



CITY OF FORT LAUDERDALE

**APPROVED
MEETING MINUTES
CITY OF FORT LAUDERDALE
CHARTER REVISION BOARD
100 NORTH ANDREWS AVENUE
THURSDAY, MARCH 2, 2023 – 5:30 P.M.**

**Cumulative Attendance
January-December 2023**

Judith Stern, Chair	P	2	0
Christopher Fertig, Vice Chair	P	2	0
Harrison Grandwilliams	P	1	0
Ben Sorensen	P	2	0
Richard Weiss	P	2	0

Staff

Junia J. Robinson, Assistant Neighbor Support Manager, MPA
Greg Chavarria, City Manager
Paul Bangel, Assistant City Attorney
David Solomon, City Clerk (via Zoom)
Patrick Reilly, City Auditor
Jamie Opperlee, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Stern called the meeting to order at 5:30 p.m.

Chair Stern advised that Governmental Affairs and Economic Development Manager Daphnee Sainvil was unable to attend tonight’s meeting. She explained that Ms. Sainvil would be able to give the Board a clearer picture of activity in the State Legislature and keep them apprised of changes at the state level.

II. NEW BOARD MEMBER INTRODUCTION

New Board member Harrison Grandwilliams introduced himself at this time.

III. DETERMINATION OF QUORUM

The Chair noted a quorum was present at the meeting.

The following Items were taken out of order on the Agenda.

VI. PUBLIC INPUT

Chair Stern recalled that at the February 2, 2023 meeting, the Board had discussed making recommendations to the City Commissioners and addressing their District meetings so the public can remain informed and provide input. She noted that representatives of the Council of Fort Lauderdale Civic Association were present at tonight's meeting, as well as a representative of the Central Beach Alliance.

At this time Chair Stern opened public comment. As there were no individuals wishing to speak at this time, the Chair closed public comment and brought the discussion back to the Board.

VII. CHARTER REVISION DISCUSSION

Chair Stern noted that the different members of the Board have specific areas of expertise that they can bring to the Charter revision discussion. She asked if Mr. Grandwilliams was able to review the Charter prior to tonight's meeting. Mr. Grandwilliams advised that he did not have anything to add to the Agenda at this time.

Vice Chair Fertig stated that he had received a revised list of Charter Sections suggested for revision, and wished to add some additional sections for future discussion. These included the following:

- Section 3.04
- Section 3.09
- Section 3.10
- Section 8.09
- Section 8.21

Assistant City Attorney Paul Bangel advised that at least one of these sections was included on a conflict list that he had prepared.

Chair Stern recalled that some of the items suggested for revision were not addressed by earlier versions of the Charter Revision Board (CRB), as they had not finished all business in 2018. These included discussion of staggered City Commission terms. She also pointed out that some actions taken by the previous City Commission, which served through 2022, were inconsistent with state election law. There were additional issues which delayed the seating of the new Commission. These items had precipitated the revival of the CRB.

Chair Stern continued that the previous City Commission had also circumvented the City's Charter by issuing licensing agreements for public lands. She noted that the Charter is clear with regard to lease agreements, and license agreements were issued

as a means to avoid conflict with the Charter. This had led to significant public outcry. She emphasized that this issue should also be addressed.

Chair Stern continued that both County and state law are clear with respect to the ethics of solicitation, donations, and fundraising. Both of these levels supersede City law. She had reached out to Broward County Attorney Drew Meyers, who has indicated that he would be willing to work with the CRB. Mr. Grandwilliams confirmed that he would follow up with the County Attorney's Office as well.

Mr. Sorensen stated that he wished to address Charter Section 3.05, which provides guidelines for the designation of a Vice Mayor. It was confirmed that this Section was on the list of topics for the Board to address.

Mr. Sorensen continued that he would also like to discuss membership on City Commission boards. Attorney Bangel advised that this is addressed by Ordinance rather than in the Charter. Chair Stern recalled that this was a concern in the past, as there was the possibility of conflict between individuals serving as treasurer of a candidate's campaign account and those same individuals also serving on a particular board. Mr. Sorensen pointed out that there is concern from the community regarding lobbyists who serve on boards as well.

Attorney Bangel clarified that for some City advisory bodies, the Charter specifies that members must be residents. He advised that this could be broadly included in the Charter if it is expanded to apply to all City boards. He continued that his list of Sections to address also include 3.14 and 4.01.

Mr. Weiss stated that the Board should have some structure to its proceedings. He added that receiving meeting materials one to two days ahead of a scheduled meeting typically does not provide enough time to review those documents. He requested that meeting materials be sent to the members the Friday before their meetings.

Mr. Weiss continued that at the April 2023 meeting, the Board should begin by addressing the beginning of the Charter and determining which Sections will be discussed at the next meeting. This will also allow for public input on prospective changes to these Sections.

