

CHARTER REVISION BOARD MEETING

City of Fort Lauderdale
101 NE 3rd Avenue, Tower 101
Suite 1100 – 11th floor conference room
Fort Lauderdale, FL 33301
Monday, December 15th 2025, 5:30 pm

AGENDA

- I. CALL TO ORDER/PLEDGE OF ALLEGIANCE
- II. ROLL CALL/DETERMINATION OF QUORUM
- III. APPROVAL OF NOVEMBER 04th MEETING MINUTES – Exhibit A
- IV. OLD BUSINESS

Charter Section 8.21 – Disposing of public park property. – Exhibit B

Revised Charter Sections – Exhibit C

- 3.03. Qualification of members. (Pages 1 – 3)
- 3.04. Judge of elections and qualifications of members. (Page 4)
- 4.08. Removal of discharge. (Page 5)
- 6.02. Classified and nonclassified service. (Pages 6 – 7)
- 8.09. Leases for more than one year and not more than fifty years. (Pages 8 – 10)

Public Outreach Discussion

- V. NEW BUSINESS

Confirmation of 2026 CRB meeting dates
- 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 3RD AVENUE, TOWER 101
SUITE 1100 – 11TH FLOOR CONFERENCE ROOM
FORT LAUDERDALE, FLORIDA 33301
THURSDAY, NOVEMBER 6, 2025 – 5:30 P.M.

Cumulative Attendance
January-December 2025

Richard Weiss, Chair	P	10	0
Mary Peloquin, Vice Chair	P	10	0
Michael Albetta	P	10	0
Nadine Hankerson	P	6	2
Burnadette Norris-Weeks	P	4	0

Staff

- Mayor Dean J. Trantalis
- Paul Bangel, Senior Assistant City Attorney
- Gabrielle Bush, Assistant City Attorney
- Chris Cooper, Assistant City Manager
- Yvette Matthews, Acting Assistant City Manager
- David Soloman, City Clerk (via Zoom)
- Patrick Reilly, City Auditor
- Anthony Fajardo, Director of Development Services
- Jerome Post, Director, Human Resources
- Kristin Milligan, Deputy Director, Human Resources
- Junia Robinson, Assistant Neighborhood Support Manager, Charter Board Liaison
- K. Cruitt, Prototype, Recording Secretary

Others

- Jim Concannon
- Marilyn Mammano

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

The meeting was called to order at 5:33 p.m. The Pledge of Allegiance was then led by Mayor Dean J. Trantalis.

II. ROLL CALL/DETERMINATION OF QUORUM

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

Item V.a. was heard prior to Item III.

III. APPROVAL OF SEPTEMBER 4 MEETING MINUTES – Exhibit A

Motion made by Ms. Norris-Weeks, seconded by Vice Chair Peloquin, to approve the minutes of the September 4, 2025, meeting as presented. In a voice vote, the motion passed unanimously.

IV. OLD BUSINESS

a. Charter Revision Board Commission Update Memo – Exhibit B

Anthony Fajardo, Director of Development Services, explained the memo clarified what was discussed at the City Commission meeting regarding the Charter Revision Board and next steps moving forward.

b. Revised Charter Sections– Exhibit C

- **Section 3.03 – Qualifications of members; forfeiture of office. (Page 1 of Exhibit C)**
 - See Florida Division of Elections Opinion 78-27 (Page 4 of Exhibit C)

Paul Bangel, Senior Assistant City Attorney, presented draft language. Discussion ensued regarding criteria for qualification to run for office, related State Statute, and the direction of the Commission on the topic.

Chair Weiss asserted that a person could easily be qualified for office with only one (1) of the criteria on the list and a person who did not live in the district may be able to meet enough of the criteria. Discussion continued as to how to strengthen the criteria without disqualifying people from office. The Board reviewed and discussed the proposed criteria line by line.

Motion made by Ms. Norris-Weeks, seconded by Chair Weiss, to change the permanent resident requirement for Commissioner and Mayor from six (6) months to one (1) year. The motion passed 4-1. Ms. Hankerson was opposed.

