

CHARTER REVIEW COMMITTEE MEETING MINUTES

February 25, 2014

The Charter Review Committee meeting was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on February 25, 2014 at 6:00 p.m.

Members Present: Danielle Daugherty, Ray Lewis, George “Mackie” McCabe, and Pam Washburn.

Members Absent: Steven Steve” W. Fussell

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 and explained that Mr. Fussell will be absent from this evening’s meeting.

3. APPROVAL OF MEETING MINUTES

Later in the meeting and **on motion of Mr. Lewis, seconded by Ms. Washburn and unanimously carried, the committee approved the February 11, 2014 minutes as submitted.**

4. CHARTER SECTIONS DISCUSSION AND DIRECTION

Earlier in the meeting, the chair referred to the City of Fruitland Park Commission’s approval at its February 13, 2014 meeting to retain a consultant and conveyed that their comments, at his request, was provided which will be reviewed in sections by the committee. He addressed his intent to reappear before the commission at its regular meeting scheduled for February 27, 2014 to receive the commission’s input.

(a) Article I., Creation and Powers

Mr. Gerken referred to his comments made at the February 11, 2014 committee meeting on the city’s home-rule power which has the ability to run its business with the exception of the constitution and other laws.

(b) Article II., Corporate Limits

After discussion, the chair encouraged the members to review the Guide for Charter Commissions by the National Civic League previously addressed by Mr. Gerken at the February 11, 2014 committee meeting and subsequently provided to the committee members.

The chair referred to the February 14, 2014 email from Mr. Rick Ranize, City of Fruitland Park resident, regarding his opinions that residents ought to vote against districts first at no cost to the city and the committee request that the commission draft the referendum to change at-large voting to district-voting for the ballot. The chair confirmed that he has not spoken to Mr. Ranize; relayed the commission's request that the committee submit its suggestions to the commission who would make a determination as to whether language would be placed on the ballot. The chair referred to the committee's directive and noted its task to have the opportunity to address the issue.

In response to a question posed by Mr. Paul Cruz, City of Fruitland Park resident, regarding the suggestion of five districts, the chair explained that the committee has not yet addressed the issue or made any suggestions.

Mr. Lewis mentioned the committee's intent to consider the issue; explore the idea and options presented on how districts would be divided, and make a recommendation to the commission on the committee's conclusion.

(c) Article III., Legislative
Section 3.02. Qualifications.

The chair explained that the length of time a city resident would be able to run for commission is currently one year.

Mr. Gerken explained that he has recently conducted a study and noted attempts previously made by municipalities. He referred to ruling of the supreme court and the opinion from the Attorney General's Office that one year is reasonable.

Section 3.03. Election and Terms and Section 3.07. Mayor

After discussion, the chair stated that if the city decides to change to districts on the term of four years, the committee's decision about the mayor would have to be changed.

5. REDISTRICTING PLAN DISCUSSION

Following extensive deliberations, reference was made to the committee's actions at its February 11, 2014 meeting to recommend to the commission the retention of a consultant on the redistricting plan.

The chair relayed discussions he had with an individual on the redistricting process performed for Sumter County and the City of Wildwood and stressed the importance for the committee to retain a consultant to assist the committee.

Mr. La Venia identified a consultant for the redistricting plan, who is currently the City of Fruitland Park's planner; described the consultant's experience and background with other local governmental entities, and indicated that a price has been attained. He explained that he reached out to the Florida Institute of Government and relayed that they

explained that he reached out to the Florida Institute of Government and relayed that they are not interested; however, their staff reviewed and researched the city's charter as a courtesy who determined that it is in good shape.

Mr. La Venia concurred with the chair's request that with the committee's acceptance, he will communicate with the commission.

After much discussion, the chair explained that he will attend the February 27, 2014 regular commission meeting and report back to the committee.

In response to the chair's request, staff agreed to provide a copy of a map reflecting the layout of the city limit sewer lines with a long term plan from the city's engineering firm.

6. COMMITTEE MEMBER QUESTIONS/COMMENTS

The chair addressed the plan to review at the next meeting the following charter sections:

- Article IV., Administrative;
- Article V., Creation of Departments;
- Article VI., Financial Procedures, and
- Article VII., Planning and Zoning Board

The chair indicated that the charter sections below will be reviewed at the March 25, 2014 committee meeting:

- Article VIII., Nominations and Elections;
- Article IX., Initiative and Referendum;
- Article X., Miscellaneous Provisions, and
- Article XI., Transition Schedule

7. STAFF COMMENTS

Subsection 10.01.(a), Initiation by Petition

Mr. Gerken reported that he checked the ten percent (10%) voting population requirement and explained that it is statutory and cannot be changed.

Subsection 9.04.(a), Petitions

With respect to the population in the percentage of qualified voters, Mr. Gerken reported that the fifteen percent (15%) referendum is not statutory, currently addressed in the charter; indicated that it is not recommended to raise same, and explained that it is easier to amend the charter than to initiate a referendum and change the ordinance.

Mr. Gerken referred to the committee's discussion, at its February 11, 2014 meeting, regarding districting by population or voters; explained that it is by population which will have some affect with the committee by the dynamics it would be dealing with. He explained that the University of Florida (Bureau of Economic and Business Research) produces Florida Estimates of Population that the committee could use.

8. PUBLIC COMMENTS

Mayor Bell explained that Mr. La Venia accompanied him at the Lake County Board of County Commissioners earlier this day who took action on advertising public hearings on the following corridors and described the phases involved:

- **Pine Ridge Dairy Road #5603**
vacate and cease maintenance on a portion of county maintained Pine Ridge Dairy Road #5603.
- **CR 466A ROW**
vacate a portion of right-of-way along the old alignment of CR 466A in the Fruitland Park area.

Mayor Bell addressed his plan to report to the city commission that he recently went to Tallahassee with Lake County District 1 Board of County Commissioner Timothy Sullivan; Messrs. Jim Stivender, Jr., Lake County Public Works Director, and T. J. Fish Lake County Metropolitan Planning Organization's Executive Director, who supported the US 466A corridor at the Transportation Committee. He announced the year 2014/15 to be the anticipated date of construction, and described the phases involved.

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

The chair announced that the date of the next meeting will be held on Tuesday, March 11, 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 7:20 p.m.

Signed _____

Esther B. Coulson, City Clerk

Signed _____

George "Mackie" McCabe, Chair