



**REGULAR OF THE CHARTER REVIEW BOARD - MINUTES**  
**Tuesday, September 26, 2017 at 6:00 PM**

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**I. CALL TO ORDER**

Chair, Nathaniel Klitsberg, called the Tuesday, September 26, 2017, Charter Review Board meeting, being held in Commission Chambers to order at 6 p.m.

**PLEDGE**

Chair, Nathaniel Klitsberg, let 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
Bob Robes	2 <sup>nd</sup> Alternate Board Member
Andrea Jacobs	Board Member
John Kelly	Board Member

Absent were:

Alison Bieler	Board Member
Dodie Lazowick	Board Member

Others Present were:

Andrew Maurodis	City Attorney
Jennifer Johnson	City Clerk

**II. MINUTES APPROVAL**

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<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Golden Johansson, 1st Alternate Board Member
<b>SECONDER:</b>	Gary Rosner, Board Member
<b>AYES:</b>	Avello, Klitsberg, Rosner, Johansson, Robes, Jacobs, Kelly
<b>ABSENT:</b>	Bieler, Lazowick

**III. COMMENTS FROM THE PUBLIC**

None.

**IV. COMMENTS FROM THE BOARD CHAIR AND BOARD MEMBERS**

Chair, Nathaniel Klitsberg, welcomed Commissioner Mayersohn to the meeting.

**A. TENTATIVE OCTOBER MEETING DATE - TUESDAY, OCT. 31, 2017**

Motion to Cancel the October 31, 2017 Meeting

Chair, Nathaniel Klitsberg, stated he didn't feel it was necessary for the board to meet on Halloween. We are on track for how things are moving, and we could go a little longer in November if necessary. Board Member Rosner motioned to cancel the meeting. Board Member Jacobs seconded.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gary Rosner, Board Member
<b>SECONDER:</b>	Andrea Jacobs, Board Member
<b>AYES:</b>	Avello, Klitsberg, Rosner, Johansson, Robes, Jacobs, Kelly
<b>ABSENT:</b>	Bieler, Lazowick

**V. APPROVAL OF THE AGENDA**

Motion to Approve the Agenda

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andrea Jacobs, Board Member
<b>SECONDER:</b>	John Kelly, Board Member
<b>AYES:</b>	Avello, Klitsberg, Rosner, Johansson, Robes, Jacobs, Kelly
<b>ABSENT:</b>	Bieler, Lazowick

**VI. NEW BUSINESS**

**A. ARTICLE V. - CITY MANAGER**

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City Attorney, Andy Maurodis, provided background information regarding the City Manager. He stated there is not much to tinker with, and in 2006, it was simplified to its current state. The biggest decision in this section is the termination of the City Manager. The trend has moved toward a majority.

Board Member Kelly stated he is not in favor of a super majority. If three (3) out of five (5) don't want me there, then I don't want to be there. He said that he spoke to our current City Manager, and he feels the same way.

Maurodis questioned if you wanted due process, but that almost turns it into a trial. If the manager has to do that to hold onto their job, then it's a circus and I would not go down that road. This allows for them to be at least a little hesitant. I don't know if you want to simplify it more, but I also don't know if it is that bad that you want to rewrite it. Finally, there is the non-interference clause. Generally, when a manager needs to pull out the non-interference clause it is not a good sign. I will not the absence of the powers of the City Manager. This has never been a problem.

Kelly asked who sets the agenda.

Maurodis replied it is typically the City Manager. It does present an issue that if two want to put something on the agenda, then it questions if they are violating Sunshine.

Kelly stated he held the exclusive right to set the agenda. If the Commission wanted something, then three (3) could vote to put it on the next agenda. As opposed to putting it on at a Commission meeting and then having them debate it for hours. Then nothing gets done anyway.

Maurodis stated he has adopted an unofficial rule, whereby, two Commissioners could put something on. Now, that becomes a question as to whether you want it in the Charter or just as an administrative rule. It can become a little crazy.

Kelly, we had this happen in Tamarac and then you have items that have not been reviewed. They should have the individual (1) right to put an item on the agenda.

Maurodis stated that you could have something in place in case there were exigent circumstances. Do you want that enshrined in the Charter? It can get a little rigid.

Klitsberg, asked if that was something to move forward with where would it go. It doesn't seem to fit with City Manager.

Kelly stated in Coconut Creek stated it is in the Charter, under the City Manager.

Maurodis said yes. It would go under the City Manager as a new section.

Board Member Avello asked whose agenda is it? Is it the City Commission, Mayor or City

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Manager's? I don't know how the City Commission is going to take that. Does it give up control by giving the City Manager exclusive rights. How is it set up now?

Maurodis stated, at a meeting, the Commission can add items by a majority vote. Prior to the meeting, there are no rules. Right now the City Manager finesses it.

