

*From the desk of the City Clerk....*

*Bea L. Meeks, MMC, CPM, CBTO*

**TO:** Charter Review Committee Members

**DATE:** June 9, 2016

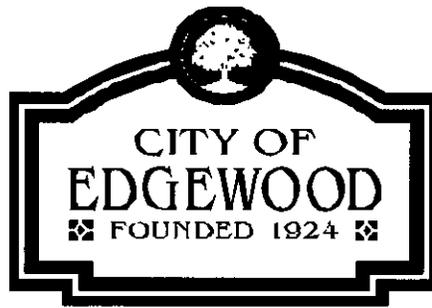
**RE:** June 10, 2016 CRC Meeting

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You are being provided with the agenda packet for your first CRC meeting. Your packet contains the following;

1. Public Notice
2. March 15, 2016 Memo to Council providing a brief history of two Charter reviews.
3. A copy of the City Charter
4. A worksheet to use in your review to track proposed changes (Table of Recommended Changes, Noting Fiscal Impacts).

Thank you everyone.



**Charter Review Commission Meeting  
City Hall – Council Chamber  
405 Larue Avenue, Edgewood, Florida  
Thursday, June 10, 2016  
5:30 p.m. - 6:30 p.m.**

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## **PUBLIC NOTICE**

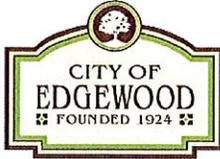
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**THIS MEETING WILL BE FOR THE PURPOSE  
OF ORGANIZING THE COMMISSION  
AND DISCUSSING THE CHARTER REVIEW**

- A. Call meeting to order
- B. Select Committee Chair
- C. Review/recommendations of Charter
- D. Schedule upcoming meeting(s)
- E. Adjournment

***“More than one member of the City Council may be in attendance at this meeting and may participate in discussions.”***

In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.



*From the desk of the City Clerk....*

*Bea L. Meeks, MMC, CPM, CBTO*

**TO: Mayor Bagshaw, Council President Dowless, Council Members Powell, Henley and Hendrix**

**Cc. City Attorney Drew Smith and Chief Francisco**

**DATE: March 15, 2016**

**RE: Charter Review**

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The City Charter provides:

- **Section 3.21. - Charter review.**

**The council president shall recommend, and the council shall confirm, at least seven (7) citizens to serve on a Charter Review Commission by May 1, 2002, and at least every seven (7) years thereafter. Said Commission shall report its findings to the council by October 1 of each year of appointment.**

(Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; **Ord. No. 2009-11**, §§ 1, 2, 11-17-2009)

## **HISTORY**

There have been numerous Charter changes however; I am providing you with the history of the last two Charter amendments.

The 2006 Charter Review Committee was appointed on May 14, 2004. The following served on the Committee:

Barbara G. Bozeman (Chair)

Craig Andrews

Mark Bassett

Nancy Crowell

Ellen James  
Caroline M. Landt  
Morris Middleton  
City Clerk (Faye Craig; 2005 - Bea Meeks)

ORDINANCE NO. 2006-02 (2006 Ballot)

**City Charter Amendment 1:**

*Requiring that mayor and council members be residents for at least one year before qualifying for office; PASSED*

**City Charter Amendment 2:**

*Clarifying that qualifications to run for office be in accordance with state law and revising the charter to allow elected officials and appointed board members to retain their current offices upon qualifying for an elected office until the election is decided; PASSED*

**City Charter Amendment 3:**

*Providing that members of boards and committees shall serve at the pleasure of council; PASSED*

**City Charter Amendment 4:**

*Providing and clarifying that city clerk, paid officials and police chief, shall serve at the pleasure of council; PASSED*

**City Charter Amendment 5:**

*Should the charter be revised, as proposed in ordinance 2006-02, to clarify that building inspectors and consultants shall serve at the pleasure of council. PASSED*

**City Charter Amendment 6:**

*Abolishing the position of election clerk and providing that elections shall generally be conducted in accordance with state law; PASSED*

**City Charter Amendment 7:**

*Should the charter provision allowing council members and the mayor to receive salaries by ordinance be deleted, as proposed in ordinance 2006-02. PASSED*

**City Charter Amendment 8:**

*Increasing the purchasing threshold for requiring competitive bids of city purchases to \$10,000; PASSED*

**City Charter Amendment 9:**

*Clarifying ambiguities regarding enactment of ordinances; PASSED*

**City Charter Amendment 10:**

*Providing for consistency or correcting conflicts with state law regarding building inspectors' duties, budget adoption, levying of taxes, elections, when terms of office of elected officials begin, payment of expenses of city officials, and ordinances and resolutions; PASSED*

**The 2009 Charter Review Committee:**

Ellen James  
Ray Bagshaw (Chair)  
Judy Beardslee  
Walter Moon  
Flavia Marcus  
Lee Chotas  
Michael Teague  
City Clerk Sandra Modigh

Ordinance 2009-11 (2010 Ballot)

**City Charter Amendment 1:**

*Shall the Edgewood Charter be amended to clearly state that candidates for elected office shall comply with any applicable "resign to run" laws of the State of Florida? PASSED.*

**City Charter Amendment 2:**

*Shall the Edgewood Charter be amended so that specific requirements for public meetings and public record review are replaced with the mandate that the City comply with all State Laws regarding open meetings and public records? PASSED*

**City Charter Amendment 3:**

*Shall the Edgewood Charter be amended so that authentication of duly passed Ordinances and Charter Amendments shall require only the signatures of the city clerk and council president; to remove the requirement that the general codification of the Code of Ordinances be approved by Ordinance; to remove requirements as to the form*

*of publication of the Code of Ordinances; and to provide for furnishing the Code to officials upon request? **PASSED***

**City Charter Amendment 4:**

*Shall the Edgewood Charter be amended to remove provisions providing for creation of new City departments by Charter Amendment? **PASSED***

**City Charter Amendment 5:**

*Shall the Edgewood Charter be amended to provide for forfeiture of office for council members who miss two consecutive meetings or four non-consecutive meetings within a calendar year unless such absences are excused by the council and to clarify that any vacancies on the council shall be filled from among the electors of the City of Edgewood? **PASSED***

**CITY CHARTER AMENDMENT 6:**

*Shall certain non-substantive corrections be made to the Edgewood Charter? **PASSED***

**City Charter Amendment 7:**

*Shall the Edgewood Charter be amended to provide for review of the City's Charter by a Charter Review Commission to occur every seven years instead of every four years? **PASSED***

**City Charter Amendment 8:**

*Shall the Edgewood Charter be amended to provide that the Mayor shall be responsible to the City Council rather than the electorate for the day to day administration of the City; and to clarify that a vacancy in the office of mayor shall be filled by an appointee from among the electors of the City of Edgewood? **PASSED***

**City Charter Amendment 9:**

*Shall the Edgewood Charter be amended to provide that the Mayor shall be responsible to the City Council for the supervision of the Police Department, City Hall and Contract Staff; to clarify the authority and duties of the Mayor during emergency situations; to provide that all recommended appointments of the Mayor be confirmed by the City Council; and provide that the Mayor may approve expenditures within limits defined by Ordinance and proclamations? **PASSED***

**City Charter Amendment 10:**

*Shall the Edgewood Charter be amended to clarify the authority and duties of the City Clerk? **PASSED***

**City Charter Amendment 11:**

*Shall the Edgewood Charter be amended to clarify the authority and duties of the police chief? **PASSED***

**City Charter Amendment 12:**

*Shall the provisions in the Charter for a building inspector be deleted and shall the title of Section 7.05 be amended? **PASSED***

**City Charter Amendment 13:**

*Shall the Edgewood Charter be amended to clarify the budget process and budget responsibilities of City Officials; provide for a budget message to be proposed by the Mayor; provide for the reduction and transfer of budget allocations by resolution; provide for the lapse of appropriations after two years; and provide that unrestricted reserves shall not exceed 75% of gross annual revenue? **PASSED***

**City Charter Amendment 14:**

*Shall the Edgewood Charter be amended to provide that a candidate for municipal office must file his or her application with the city clerk by hand delivery or by registered mail at least forty-six days prior to the election day; and to remove the authority of the city council to designate another official to perform certain functions of the city clerk? **PASSED***

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Based on the 2009 amendment regarding Charter review, the next Charter review is required in 2016, with a goal of being on the 2017 municipal ballot, if applicable. Due to the election costs associated with Charter amendments, you can anticipate the normal election budget of \$12,000 to be \$20,000. The increase is based on the cost related to legal advertising (English and Spanish) and ballot printing (English and Spanish). The costs associated with advertising and ballot printing will be contingent on how many ballot questions are approved. The City is responsible for providing advertising and ballots in Spanish; a cost may be associated with this.

