



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

**Charter Review Committee Meeting Agenda  
September 24, 2025 - 4:00 P.M.  
Oakland Meeting Hall  
221 N. Arrington Street, Oakland, FL 34760  
(Details to view meeting through Zoom are at bottom of agenda)**

All meetings are open to the public. Any interested party is invited to offer comments in-person at the public meeting on September 24, 2025 at 4:00 p.m. or in advance by 5:00 p.m. on Tuesday, September 23, 2025, in writing to the Town of Oakland, PO Box 98, Oakland, FL 34760, or by e-mail to [kheard@oaklandfl.gov](mailto:kheard@oaklandfl.gov). Any person needing special accommodations to attend a public meeting must contact the Town Clerk, at 407-656-1117 x2110, at least 48 hours before the meeting.

1. CALL TO ORDER
2. ROLL CALL: Town Clerk
3. APPROVAL OF JULY 9, 2025, MEETING MINUTES
4. DISCUSSION OF ARTICLE IV. BORROWING AND DEBT LIMITATIONS
5. PUBLIC COMMENT
6. APPROVAL OF THE FINAL REPORT OF RECOMMENDED CHARTER AMENDMENTS
7. NEXT STEPS - PRESENTATION TO TOWN COMMISSION
8. ADJOURNMENT

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 September 24, 2025 at 4:00 p.m. or in advance by 5:00 p.m. on Tuesday, September 23, 2025, in writing to the Town of Oakland, PO Box 98, Oakland, FL 34760, or by e-mail to [kheard@oaklandfl.gov](mailto:kheard@oaklandfl.gov).***

Please click the link below to join the webinar:  
<https://us02web.zoom.us/j/81893007094>  
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**MINUTES  
CHARTER REVIEW COMMITTEE  
WEDNESDAY, JULY 9, 2025  
4:00 P.M.**

**CALL TO ORDER:**

This meeting was held in-person and livestreamed as a Zoom webinar. Chair Motley called the meeting to order at 4:00 p.m.

**ROLL CALL:**

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

COMMITTEE MEMBERS ABSENT: Sal Marullo, Vice Chair

STAFF MEMBERS PRESENT: Town Manager Elise Hui  
Town Clerk Kathy Heard

ADVISORS PRESENT: Town Attorney Stephanie Velo  
Town Attorney Wade Vose

GUESTS PRESENT: Mayor Shane Taylor

**APPROVAL OF APRIL 21, 2025, MEETING MINUTES**

**MOTION** was made by Member Cox, seconded by Member Huneycutt to approve the April 21, 2025, Meeting Minutes.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

**DISCUSSION OF ARTICLE FIVE OF THE CHARTER - ELECTIONS**

Town Clerk Heard opened discussion of Article 5, Section 5.1 Election (e) Run-off Election and stated the Supervisor of Elections is urging municipalities to remove run-offs from their Charter due to added costs and time constraints on SOE and town staff.

Town Attorney Wade Vose explained the processes of a run-off election along with the timeline and parameters it places on the Town and the Supervisor of Elections Office. He stated the Supervisor of Elections Office along with other governmental agencies are

requesting run-offs be eliminated. He further noted this topic is listed in the memo for discussion, because it was previously discussed. The memo will be discussed later in the meeting.

Town Clerk Heard opened discussion of Article 1, Section 2.4 of the Charter regarding Qualifications for Election, and stated the Supervisor of Elections Office is requesting municipalities to remove the petition process from their Charter due to costs, additional time it places on the qualifying process along with staff time.

Town Manager Hui explained the petition process for qualifying has not been utilized and it takes up 10 days of the qualifying process. Even though the candidate may obtain 100 petitions, they are still required to pay the Supervisor of Elections Office a fee per petition. The Town is asking whether petitions are necessary, because if a resident cannot afford the fee, there is a fee waiver they can fill out called "Affidavit of Undue Burden for Municipal Candidates," F.S. 99.093.

Charter Review Committee discussions were as follows:

- Member Huneycutt stated she is in favor of eliminating the petition process and retaining the qualifying by fee; and further, if a resident cannot afford the fee, the waiver is an option.
- Chair Motley stated she is in agreement as well.
- Member Gies stated he is pro democracy, and residents should not have to pay to run for office; however, with the waiver being an option, he is in favor of eliminating the petition process.

Chair Motley suggested to continue on to the next agenda item and vote on the two prior discussion items when they come up in the memo.

## **DISCUSSION OF MEMORANDUM FROM TOWN ATTORNEY STEPHANIE VELO**

Town Attorney Stephanie Velo led discussion of the Memorandum (*attached*) which is a compilation of proposed Charter amendments that have been previously discussed and are now before them for a final vote.