Avello said he is uncomfortable with taking all control away from the Commission.

Klitsberg asked if there were any comments on Section 5.01-5.03? He stated that he did not like the language of "cause" for removal. Obviously decisions have consequences. This is self-explanatory and that's what elections are for. There is no great need to change anything in these sections.

Klitsberg stated that he thinks there should be some language stating the City Manager shall set the agenda. Also language stating that any two Commissioners, or the Mayor, may add an item to the next Commission agenda.

Maurodis stated that the language should allow for them to put the item on that agenda. You have to give them the opportunity to act.

Avello asked to clarify "next meeting".

Maurodis stated that he would recommend giving them the opportunity to add it to the agenda for discussion. Three (3) Commissioners could vote it down. You want to allow for sufficient flexibility. Things do come up.

Avello asked if there is flexibility now.

Maurodis stated we don't have a rule. The problem becomes if you don't have a rule, and there could be friction with the manager.

Kelly recommended having the language to require a majority.

Avello stated that we are going from a free-for-all, to now requiring three (3) people to put an item on.

Maurodis stated that it has always worked ok here. They play nice.

Avello stated that by putting this on the ballot, it could be considered like inside baseball talk. It could be confusing.

Klitsberg reminded everyone that he would at least like to look at prospective language, and then decide on if we want to go forward with the recommendation. Or if we wanted to direct them to establish a rule.

The consensus of the Board was to direct the City Attorney to draft language for a new

section with parameters for putting items on the agenda.

**B. ARTICLE VI. - CITY CLERK**

City Attorney, Andy Maurodis, provided background information regarding the powers of the City Clerk. The consensus of the Board was no changes.

**VII. OLD BUSINESS**

**A. ARTICLE III. THE MAYOR & CITY COMMISSION: SECTION 3.02 - DISTRICTS**

City Attorney, Andy Maurodis, reviewed the updated language changes to the provision regarding the use of a consultant for redistricting.

Board Member Kelly asked what if the City can't find anyone to do it?

Maurodis stated that would be terrible. The problem is that the people who do this type of work is very small. In the event that we can't find someone, it would have to default to the Planning Director. Under the rules and guidance of my office.

Klitsberg asked if there is any way we can change that language some it doesn't look like we are scheming.

Maurodis stated that you could say something along the lines of, "if no proposers respond after two successive RFP solicitations than it would revert to the Planning Director. You really want to try to find someone. After all, it's not like they are getting paid. It's about \$25,000 to redistrict. If you don't have a skilled person who is going to do it, the City Attorney must get involved.

Klitsberg stated that he wanted to plan for the worst set of circumstances.

Avello asked what the likelihood of not getting someone really is?

Klitsberg said there is a chance, but not likely. In the past we had trouble getting three (3) people to do it in the past.

Avello asked what if we only get one bid?

Maurodis stated you would then accept that bid.

The consensus of the Board is to have the City Attorney draft additional language such as "if no proposers respond after two successive RFP solicitations than it would revert to the Planning Director."

**B. ARTICLE III. - THE MAYOR AND CITY COMMISSION: 3.06 - REGULAR AND SPECIAL MEETINGS**

City Attorney, Andy Maurodis, reviewed the updated language changes to the provision regarding the meetings and special meetings.

Chair, Klitsberg, stated that this happened in the past.

The consensus of the Board was to accept the language as submitted by the City Attorney.

**VIII. COMMENTS FROM THE CITY ATTORNEY**

None.

**IX. ADJOURNMENT**

There being nothing further to discuss, Board Member Kelly motioned to adjourn. Board Member Jacobs seconded. Chair, Klitsberg, adjourned the meeting at 6:40 p.m.

Transcribed and submitted by City Clerk – Jennifer Johnson

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ATTEST:

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Chair – Nathaniel Klitsberg

The above signature is the City Clerk of the City of Parkland, Florida, and the information provided herein are the Minutes of the Charter Review Board Meeting held Tuesday, September 26, 2017, which were formally approved and adopted by the Charter Review Board on

*Note to Reader: If the Minutes you have received are not signed, or completed as indicated above, this means they are not the official minutes of the City Commission. They will become official Minutes only after review and approval, which may involve amendments, additions or deletions as set forth above.*

**PLEASE BE ADVISED THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY OR COMMISSION WITH RESPECT TO ANY MATTERS CONSIDERED AT SUCH HEARING OR MEETING HE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE HE WILL NEED TO ENSURE THAT A VERBATIM RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. (FLORIDA STATUTE 286.0105)**

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITY ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK NO LATER THAN 48 HOURS PRIOR TO THE MEETING AT (954) 753-5040 FOR ASSISTANCE.**