I also talked to Cindy Clark in the Orange County Elections office regarding the potential for Charter amendments and was told the following:

- Depending on the number of amendments, determines if the City's ballot will be double-sided; this would be an added expense to the City.
- There doesn't appear to be any concerns if the City has Charter amendments on the ballot for 2017.
- Ballot must be submitted in English and Spanish by the close of qualifying.
- Limit of 75 words per amendment.

**RECOMMENDATION:** Comply with the Charter and be prepared to appoint a Charter Review Committee (CRC) no later than the May 17, 2016 City Council meeting.

**PART I - CHARTER**

## FOOTNOTE(S):

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**Editor's note**— Printed herein is the Charter of the City of Edgewood, Florida, as proposed by Ord. No. 6-7-75, adopted August 19, 1975, and approved at referendum held on September 23, 1975.

Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Obvious misspellings have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same form for citations to state statute as appears in the Code of Ordinances has been used. Additions for clarity are indicated by brackets.

**State Law reference**— Municipal Home Rule Powers Act, F.S. ch. 166.

**ARTICLE I. - INTRODUCTION AND POWERS****Section 1.01. - Introduction.**

The Legislature of the State of Florida enacted a bill which established a Charter, Chapter 69-1039, for the Town of Edgewood and said Charter was duly approved in a referendum at that time. This Charter (1975) supersedes in its entirety all sections of Chapter 69-1039 except Article I, Section 1 which addresses the legislative action of the State of Florida in creating the Charter of what is now the City of Edgewood.

**Section 1.02. - Powers.**

The City of Edgewood shall have all governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law.

**State law reference**— Municipal Home Rule Powers Act, F.S. ch. 166.

**Section 1.03. - Construction.**

The powers of the city shall be construed liberally in favor of the city, limited only by the Constitution, general law and specified limitations contained herein. Special acts pertaining to the jurisdiction and exercise of powers by this city shall be considered amendments to this Charter and, pursuant to the provisions adopted for incorporation of other Charter amendments, shall be incorporated as official amendments to the Charter.

**Section 1.04. - Prior acts and legislation.**

The city Code, ordinances, resolutions and acts legislated prior to the adoption of this amended Charter shall remain in effect provided such legislation is not inconsistent with the provisions of this document.

**Section 1.05. - Liability.**

The liability of the City of Edgewood for any personal injury or property damage due to defects in municipal properties, acts of city employees or other cause for which the city may be held responsible shall be established through legal proceedings as provided in the State of Florida.

**State law reference—** Waiver of sovereign immunity in tort actions, F.S. § 768.28.

## **ARTICLE II. - CORPORATE LIMITS**

### **Section 2.01. - Description of corporate limits.**

The following area shall constitute the corporate limits of the City of Edgewood, Florida.

BEGINNING at a point on the south line of Section 13, T23S, R29E, at its intersection with the westerly shoreline of Little Lake Conway, run thence westerly along said south Section Line to the easterly right-of-way line of Hansel Avenue (State Road 527 northbound); thence run southeasterly along said easterly right-of-way line for 218.22 feet to a point of intersection with the south line of the north 190.00 feet of Lots 1, 2 and 3 of J.J. Reaves Subdivision as recorded in Plat Book "F", page 66 (), of the Public Records of Orange County, Florida; thence run N 89°46'46" E along said south line of the north 190.00 feet for 655 feet, more or less, to the water's edge of Little Lake Conway; thence run southeasterly along said water's edge to a point of intersection with the easterly extension of the south line of Lot 6, of said J.J. Reaves Subdivision; thence run westerly along the said easterly extension of the south line of Lot 6 and along the south line of Lot 6 for 612.68 feet, more or less, to the easterly right-of-way line of Hansel Avenue (State Road 527 northbound); thence run southeasterly along said easterly right-of-way line to a point lying 15 feet east and 1130.45 north of the center of Section 24, T23S, R29E; thence north along a line 15 feet east of and parallel with the center line of said Section 24, for a distance of 107.85 feet to a point; thence S 89° 38' 00" E, a distance of 84.00 feet to the northwest corner of Lot 7 of W.M. Hansels Second Replat of Lot 1 of Harney Homestead as recorded in Plat Book "L", page 74 of the Public Records of Orange County, Florida; continue thence S 89° 38' 00" E, along the north line of said Lot 7 to the northeast corner thereof; thence south along the east line of said W.M. Hansels Second Replat, a distance of 220 feet, more or less, to the southeast corner of Lot 4 of said W.M. Hansels Second Replat and being on the northerly line of Lot 3 of W.M. Hansel Replat of Lot 1 of Harney's Homestead as recorded in Plat Book "J", page 45 of the Public Records of Orange County, Florida; thence run east along the north line of said Lot 3 for 15 feet to the northeast corner of said Lot 3; thence run south along the east line of Lot 3 of said W.M. Hansels Replat for 122 feet to the northerly right-of-way line of Hoffner Avenue; thence westerly along said northerly right-of-way line of Hoffner Avenue and its westerly projection for 1,020 feet, more or less, to its intersection with the westerly right-of-way line of South Orange Avenue (State Road 527 southbound); thence northwesterly along the westerly right-of-way of said South Orange Avenue to its intersection with the south right-of-way the south right-of-way line of Mary Jess Road; thence westerly along said south right-of-way line of Mary Jess Road for 51.45 feet, more or less, to a point of intersection with the westerly right-of-way line of CSX Railroad, said point also being the northeast corner of Force Four Commerce Center Subdivision, recorded in Plat Book 11 (), page 42 (), of the Public Records of Orange County, Florida; thence run southeasterly along said westerly right-of-way line of CSX Railroad for 355.20 feet; thence run southwesterly along said westerly CSX Railroad right-of-way line for 103.87 feet; thence run southeasterly along said westerly CSX Railroad right-of-way line for 144.11 feet to the southeast corner of said Force Four Commerce Center; thence continue S 14° 11' 20" E, along said westerly right-of-way line of CSX railroad, a distance of 679.54 feet to the

southeast corner of Mary Jess Commerce Center Properties subdivision, recorded in Plat Book 18 (), page 125 of the Public Records of Orange County, Florida; thence run S 89° 36' 05" W along the south line of said Subdivision, a distance of 602.90 feet to the southwest corner thereof, said point also lying on the east line of Tract "A", Lake Mary Jess Shores Subdivision, as recorded in Plat Book 8, page 130 (), of the Public Records of Orange County, Florida; thence run southerly along the easterly line of Tract "A" being a curve concave westerly having a radius of 469.86 feet and a central angle of 06° 11' 14", for a distance of 50.74 feet, to the south line of a 50 foot wide Drainage Easement as recorded in O.R. Book 1461, pages 236 through 242 and Minutes Book 63, page 692, of the Public Records of Orange County, Florida, and being the south line of Tract "A" of said Lake Mary Jess Shores Subdivision; thence run S 89° 36' 05" W along the south line of said Lake Mary Jess Shores subdivision for 911.01 feet to the Southwest corner of the Northwest 1/4, of the Northwest 1/4 of Section 24, Township 23 South, Range 29 () East, also being the southwest corner of said Lake Mary Jess Shores Subdivision; thence run westerly along the South line of the Northeast 1/4 of the Northeast 1/4 of Section 23 (), Township 23 South, Range 29 () East for 586 feet, more or less, to the West line of the East 586 feet of the Northeast 1/4 of the Northeast 1/4 of said Section 23 (); thence run northerly for 660 feet, more or less, to the north line of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 23 (); thence run easterly along the north line of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 23 () for 226 feet, more or less, to the southwest corner of Lake Mary Court, as recorded in Plat Book "Z", page 64 of the Public Records of Orange County, Florida; thence run northerly along the west line of said Lake Mary Court for 630 feet to the southerly right-of-way line of Mary Jess Road and being the northwest corner of said Lake Mary Court; thence continue northerly for 30 feet to the north line of said Section 23 (); thence continue northerly for 30 feet to the north right-of-way line of Mary Jess Road as shown on the plat of Rockwood Estates, as recorded in Plat Book "X", page 20 of the Public Records of Orange County, Florida; thence run easterly along the said north right-of-way line of Mary Jess Road for 360 feet, more or less, to the east line of Section 14 (), Township 23 South, Range 29 () East; thence run northerly along the east line of said Section 14 (), to the southeast corner of the NE 1/4 of the SE 1/4 of Section 14 (), T23S, R29E; thence westerly along the south line of the NE 1/4 of the SE 1/4 of said Section 14 (), to the southwest corner thereof and being the SE corner of the NW 1/4 of the SE 1/4 of said Section 14 (); thence run westerly along the south line of the NW 1/4 of the SE 1/4 of said Section 14 () to the SW corner thereof, being the NE corner of the SE 1/4 of the SW 1/4 of said Section 14 (); thence run westerly along the north line of the SE 1/4 of the SW 1/4 of said Section 14 () to the east line of Block "A", Lake Jessamine Shores, as recorded in Plat Book "R", page 41 of the Public Records of Orange County, Florida; thence run northerly along the east line of said Block "A" to the NE corner of Lot 1, Block "A" of said Lake Jessamine Shores; thence run northerly along the east line of the West 1/2 of the SW 1/4 of said Section 14 () for 265 feet; thence run westerly for 880 feet to a point 265 feet north of the north line of said Lake Jessamine Shores; thence run northerly for 685 feet; thence run easterly for 770 feet; thence run northwesterly for 491.19 feet; thence run westerly for 1,154.15 feet to the west line of the NW 1/4 of said Section 14 (); thence run northerly along the west line of the NW 1/4 of said Section 14 () to the south line of Holden Ridge, as recorded in Plat Book 27 (), page 81 of the Public Records of Orange County, Florida; thence run easterly along the south line of said Holden Ridge to the southeast corner of Tract "A" of said Holden Ridge and being the SE corner of said Holden Ridge; thence run northerly along the east line of said Holden Ridge to the NE corner of Lot 106 () of said Holden Ridge; thence run westerly along the north line of said Lot 106 () to the NW