### **I. PROPOSED CHARTER AMENDMENTS FOR DISCUSSION AND VOTE**

#### **1. Proposed Cleanup Amendments**

##### **Section 2.5(b) – Forfeiture by Disqualification.**

*(b) Forfeiture of office.*

- (1) *Forfeiture by disqualification.* A Commission Member shall forfeit his/her office if at any time during his/her term, the Commission Member:
  - a. Ceases to maintain his/her permanent residence in the Town; or
  - b. Otherwise ceases to be a qualified elector of the Town.

**Section 2.5(d) – Filling of Vacancies in Candidacy.**

(d) ~~Filling of v~~*Vacancies in candidacy.* Vacancies in candidacy of persons running for the office of Mayor or Town Commission caused by the death, withdrawal or removal of a qualified candidate following the end of the qualifying period shall be ~~filled~~handled as follows:

- (1) If the death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period results in at least two candidates remaining for that office the election shall proceed with the remaining candidates and any votes cast for a candidate who is deceased, has withdrawn, or has been removed from the ballot shall be null and void.
- (2) If the death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period results in ~~less than~~ two candidates running for office, the remaining candidate shall be considered duly elected by the operation of law. That person would assume office according to Article V. Elections, Section 5.1, Paragraph (h) Commencement of Terms.

**Section 4.4 – Emergency Ordinances.**

To meet a public emergency affecting life, health, property or the public peace, the Commission may adopt, in the manner provided in this section, one (1) or more emergency ordinances, but emergency ordinances may not levy taxes; grant, renew or extend any municipal franchise; set service or user charges for any municipal services; or authorize the borrowing of money except as provided under the emergency appropriations provisions of this Charter if applicable, ~~as provided under the emergency appropriations provisions of this Charter if applicable.~~

**MOTION** was made by Member Gies, seconded by Member Huneycutt to approve the proposed clean-up amendments under Section I, Sub-Section 1 of the Memorandum.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

**2. Proposed Amendment to Section 2.5(c) – Filling of Vacancies.**

**Section 2.5(c) – Filling of Vacancies.**

(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 ninety~~thirty~~ (90)~~30~~ 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 ~~ninety~~<sup>thirty</sup> (90~~30~~) days after it shall have occurred, appointment to fill the existing vacancy shall be filled by special election called by the Town Commission~~made by the Governor.~~

**MOTION** was made by Member Gies, seconded by Member Huneycutt to approve the proposed clean-up amendment under Section I, Sub-Section 2 of the Memorandum.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

### **3. Proposed Amendment to Section 3.4 – Acting Town Manager.**

#### **Section 3.4 – Acting Town Manager.**

The Town Manager shall designate, subject to the approval of the Commission, a qualified Town employee to exercise the powers and perform the duties of the Town Manager during the Town Manager’s temporary absence or disability. During such absence or disability, the Commission, may revoke such designation and appoint another employee of the Town to serve as acting Town Manager until the Town Manager shall return or his/her disability shall cease.

**MOTION** was made by Member Gies, seconded by Member Huneycutt to approve the proposed clean-up amendment under Section I, Sub-Section 3 of the Memorandum.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

### **4. Proposed Amendment to Section 4.1(c) – Quorum and Voting.**

#### **Section 4.1(c) – Quorum and Voting.**

*Quorum and voting.* A majority of the Commission present shall constitute a quorum but in the event a quorum is not present, a smaller number may adjourn the meeting from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Commission. Voting on all matters shall be by voice vote unless a Commission member or the Town Clerk requests otherwise. In the event that two (2) Commission members are unavailable to vote on a particular matter due to absence or abstention~~required abstention pursuant to State law~~, then a vote of three (3) Commission members shall be required to the remaining members of the Commission may vote and approve such matter by unanimous vote. Electronic participation in a meeting by a member of the Commission will be permitted only if there is a quorum physically present during the meeting and that quorum authorizes electronic participation.

**MOTION** was made by Member Gies, seconded by Member Huneycutt to approve the proposed clean-up amendment under Section I, Sub-Section 4 of the Memorandum.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

## **5. Proposed Amendment to Section 6.1 – Procedure to Amend.**

### **Section 6.1 – Procedure to Amend.**

~~(a)~~ The Charter may be amended in accordance with the provisions of Florida Statutes.

~~(b)~~ If conflicting amendments are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

**MOTION** was made by Member Gies, seconded by Member Huneycutt to approve the proposed clean-up amendment under Section I, Sub-Section 5 of the Memorandum.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

## **II. CHARTER TOPICS FOR DISCUSSION AND VOTE**

Town Attorney Stephanie Velo led discussion of various Charter topics stated in the Memorandum which are now before them for a final vote.

