

## **CHARTER REVISION BOARD MEETING**

City of Fort Lauderdale  
101 NE 3<sup>rd</sup> Avenue, Tower 101  
Suite 1100 – 11<sup>th</sup> floor conference room  
Fort Lauderdale, FL 33301  
Thursday, May 1st 5:30 pm

### **AGENDA**

- I. CALL TO ORDER/PLEDGE OF ALLEGIANCE
- II. ROLL CALL/DETERMINATION OF QUORUM
- III. APPROVAL OF APRIL 03<sup>rd</sup> MEETING MINUTES
- IV. UPDATE CHARTER REVISION BOARD PUBLIC OUTREACH – ASHLEY DOUSSARD, DIRECTOR STRATEGIC COMMUNICATIONS
- V. DISCUSSION ON REVISED LANGUAGE RELATED TO CITY PROPERTY; SECTIONS 8.02, 8.04, AND 8.09 – PAUL BANGEL, SENIOR ASSISTANT CITY ATTORNEY
- VI. CHARTER REVISION BOARD DISCUSSION
- VII. PUBLIC INPUT
- VIII. ADJOURN

**PURPOSE:** ADVISE THE CITY COMMISSION ON THE PROPRIETY OF THE EXISTING CHARTER AND, FURTHER, TO MAKE SUCH SUGGESTIONS AND RECOMMENDATIONS TO PERFECT SAID CHARTER SO AS TO ESTABLISH A BETTER GOVERNMENT OF AND FOR THE CITY.

**NOTE:** TWO OR MORE CITY COMMISSIONERS AND/OR ADVISORY BOARD MEMBERS MAY BE PRESENT AT THIS MEETING. IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, HE/SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IF YOU DESIRE AUXILIARY SERVICES TO ASSIST IN VIEWING OR HEARING THE MEETINGS, OR READING MEETING AGENDAS AND MINUTES, PLEASE CONTACT THE CITY CLERK AT (954) 828-5002 AND ARRANGEMENTS WILL BE MADE TO PROVIDE THESE SERVICES.



CITY OF FORT LAUDERDALE

**1st DRAFT**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**CHARTER REVISION BOARD**  
**101 NE 3<sup>RD</sup> AVENUE, TOWER 101**  
**SUITE 1100 – 11<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**FORT LAUDERDALE, FLORIDA 33301**  
**THURSDAY, APRIL 6, 2025 – 5:30 P.M.**

**Cumulative Attendance**  
**January-December 2025**

Michael Albetta	P	4	0
Mary Peloquin, Vice Chair	P	4	0
Richard Weiss, Chair	P	4	0
Daniel McCawley	P	3	1
Nadine Hankerson	P	2	0

**Staff**

- Patrick Reilly, City Auditor
- Anthony Fajardo, Assistant City Manager
- David Soloman, City Clerk
- Paul Bangel, Senior Assistant City Attorney
- Ashley Doussard, Director, Strategic Communications
- Junia Robinson, Asst Neighbor Support Mgr., Charter Board Liaison
- Karen Cruitt, Prototype, Recording Secretary

**Guests**

- Jim Concannon
- Olga Zamora

**I. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

The meeting was called to order at 5:30 p.m.

The Pledge of Allegiance was then recited.

**II. ROLL CALL/DETERMINATION OF QUORUM**

Attendance was noted as listed above. A quorum was confirmed.

**III. APPROVAL OF FEBRUARY 6<sup>TH</sup> AND MARCH 6<sup>TH</sup> MEETING MINUTES**

**Motion** made by Mr. Albetta, seconded by Vice Chair Peloquin, to approve the minutes of the March 6, 2025 meeting with the requested edits (replace “charger” to “charter” in two locations). In a voice vote, the motion passed unanimously.

#### **IV. UPDATE CHARTER REVIEW BOARD PUBLIC OUTREACH - ASHLEY DOUSSARD, DIRECTOR STRATEGIC COMMUNICATIONS**

Ms. Doussard presented the draft communications plan and proposed webpage language, aiming to effectively communicate the Charter revision process to the public and further underscoring the importance of soliciting resident feedback highlighting the critical role of the public vote in approving any proposed Charter amendments. The draft language emphasized that the Charter serves as the City's guiding document, outlining the responsibilities of elected officials, including the provision of essential services. Four key areas identified by the City Commission for review were detailed: the form of government, the City Manager residency requirement, staggered Commission terms, and land use and disposition processes.

