



SEMINOLE COUNTY, FLORIDA
Charter Review Commission
Meeting Agenda

Thursday, April 25, 2024

6:00 PM

BCC Chambers

Call to Order/Roll Call

Pledge of Allegiance

Other Business

1. Verify and Approve DSK Law Monthly Invoice
2. Review the Draft Charter Amendment Language and Draft Ballot Language

Public Comment

Next scheduled meeting date

The next scheduled meeting of the Charter Review Commission is on May 2, 2024 at 6:00 PM

Adjournment

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Human Resources Division, ADA Coordinator, 48 hours in advance of the meeting at (407) 665-7940.



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

File Number: 2024-0568

Title:

Verify and Approve DSK Law Monthly Invoice

DSK Law

de Beaubien · Simmons · Knight · Mantzaris · Neal

EST. 1976

Post Office Box 87
332 North Magnolia Avenue
Orlando, Florida 32802
Phone: 407-422-2454
Tax ID No. 59-2206392
www.dsklawgroup.com

Seminole County
1101 E First Street
Sanford, FL 32771-1468

April 9, 2024
Invoice # 502636

For Legal Services Rendered Through 03/31/24

Re: 061602 Seminole County Charter Review Commission - 2024

Date	Atty	Description	Hours	Amount
02/15/24	DHS	Prepare for and attend Seminole County CRC meeting; Review research re issues raised by the members of the Seminole County CRC	4.70	1,175.00
03/01/24	DHS	Review status re term limit legislation re county commissioners; Receive and review e-mail from M. Koontz; Receive and review e-mail from Chairman, J. Horan, confirming his attendance at the meeting	0.20	50.00
03/07/24	DHS	Prepare for and attend meeting of the Seminole County Charter Review Commission; Telephone conference with GCC re research issues relating to a proposed Charter Amendment re requirement of a supermajority vote of the County Commissioners as regards disposition of natural lands owned by the County	6.50	1,625.00
03/08/24	DHS	Receive and review e-mails from M. Koontz; Research re ability of the Board of County Commissioners to repeal the ordinance requiring supermajority of members; Prepare e-mail to GCC re same	3.00	750.00
03/15/24	GCC	Review of issues re: research on SB 1420 and the potential impact on the Seminole County Charter	1.20	300.00

de Beaubien, Simmons, Knight, Mantzaris & Neal LLP

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Date	Atty	Description	Hours	Amount
03/17/24	DHS	Research re SB 1420 and its impact on charter amendment under consideration by the CRC; Prepare text message to Sen. B. Ingoglia re scope of floor amendment re citizen led efforts to amend a charter dealing with land use matters; Review and compare with existing Seminole County Charter and Ordinances relating to supermajority vote requirements	1.50	375.00
03/18/24	DHS	Receive and review e-mail from R. McHugh; Prepare e-mail to R. McHugh; Receive and review e-mail from R. McHugh; Research re SB 1420; Telephone conferences with G. Hunter; Research procedure re Charter amendments and language and format	6.50	1,625.00
03/18/24	MRB	Research FS 163.3167; Print Seminole County Ordinances for DHS to review; Create binder with Seminole County Home Rule Charter, General Provisions, Definitions, Ethics, Parks and Recreation, and Code Comparative Table	0.80	96.00
03/19/24	DHS	Research, review, and revise proposed language re Natural Lands in the Seminole County Charter; Prepare e-mail to R. McHugh and M. Koontz re same and research re SB 1420; Receive and review e-mail from R. McHugh; Prepare e-mail to R. McHugh and M. Koontz; Research re ability of a present board of county commissioners (or any legislative body) to bind a future body; Telephone conferences with GCC	5.50	1,375.00
03/20/24	DHS	Receive and review e-mail from GCC re research relating to the ability of an existing legislative body to bind a future legislative body; Prepare re Teams meeting at 1:00 p.m. today with R. McHugh and M. Koontz; Prepare text message to GCC	1.00	250.00
03/20/24	DHS	Continue preparing for Seminole County Charter Review Commission meeting on Thursday, March 21, 2024, including issues re drafting of proposed Charter Amendment	4.50	1,125.00

