



REGULAR OF THE CHARTER REVIEW BOARD - MINUTES
Tuesday, August 29, 2017 at 6:00 PM

I. CALL TO ORDER

Chair, Nathaniel Klitsberg, called the Tuesday, Aug. 29, 2017 Charter Review Board Meeting, being held in Commission Chambers, to order at 6:02 p.m.

Pledge

Chair, Nathaniel Klitsberg, led the Pledge of Allegiance.

Roll Call

Present were:

Anthony Avello	Board Member
Nathaniel Klitsberg	Board Member
Gary Rosner	Board Member
Golden Johansson	1st Alternate Board Member
Alison Bieler	Board Member
Andrea Jacobs	Board Member
John Kelly	Board Member
Dodie Lazowick	Board Member

Absent were:

Bob Robes	2 nd Alternate Board Member
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Others Present were:

Andrew Maurodis	City Attorney
Jennifer Johnson	City Clerk

II. MINUTES APPROVAL

Charter Review Board - Jun 27, 2017 6:00 PM

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RESULT:	ACCEPTED [UNANIMOUS]	
MOVER:	Anthony Avello, Board Member	
SECONDER:	Gary Rosner, Board Member	
AYES:	Avello, Klitsberg, Rosner, Bieler, Jacobs, Kelly, Lazowick	
NOT REQUIRED:		Johansson

III. COMMENTS FROM THE PUBLIC

None.

IV. COMMENTS FROM THE BOARD CHAIR AND BOARD MEMBERS

Chair Klitsberg welcomed everyone to the meeting. Klitsberg also welcomed Carlos A. Verney, Jr., Executive Director of the Broward County Charter Review Commission.

V. APPROVAL OF THE AGENDA

Motion to approve the agenda

RESULT:	ADOPTED [UNANIMOUS]	
MOVER:	Alison Bieler, Board Member	
SECONDER:	Andrea Jacobs, Board Member	
AYES:	Avello, Klitsberg, Rosner, Bieler, Jacobs, Kelly, Lazowick	
NOT REQUIRED:		Johansson

VI. NEW BUSINESS

A. ARTICLE III: MAYOR AND CITY COMMISSION

Section 3.01 City Commission and Section 3.07 Presiding Officer

City Attorney, Andy Maurodis, provided background on the two sections stating these two sections go hand-in-hand with each other.

Member Bieler: The Charter does not call for a Deputy Vice Mayor. Maybe we could make a recommendation to the Commission, versus an actual referendum question, to eliminate the use of the title Deputy Vice Mayor. This could be problematic, and gives the impression that authority is inherent with the title. It needs to be crystal clear on who can act on behalf of the City, and who can't. You have the Mayor, the rotating Vice Mayor, and then Robert's Rules

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would take precedence. I think it is confusing to the public.

Member Avello: Agreed with Bieler's statement. How often is the Deputy Vice Mayor appointed?

City Attorney: The Vice Mayor and Deputy Vice Mayor positions are voted on annually.

Member Bieler: With the recommendation, maybe we can further recommend the title go away at the end of a term. You don't want it to abruptly go away and have someone's term cut short.

No other comments or suggestions regarding Section 3.01 or 3.07.

Section 3.02: Districts.

City Attorney, Andy Maurodis provided background stating this section is complicated. It is complicated in some ways, and maybe it doesn't need to be. Some other cities make our provision look lengthy. When they did this, the staggered terms can make it a headache. We would have Constitutional issues if we didn't redistrict because of The Wedge. The date so far has not been a problem, but we are open to other suggestions.

Chair Klitsberg: Doesn't want to make the districts meaningless, and is in favor of residency requirements.

Member Bieler: Is in favor of districts. There are many different interests in the City, such as families, retirees, etc. and it is always nice to have people represent a neighborhood because you don't always have the same interests.

Member Rosner: Also in favor of districts.

Chair Klitsberg: If we did away with districts, and voted everyone at-large, we would lose that geographic representation.

Member Lazowick: As certain areas of Parkland become denser, it will be nice to have

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representation of the other districts as districts are equally proportioned. As we change, we are going to see more Commissioner's in denser areas, and less in lower density areas. This gives those lower density areas representation. By forcing people to be elected in certain areas, it allows for diversity.

Member Bieler: Districts naturally support the idea of governance by the people.