Discussion ensued regarding the specific language used to describe the strong mayor form of government. Ms. Doussard clarified that the strong mayor system was being presented as an “alternative” form of government for consideration, not as a concrete proposal. The revised language would emphasize that the strong mayor system is one option among others, ensuring an objective presentation of the issue to the public.

Questions arose regarding specific aspects of the City Manager residency requirement. Context was provided including an explanation of the historical background of the requirement and the evolving discussion surrounding its continued relevance. Factors such as changes in City boundaries and commuting patterns had prompted a reassessment of the residency requirement.

Conversation then shifted to the history of staggered Commission terms with the Board discussing whether to include a detailed explanation of this history on the webpage. It was suggested a comprehensive historical summary of Charter revisions for the Board's reference be provided, which would aid in their understanding and inform their decision-making process.

The Board then discussed the following:

- The wording related to the review of staggered terms, emphasizing the need for neutral language which accurately reflects the exploratory nature of the review.
- Concerns regarding the term "land use," suggesting that "public land disposition" would be a more accurate and comprehensive term, encompassing not only land use but also issues of sale, lease, and transfer of City-owned land.

Ms. Doussard proposed incorporating a public survey on the website to gather broader feedback on additional Charter revision topics beyond the four key areas. Discussion followed regarding the format of the survey, the merits of open-ended responses versus multiple-choice questions, the addition of fields for Commission district and neighborhood information, and the importance of neighborhood-level data in understanding local concerns and priorities.

Ms. Doussard acknowledged the potential for survey fatigue among residents, given the frequency of surveys issued by the City, further stressing the importance of concise wording and targeted outreach efforts to maximize participation and ensure that the survey reaches a representative cross-section of the community.

A hybrid approach to the survey was suggested, combining multiple-choice questions with an "other" field to allow for open-ended feedback, as well as carefully crafting survey questions to avoid creating controversy or preemptively framing the issues.

Ms. Doussard emphasized that the purpose of the survey was to gauge public interest in potential Charter changes, not to advocate for specific amendments. Draft survey questions will be prepared for the Board's review at the next meeting.

## **V. DISCUSSION ON REVISED LANGUAGE RELATED TO CITY PROPERTY - PAUL BANGEL, SENIOR ASSISTANT ATTORNEY**

The importance of individual Board member review of the proposed Charter language and the existing Charter was stressed. Chair Weiss acknowledged the time commitment involved, but emphasized that this individual review was crucial for informed decision-making. A section-by-section review process was suggested, allowing for in-depth discussion and analysis of each proposed change which would provide a framework for the Board's deliberations and ensure that each section receives adequate attention.

With input from Mr. Bangel, the Board then began a review of specific Charter sections, starting with Section 8.01, pertaining to the sale of personal property. Chair Weiss explained the proposed revision, which would empower the City Commission to establish procedures for the sale of personal property through ordinances. This change aimed to provide greater flexibility and efficiency compared to the current Charter's detailed and potentially restrictive provisions. It was noted that the term "personal property" might not be readily understood by the general public. A suggestion was made to include a definition within the Charter; however, the Board was cautioned against over-defining terms, allowing for a more concise and easily understandable Charter.

**Motion** made by Vice Chair Peloquin, seconded by Mr. McCawley, to accept the language of Section 8.01 as proposed by the prior Charter Board. In a voice vote, the motion passed unanimously.

The Board then moved on to Sections 8.02 and 8.04, dealing with the sale of City property to public bodies and private parties. Discussion ensued regarding the appropriate voting requirements for such sales including whether a simple majority vote or a supermajority should be required, the rationale for distinguishing between sales to public bodies and private parties, and the possibility of a supermajority vote requirement for all property sales.

The definition of "public body" was also discussed in detail. Concerns were raised about potential ambiguity and the need for a clear definition within the Charter, specifically

provisions of 8.04 relating to property exchanges and whether these exchanges should be subject to the same voting requirements as outright sales. The Board then agreed to table the discussion of Sections 8.02 and 8.04 for further consideration at the next meeting.

Section 8.09, addressing leases, licenses, concessions, and use agreements was then discussed. Highlights included voting requirements for these various types of agreements involving City property, the length of lease terms that should trigger a supermajority vote requirement, long-term leases particularly those exceeding 50 years, State Charter limitations on lease terms, the nuances and legal distinctions between leases, licenses, and other types of agreements, and the varying levels of property rights involved in each. Due to its complexity, the Board agreed to continue the discussion of Section 8.09 at the next meeting.

