



230 North Tubb Street
P.O. Box 98
Oakland, Florida 34760
407- 656-1117 (voice)

**Charter Review Committee Meeting Agenda
April 7, 2025 - 3:00 P.M.
Oakland Meeting Hall
221 N. Arrington Street, Oakland, FL 34760
(Details to view meeting through Zoom are at bottom of agenda)**

PLEASE NOTE: All meetings are open to the public. Any interested party is invited to offer comments in-person at the public meeting on April 7, 2025 at 3:00 p.m. or in advance by 5:00 p.m. on Friday, April 4, 2025, in writing to the Town of Oakland, PO Box 98, Oakland FL 34760, or by e-mail to ehui@oaklandfl.gov. Any person needing special accommodations to attend a public meeting must contact Elise Hui, Town Clerk, at 407-656-1117 x2110, at least 24 hours before the meeting.

- 1. CALL TO ORDER**
- 2. ROLL CALL: Town Clerk**
- 3. APPROVAL OF MARCH 31, 2025, MEETING MINUTES**
- 4. DISCUSSION OF DRAFT AMENDMENT OF SECTION 2.5(c), "FILLING OF VACANCIES"**
- 5. PRESENTATION OF ADDITIONAL INFORMATION REGARDING MUNICIPAL CHARTER PROVISIONS GOVERNING TERM LIMITS AND VOTING DISTRICTS**
- 6. DISCUSSION OF CHAPTERS ONE THROUGH THREE OF THE CHARTER**
- 7. PUBLIC COMMENT**
- 8. DISCUSSION ITEMS FOR NEXT MEETING**
- 9. ADJOURNMENT**

**Next Meeting:
April 21, 2025, at 3:00 p.m. – Oakland Meeting Hall, 221 N. Arrington Street**

PLEASE NOTE: This meeting will be held as an in-person meeting and livestreamed to Zoom. Attendees may watch the livestream of the meeting via the Zoom link below, however, attendees will be in listen-only mode and will not have the opportunity to provide public comment virtually. **Any interested party is invited to offer comments in-person at the public meeting on April 7, 2025 at 3:00 p.m. or in advance by 5:00 p.m. on Friday, April 4, 2025, in writing to the Town of Oakland, PO Box 98, Oakland FL 34760, or by e-mail to ehui@oaklandfl.gov.**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85880768339>

Passcode:TndEs8

Phone one-tap:

+13052241968,,85880768339#,,, *751091# US

Join via audio:

+1 305 224 1968 US

Webinar ID: 858 8076 8339

Passcode: 751091

**MINUTES
CHARTER REVIEW COMMITTEE
MONDAY, MARCH 31, 2025
3:00 P.M.**

CALL TO ORDER:

This meeting was held in-person and livestreamed as a Zoom webinar. Staff called the meeting to order at 3:00 p.m.

INTRODUCTIONS/ROLL CALL:

COMMITTEE MEMBERS PRESENT: Kevin Cox
Kurt Gies
Andrea Huneycutt
Sal Marullo, Vice Chair
Yumeko Motley, Chair

COMMITTEE MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Town Manager Elise Hui

ADVISORS PRESENT: Town Attorney Wade Vose
Town Attorney Stephanie Velo

APPROVAL OF MARCH 3, 2025, MEETING MINUTES

MOTION was made by Committee Member Gies, seconded by Committee Member Huneycutt to approve the March 3, 2025, Meeting Minutes.

AYE: Cox, Gies, Huneycutt, Marullo, Motley
NAY: None

INITIAL REVIEW OF SELECT CHARTER PROVISIONS AND CHARTER LANGUAGE REVISIONS

Town Attorney Stephanie Velo went over recommended amendments and draft proposed amendment language. See attached memo for additional information.

1. Review and clarification of charter provisions and procedures.

• **Charter Provisions Review**

Discussion on the need to clarify certain charter provisions, including definitions of residency and qualifications for town positions.

- **Residency Definition**

Debate on what constitutes residency, including issues like homestead exemptions and the status of renters.

- **Filling of Vacancies**

Discussion on extending the time for filling vacancies from 30 to 90 days and the possibility of a special election.

- **Acting Town Manager**

Clarification on the appointment and duration of an acting town manager in case of the town manager's absence.

- **Quorum and Voting**

Discussion on quorum and voting procedures, especially in the context of a four-member commission.

Conclusion

1. Further research on case law regarding residency and qualifications will be conducted.
2. Further investigation into potential discrimination against renters and clarification of residency definition.
3. Proposed language for extending vacancy filling to 90 days and considering special elections will be drafted.
4. No time limit will be set for the acting town manager to ensure qualified personnel can serve.
5. Further guidance on resolving deadlock votes will be sought.