**1. Term Limits.** (At the April 21, 2025, CRC meeting, the CRC considered a potential Charter amendment to adopt term limits in the Town of Oakland.)

Chair Motley recalled the board was against term limits due to term staggering and lack of resident and voter participation.

Member Cox indicated he believes her statement is from opinions and not objective data. He stated if there is a need, there are residents that will step up as seen in the last election; and further, he stated he is in favor of two (2) staggered four-year terms.

**MOTION** was made by Member Gies, seconded by Member Huneycutt to not adopt term limits in the Town of Oakland.

AYE: Gies, Huneycutt, Motley

NAY: Cox

**MOTION PASSED** with 3 Ayes, 1 Nay and Vice Chair Marullo absent.

**2. Voting Districts.** (At the April 21, 2025, CRC meeting, the CRC considered a potential Charter amendment to adopt voting districts in the Town of Oakland.)

Member Gies recalled in their lengthy discussions that the board decided to not move forward with voting districts.

**MOTION** was made by Member Gies, seconded by Member Huneycutt to not adopt voting districts within the Town of Oakland.

AYE: Gies, Huneycutt, Motley

NAY: Cox

**MOTION PASSED** with 3 Ayes, 1 Nay and Vice Chair Marullo absent.

**3. Run-Off Elections.** (At the March 31, 2025, CRC meeting, the CRC discussed a proposed amendment to consolidate Section 5.1 of the Charter and eliminate the requirement for run-off elections.)

Chair Motley asked for clarification and a recommendation, if there is any.

Town Attorney Wade Vose stated from a policy standpoint they do not have a recommendation; however, run-offs are time consuming.

Town Clerk Heard informed the board the process of a run-off is no different than the initial election and the election process starts all over again without a qualifying period, and every election cost the Town approximately \$10,000.

Town Attorney Wade Vose further informed the board that due to the current complexities of elections, the current trend through the decades is removing run-offs and whoever gets the most votes wins.

**Section 5.1 – Elections.**

(c) *Election dates.* A General Election shall be held in each even-numbered year, on the second Tuesday in March. Provided, however, the Commission, by ordinance may provide the circumstances and manner upon which the day of the General Election can, on occasion, be changed to coincide with the date of the Presidential preference primary. ~~A Run-off Election, if necessary, shall be held twenty eight (28) calendar days thereafter.~~ The Commission shall hold no meetings between the General Election and the swearing in of those newly elected or re-elected Commission members except in the case of an emergency affecting life, health, property or the public peace.

(d) *General Election.* The ballot for the General Election shall contain the names of all qualified candidates for Mayor, if the Mayor's term is expiring, and for each seat that is to be filled. For each office, the last name of each candidate appearing on the ballot shall be listed in alphabetical order. The ballot shall instruct electors to cast one (1) vote for Mayor, if applicable, and one (1) vote for each seat, with a maximum of one (1) vote

~~per candidate. If any candidate for Mayor receives a number of votes greater than fifty (50) percent of the total number of ballots cast, such candidate shall be the duly elected Mayor and no run-off election for Mayor shall be required. If any candidate for a seat receives a number of votes greater than fifty (50) percent of the total number of ballots cast, such candidate(s) shall be duly elected to the Commission and no run-off election for that seat(s) shall be required. The candidate for Mayor receiving the most votes shall be duly elected Mayor. The candidate for each seat receiving the most votes shall be duly elected to that seat.~~

~~(e) Run-off Election. If necessary, the ballot for the Run-off Election shall contain the names of the two (2) candidates for Mayor, and/or the names of the two (2) candidates for each seat, who received the most votes in the General Election. For each office, the last name of each candidate appearing on the ballot shall be listed in alphabetical order. The ballot shall instruct electors to cast one (1) vote for Mayor and/or to cast one (1) vote for each seat, with a maximum of one (1) vote per candidate. The candidate for Mayor receiving the most votes shall be duly elected Mayor. The candidate for each seat receiving the most votes shall be duly elected to that seat.~~

(~~e~~f) *Special Elections.* Special elections, when required, shall be scheduled by the Commission at such times and in such a manner as shall be consistent with this Charter and State Statutes.

(~~f~~g) *Single candidates.* No election for Mayor or any seat shall be required in any election if there is only one (1) duly qualified candidate for Mayor or for any seat. At close of qualifying that candidate shall be considered elected by operation of law.

(~~g~~h) *Commencement of terms.* The term of office of all elected officials will commence ~~at the next regularly scheduled Commission meeting following the day of the Run-off Election or, if there is no run-off election for any seat or for Mayor,~~ at the next regularly scheduled Commission meeting after the General Election.

