

**CHARTER REVISION BOARD MINUTES**  
**City of Fort Lauderdale**  
**100 North Andrews Avenue**  
**8th Floor - Cafeteria**  
**Monday, February 23, 2004 – 4:00 p.m.**

	Meeting Attendance	Cumulative Attendance	
		Present	Absent
Chair Dan Lewis	P	2	0
James D. Camp	P	2	0
Chris Fertig	A	1	1
John M. Milledge	P	2	0
Ron Gunzburger	P	2	0

City Staff in Attendance

Commissioner Cindy Hutchinson  
 Alan Silva, Acting City Manager  
 Harry Stewart, City Attorney  
 Steven Chapman, Finance Department  
 Leslie Backus, Director of Communications  
 Phil Thornburg, Parks Superintendent  
 Kathleen Connor, Parks Supervisor  
 Jeff Modarelli, Assistant City Clerk  
 Lisa Edmondson, Recording Clerk

**1. Approve Minutes from February 9, 2004 Meeting**

*Motion made by Mr. Camp, seconded by Mr. Gunzburger, to approve the minutes of the February 9, 2004 meeting. In a voice vote, the motion passed unanimously.*

Mr. Gunzburger inquired regarding the legality of the previous meeting of the Charter Revision Board. Mr. Stewart stated that the meeting had met the requirements of the Sunshine Law; he had sent a memo to the City Commission advising of same.

**2. Outreach Schedule**

Chair Lewis stated that, based on suggestions from Mr. Boyd, he had asked Ms. Pamela Adams to assist in their community outreach efforts.

Mr. Gunzburger thanked Ms. Ellis for her assistance.

There was lengthy discussion regarding a proposed schedule for public input meetings with the Charter Revision Board, accommodating staff, the Board, and the Council of Homeowner

Association schedules. There was also concern regarding locating the meetings to ensure maximum public attendance.

Mr. Boyd stressed the need for minority resident participation.

Chair Lewis requested that Ms. Adams work with Ms. Ellis regarding meeting locations, and encouraged residents from all Districts to attend any of the meetings. He also suggested that the Board speak with the business community to obtain their input. Chair Lewis remarked if there was a group or neighborhood that would like to meet with the Board, he would be willing to attend – in the hopes of maintaining an evenhanded and open outreach effort.

*Motion made by Mr. Gunzburger, seconded by Mr. Camp to hold the public input meetings on March 1<sup>st</sup> at City Hall, March 15<sup>th</sup> at a location to be determined by Chair Lewis, and March 29<sup>th</sup>, 2004 at the Beach Community Center, advertised as “public outreach meeting of the Charter Revision Board,” striking references to individual Districts. In a voice vote, the motion passed unanimously.*

### **3. Public Relations**

Mr. Gunzburger, referring to a memorandum from Kevin Boyd dated 2/23/04, re: City Charter Review Board Outreach, suggested that the Urban League and Gay & Lesbian Community Center be added.

Ms. Adams expressed concern regarding the public’s basic knowledge of the City Charter and the need to provide directive guidance, literature, or information.

Ms. Leslie Backus stated that there would be a link on the City’s web site providing access to the Charter in PDF format. Mr. Gunzburger advised there would be a City e-mail address available for public comment and input.

Mr. Lewis suggested putting together an outline of potential issues, although he did not want to advance a slate of specific issues or state a position until the outreach program had been completed.

Ms. Adams felt a power point type of presentation defining the Charter would be helpful in providing educational information. Chair Lewis asked Ms. Adams to assist in preparation of a presentation.

Mr. Boyd, in a memo dated 2/23/04 re: Draft of Proposed Description of City Charter and Review Board, provided draft paragraphs explaining the Charter and the purpose of the Board. Mr. Gunzburger proposed adding, “The Charter is to the City of Fort Lauderdale what the Constitution is to the United States government” – citing it as the basic foundational document of City government, but not all the laws that are carried out. Mr. Stewart agreed the language in the

memo was a start, opining that the Charter is a document that grants specific powers and privileges to the government from the people.

***Motion** made by Mr. Milledge, seconded by Mr. Gunzburger, requesting the City Attorney modify the language in Mr. Boyd's memorandum into "simple English" to use at public meetings. In a voice vote, the motion passed unanimously.*

Chair Lewis asked for Mr. Boyd's assistance in working with Ms. Backus to contact local media and requested that Ms. Backus provide the Board with clips of any newspaper stories pertaining to Charter issues.

Mr. Boyd recommended writing a letter to the editor explaining the purpose and oversight of the Board. Mr. Milledge agreed to handle that responsibility.