2. Election procedures and charter amendments

- **Election Procedures**

Discussion on the implications of a candidate's death, withdrawal, or removal during the election process, and the validity of votes in such scenarios.

- **Run-off Elections**

Proposal to eliminate run-off elections due to their time-consuming and expensive nature, with a recommendation to declare the candidate with the most votes as the winner.

- **Conflicting Amendments**

Discussion on handling conflicting amendments adopted at the same election and the potential removal of language allowing such scenarios.

- **Election Timing and Costs**

Discussion on aligning election timing with Orange County to reduce costs and the implications for the March 2026 election.

- **Term Limits and Districting**

Consideration of term limits and districting for the town, with a suggestion to gather data from similar municipalities.

- **Public Engagement and Notification**

Concerns about public awareness and engagement in the election process and the notification of meetings.

Conclusion

1. Further clarification needed from Wade Vose, the election law expert, on handling scenarios with two or three candidates.
2. General agreement on the proposal, with a need to explore how ties are handled in other jurisdictions.
3. Suggestion to remove language allowing conflicting amendments as they should not occur.
4. Aligning with Orange County saves costs, but changes would not affect the March 2026 election.
5. Data collection on term limits and districting from similar municipalities is planned for further discussion.
6. Efforts to improve public notification through Facebook and other channels are planned.

PUBLIC COMMENT:

There was no public comment.

DISCUSSION ITEMS FOR NEXT MEETING:

- Proposed language for extending vacancy filling to 90 days and considering special elections will be drafted for the next meeting.
- Further research on case law regarding residency and qualifications will be conducted.
- Review chapters one through three of the Charter for the next meeting.
- Gather data on term limits and districting from similar municipalities.
- Improve public notification of meetings through Facebook and other channels.

LIST OF ITEMS FOR FUTURE DISCUSSION/STATUS:

- **Suggestions for Charter Amendments (Ongoing):**
 - **Districting and Term Limits:** A suggestion was made to consider districting for the Town of Oakland. Term limits were also proposed as a potential amendment to the charter.
 - **Definition of Residency:** Discussion on the need to clarify what it means to be a resident of Oakland, especially in the context of eligibility for running for office.
- **Financial Considerations (Future):**
 - **Debt Limit and Financial Health:** Concerns were raised about the town's proximity to its debt limit. The finance director may be invited to future meetings to provide insights on financial matters.
 - **Compensation Comparisons:** There was a suggestion to compare compensation for elected officials with other similar communities, considering Oakland's unique economic base.
- **Strategic Approach to Charter Amendments:**
 - **Article vs. Topic Review:** The committee discussed the benefits of reviewing the charter by topic rather than strictly by article, to address broader issues effectively. Topics such as districting and term limits require comprehensive discussion as they impact multiple sections of the charter.
 - **Proposed Changes:** Staff will propose specific changes to the charter, such as wording adjustments, for committee consideration. Larger conceptual changes, like moving from at-large elections to district-based elections, will be discussed in detail.

Discussion on Term Limits and Districts (Ongoing)

- **Conceptual Considerations:**
 - The idea of implementing term limits and districting simultaneously was discussed. Concerns were raised about the potential difficulty in finding candidates for specific districts.
 - The primary goals were identified as increasing community involvement and ensuring diverse neighborhood representation.
- **Historical Context and Challenges:**
 - A historical perspective was provided, noting that in past elections, some seats went unopposed due to a lack of candidates. The importance of having candidates run for positions to avoid unopposed seats was emphasized.

District Elections: Models and Implications

- **Different Models of District Elections:**
 - Examples from Sarasota County and Longboat Key were discussed, highlighting different district election models:
 - Sarasota County: Voting within the district for candidates.
 - Longboat Key: At-large voting with candidates required to reside in specific districts.

- **Logistical Considerations:**
 - The logistics of implementing district elections were explored, including the potential need for multiple polling sub-precincts within a single location. The role of the Supervisor of Elections in managing these logistics was acknowledged.
- **Impact on Voter Turnout:**
 - Concerns were raised about varying voter turnout across different districts, influenced by socioeconomic and demographic factors. The necessity for districts to have roughly equal populations, not voter numbers, was highlighted.

Charter Amendments and Implementation

- **Process for Charter Amendments:**
 - The meeting discussed the process of proposing charter amendments for districting, which would involve a districting commission or committee. It was noted that any changes would likely not take effect until the 2028 election.
- **Selection Process for Filling Vacancies (Discussion at 3/31 and 4/7 meetings):**
 - The current charter's provision for filling vacancies within 30 days by the governor was deemed weak. Alternative methods for filling vacancies were suggested, with a focus on empowering the town to manage this process.