**MOTION** was made by Member Gies, seconded by Member Huneycutt to approve the proposed amendment to eliminate run-offs in the Town of Oakland.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

**4. Timing of Elections.** (At the April 21, 2025, CRC meeting, the CRC considered a potential Charter amendment to require that Town elections, when possible, take place concurrently with the general election.)

Town Attorney Wade Vose explained at the April 21<sup>st</sup> meeting the Supervisor of Elections representative was present and indicated they prefer to have all municipal elections in March and requested the Town retain the current time frame in order to maintain a smaller ballot at the November cycle.

Chair Motley recalled they agreed to leave the timing as is, in the March cycle, similar to other municipalities.

Member Gies stated he still feels strongly that all elections should all be held at the same time for the ease of voters.

**MOTION** was made by Chair Motley, seconded by Member Huneycutt to retain the current election time of March for elections in the Town of Oakland.

Town Attorney Wade Vose advised Chair Motley that the chair is not allowed to make motions and asked if another member would make the motion.

**AMENDED MOTION** was made by Member Huneycutt, seconded by Member Cox to strike any discussion of moving the date of elections in the Town of Oakland.

AYE: Cox, Huneycutt, Motley

NAY: Gies

**MOTION PASSED** with 3 Ayes, 1 Nay and Vice Chair Marullo absent.

**ARTICLE 1, SECTION 2.4 – QUALIFICATIONS** *(Not included in the Memorandum)*

Town Attorney Wade Vose instructed the board to Article 1, Section 2.4, Qualifications with regards to petitions, which was previously presented and addressed.

**MOTION** was made by Member Cox, seconded by Member Huneycutt to eliminate petitions under Qualifications in the Town of Oakland.

AYE: Cox, Gies, Huneycutt, Motley

NAY: None

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

Town Attorney Stephanie Velo advised they will bring back some language on this amendment at the next meeting.

**I. PROPOSED CHARTER AMENDMENTS FOR DISCUSSION AND VOTE**  
*(continued)*

- 5. Compensation of Elected Officials.** (At the April 21, 2025 CRC meeting, the CRC considered a potential Charter amendment to raise the compensation of the Town’s elected officials.)

Town Manager Hui advised the annual salary of elected officials is set by ordinance; and further, handed out a memorandum explaining the history of the Town Commission compensation (*attached*).

**MOTION** was made by Member Cox, seconded by Member Gies to retain the current process of adjusting the compensation of elected officials by ordinance in the Town of Oakland.

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

**MOTION PASSED** with 4 Ayes, 0 Nays and Vice Chair Marullo absent.

- 6. Debt Limitations.** (At the April 21, 2025, CRC meeting, the CRC requested clarification on debt limitations.)

Finance Director Leon explained the Town’s debt limitations and handed out a Town debt schedule (*attached*).

Chair Motley asked if the Town has ever exceeded the 2% debt limitation. Finance Director Leon answered the Town has not exceeded the 2% debt limitation but has been close to it.

Town Manager Hui advised the prior discussion was whether the 2% should be in the Charter, because it was added in 2015 (*stated below*).

**Sec. 4.11. - Borrowing and Debt Limitations.**

(b) *Debt Limitations.* Without elector approval, the aggregate amount of bonds or other evidences of indebtedness of the Town shall not exceed two (2) percent of the assessed valuation of the taxable property within the Town as shown on the pertinent tax records at the time of the authorization; provided, however, in determining the amount of indebtedness, there shall not be included within the computation:

- (1) Revenue bonds related to utility enterprise funds in the amount that can be supported by utility enterprise revenues, based on user fees as established by the Town Commission, and accepted at reasonable rates by the bonding company.
- (2) Short-term notes which mature before the close of the next fiscal year in which the money is so borrowed.\
- (3) Existing debt previously approved by Ordinance 2013-07, for refunding of the outstanding revenue bonds of the Oakland Avenue Charter

School.

(4) Emergency appropriations as permitted in this Charter section 4.4.5.

Chair Motley stated she thinks the 2% should not be altered or removed.  
Member Gies announced he would like to table this item in order to get more clarity.  
Member Huneycutt supported tabling the item.

Town Attorney Wade Vose explained they will draft charter and ballot language and draft a final report from the Committee for the next meeting.

Further discussion ensued regarding the borrowing and debt limitations procedures.

**PUBLIC COMMENT:**

There was no public comment.

**NEXT STEPS:**

Chair Motley stated the town attorney has indicated he will be bringing back the drafted language of Qualifications to the next meeting along with additional discussion on the debt limitation; and further, advised members to reach out to Town staff for more information on the debt limitation language and/or process.

**DATE OF NEXT MEETING:**

To be determined.

**ADJOURNMENT:**

The meeting was adjourned at 5:18 p.m.