Section 8.21 dealing with disposing of park property was then reviewed. The necessity of a unanimous vote for all park transactions was questioned with a suggestion made that a less stringent requirement might be appropriate for certain types of agreements, such as short-term leases for relatively minor uses. Several Board members supported maintaining the unanimous vote requirement, emphasizing the importance of protecting parkland and preserving public access to these spaces. A compromise was proposed, such as a tiered voting requirement based on the length and nature of the agreement. As no final decision was reached, the Board agreed to revisit this discussion at the next meeting.

It was noted that proposed revisions eliminated the requirement for public hearings in certain circumstances. This change reflected the existence of a 2013 State Statute that already mandated opportunities for public input on such matters. The Board concurred that the Charter's public hearing requirements appeared redundant and could be safely removed without diminishing public engagement.

Chair Weiss requested that the City Attorney be invited to the next meeting to provide clarification on past property transactions and the legal nuances of leases, licenses, and other agreements.

**Motion** made by Vice Chair Peloquin, seconded by Ms. Hankerson, to approve Section 8.21 as written. In a voice vote, the motion passed unanimously.

The issue of the Live Local process and its potential impact on City-owned property, particularly parks, was raised. The Board agreed to discuss this further at a subsequent meeting, potentially with input from City staff familiar with the program.

## **VI. REVIEW CHARTER REVISION BOARD MEETING CALENDAR - DAVID SOLOMON, CITY CLERK**

A draft meeting calendar was presented for the Board's review to discuss potential adjustments to accommodate holidays and vacations. It was decided the July 3rd

meeting would be rescheduled to July 10<sup>th</sup> and the October 2nd meeting was tentatively rescheduled to October 9th, pending further confirmation of room availability and Board member availability.

**VII. CHARTER REVISION BOARD DISCUSSION** – none.

**VIII. PUBLIC INPUT**

Ms. Olga Zamora pointed out that the meeting was not being simulcast on *You Tube*.

**IX. ADJOURN**

There being no further business, the meeting was adjourned at 7:26 p.m.

[Minutes prepared by L. Tayar, Prototype, Inc.]

# Your City. Your Charter. Your Vote.

The City of Fort Lauderdale and the Charter Revision Board would like to hear your thoughts on the city charter. Your responses will help guide potential updates and ensure they reflect the values and priorities of our community. Your responses will be anonymous.

## Demographics

1. Do you live in the City of Fort Lauderdale?
  - a. Yes – I live in the City  
*[If this option is selected, respondent continues to question 2.]*
  - b. No  
*[If this option is selected, respondent is diverted from survey with message “Thank you for your willingness to participate in this survey. Currently, we are only reviewing results from those who live in the City of Fort Lauderdale.”]*
2. In which City Commission District do you live? (**map of Commission Districts above**)  
*[Multiple Choice Question]*
  - a. District 1
  - b. District 2
  - c. District 3
  - d. District 4
  - e. Don’t Know (**text box** – Enter your neighborhood or street address)
3. How long have you lived in the City of Fort Lauderdale?  
*[Multiple Choice Question]*
  - a. Less than 5 years
  - b. 6-10 years
  - c. 11-20 years
  - d. 21-30 years
  - e. More than 30 years

## Survey Questions

### 4. **Form of Government**

The City of Fort Lauderdale currently uses a Council-Manager form of government, where the Mayor and Commission set policy and the City Manager carries it out. One alternative is the Strong Mayor model, where the Mayor would assume more executive responsibilities instead of the City Manager.

What are your thoughts on the City’s current form of government? Should the City consider another form of government? Why or why not? (open ended)

### 5. **City Manager Residency Requirement**

The City Charter currently requires the City Manager to reside within city limits.

What are your thoughts on this requirement? Should it remain unchanged, be revised or removed? Please explain your reasoning. (open ended)

**6. Election Timing for City Commissioners**

Currently, all City Commission seats are elected during the same election cycle. Some cities use staggered elections, where not all seats are up for election at the same time.

What are your thoughts on this? Should Fort Lauderdale consider changing to staggered terms? Why or why not? (open ended)

**7. Use of Public Land**

The charter outlines how public land can be sold, leased or repurposed. This process is being reviewed to ensure it serves the best interest of the community.