Ms. Hankerson stated she did not support a shift to one (1) year because if someone comes to a City and wants to participate, they should have that opportunity.

Discussion on the individual criteria continued. Chair Weiss clarified that the permanent resident requirement would need to be amended in three (3) places.

The Board discussed verification of addresses in the event of questions being raised as to whether a candidate lives in the district in which they are running. Staff provided clarification on current procedure and timing of verification in the event of a challenge.

Ms. Hankerson asked about case law and whether it may supersede the criteria. Mr. Bangel noted that each case is fact specific. Discussion continued as to the defensibility of the criteria and specific case law.

Chair Weiss suggested elimination of 10 due to its subjective nature.

Motion made by Vice Chair Peloquin, seconded by Ms. Norris-Weeks, to eliminate (d)(10) and add language in (section)(d) that it be mandatory that five (5) criteria must be met. In a voice vote, the motion passed unanimously.

- **Section 3.04 – Judge of elections and qualifications of members. (Page 7 of Exhibit C)**

Mr. Bangel explained the City Commission was seeking the Board's input on a process for qualification of candidates. He reviewed the previous recommendations briefly. Mr. Fajardo added additional details on the input of the Mayor and Commission.

Ms. Norris-Weeks commented that the municipal election is supervised by the City Clerk, and they qualify candidates. She stated this should be a ministerial process and adding steps to the process would be an issue. Discussion continued regarding the process and the role of the Court in a challenge.

David Soloman, City Clerk, advised that he already had a checklist of required documents and would just need to add a few items to the list.

Chair Weiss asked that Mr. Bangel return with language for review at the next meeting. Mr. Bangel asked if copies of the documents should be collected and kept. The Board confirmed the documents should be attached to the application on file.

- **Section 3.05 – Designation of vice-mayor. (Page 8 of Exhibit C)**

Chair Weiss stated this item was ministerial and would be changed by the City Attorney's office without discussion of the Board.

- **Section 3.08 – Forfeiture of office: absence. (Page 9 of Exhibit C)**

Chair Weiss stated this item was ministerial and would be changed by the City Attorney's office without discussion of the Board.

- **Section 3.09 – Organizational meeting. (Page 10 of Exhibit C)**

Chair Weiss stated this item was ministerial and would be changed by the City Attorney's office without discussion of the Board.

- **Section 3.12 – Special meetings – How called. (Page 11 of Exhibit C)**

Chair Weiss stated this item was ministerial and would be changed by the City Attorney's office without discussion of the Board.

- **Section 3.15 – Initiative and referendum; petition for proposed ordinance. (Page 12 of Exhibit C)**

Chair Weiss stated this item was administrative and would be changed by the City Attorney's office without discussion of the Board.

c. Deleted ARTICLE III Sections

- **Section 3.10 – Special meeting to seat a new member. (language incorporated into Section 3.09)**
- **Section 3.16 – Circulating petition for an election. (language incorporated into Section 3.15)**
- **Section 3.17 – Commission required to take action. (language incorporated into Section 3.15)**
- **Section 3.18 – Time of holding election. (language incorporated into Section 3.15)**
- **Section 3.19 – Ballots. (language incorporated into Section 3.15)**
- **Section 3.20 – Referendum elections. (language incorporated into Section 3.15)**

d. ARTICLE VII – ELECTIONS

- **Section 7.16 – Special Election; tie vote; ~~primary election to fill one vacancy.~~ (Page 22 of Exhibit C)**

Mr. Bangel confirmed there were no objections to the deletions.

e. ARTICLE VIII – PUBLIC PROPERTY

- **Section 8.01 – Sale of personal property; ~~procedure; public notice.~~ (Page 23 of Exhibit C)**

Mr. Bangel confirmed there were no objections to the changes.

- **Section 8.02 – Sale or lease of city public lands and of public property to public bodies. (Page 24 of Exhibit C)**

Mr. Bangel confirmed the Commission was comfortable with the changes proposed and asked to remove the word morals from the description of public purpose. The Board agreed to the change.