TOWN OF OAKLAND:

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YUMEKO MOTLEY, CHAIR

ATTEST:

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KATHY HEARD, CMC, TOWN CLERK

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**Sec. 4.11. Borrowing and Debt Limitations.**

- (a) *Borrowing.* The Town Commission shall exercise from time to time the full authority granted by the Constitution of the State of Florida and Florida Statutes to borrow money, contract loans and issue bonds as defined by Florida Statutes, to finance the undertaking of any capital or other project for purposes permitted by the state constitution and may pledge funds, credit, property and taxing power of the municipality for the payment of such debts and bonds.
- (b) *Debt Limitations.* Without elector approval, the aggregate amount of bonds or other evidences of indebtedness of the Town shall not exceed two (2) percent of the assessed valuation of the taxable property within the Town as shown on the pertinent tax records at the time of the authorization; provided, however, in determining the amount of indebtedness, there shall not be included within the computation:
- (1) Revenue bonds related to utility enterprise funds in the amount that can be supported by utility enterprise revenues, based on user fees as established by the Town Commission, and accepted at reasonable rates by the bonding company.
  - (2) Short-term notes which mature before the close of the next fiscal year in which the money is so borrowed.
  - (3) Existing debt previously approved by Ordinance 2013-07, for refunding of the outstanding revenue bonds of the Oakland Avenue Charter School.
  - (4) Emergency appropriations as permitted in this Charter section 4.4.5.
- (c) *Refinancing for savings.* The Town may borrow money without approval of the Town's electors to refinance a previously elector approved Town borrowing if the total principal and interest scheduled to be paid on the refinancing is less than the total principal and interest that was scheduled to be paid on the borrowing that is refinanced.
- (d) *Elector approval.* All proposed issuance of general obligation bonds or other types of borrowing will follow Florida Statutes. Where Town elector approval for the borrowing is required by Florida Statutes or there is a proposal to exceed the 2% debt limitation, the Town Commission shall propose to the qualified voters of the Town, in a public hearing, the purpose or purposes for which the stated amount of money shall be borrowed. The resolution shall state the amount of money desired to be borrowed, the purpose of which it is desired, the manner of securing the same, and all other pertinent facts relating to the loan, including data on total related debt and the debt limitations established by this Charter.

If the Town Commission desires to continue with the borrowing proceedings, it shall then, by resolution, direct that the question be submitted to a referendum. An election date for the proposed borrowing shall be established per Florida Statutes.

State law reference(s)—Municipal borrowing, F.S. § 166.101 et seq.



**M E M O R A N D U M**

**TO: Town Commission of the Town of Oakland, Florida**  
**COPY: Elise Hui, Town Manager**  
**FROM: 2025 Town of Oakland Charter Revision Committee**  
**DATE: August 27, 2025**  
**SUBJECT: Final Report of the 2025 Town of Oakland Charter Revision Committee**

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**I. Background.**

Per Section 7.4 of the Town of Oakland Charter (“Charter”) and the request of the Town Commission, the 2025 Town of Oakland Charter Revision Committee (“CRC”), over the span of six meetings, has conducted a thorough review of, and has discussed potential amendments to, the Charter. Over the course of its deliberations, the CRC developed a list of issues that it found worthy of its discussion and study as potential charter amendments. As part of its study and deliberation, the CRC obtained written information and data from various Town Departments, the Florida League of Cities, and the Orange County Supervisor of Elections office. All such requests for information were handled expeditiously and professionally by the officials receiving the requests, and the CRC is grateful for such cooperation.

This Final Report briefly outlines the topics that were considered by the CRC and compiles the recommended Charter amendments<sup>1</sup> that received a favorable vote from the CRC.

**II. Issues Considered and Debated by the Charter Revision Committee.**

Throughout its initial meetings, and as supplemented thereafter as additional issues were raised, the CRC developed a list of possible issues for consideration as part of its review of the Charter. These issues were as follows:

- 1. Revising the methods of filling vacancies in elected Town offices.
- 2. Providing for uniform voting thresholds in the event that two Town Commission members are unavailable to vote, due to either absence or abstention.
- 3. A “clean-up” amendment to correct various grammatical and wording errors, and omissions found throughout the Charter.
- 4. Eliminating a provision relating to adopting conflicting Charter amendments.
- 5. Eliminating or revising provisions relating to run-off elections.
- 6. Eliminating the petition process as an alternative method for qualifying as a candidate for Mayor or Town Commission member.

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<sup>1</sup> Proposed additions to the Town’s Charter are set forth in underlined (underlined) text, and proposed deletions from the Town’s Charter are set forth in strikethrough (~~strikethrough~~) text. The use of ellipses (. . .) indicates omitted text.