What are your thoughts on how the City should handle the sale, lease or repurposing of public land? Are there any changes you would recommend?

**8. Additional Feedback**

Is there anything else you would like to see addressed or updated in the City Charter? (open ended)

Thank you for taking the time to complete this survey. Your responses will remain anonymous.

## **Your City. Your Charter. Your Vote.**

The City of Fort Lauderdale is considering amendments to its Charter. The Charter is like our city's constitution and guides how the city is governed. It explains how decisions are made, who's responsible for what, and how services like parks, roads, and public safety are provided. It outlines the roles of the Mayor, City Commissioners, and City Manager, ensuring everyone works together to serve the community. It's designed to keep everything running smoothly and fairly for residents like you.

Any changes to the charter must be approved by residents through a public vote. Your vote decides how our government works.

Right now, we're reaching out to residents like you to hear your thoughts. Are there things in the charter you think should be updated or changed? Your input is vital in shaping the future of Fort Lauderdale, and we want to make sure any potential updates reflect the needs and priorities of our community.

The City Commission has directed the Charter Revision Board to review potential amendments to the City Charter, including:

- **Form of Government:** The City of Fort Lauderdale currently operates under a Council-Manager system, where the Mayor and Commission set policy, and the City Manager oversees implementation. An alternate form of government, for example, would be a Strong Mayor system, where the Mayor would have additional executive authority, including the ability to hire and dismiss employees.
- **City Manager Residency Requirement:** The current charter requires the City Manager to reside within Fort Lauderdale city limits. The Charter Revision Board is reviewing this requirement.
- **Timing of Elections for City Commission:** Currently, the Mayor and City Commissioners are up for election during the same cycle. An alternative option would be to have staggered terms so that City Commission seats are not up for election at the same time.
- **Use of Public Land and Disposition:** The Charter Revision Board is discussing the process for selling, leasing, or repurposing city-owned land, specifically looking at how and when public land can be sold or leased.

**Sec. 8.02. - Sale of city public lands and of public property to public bodies.**

~~Subject to Subsection 8.04(a), the City of Fort Lauderdale is hereby authorized and empowered to enter into contracts with and to sell, alienate, exchange, give, grant, or convey to the United States of America or any of its departments or agencies, to the State of Florida or any of its counties, districts, subdivisions, municipalities, or agencies, or to any other public body, any public places or any public property, real or personal, now owned by said the City of Fort Lauderdale or hereafter acquired, or allow any such public body to make improvements on any property owned by the City, to be used by such public body or agency for a paramount public purpose, to wit, an activity that is essential to the health, morals, protection, or welfare of the City, as determined by the city commission, or for use predominantly for educational, literary, scientific, or charitable purposes, or make improvements upon public property used for a public purpose, under the following conditions, to-wit:~~

- ~~(a) The city commission shall first adopt a resolution determining and declaring its intention to sell, alienate, give, exchange, grant, or convey certain public property to a designated public body, or make improvement to public property, and such resolution shall particularly describe the public lands, public property, improvements or places intended to be conveyed or improved, the purchase price to be paid, if any, the public purpose for which such land or such property will be used by the grantee, and other details of the sale, and designate a day not less than thirty (30) days after the adoption of such resolution, on which a public hearing will be had before the city commission upon such proposal.~~
- ~~(b) If any public property intended to be sold, alienated, given away, granted or conveyed to any other public body is encumbered by any bonds or obligation for which such property or the revenue derived therefrom is specially pledged, provision must be made in the proposal and plan to simultaneously discharge and pay the obligations for payment of which such lands or revenues derived therefrom are specially pledged.~~
- ~~(c) Such resolution shall be published in full in two (2) issues of a newspaper published in said city with the first publication not less than ten (10) days before such public hearing and the second publication one (1) week after the first publication.~~
- ~~(d) At the time designated for a public hearing, the terms of the proposal and the use of the property shall be explained to the public and opportunity given for citizens and taxpayers to be heard upon such proposal.~~
- ~~(e) At such meetings, or any designated adjourned meeting, the city commission shall pass another resolution either confirming or repealing the resolution previously adopted, or confirming the previous resolution with amendments or additions. If the previous resolution is confirmed in its original form, or with amendments or additions, such confirming resolution~~

