

City of Fort Lauderdale

*City Hall
100 North Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov*



Meeting Minutes

Monday, October 15, 2018

12:00 PM

Joint Workshop with Charter Revision Board

City Commission Conference Room

CITY COMMISSION WORKSHOP

FORT LAUDERDALE CITY COMMISSION

***DEAN J. TRANTALIS Mayor - Commissioner
BEN SORENSEN Vice Mayor - Commissioner - District IV
HEATHER MORAITIS Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
ALAIN E. BOILEAU, City Attorney***

CALL TO ORDER

Mayor Trantalis called the Joint Workshop with the Charter Revision Board to order at 12:17 p.m.

ROLL CALL

Present: Commissioner Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie, Vice Mayor Ben Sorensen and Mayor Dean J. Trantalis

Charter Review Board Members: Chair Judith Stern (arrived at 12:23 p.m.), Charlotte E. Rodstrom, Desorae Giles-Smith and Jason King

Not Present: Wilson Atkinson

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst

OLD/NEW BUSINESS**BUS-1** [18-1137](#)

Comprehensive Discussion of City of Fort Lauderdale Election Process

Board Member Charlotte E. Rodstrom gave a summary of the election process, acknowledging new Charter Revision Board (CRB) Members and Commission Members. The CRB requests Commission direction on revising the election process.

Commissioner Glassman inquired about discussion of additional election items. Mayor Trantalis confirmed.

Mayor Trantalis discussed the February primary and March general election dates, and the current three-year election cycle. He also commented on the 2018 primary election date change made at the request of the Broward County Supervisor of Elections (SOE). The change was to allow sufficient time for the return of absentee ballots sent to overseas voters. Chair Judith Stern commented on similar situations in the past. Further discussions ensued on this topic.

Mayor Trantalis opened the floor for discussion on changing election dates. Board Member Rodstrom commented on changing election dates. Further comment and discussion ensued.

Chair Stern commented on allowing sufficient time between the primary election and March general election to comply with State requirements for the SOE. Chair Stern reviewed available options: keeping the March general election and moving the primary election from February to January; or moving the general election to November and holding an August primary election. The City is the only municipality in Broward County (County) that holds primary elections and there is no cost sharing.

Chair Stern said an August primary election could precede a November general election, commenting on the expense of a primary election.

Chair Stern discussed the current Ordinance governing campaign contributions, stating it does not allow corporate contributions. Further comment and discussion ensued on prior efforts to address this topic.

Mayor Trantalis discussed holding primary elections, stating a majority vote would result in the general election. Chair Stern expounded on details associated with general and primary elections. Further comment and discussion ensued.

Vice Mayor Sorensen commented on the cost burden associated with holding a primary election and a general election. He recommended eliminating primary elections, stating that plurality would win and there would be no fifty plus one requirement. Commissioner Glassman concurred. Commissioner McKinzie also concurred, explaining his reasoning and commenting on the extra cost involved with primary elections.

Mayor Trantalis commented on moving the general election date to November. Further comment and discussion ensued. Commissioner Moraitis discussed her position to continue with a March general election date. Commentary and discussion followed.

In response to Commissioner Glassman's question, City Manager Feldman confirmed that 20 out of 31 County municipalities hold November general elections. Further comment and discussion ensued on primary election costs and moving the election date.

In response to Vice Mayor Sorensen, Commissioner Moraitis confirmed her agreement to eliminate primary elections prior to the March general election. Commissioner Moraitis discussed her support for a general election in March and three-year terms for Commission members.

Vice Mayor Sorensen reiterated his position in support of a November

general election, commenting on having increased voter focus. Mayor Trantalis discussed his position, commenting on voter focus regarding local issues. Further comment and discussion ensued.

Commissioner McKinzie discussed his support of a November general election. Discussions ensued on the pros and cons. Chair Stern noted that early voting would be available with November general elections.

Discussions ensued on campaign contributions, its impact on new candidates and a past Ordinance change that reduced the maximum amount of personal contributions. Further commentary ensued on modifying the current Ordinance to reflect State and County limits on campaign contributions.

Chair Stern said the topic of campaign contributions is not addressed in the Charter. It is governed by Ordinance. Discussions ensued on the process to amend the current Ordinance.

Prior to moving forward, Mayor Trantalis requested City Attorney Alain Boileau draft a legal opinion on the Supreme Court's *Citizens United* decision regarding corporate and personal political campaign contributions and its impact on the City. City Attorney Boileau confirmed. There was a consensus on this request. Discussions ensued on how other municipalities address this topic.

Board Member Jason King commented on the proposal to accept corporate donations. Further comment and discussion ensued. Board Member Desorae Giles-Smith noted that a large portion of local municipalities follow State guidelines. Commissioner McKinzie recommended following State guidelines. Discussion ensued on accepting Political Action Committee (PAC) and corporate donations. Commissioner Glassman commented on State limits for a PAC, corporate and personal contributions. Chair Stern commented on previous efforts to mirror County policy.

Mayor Trantalis confirmed consensus of a \$1,000 maximum for individual and corporate political contributions, recommending a survey of how other large, adjacent municipalities address this point. He requested City Manager Feldman research this topic. Further comment and discussion ensued.

Commissioner Glassman commented on the need for better public education and discussion of all Charter revisions.

Discussions ensued on the changing election dates and staggering

terms of Commission members. In response to Vice Mayor Sorensen's question about the impact of changing the general election from March to November, Chair Stern confirmed the cost savings. Because of current three-year terms, there would be an off-year requiring an election. Board Member King commented on other off-year County elections. Chair Stern said off-year elections are held in March. Mayor Trantalis commented on the inconsistency in term lengths at the County and other cities. Further comment and discussion ensued. Chair Stern commented that no changes on this topic have occurred since 1984.

