

**CITY OF COOPER CITY
CHARTER REVIEW BOARD
MARCH 19, 2012**

1. Call to Order/Roll Call

Chair Greg Ross called the meeting to order at 6:30 p.m.

MEMBERS	1/17/2012	2/07/2012	2/21/2012	03/07/2012	3/19/2012	4/03/2012	4/17/2012
Lori G. Green	P	P	P	P	P		
Jay J Greear	P	P	P	P	P		
Ian R. Dasho	P	P	P	A	P		
Scott J. Cooper	P	A	P	P	A		
Walter S. Jolliff	P	P	P	P	P		
Skip Klauber	P	P	P	P	P		
Helen Cohen	P	A	P	A	P		
Dick Sharpe	P	P	P	A	P		
David W. Rouse	P	P	A	P	P		
Greg Ross	P	P	P	P	P		

2. Approval of Minutes

3-7-2012

MOTION: To approve the minutes from the meeting of 03/07/2012.

Moved by Jay Greear, seconded by Dick Sharpe.

All ayes voiced with no opposition. Motion passed.

3. Open Public Commentary

Ed Wooley, 10038 Nashville Drive, expressed his opinion that the district map is very simple to draw and must be done at this time.

4. Guest Speakers

- Commissioner John Sims
Commissioner Sims expressed his appreciation to the Board for their volunteerism and dedication. He cautioned them that their decisions will have an effect on the City for years to come and opined on several topics that have been previously discussed. He advised that the district maps have already been re-drawn and should have been adopted. He advised the board to not allow staff to influence their decisions and explained that he would e-mail his suggested changes to the Charter to each member of the Board so they may address them at a future meeting.

5. Old Business

A. Section 3.02(3) – Term Limitations

- Approve Changes: Concerning not counting partial term served

City Atty. Wolpin read, "IN THE EVENT THAT A PERSON IS APPOINTED OR ELECTED TO COMPLETE, IN WHOLE OR IN PART, A REMAINING PORTION OF AN INCOMPLETE TERM OF OFFICE OF MAYOR OR COMMISSIONER IN ORDER TO FILL A VACANCY CREATED BY THE RESIGNATION, SUSPENSION, REMOVAL, FORFEITURE OF OFFICE OR DEATH OF THE PREVIOUS OFFICE-HOLDER, THE TIME SERVED IN OFFICE BY THE PERSON SO APPOINTED TO OR ELECTED TO FILL THE VACANCY IN OFFICE, PURSUANT TO SECTION 3.10 OF THIS ARTICLE, SHALL NOT BE COUNTED TOWARDS THE TERM LIMITATIONS PROVIDED BY THIS PARAGRAPH (3)," as the verbiage added to this section.

MOTION: To approve the language to be added to the charter.

Moved by Helen Cohen. Seconded by Walt Jolliff.

Motion passed 8-1 with Dick Sharpe dissenting.

B. Section 3.03 – Election Districts

- Review/Approve Additional Changes: Remove requirement to consider "voting precinct" when determining election districts and add Section 3.03 (3) to provide for adjustment of election district configurations by ordinance six months prior to the next commission election.

City Atty. Wolpin explained that, in paragraph (1), the words "registered voters" were replaced with "population of the city" and the words "voting precinct or" were removed; in paragraph (2) the words "number of registered voters" were replaced with "population of the city;" and he read, "UPON COMPLETION OF THE REVIEW REQUIRED BY PARAGRAH (2) ABOVE, IN THE EVENT THAT THE COMMISSION FINDS THAT THE POPULATION OF THE CITY IS NOT DISTRIBUTED AMONG THE ELECTION DESTRICTS AS REQUIRED BY PARAGRAPH (1) ABOVE, AND FURTHER FINDS THAT THE REDISTRIBUTION OF POPULATION MAY BE ACCOMPLISHED WITHOUT DIVIDING ANY RESIDENTIAL COMMUNITY, THE COMMISSION SHALL BY ORDINANCE, WHICH IS ADOPTED NO LESS THAN SIX (6) MONTHS PRIOR TO THE NEXT REGULAR COMMISSION ELECTION, ADJUST THE ELECTION DISTRICT CONFIGURATIONS ACCORDINGLY," as the added paragraph (3).