7. Eliminating or revising provisions relating to the Town’s borrowing and debt limitations.
8. Revising the timing of elections.
9. Revising provisions relating to the compensation of Town Commissioners.
10. Providing for term limits for Town Commissioners.
11. Providing for election of Town Commissioners by voting districts, rather than on a Town-wide, at-large basis.

As to Items 1, 2, 3, 4, 5, and 6, after deliberation and discussion, a majority of the CRC voted to recommend six Charter amendments, as discussed below. As to items 7, 8, 9, 10, and 11, after deliberation, discussion, and receiving data and information from Town staff, the Florida League of Cities, and the Orange County Supervisor of Elections office, a majority of the CRC affirmatively voted to have no further consideration of such matters.

### **III. Recommended Charter Amendments.**

After substantial discussion and opportunity for public comment and input, a majority of the 2025 Town of Oakland Charter Revision Committee voted to recommend six charter amendments. The recommended Charter amendments, including ballot titles and ballot summaries, are attached hereto as Exhibit “A”. A brief explanation of the rationale for each of the recommended Charter amendments is provided below.

#### **Question #1 – Charter Amendment Revising Procedures for Filling Town Commission Vacancies**

Section 2.5(c) of the Charter currently requires the Town Commission to fill vacancies on the Town Commission within thirty days, or the vacancy will be filled by appointment by the Governor. The recommended amendment provides for a longer period to fill such vacancies (90 days) and provides 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.

#### **Question #2 – Charter Amendment Revising Town Commission Voting Thresholds**

Section 4.1(c) of the Charter does not provide for voting procedures in cases where a Commission member is absent from voting for reasons other than a required abstention pursuant to State law. Therefore, the application of the language set forth in Section 4.1(c) results in voting procedures which may vary based upon the reason for a Commissioner’s absence or abstention. The recommended amendment provides for a uniform voting procedure as to matters upon which only three Commission members are voting.

#### **Question #3 – Charter Amendment Removing Requirement for Run-Off Elections**

Run-off elections, which are currently required under certain circumstances pursuant to Section 5.1 of the Charter, can be time consuming and expensive. The recommended amendment provides that the candidate for Mayor or a Town Commission seat receiving the most votes in the General Election shall be duly elected, and removes the requirement for run-off elections where no

candidate receives over 50% of the votes cast.

#### **Question #4 – Charter Amendment Revising Methods of Qualifying for Town Commission Elections**

Section 2.4 of the Charter currently provides that candidates for Commission member or Mayor shall qualify for election (i) by the filing of a written notice of candidacy and payment of a qualifying fee in the amount of one hundred dollars or (ii) by collecting signature cards from 10% of the Town of Oakland registered voters (based on the previous countywide general election) or 100 signatures, whichever is less. The recommended amendment would eliminate the use of petitions as an alternate method of qualifying as a candidate for Commission member or Mayor. It is important to note that the Town provides a qualifying fee waiver for any potential candidates who can demonstrate indigency, and accordingly, the recommended amendment would not have a disproportionate impact upon indigent residents in the Town of Oakland.

#### **Question #5 – Charter Amendment Removing Provision Relating to Conflicting Charter Amendments**

Section 6.1 of the Charter currently provides for the adoption of conflicting Charter amendments at the same election. To avoid serious voter confusion, conflicting amendments should not be proposed or adopted at the same election.

#### **Question #6 – Charter Amendment Correcting Errors and Omissions**

The purpose of this amendment is to correct various errors and omissions found throughout the Charter. The bases for the recommended “cleanup” amendment are as follows:

- a. Section 2.5(b) of the Charter contains grammatical errors.
- b. Section 2.5(d) of the Charter does not provide for the “filling” of vacancies, and therefore, the use of the word “handled” would be appropriate. The change from “less than two candidates” to “one candidate” in that Section is for clarity.
- c. Section 3.4 of the Charter contains a provision governing designation of an Acting Town Manager, and while that provision appears to be consistent with portions of similar charter provisions found around the State, it omits certain language.
- d. Section 4.4 of the Charter contains a repeated clause which appears to have been the result of a clerical error.

#### **IV. Conclusion.**

From its first meeting, the CRC took its job seriously and undertook the task of Charter review with energy and enthusiasm. As members of the CRC noted at the outset of this process, the measure of the success of the 2025 CRC should be measured by the thoroughness with which the Charter review task is conducted and the openness of the CRC to exploring the need and

desirability of proposals for charter amendment. Measured on this scale, the CRC was open to proposals for change, did a thorough job of reviewing the Charter and all proposals brought forward for change, thereby fulfilling its responsibilities under the Charter.

The 2025 CRC is proud to have been entrusted with this task by the Town Commission. Being directly involved in this task for the past several months has affirmed, for the 2025 CRC members, the value of a regularly scheduled citizen review of the Town's most basic governing document—the Town Charter.