corner thereof; thence run northerly along the east line of said Holden Ridge to the NE corner of Lot 110 () of said Holden Ridge; thence continue northerly along the northerly projection of the east line of Lot 110 () of said Holden Ridge to the north right-of-way line of Holden Avenue; thence run easterly along the north right-of-way line of Holden Avenue to the northerly projection of the west line of the East 1/2 of the NE 1/4 of Section 14 (), Township 23 South, Range 29 () East; thence run southerly along the northerly projection of the west line of the East 1/2 of the NE 1/4 of said Section 14 () to the NW corner of the East 1/2 of the NE 1/4 of said Section 14 (); thence run southerly along the west line of the East 1/2 of the NE 1/4 of said Section 14 () to the NE corner of the SW 1/4 of the NE 1/4 of said Section 14 (); thence run southerly along the east line of the SW 1/4 of the NE 1/4 for 220 feet; thence run westerly for 10 feet; thence run southerly for 240 feet; thence run easterly for 10 feet to a point 460 feet south of the NE corner of the SW 1/4 of the NE 1/4 of said Section 14 (); thence run southerly along the west line of the East 1/2 of the NE 1/4 of said Section 14 () to the SW corner of the East 1/2 the NE 1/4 of said Section 14 () also being the NW corner of the NE 1/4 of the SE 1/4 of said Section 14 (); thence run easterly along the north line of the NE 1/4 of the SE 1/4 of said Section 14 () to the NE corner thereof and being the NW corner of Tract "I", Lake Jessamine Estates as recorded in Plat Book 18 (), pages 17 and 18 () of the Public Records of Orange County, Florida; thence run northerly along the west line of Section 13, Township 23 South, Range 29 () East to its intersection with the south boundary line of Virginia Avenue, as shown on the plat of Hobbs Subdivision with Gatlin at page 177 of Miscellaneous Book Four, of the Public Records of Orange County, Florida; thence continue northerly along the west line of said Section 13 the south line of Lot 20, "Allotment of the Randolph Land Fort Gatlin", Plat Book "C", page 58 (), of the Public Records of Orange County, Florida; thence run easterly along the south line of said Lot 20, Randolphs, to the westerly right-of-way line of CSX Railroad; thence run northwesterly along the westerly right-of-way line of CSX Railroad to its intersection with the south right-of-way line of Holden Avenue; thence westerly along said south right-of-way line of Holden Avenue to a point lying 30 feet, more or less, south of a point lying 264 feet east of the west line of the SE 1/4 of SE 1/4 of SE 1/4 of Section 11 (), T23S, R29E; thence run northerly 60 feet, more or less, to the north right-of-way line of Holden Avenue; thence north to the south line of the NE 1/4 of SE 1/4 of SE 1/4 of said Section 11 (); thence N 89° 53' 59" W along the south line of the NE 1/4 of the SE 1/4 of the SE 1/4 of said Section 11 (), a distance of 264 feet to the southwest corner of said NE 1/4 of SE 1/4 of SE 1/4, Section 11 (); thence N 00° 14' 28" E, along the west line of said NE 1/4 of SE 1/4 of SE 1/4, also being the east line of Holden Estates Subdivision, as recorded in Plat Book 9, page 16 of the Public Records of Orange County, Florida, for 662 feet, more or less, to the NW corner of said NE 1/4 of SE 1/4 of SE 1/4, said corner also lying on the south line of Tract "A" of said Holden Estates Subdivision; thence S 89° 53' 25" E, along the south line of said Tract "A" a distance of 396.88 feet to a point on the westerly right-of-way line of the CSX Railroad; thence run N 11° 22' 23" W along said westerly right-of-way line for 147.98 feet, more or less, to the southeast corner of Lot 59, said Holden Estates Subdivision; thence run N 89° 53' 25" W along the south line of said Lot 59 for 275.00 feet; thence run N 61° 40' 44" W along the south line of said Lot 59 for 115.79 feet to the easterly right-of-way line of Forrestal Avenue; thence run northerly along said easterly right-of-way line along the arc of a curve concave northwesterly, having a radius of 190.00 feet, through a central angle of 39° 43' 38", for 131.74 feet; thence run N 11° 24' 23" W along the easterly right-of-way line of Forrestal Avenue for 231.65 feet to the northwest corner of said Lot 59; thence run S 89° 50' 22" E along the north line of said Lot 59 for 328.62 feet to the westerly right-of-way line of the CSX Railroad; thence run S 11° 22' 23" E along said westerly Railroad right-of-way line to the

north line of the NE 1/4 of the SE 1/4 of the SE 1/4 of Section 11 (), Township 23 South, Range 29 () East; thence run east along the north line of the NE 1/4 of the SE 1/4 of tile SE 1/4 of said Section 11 () to the east line of said Section 11 (); thence continue east along the north line of the SW 1/4 of the SW 1/4 of Section 12, Township 23 South, Range 29 () East to a point on the north line of the SW 1/4 of SW 1/4 of Section 12, T23S, R29E, said point being 465 feet, more or less, east of the east right-of-way line of South Orange Avenue (S.R. 527); thence continue easterly along the north line of the SW 1/4 of the SW 1/4 of Section 12, T23S, R29E, to a point lying 594 feet west of the east line of said SW 1/4 of SW 1/4 thence southerly 330 feet, more or less, to the westerly extension of the centerline of the canal connecting the easterly and westerly portions of Lake Jennie Jewel; thence easterly along the said extension and the centerline of said canal to the north line of Lot 15, Allotment of the Randolph Lands, as recorded in Plat Book "C", page 58 (), of the Public Records of Orange County, Florida; thence run easterly along the north line of said Lot 15 to the northeast corner thereof, being the most Northerly corner of Oak Cove, as recorded in Plat Book 6, page 118 (), of the Public Records of Orange County, Florida; thence run S 45° 00' W, along the easterly line of said Oak Cove, a distance of 700 feet, more or less, to the most northerly corner of Lot H, Plat C.O., as recorded in Chancery Order Book 145, page 620, of the records of Orange County Circuit Court dated September 4, 1952; thence run southeasterly along the northerly line of said Lot H to a point of intersection with the northwesterly corner of Lot G of said Plat C.O.; thence run S 35° 30' E along the northeasterly line of said Lot H to the most easterly corner thereof, also being the north corner of Lot 10, O.S. Robinson Subdivision, as recorded in Plat Book "G", page 136, of the Public Records of Orange County, Florida; thence run southerly along the east line of said Lot 10 of O.S. Robinson Subdivision for 50 feet to the southeast corner thereof, and being the northeast corner of Lot 18 (), Gore's Subdivision, as recorded in Plat Book "F", page 41, of the Public Records of Orange County, Florida; thence run southerly along the east line of said Lot 18 () of Gore's Subdivision to the north right-of-way line of Gatlin Avenue; thence run southerly for 30 feet, more or less, to the centerline of Gatlin Avenue; thence run westerly along the centerline of Gatlin Avenue for 60.5 feet, more or less; thence run southerly for 30 feet, more or less, to the south right-of-way line of Gatlin Avenue; thence run westerly along the said south right-of-way line of Gatlin Avenue to the northeast corner of Lot 15, Gore's Subdivision, as recorded in Plat Book "F", page 41, of the Public Records of Orange County, Florida; thence run southerly along the east line of said Lot 15 to the southeast corner thereof, lying on the south line of the North 1/2 of the NE 1/4 of the NW 1/4 of Section 13, Township 23 South, Range 29 () East; thence run easterly along the south line of said Gore's Subdivision and the south line of the North 1/2 of the NE 1/4 of the NW 1/4 of said Section 13 to the east line of the NW 1/4 of Section 13, T23S, R29E; thence continue east along the north line of the South 1/2 of the NW 1/4 of the NE 1/4 of said Section 13 for 929.64 feet to the southeast corner of Lot 13, Fort Gatlin Heights as recorded in Plat Book "K", page 130 () of the Public Records of Orange County, Florida; thence continue east for 60 feet to the southwest corner of Lot 1, Pine Harbor Point as recorded in Plat Book 6, page 68 of the Public Records of Orange County, Florida; thence run east along the south line of said Pine Harbor Point for 970.11 feet to the west right-of-way line of Vaughn Avenue, Waterwitch Club, as recorded in Plat Book "K", page 69 of the Public Records of Orange County, Florida; thence run south along the west right-of-way line of Vaughn Avenue for 660.50 feet; thence run west for 1,960 feet, more or less, to the southwest corner of the NW 1/4 of the NE 1/4 of said Section 13; thence run southerly along the east line of the NW 1/4 of said Section 13 to a point of intersection with the westerly projection of the north line of Harbour Island Subdivision as recorded in Plat Book 1, page 131 of the Public