~~shall direct the proper city officials to execute and deliver deed of conveyance under the terms and conditions set out in the resolution as confirmed.~~

- (f) ~~The provisions of this section to the contrary notwithstanding, the city may sell (for fair market value) or trade (for like value) surplus stock of supplies or equipment belonging to the city to another governmental entity by any procedure as may be established under the "Purchasing Ordinance of the City of Fort Lauderdale" [Code ch. 2, art. V, div. 2].~~

### **Sec. 8.02. - Sale of city property to public bodies.**

Subject to Subsection 8.04(a), the City is hereby authorized and empowered to sell, alienate, exchange, give, grant, or convey to the United States of America or any of its departments or agencies, to the State of Florida or any of its counties, districts, subdivisions, municipalities, or agencies, or to any other public body, any property, real or personal, now owned by the City or hereafter acquired, or allow any such public body to make improvements on any property owned by the City, for a paramount public purpose, to wit, an activity that is essential to the health, morals, protection, or welfare of the City, as determined by the city commission, or for use predominantly for educational, literary, scientific, or charitable purposes.

### **Sec. 8.04. - Sale of real property to private parties~~persons, firms or corporations.~~**

~~Except as provided in Section 8.21, the City of Fort Lauderdale is hereby authorized and empowered to sell any public lands and improvements thereon real property owned by the, title to which is vested in City of Fort Lauderdale, to any private party, or exchange, deed, or convey any real property owned by the City in consummating a transaction whereby the City acquires property needed in connection with a public improvement or a public use, as provided by ordinance and consistent with applicable law, subject to the following, person, firm or corporation (other than a public body) under the following conditions, to-wit:~~

- (a) ~~*Resolution declaring property not needed for public use.* The city commission shall adopt a resolution at a regular meeting of the city commission particularly describing the land by metes and bounds, reference to a recorded plat or government survey, its location by street number, if any there be, a description of all improvements located upon the land, and shall declare how said land has been used since same has belonged to the city, why it is desirable to sell same, and that the city does declare and determine that it is for the best interests of the city that such lands and facilities be sold. The resolution declaring that such lands be sold shall state whether the sale shall be made for cash or terms. Where the value of the land is determined by the city commission to be less than ten thousand dollars (\$10,000.00), the sale shall be for cash. Where the value~~

~~of the land is determined by the city commission to exceed ten thousand dollars (\$10,000.00), the city commission may sell same for twenty five (25) percent cash and the balance upon terms, with installments due yearly, not exceeding ten (10) years, with interest to be determined by the city commission. The city shall sell, without competitive bidding, to the party making the best offer, but the city may reject any and all offers at any time. Offers shall be accompanied by cashier's checks or certified checks payable to the city in an amount equal to at least ten (10) percent of the offer. In no event shall the sale be for less than seventy-five (75) percent of the appraised value of the property as determined by the city commission. The approval of any sale, exchange, or conveyance of improved or unimproved real property shall be pursuant to a resolution containing a finding that such sale, exchange, or conveyance would be in the City's best interest adopted by the affirmative vote of at least four commissioners.~~

- (b) ~~Notice; offers.~~ Within seven (7) days after the adoption of the resolution, it shall be published by the city in one (1) issue of the official newspaper. Offers shall be accompanied by cashier's checks or certified checks payable to the city in an amount equal to at least ten (10) percent of the offer.
- (c) ~~Protests.~~ During the period intervening between the adoption of the resolution and the date of sale, taxpayers and registered electors of the city may protest or object to the sale, or propose other public uses for the said property, and the city commission may rescind its former action and repeal the resolution declaring the property should be sold, if it deems same expedient and proper.
- (d) ~~Authority to sell; cemetery lots excepted.~~ Subject to the foregoing provisions, City of Fort Lauderdale is hereby empowered to sell and dispose of any lands, improvements, public buildings, recreational parks and other lands now owned or hereafter acquired by said city, and in the deed of conveyance may place such conditions, limitations and restrictions on the use of such property by the purchasers as to the city commission shall seem proper. The above restrictions as to sale of public property shall not apply to sale of municipal cemetery lots, which are subject to rules and regulations governing same.
- (e) ~~Resolution accepting offer and authorizing conveyance.~~ At any regular meeting after publication of the resolution as heretofore provided in paragraph (b), the city commission may adopt a resolution accepting the best offer and authorizing the execution of a deed of conveyance; provided that if such property is encumbered by any bonds or obligations for which such property or the revenue derived therefrom is specially pledged, the purchase price must be sufficient to pay and discharge such bonds or obligations according to the terms thereof.