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Date	Atty	Description	Hours	Amount
03/21/24	GCC	Review of issues re: research on whether the board of county commissioners can bind future board of county commissioners through an ordinance requiring a supermajority vote	3.20	800.00
03/21/24	GCC	Prepare correspondence to DHS re: summary of findings on this issue of whether the Board of County Commissioners can bind future Board of County Commissioners through an ordinance	0.20	50.00
03/21/24	DHS	Prepare e-mail to R. McHugh; Receive and review e-mail from R. McHugh; Prepare for and attend Seminole County Charter Review Commission meeting	5.00	1,250.00
03/27/24	DHS	Telephone conference with L. Constantine re legal issue as to ordinances and charter	0.20	50.00
03/28/24	DHS	Receive and review e-mail from M. Koontz	0.10	25.00
03/29/24	DHS	Receive and review e-mail from M. Koontz with attached minutes of the prior two meetings; Prepare re revisions to the existing Charter Amendment language to address the issues raised at the last meeting of the CRC	0.70	175.00

Summary of Services

		Rate	Hours	Amount
DHS	David H Simmons - Partner	250.00	39.40	9,850.00
MRB	Megan Bennett - Legal Assistant	120.00	0.80	96.00
GCC	Grant Couch - Associate	250.00	4.60	1,150.00
Total Fees			44.80	\$11,096.00

Current Due	\$11,096.00
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Previous Balance	16,623.00
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Payments Since Last Bill	-14,012.00
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Total Due	\$13,707.00
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All Invoices Due Upon Receipt. Balance Subject to 12% Finance Charge.

de Beaubien, Simmons, Knight, Mantzaris & Neal LLP

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Invoice # 502636

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Our Federal Tax ID #: 59-2206392



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

File Number: 2024-0565

Title:

Review the Draft Charter Amendment Language and Draft Ballot Language

RESOLUTION NO. 1 PROPOSING CHARTER AMENDMENT

A RESOLUTION OF THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE V OF THE COUNTY HOME RULE CHARTER TO PROVIDE: FOR THE REQUIREMENT OF A SUPERMAJORITY VOTE OF THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS IN ORDER TO TRANSFER, OR MATERIALLY CHANGE THE USE OR PURPOSE OF, NATURAL LANDS OWNED OR MANAGED BY SEMINOLE COUNTY; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter, provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval; and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida; and

WHEREAS, passage of this Resolution will allow the voters of Seminole County to adopt or reject the Amendment proposed herein at the general election to be held on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, THAT:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at the general election on November 5, 2024, as required by the Constitution, Laws of Florida, and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Article V to read (with additions being shown as underlined and deletions being shown as ~~strike throughs~~) as follows:

Section 5.6 Transfer or Material Change of Use or Purpose of Designated Natural Lands by the Board of County Commissioners.

A. Definitions. The following words, terms, or phrases when used in this Section 5.6 shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Natural Lands.* Properties purchased or otherwise acquired or managed under Seminole County’s Natural Lands Program. Such properties are or shall be described in a resolution adopted by the Board of County Commissioners, which may be amended from time-to-time as the Natural Lands Inventory changes.

(2) *Supermajority Vote.* The requirement that, for the Board of County Commissioners to take action on a matter pending before them, at least a majority plus one of the entire membership of the Board of County Commissioners must vote in the affirmative to take such action.

B. The County shall manage the real property held in fee or otherwise acquired or managed as Natural Lands for the benefit of the citizens of Seminole County and may sell, convey, dispose of, transfer, or otherwise materially alter the use or purpose of, all or any portion of such property only if the members of the Board of County Commissioners determine that the property is no longer needed for natural resource conservation, scenic, or recreational purposes and only upon a Supermajority Vote.

Section 2. Referendum.

On November 5, 2024, an election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter, in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

[NEED BALLOT TITLE LANGUAGE]

Shall the Seminole County Charter be revised to require the vote of a Supermajority (i.e., a majority plus one) of the members of the Seminole County Board of County Commissioners in order to transfer or materially change the use or purpose of lands that are owned or managed by the County and that it has designated as “Natural Lands”?

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on January 1, 2025, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held on November 5, 2024.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this ___ day of _____, 2024.