#### **4. Web Access**

***Motion** made by Mr. Gunzburger, seconded by Mr. Camp, to approve implementing a Charter web page with a link to the City's Home Page. In a voice vote, the motion passed unanimously.*

#### **5. Property Appraiser's List of Lands Owned by City**

Mr. Gunzburger stated that he had just obtained the list showing 800 parcels of property on the tax rolls owned by the City.

#### **6. Disposing of Public Property**

Mr. Stewart provided a memorandum to the Board with his proposed amendment to Article VIII, Section 8/21.

Mr. Gunzburger suggested adding, "...radius of the parcel sold or exchanged *and said parcel acquired shall be used for park or open space purposes.*"

Mr. Phil Thornberg provided a definition for different classifications of parks, as well as a map showing park planning districts. He explained that in lieu of Citywide or District planning, they are focusing on park planning areas defined by street or roadway boundaries. Mr. Thornberg stated that they consider "open space" as parks. However, Ms. Kathy Connor advised that there are vacant lots in neighborhood areas being used as open space which are not classified as "parks" due to right-of-way or property vacation problems. Fort Lauderdale Executive Airport has special zoning and is not considered park property. Public schools are listed as park space but the acreage is not counted unless the City has a signed agreement with the school. Special use parks (single use) are classified differently than regular parks. There are no "nature" parks yet within City boundaries.

## **7. New Business**

Chair Lewis stated he reread the Charter and in lieu of changing policy, they could “simplify and clarify” the language, indicating there were several sections with redundant and sloppy language. He suggested outlining and identifying grammatical and technical changes as opposed to policy considerations, i.e., common language definitions, state law issues, and the citizen initiative. He asked Mr. Stewart if a certified copy of the Charter was available. Mr. Stewart stated that their copy is the one provided by Municode, which has a contract with the City to provide the Code of Ordinance and printing of the Charter. He did not know who could certify a copy of the Charter. Chair Lewis was concerned that the Board could be working with an incomplete or incorrect document. Mr. Stewart indicated that, to his knowledge, no one had checked each section, ordinance, or referendum to certify that the language is precise. Mr. Gunzburger asked how they would know if all the changes had been correctly reflected in the document. Mr. Stewart replied that he had a compilation received from Municode which is the information they use in formulating the Charter.

Mr. Gunzburger emphasized that they should move forward with community input prior to discussing specific Charter provisions. Chair Lewis stated they needed to find a “beginning point.”

Chair Lewis asked that the City Commission certify the Charter in order to have a legal basis for the Board to move forward.

Mr. Silva agreed that if they were not planning to revise the entire Charter, then there might be valid concerns. He also mentioned the Appendix which is not part of, but should be read in conjunction with the Charter, asking the legal status of the Appendix as part of the Charter. Mr. Stewart stated that the appendices consist of special acts included in the Charter; however, Mr. Silva asked if as part of their revision those appendices could be changed. Mr. Stewart opined that changes could be made. Mr. Camp pointed out that in Appendix B, there was language stating, “This is not a part of the City Charter.” However, Mr. Stewart stated it is still controlling from the standpoint of being a special act which had not been amended or superceded and is referenced in the Charter as a “body of the Charter” although not the Charter itself.

Mr. Gunzburger pointed out that whether it is a special act or appendix, if the Board ultimately produces a basic document, a new Charter would be approved in its entirety by vote.

Mr. Milledge suggested that, due to time constraints, only policy issues should be reviewed. Chair Lewis pointed out that consideration should be given to technical problems with provision wording. Mr. Milledge suggested having a brainstorming session with Mr. Stewart focusing solely on those technical issues.

Mr. Silva, with regard to the Appendix, stated that it was all legislation included in the prior Charter and there may be disagreement as to whether the people in a home rule charter can change those provisions.

Mr. Stewart explained that most charters have conditions for amendment; however, the City's Charter has no such provisions. The Charter Revision Board was established per the City's Code of Ordinances and State law. Chair Lewis noted that the public could petition for Charter changes without action from the Board or the City Commission.

The sole item on the agenda for the next meeting will be public participation and input.

## **8. Adjourn**

There being no further business before the Board, the meeting was adjourned at 5:30 p.m.

### Handouts:

1. Charter Revision Board meeting schedules.
2. Memorandum from Kevin Boyd dated 2/23/04, Re: City Charter Review Board Outreach.
3. Memorandum from Kevin Boyd dated 2/23/04 Re: Draft of Proposed Description Of City Charter and Review Board,
4. Memorandum from Mr. Stewart dated 2/18/04 re: Charter of the City of Fort Lauderdale, Article VIII, Public Property.
5. Charter Revision Board, Sec. 2-231. Established; term; compensation; duties.

Approved:

CHARTER REVISION BOARD

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Dan Lewis, Chair

Attest:

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Lisa Edmondson  
Recording Clerk