- **Section 8.04 – Sale of real property to private parties ~~persons, firms or corporations.~~ (Page 26 of Exhibit C)**

Mr. Bangel confirmed there were no objections to the changes.

- **Section 8.09 – Leases, licenses, concessions, and use agreements for more than one year and not more than fifty years. (Page 30 of Exhibit C)**

Mr. Bangel advised that the Commission sought the Board’s input on a 50-year limitation for extending leases, licenses, concessions, and use agreements, and an increase in the vote approval to unanimous.

Mr. Fajardo provided a brief overview of the Commission discussion on the matter.

The Board agreed to leave the language as-is and add that anything over 50 years would require a unanimous vote. Mr. Bangel will bring back revised language.

Item V.b. was heard prior to Section 8.21.

- **Section 8.21 - Disposing of public park property. (Page 35 of Exhibit C)**

Mr. Bangel distributed a replacement page as the City Commission had asked to insert a date into the amendment. He reviewed the discussion of the Commission briefly.

Ms. Norris-Weeks asked that this change be the first item on the agenda at the next meeting.

Chair Weiss commented that this change created a period where designations could be changed prior to passage.

f. Deleted ARTICLE VIII Section

- **Section 8.07 – Leases with governmental entities or agencies for governmental purposes. (language incorporated into Section 8.02)**

V. NEW BUSINESS

Item V.a. was heard prior to Item III.

a. Ballot Recommendations

Mayor Trentalis commended the Board for doing an amazing job identifying necessary changes to the Charter. He acknowledged that much has changed over the decades, and highlighted a few items for consideration, if not previously addressed, including:

- Pros and cons of November election versus March election, and consideration of incorporation of a primary.
- Three (3) year Mayor term versus four (4) year term.
- Should the Commission be expanded to seven (7) members as other cities of similar size have? Should the City be divided into six (6) districts rather than four (4) allow for more responsiveness in the community?

- Donation limits are set at \$1,000, should this be reviewed?
- Should the City consider a Strong Mayor form of government?

Mr. Albetta asked whether Mayor Trentalis would be open to considering staggered terms. Mayor Trentalis stated this could make a lot of sense to maintain continuity and was an issue which should be discussed.

Vice Chair Peloquin agreed the districts were large and diverse and smaller districts could be considered. Discussion continued regarding logistics of a change.

Chair Weiss thanked Mayor Trentalis and the Commission for putting together a strong committee. Discussion ensued regarding the role of the group to hold public discussions and provide direction, as well as the role of the City Attorney's office in drafting language.

Item V.b. was heard prior to Section 8.21.

b. City Manager/Human Resources Proposed Revisions – Exhibit D

- **Section 4.06 – Designation of Interim or Acting City Manager (Page 1 of Exhibit D)**

Jerome Post, Director, Human Resources, distributed an updated Exhibit D. He explained staff's proposed revisions related to the process in the event of a vacancy in the City Manager position to clarify the difference between an Interim City Manager and an Acting City Manager and the process for their installation.

Chair Weiss asked for clarification on the significance of the Interim City Manager. Mr. Post highlighted differences in expectations. Discussion continued.

Yvette Matthews, Acting Assistant City Manager, provided additional details, noting the different reasons for filling the role are lumped together under the power of the City Commission, as opposed to giving the power to someone serving in the role of City Manager to name someone if they are out for a shorter period.

Mr. Bangel noted a change to 4.08 and the personnel rules would also be required if the amendment was approved. Discussion continued regarding the reason for clarification.

Motion made by Vice Chair Peloquin, seconded by Ms. Norris-Weeks, to approve the recommended language as presented by staff. In a voice vote, the motion passed unanimously.

- **Section 6.04 – Civil Service Board; Created; Composition (Page 2 of Exhibit D)**

Kristin Milligan, Deputy Director, Human Resources, explained staff's proposed revision of the process for selecting members of the Civil Service Board and to remove one (1) of their duties. She noted the process for the approximately 150 non-represented employees

to select the third member of the board was administratively cumbersome and having job descriptions reviewed by the Board slowed down hiring. She briefly outlined the role of the Civil Service Board.

