

# City of Fort Lauderdale

*City Hall  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301  
[www.fortlauderdale.gov](http://www.fortlauderdale.gov)*



## Meeting Minutes

**Thursday, April 13, 2017**

**6:30 PM**

**Joint Workshop with Charter Revision Board**

**City Commission Conference Room**

## **CITY COMMISSION WORKSHOP**

***FORT LAUDERDALE CITY COMMISSION***

***JOHN P. "JACK" SEILER Mayor - Commissioner  
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I  
DEAN J. TRANTALIS - Commissioner - District II  
ROBERT L. McKINZIE - Commissioner - District III  
ROMNEY ROGERS - Commissioner - District IV***

***LEE R. FELDMAN, City Manager  
JOHN HERBST, City Auditor  
JEFFREY A. MODARELLI, City Clerk  
CYNTHIA A. EVERETT, City Attorney***

**ROLL CALL**

Present: 5 - Vice Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Robert L. McKinzie, Commissioner Romney Rogers, and Mayor John P. "Jack" Seiler

**QUORUM ESTABLISHED**

**Also Present:** Assistant City Manager Stanley Hawthorne, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett

**Charter Revision Committee Members:** Chair Judy Stern, Vice-Chair Ron Gunzburger, Wilson Atkinson, Desorae Giles-Smith, and Maria Del Rosario-Lescano

**CALL TO ORDER**

Mayor Seiler called the meeting to order at 6:37 p.m.

**No ecomments were submitted for this meeting****OLD BUSINESS****OB-1**    [17-0522](#)

Status Report - Charter Revision Board Chair, Judy Stern

Chair Judy Stern began the discussion stating that the language in the City Charter (Charter) has been in place since the 1980's and is in need of being updated. She also acknowledged the Charter Revision Board's (Board) input from the Office of the City Manager and the City Attorney's Office to address to the Charter.

Vice Chair Gunzburger gave a brief historical overview of previous Commissions' requests for the Board to update the Charter, stating the issues were too numerous to put on the ballot. He requested the Commission define the approach they would prefer the Board take on Charter revisions. Chair Stern acknowledged the support of the Commission.

Commissioner Trantalis said some modifications change the entire dynamic of the Charter and have never been discussed by the Commission. Mayor Seiler confirmed that none of the modifications had been vetted by the Commission. Vice Chair Gunzburger stated this was the reason the Board wished to slow the process in order to receive input from the Commission.

City Attorney Everett commented on Commissioner Trantalis's point, stating her recollection was that each Commissioner would speak to their Board appointees to give them an idea of what changes needed to be made. Additionally, the Commission requested the City Manager's Office and the City Attorney's Office to bring forth their recommendations. The purpose of this workshop is to hear the concerns and recommendations of all parties. Mayor Seiler confirmed the procedure stated by City Attorney Everett.

In response to Mayor Seiler's question, Chair Stern stated the Board has had an opportunity to consider the modifications. Mayor Seiler asked for input from both the Commission and the Board, acknowledging the need to update and streamline the Charter.

Vice Mayor Roberts stated he would like to see a more streamlined Charter to allow City operations to run more effectively and efficiently. He also recommended including something in the Charter requiring the Charter be reviewed every five years. Vice Mayor Roberts concurred with Vice Chair Gunzburger's recommendation to bring these items forward to the public at general meetings in order to further refine any changes put forward on a future ballot, suggesting the need for public input at different venues throughout the City. Mayor Seiler concurred.

Commissioner Trantalis stated he would like to review the recommendations to allow for discussion. Commissioner McKinzie concurred with Vice Mayor Roberts and Commissioner Trantalis's comments. Commissioner Rogers also agreed on the need for public input. He raised the issue of petitions from the public, specifically as it relates to the recent petitions from the public regarding public lands. He suggested the Commission hear from the public prior to spending a significant amount of time on modifications to the Charter.

Commissioner Trantalis recommended addressing clean-up issues. City Attorney Everett discussed ways in which language could be put on a future ballot to address changes to the Charter via an ordinance or resolution for changes that are not substantive in nature.

Mayor Seiler asked each Board member for their comments. Board member Wilson Atkinson stated he did not think the public has seen the recommendations, noting those he considered significant for discussion and the remainder being administrative. He said the City's legal boundaries should be updated to reflect accuracy. The other items Mr. Atkinson noted those that were substantive included:

- Changing the terms of the Commission from three to five years; and
- Staggering the election terms. (Discussions on mirroring what the City of Hollywood has done ensued.)

Board member Desorae Giles-Smith agreed some modifications were ministerial in nature and others were substantive, requiring discussion and a decision.

