



Charter Review Committee Meeting Minutes

Date: August 12, 2024

Time: 9:00 a.m.

Location: City Hall Auditorium; 1507 Bay Palm Blvd, Indian Rocks Beach, FL. 33785

Attendees:

- Ed Hoofnagle -Chair
- Mark Arnold -Vice-Chair
- Allie Devore
- Elizabeth Flynn (via phone)
- Kellee Watt
- City Attorney Randy Mora
- City Clerk Lorin Kornijtschuk
- Finance Director Dan Carpenter

A & B. Call to Order and Pledge of Allegiance

- The meeting was called to order at 9:03 a.m. by Chair Hoofnagle.
- The Pledge of Allegiance was recited.

C. Roll Call

- Allison Devore: Present
- Elizabeth Flynn: Present via phone
- Kellee Watt: Present
- Mark Arnold: Present
- Ed Hoofnagle: Present

D. Approval of Minutes from July 12, 2024

- The minutes were approved unanimously following a motion by Vice-Chair Arnold and seconded by Member Devore.

E. Old Business. None.

F. New Business

- **Article 8: Municipal Taxation-** (no recommended changes)
Vice Chair Hoofnagle noted language regarding 6% threshold.
- **Article 9: Municipal Borrowing-**(no recommended changes)
Member Flynn noted language deferring to statute



- **Article 10: Financial Procedures** -(no recommended changes)

Vice-Chair Arnold was concerned about section 10. 5 whether the placement of loan authorization in the financial procedure section is suitable or if it should be addressed within the municipal borrowing section, which already covers borrowing purposes and types.

Chair-Hoofnagle explained that Section 10.5 of the financial procedure document deals with authorizing loans and financial obligations. Section 10.5(c) specifically allows the City Commission to authorize the city manager to sign loan documents if the commission decides to borrow funds. This section primarily addresses the administrative aspect of implementing the loan, rather than the specifics of the borrowing purposes or other forms of debt. The document ensures that the city manager can execute the loan agreement once the commission approves borrowing, focusing on the procedural side of handling loans.

Finance Director Carpenter explained the process of appropriating funds, and the process of carrying over unspent amounts. Provided clarification on the separation of funds, the process for transferring money between funds, the requirement for a balanced budget, and the state-level audit process.

- **Article 10 Continued: Real Property & Eminent Domain-** (no recommended changes)

Vice-Chair Arnold was concerned about how the process of eminent domain is handled, particularly in terms of protections for property owners and the decision-making requirements for the City Commission.

City Attorney Mora stated that he would provide supplemental information on the law governing eminent domain.

- **Article 11:** (reserved)
- **Article 12:** (no recommended changes)
- **Article 13: Planning and Zoning**

Member Flynn questioned Article 13, the difference between the Planning and Zoning Board's role versus the City Commission's Role.

Chair Hoofnagle explained that the Planning and Zoning Board makes a recommendation to the Commission, and the Commission chooses to approve or reject their recommendations

Member Flynn questioned how changes are communicated to the public.

City Attorney Mora explained the process for amending the comprehensive plan, which includes recommendations from the Planning and Zoning Board, and 2 public hearings with a review from the state.



Member Flynn questioned the inconsistency of language in Article 13 (d); regarding the number of members required for certain actions or decisions. Specifically, there is a discrepancy between sections that state "four out of five members" and others that just mention "four members."

City Attorney Mora stated he would make a note about the language format.

Vice-Chair Arnold was concerned about the timing and clarity of the appeal process outlined in sections 13.3.c and 13.4. Section 13.3.c specifies a 30-day period for appeals to the City Commission, while section 13.4 describes a 30-day period for filing a court suit, which includes the appeal process to the City Commission as a precondition.

City Attorney Mora requested the issue be added to the old business for the next meeting to review and possibly revise the language in the Comprehensive Plan section.

Chair Hoofnagle asked the City Attorney to consider how appeals are handled and whether to explicitly grant quasi-judicial authority to the City Commission in the charter.

Member DeVore inquired whether section 13.6, which pertains to subdivision and plats, addresses the process of combining plots (lots), even though it primarily deals with dividing plots.

City Attorney Mora stated that he would clarify the process of combining lots at the next meeting.

- **Article 14:** (reserved)
- **Article 15: General Provisions:** (no recommended changes)

Member Flynn asked about the use of "severability" versus "separate ability" in charters, noting that other charters use "severability."

Chair Hoofnagle explained that "severability" is the more commonly used term, but in this context, the distinction between "severability" and "separate ability" is considered negligible. The headings are merely indicators of the topic, and the substance of the article is consistent with standardized language.

G. Miscellaneous

- Next Meeting Date: September 9, 2024 at 9:00 a.m.

H. Public Comment

- No members of the public either electronically or in person.



I. Adjournment

- Motion by Member Watt and seconded by Vice-Chair Arnold to adjourn at 9:48 a.m.

Respectfully submitted,

Lorin A. Kornijtschuk
City Clerk

Date Approved