Chair Weiss confirmed the Board was comfortable with removing the job description review requirement.

Ms. Hankerson asked about the impetus for adding Board review of job descriptions to the duties. Ms. Milligan stated she did not know why it was added. She discussed an example impact of the requirement briefly.

Discussion continued regarding the process for nominating and selecting the third member of the Civil Service Board, the role of the nominating committee, and parameters on candidates for the Board.

Chair Weiss asked how frequently the Board meets. Ms. Milligan stated it had been more than two (2) years since they last met, but there was action pending which would cause the Board to meet more frequently.

Ms. Norris-Weeks noted the Board had subpoena power and asked how this has worked. Mr. Post explained the last case before the Board required monthly meetings for nearly a year and the City had prevailed. He discussed the process briefly and the use of the subpoena power.

Chair Weiss asked if the Board was necessary. Discussion continued on the remaining the usefulness of the Board and impact on the process, as well as the preservation of labor representation.

Marilyn Mammano advised that she was an original member of DC 37 (New York City municipal employe union) and stated she did not think it was a good idea to eliminate the Board's input on job descriptions.

Motion made by Vice Chair Peloquin, seconded by Mr. Albetta, to approve the recommended language as presented by staff. In a voice vote, the motion passed unanimously.

c. ARTICLE IV – EXECUTIVE OFFICERS

- **Section 4.06 – Designation of Interim or Acting City Manager. (Page 1 of Exhibit D)**

d. ARTICLE VI – CIVIL SERVICE SYSTEM

- **Section 6.04 – Civil Service Board, Created, Composition. (Page 2 of Exhibit D)**

VI. CHARTER REVISION BOARD DISCUSSION

Discussion ensued regarding availability for the next scheduled meeting.

Motion made by Vice Chair Peloquin, seconded by Ms. Norris-Weeks, to move the next meeting from December 4 to December 15, 2025. In a voice vote, the motion passed unanimously.

Mr. Fajardo highlighted a missed item on the agenda. Chair Weiss asked that outstanding items be added to the next agenda.

Chair Weiss asked when the Board should discuss the Mayor's items. Consensus was to review the topics in January 2026.

VII. PUBLIC INPUT

Ms. Mammano commented that some of the Mayor's items were interesting and would lead to good discussion. She expressed concern the Board had a time crunch in order to put forward a proposal for the Commission to take action for the proposals to be placed on the ballot. She stated there were groups supportive of proposals in May 2024 and were disappointed when those were not proposed for a vote by the citizens. She asked for an update on community participation.

Mr. Solomon advised that the last possible date for approval by the Commission was the first meeting in June 2026.

Chair Weiss clarified the Board does not place things on the ballot but makes proposals to the City Commission. He stated the timing concern sits with the Commission, as the Board had made their recommendations.

Mr. Albetta stated he highlight agreed with Ms. Mammano's concerns. He noted a presentation to the Fort Lauderdale Civic Association had gotten people excited and the public participation had since slipped away.

Mr. Fajardo outlined the direction from the Commission regarding survey questions and public outreach. Discussion continued regarding next steps.

Jim Concannon stated the Board had been waiting to hear from the Commission on whether to move forward with district meetings.

Chair Weiss advised that he was unclear on what type of public input was being sought.

Vice Chair Peloquin stated she believed input should be gathered on specific proposed changes to the Charter. Discussion continued.

Ms. Norris-Weeks noted meetings of this Board were public meetings and could be held in a larger space. Discussion on public participation continued.

Mr. Concannon asserted presentations to the districts should come first, and a survey could come later.

Chair Weiss inquired as to whether staff could put on Charter 101 sessions. Chris Cooper, Assistant City Manager, stated he was open to the idea.

Chair Weiss asked that Mr. Cooper and Mr. Fajardo come to the December meeting with the City Manager's feedback as to proceeding with the Charter 101 process as the first step of gathering public input, and whether there would be a later step to go out and explain the proposed changes.

