



City of Atlantic Beach

# Agenda

## Charter Review Committee Meeting

Wednesday, May 24, 2023 - 6:00 p.m.

Commission Chamber

City Hall, 800 Seminole Road

Page(s)

### CALL TO ORDER AND ROLL CALL

#### 1. APPROVAL OF MINUTES

- 1.A. Approve minutes of the April 26, 2023 Charter Review Committee meeting. 3 - 8  
[4-26-23 CRC Draft Minutes](#)

#### 2. PUBLIC COMMENT

#### 3. MISCELLANEOUS BUSINESS

- 3.A. ARTICLE II. - THE COMMISSION, Sec. 6. - Qualifications and disqualifications; Sec. 7. - Salary; Sec. 8. - Presiding officer: Mayor; and other applicable sections of the Charter.
- 3.B. June meeting topics
- 3.C. June meeting city staff attendance requests

#### 4. ADJOURNMENT

This meeting will be live-streamed and videotaped. The video recording will be posted within four business days on the City's website. To access live or recorded videos, visit [www.coab.us/live](http://www.coab.us/live).

Any person wishing to speak to the Charter Review Committee at this meeting should submit a request prior to public comment. For your convenience, forms for this purpose are available at the entrance to the Commission Chamber.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 200-9790 at least three business days prior to the meeting. .





**MINUTES**  
**Charter Review Committee Meeting**  
**Wednesday, April 26, 2023 - 6:00 PM**  
**Commission Chamber**

**Present:** Bruce Andrews, Member  
Debbie Buckland, Member  
Charles "Chip" Drysdale, Member  
Kelly Elmore, Member  
Ellen Golombek, Member  
William "Bill" Gulliford, Chair  
Kirk Hansen, Member  
Mitchell Reeves, Member  
Suzanne Shaughnessy, Vice Chair  
Jennifer Lagner, Secretary  
Dawn Scott, Member  
Steve Swann, Member

**Absent:** Donald Young, Member

**Also Present:** Jason Gabriel, City Attorney (CA)  
Donna Bartle, City Clerk (CC)

**CALL TO ORDER AND ROLL CALL**

Chair Gulliford called the meeting to order at 6:00 p.m.

**1. APPROVAL OF MINUTES**

**1A. Approve minutes of the March 23, 2023 Charter Review Committee meeting.**

**MOTION:** Approve minutes of the March 23, 2023 Charter Review Committee meeting.

***Motion: Suzanne Shaughnessy***

***Second: Steve Swann***

Member Dawn Scott requested to amend March 23, 2023 minutes to change "City Engineer" to "Member" for Steve Swann since he is on the Charter Review Committee as an Atlantic Beach resident, not in capacity of city staff. With no further discussion, Chairman Gulliford called for a vote; **all were in favor of minutes approved with the amended language.** Minutes were approved.

***Bruce Andrews***

***For***

***Debbie Buckland***

***For***

***Charles "Chip" Drysdale***

***For***

***Kelly Elmore***

***For***

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|                                       |            |
|---------------------------------------|------------|
| <i>Ellen Golombek</i>                 | <i>For</i> |
| <i>William "Bill" Gulliford</i>       | <i>For</i> |
| <i>Kirk Hansen</i>                    | <i>For</i> |
| <i>Mitchell Reeves</i>                | <i>For</i> |
| <i>Suzanne Shaughnessy (Moved By)</i> | <i>For</i> |
| <i>Jennifer Lagner</i>                | <i>For</i> |
| <i>Dawn Scott</i>                     | <i>For</i> |
| <i>Steve Swann (Seconded By)</i>      | <i>For</i> |

*Motion passed 12 to 0.*

Secretary Lagner called the roll.

Chair Gulliford explained the process for public comments and answered questions.

**Item 3A was taken out of order and addressed at this time.**

**3A. City Attorney re: Charter Amendments**

CA Gabriel stated the city charter could be amended between Charter Review Committees; this is within the eight years not every eight years. This could be done by the governing body, which is the City Commission, or voters. If by the voters, there is a process including a petitioners committee with 10% of qualified voters from last election move to change a charter provision. Charter amendments are typically done to coincide with upcoming election or can be set up as a special election.

**2. PUBLIC COMMENT**

Chairman Bill Gulliford explained the process for public comment and opened the Courtesy of the Floor to Visitors.

Secretary Jennifer Lagner called each speaker to the microphone.