Chair Klitsberg: The consensus of the Board is to continue to have elections based on Districts. The reality is, each part of Parkland is different and we will see a change at the next redistricting but it is nice that everyone gets representation.

Member Bieler: I think the next redistricting is 2020. I was wondering about the time and if we need to amend the November 2008 date. From a pragmatic approach, amending the Charter to reflect the next redistricting with the next election.

City Attorney: So you are looking at bringing a specific redistricting date into the Charter.

Member Lazowick: No matter what date you put in here, the City is scheduled to redistrict every four years. At some point if you change the date to 2020, you are still redistricting every four years.

City Attorney: Four years is the baseline. If I was going to make a recommendation, it would be to take out all the following language: At the commencement of the redistricting process, the City Manager shall submit to the City Commission the names of three independent consultants with experience in drawing boundaries on either the municipal, county, state or federal levels. The consultants may not be employees of the City of Parkland. The City Commission shall retain one of three consultants for the purpose of drawing commission districts. The consultant, in consultation with the City Manager or his designee, shall develop at least two redistricting plans for submission and consideration by the City Commission. At

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least fifteen days prior to the first reading of any ordinance on redistricting Commission districts, the City Commission shall hold a workshop at which the consultant shall be present and at which the public shall have an opportunity to be heard on the proposals submitted to the City Commission for consideration. The City Commission shall make the final decision as to any redistricting mandated pursuant to this section and may either accept, reject, or modify the plans submitted to it for review. This is because the City Commission, City Manager and the City's Procurement Code dictate following a proper protocol for the purpose of redistricting.

Member Kelly: Agreed with the City Attorney's suggestion for removing the whole portion.

Chair Klitsberg: I always view the Charter as the bare bones. [Maurodis] Do you have any idea as to why the mechanics of the section were so detailed.

City Attorney: I think it was our first Charter Review process, and it was in the interest of fairness.

Member Avello: Based on the amount of language that is suggesting to be eliminated, it may give voters a bad impression of what we are trying to do. I see the removal, but residents may think we are gerrymandering.

City Attorney: If the primary section that we have trouble with is the requirement of three (3) consultants, we could say something in the effect of, shall retain a consultant through a competitive solicitation.

Member Lazowick: At the end of the day, you need to get the voters to vote for it. I agree the language should come out, but there is nothing in there that we don't already do. So the only thing I would change is the three (3) consultants. The last time they redistricted they only received two (2) proposals, and they had to make a special request for an additional proposal

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in order to move it through. This is a very specified consultant, and it is a huge problem finding three (3) firms that can do it. In order to not look disingenuous, you could make a recommendation of having at least two (2) firms provide proposals. That is what has to change, it would be nice to change the whole thing, but this is what we need approved.

Member Bieler: Reducing to two (2) firms is probably a good idea. The language is going to show the strikethrough on the ballot anyway.

Member Jacobs: This was recommended following the 2012 Charter Review Board, but it did not go to the ballot.

City Attorney: I don't think the City Commission put it to a vote.

Chair Klitsberg: Recommends using generic language.

Member Lazowick: It think it was a lot to read on the ballot in 2012.

Chair Klitsberg: If getting three (3) consultants is the specific problem with this process, then we should use the competitive bid process language.

Member Bieler: The key to getting voters to understand the change will be public information/education. If you just read it on its face, people will naturally be suspicious.

City Attorney: We have to be careful when handing out information regarding the referendum. We can give information, but we can't actually support or promote the measure one way or the other.

Member Lazowick: Motion to recommend the City Attorney re-write the portion of Section 3.02 that would eliminate three (3) independent consultants, and instead include language reflecting hire a consultant following a competitive solicitation process.

Member Avello seconded.

Motion passed unanimously.

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City Attorney Maurodis will work on it, and bring the proposed amendment back for review at the next meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dodie Lazowick, Board Member
SECONDER:	Alison Bieler, Board Member
AYES:	Avello, Klitsberg, Rosner, Bieler, Jacobs, Kelly, Lazowick
NOT REQUIRED:	Johansson

Section 3.03: Commission Terms

City Attorney, Andy Maurodis, provided background regarding the section. This was a big change when it went through.

Member Avello: Asked City Attorney Maurodis if he was comfortable with Section 3.03? Specifically B, vacating office.