MOTION: To accept the proposed language changes and additions.

Moved by Jay Greear. Seconded by Walt Jolliff.

Consensus was reached with no objection to accept the removal of references to voting precincts and registered voters.

MOTION: To expand the population criteria to reflect a no more than 10% differential between the district with

highest population and the district with the lowest population.

Moved by Walt Jolliff. Seconded by Helen Cohen.

Consensus was reached with no objection to direct the City Attorney to incorporate additional language which creates limitations on population differentials.

C. Section 3.10(2) - *Forfeiture of office* and 3.10(3) *Suspensions*

- Approve Changes: Add "post to City website and at City Hall"

MOTION: To add the language to the charter that adds posting of notices to the City website and at City Hall regarding notifications of vacancies, forfeitures of office, filling of vacancies, etc. and to change the words "their successor in office, or such person as the city commission may designate" to "the City Clerk"

Moved by Dick Sharpe. Seconded by Jay Greear.

All eye on roll call vote. Motion passed.

D. Section 3.10(6)(B) – *Filling of vacancies*

- Approve Changes: Remove "reference to non-partisan primary election" (Housekeeping Item)

MOTION: To remove the words "and if a first non partisan primary election is necessary, it shall be scheduled two (2) weeks prior to the special election."

Moved by Walt Jolliff. Seconded by Jay Greear.

All eye on roll call vote. Motion passed.

E. Section 4.01 – *City Manager*

- Expand upon this Section – Jolliff

No action was taken on this Item after discussion.

6. New Business

A. Charter Section 3.01 *City Commission, powers and composition* and 3.02(1) *Qualifications of the Commissioners*

- Discuss possible clarification to conform with **Code of Ordinances Section 2-23(a) *City commission candidates – residency*** concerning residency in district prior to qualifying

MOTION: To change the verbiage in Section 3.01 and 3.02 to reflect that a candidate must reside within their district for a period of 6 months prior to qualifying.

Moved by Greg Ross. Seconded by Jay Greear.

Consensus was reached with no objection to allow the City Attorney to present the proposed verbiage to be

voted upon on the next Agenda.

B. Section 3.05 – Mayor

- Discussion – Klauber

No action was taken on this Item after discussion.

C. Section 3.06 – Compensation; expenses

- Discussion - Klauber

Majority consensus was determined by the Chair to not take action or give direction on this Charter Section.

D. Sections 5.04 and 5.06 – Capital program/Commission action on capital program

- Discuss redundancy of the two sections and possible deletion of one – (Housekeeping Item)

MOTION: To strike section 5.06 as it is redundant in relation to section 5.04.

Moved by Walt Jolliff. Seconded by Jay Greear. All aye on roll call vote. Motion passed.

E. Section 6.01 – Standards of ethics

- Provide Suggested Change - Ross

Chair Greg Ross explained that he would prepare a suggested language to be submitted at the next meeting.

Other portions of the City Charter which the Board desires to review and discuss. –

Chair Greg Ross directed staff to add those items attached as secondary backup which were not discussed to be added to the next agenda.

Open Public Commentary

Ed Wooley, 10038 Nashville Drive, opined that the role of the City Attorney should be clarified as to whom he or she reports to.

7. Adjournment

Chair Greg Ross adjourned the meeting at 8:32 p.m.

NOTICE: This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 954-434-4300 ext. 220, not later than two days prior to such proceeding. One or more members of the City of Cooper City Commission or Advisory Boards may be in attendance and may participate at the meeting. Anyone wishing to appeal any decision made by the Cooper City Charter Review Board with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may 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. Agenda items may be viewed online at www.coopercityfl.org or at the Office of the City Clerk, City of Cooper City, 9090 SW 50 Place, Cooper City, Florida, 33328, 954-434-4300.