

# **2023 CHARTER REVIEW**

## **TOWN OF EATONVILLE**

### **Section 3.01 - General provisions.**

- (a) *Creation of departments.* The Town Council may establish Town departments, offices, or agencies in addition to those created by this Charter, and may prescribe the functions of all departments, offices, and agencies. No function assigned by this Charter to a particular department, office, or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.
- (b) *Direction by mayor.* All Departments, offices, and agencies under the direction and supervision of the Mayor shall be administered by an officer appointed by and subject to the direction and supervision of the Mayor.
- (c) *Grievance process.* The Town Council shall establish and maintain a written grievance process for all town employees.

**AREAS FOR DISCUSSION- None unless a change to the form of government is proposed.**

### **Section 3.02 - Town Clerk.**

The Town Council shall appoint an officer of the town who shall have the title of Town Clerk. The Clerk shall be appointed and may be removed by a simple majority vote of the Council. The Town Clerk shall be the custodian of all Town Council records; shall give notice of Council meetings to its members and the public; shall keep minutes of its proceedings; and perform such other duties as are assigned by this Charter or the Town Council.

#### **AREAS FOR DISCUSSION:**

Relevant portions of this section should be combined with Section 2.01 creating the "Office of Town Council." Recommend adding certain portions of Section 2.01 to this section and eliminating the existing Section 2.01 entirely and renumbering the entire Article 2, which would be renamed "Town Council."

#### **REASONS FOR DISCUSSION:**

Redundancy, confusion.

#### **HOW IT WOULD READ WITH ALL CHANGES:**

### **Section 3.02-Office of Town Clerk.**

The Town Council shall appoint an officer of the town who shall have the title of Town Clerk. The Town Clerk shall not be in the classified service of the Town and shall not be subject to the civil service laws affecting the Town. The Town Clerk shall be appointed without regard to political affiliation and shall serve at the pleasure of the Town Council. The Town Clerk shall be appointed and may be removed by a simple majority vote of the Council.

The Town Clerk shall:

- a. Keep the records of the Council and perform all duties which are assigned by the Charter or by law.
- b. Maintain the offices and conference rooms of the Town Council.
- c. Provide clerical, secretarial, or administrative assistance to Council committees and advisory boards that function as an extension of the Town Council, either directly or through delegation.
- d. Provide, maintain, and update the office legislative files, committee calendars, and other documents necessary to the conduct of legislative business, and be responsible for all official records of the Legislative branch of Government.

- e. Be the custodian of all Town Council records.
- f. Give notice of Council meetings to its members and the public, keep minutes of its proceedings, and perform such other duties as are assigned by this Charter or the Town Council.

The Town Clerk shall be responsible for all matters of staff support for the Council.

The Town Clerk shall be responsible for the divisions and functions of the office of the Town Clerk and shall exercise direct control and supervision and/or support for all employees and staff of the office of the Town Clerk. The Town Council may appoint an Administrative Assistant to the Town Clerk who shall serve at the pleasure of the Town Clerk and who may be assigned by the Town Clerk to assist Council members individually. The Administrative Assistant to the Town Clerk shall not be in the classified service of the Town and shall not be subject to the civil service laws affecting the Town.

### **Section 3.03 - Town Attorney.**

There shall be a Town Attorney appointed by the Town Council. The Attorney shall be appointed and may be removed by a simple majority vote of the Council, and shall be a member in good standing of the Florida Bar. The Town Attorney shall serve as chief legal advisor to the Council, the Mayor, and all town departments, offices, and agencies; shall represent the Town in legal proceedings; and shall perform any other duties prescribed by state law, by this Charter, or by ordinance.

#### **AREAS FOR DISCUSSION:**

**Punctuation and significance of serving as chief legal advisor to all agencies of the Town. The CRA is an agency, and as such, the Town Attorney, not the CRA Attorney, is the chief legal advisor for the agency per the charter. Unless that is what the Town wants, the language needs to be changed. Absent a change, there needs to be a discussion about how the Town Attorney and the CRA Attorney will work together in the future, as the Town Attorney cannot be responsible for legal actions and advice in which he/she is not consulted or involved in.**

#### **HOW IT WOULD READ WITH ALL CHANGES:**

There shall be a Town Attorney appointed by the Town Council. The Attorney shall be appointed and may be removed by a simple majority vote of the Council and shall be a member in good standing of the Florida Bar. The Town Attorney shall serve as chief legal advisor to the Council, the Mayor, and all town departments and offices. The Town Attorney shall represent the Town in legal proceedings and shall perform any other duties prescribed by state law, by this Charter, or by ordinance.

### **Section 3.04 - Chief Administrative Officer.**

The Mayor shall appoint a Chief Administrative Officer on the basis of education and experience in the accepted practices of local government management. The Town Council shall confirm the appointment. The Chief Administrative Officer will assist the Mayor in carrying out executive responsibilities and will provide central coordination of administrative functions.

**AREAS FOR DISCUSSION-None unless a change to the form of government is proposed.**

#### **Section 4.01 - Fiscal year.**

The fiscal year of the Town shall begin on the first day of October and end on the last day of September.

**AREAS FOR DISCUSSION-None.**

#### **Section 4.02 - Submission of budget.**

On or before the first day of August of each year, the Mayor shall submit to the Town Council a budget for the ensuing fiscal year and an accompanying message.

**AREAS FOR DISCUSSION-None unless a change to the form of government is proposed.**

#### **Section 4.03 - Budget message.**

The Mayor's budget message shall explain the budget both in fiscal terms and in terms of the work programs, linking those programs to organizational goals and community priorities. It shall outline the proposed financial policies of the Town for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the Town's debt position, including factors affecting the ability to raise resources through debt issues, and include such other material as the Mayor deems desirable.

**AREAS FOR DISCUSSION-None unless a change to the form of government is proposed.**

#### **Section 4.04 - Budget.**

The budget shall provide a complete financial plan of all Town funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the Mayor deems desirable or the Town Council may require for effective management.

**AREAS FOR DISCUSSION-None unless a change to the form of government is proposed.**

#### **Section 4.05 - Town Council action on budget.**

The Town Council shall adopt an annual budget in accordance with all applicable state statutory provisions including but not limited to Sections 166.241, 200.001, 200.065, and 200.068, Florida Statutes, as amended.

**AREAS FOR DISCUSSION-None.**

#### **Section 4.06 - Amendments after adoption.**

Budget amendments after adoption of an annual budget shall be processed according to Sections 166.241, 200.065, and 218.503, Florida Statutes, as amended.

**AREAS FOR DISCUSSION-None.**

#### **Section 4.07 - Administration and fiduciary oversight of the budget.**

The Town Council shall provide by Ordinance the procedures for administration and fiduciary oversight of the budget.

**AREAS FOR DISCUSSION-None.**

#### **Section 4.08 - Independent audit.**

Pursuant to the provisions of Sections 11.45, 119.07, 163.31801, 166.021, 218.39, and 218.391, Florida Statutes, as amended, the Town Council shall provide for an independent annual audit of all Town accounts and may provide for more frequent audits as it deems necessary.

**AREAS FOR DISCUSSION-None.**