By: John Horan

Chairman, Seminole County Charter Review Commission

RESOLUTION NO. 2 PROPOSING CHARTER AMENDMENT

A RESOLUTION OF THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF THE COUNTY HOME RULE CHARTER TO PROVIDE: FOR THE REQUIREMENT OF A SUPERMAJORITY VOTE OF THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS IN ORDER TO REMOVE PROPERTY FROM THE COUNTY’S DESIGNATED “RURAL AREA,” AS THAT TERM IS DEFINED IN ARTICLE V OF THE CHARTER; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter, provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval; and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and law of Florida; and

WHEREAS, passage of this Resolution will allow the voters of Seminole County to adopt or reject the Amendment proposed herein at the general election to be held on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, THAT:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at the general election on November 5, 2024, as required by the Constitution, Laws of Florida, and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Article V to read as follows (with additions being shown as underlined and deletions being shown as ~~strike throughs~~):

Section 5.2 Rural Boundary and Rural Area.

* * *

B. Removal of Property from Rural Area.

The Board of County Commissioners may remove property from the “Rural Area” and amend the Rural Boundary accordingly, by ordinance whenever, in the opinion of the Board, such a change is necessary. Any vote to remove property from the Rural Area, however, shall only be by Supermajority vote of the Board of County Commissioners. Nothing herein shall authorize the County Commission to expand the “Rural Area” beyond the area contained in the above referenced legal description.

* * *

E. Definition. *Supermajority Vote.* The requirement that, for the Board of County Commissioners to take action on a matter pending before them, at least a majority plus one of entire membership of the Board of County Commissioners must vote in the affirmative to take such action.

Section 2. Referendum.

On November 5, 2024, a general election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) of the Seminole County Home Rule Charter, in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

NEED BALLOT TITLE

Shall the Seminole County Charter be revised to require the vote of a Supermajority (i.e., a majority plus one) of the members of the Seminole County Board of County Commissioners in order to remove property from that portion of the County that is designated as “Rural Area”?

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on January 1, 2025_, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held on November 5, 2024.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this __ day of _____, 2024.

By: John Horan

Chairman, Seminole County Charter Review Commission

RESOLUTION NO. 3 PROPOSING CHARTER AMENDMENT

A RESOLUTION OF THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF THE COUNTY HOME RULE CHARTER TO PROVIDE: FOR THE REQUIREMENT OF A SUPERMAJORITY VOTE OF THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS IN ORDER TO CHANGE THE FUTURE LAND USE DESIGNATION OF “RURAL LANDS,” AS THAT TERM IS DEFINED IN ARTICLE V OF THE CHARTER; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter, provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval; and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and law of Florida; and

WHEREAS, passage of this Resolution will allow the voters of Seminole County to adopt or reject the Amendment proposed herein at the general election to be held on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, THAT:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at the general election on November 5, 2024, as required by the Constitution, Laws of Florida, and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Article V to read as follows (with additions being shown as underlined and deletions being shown as ~~strike throughs~~):

Section 5.2 Rural Boundary and Rural Area.

* * *

C. Future Land Use Designations.

From and after the effective date of this section the future land use designations contained in the Seminole County Comprehensive Plan shall control the density and intensity of development on all Rural Lands, as that term is defined herein. The Board of County Commissioners must approve all changes to the future land use designations of all Rural Lands, regardless of whether some or all of the Rural Lands are located within a municipality. Any vote to change the future land use designations of any Rural Lands, however, shall only be by Supermajority vote of the Board of County Commissioners.

* * *

E. Definition. *Supermajority Vote.* The requirement that, for the Board of County Commissioners to take action on a matter pending before them, at least a majority plus one of entire membership of the Board of County Commissioners must vote in the affirmative to take such action.

Section 2. Referendum.

On November 5, 2024, a general election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) of the Seminole County Home Rule Charter, in

conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

NEED BALLOT TITLE

Shall the Seminole County Charter be revised to require the vote of a Supermajority (i.e., a majority plus one) of the members of the Seminole County Board of County Commissioners in order to change the future land use designation of property located in that portion of the County that is designated as Rural Area?

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on January 1, 2025, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held on November 5, 2024.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this __ day of _____, 2024.

By: John Horan
Chairman, Seminole County Charter Review Commission