VIII. ADJOURN

There being no further business, the meeting was adjourned at 7:52 p.m.

[Minutes prepared by C. Parkinson, Prototype, Inc.]

Original: Sec. 8.21. Disposing of public property.

The right of the city to sell, exchange, lease, franchise or deed public property, under the methods and procedures provided in this article, shall not be limited, restricted or abridged on account of the method, source or means by which such property was acquired, the source from which funds were obtained to acquire such property, the use to which this property has been devoted or is presently devoted, or whether such property is used and operated in a governmental or proprietary capacity.

Notwithstanding anything to the contrary in this Charter, the city shall not sell, transfer, or lease for more than one (1) year, any land zoned park in accordance with the City's Unified Land Development Regulations without a unanimous vote of the entire city commission. Additionally, any land zoned park on November 10, 2004, shall require a unanimous vote of the entire city commission to remove such designation.

Sec. 8.21. Disposing of park property.

- (a) Notwithstanding anything to the contrary in this Charter, the city shall not sell or transfer any land zoned Parks, Recreation and Open Space in accordance with the City's Unified Land Development Regulations except as approved in a referendum at a special election called pursuant to Section 7.11.
- (b) Notwithstanding anything to the contrary in this Charter, the city shall not enter into any lease, license agreement, concession agreement, facility use agreement, or other type of use agreement, for more than one (1) year with respect to any land zoned Parks, Recreation and Open Space in accordance with the City's Unified Land Development Regulations without a unanimous vote of the entire city commission.
- (c) Any land zoned Parks, Recreation and Open Space in accordance with the City's Unified Land Development Regulations on or after [EFFECTIVE DATE OF AMENDMENT], shall require a unanimous vote of the entire city commission to remove such designation.

Sec. 8.21. Disposing of ~~public~~ park property.

~~The right of the city to sell, exchange, lease, franchise or deed public property, under the methods and procedures provided in this article, shall not be limited, restricted or abridged on account of the method, source or means by which such property was acquired, the source from which funds were obtained to acquire such property, the use to which this property has been devoted or is presently devoted, or whether such property is used and operated in a governmental or proprietary capacity.~~

- (d) ~~Notwithstanding anything to the contrary in this Charter, the city shall not sell, or transfer, or lease for more than one (1) year, any land zoned park Parks, Recreation and Open Space in accordance with the City's Unified Land Development Regulations except as approved in a referendum at a special election called pursuant to Section 7.11, without a unanimous vote of the entire city commission. Additionally, any land zoned park on November 10, 2004, shall require a unanimous vote of the entire city commission to remove such designation.~~
- (e) Notwithstanding anything to the contrary in this Charter, the city shall not enter into any lease, license agreement, concession agreement, facility use agreement, or other type of use agreement, for more than one (1) year with respect to any land zoned Parks, Recreation and Open Space in accordance with the City's Unified Land Development Regulations without a unanimous vote of the entire city commission.
- (f) Any land zoned Parks, Recreation and Open Space in accordance with the City's Unified Land Development Regulations on or after [EFFECTIVE DATE OF AMENDMENT], shall require a unanimous vote of the entire city commission to remove such designation.

REVISED - Sec. 3.03. Qualification of members.

- (a) To be eligible to hold the office of mayor, a candidate shall:
- (1) have resided continuously in the City as a permanent resident for at least **twelve** months immediately preceding the date of qualification for such office;
 - (2) be a citizen of the United States of America;
 - (3) be an elector of the City at the time of qualification for such office;
 - (4) hold no other public elective office;
 - (5) not be an officer, employee, or serving in any capacity in the government of the City at the time of filing a candidate oath in accordance with section 7.14 of this charter, except that a city commissioner may qualify for election to the office of mayor, and the mayor may qualify for reelection subject to section 3.02 of this charter;
 - (6) reside continuously as a permanent resident of the City during the term of office;
and
 - (7) be otherwise qualified for such office as provided in this charter.
- (b) To be eligible to hold the office of city commissioner a candidate shall:
- (1) have resided continuously as a permanent resident of the city commission district for which such candidate seeks office for at least **twelve** months immediately preceding the date of qualification for such office, except that in any year in which there has been a reestablishment of city commission districts (a "Reestablishment"), candidate for the office of city commission whose permanent residence in the City is in a different city commission district as a result of the Reestablishment may seek office as a city commissioner in the city commission district of his or her permanent residence that results from the Reestablishment;