Records of Orange County, Florida; thence run east along the westerly projection of the north line of said Harbour Island Subdivision and along the north line of said Harbour Island Subdivision to the northeast corner of said Harbour Island Subdivision; thence run south along the east line of said Harbour Island Subdivision for 323.9 feet to a point on the northeasterly line of Lot 1-A of said Harbor Island Subdivision; thence run S 54° 27' E along the northeasterly line of said Lot 1-A to the easternmost corner of said Lot 1-A; thence run S 35° 33' W along the southeasterly line of said Lot 1-A to the most southerly corner of said Lot 1-A and lying on the northeasterly line of Lot 1 of said Harbour Island Subdivision; thence run S 54° 27' E along the northeasterly line of said Lot 1 to the elevation 86.4 contour line, being the shoreline of Little Lake Conway and the easternmost corner of said Lot 1; thence run southwesterly along the elevation 86.4 contour line and the shoreline of Little Lake Conway to the southeast corner of Lot 22 of said Harbour Island Subdivision; thence run southerly across the canal connecting Lake Gatlin and Little Lake Conway to a point on the Northerly line of Lot 11, "Mandalay Shores", as recorded in Plat Book 3, page 37 of the Public Records of Orange County, Florida, lying S 76° 49' 32" E a distance of 97.53 feet from the northwest corner of said Lot 11 and being on the elevation 86.4 contour; thence run southeasterly, southerly and southwesterly along the elevation 86.4 contour line and the westerly shoreline of Little Lake Conway to the intersection of the shoreline of Little Lake Conway with the south line of Section 13, T23S, R29E and being the point of beginning.

All lying and being in Orange County, Florida.

*(Ord. No. 1998-447, §§ 1, 2 (Exh. A), 9-15-1998)*

#### **Section 2.02. - Changes in corporate limits.**

The corporate boundaries of the city may be changed as provided for in the City of Edgewood Code as modified by any higher authority regulations of the county or state.

**State law reference**— Municipal annexation or contraction, F.S. ch. 171.

### **ARTICLE III. - LEGISLATIVE**

#### **Section 3.01. - Creation powers and composition of city council.**

There shall be a city council with all the legislative powers of the city vested therein. The city council may by ordinance or resolution prescribe the manner in which any power of the city shall be exercised. The city council shall consist of five (5) members, elected at large by the qualified voters of the city.

#### **Section 3.02. - Qualifications.**

A candidate for city council shall be a qualified elector who is a bona fide resident of the City of Edgewood for at least one year prior to the date of qualifying to run for City office and registered to vote.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

#### **Section 3.03. - Judge of election and qualification of members.**

The city council shall be the judge of the election and qualification of its own members, subject to review by the appropriate county or state courts.

#### **Section 3.04. - Election and terms.**

The regular election of the city elected officials shall be held in the manner provided in Article VI of this Charter, and the term of office for each elected official shall be for two (2) years.

*(Ord. No. 396, § 1, 7-5-1994; Ord. No. 2001-01, § 1(Exh.A), 1-9-2001)*

**Section 3.05. - When term to begin.**

The term of office of any persons elected at any general election held in the city shall commence and begin at the next regularly scheduled council meeting following certification of the election.

*(Ord. No. 1997-440, §§ 2, 4, 12-2-1997; Ord. No. 2000-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**Section 3.06. - Council members or mayor not to hold two elected offices; vacancies.**

No person may hold two (2) elective offices, whether such offices are federal, state, county or municipal. Other restrictions on individuals qualifying for offices of council or mayor shall be in accordance with State law.

*(Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**State law reference—** Resign to run law, F.S. § 99.012.

**Section 3.07. - Candidates for elected office.**

Elected and appointed board members who run for other elected office shall comply with all applicable "resign to run" laws of the State of Florida. Unless resignation is otherwise required by State Law, current elected officials and appointed board members may retain their current offices upon qualifying for the elected office until the election is decided.

*(Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**State law reference—** Code of ethics for public officers and employees, F.S. § 112.311 et seq.

**Section 3.08. - Vacancies; forfeiture of office; filling of vacancies.**

- A. *Vacancies:* The office of a council member shall become vacant upon his/her death, disability, resignation, or removal from office in any manner authorized by law or forfeiture of his/her office.
- B. *Forfeiture of office:* A council member shall forfeit his/her office if he/she:
  1. Lacks at any time during his/her term of office the qualification for the office prescribed by this Charter or by law.
  2. Violates any standard of conduct or code of ethics established by law or a misdemeanor of the first degree or a felony of any degree.
  3. Misses two (2) consecutive or four (4) regularly scheduled meetings in a calendar year, without being excused by the council.
- C. *Filling of vacancies:* A vacancy on the council shall be filled by the mayor recommending a qualified candidate, as provided in this Charter, from among the electors of the City of Edgewood. The proposed appointee shall be recommended by the mayor within 30 days of the seat being vacated and confirmed by a majority vote of the council. In the event that the council does not confirm the mayor's recommendation within 30 days of the date the seat was vacated, the council shall by majority vote, appoint and confirm a candidate to fill the vacancy within 60 days of the date the seat was vacated. If the council cannot confirm a candidate within said 60-day time period due to a voting deadlock, the mayor shall be entitled to vote to break the tie existing at the end of said 60-day time period, but not during said 60-day time period. The vote shall occur at the next meeting

after the meeting during which the deadlock occurred. After the seat has been filled, the newly appointed council member will hold office until the next regular election scheduled for that council seat.

- D. *Extraordinary vacancies:* In the event that all members of the council are removed by death, disability, resignation, or forfeiture of office, the Governor shall appoint an interim council that shall call for a special election.

*(Ord. No. 2001-01, § 1 (Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

### **Section 3.09. - Appointments.**

Subsequent to completing the required procedures of the State of Florida relating to newly elected officials, the swearing in ceremonies shall be held during the first meeting of the new term (or as soon thereafter as reasonably possible in the case of unavoidable absences or delays). A council president shall be then elected by members of the council and actions initiated to appoint appropriate officials of the City of Edgewood. City council may appoint members to the various boards and committees of the city in accordance with such procedures as the city council may adopt or utilize, which members shall serve at the pleasure of city council.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

### **Section 3.10. - Procedures.**

- A. *Meetings.* The council shall hold regular meetings as often as necessary but at least once a month. The usual time and place of council meetings are on Tuesdays at the Edgewood City Hall. Special meetings may be held on the call of the mayor, the council president or a majority of the council members and, whenever practicable, upon no less than 12 hours' notice to each council member and the public. Committee meetings of designated council members and the mayor may be held at the city hall at designated times unless circumstances dictate such meetings be held elsewhere. All meetings shall be open to the public.
- B. *Rules and journal.* The council shall determine its own rules and the council president shall set the order of business for each meeting.
- C. *Voting.* Voting, on ordinances and resolutions, shall be by roll call and shall be recorded in the minutes. A majority of the council shall constitute a quorum.

