

City of Fort Lauderdale

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



Meeting Minutes

Monday, October 23, 2017

6:00 PM

City Commission Meeting Room

CITY COMMISSION - SPECIAL MEETING

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***

Pledge of Allegiance

Sergeant at Arms Jaime Costas.

ROLL CALL

Present 4 - Commissioner Robert L. McKinzie, Vice Mayor Bruce G. Roberts,
Commissioner Dean J. Trantalis, and Mayor John P. "Jack" Seiler

Excused 1 - Commissioner Romney Rogers

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, City Auditor John Herbst, and Sergeant at Arms Jaime Costas

No e-comments were submitted for this meeting.

CALL TO ORDER

Mayor Seiler called the Special Commission Meeting to order at 6:04 p.m.

ORDINANCE SECOND READING

[17-1306](#)

Ordinance - 2018 Regular Triennial Municipal Primary Election - Modification of Date and Qualifying Period

Mayor Seiler announced this item is an Ordinance for the Second Reading and opened the public hearing.

Mayor Seiler recognized Carol Ann Bartholomey, 3000 Holiday Drive. Ms. Bartholomey commented on conversations with a municipal liaison from the Broward County Office of Supervisor of Elections (Supervisor) who acknowledged the Supervisor's Office is receiving new equipment and a rumor that this will impact the upcoming municipal primary date. She stated the municipal liaison said the reason for the date modification was due to the 45-day timeline between the primary and the general election for military personnel serving overseas ballots. Ms. Bartholomey commented on City Attorney Everett's legal opinion that this issue does not apply to municipalities. She stated there are two alternatives, seek another advisory opinion or filing a legal action to force the Supervisor to hold the primary on the date listed in the City Charter, February 13, 2018. Ms. Bartholomey further commented on changing City election dates.

Mayor Seiler and Commissioner Trantalis confirmed the Commission's position that they do not wish to alter the election dates. Further comments and discussions ensued. Mayor Seiler confirmed the change of election dates is due to the position of the Supervisor of Elections. Ms. Bartholomey said her remarks were to update the Commission on her inquiries regarding this matter.

Mayor Seiler recognized former Commissioner Charlotte Rodstrom, 66 Nurmi Drive. Commissioner Rodstrom discussed her concern about holding the election a day following the Martin Luther King national holiday. She explained the item's backup indicates the Supervisor's position was a recommendation to change the election date, not an instruction. Commissioner Rodstrom also commented that no representative from the Supervisor's Office has been present for the First or Second Reading of this Ordinance.

Mayor Seiler inquired if there were any further questions or public comments on this matter. There were none.

There being no one else wishing to speak on this item, Commissioner McKinzie made a motion to close the public hearing, which was seconded by Commissioner Trantalis. Roll call showed: AYES: Commissioner McKinzie, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None. Not Present: Commissioner Rogers.

In response to Mayor Seiler's request to comment on communications received from the Supervisor of Elections, City Attorney Cynthia Everett discussed her communications with the Supervisor of Elections legal counsel. These communications indicated the Supervisor of Elections could not conduct the municipal elections if the City adhered to the prescribed dates in its Charter. She also commented on communications between the Supervisor of Elections and City Clerk Modarelli. City Clerk Modarelli confirmed the Supervisor of Elections recommended the dates the City is proposing and comports with the law. A communication regarding this was included in the backup at a previous Commission Conference Meeting on this topic. Discussions ensued on written communications from the Supervisor's Office.

Commissioner Trantalis gave a review of previous discussions regarding the 45-day timeline for overseas ballots and the recalibration of election machines should a runoff be necessary. He also discussed the high-cost to the City to hold the election without the assistance of the Supervisor of Elections. Mayor Seiler stipulated these are the issues being voted on.

For the record, Mayor Seiler confirmed there was a letter from the Supervisor of Elections and their legal counsel on this issue dated September 22, 2018, quoting from a portion of this communication.

A copy of this correspondence is attached to these minutes.

Commissioner Trantalis introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

Aye: 4 - Commissioner McKinzie, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

Not Present: 1 - Commissioner Rogers

ADJOURNMENT

There being no further business before the City Commission at the Special Meeting of October 23, 2017, Mayor Seiler adjourned the meeting at 6:15 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk