

CHARTER REVIEW COMMITTEE MEETING MINUTES

April 8, 2014

The Charter Review Committee meeting was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on April 8, 2014 at 6:00 p.m.

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

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

1. CALL TO ORDER, INVOCATION 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 declared a quorum present.

3. APPROVAL OF MEETING MINUTES

On motion of Mr. Fussell, seconded by Mr. Lewis and unanimously carried, the committee approved the March 25, 2014 minutes as submitted.

4. CHARTER SECTIONS DISCUSSION AND DIRECTION

The committee discussed the plan previously addressed to review the entire charter and consider the highlighting of same at this evening’s meeting as follows:

- CITY OF FRUITLAND PARK CHARTER

Later in the meeting, Mr. Lewis referred to references of “he” in the body of the charter and the suggestion made at a previous meeting to make changes to reflect gender/neutral throughout the document.

- ARTICLE III, LEGISLATIVE

Subsection 3.01., City Commission: Powers and Composition; Subsection 3.03., Election and Terms. and Subsection 3.07., Mayor

With respect to districting, the chair stated that depending upon the committee’s direction, the respective provisions relating to the election for a term of four years for the five commissioners’ and the mayor would have to be changed.

Subsection 3.16.(b), Certification and Recording; Codification; Printing

Depending on the committee’s direction, the language relating to codes of technical regulations and how the public obtain records from the city would need to be reviewed.

- ARTICLE IV., ADMINISTRATIVE
Subsection 4.03., Appointment and Term of Office of City Treasurer, City Clerk and City Attorney; Subsection 4.06.(b), Powers and Duties of the City Manager, and Subsection 4.07., Supervision of Departments

The chair recognized the need to review the charter officers' reporting requirements, the city manager's direction and supervision on the administration of all departments, and the city manager's role in directing all the city's day-to-day operations. He also noted the limited dollar amounts within the city manager's control with the variance of how to deal with same.

- ARTICLE V., CREATION OF DEPARTMENTS
Subsection 5.01., General Provisions

With respect to the establishment of city departments, Mr. Lewis referred to those created by charter.

Regarding the issue of transparency and after Mr. Fussell agreed that the possibility of a public relations department could be considered by the city commission, the chair suggested that the issue be eliminated from consideration.

- ARTICLE VI., FINANCIAL PROCEDURES
Subsection 6.07.(d), Limitations; Effective Date; Subsection 6.07., Amendments After Adoption

The committee referred to previous remarks on presenting items as a group in the form of a budget amendment resolution to which Mr. Gerken, in concurrence, explained does not require a charter change.

The committee agreed to the screening of amendments after adoption.

- ARTICLE VII., PLANNING AND ZONING

It was noted that the Planning and Zoning Board would be considered by the city commission.

- ARTICLE VIII., NOMINATIONS AND ELECTIONS
Subsection 8.01., City Elections; Subsection 8.02., Nominations, and Subsection 8.03., Form of Ballots, and Subsection 8.04., Elections

The chair recognized the committee's previous suggestions on at-large seats and the shorter process currently for run-off elections.

- ARTICLE IX., INITIATIVE AND REFERENDUM
Subsection 9.05(a), Certificate of Clerk; Subsection 9.06., Referendum Petitions; Suspension of Effect of Ordinance, and Subsection 9.09., Fee for Validation

After discussion, Mr. Gerken agreed to review the language under the subject article.

- ARTICLE X. MISCELLANEOUS PROVISIONS

Subsection 10.03.(a), Activities Prohibited and Subsection 10.03.(b), Prohibitions

After discussion, Mr. Gerken confirmed that the prohibitions are enforceable and questioned the significance of retaining an individual to prosecute.

Questions for the City Attorney

There were no questions to submit to Mr. Gerken at this time.

5. REDISTRICTING PLAN DISCUSSION

Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., addressed the redistricting plan educational process analyzing the location of residential structures.

(Ms. Daugherty left the meeting during the following discussion.)

Mr. Beliveau described finding a fair analysis of implementing four or five district lines with dividing factors of current and planned residential dwelling units; equal numbers of persons per household in the city (presently representing the highest population of younger individuals with children in Lake County), and the scenario of the future Villages' residents (showing lower counts of adult communities per household with residential restrictions).