### **Section 3.11. - Compensation and expenses.**

None of the council members or the mayor receives a salary. All city public officials, either elected or appointed, shall receive reimbursement for their expenses incurred in the performance of their duties of office as provided by law.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

### **Section 3.12. - Areas of responsibility.**

Upon the start of a new council session, the council president shall designate areas of responsibility (not already under the jurisdiction of the mayor) to be assigned to individual council members. Each council member shall assume responsibility for the assigned area and execute his/her other responsibilities within the broad guidelines established by the council. The council members shall render reports regarding other areas during regular or special meeting of the council.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

### **Section 3.13. - Ordinances and resolutions in general.**

Ordinances may be enacted and resolutions may be adopted in accordance with any applicable requirements of State law.

- A. *Form.* Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No enactment shall be revised or amended by reference to its title only. Ordinances or resolutions to revise or amend shall set out in full the revised or amended act, section, subsection, or paragraph of a section or subsection.
- B. *Procedures.* A proposed ordinance or resolution shall be advertised and adopted in accordance with state law.
- C. *Adoption.* A proposed ordinance requires the vote of at least four (4) members of the council or three (3) members plus the vote of the mayor for the adoption of the ordinance. For the adoption of an ordinance, a simple majority of those voting shall be required.
- D. *Effective Date.* Except as otherwise provided in this Charter, every adopted ordinance and resolution shall become effective upon adoption or as otherwise specified therein.

*(Ord. of 10-18-1983, § 1; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**State law reference—** Ordinance adoption procedure, F.S. § 166.041.

**Section 3.14. - Legislative action requiring an ordinance.**

The following types of council actions shall be implemented by ordinance providing the ordinance does not conflict with the provisions expressed in this Charter amendment and does not violate state or federal statutes.

In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the city council shall be by ordinance which:

- A. Adopt or amend an administrative code or alter or abolish any city department, office or agency;
- B. Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- C. [Reserved];
- D. Grant, renew or extend a franchise including the negotiation of rates;
- E. Authorize the borrowing of money;
- F. Approve union contracts;
- G. Adopt with or without amendment ordinances proposed under the initiative power;
- H. Amend or repeal any ordinance previously adopted, except as otherwise provided in Article VI with respect to repeal or ordinances reconsidered under the referendum power.

Acts other than those referred to in the preceding sentences may be done either by ordinance or by resolution in accordance with State law.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**Section 3.15. - Emergency ordinances.**

To meet a public emergency affecting life, health, property or the public peace, the council may adopt one (1) or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services or authorize the borrowing of money except as provided in subsection 5.06 (b). An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least four (4) council members or three (3) council members and the mayor shall be required for adoption. After its adoption, the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or at such time as it may specify. Every emergency ordinance, except one made pursuant to subsection 5.06 (b), shall automatically stand repealed as of the sixty-first (61<sup>st</sup>) day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

**Section 3.16. - Budget adoption.**

The council shall adopt the budget on or before the thirtieth day of September of each fiscal year in accordance with State law. An action by council adopting an annual budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**State law reference—** Determination of millage and adoption of budget procedure, F.S. ch. 200.

**Section 3.17. - Compliance with state law regarding open meetings and public records.**

The City shall comply with all State Laws regarding open meetings and public records.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**State law reference—** Public meetings, F.S. § 286.011; public records, F.S. § 119.01 et seq.

**Section 3.18. - Authentication, recording and disposition of Charter amendments, ordinances and resolutions.**

- A. *Authentication.* The council president and the city clerk shall authenticate by their signature all ordinances and resolutions adopted by the council. In addition, when Charter amendments have been approved by the electors, the council president and the city clerk shall authenticate by their signatures the Charter amendment, such authentication to reflect the approval of the Charter amendment by the electorate.
- B. *Codification.* Upon adoption of this Charter and at least every year thereafter, the city clerk shall provide for the preparation of a general codification of all city ordinances and resolutions having the force and effect of law. The general codification shall be published promptly together with this Charter and any amendments thereto, pertinent provisions of the Constitution and other laws of the State of Florida and such codes of technical regulations and other rules and regulations as the council may specify. This compilation shall be known and cited officially as the Edgewood City

Code. Copies of the Code shall be furnished to city officers upon request and shall be placed in the city hall for free public reference and made available for purchase by the public at a reasonable price fixed by the council.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**Section 3.19. - Reserved.**

**Editor's note—**

Ord. No. 2009-11, §§ 1, 2, adopted Nov. 17, 2009, deleted § 3.19 (), which was entitled "Creation of departments".

**Section 3.20. - Independent audit.**

The council shall provide for an independent annual audit of all city accounts and may provide for such more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the city government or any of its officers. The council may, without requiring competitive bids, designate such accountant or firm annually. If the state makes such an audit, the council may accept it as satisfying the requirements of this section.

**State law reference—** Annual audit required, F.S. § 218.33.

**Section 3.21. - Charter review.**

The council president shall recommend, and the council shall confirm, at least seven (7) citizens to serve on a Charter Review Commission by May 1, 2002, and at least every seven (7) years thereafter. Said Commission shall report its findings to the council by October 1 of each year of appointment.

*(Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**ARTICLE IV. - EXECUTIVE AND ADMINISTRATION**

**Section 4.01. - Mayor.**

There shall be a mayor who shall be the chief executive officer and administrator of the city. He/she shall be responsible to the council for the day to day administration of the city. The mayor shall conform to city policy as established by council. The city council may overturn, by a majority vote, a decision of the mayor which is determined inconsistent with city policy. The city council by a majority vote shall have the authority to modify or reassign the responsibilities and duties of the mayor, and shall have the authority to modify the actions of the mayor in his/her administration of city affairs.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**Section 4.02. - Mayor; qualifications and terms of office.**

The mayor shall be a qualified elector who is a bona fide resident of the City of Edgewood for at least one year prior to the date of qualifying to run for City office and registered to vote. If he/she shall cease to possess any such qualification during his/her term of office, he/she shall forfeit the office and the council shall remove him/her. He/she shall be elected for a term of two (2) years and serve until his/her successor takes office.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**Section 4.03. - Acting mayor.**

In case of death, disability, resignation or removal of the mayor, the council president shall serve as mayor until a successor is appointed. A vacancy in the office of mayor shall be filled by the council president recommending a qualified candidate, as provided in this Charter, from among the electors of the City of Edgewood. The proposed appointee shall be recommended by the council president within 30 days of the office of mayor being vacated and confirmed by a majority vote of the council. In the event that the council does not confirm the council president's recommendation within 30 days of the date the office was vacated, the council shall by majority vote, appoint and confirm a candidate to fill the vacancy within 60 days of the date the seat was vacated. After the seat has been filled, the newly appointed mayor will hold office until the next regular election scheduled for the office of mayor.

*(Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 4.04. - Powers and duties of the mayor.**

The mayor shall:

- A. Perform duties as the chief executive and administrator of the City, and as such, shall be responsible to the council for the supervision of city operations as defined below:
  - Police Department
  - City Hall
  - Contract Staff
- B. During emergency situations the mayor shall have the authority to coordinate action with county, state, and federal authorities as deemed necessary.
- C. Make recommendations for: (1) all salaried personnel when vacancies occur, (2) unfilled terms for elected offices, (3) consultants at the start of each new session, (4) members of boards and committees when terms expire or vacancies occur, (5) any other recommendations that may be required. Recommendations made by the mayor shall be considered and confirmed by the council for appointment.
- D. Attend all council meetings and shall have the right to take part in discussion but may not vote except as otherwise provided in this Charter.
- E. See that all laws, provisions of this Charter and acts of the council, subject to enforcement by him/her or officers subject to his/her direction and supervision, are faithfully executed.
- F. Submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year.
- G. Make other reports as the council may require concerning the operations of the city departments, offices and agencies subject to his/her direction and supervision.
- H. Keep the council fully advised as to the financial condition and future needs of the city and make such recommendations to the council concerning the affairs of the city.
- I. Sign contract(s) on behalf of the city pursuant to the provisions of appropriate ordinances.
- J. Perform such other duties as are specified in this Charter or may be required by the council.
- K. May approve expenditures on behalf of the city within defined limits established by ordinance.
- L. May approve ceremonial proclamations.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 4.05. - City clerk.**

The city clerk shall be recommended by the mayor and appointed by the city council and shall serve at the pleasure of city council. The following are the major areas of responsibility of the city clerk:

- A. Custodian of municipal records in accordance with state law.
- B. Provide public notice of all meetings subject to Sunshine and State Law and keeps a journal of its proceeding.
- C. Administration of the daily functions of city hall.
  - ( ) Record, type and distribute minutes of meetings and agendas.
- D. Maintain city hall budget and expenditures within the approved annual budget.
- E. Provide reports, personnel actions, etc., to the council.
- F. Execute policies and directions issued by the council and expressed in resolutions, ordinances, the City Code of Ordinances and Charter.
- G. Perform other duties assigned by the mayor or council president.