**QUESTION #1**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**CHARTER AMENDMENT REVISING PROCEDURES  
FOR FILLING TOWN COMMISSION VACANCIES**

Amending the Town of Oakland Charter to revise, from 30 days to 90 days, the time period in which the Town Commission must fill vacancies in its membership by appointment, and to provide that if not filled in that time, the vacancy shall be filled by special election, rather than appointment by the Governor.

\_\_\_ Yes  
\_\_\_ No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Town of Oakland Charter are amended to read as follows:

**Section 2.5 – Vacancies; forfeiture of office; filling of vacancies.**

(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 ~~ninety~~ninety (~~thirty~~90) 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 ~~ninety~~ninety (~~thirty~~90) days after it shall have occurred, appointment to fill the existing vacancy shall be filled by special election called by the Town Commission~~made by the Governor~~.

**QUESTION #2**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**CHARTER AMENDMENT REVISING  
TOWN COMMISSION VOTING THRESHOLDS**

The Town of Oakland Charter currently requires an affirmative vote of three (of five) Town Commission members to approve any matter if the other two Town Commission members are unavailable to vote due to abstention required by state law. Amending the Town Charter to apply this requirement to either the abstention, or absence, of two Town Commission Members.

Yes  
 No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Town of Oakland Charter are amended to read as follows:

**Section 4.1 – Commission meeting procedures.**

- (c) *Quorum and voting.* A majority of the Commission present shall constitute a quorum but in the event a quorum is not present, a smaller number may adjourn the meeting from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Commission. Voting on all matters shall be by voice vote unless a Commission member or the Town Clerk requests otherwise. In the event that two (2) Commission members are unavailable to vote on a particular matter due to ~~absence or abstention~~required abstention pursuant to State law, ~~then a vote of three (3) Commission members shall be required to the remaining members of the Commission may vote and approve such matter by unanimous vote.~~ then a vote of three (3) Commission members shall be required to the remaining members of the Commission may vote and approve such matter by unanimous vote. Electronic participation in a meeting by a member of the Commission will be permitted only if there is a quorum physically present during the meeting and that quorum authorizes electronic participation.

### QUESTION #3

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

#### **CHARTER AMENDMENT REMOVING REQUIREMENT FOR RUN-OFF ELECTIONS**

Amending the Town of Oakland Charter to provide that the candidate for Mayor or a Town Commission seat receiving the most votes in the General Election shall be duly elected, and removing the requirement for run-off elections where no candidate receives over 50% of the votes cast.

Yes  
 No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Town of Oakland Charter are amended to read as follows:

#### **Section 5.1 – Elections.**

- (c) *Election dates.* A General Election shall be held in each even-numbered year, on the second Tuesday in March. Provided, however, the Commission, by ordinance may provide the circumstances and manner upon which the day of the General Election can, on occasion, be changed to coincide with the date of the Presidential preference primary. ~~A Run-off Election, if necessary, shall be held twenty-eight (28) calendar days thereafter.~~ The Commission shall hold no meetings between the General Election and the swearing in of those newly elected or re-elected Commission members except in the case of an emergency affecting life, health, property or the public peace.
- (d) *General Election.* The ballot for the General Election shall contain the names of all qualified candidates for Mayor, if the Mayor's term is expiring, and for each seat that is to be filled. For each office, the last name of each candidate appearing on the ballot shall be listed in alphabetical order. The ballot shall instruct electors to cast one (1) vote for Mayor, if applicable, and one (1) vote for each seat, with a maximum of one (1) vote per candidate. ~~If any candidate for Mayor receives a number of votes greater than fifty (50) percent of the total number of ballots cast, such candidate shall be the duly elected Mayor and no run-off election for Mayor shall be required. If any candidate for a seat receives a number of votes greater than fifty (50) percent of the total number of ballots cast, such candidate(s) shall be duly elected to the Commission and no run-off election for that seat(s) shall be required.~~ The candidate for Mayor receiving the most votes shall be duly elected Mayor. The candidate for each seat receiving the most votes shall be duly elected to that seat.

- (e) ~~Run-off Election.~~ If necessary, the ballot for the Run-off Election shall contain the names of the two (2) candidates for Mayor, and/or the names of the two (2) candidates for each seat, who received the most votes in the General Election. For each office, the last name of each candidate appearing on the ballot shall be listed in alphabetical order. The ballot shall instruct electors to cast one (1) vote for Mayor and/or to cast one (1) vote for each seat, with a maximum of one (1) vote per candidate. The candidate for Mayor receiving the most votes shall be duly elected Mayor. The candidate for each seat receiving the most votes shall be duly elected to that seat.
  