City Attorney: Replied yes, and clarified, a Commissioner who is elected to serve the remainder of a Mayoral term could run for two additional four-year terms.

Member Lazowick: I hate term limits. Just when good people get the rolling, they get kicked out. If you are here a long time, and you are not doing a good job, then you get voted out. My personal preference is not to have them, but if you do have them, they should be longer.

Chair Klitsberg: I tend to agree, and that elections are ultimately term limits. Does anybody want to pick up Dodie's [Lazowick] torch and run with it.

Member Avello: Asked the City Attorney if he remembers what the genesis of change was for this in 2006. Should we be in the mode of reversing if the voters overwhelming supported it.

Member Lazowick: I'm also aware that cycles change. We kind of depend on what is going on in the world as a whole, and does our population overwhelming support the measure.

Member Avello: I don't disagree, but then were going to jump back and reverse it. This is

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new, and it's not like this was enacted 20 years ago.

Member Rosner: It's tricky, but as a voter that is what elections are for. If you are not doing a good job, people will hopefully vote you out.

Member Kelly: I have mixed emotions about this. On one hand we seen the abuse, but on the other sometimes we have people who just can't do the job.

Member Jacobs: I'm on the fence and see both sides. Sometimes we need a fresh set of eyes and a different voice from the public. On the other side, why would you want to stop someone who is doing a good job.

Member Bieler: It cuts both ways. There is a desire for new viewpoints, but how do you unseat someone? Sometimes you run up against a machine. I have also seen wonderful people get termed out. You never know what you are going to get, but I believe in giving anyone the opportunity to serve.

Chair Klitsberg: My feelings are elections are the ultimate term limits. Parkland right now is in a continuing state of change. Considering everything coming in the west, as well as if Hendrix ever decides on coming into the City, and we have redistricting in 2020. In 2006, the voters decided 63% to 37% to approve instituting term limits. My personal feelings are we stick with keeping it as is this go around.

Member Lazowick: Since politics is bigger than Parkland. I think Parkland is at a disadvantage when we don't have a seasoned Commissioners. This is especially true when we are dealing with larger entities outside of Parkland and on much bigger issues. We have changes coming to Parkland and the dynamic could change dramatically with the quick growth that is coming.

Member Lazowick: Motion to recommend the City Attorney re-write the portion of Section

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3.03 that would extend term limits to a maximum of 12 years.

Member Bieler seconded.

Member Avello: I think the term limit for eight (8) years was to give someone the option to also run for the Mayor's office. That would be two (2) terms as a Commissioner, and two (2) terms as a Mayor. I would be opposed to increasing the number of terms to three.

Motion failed 5-2 with Lazowick and Rosner voting in favor.

RESULT: DEFEATED [2 TO 5]

MOVER: Dodie Lazowick, Board Member

SECONDER: Alison Bieler, Board Member

AYES: Rosner, Lazowick

NAYS: Avello, Klitsberg, Bieler, Jacobs, Kelly

NOT REQUIRED: Johansson

Section 3.04 Oath of Office

No recommended changes.

Section 3.05: Compensation

City Attorney, Andy Maurodis, provided background regarding the section. It was a big step to do this, but now that it is done, they don't have a say in increases, etc. This reassures it will be in line with some of our neighboring cities.

Clerk Johnson: The results of this referendum was 80% in favor.

Chair Klitsberg: So the residents overwhelmingly approved this.

Member Lazowick: Why did they pick those three (3) cities as comparative cities? That just seems strange to me. I know they are close in proximity.

Member Jacobs: I did some research, and the population of those cities at the time was

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Deerfield Beach is 79,764, Coconut Creek is 59,405, Margate is 57,870 and Parkland was 31,507. That is a big disparity.

Inaudible: How much do State Representative make? Under \$30,000.

Member Avello: It reminds me of an old trick of how we were going to be the 4th highest paid police department in the County. He looked at me like I was crazy, why should I be subjected to giving you an increase based on what other people do. I was always laughed at. I could never understand the three, but I think the Commission should look the residents in the eye tell them what they should be paid. You look at this and you don't know what they make. I want to be more direct, but make note, that I think they are underpaid. I think we should have a more definitive figure in the Charter.

Member Rosner: I agree. I think they are underpaid considering the amount of work they do.

Member Avello: How do other cities address salaries.

City Attorney: In some other cities, their charters read that Commissioners can set their own salaries, but they cannot go into effect until after an election.