The duties, hours, salary, etc., shall be established by the council who may also delegate the supervision of the city clerk to an elected official.

*(Ord. of 10-18-1983, § 1; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 4.06. - Police chief.**

The police chief shall be recommended by the mayor and appointed by the city council and shall serve at the pleasure of city council. The following are the major responsibilities of the police chief:

- A. Administration of the daily functions of the police department.
- B. Maintain the police department expenditures within the approved annual budget.
- C. Provide reports, personnel actions, etc., to the council.
- D. Execute policies and directions issued by the council and expressed in resolutions, ordinances, the City Code and Charter.
- E. Perform other duties assigned by the mayor or council president.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 4.07. - Judicial actions.**

There shall be no municipal court administered by or conducted in the City of Edgewood. All violations of the Edgewood Code, ordinances or this Charter which require judicial action shall be handled by the Orange County [County] or Circuit Courts.

#### **Section 4.08. - Fire protection.**

The city council shall have the authority to negotiate and contract for the necessary fire protection for the City of Edgewood. An ad valorem tax to cover the cost of the contract with the fire district shall be levied on the property within the city.

*(Ord. of 10-18-1983, § 1)*

#### **Section 4.09. - Planning and zoning board.**

The mayor shall appoint members of the planning and zoning board subject to the confirmation by the council. The board shall consist of five (5) members each serving for a term of three (3) years in staggered sequence.

**Section 4.10. - Reserved.****Editor's note—**

Ord. No. 2009-11, §§ 1, 2, adopted Nov. 17, 2009, deleted § 4.10 (), which was entitled "Building inspector" and derived from: Ord. No. 1997-440, §§ 2, 4, adopted Dec. 2, 1997; and Ord. No. 2006-02, § 1 (Exh. A), adopted Jan. 17, 2006.

**Section 4.11. - Consultants.**

Consultants for the city shall be appointed by the mayor subject to the confirmation by the council and shall serve at the pleasure of city council. All consultants shall be appointed on an annual basis. Consultants shall include but not be limited to the following:

- A. *Legal.* Legal consultants shall be an attorney (or firm) who shall provide legal advice to the council, represent the city in legal cases and provide legal services for the city as required.
- B. *Engineering.* The engineering consultant (or firm) shall provide such engineering services that the council shall request.
- C. *Accountant.* An accountant (or firm) shall be retained for annual audits and other related work as deemed necessary by the council.
- D. *Other.* As the circumstances require, the council may retain consultant services from a recognized authority or firm.

(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)

**Section 4.12. - Eminent domain.**

The City of Edgewood shall exercise its right of eminent domain as provided for in F.S. §§ 166.401 and 166.411. A public hearing relative to any contemplated eminent domain action shall be held and any such actions shall be implemented as an ordinance for the City of Edgewood.

**Section 4.13. - Personnel system.**

All appointments and promotions of city officers and employees, except those specifically exempted by ordinances, shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence and, to this end, the council shall, by ordinance establish personnel procedures and rules.

**Cross reference—** Ch. 2, Art. III, Appointed Officers and Employees.

**ARTICLE V. - FINANCIAL PROCEDURES****Section 5.01. - Fiscal year.**

The fiscal year of the city shall begin on the first day of October and end on the last day of September or as modified by the Florida State Legislature.

(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)

**State law reference—** Fiscal year, F.S. §§ 166.241, 218.33.

**Section 5.02. - Submission of budget and budget message.**

At least 60 days prior to the start of the fiscal year, the mayor shall propose a budget message.

(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)

**Section 5.03. - Budget message.**

The message shall explain the budget both in fiscal terms and in terms of the work programs designed to achieve the city's mission for its citizens. It shall outline the proposed financial policies of the city for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such other material as deemed desirable.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**Section 5.04. - Budget.**

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 council may require. The organization of the budget shall show the breakdown of an anticipated revenues and budgeted expenditures by the categories used by the city in its accounting format with necessary annotations for clarification. The budget shall be so arranged as to show comparative figures for actual and estimated revenues and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- A. Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices and departments in terms of their respective work programs, and the method of financing such expenditures.
- B. Proposed capital expenditures during the ensuing fiscal year detailed by offices and departments and the proposed method of financing each such capital expenditure.

The total expenditures shall not exceed the total of estimated revenues.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**Section 5.05. - Council actions.**

- A. *Notice and hearing.* Prior to adoption of the budget, the council shall announce and hold a special meeting at the city hall at which time the budget will be presented and discussions can be held with Edgewood citizens.

[B. *Reserved.*]

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**State law reference—** Determination of millage and budget adoption procedure, F.S. ch. 200.

**Section 5.06. - Amendments after adoption.**

- A. *Supplemental appropriations.* If during the fiscal year the mayor certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council by ordinance may make supplemental appropriations for the year up to the amount of such excess.
- B. *Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the council may make emergency appropriation. Such appropriations may be made by emergency ordinance in accordance with the provisions of section 3.15 (). To the extent that there are no available unappropriated revenues to meet such appropriations, the council 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.

- C. *Reduction of appropriations.* If at any time during the fiscal year it appears probable to the mayor or any council member that the revenues available will be insufficient to meet the amount appropriated, he/she shall report to the council without delay, indicating the estimated amount of the deficit, any remedial action taken by him/her and his/her recommendations as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may by resolution reduce one or more appropriations.
- D. *Transfer of appropriations.* At any time during the fiscal year the council may by resolution transfer part or all of any unencumbered appropriation balance among unbudgeted items and budgeted items within a department or office and the council may by resolution transfer part or all of any unencumbered appropriation balance from one department or office to another.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 5.07. - Lapse of appropriations.**

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if two (2) years pass without any disbursement from or encumbrance of the appropriation.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 5.08. - Management of budget.**

The mayor is responsible for the management of the budget. The management of the budget identified for specific departments or programs shall be delegated to the individual responsible for such department or program. The following are the major departments and the individual responsible for the budget administration:

- A. Police chief—Responsible for police department budget.
- B. City clerk—Responsible for city hall budget.

The management of specific budgets shall maintain expenditures within the annual budget figure. If circumstances occur which indicate that any expenditures exceed a budgeted line item by more than \$500, the mayor shall give written notice to the council advising of the situation with complete explanations as soon as such expenditures are apparent.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 5.09. - Unrestricted reserves.**

Unrestricted reserves shall not exceed 75% of gross annual revenues.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

#### **Section 5.10. - Purchasing.**

The mayor shall be the purchasing agent for the city, by whom all purchases of supplies shall be made, and he/she shall approve all vouchers for the payment of same. In the capacity of purchasing agent, he/she shall also conduct the sales of personal property which the council may authorize to be sold as having become unnecessary or unfit for the city's use. All purchases and sales shall conform to such regulations as the city council may from time to time prescribe, but in any case if any amount in excess of \$10,000.00 is involved, at least two (2) competitive bids shall be invited.

*(Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**Editor's note—**

Formerly numbered § 5.09 (), due to Ord. No. 2009-11, adopted Nov. 17, 2009 adding a new § 5.09 (), this section has now been renumbered as § 5.10 (), as set out herein.

**ARTICLE VI. - QUALIFYING, ELECTIONS AND CHARTER AMENDMENTS**

**Section 6.01. - Electors.**

Any person who is a resident of the city, who has qualified as an elector of this state, and who registers in the procedural manner prescribed by general law and ordinances of the city, shall be an elector of this city.

**State law reference—** Qualifications of electors, F.S. §§ 97.041, 166.032.

**Section 6.02. - Nonpartisan elections.**

All nominations and elections for any elected office in the City of Edgewood shall be conducted on a nonpartisan basis without regard for or designation of political party affiliation.

*(Ord. No. 2001-001, § 1(Exh. A), 1-9-2001)*

**Section 6.03. - Qualifying.**

Candidates for any elected office of the City of Edgewood shall be nominated for such office by the filing of a written application with the city clerk.

All candidates for offices in municipal elections shall be qualified electors who are bona fide residents of the City of Edgewood for at least one year prior to the date of qualifying to run for City office and registered to vote.

A candidate for elected office must file his or her application with the city clerk by hand delivery or by registered mail at least forty-six (46) days prior to the election day.