- (ef) *Special Elections.* Special elections, when required, shall be scheduled by the Commission at such times and in such a manner as shall be consistent with this Charter and State Statutes.
  
- (fg) *Single candidates.* No election for Mayor or any seat shall be required in any election if there is only one (1) duly qualified candidate for Mayor or for any seat. At close of qualifying that candidate shall be considered elected by operation of law.
  
- (gh) *Commencement of terms.* The term of office of all elected officials will commence at the next regularly scheduled Commission meeting following the day of the Run-off Election or, if there is no run-off election for any seat or for Mayor, at the next regularly scheduled Commission meeting after the General Election.

**QUESTION #4**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**CHARTER AMENDMENT REVISING METHODS  
OF QUALIFYING FOR TOWN COMMISSION ELECTIONS**

Amending the Town of Oakland Charter to remove the collection of signature cards (from 10% of the Town’s registered voters or 100 voters, whichever is less) as an alternate method of qualifying for Town Commission elections, leaving the filing of a written notice of candidacy and payment of the \$100 qualifying fee as the sole method of qualification.

Yes  
 No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Town of Oakland Charter are amended to read as follows:

**Section 2.4 – Qualifications.**

Candidates for Commission member or Mayor shall qualify for election by the filing of a written notice of candidacy with the Town Clerk at such time and in such manner as may be prescribed by ordinance ("qualifying date") and paying to the Town Clerk a qualifying fee of one hundred dollars (\$100.00), in addition to any fees required by Florida Statutes. ~~An alternate method of qualifying is to collect signature cards from ten (10) percent of the Town of Oakland registered voters (based on the previous countywide general election) or one hundred (100) signatures, whichever is less.~~ A person may not be a candidate for Commission and Mayor in the same election. Only qualified electors of the Town who have resided continuously in the Town for at least one (1) year preceding their qualifying date shall be eligible to hold the office of Commission Member, or Mayor.

**QUESTION #5**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**CHARTER AMENDMENT REMOVING PROVISION  
RELATING TO CONFLICTING CHARTER AMENDMENTS**

Amending the Town of Oakland Charter to remove a provision relating to the adoption of conflicting Charter amendments at the same election.

Yes  
 No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Town of Oakland Charter are amended to read as follows:

**Section 6.1 – Procedure to Amend.**

- (a) The Charter may be amended in accordance with the provisions of Florida Statutes.
- (b) ~~If conflicting amendments are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.~~

**QUESTION #6**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

**CHARTER AMENDMENT  
CORRECTING ERRORS AND OMISSIONS**

Amending the Town of Oakland Charter to correct various scrivener's, grammatical, and wording errors, add clarifying language, and correct a clerical omission by clarifying that that the Town Manager designates, subject to the Town Commission's approval, a qualified Town employee as Acting Town Manager during the Town Manager's temporary absence or disability.

\_\_\_ Yes  
\_\_\_ No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Town of Oakland Charter are amended to read as follows:

**Section 2.5 – Vacancies; forfeiture of office; filling of vacancies.**

(b) *Forfeiture of office.*

(1) *Forfeiture by disqualification.* A Commission Member shall forfeit his/her office if at any time during his/her term-, the Commission Member:

a. Ceases to maintain his/her permanent residence in the Town-; or

b. Otherwise ceases to be a qualified elector of the Town.

...

(d) ~~*Filling of*~~ *Vacancies in candidacy.* Vacancies in candidacy of persons running for the office of Mayor or Town Commission caused by the death, withdrawal or removal of a qualified candidate following the end of the qualifying period shall be ~~filled~~ handled as follows:

...

(2) If the death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period results in ~~less than two~~ one candidates running for office, the remaining candidate shall be considered duly elected by the operation of law. That person would assume office according to Article V. Elections, Section 5.1, Paragraph (h) Commencement of Terms.

**Section 3.4 – Acting Town Manager.**

The Town Manager shall designate, subject to the approval of the Commission, a qualified Town employee to exercise the powers and perform the duties of the Town Manager during the Town Manager's temporary absence or disability. During such absence or disability, the Commission, may revoke such designation and appoint another employee of the Town to serve as acting Town Manager until the Town Manager shall return or his/her disability shall cease.

#### **Section 4.4 – Emergency Ordinances.**

To meet a public emergency affecting life, health, property or the public peace, the Commission may adopt, in the manner provided in this section, one (1) or more emergency ordinances, but emergency ordinances may not levy taxes; grant, renew or extend any municipal franchise; set service or user charges for any municipal services; or authorize the borrowing of money except as provided under the emergency appropriations provisions of this Charter if applicable, ~~as provided under the emergency appropriations provisions of this Charter if applicable.~~