Member Avello: So it provides for them to set their salary, it doesn't provide for a salary in the Charter. That makes sense.

City Attorney: It is not very common to see numbers for salary in the Charter.

Clerk Johnson: The Mayor currently receives about \$31,000 per year, and Commissioners receive about \$28,000. They also receive insurance and a car allowance. I will double-check tomorrow the exact figures and send it out to the members of the Board.

Chair Klitsberg: This was just passed in 2014, we should just leave it as is.

Member Lazowick: So they have the opportunity to decline a benefit, but do they get that back in some way?

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Clerk Johnson: I will speak with the Finance Department tomorrow and get definitive answers to salary and benefits for everyone.

City Attorney: I believe they do a survey at the first of the year, and if those cities get an increase, then our City gets an increase.

No recommended changes.

Section 3.06: Regular and Special Meetings

City Attorney, Andy Maurodis, provided background regarding the section stating a significant portion is unnecessary, but the portion related to a Quorum and the provision for a majority should remain. Many cities have a provision of that states no action can be taken unless there is an affirmative vote by at least three (3) members.

Member Bieler: I have strong feelings about this, and the Board has a standard/expectation of conducting business. I find it troubling when you don't have three people agreeing on an item.

Member Avello: We have had that issue at Planning and Zoning.

Member Lazowick: We just had this issue with the separation agreement. It had a lot of controversy, but we only had three votes on the dais. I know there were a lot of varying opinions, and some maybe didn't express their opinions because there were only three that night. I just have heartburn with two (2) people voting, and having the authority to make significant decisions.

Chair Klitsberg: I was here for that meeting, and it was a rare occurrence.

Member Bieler: If you don't have enough people for a vote, you can always table it and call a special meeting. Also, you can waive notice of a special meeting if they have vote by unanimous vote?

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City Attorney: That would be an abomination.

Member Rosner: Inaudible.

Member Bieler: So they are permitted to vote, but they must have three (3) yays to pass anything.

Member Lazowick: As a person who works in a number of cities, if I have trouble getting enough votes to pass because of an attendance issues, I will call and pull my item.

Member Rosner: Inaudible.

Chair Klitsberg: In the past, we have had a Commissioner call in a telephonically to if necessary.

Member Bieler: As long as there is a physical quorum.

Member Avello: I always thought the telephonic vote was always a little odd. Is it legally sound?

City Attorney: A uniform rule applies that a physical quorum must be present, and then you could take a vote from the other voter by phones.

Member Kelly: Do you recommend requiring the three (3)?

Member Bieler: Motion to have the City Attorney amend the language in Section 3.06C be amended to require, no action of the City Commission shall be approved without a majority of the Commission meaning three (3) of five (5).

Member Rosner: Seconded the motion.

Motion passed unanimously.

City Attorney: I will work on this one, and hopefully have it for you in plenty of time to review before the next meeting.

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RESULT:	ADOPTED [UNANIMOUS]	
MOVER:	Alison Bieler, Board Member	
SECONDER:	Gary Rosner, Board Member	
AYES:	Avello, Klitsberg, Rosner, Bieler, Jacobs, Kelly, Lazowick	
NOT REQUIRED:		Johansson

Section 3.07: Presiding Officer

City Attorney, Andy Maurodis, asked if there were any other comments on Section 3.07.

There are two example charters to take a look at.

Member Bieler: The Mayor is elected at-large. This can be problematic, so I think there should be no special responsibilities other than ceremonial. It functions better as a practical matter.

No recommended changes.

B. OTHER TOPICS FROM THE CHARTER

None.

VII. OLD BUSINESS

We will have Old Business next time, because we will be reviewing the two recommendations.

VIII. COMMENTS FROM THE CITY ATTORNEY

None.

IX. ADJOURNMENT

There being nothing further to discuss, Board Member Andrea Jacobs motioned to adjourn. Board Member Kelly seconded. Chair Klitsberg adjourned the meeting at 7:34 p.m.

Transcribed and submitted by:

City Clerk, Jennifer Johnson

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ATTEST:

Chairman, Nathaniel Klitsberg

The above signature is the Charter Review Board Secretary for the City of Parkland, Florida and the information provided herein are the Minutes of the Charter Review Board held Tuesday, August 29, 2017, which were formally approved and adopted by the Charter Review Board on

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