



CHARTER REVIEW COMMITTEE September 21, 2016 3:00 P.M.

*City Hall – Commission Chambers
228 S. Massachusetts Av.*

Regular City Commission meetings are cablecast live throughout Polk County on Bright House Channel 643 or Fios Channel 43. City Commission meetings are also webcast live on www.lakelandgov.net. Please visit www.lakelandgov.net for a complete list of all meetings available on the Lakeland Government Network. For more information, contact Mike Mustard, CableCast Producer at 863/834-5013.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding should contact the City Manager's Office no later than two (2) days prior to the proceeding at (863) 834-6006, for assistance. The City Manager's office is located in City Hall, 228 S. Massachusetts Avenue, Lakeland, FL 33801-5086. If **HEARING impaired**, please contact TDD (TDD-Telecommunications Device for the Deaf) at Local - (863) 834-8333 – or 1-800-955-8771. If **VOICE impaired**, please contact the Florida Relay Service at 1-800-955-8770, for assistance.

Call to Order – Chairman Joe Mawhinney

Approval of Minutes – [August 17, 2016](#)

Comments from the Public

I. Public Forum – Reconsideration of Section 5 – Form of Government

A. Council/Mayor Form

1. [Weak Mayor](#)
2. [Strong Mayor](#)
3. [Committee for a Strong Lakeland](#)

B. Council/Manager Form

1. [FLC Council Manager Form](#)
2. [ICMA Materials](#)

C. Reconsideration of Prior Action

II. Sec. 9 - Limitations on Powers Of City Commission.

A. Existing Text.

B. Recommended Changes

(a)

Neither the commission nor any of its members, individually or collectively, shall in any manner dictate the appointment or removal of any city administrative officers, department heads or employees whom the city manager or any of his subordinates are empowered to appoint, but the commission may express its views and fully and freely discuss with the city manager anything pertaining to appointment and removal of such officers and employees.

Except for general inquiries concerning administrative procedures and policies, the commission and its members shall deal with officers and employees of the city who are subject to the direction and supervision of the city manager solely through the city manager, and neither the commission nor any of its members shall give orders to any such officer or employee, either publicly or privately, directly or indirectly. Nothing in the foregoing is to be construed to prohibit individual members of the commission from scrutinizing by questions and personal observation all aspects of city government operations so as to obtain independent information to assist the members in the formulation of sound policies to be considered by the commission. However, it is the expressed intention hereof that recommendations related to for improvement in city operations by individual commissioners be made to and through the city manager.

Any violation of a provision of this section by a member of the commission shall constitute grounds for removal from office.

(b)

The City of Lakeland shall not sell, lease or otherwise dispose of any water plant, or all or substantially all of the assets of the electric utility until such sale or lease has previously been authorized by an affirmative vote of two-thirds (2/3) of the city commission, authorizing a referendum on the subject which shall be approved by the affirmative vote of sixty- five (65) percent of the voters~~electors, otherwise qualified to vote~~ in an election duly called for that purpose. For the purpose of this section only, electric utility shall mean those assets used to engage in the business of generating, transmitting, or distributing electrical energy, as well as any related activities authorized by this Charter or applicable law.

III. Sec. 10 - City Commission.

A. [Existing Text](#)

B. Recommended Changes

- The city commission shall consist of seven (7) electors of the city, including the mayor, elected at large, all of whom shall hold office for four (4) years unless that term is altered due to a change in municipal election dates authorized by this ordinance. One each of the commissioners shall have been for one (1) year prior to ~~election~~[taking office](#), a resident of that part of said city described as follows:

District A: Being that part of said city bounded on the east by State Road [35](#) and on the south by the Seaboard Coast Line Railroad tracks, extending westerly and northerly to the city limits line;

District B: That part of said city lying east of State Road [35](#) and north of Seaboard Coast Line Railroad tracks, extending easterly and northerly to the city limits line;

District C: That part of said city lying south of the Seaboard Coast Line Railroad tracks and west of State Roads [35](#) and 37 extending westerly and southerly to the city limits line;

District D: That part of the city lying south of Seaboard Coast Line Railroad tracks and east of State Roads [35](#) and 37 extending easterly and southerly to the city limits line of the City of Lakeland;

and two (2) commissioners shall be elected at large, without regard to the district in which they may reside. The mayor shall likewise be elected at large. The present members of the city commission shall hold office for the terms for which they are respectively elected, unless a vacancy occurs by death, resignation or removal in accordance with the terms of this charter and respective successors to the present commissioners shall take office at the first city commission meeting in January after their election, or as soon thereafter as may be practicable.

~~The city commissioners elected from Districts C and D, the at large commissioner, and the mayor, whose terms would otherwise expire on the first regular city commission meeting in the year 2005, shall have their terms respectively extended for one (1) year with the election for those offices to be held on November 1, 2005. In the event a run-off election is required, it shall then be conducted on December 6, 2005. Those city commissioners representing District A and B, and the at large commissioner whose term would have expired on the first regular city commission meeting in the year 2007, shall have their terms respectively extended for one (1) year. The election for those offices shall be held November 6, 2007. In the event a run-off is required for that election, the run-off election shall be held on December 4, 2007. Those commissioners elected pursuant to this section shall take office in accordance with the provisions of this Charter.~~

(Ord. No. 2340, § 1, 4-5-82, election of 11-2-82; Ord. No. 2599, § 1, 8-6-84, election of 11-6-84; Ord. No. 2976, § 2, 12-21-87, election of 3-8-88; Ord. No. 4486, § 3, 11-17-03)

C. Population Data

- i. [1944 City Limit Boundary](#)
- ii. [Current City Limit Boundary](#)
- iii. [Census Tract Information](#)
- iv. [Minority Distribution Information](#)

IV. Sec. 11- Qualifications of members.

A. [Existing Text](#)

B. Recommended Changes

Members of the city commission shall have been residents of the city for one (1) year, and have the qualifications of electors of the city. No one shall serve, or but for resignation would have served, more than twelve (12) consecutive years, or three (3) complete terms, whichever is longer, in the singular position of Mayor or Commissioner or more than sixteen (16) consecutive years, or four (4) complete terms, whichever is longer, in any combination of the positions of Mayor and Commissioner. ~~The foregoing limitations shall not apply to any years or terms served prior to January 1, 1999, or to partial terms served thereafter, or to any years or terms served beyond the foregoing limitations as a result of election as a write-in candidate.~~ Elective officers of the city shall not hold any other elective public office, shall not serve as employees of the City of Lakeland during their terms of office and shall not be interested in the profits or emoluments of any contract, work, or service for the city, and any such contract in which any officer or employee is or may become interested shall be void, and so declared by the city commission. Any member ceasing to possess the qualifications for office herein required shall forfeit his office.

(Ord. No. 3845, § 1, 9-15-97, election of 9-1-98; H.B. 0825, 2005)

Adjourn