**Ellen Glasser** explained her outgoing memo was shared with the CRC via email; suggested the CRC support the status quo with district representation and at large voting. Requested that the CRC review the voting map and population data (which is attached and made part of this Official Record as **Attachment A**). It ain't broke, so why try and fix it and encourage to maintain the status quo. Sec. 6 is silent on whether residency for any amount of time within one's district is required to qualify. How to approach this section depends on the other factors so I encourage you not to vote on sections without understanding the impact on others; should bundle interrelated sections. Include the CA and CC to clean up language and then vote at the end using formal rule of order. Suggest workshop style for public comment. City staff have a wealth of institutional knowledge and can share if asked, should be asked. Be clear in agenda with titles and speak into the microphone.

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**Carolyn Zisser** stated she is a 46 year resident, 50 years practicing law, and urged the CRC not to make any changes to Article II, Sec. 5. The law looks at precedent and the Charter is the city constitution and as Georgette Dumond shared, should use a sparing approach to change. Sec. 81 states “periodic review” and what is advisable.

**Sarah Boren** provided details from her handout (which is attached hereto and made part of this Official Record as **Attachment B**). She shared she has been a resident since 1999. To foster more resident engagement, suggest the CRC ask staff to create an online form for residents to snip their thoughts and have those thoughts read into the record during public comment. Sec. 2 would be helpful to have a visualization including submerged waters and park agreements that accompany the charter as a hyperlink or attachment if the intent is to not trigger a change. Sec. 4 she would want to understand what FL municipalities could do in terms of home rule and what is preempted by state. Sec. 5 she was concerned only 1 representative representing District 1312; encourage to maintain current district representation. Urged CRC to request objective analysis of voting data to find out if helped, and for CRC to clarify how often voting lines can be updated to address population change. For Sec. 6, she wanted to see a clarification of age.

**Jack Rowan** stated not an Atlantic Beach resident. Suggested CA should be retained for every meeting to be more effective and spend time on charter; Section 5 district model maintain and status quo. Suggest Sec. 9(13), Commission voting in Mayor Pro Tem, may be better placed in Sec. 8 where it talks about presiding officer. Suggest in Sec. 9 make it clear the City Commission has the power to enact rules of procedures for meetings.

**Jackie Beckenbach** supports district representation because it ensures fair and equal representation; promotes diversity and inclusivity; encourages accountability; supports local decision making and promotes efficient and effective government.

**Marla Buchanan** stated she opposes changes to the way districts are set up and how we vote. We should only change our constitution if we have compelling reasons to change it. Encourage to maintain district voting, going to at large elections would be detrimental to our city.

**Casey Quinif** AB is not just a city but neighborhood; grew up with example that City Council historically lived east of Seminole Road. We need equal representation across Atlantic Beach and want to service here. A mayoral qualification is not that you are retired. Does not want one group to be the only voice; equal representation above the law.

**Sally Clemens** suggested that any person designed to hold public office and meet qualifications can live anywhere and vote at large. This change in voting at large would need education of citizens and presented on ballot for next election. Another item to discuss is how long residents live in city to qualify; it is now 2 years and suggest 4 years. A qualification should be more than a driver’s license because they are under state regulation and can be changed.

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**Michael Hoffmann** stated last meeting shared we have vote dilution and history of voting in AB. We have vote dilution; it is against the law and stated we have no reason to go back. Presented COJ article for District 5 (which is attached and made part of this Official Record as **Attachment C**).

**Elliott Zisser** stated perception is reality, at least those doing the receiving. AB is more diverse than what we see on a daily basis. We are politically one city having several parts; a person living in each part knows that part better because they live in it and each part should be represented by one who has the most knowledge of that area. Expressed support to continue with status quo; it seems to be functioning.

**Brinkley Harrell** requested content of his email sent to all CRC members be added to the minutes. (A copy is attached and made part of this Official Record as **Attachment D**.) He presented statistics he compiled from previous elections and asked CRC to reference that email. Stated the mayor is 2 years, commissioner 4 years and presented an option of changing mayor 4 years and commission to 2 years so voters have option to vote out an ineffective one. Mr. Harrell continued that we do not have district representation because most are elected by people outside the district and not within. He requested his email be reviewed again.

**Stephen Fouraker** stated that at the last CRC meeting the phantom motion was created by the Chairman; he would expect members of CRC to call that out because all members are representatives of the committee.

**Don Wolfson** shared he is a 43 year resident, with 14 years on CDB, 1 term as mayor and Chair of the first CRC. He recounted the history of district representation from 2007 and encouraged maintaining the current status. Mr. Wolfson reminded the CRC to review the 2007 report; and encourages the CRC to maintain district representation.