- (2) be a citizen of the United States of America;
 - (3) be an elector of the City at the time of qualification for such office;
 - (4) hold no other public elective office;
 - (5) not be an officer, employee, or serving in any capacity in the government of the City at the time of filing a candidate oath in accordance with section 7.14 of this charter, except that a city commissioner serving may qualify for reelection subject to section 3.02 of this charter;
 - (6) reside continuously as a permanent resident of the district to which such commissioner is elected during the term of office; and
 - (7) be otherwise qualified for such office as provided in this charter.
- (c) Candidates for election as mayor or city commissioner shall comply with all the rules and regulations set forth in the charter as to their conduct. Any candidate for mayor or city commissioner, or any mayor or city commissioner who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office or candidacy.
- (d) For purposes of this section, continuous residence as a permanent resident for at least **twelve** months immediately preceding the date of qualification for office **must be** established by providing a copy of at least five of the following to the city clerk:
- (1) Florida driver license or identification number showing a home address within the city or district, as applicable;
 - (2) Florida vehicle registration showing a home address within the city or district, as applicable;
 - (3) Florida voter registration card showing a home address within the city or district, as applicable;
 - (4) Certified copy of a recorded declaration of domicile and residency showing a home address within the city or district, as applicable;
 - (5) Address listed on the last Internal Revenue Service tax return, showing a home address within the city or district, as applicable;
 - (6) Bank statement and checking account mailing address showing a home address within the city or district, as applicable;
 - (7) Proof of payment of utilities at a home address within the city or district, as applicable;

- (8) Property Appraiser's record showing ownership of homestead property within the city or district, as applicable;
- (9) An item of mail with a postmark directed to a person's home address within the city or district, as applicable;
- (10) A residential lease showing a home address within the city or district, as applicable.

ORIGINAL - Sec. 3.04. - Judge of elections and qualifications of members.

The city commission shall be the judge of all municipal elections and referendums and of the qualifications of its members, subject to review by the courts. At the time that the city commission meets to canvass the results of any election, any registered elector of City of Fort Lauderdale shall be entitled to file with the city commission an affidavit setting out the facts showing that a candidate has violated the provisions of this charter as to the manner of his or her election, or is otherwise unqualified to hold office, and the city commission shall take proof at such meeting and declare the results.

REVISED - Sec. 3.04. - Judge of elections and qualifications of members.

All candidates for the office of mayor or commissioner shall submit to the city clerk, for a ministerial review, documentation necessary to demonstrate compliance with this charter and applicable law. The city commission shall be the judge of the qualifications of its members, referendums and municipal elections, subject to review by the courts.

Sec. 3.04. - Judge of elections and qualifications of members.

All candidates for the office of mayor or commissioner shall submit to the city clerk, for a ministerial review, documentation necessary to demonstrate compliance with this charter and applicable law. The city commission shall be the judge of the qualifications of its members, referendums and municipal elections ~~all municipal elections and referendums and of the qualifications of its members,~~ subject to review by the courts. ~~At the time that the city commission meets to canvass the results of any election, any registered elector of City of Fort Lauderdale shall be entitled to file with the city commission an affidavit setting out the facts showing that a candidate has violated the provisions of this charter as to the manner of his or her election, or is otherwise unqualified to hold office, and the city commission shall take proof at such meeting and declare the results.~~

Sec. 4.08. Removal or discharge.

