

## **CHARTER REVIEW COMMITTEE MEETING MINUTES**

### **February 11, 2014**

The Charter Review Committee meeting was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on February 11, 2014 at 6:00 p.m.

**Members Present:** Danielle Daugherty, Steven Steve” W. Fussell, Ray Lewis, George “Mackie” McCabe, and Pam Washburn.

**Also Present:** City Attorney Scott Gerken, City Manager Gary La Venia, Mayor Chris Bell, Vice Mayor Al Goldberg, Commissioner Chris Cheshire, Community Development Director Charlie Rector, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:00 p.m. and the chair led in the Pledge of Allegiance to the flag.

**2. ROLL CALL**

The chair acknowledged that a quorum was present.

**3. APPROVAL OF MEETING MINUTES**

**On motion of Mr. Fussell, seconded by Ms. Washburn and unanimously carried, the committee approved the January 30, 2014 minutes as submitted.**

**4. CHARTER SECTIONS DISCUSSION AND DIRECTION**

The chair made references to the following documents which were submitted to the members and filed with the supplemental papers to the minutes of this meeting:

**Section 2.01., Description of Corporate Limits** - the map denoting the official city boundaries which is not current;

**Section 3.03., Election and Terms** - Ordinance 2006-006, and

**Subsection 3.05.(c), Filling Vacancies on City Commission** - Ordinance 2009-018.

Mr. La Venia mentioned that the members identify areas in the charter which needs to be updated and where change is merited.

In response, Mr. Gerken explained that the members may consider items again in the future; recognized the City of Fruitland Park Commission’s consideration of including the Charter Review Committee’s updates on its future meeting’s agenda, and stated that staff will report back to the committee on any issues raised by the commission at that time.

Ms. Washburn referred to “he” to “he/she” referenced in the body of the charter and suggested making changes to reflect gender/neutral throughout the document.

### **Section 3.11., Procedure**

In response to Ms. Daugherty's inquiry regarding Section 3.11., Procedure, Mr. Gerken noted the city commission's discretion to make housekeeping rules of procedure; other rules which the commission does not have the ability to avoid due to the restriction of the Florida Sunshine Laws which he addressed at the January 30, 2014 meeting, and his role to ensure that the commission's performance is consistent with the law.

### **Subsection 9.04.(a), Petitions**

After discussion, the chair referred to Subsection 9.04.(a), Petitions, and addressed the population in the percentage of qualified voters to which Mr. Gerken noted that the percentages are established by Florida Statutes.

### **Subsection 10.01.(b), Initiation by Petition**

With respect to Subsection 10.01(b), Initiation by Petition, Mr. Gerken discussed with the committee alternatives in initiating proposed charter amendments; namely, the city commission's ability to enact amendments by ordinance with approval by majority vote and if the commission chooses not to propose changes, the city's voting population's requirement of 10 percent to place issues on the ballot through the petition process. He mentioned that the initiation of the charter amendment procedure can be changed at a later period and over time.

## **5. REDISTRICTING DISCUSSION**

The committee addressed the need for a mechanism to change the district boundaries within the city due to the projected impact of residents in one district and another mechanism to redraw the districts based on population which will need to be readdressed again in the future.

Messrs. La Venia and Gerken described the process of utilizing an independent consultant to create districts using different strategies which is supported by law; the drawing of initial lines, and then the redrawing of lines again due to population shifts. After Mr. Gerken addressed the plan to review the placement of safeguards and limitations on redistricting, he recommended that the committee request that the city commission retain a consultant in that regard.

The committee discussed the group seats of the city commissioners and the mayor; the need to review a mechanism on how elected officials would be selected in the districts, and the elected officials' term limits and annual rotation of the position of the mayor.

After discussion and **on motion of Mr. Fussell, seconded by Mr. Lewis and unanimously carried, the committee approved authorizing the chair to give a presentation before the City of Fruitland Park Commission at its November 13, 2014 regular meeting on the committee's discussions and the need for a redistricting plan for the City of Fruitland Park for implementation,**

**and request that the city commission approve retaining a consultant with the authorization to the city manager to find out the costs.**

Following further deliberations, Mr. Gerken explained that he will review the percentage of each districts as well as the referendum and amendment provisions to determine methods of restricting charter change.

Mr. Gerken pointed out the previously passed state constitutional amendment that raised the requirement to increase the voting percentage which the committee could review; addressed his intent to research further, and noted that the majority of the requirement is included in state statutes. He addressed the municipalities' abilities, by utilizing their home-rule powers, to conduct local government services which are not preempted by statute or restricted by law.

**6. COMMITTEE MEMBER QUESTIONS/COMMENTS**

Mr. Fussell referred to his comments made at the January 30, 2014 meeting regarding the concept of transparency which he believes the charter is the best avenue to address same. He mentioned his plan to propose an amendment to the charter to make it one of the city commission's responsibilities to explain its ongoing activities to the citizens.

**7. STAFF COMMENTS**

Later in the meeting, Mr. Gerken addressed his intent to provide the committee members with the National Civic League's Charter Guide for Charter Commissions.

**8. PUBLIC COMMENTS**

Earlier in the meeting, the following people appeared before the committee voicing their input to the redistricting process:

Mses. Terry Parish and Rita Ranize, City of Fruitland Park residents,  
and Mr. Myron Waye, Lake County resident.

**9. NEW BUSINESS**

There was no new business to come before the committee at this time.

**10. UNFINISHED BUSINESS**

There was no unfinished business at this time.

**11. DATE OF NEXT MEETING**

After discussion, the Chair requested that the committee members review Articles I to III of the Charter for the next meeting and indicated that he will provide a report back to the committee regarding the city commission's recommendations.

The chair announced that the date of the next meeting will be held on Tuesday, February 25, 2014 at 6:00 p.m.

**12. ADJOURNMENT**

**There being no further business to come before the committee at this time, on motion made, seconded and unanimously carried, the meeting adjourned at 7:25 p.m.**

Signed   
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Esther B. Coulson, City Clerk

Signed   
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George "Mackie" McCabe, Chair