- (f) ~~Notwithstanding the provisions of this section or other provisions of this article City of Fort Lauderdale shall have the right to exchange, deed or convey portions of publicly owned lands, or grant concessions, leases or rights therein to private persons, in consummating a transaction whereby City of Fort Lauderdale acquires property needed in connection with a public improvement or a public use.~~
- (gb) The City of Fort Lauderdale is hereby authorized to pay a real estate commission to any registered real estate broker, licensed to do business in the State of Florida, who negotiates and procures a purchaser or tenant for any real estate sold or leased by the City of Fort Lauderdale. Such real estate commission shall only be paid, however, on the consummation of such sale or lease, and the commission paid shall in each instance be determined by the city commission based upon what it believes to be a fair and equitable commission for the service to be rendered.

#### **Sec. 8.04. - Sale of real property to private parties.**

Except as provided in Section 8.21, the City is hereby authorized and empowered to sell any real property owned by the City to any private party, or exchange, deed, or convey any real property owned by the City in consummating a transaction whereby the City acquires property needed in connection with a public improvement or a public use, as provided by ordinance and consistent with applicable law, subject to the following, as provided by ordinance and consistent with applicable law, subject to the following, to-wit:

- (a) The approval of any sale, exchange, or conveyance of improved or unimproved real property shall be pursuant to a resolution containing a finding that such sale, exchange, or conveyance would be in the City's best interest adopted by the affirmative vote of at least four commissioners.
- (b) The City is hereby authorized to pay a real estate commission to any registered real estate broker, licensed to do business in the State of Florida, who negotiates and procures a purchaser or tenant for any real estate sold or leased by the City. Such real estate commission shall only be paid, however, on the consummation of such sale or lease, and the commission paid shall in each instance be determined by the city commission based upon what it believes to be a fair and equitable commission for the service to be rendered.

#### **Sec. 8.09. – Leases, licenses, concessions, and use agreements for more than one year and not more than fifty years.**

The City is hereby empowered to lease to, or enter into license agreements, or concession agreements, facility use agreements, or other types of use agreements, (each

~~is an “Agreement”), with, to private parties persons, firms or corporations, for the nonpublic use of purposes, any improved or unimproved real lands, improvements, public buildings, recreational parks or facilities, golf courses, public beaches, public utility plants, or any public works or public property, of any kind including air space over such real public property, owned or operated by the City of Fort Lauderdale, and not needed for governmental City purposes, or in consummating a transaction whereby the City acquires property needed in connection with a public improvement or a public use, whether used in a governmental or in a proprietary capacity, for a period of not more than fifty (50) years, including any renewals or extensions, plus such length of time, not to exceed five (5) years, determined by the city commission to be reasonably necessary to complete construction of the improvements proposed for the demised premises by such Agreements having a duration exceeding one year shall be pursuant to a resolution adopted by the affirmative vote of at least four commissioners containing a finding, based on a fair market value analysis of the property and an evaluation of the qualifications of the private party prepared by a qualified independent consultant hired by the City at the private party’s expense, that such use of the property would be in the City’s best interest persons, firms or corporations. In addition, included in the city commission’s consideration of any Agreement that has a duration exceeding ten years, including any optional renewals or extensions, shall be the consideration of an accompanying business viability report prepared by a qualified independent consultant hired by the City at the private party’s expense. Each Agreement shall contain a provision that the Agreement may not be assigned except upon the affirmative vote of at least four commissioners. Each lease shall be authorized only after public hearing, under authority of a resolution duly adopted at a meeting duly held at a designated adjourned meeting, under the following conditions, to wit:~~

- ~~(a) One (1) of the conditions for leasing such public property may be obligations of the lessee to construct thereon buildings or improvements to be used in connection with an existing facility, or to construct improvements on said property, if same is vacant, and in a manner not detrimental or harmful to the operation of the proposed facility. In no event shall the fee title of the city be subordinated except upon terms and conditions as approved by the city commission.~~
- ~~(b) The city commission shall adopt a resolution at a regular meeting of the city commission specifying the facility to be leased, described by metes and bounds, or by reference to a recorded plat, if any, and giving its location by street number, if any, and a description of all improvements located upon the land, and shall declare how said land and improvements have been used since same have belonged to the city and the reasons for offering such land and improvements for lease.~~
- ~~(c) At any time, not less than thirty (30) days nor more than sixty (60) days, after the adoption of such resolution the land and improvements shall be offered upon competitive conditions for lease as desired and a notice shall be published by the city in the official newspaper for two (2) issues prior to the date set for receiving such bids for lease, with the first publication not~~