Discussion on Runoff Elections (Discussion at 3/31 and 4/7 meetings)

- **Current Challenges and Considerations:**
 - **Trend Away from Runoff Elections:** There has been a noticeable trend in recent decades for municipalities to move away from runoff elections due to the high costs involved. Elections have become significantly more expensive, especially after the implementation of the Help America Vote Act.
 - **Charter Specifications:** The current charter specifies a runoff election 28 days after the initial election. However, this timeline is not feasible under federal law due to the need to accommodate overseas ballots and other procedural requirements.
 - **Historical Context:** The town has rarely triggered runoff elections. The last contested election before 2022 was in 2006, indicating infrequent need for runoffs.
- **Financial Implications:**
 - **Cost of Elections:** In 2022, the town incurred approximately \$8,000 for elections, which was covered by the town's budget. The cost was minimized as it coincided with the gubernatorial election.
 - **Election Timing:** The timing of elections, such as aligning with presidential preference primaries, can significantly impact costs.
- **Potential Changes and Recommendations:**
 - **Election Timing:** There is a possibility of moving elections to November or aligning them with the August primary in the November year. This

change could potentially increase voter participation, as turnout is generally higher in November.

- **Coordination with County Supervisor:** Any changes in election timing should involve discussions with the Orange County Supervisor of Elections to gather feedback and ensure smooth implementation.

DATE OF NEXT MEETING:

The next meeting of the Charter Review Committee will be on Monday, April 7, 2025, at 3:00 p.m.

ADJOURNMENT:

The meeting was adjourned at 4:16 p.m.

TOWN OF OAKLAND:

YUMEKO MOTLEY, CHAIR

ATTEST:

ELISE HUI, TOWN CLERK



M E M O R A N D U M

TO: Charter Review Committee Members, Town of Oakland
COPY: Elise Hui, Town Manager
FROM: Stephanie M. Velo, Esq., Town Attorney
DATE: April 2, 2025
SUBJECT: Draft Amendment of Section 2.5(c), “Filling of vacancies”, of the Town of Oakland Charter

Background

At the Town of Oakland Charter Review Committee meeting on March 31, 2025, the Charter Review Committee directed our firm to prepare a draft amendment of Section 2.5(c), “Filling of vacancies”, of the Town’s Charter for discussion.

Draft Amendment Language – Section 2.5(c), “Filling of vacancies”

The draft amendment of Section 2.5(c) is set forth below.

(c) *Filling of vacancies.* A vacancy on the Commission shall be filled as follows:

- (1) If any vacancy occurs in the Town Commission, the Town Commission shall elect within ~~thirtyninety~~ (390) days by the affirmative votes of not less than three (3) members, an eligible person to fill the vacancy until the next Town Regular Election, at which time the office shall be filled for the unexpired term; provided that if such vacancy is not filled within ~~thirtyninety~~ (390) days after it shall have occurred, ~~appointment to fill~~ the existing vacancy shall be ~~made~~ filled by ~~the Governor~~ special election called by the Town Commission.

As requested by the Charter Review Committee, the above language amends Section 2.5(c) to provide for a longer period to fill an existing vacancy (90 days as opposed to 30 days) and to provide that if an existing vacancy is not filled by the Town Commission within the set timeframe, then the vacancy shall be filled by special election, rather than by appointment by the Governor.

M E M O R A N D U M

TO: Charter Review Committee Members, Town of Oakland
COPY: Elise Hui, Town Manager
FROM: Vose Law Firm LLP, Town Attorney
DATE: April 1, 2025
SUBJECT: Analysis of Municipal Charter Provisions Governing Term Limits and Voting Districts

As requested by the Charter Review Committee, our firm has prepared a comparative table listing municipalities with populations similar to that of the Town of Oakland and highlighting whether those municipalities’ charters include provisions for maximum term limits and voting districts. Our findings are set forth in the chart below.

Municipality	Population	Voting Districts	Term Limits	Charter Reference
Bradenton Beach	916	No	No	
Anna Maria	1,008	No	No	
Montverde	1,763	No	No	
Hillsboro Beach	1,975	No	Yes	<u>Art. IV, Sec. 1:</u> “No member of the Town Commission shall serve for more than four (4) consecutive two (2) year terms.”
Holmes Beach	3,027	No	No	
Crystal River	3,443	No	No	
Indian Rocks Beach	3,640	No	No	
Bunnell	4,027	No	No	
Indian River Shores	4,458	No	No	
Westlake	4,694	No	No	
Fort Meade	5,006	No	No	
Fort Myers Beach	5,251	No	Yes	<u>Art. V, Sec. 5.03:</u> “No member of the council shall serve for more than two consecutive (4 year) terms.”
Flagler Beach	5,541	No	No	
Dundee	5,653	No	No	
Indiantown	6,664	No	No	
High Springs	6,975	No	No	
Belle Isle	7,171	Yes	No	<u>Art. VI, Sec. 6.06:</u> “There shall be seven (7) city council districts.”
Oakland	3,635	No	No	