City Manager Feldman commented on a State House of Representatives Bill receiving increased support. It encourages local governments to implement four-year terms with March or November general election dates. Further comment and discussion ensued on four-year terms, term limits and election dates.

Commissioner Glassman confirmed his support of a November general election, commenting on the importance of engaging the public and cost savings. Commissioner McKinzie concurred. Comment and discussion ensued.

Board Member King discussed an August primary election prior to a November general election. Commissioner Moraitis discussed an August primary election with a November general election. She said if the general election remains in March, the primary election should be eliminated. Commissioner Moraitis commented on her concern with the large number of items on the ballot in a November general election.

Vice Mayor Sorensen reiterated his support for November general elections, citing the large amount of citizen engagement. Further comment and discussion ensued. Commissioner McKinzie suggested determining a consensus or majority.

Mayor Trantalis confirmed Commission consensus on the following:

Consistent with the County and State, increasing the maximum personal political campaign contribution to \$1,000;

City Attorney Boileau's preparation of a legal opinion on the impact of the Supreme Court's decision on *Citizens United*;

Mayor Trantalis confirmed a Commission majority on the following:

Acceptance of corporate contributions - maximum \$1,000 (Mayor Trantalis opposed); and

Eliminating election primaries (Mayor Trantalis and Commissioner Moraitis opposed);

November general elections (Mayor Trantalis and Commissioner Moraitis opposed); and

Three (3) four (4)-year terms for Commission Members (Mayor Trantalis opposed);

City Attorney Boileau requested confirmation that the majority only consists of Commission Members. This was confirmed.

In response to City Manager Feldman, Mayor Trantalis reconfirmed his request for Staff to survey corporate donation practices in surrounding municipalities.

Chair Stern left the meeting at 1:24 p.m.

Commissioner Glassman requested confirmation on the following points:

Reconciling the January primary; and

Charter modifications would appear on the March 2019 ballot;

Discussions followed on converting to November general elections and revised term lengths for Commission members. Discussions ensued on ways to abbreviate or extend current terms to accommodate the proposed three (3) four (4)-year terms. There was a consensus for Commissioner Glassman to focus on available alternatives to address this point.

Board Member Rodstrom suggested the option of a simple Charter change for the January primary. There was no discussion on this option.

ADJOURNMENT

Mayor Trantalis adjourned the Joint Workshop with the Charter Revision Board at 1:29 p.m.

City of Fort Lauderdale
Charter Revisions for Consideration

<u>Section - Title</u>	<u>Provision</u>	<u>Recommendation</u>
2.01 - Description of Corpotate Limits, et al.	“The following area shall constitute the corporate limits of the City of Fort Lauderdale: ...”	<p style="text-align: center;"><i>City Corporate Limits</i></p> <p>Ensure that the City’s legal boundaries are accurate and up to date; review is in progress.</p>
3.03 - Qualification of members; forfeiture of office, et al.	To be eligible to hold the office of city commissioner of the City of Fort Lauderdale, or to qualify for nomination or election as such, the candidate shall have resided in the City of Fort Lauderdale for six (6) months immediately preceding the date of the election, and shall reside in the commission district from which he <u>or she</u> seeks election ...	<p style="text-align: center;"><i>Gender Neutrality</i></p> <p>Replace all “he” and “his” references with “he or she”, “his or her”, “the individual”, “the person”, or other gender neutral references throughout the document.</p>
3.12 - Special meetings—How called.	The mayor, any two (2) members of the city commission, vice-mayor, or the city manager, may call special meetings of the city commission upon at least six (6) hours' written <u>or e-mail</u> notice to each member, the city manager, <u>city auditor</u> , city clerk, <u>and</u> city attorney and chief of police , served personally, <u>transmitted by e-mail</u> , or left at his <u>or her</u> usual place of residence. The call notice shall state the general purpose of the meeting....	<p style="text-align: center;"><i>Special Called Meetings</i></p> <p>Clarify who can call a meeting in that “any two (2) members of the city commission” may violate the State’s Sunshine Law. Add City Auditor to those receiving notice and provide for electronic notice of special meeting.</p>
4.02 - Compensation of officers and employees.	...The city commission shall by resolution fix the compensation of the city manager, <u>the city auditor</u> , <u>the city clerk</u> and the city attorney. All other officers and employees shall receive the compensation designated under the pay plan and rules and regulations of the civil service system or the applicable collective bargaining agreement.	<p style="text-align: center;"><i>Compensation of Charter Officers</i></p> <p>Add City Auditor and City Clerk to those officers whose salaries are set by resolution of the City Commission.</p>

City of Fort Lauderdale
Charter Revisions for Consideration

Section - Title	Provision	Recommendation
4.04 - Functions and duties of mayor-commissioner, et al.	The mayor-commissioner or, in his absence or disqualification, the vice-mayor or mayor pro tem, as the case may be, shall perform the following functions:	<p style="text-align: center;">Mayor Pro Tem</p> <p>Eliminate "mayor pro tem" reference.</p>
4.13 (a) - City clerk.	The city commission shall appoint a city clerk who shall be under the direction and supervision of the city commission and who shall hold office at the pleasure of the city commission. The duties of the city clerk shall be as set forth in section 2-83 of the city's Code of Ordinances. The compensation of the city clerk shall be established by the provisions of the city's pay plan.	<p style="text-align: center;">Compensation of City Clerk</p> <p>Eliminate or substitute recommended language of referenced Sec. 4.02.</p>
7.14 - Candidates for mayor-commissioner and city commissioner.	Sworn to and subscribed before me this _____ / _____ / _____ day of _____, 1920 _____, at _____ County, Florida.	<p style="text-align: center;">Candidate Oath Affidavit</p> <p>Update candidate oath affidavit to current century.</p>