Board member Maria Del Rosario Lescano, Esq., confirmed some modifications were ministerial. Other sections related to powers and duties of certain offices and should be consistent with subsequently enacted ordinances.

Mayor Seiler asked the Board if there were any glaring issues in the Charter that should be addressed. He suggested several ways to address modifications to the Charter, acknowledging the need for transparency. Mayor Seiler also noted that the public may not have had an opportunity to review this workshop's agenda or backup due to the religious holidays.

Chair Stern expounded on the Board utilizing each member area of expertise to address the suggested substantive modifications to the Charter. Mr. Atkinson suggested the Board can do the ministerial clean-up work.

Mayor Seiler pointed out some issues that have confronted the Commission that should be addressed in the Charter including:

- The need for a clear petition process;
- The City election process;
- Compensation decisions; and
- Public Lands.

Mayor Seiler stated the format of this workshop would be for the attendee's to quickly review of the proposed modifications to the current Charter to determine if the recommended changes were substantive or ministerial in nature.

## NEW BUSINESS

### NB-1 [17-0523](#)

Overview - Senior Assistant City Attorney, Paul Bangel, Legal Advisor to the Charter Revision Board

Mayor Seiler asked Chair Stern how many of the recommended items

originated with the Board. Chair Stern deferred to Senior Assistant City Attorney Paul Bangel. Mr. Bangel stated none of the revisions were initiated by the Board. Additionally, some of the City Attorney's Office modifications overlapped with the modifications submitted by the City Manager's Office.

**NB-2**    [17-0524](#)**Proposed Charter Revisions**

The following recommendations were submitted by both the Office of City Manager and the Office of the City Attorney. Each section of the Charter items listed denotes the decision by the Commission and the Board as to whether the modifications are substantive or ministerial (clean-up) in nature. There were a total of 39 items that were substantive in nature and 12 items that were deemed ministerial. (Substantive items are noted in bold type.)

**City Manager Recommendations:**

- 2.01        Description of Corporate Limits, et al. - *Clean-up*
- 3.02        Creation, composition and term of commission. -  
***Substantive***
- 3.03        Qualifications of members, forfeiture of office, et al. -  
*Clean-up*
- 3.12        Special meetings - How called. - *Clean-up*
- 4.01(b)    Executive Officers - ***Substantive***
- 4.02        Compensation of officers and employees - *Clean-up*
- 4.04        Functions and duties of mayor-commissioner, et al. -  
*Clean-up*
- 4.05        City manager, appointment, qualifications, compensation -  
***Substantive***
- 4.06        Acting city manager upon resignation of or during absence or  
disability of city manager - ***Substantive***
- 4.07        Assistant to the city manager - ***Substantive***.
- 4.09(j)    Powers and duties - ***Substantive***
- 4.13 (a)    City Clerk - *Clean-up*

- 6.01 Civil service established, et al. - **Substantive**
- 7.07 General election, regular municipal election - **Substantive**
- 7.14 Candidates for mayor commissioner and city commissioner -  
*Clean-up*
- 8.01 Sale of personal property, procedures, public notice, et al. -  
**Substantive**
- 8.08 Leases of parking spaces in parking facilities owned or  
operated by the city - **Substantive**
- 8.09 Leases for more than one-year and not more than fifty years  
- **Substantive**
- 8.11 Sale of real property at Fort Lauderdale Executive Airport -  
**Substantive**
- 8.12 Lease of Shops in City Park Garage - **Substantive**
- 8.21 Disposing of public property - **Substantive**
- 9.05 Unencumbered balance at end of fiscal year - **Substantive**

**City Attorney's Office Recommendations:**

- 2.01 Description of corporate limits. - *Clean-up*
- 2.02 Greater Fort Lauderdale, West. - *Clean-up*
- 3.02 Creation, composition and term of commission. -  
**Substantive**
- 3.03 Qualification of members; forfeiture of office. - **Substantive**
- 3.08 Forfeiture of office. - **Substantive**
- 3.09 Organization meeting. - Neither substantive or clean-up
- 3.10 Special meeting to seat new member. - Neither substantive  
or clean-up
- 3.11 Regular meetings. - **Substantive**

