

**CHARTER REVISION BOARD MINUTES
CITY OF FORT LAUDERDALE
June 2, 2011**

The meeting was called to order at 5:34 p.m. on the above date by Ms. Lescano, chairperson pro tem in the City Commission Meeting Room of City Hall.

Roll call showed:

Present: Rochelle Golub
Alain Jean (arrived shortly after roll call)
Maria Del Rosario Lescano
Judy Stern

Also Present: Douglas R. Wood, Finance Director
Jonda K. Joseph, City Clerk
Harry A. Stewart, City Attorney

Absent: E. Clay Shaw

1. Approve minutes – June 3, 2010

With a motion made by Ms. Stern, the June 3, 2010 meeting minutes were approved as submitted by unanimous vote.

2. Elect officers for 2011-2012

Ms. Stern was elected chair and Ms. Lescano was elected vice chair, both by unanimous vote.

3. Discuss ballot for March 2012 municipal election

The City Attorney explained he thought information would be available on this matter by this time, but that has not occurred. Ordinarily one of the City's primary and general municipal elections in February and March of 2012 would be held with the presidential preference primary. The legislature has appointed a committee to resolve the issue of a date for the presidential preference primary, which will hopefully occur in October. The charter does not need to be amended in order to re-set the elections to comport with the Supervisor of Elections' schedule. This matter will be resolved once that date is set.

Chair person Stern asked about future elections and potential cost savings. The City Attorney explained a charter amendment would be necessary in order to move the elections to November because pursuant to statute, municipalities holding elections in November cannot have a primary. The City's charter requires a primary.

5. Discuss any amendment to Charter suggested by Board Members

Ms. Golub advised that she was approached by the Fort Lauderdale Council of Civic Associations to raise the idea of an amendment, providing for the City Manager and City Commission to be obligated to abide by plans and studies that are adopted by the City Commission. This is something that could be accomplished by an addition to the charter

or by ordinance. Chair person Stern suggested the idea be discussed at a joint meeting with the Commission along with any other items.

Communication to City Commission

There was unanimous consensus to request a joint workshop with the City Commission to discuss the Fort Lauderdale Council of Civic Associations' idea of amending the charter to obligate the City Manager and City Commission to abide by plans and studies that are adopted by the City Commission, and to discuss any concerns of the City Commission as well.

4. Discuss the subject of implementing Charter Schools in the City

In response to Chair person Stern, the City Attorney explained that the Commission has requested a recommendation on charter schools from the Education Advisory Board. This item was simply listed on the agenda in anticipation of possibly needing a charter amendment. However, he did not believe anything has come forward from the Education Advisory Board.

Chair person Stern opened the floor for public comment.

Fran Klauber advised that Charles Webster is the liaison to the Education Advisory Board. She offered some insight about this topic in other cities (Pembroke Pines and North Lauderdale). Chair person Stern thought it would be helpful to know the statistics on under enrolled schools in Fort Lauderdale and FCAT scores. She asked Ms. Klauber to furnish this information that could be provided to the Commission. In response to Chair person Stern, the City Attorney indicated that launching of charter schools would require significant changes to the charter. Ms. Klauber elaborated upon the questions that would need to be addressed.

Tricia Halliday, a member of the Education Advisory Board, indicated she is speaking as a resident. Charter schools were discussed very briefly by the board, but no conclusion was reached. She was concerned about funds being taken away from the City's magnet programs for any potential charter schools.

Ms. Golub concluded that this issue is moot for this board unless and until the Commission directs otherwise.

In response to Ms. Lescano, Ms. Halliday believed that the topic of charter schools remains an item on the board's agenda for this coming month and agreed to provide the date of the next board meeting.

5. Discuss any amendment to Charter suggested by Board Members

REDISTRICTING -- In response to Chair person Stern, the City Attorney advised that the redistricting will be done by ordinance. The charter requires it to be done after every census on the basis of population. His office is preparing to meet with Mayor Seiler as to whether it could be accomplished inhouse or a consultant retained. Information is being collected from the Census Bureau and the Supervisor of Elections. He anticipated information going to the Commission within the next month. It is not mandatory to be completed by the next election. He outlined the timeline that occurred in 2002. If the

same period of time is used for this redistricting, it will miss the 2012 election. Chair person Stern thought the timing is different for the City because it is not part of that election cycle.

8. Old business

BAHIA MAR -- Ms. Golub asked about the charter provision concerning lease of the Bahia Mar property and LXR's request to extend the lease beyond fifty years. The City Attorney explained the applicable charter provisions and LXR's proposal of two, fifty-year leases. He noted that the zoning will be considered on June 7. The lease will be negotiated based upon approval of the zoning. There will be two conditions: leases and a developer's agreement. The dilemma has been negotiating a lease without knowing what value is being given with additional development rights. They are not willing to pay more (in the lease) without more development rights, but the City is not willing to grant more development rights without more money. He responded to Chair person Stern's question about examples of items for negotiation and terms of the lease he has proposed. There are fifty-two years remaining on the current lease. He also discussed Section 8.06 of the Charter and how it applies.

SALE OF SURPLUS PROPERTY FOR AFFORDABLE HOUSING OR ECONOMIC DEVELOPMENT PURPOSES -- The City Attorney advised that the last Charter Revision Board recommended a charter amendment that never went to the electorate because of the cost. The amendment will be on the upcoming primary or general election. The ordinance was prepared but was not presented because the election dates are unknown. The Commission approved the amendment question, but did not set the election date.

Gene Groves, Real Estate Officer of Housing and Community Development Division, indicated that the Housing and Community Development Division is in the business of providing affordable housing. Because much of the U.S. Housing and Urban Development Department (HUD) and state funding is budgeted for affordable, he asked how that would affect reference to surplus in the City's ordinance. He suggested that the term, surplus, be deleted or adding, and other lands, so that properties purchased by the City for the specific purpose of affordable housing would not have to be declared surplus. Perhaps at the time of acquisition, there could be a resolution so designating the property and then a second resolution seeking approval for transfer from the City to the buyer. There were other small issues they hoped could be examined. The City Attorney clarified by reading from the (DRAFT) ordinance indicating such sale or transfer shall be made upon such terms and conditions as the Commission shall by resolution determine. It is limited to affordable housing. In response to Mr. Groves, the City Attorney explained if property is purchased for affordable housing, using HUD funds, the City is simply a transfer agent; it is not treated as City property. Mr. Groves discussed their limitations in transferring the property to a first-time homebuyer. The only method of getting City properties conveyed from the City to another party currently is to declare them surplus. The City Attorney suggested he put his proposal in written form which could be considered when the ordinance comes forward at that time. Mr. Groves urged this question be on the March 2012 ballot.

In response to Chair person Stern, the City Clerk advised for a stand alone election for the four districts with or without a mayoral race would be the same cost, in the range of \$400,000 and considerably less if the City joins with the County.

9. **New business** - none

There being no other matters to come before the board, the meeting was adjourned at 6:20 p.m.