*(Ord. No. 1-9-10-77, § 1, 10-4-1977; Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**Section 6.04. - Form of ballots.**

Ballots shall conform to all requirements of Federal and State election laws and be approved by the Orange County Supervisor of Elections.

*(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**Section 6.05. - Elections.**

A.

*Conduct of Elections.* City elections will be conducted according to State law. Regular city elections shall be held on the second Tuesday in March. In the event of a change in the date of the Florida Presidential Preference Primary, the city council by ordinance may change the date for regular city elections to a yearly date that corresponds to the date of the Florida Presidential Preference Primary.

- B. *Single Office.* For a single office such as that of the mayor, the candidate receiving the greatest number of votes shall be deemed elected.
- C. *Multiple Offices.* When more than one office is being voted on such as that of council seats, those candidates receiving the highest number of votes shall be deemed elected.
- D. *Absentee Ballots.* For all elections, absentee ballots will be administered according to State law. (Ord. No. 396, § 2, 7-5-1994; Ord. No. 1997-440, §§ 2, 4, 12-2-1997; Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)

#### **Section 6.06. - Initiative.**

The qualified voters of the city shall have the power to propose ordinances to the council and, if the council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a city election, provided that such power shall not extend to the budget or capital program or any emergency ordinance.

#### **Section 6.07. - Petitions.**

- A. *Number of Signatures.* Initiative, referendum petitions must be signed by qualified voters of the city equal in number to at least twenty-five (25) percent of the total number of qualified registered voters within the city.
- B. *Form and Content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing, the date, and their voting precinct. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.
- C. *Affidavit of circulator.* Each paper of a petition shall have attached to it when filed an affidavit executed by the circulator thereof stating that he/she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his/her presence, that he/she believes them to be the genuine signatures of the persons whose names they purpose to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.
- D. *Time for filing referendum petitions.* Referendum petitions must be filed within thirty (30) days after adoption by the council of the ordinance sought to be reconsidered.

(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)

#### **Section 6.08. - Procedure for filing.**

- A. *Certificate of clerk; amendment.* Within twenty (20) days after the initiative petition is filed (five (5) days for a referendum), the city clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by certified mail. Grounds for insufficiency are only those specified in section 6.07 (). A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend

it with the clerk within two (2) days after receiving the copy of his/her certificate and files a supplementary petition with additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsections (b) and (c) of section 6.07 (), and within five (5) days after it is filed the clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by certified mail as in the case of an original petition. If a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request council review under subsection (b) of this section within the time required, the clerk shall promptly present his/her certificate to the council and the certificate shall then be a final determination as to the sufficiency of the petition.

- B. *Council review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may, within two (2) days after receiving the copy of such certificate, file a request that it be reviewed by the council. The council shall review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the council's determination shall then be a final determination as to the sufficiency of the petition.

(Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006; Ord. No. 2009-11, §§ 1, 2, 11-17-2009)

**Section 6.09. - Referendum petitions; suspension of effect of ordinance.**

When a referendum petition is filed with the city clerk, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

- A. There is a final determination of insufficiency of the petition, or
- B. The petitioners' committee withdraws the petition, or
- C. The council repeals the ordinance, or
- D. After a vote of the city on the ordinance has been certified.

(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)

**Section 6.10. - Action on petitions.**

- A. *Action by council.* When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative ordinance in the manner provided in Article III or reconsider the referred ordinance by voting its repeal. If the council fails to adopt a proposed initiative ordinance without any change in substance within 60 days, they shall submit the proposed or referred ordinance to the voters of the city.
- B. *Submission to voters.* The vote of the city on a proposed or referred ordinance shall be held not less than 30 days nor later than 60 days from the date that the final petition was determined sufficient. If no regular city election is to be held within the period prescribed in the subsection, the council shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election, except that the council may, in its discretion, provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred ordinance shall be made available at the polls.
- C.

*Withdrawal of petitions.* An initiative or referendum petition may be withdrawn at any time prior to the fifteenth (15<sup>th</sup>) day preceding the day scheduled for a vote of the city by filing with the city clerk or other official designated by the council a request for withdrawal signed by at least four (4) members of the petitioners' committee. Upon filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

**Section 6.11. - Results of election.**

- A. *Initiative.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- B. *Referendum.* If a majority of the qualified electors voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results.

**Section 6.12. - Charter amendment.**

- A. *Initiation by ordinance.* The council may, by ordinance, propose amendments to any part or all of this Charter, except Article II prescribing boundaries, and upon passage of the initiating ordinance shall place the proposed amendment to a vote of the electors at the next general election held within the city or at a special election called for such purpose, approval by the electorate shall be governed by Florida State Statute. Amendment of Article II resulting from annexation done in accordance with general law shall be by ordinance of the council and shall not be subject to a vote of the electors.
- B. *Initiation by petition.* The electors of the city may propose amendments to this Charter by petition signed by at least ten (10) percent of the total number of the qualified voters registered to vote in the last regular city election.
  - (1) *Form and content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing, with their voting precinct and the date. Petitions shall contain or have attached thereto throughout their circulation the full text of the proposed Charter amendment.
  - (2) *Affidavit of circulator.* Each paper of a petition shall have attached to it when filed an affidavit executed by the circulator thereof stating that he/she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his/her presence, that he/she believes them to be genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the proposed Charter amendment.
  - (3) *Certification of petition.* Upon certification of the sufficiency of the petition by the designated official, such certification to include the validity of the names on the petition as qualified voters registered to vote in the last regular city election, the council shall place the proposed amendment to a vote of the electors at the next general election held no less than sixty (60) days after certification or at a special election called for such purposes.

(Ord. No. 2001-06, § 1, 3-6-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)

**ARTICLE VII. - GENERAL PROVISIONS**

**Section 7.01. - Schedule.**

With the adoption of this Charter amendment two (2) council members, and the mayor shall be elected in odd numbered years, and three (3) council members shall be elected in even numbered years.

*(Ord. No. 2001-01, § 1(Exh. A), 1-9-2001; Ord. No. 2006-02, § 1 (Exh. A), 1-17-2006)*

**Section 7.02. - Prior rights, etc., vested in city.**

The titles, rights, ownership of property, uncollected taxes, dues, judgments, decrees and choses in action, held and owned by the City of Edgewood prior to the adoption of this Charter shall be and remain vested in the City of Edgewood.

**Section 7.03. - Existing obligations not impaired.**

No obligation or contract of said municipality shall be impaired or avoided by this Charter amendment, but such debts and obligations shall pass to and be binding upon the municipality under this Charter.

**Section 7.04. - Land use and development regulations.**

The city council may by ordinance adopt land use and development regulations, including but not limited to an official map and zoning subdivision regulations.

**Section 7.05. - Building and related permits.**

The city council may, by ordinance, establish rules and regulations for issuing permits, codes, inspections and collection of fees for construction, demolition, wiring, and plumbing or buildings, both residential and commercial.

*(Ord. No. 2009-11, §§ 1, 2, 11-17-2009)*

**Section 7.06. - Lien for work done by city.**

Whenever any work is done or cost or expense incurred by the city, the city is hereby authorized to impose a lien upon any property appropriately associated with or benefited by such work, cost or expense. The procedure for imposing and enforcing such lien shall be as provided by ordinance. In addition, interest, consistent with current rates, may be added to the unpaid balance as controlled by ordinance.

**Section 7.07. - Standard of ethics.**

All elected officials and employees of the city shall be subject to the standards of conduct for public officers and employees set by general law. In addition, the council may, by ordinance, establish a code of ethics for officials and employees of the city which may be supplemental to general law but in no case may an ordinance diminish the provisions of general law.

**State law reference—** Code of ethics for public officers and employees, F.S. § 112.311 et seq.

**Section 7.08. - Penalties.**

Violations of ordinances shall be punishable in accordance with the uniform fines and penalties set by the city Code.

**Section 7.09. - Invalidation.**

If any section, subsection, sentence, clause, phrase, or word of this act is for any reason held or declared to be unconstitutional, invalid, inoperative, ineffective, inapplicable or void, such invalidity or unconstitutionality shall not be construed to affect the portions of this act not so held to be unconstitutional, void, invalid, or ineffective, or affect the application of this to other circumstances not so held to be invalid, it being hereby declared to be the expressed legislative intent that any such unconstitutional, illegal, invalid, ineffective, inapplicable or void portion or portions of this act did not induce its passage, and that with the inclusion of any such unconstitutional, illegal, invalid, ineffective or void portions of this [act], the council would have enacted the valid and constitutional portions thereof. It is the legislative intent that this act shall be liberally construed in order to effectively carry out the provisions of this act.

