



Charter Review Task Force

March 31, 2015 – 7pm

Section 1

This act, together with any future amendments thereto, shall be known and may be cited as the "Village of Wellington Charter," hereinafter referred to as "the charter."

- No Changes Proposed.

Section 2. Legislative intent

Section 2 describes the nature and scope of the Village at the time of incorporation and outlines the basis for incorporation.

- No revisions recommended.
- The CRTF discussed the use of CRAs and opportunity zones, but determined that these concepts should be presented to council as a recommendation and not be included as a charter revision.

Section 3. Incorporation of municipality; corporate limits

- Section 3 establishes the independence of the Village and provides for its governance structure.
- No revisions recommended.
- The CRTF discussed whether the Council-Manager form of governance is still effective or whether a strong mayor system should be considered.

Section 4. Municipal powers

- Section 4 grants the Village municipal powers as described by the Florida Constitution and laws of the State of Florida.
- No revisions recommended.

Section 5. Village Council

- Sets forth provisions for conducting Village business, including qualifications, term, duties and compensation of council members.
- Establishes procedure to fill vacancies.
- Prohibits employment of council members.
- Prohibits interference by council members.
- Provides for transitional government.
- The CRTF discussed these provisions at length and concluded that the following revisions would improve the charter:
 - Council compensation may be increased by a simple majority vote.
 - Council compensation be reviewed every five years.
 - A councilmember vacancy be filled in the same manor as the mayor.
 - The 72 hour period for calling special council meetings be removed.

Section 6. Budget and appropriations

- Section 6 sets forth the fiscal year and the date for adoption of the budget and provides for adjustments to the budget as needed to ensure financial stability
- No revisions proposed.

Section 7. Charter officers

- Section 7 designates the Village Manager and Village Attorney as charter officers and provides for their qualifications and duties.
- No revisions proposed.

Section 8. Elections

Section 8:

- Identifies the electors.
 - Provides for non-partisan races.
 - Sets forth the qualifying period and schedule for elections.
- The CRTF had extensive discussions about this section, including:
 - Runoff provisions
 - Composition of the canvassing board
 - Timing of certification of election results
 - Practicality of referendum provisions

Section 8. Elections (Cont'd)

- Provides for recall of councilmembers.
- Provides that the electors may, by referendum, challenge the adoption of a millage rate that exceeds 5 mills.
- Provides procedures for referendum.
- Establishes the makeup of the canvassing board.
- The CRTF recommended removal of the provisions extending the referendum power to the electors when the adopted millage rate exceeds 5 mills.
- The CRTF determined that this provision was likely unenforceable and was impractical, given the timing of adopting the millage and the time required for a referendum.

Section 9. Transition schedule

- Section 9 provided for those things necessary during the initial period of incorporation, including the date of the referendum, election of a council and transfer of powers from the county to the Village.
- It also provided for transitional ordinances, comprehensive plan and land use regulations and shared revenues.
- Because this section is no longer needed, the CRTF recommends deleting it from the charter.

Section 10. Continuation, merger and dissolution of existing districts

- Section 10 provides for the continuation and merger of fire, police, library services, certain municipal service taxing units and the conversion of Acme Improvement District from an independent to a dependent special district. It also prohibited the Village from creating its own police and fire departments without a referendum of the voters.
- The CRTF discussed this section at length and determined that most provisions should be unchanged.
- The CRTF recommended deleting the provision requiring a referendum as a precondition to Wellington creating its own police and fire departments.
- It is believed that the removal of this provision would give Wellington added negotiating power when negotiating its county police and fire contracts.

Section 11. Land description

- Section 11 sets forth the legal description of the land comprising the Village of Wellington.
- No revisions recommended.

Section 12. General provisions

- Section 12 includes provisions for amending the charter and sets forth standards of conduct for all elected officials and Village employees.
- No revisions recommended.

Section 13. Severability

- Section 13 is a severability clause and provides that if any charter provision is found to be invalid, such invalidity will not affect the other provisions of the charter.
- No revisions recommended.

Section 14. Effective dates

- This section provides the effective date of the special act creating the Village of Wellington.
- No revisions proposed.

New Section.

Equestrian Preserve Area

There shall exist within the boundaries of the Village of Wellington an area designated as the Equestrian Preserve Area. The boundaries of the Equestrian Preserve Area shall consist of those areas designated as the Equestrian Preserve Area in Equestrian Element Map No. 1, adopted as part of Ordinance No. 2012-07. The Council may, by majority vote, expand the boundaries of the Equestrian Preserve Area, but such boundaries shall not be reduced except by referendum.

- The CRTF discussed this provision at length and recommended adding the EPA to the charter to ensure its continued preservation.
- The CRTF discussed whether to restrict the ability of council to remove property from the preserve and determined that such removal should require a referendum of the electors.

Cleanup Revisions

- The CRTF has or will be considering a number of “cleanup” revisions to the Charter, none of which create substantive changes. These may include:
 - Deletions of provisions no longer needed relating to the initial transition from an independent improvement district to a municipality; and
 - Reorganization and renumbering of various provisions
- The CRTF will also be considering whether to recommend that voters approve a revised and integrated charter or simply approve individual ballot questions.