- 3.12 Special meetings - How called. - **Substantive**
- 3.13 Meeting place; meetings to be public. - *Clean-up*
- 3.15 Initiative, petition for proposed ordinance. - **Substantive**
- 3.16 Circulating petition for an election. - **Substantive**
- 3.17 Commission required to take action. - **Substantive**
- 3.18 Time of holding election. - **Substantive**
- 3.19 Ballots - **Substantive**
- 3.20 Referendum elections. - **Substantive**
- 4.01 Executive officers. - **Substantive**
- 4.02 Compensation of officers and employees - *Neither*
- 4.06 Acting city manager - **Substantive**
- 4.07 Assistants to the city manager - **Substantive**
- 4.08 Removal or discharge - **Substantive**
- 4.10 City attorney; appointment qualifications; compensation - **Substantive**
- 4.11 Assistants to the city attorney. - **Substantive**
- 4.13 City clerk; appointment; compensation - *Clean-up*
- 4.14 City auditor appointment; qualifications; compensation - **Substantive**
- 6.02 Classified and non-classified service - **Substantive**
- 6.03 Status of present employees and offices - **Substantive**
- 8.02 Sale of public lands and of public property to public bodies - **Substantive**
- 8.09 Leases for more than one year and not more than fifty years - **Substantive**

8.13 Leases to civic and charitable organizations - **Substantive**

10.03 Public hearings and public notice - *Clean-up*

City Attorney Everett discussed the suggestion City Manager Feldman had previously raised in a previous conversation about having a Citizen's Bill of Rights that the Board may wish to consider including in the Charter. In response to Mayor Seiler's question, City Attorney Everett confirmed that Broward County has a Citizens Bill of Rights. Ms. Everett briefly describing what it contains. Further discussions continued on this topic.

Mayor Seiler asked the Board if there were any additional items in need of consideration. Chair Stern stated the hiring process of a Police Chief, allowing for consideration of hiring from within should be addressed. Vice Mayor Roberts stated the Charter is unclear on this and needs to be refined. Chair Stern stated she has the necessary data to address this matter with Staff.

Mayor Seiler discussed the Commission's timeframe moving forward, stating submittal for any ballot item would be May 2018 for a November 2018 or August 2018 ballot. Discussions continued on the necessary public hearings to have these issues on the February 2018 ballot. Commissioner Rogers discussed the need for the Board to determine if an educational campaign should occur before an election.

Vice Chair Gunzburger stated the Commission has the pulpit to reach the voters, commenting that the more informed voters are the ones likely to turn out in a local City election. He also discussed a pragmatic approach, stating if the clean-up can be done with an omni-bus ballot item, it would allow a large portion of clean-up issues to be addressed. Commissioner Rogers recommended having a segmented process to address the clean-up issues followed by addressing substantive issues at a later time.

Chair Stern asked City Clerk Modarelli to reach out the Supervisor of Elections Office to get the deadline dates for the February 2018, August 2018, and November 2018 ballots and notify the Board of the associated timeframes. There was a consensus that the clean-up items would be addressed during the primary or general City elections in February or March 2018.

City Attorney Everett gave an overview of the Broward County Citizen's Bill of Rights, stating it codifies aspects of good government. Mayor Seiler requested the Board determine if this would be



redundant. Commissioner Rogers commented on the public's perception of a sense of trust by including a Citizen's Bill of Rights on the ballot. Vice Chair Gunzburger commented on the need to have ballot items written in a clear and concise manner.

Mayor Seiler stated the ballot should include three or four prioritized items, one of which would be an item to address those sections of the Charter in need of clean-up.

City Auditor John Herbst suggested harmonizing the Charter language for the City Auditor and City Clerk's Offices with the City Manager's Office and the City Attorney's Office via an omni-bus item. Mayor Seiler suggested City Auditor Herbst meet with the City Attorney's Office to address harmonizing the language for all Charter Offices.

Vice Chair Gunzburger confirmed for Commissioner Trantalis that nothing in the Charter prevents Charter revisions to occur more frequently. The Board has the right to meet at any time. Commissioner Trantalis concurred with Commissioner Rogers's recommendation for including an education aspect to be more aggressive about informing the public of pertinent modifications to the Charter.

Mayor Seiler suggested scheduling an hour for public input at a Board meeting. Vice Chair Gunzburger suggested the Board honing down the issues to three or four in addition to the clean-up issues. Mayor Seiler recommended the Board, sitting as a body in the City Commission Chambers, meet and have public input on those specific items. He also noted inviting groups such as the Council of Civic Associations.

Chair Stern suggested including a public hearing notice on this issue with City utility bills. City Clerk Modarelli confirmed a detailed special notice could be put on the City website.

Mayor Seiler asked Chair Stern if the Board has any staffing needs. Chair Stern confirmed the Staff currently provided was adequate. Public meetings would happen in September 2017. Discussions ensued on upcoming deadlines and elections.

## **ADJOURNMENT**

There being no further business before the Charter Revision Board at the meeting on April 13, 2017, Mayor Seiler adjourned the meeting at 7:41 p.m.