By using comparative maps, Mr. Beliveau depicted the following scenarios on different versions of districts:

- **three districts** with The Villages (who has an expected voting rate of 80 to 90 percent) and the floating mayor elected at-large who can reside anywhere within the city's geographical boundaries which allows for city residents living within the:
 - o city to vote for the mayor's seat on the ballot;
 - o city's district boundaries to vote for the commissioner residing in the same district (constrictive), or
 - o city's district boundaries to vote for each elected official dwelling in their respective districts (liberal);
- **four districts** with The Villages and the floating mayor elected at-large with residents voting as previously shown above;
- **four districts** excluding The villages (with two elected officials currently residing within the same district) including the present floating mayor with tenure;
- **five districts** comprising of three districts within city limits, two separate districts for The Villages at built-out, and the mayor's seat allowing residents to vote for individual district commissioners and the mayor;
- **five districts**, without the mayor's seat, and two separate districts for the Villages, and

- **five districts**, with the option of the mayor as the floater and as an elected non-voting position.

In response to Mr. Beliveau's inquiry, the chair suggested focusing on the predicted projected growth of additional residents leading up to Lake Eller Road and the potential impact to the city within the next five years.

Mr. Gerken explained that the committee would be recommending a methodology or procedure for districting recognizing that over time of changing events, the districts will change.

Following extensive discussions, Mr. Beliveau addressed his plan to provide information showing scenarios on five districts prior to the next meeting.

The committee discussed with Mr. Gerken language addressing the establishment of detailed or general parameters and options in periodically conducting an analysis due to anticipated population changes and the U.S. 2020 Census to determine a district change in the process which ultimately could be included in the charter or approved by the city commission.

6. COMMITTEE MEMBER QUESTIONS/COMMENTS

There was no committee member questions or comments to submit at this time.

7. STAFF COMMENTS

There were no staff comments to submit at this time.

8. PUBLIC COMMENTS

There was no public comments before the committee at this time.

9. NEW BUSINESS

PUBLIC HEARING

Earlier in the meeting, the committee addressed the status and timeline of the committee's task and reviewed the following:

- **April 22, 2014, Meeting**

Highlight and complete the review of the different charter sections and consider recommendations on the respective language; invite Mr. Beliveau to present scenarios on the five districts, and approve the announcement in the April 2014 residents' water bills inviting the public's input on charter changes.

- **May 20, 2014, Public Hearing**

Hold an advertised public hearing for public input on amending the charter.

- **June 10, 2014, Meeting**

Submit committee recommendations to the city commission for consideration.

Mr. Gerken described the process involved before a concept or proposal from the committee in placing issues on the ballot or drafting an ordinance to be enacted by the city commission for consideration to be placed on the November 2014 ballot for the electors.

10. UNFINISHED BUSINESS

There was no unfinished business to address at this time.

11. DATE OF NEXT MEETING

PROPOSED CHANGES TO FUTURE MEETING DATES

After discussion and **by unanimous consent, the committee agreed with the following proposed changes to the meeting dates:**

- May 6 instead of May 13, 2014
- May 20 instead of May 27, 2014, and
- Commission Meeting Cancellations July 24, 2014 and August 14, 2014

After discussion, Mr. Fussell proffered a motion to hold the May 20, 2014 public hearing at the Casino Building.

Upon Mr. La Venia's comments noting that there will not be a recording system at the Casino Building, **a motion was made by Mr. Fussell and seconded by Ms. Washburn that the committee approve holding the May 20, 2014 public hearing at the Casino Building without a recording system.**

Following further discussion, **an amended motion was made by Mr. Fussell and seconded by Ms. Washburn that the committee approve holding the May 20, 2014 public hearing striking the venue from the Casino Building and changing the location to the City Commission Chambers which has a recording system.**

The chair called for a vote on the amended motion and declared it carried unanimously.

12. ADJOURNMENT

On motion made, seconded and unanimously carried, the meeting adjourned at 7:27 p.m.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
George "Mackie" McCabe, Chair