[Attachment A to 4-26-23 CRC Minutes](#)

[Attachment B to 4-26-23 CRC Minutes](#)

[Attachment C to 4-26-23 CRC Minutes](#)

[Attachment D to 4-26-23 CRC Minutes](#)

**3. MISCELLANEOUS BUSINESS**  
(Item 3A was addressed earlier in the meeting.)

Chair Gulliford spoke about procedures.

**3B. Sections 4, 5, and 6, and other applicable sections of the Charter**

Member Dawn Scott provided a handout (which is attached hereto and made part of this Official Record as **Attachment E**) and made the following motion.

[Attachment E to 4-23-23 CRC Minutes](#)

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***MOTION:*** Upon further review of the 2007 Representation Study Committee Report, I so move to continue district representation in Atlantic Beach as recommendation by the District Representation Committee, accepted by the City Commission, and approved by majority vote in the 2007 city-wide referendum that each commission member live in the district/precinct from which he or she runs and that the candidates be voted on citywide. The districts should be equal in population and to the degree possible should maintain the integrity of neighborhoods and communities of interest.

***Motion:*** Dawn Scott  
***Second:*** Bruce Andrews

Member Steve Swann confirmed the motion was to maintain the status quo. Member Ellen Golombek stated she feels what is in place is working and if you live in a particular area, you have a different perspective than if you don't. If we are to maintain the character of our community, you need to maintain district representation. Member Kirk Hansen is supportive of maintaining district representation. Member Mitch Reeves agreed and further noted the voting time was changed to coincide with COJ to increase voter turnout and to reduce costs. General discussion ensued regarding any changes to be made. Member Shaughnessy read information from the 2007 Committee report.

With no further discussion, Chairman Gulliford called for a vote; all were in favor of motion. Motion was approved.

|                                           |                   |
|-------------------------------------------|-------------------|
| <b><i>Bruce Andrews (Seconded By)</i></b> | <b><i>For</i></b> |
| <b><i>Debbie Buckland</i></b>             | <b><i>For</i></b> |
| <b><i>Charles "Chip" Drysdale</i></b>     | <b><i>For</i></b> |
| <b><i>Kelly Elmore</i></b>                | <b><i>For</i></b> |
| <b><i>Ellen Golombek</i></b>              | <b><i>For</i></b> |
| <b><i>William "Bill" Gulliford</i></b>    | <b><i>For</i></b> |
| <b><i>Kirk Hansen</i></b>                 | <b><i>For</i></b> |
| <b><i>Mitchell Reeves</i></b>             | <b><i>For</i></b> |
| <b><i>Suzanne Shaughnessy</i></b>         | <b><i>For</i></b> |
| <b><i>Jennifer Lagner</i></b>             | <b><i>For</i></b> |
| <b><i>Dawn Scott (Moved By)</i></b>       | <b><i>For</i></b> |
| <b><i>Steve Swann</i></b>                 | <b><i>For</i></b> |

***Motion passed 12 to 0.***

(There was a break from 7:48 to 7:53 p.m.)

Chairman Gulliford asked members if anyone had comments or wanted to discuss Sec. 4. There being no further discussion, Chairman Gulliford moved to agenda Items 3C May meeting topics.

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**3C. May meeting topics**

May meeting topics to include Article II, Sec. 6. - Qualifications and disqualifications;  
Sec. 7. – Salary; Sec. 8. - Presiding officer: Mayor.

**3D. May Meeting City Staff attendance requests**

Chairman Gulliford suggested out of courtesy to CA Gabriel, the CRC meet without the CA and any questions that arise be forwarded to him and answers presented at the next CRC meeting. Vice Chair Suzanne Shaughnessy suggested CA Gabriel attend meetings; Don Wolfson concurred as a way for the meetings to be more effective. Chairman Gulliford conceded and agreed to have CA Gabriel attend the next few CRC meetings but if not providing value, the CA will not be expected to attend.

Chairman Gulliford requested interim City Manager (CM) Joe Gerrity attend the start of meeting.

**4. ADJOURNMENT**

There being no further discussion, Chair Gulliford declared the meeting adjourned at 8:00 p.m.

Attest:

\_\_\_\_\_  
Jennifer Lagner, Secretary

\_\_\_\_\_  
William Gulliford, Chair

Date Approved: \_\_\_\_\_

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