacy with the city clerk at such time and in such manner as may be prescribed by ordinance. Each member of the city council, which includes the mayor, shall be a resident of the City of Apopka, Florida, for a period of one year next preceding his or her election to office and shall be a registered voter pursuant to Florida law. The city clerk performs a ministerial function in reviewing qualifying papers. The city clerk may not determine whether the contents of the qualifying papers are accurate.

Section 4.04 – Schedule and notice of elections.

Elections within the city shall be held on the **first Tuesday in December** in those years when required for the election of a city official, or as amended by **ordinance or law** at least six months prior to the city general election.

AREAS FOR DISCUSSION: Election scheduling practices.

REASONS FOR DISCUSSION: This is inconsistent with current scheduling for city elections. Options listed below.

HOW IT WOULD READ WITH ALL CHANGES:

Elections within the city shall be held on the first Tuesday in March in those years when required for the election of a city official, or as amended by ordinance or law at least six months prior to the city general election. If a regular election occurs in the same month a Presidential Preference Primary is conducted, the city council may choose to hold the city election on the same date as the primary.

OR

Candidates for the office of the city council and for mayor shall be elected on a date to be established by ordinance or resolution of the city council.

Section 4.05 - Recall.

Any member of the city council may be removed from office by the electors of the city following the procedures for recall established by general law and ordinances of the city.

AREAS FOR DISCUSSION: None.