Mr. Weiss also proposed that the Board consider seating a subcommittee or subcommittees, explaining that it should be possible to bring a draft revision to a meeting for purposes of discussion. He agreed that the Board should also discuss elections, including primaries.

Chair Stern commented that while election issues can be addressed, her concern was that it may be premature to discuss this issue until the Florida Legislative Session has ended, as the state is likely to take action regarding elections as well.

It was noted that the CRB is not empowered to create subcommittees due to the requirements of the Sunshine Law, as well as scheduling and reservation of meeting space. Attorney Bangel advised that he was not aware of any City advisory body that has been able to create a subcommittee. It was suggested that Staff look into this issue further for clarity.

Mr. Sorensen continued that the structure of meetings could include a full discussion of each issue on the agenda. Following the meeting, he recommended that the City Attorney's Office draft a memo of what was discussed. Vice Chair Fertig agreed, adding that this would give the public greater notice of what will be discussed.

Mr. Weiss requested additional information on what County Attorney Meyers would discuss with the Board. Chair Stern replied that he would be able to provide guidance, as many people may not understand what should be included in the City's Charter based upon the County's ethics law. She characterized the first few months of the Board's work as educating the public on what the Charter does, as most of the public may not have this information.

Attorney Bangel advised that the County's ethics rules are enacted by Ordinance. Chair Stern stated that these rules are also in the County's Charter, as they went before the voters.

Mr. Grandwilliams suggested that an ethics presentation for the Board's edification would be a good use of their time, and would also help inform the public as well as the Board about certain procedures. He did not feel it would be useful to review all ethics laws, and felt the County Attorney would be able to provide a brief presentation on how ethics laws have changed over time since 2010.

Mr. Grandwilliams continued that the City Charter is intended to be stricter than the regulations at the County level. A discussion of ethics could help establish a baseline level of expectations. To this end, Vice Chair Fertig requested that the Board members be provided with a copy of the County's ethics requirements.

Mr. Weiss asked if there is currently a Section of the Charter which addresses ethics. Attorney Bangel replied that while there once was a section on ethics, it was repealed when the County passed its own Code of Ethics for elected officials. Mr. Weiss recommended that any part of the Charter or the City's Code of Ordinances relating to ethics also be presented for discussion at the next meeting.

Chair Stern commented that there are also issues regarding the public's understanding of the City's type of government, which follows a Commission/Manager format. She advised that public input should be sought on this issue to determine if the public wishes to maintain this form of government or consider changing it. Mr. Grandwilliams requested that the Board also discuss the number of City Commissioners who serve on the Commission.

It was noted that CRB meetings will be recorded and made available on YouTube and the City's website. Chair Stern recalled that a previous version of the Board had also invited the public to send questions to the City so the Board could consider them for discussion. City Clerk David Solomon advised that he would look into this further.

Chair Stern requested that Mr. Weiss assist Staff in developing the April 2023 Agenda, which will include discussions of state law, County ethics and Code provisions, and any address of ethics in the City's Charter and/or Code of Ordinances. It was noted that Mr. Weiss would assist with the development of other future Agendas as well.

Staff Liaison Junia Robinson confirmed that she would work with Mr. Weiss on future meeting Agendas, and would contact prospective speakers from Broward County. Materials would be provided to the Board members by the Friday prior to the next meeting. This information will also be made available to the public.

Mr. Grandwilliams advised that County employees receive an annual ethics refresher course, and suggested that this presentation could be sent to the City in advance of the April meeting for the Board members' review. Chair Stern added that the Broward League of Cities and the Office of the Inspector General also offer ethics training. It was also noted that the Inspector General could be invited to attend the next meeting to respond to questions rather than to provide a separate presentation.

Ms. Robinson asked if the members would like Government Affairs and Economic Development Division Manager Daphnee Sainvil to present at next month's meeting as well. Chair Stern suggested that Ms. Sainvil could be asked to submit a memo to the Board reviewing issues that are underway at the Florida Legislature. She could be invited to make a full presentation on any changes at a later Board meeting.

IV. APPROVAL OF MEETING MINUTES – OCTOBER 4, 2018 AND FEBRUARY 2, 2023

Motion made by Mr. Weiss, seconded by Vice Chair Fertig, to approve those old minutes and the new minutes. In a voice vote, the **motion** passed unanimously.

V. GUEST SPEAKER – DAPHNEE SAINVIL, DIVISION MANAGER – GOVERNMENT AFFAIRS & ECONOMIC DEVELOPMENT

This Item was postponed to a later date.

VIII. CLOSING

There being no further business to come before the Board at this time, the meeting was adjourned at 6:31 p.m.

Charter Revision Board

March 2, 2023

Page 6

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]