~~less than ten (10) days before said date of receiving bids and the second publication one (1) week after the first, on which date sealed bids shall be received by the city commission for the lease of said publicly owned lands and facilities. The sealed bids must be accompanied by cash, cashier's check or certified check payable to the city in an amount equal to at least ten (10) percent of the first year's rental. The city commission, in offering such public property or public owned facility for lease, shall set out in said resolution and notice such terms and conditions as deemed pertinent under which said facility will be leased and the number of years for which said facility shall be leased. The city commission shall consider any and all proposals and accept the proposal which, in its judgment, shall be the most advantageous lease for the city; but the city commission may reject any and all bids. Upon the city commission approving any proposal submitted as provided herein, said proposal shall be accepted by resolution duly adopted, authorizing preparation of the lease, provided a valid referendum petition has not been filed. If before the day advertised for receiving bids for lease of such property, a referendum petition is filed with the city clerk signed by fifteen (15) percent of the registered voters, demanding a referendum election upon the question of leasing such property, no lease shall be executed by the officials of the city until after approved by a majority of the voters participating in such referendum election. Such referendum election shall be called and held as provided in this charter.~~

- (d) ~~The resolution accepting the bid shall require the preparation of a form of lease for execution, embodying the terms and conditions of the bid and other legal requirements, for submission to the commission at its next regular meeting or at a designated meeting. At least three (3) days before the meeting date, the lease shall be posted on a public bulletin board by the city clerk and each commissioner shall be given a copy of the lease with a covering summary letter, providing, however, that in case of emergency, such procedure may be waived by the affirmative vote of three (3) of the commissioners. The city attorney or city manager shall be required to give a summary of the lease to the public at such meeting which shall be open to the public. Citizens and taxpayers shall have an opportunity to object to the terms and conditions of such lease. If the commission is satisfied with the terms and conditions of such lease, it shall pass a resolution authorizing execution of such lease by the proper officials of the city, upon compliance upon the part of the lessee. Amendment to such lease may be made from time to time by mutual consent, observing the same formality as in the original lease.~~

**Sec. 8.09. – Leases, licenses, concessions, and use agreements for more than one year and not more than fifty years.**

The City is hereby empowered to lease to, or enter into license agreements, concession agreements, facility use agreements, or other types of use agreements, (each is an "Agreement"), with, private parties, for the use of any improved or unimproved real

property, including air space over such real property, owned by the City, and not needed for City purposes, or in consummating a transaction whereby the City acquires property needed in connection with a public improvement or a public use, for a period of not more than fifty (50) years including any renewals or extensions. Agreements having a duration exceeding one year shall be pursuant to a resolution adopted by the affirmative vote of at least four commissioners containing a finding, based on a fair market value analysis of the property and an evaluation of the qualifications of the private party prepared by a qualified independent consultant hired by the City at the private party's expense, that such use of the property would be in the City's best interest. In addition, included in the city commission's consideration of any Agreement that has a duration exceeding ten years, including any optional renewals or extensions, shall be the consideration of an accompanying business viability report prepared by a qualified independent consultant hired by the City at the private party's expense. Each Agreement shall contain a provision that the Agreement may not be assigned except upon the affirmative vote of at least four commissioners.

## CHARTER REVISION BOARD MEETING TIMELINE 2025

The board normally meets on the first Thursday of each month at 5:30 pm in 101 NE 3<sup>rd</sup> Avenue, Tower 101, suite 1100 -11<sup>th</sup> floor conference room.

- January 02<sup>nd</sup>
- February 06<sup>th</sup>
- March 06<sup>th</sup>
- April 03<sup>rd</sup>
- May 01<sup>st</sup>
- June 05<sup>th</sup>
- July 10<sup>th</sup>
- August 07<sup>th</sup>
- September 04<sup>th</sup>
- October 10<sup>th</sup>
- November 06<sup>th</sup>
- December 04<sup>th</sup>