

**CHARTER REVISION BOARD MINUTES  
CITY OF FORT LAUDERDALE  
June 3, 2010**

The meeting was called to order at 5:31 p.m. on the above date by Chairman Ketcham in the City Commission Meeting Room of City Hall.

Roll call showed:

Present: Mark E. Ketcham, Chair  
Alain Jean (arrived at 5:35 p.m.)  
Maria Del Rosario Lescano  
Judy Stern

Also Present: John Herbst, City Auditor  
Lynda Flynn, Acting Finance Director  
Jonda K. Joseph, City Clerk  
Harry A. Stewart, City Attorney

Absent: E. Clay Shaw

**1. Approve minutes – May 6, 2010**

**Motion** made by Ms. Lescano and seconded by Ms. Stern to approve the minutes of the May 6, 2010 meeting as submitted. Roll call showed: YEAS: Members Lescano, Stern and Chairman Ketcham. NAYS: None.

**2. Discuss any amendment to Charter suggested by Board members**

An ordinance of the City of Fort Lauderdale, Florida, amending the Charter of the City of Fort Lauderdale, Florida, providing for the sale of **(surplus)** real property for affordable housing or economic development purposes; **(requiring a four-fifths (4/5) vote to approve such sale) or (unanimous)**; providing for approval by the electors; and providing for severability, repeal of conflicting ordinance provisions, and an effective date

The City Attorney indicated the language in bold are those areas where the City Commission raised questions. He highlighted the Commission's discussion on these points. Vice Mayor Rogers had wanted the language to be real property acquired for the purpose of affordable housing or economic development, however, the City acquires property through a number of means that it may want to use for those purposes. For example, with failure to pay taxes, it escheats to the county and if it is in a municipality, it must be signed over to the municipality. In that case, the property is not acquired for a particular purpose. He recommended surplus be added. The Commission is uncomfortable with a vote of three members to sell property. He recommended four-fifth or unanimous vote. Ms. Stern believed that prior sale of property for park and open space led to this concern. She thought the Commission was thinking a unanimous vote would be better. She recommended unanimous. The City Auditor raised the point of personality conflicts between commissioners that could preclude anything being done. The City Attorney responded to Chairman Ketcham's question that sale of any City property dedicated as a park requires a unanimous vote. Chairman Ketcham preferred

a four-fifths vote as he could see the potential of one commissioner preventing something from going forward. The City Attorney agreed with the City Auditor, but indicated there were at least two members of the Commission who preferred unanimous. In response to Ms. Lescano, the City Attorney advised that the Commission would have to make a determination that a property was surplus and not needed. In this context, it would be found not needed based upon current planning; the City usually plans in five-year increments. The City Auditor explained that the economic development aspect drove this issue. The City has an impediment with respect to community development block grants being used for commercial development. The amendment would allow the City to address federal grants intended for economic development purposes. He raised the idea of removing reference to economic development. The City Attorney thought the Commission would be interested in knowing the board's recommendation on the vote.

**Motion** offered by Ms. Lescano and seconded by Mr. Jean, to recommend the word, surplus, be added to the proposed ordinance, carried unanimously.

**Motion** offered by Ms. Stern and seconded by Ms. Lescano, to recommend unanimous vote, failed by a vote of 2-2, with Mr. Jean and Chairman Ketcham voting no.

3. **Public input** - none

4. **Issues for future agendas**

Chairman Ketcham raised the question of future meetings in view of the next election following the upcoming election this fall. Ms. Stern thought the board should have a conference meeting with the City Commission and the new administration to discuss goals. Chairman Ketcham thought the communication channels between the board members the Commission are open, but he was concerned about citizens who want to present a proposed charter change. However, he did not want to meet each month and wait for someone to come forward. He asked if a letter to the City Attorney, requesting time to present a proposal to the board would serve to activate the board to meet. The City Attorney thought the board could meet at the direction of the City Commission or the call of the chair. Receipt of a letter would be acceptable. There was consensus approval.

5. **Old business** - none

6. **New business** - none

There being no other matters to come before the board, the meeting was adjourned at 5:48 p.m.