The city manager may be removed or discharged by resolution of the city commission at any time. In such resolution the commission shall designate an ~~acting~~interim city manager to serve in the place of the removed city manager, and the removed city manager shall vacate the office upon adoption of the resolution. Within five (5) days after the adoption of resolution removing or discharging him or her, such removed city manager shall have the right to have served upon him or her written statement of specific reasons for his or her discharge, if he or she so desires, by filing a demand for same with the city clerk, and leaving sufficient copies with the city clerk for service upon members of the city commission. Such written statement of specific reasons, signed by a majority of the city commission shall be delivered to such removed officer within five (5) days after service of such demand as aforesaid, and a definite time and date fixed in such written statement for a public hearing before the commission within not less than five (5) days and not more than ten (10) days after the service of such written statement. At the time and place specified the city commission shall convene as a body at a special meeting for the purpose of conducting a public hearing upon such charges. The removed city manager shall have the right to appear at such hearing to answer and rebut such charges or reasons, and he or she shall have the right to be represented by his or her own private counsel. At the conclusion of such hearing the commission shall adopt a resolution confirming such removal or reinstating such removed city manager. If reinstated he or she shall receive full pay for the period intervening between his or her removal and reinstatement.

An ~~acting~~interim city manager may be removed at any time by resolution of the city commission, and such removed person shall not be entitled to a public hearing upon such removal.

Sec. 6.02. Classified and nonclassified service.

All offices and positions of the city shall either be in the nonclassified service or in the classified service. The city manager and deputy city manager, city attorney and deputy city attorney, city clerk and city auditor shall be appointed by resolution of the city commission. Assistant city attorneys shall be appointed by the city attorney. Commission assistants shall be appointed by the City Commission. Assistant city clerks shall be appointed by the city clerk and assistant city auditors shall be appointed by the city auditor. All other nonclassified personnel shall be appointed by the city manager, who shall be empowered to execute employment contracts with such employees. The duration of such employment contracts shall not exceed two (2) years, and the pay provisions shall be in conformance with the salary range established in the city's pay ordinance. All positions in the classified service shall be filled in accordance with personnel rules and regulations; provided, however, that all positions in the classified service which, once filled, are subject to the provisions of any collective bargaining agreement shall be exempt from the applicability of such personnel rules and regulations. Positions in the nonclassified service shall be filled on the basis of relative ability, knowledge and skill. Such employees shall be entitled to fair and equitable compensation, with incentives and recognition for excellent performance. The nonclassified service shall include the following positions and levels:

- (a) The city manager and/or ~~acting~~interim city manager.
- (b) Deputy city manager and deputy city attorney.
- (c) Assistant city managers.
- (d) Administrative assistants to the city manager.
- (e) The city attorney and assistant city attorneys.
- (f) All management category I positions.
- (g) City clerk and assistant city clerks.
- (h) Commission assistants.
- (i) City auditor and assistant city auditors.

Nonclassified personnel may not be assigned the duties of a vacant classified position except in accordance with personnel rules and regulations.

The classified service shall include all positions in the city's service, except those specifically placed in the nonclassified service. All persons in the classified service shall be subject to the civil service rules and regulations; provided, however, that regular

employees in the classified service who are subject to a collective bargaining agreement shall not be subject to civil service rules and regulations.

ORIGINAL - Sec. 8.09. - Leases for more than one year and not more than fifty years.

City is hereby empowered to lease or concession to private persons, firms or corporations, for nonpublic purposes, any 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 public property owned or operated by the City of Fort Lauderdale, and not needed for governmental purposes, whether used in a governmental or in a proprietary capacity, for a period of not more than fifty (50) years, 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 persons, firms or corporations. 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.

REVISED - 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 enter into lease agreements, license agreements, concession agreements, facility use agreements, or other types of use agreements with private parties, (each is an “Agreement”), for periods including any renewals or extensions, 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, as follows:

- (a) Any Agreement for a period 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 for a period exceeding ten years 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.

- (b) Any Agreement for a period exceeding fifty years requires a unanimous affirmative vote of the entire city commission.

Each Agreement shall contain a provision that the Agreement may not be assigned except upon the affirmative vote of at least four commissioners.