**Section 7.10. - Effective date.**

The effective date of this amendment of the Charter shall occur after the approval of a majority of the electors voting at a referendum and the Charter (1975) has been filed with the department of state.

**Table of Recommended Changes, Noting Fiscal Impacts**

| CATEGORY                                                                       | TOPIC                                                                                                                                                                                                                              | PROPOSED                                                          | FISCAL IMPACT |
|--------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------|
| <p><b>Preamble</b><br/><b>Article I</b><br/><b>Section 1.01 - 1.05</b></p>     | <p>ARTICLE I. - INTRODUCTION<br/>AND POWERS<br/>Section 1.01. - Introduction.<br/>Section 1.02. - Powers.<br/>Section 1.03. - Construction.<br/>Section 1.04. - Prior acts and<br/>legislation.<br/>Section 1.05. - Liability.</p> |                                                                   |               |
| <p><b>City Boundary</b><br/><b>Article II</b><br/><b>Section 2.01-2.02</b></p> | <p>ARTICLE II. - CORPORATE<br/>LIMITS<br/>Section 2.01. - Description of<br/>corporate limits.<br/>Section 2.02. - Changes in<br/>corporate limits.</p>                                                                            | <p>NONE-NO APPROVED ANNEXATIONS-CITY BOUNDARY HAS NOT CHANGED</p> |               |
| <p><b>City Council</b><br/><b>Article III-Legislative</b></p>                  | <p>Composition<br/>Section 3.01</p>                                                                                                                                                                                                |                                                                   |               |

| CATEGORY                                              | TOPIC                                                        | PROPOSED              | FISCAL IMPACT |
|-------------------------------------------------------|--------------------------------------------------------------|-----------------------|---------------|
| <b>City Council</b><br><b>Article III-Legislative</b> | Qualifications<br>Section 3.02                               |                       |               |
|                                                       | Judge of Election<br>Section 3.03                            |                       |               |
|                                                       | Election & Terms<br>Section 3.04                             |                       |               |
|                                                       | When Term Begins<br>Section 3.05                             |                       |               |
|                                                       | May Not Hold 2 Elective<br>Offices<br>Section 3.06           |                       |               |
|                                                       | Resign To Run<br>Section 3.07                                | F.S. §112.311 et seq. |               |
|                                                       | Vacancies<br>Section 3.08                                    |                       |               |
|                                                       | Swearing-In/Election of<br>Council President<br>Section 3.09 |                       |               |

| CATEGORY                                              | TOPIC                                                        | PROPOSED                                                            | FISCAL IMPACT |
|-------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------|---------------|
| <b>City Council</b><br><b>Article III-Legislative</b> | Procedures<br>Section 3.10                                   |                                                                     |               |
|                                                       | Compensation/Expenses<br>Section 3.11                        |                                                                     |               |
|                                                       | Areas of Responsibility<br>Section 3.12                      |                                                                     |               |
|                                                       | Ordinances/Resolutions<br>Section 3.13                       | F.S. §166.041 Procedures for adoption of ordinances and resolutions |               |
|                                                       | Legislative Action Requiring<br>An Ordinance<br>Section 3.14 |                                                                     |               |
|                                                       | Emergency Ordinances<br>Section 3.15                         |                                                                     |               |
|                                                       | Budget Adoption<br>Section 3.16                              |                                                                     |               |
|                                                       | Open Meetings/Public<br>Records<br>Section 3.17              | F.S. §286.011 and F.S. §119.01 et seq.                              |               |

| CATEGORY                                                           | TOPIC                                              | PROPOSED    | FISCAL IMPACT |
|--------------------------------------------------------------------|----------------------------------------------------|-------------|---------------|
| <b>City Council</b><br><b>Article III-Legislative</b>              | Signing/Recording/<br>Codification<br>Section 3.18 |             |               |
|                                                                    | Audit<br>Section 3.20                              | F.S.§218.33 |               |
|                                                                    | Charter Review<br>Section 3.21                     |             |               |
| <b>Executive And</b><br><b>Administration</b><br><b>Article IV</b> | Mayor<br>4.01                                      |             |               |
|                                                                    | Mayor-Qualifications<br>& Term<br>Section 4.02     |             |               |
|                                                                    | Acting Mayor<br>Section 4.03                       |             |               |
|                                                                    | Powers & Duties of Mayor<br>Section 4.04           |             |               |
|                                                                    | City Clerk<br>Section 4.05                         |             |               |
|                                                                    | Police Chief<br>Section 4.06                       |             |               |

| CATEGORY                                       | TOPIC                                                   | PROPOSED                  | FISCAL IMPACT |
|------------------------------------------------|---------------------------------------------------------|---------------------------|---------------|
| <b>Executive And Administration Article IV</b> | Judicial Actions<br>Section 4.07                        | Handled by Orange County  |               |
|                                                | Fire Protection<br>Section 4.08                         |                           |               |
|                                                | Planning & Zoning Board<br>Section 4.09                 |                           |               |
|                                                | Consultants<br>Section 4.11                             | Section 4.10 is reserved. |               |
|                                                | Eminent Domain<br>Section 4.12                          | F.S. §166.401 and 166.411 |               |
|                                                | Personnel System<br>4.13                                |                           |               |
| <b>Financial Procedures Article V</b>          | Fiscal Year<br>Section 5.01                             | F.S. §166.241, 218.33     |               |
|                                                | Submission of budget and budget message<br>Section 5.02 |                           |               |

| CATEGORY                                  | TOPIC                                                                                     | PROPOSED | FISCAL IMPACT |
|-------------------------------------------|-------------------------------------------------------------------------------------------|----------|---------------|
| <b>Financial Procedures<br/>Article V</b> | Budget Message<br>Section 5.03                                                            |          |               |
|                                           | Budget<br>Section 5.04                                                                    |          |               |
|                                           | Council Actions<br>Notice/Hearing<br>Budget Adoption<br>Budget Amendments<br>Section 5.06 |          |               |
|                                           | Lapse of Appropriations<br>Section 5.07                                                   |          |               |
|                                           | Management of Budget<br>Section 5.08                                                      |          |               |
|                                           | Unrestricted Reserves<br>Section 5.09                                                     |          |               |
|                                           | Purchasing<br>Section 5.10                                                                |          |               |

| CATEGORY                                                                   | TOPIC                                 | PROPOSED | FISCAL IMPACT |
|----------------------------------------------------------------------------|---------------------------------------|----------|---------------|
| <b>Qualifying, Elections<br/>and Charter<br/>Amendments<br/>Article VI</b> | Electors<br>Section 6.01              |          |               |
|                                                                            | Nonpartisan Elections<br>Section 6.02 |          |               |
|                                                                            | Qualifying<br>Section 6.03            |          |               |
|                                                                            | Form of Ballots<br>Section 6.04       |          |               |
|                                                                            | Elections<br>6.05                     |          |               |
|                                                                            | Initiative<br>Section 6.06            |          |               |
|                                                                            | Petitions<br>Section 6.07             |          |               |

| CATEGORY                                                       | TOPIC                                                                | PROPOSED | FISCAL IMPACT |
|----------------------------------------------------------------|----------------------------------------------------------------------|----------|---------------|
| <b>Qualifying, Elections and Charter Amendments Article VI</b> | Procedure for Filing Section 6.08                                    |          |               |
|                                                                | Referendum Petitions; Suspension of Effect of Ordinance Section 6.09 |          |               |
|                                                                | Action on Petitions Section 6.10                                     |          |               |
|                                                                | Results of Election Section 6.11                                     |          |               |
|                                                                | Charter Amendment Section 6.12                                       |          |               |
| <b>General Provisions Article VII</b>                          | Schedule Section 7.01                                                |          |               |
|                                                                | Prior Rights, etc., Vested in City Section 7.02                      |          |               |

| CATEGORY                                  | TOPIC                                             | PROPOSED | FISCAL IMPACT |
|-------------------------------------------|---------------------------------------------------|----------|---------------|
| <b>General Provisions<br/>Article VII</b> | Existing Obligations Not Impaired<br>Section 7.03 |          |               |
|                                           | Building and Related Permits<br>Section 7.05      |          |               |
|                                           | Lien For Work Done by City<br>Section 7.06        |          |               |
|                                           | Standard of Ethic<br>Section 7.07                 |          |               |
|                                           | Penalties<br>Section 7.08                         |          |               |
|                                           | Invalidation<br>Section 7.09                      |          |               |
|                                           | Effective Date<br>Section 7.10                    |          |               |