

Orange County 2020 Charter Review Commission

Presentation of Final Report

Authorization and Purpose of CRC

- **Article VII, Section 702 of the Orange County Charter:**
 - Appointed on a four-year cycle.
 - Appointed no later than February 1, of the year prior to a presidential election year and shall adjourn sine die no later than the Monday following that election.
 - Empowered to conduct a comprehensive study of any or all phases of county government.
 - May place proposed amendments and revisions of the Charter on the ballot at general elections only, providing a report of the proposed changes has been delivered to the Clerk no later than the last day for qualifying for election to county office under general law.

Appointment of CRC Members

- CRC shall be appointed by the Board
 - Shall consist of not less than eleven (11) members and not more than fifteen (15) members.
 - All members of the CRC shall be electors of the county.
 - No elected official shall be appointed as a member of the CRC.
- Resolution No. 2019-M-01 adopted January 15, 2019

Members of 2020 CRC

Camille Evans, Chair
(Commissioner VanderLey)

James Auffant, Vice-Chair
(Commissioner Gomez-Cordero)

Russel Drake
(Commissioner Siplin)

Jack Douglas
(Commissioner Moore)

John Fauth
(Commissioner Bonilla)

Matthew Klein
(Commissioner Moore)

Angela Melvin
(Mayor Demings)

Jeffrey A. Miller
(Mayor Demings)

Nikki Mims
(Commissioner Siplin)

Samuel Vilchez Santiago
(Commissioner Uribe)

Marie Soraya Smith
(Commissioner Uribe)

Raleigh “Lee” Steinhauer
(Commissioner VanderLey)

Eugene Stoccardo
(Commissioner Bonilla)

Anthony Suarez
(Commissioner Gomez-Cordero)

Dotti Wynn
(Mayor Demings)

Work of the 2020 CRC

(from February 2019 to date)

- **Full CRC meetings:**
 - 13 in-person public meetings
 - Five public meetings via approved communications media technology due to COVID-19
- **39 subcommittee & workgroup meetings**
- **Nine other sunshine meetings**
- **Final Report adopted at final meeting on June 3, 2020 and delivered to Clerk and Supervisor of Elections.**
 - Available: <https://www.occompt.com/wordpress/wp-content/uploads/2020/06/2020-CRC-Final-Report.pdf>

Process

- Due to history and independent nature there is no formal process established to govern the work of the CRC.
 - Note: Section 702 of the Charter requires CRC to hold no less than four public hearings prior to presenting proposed Charter amendments to the public.
- History provides valuable insight, but not at all binding.
- Used Roberts Rules of Order as an instructive guide to keep meetings orderly, but not mandatory.

Process, cont'd.

- Chair established Evaluation Process for Potential Topics for Consideration (See Appendix C of Final Report).
- Subsequently established Subcommittee Work Product Guidelines (See Appendix C of Final Report) based on input of Chair, Vice-Chair and Chairs of the respective subcommittees.

Topics Considered for Evaluation

<u>TOPIC</u>	<u>APPROVED FOR EVALUATION</u>	<u>CRC FINAL ACTION</u>
Citizen-Initiated Charter and Ordinance Amendment Process	Yes	Proposed Charter Amendment No. 3
Ethics Concerning Lobbyists	Yes	No Proposed Changes to Charter
Land Use and Zoning	No	n/a
Number and Composition of County Commission Districts	Yes	No Proposed Changes to Charter
Permanent Funding of Green Place	Yes	No Proposed Changes to Charter
Rights of Orange County Waters*	Yes	Proposed Charter Amendment No. 1
School Capacity	No	n/a
Split Oak	Yes	Proposed Charter Amendment No. 2
Unlicensed Contractor Activity	No	n/a
CRC Bylaws	Yes	Proposed form of bylaws included in Final Report

Proposed Charter Amendment No. 1

PROHIBITING POLLUTION OF THE WEKIVA RIVER, ECONLOCKHATCHEE RIVER AND ALL OTHER WATERS OF ORANGE COUNTY

Amending the charter by providing charter protections for the natural rights of the Wekiva and Econlockhatchee Rivers and all other Waters of Orange County by prohibiting pollution, providing a definition of Waters, providing a private right of action and standing for citizens of Orange County to enforce these protections against governmental agencies, non-natural persons or corporate entities that intentionally or negligently pollute the Waters, and providing for severability and exceptions.

- Comptroller's Office Financial Impact: Indeterminate Fiscal Impact.

Proposed Charter Amendment No. 2

PROTECTING SPLIT OAK FOREST BY RESTRICTING BOARD OF COUNTY COMMISSIONERS' AMENDMENT OF RESTRICTIONS AND COVENANTS

Amending the charter by providing charter protections for Split Oak Forest by restricting the Board of County Commissioners' ability to amend, modify, or revoke the current restrictions and covenants running with the land, which limit the use of Split Oak Forest, in whole or in part, to conservation and the protection of its wildlife, vegetation, and environment as set forth in current agreements and restrictive covenants; and providing exceptions as provided by law.

- Comptroller's Office Financial Impact: Indeterminate Fiscal Impact.

Proposed Charter Amendment No. 3

SUSPENDING TIME FOR GATHERING PETITION SIGNATURES DURING MANDATORY REVIEWS AND SETTING DEADLINE FOR 1% NOTIFICATION

Shall the charter be amended by suspending the one hundred eighty (180) day time period for gathering signatures during mandatory reviews and procedures specified under Sec. 602.E. of the Charter and setting a ten (10) day deadline for the Supervisor of Elections to provide the 1% notification to the County Commission, the Comptroller and Legal Review Panel under Sec. 602.E.(1) of the Charter?

- Comptroller's Office Financial Impact: Indeterminate Fiscal Impact.

Proposed Bylaws

- Following a proposal by Member Mims, the CRC established a workgroup to evaluate whether proposed bylaws should be drafted and included in the CRC's Final Report for future Charter Review Commissions to consider.
- The proposed bylaws were approved by the CRC for inclusion in the Final Report.

Subsequent Events

- With respect to Proposed Charter Amendment No. 1:
 - Florida Clean Waterways Act (Senate Bill 712) signed into law by Governor DeSantis on June 30, 2020.
 - Subject to litigation filed by Speak Up Wekiva, Inc.
- With respect to Proposed Charter Amendment No. 2:
 - Complaint filed by Osceola County
- With respect to Proposed Charter Amendment No. 3:
 - n/a

Chair's Observations

- Recommend two initial meetings of CRC before any work is begun.
 - CRC Member Training Day
 - Organizational Meeting
- Important for CRC Members to understand that they are responsible for entirety of County's interests.
- Recommend more strict approach to CRC member attendance.
- Incredibly valuable to have County staff engaged in all parts of process, especially with respect evaluating topics.
- Consider amending Charter to extend time-period between convening future CRCs.