



**City of Cooper City
Charter Review Board Agenda
City Hall Auditorium
Tuesday, March 3, 2020
6:30 p.m.**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENTS

(Limited to three minutes per speaker.)

4. CONSENT AGENDA

- a. Minutes for February 4, 2020 meeting
- b. Minutes for February 18, 2020 meeting

5. ITEMS FOR DISCUSSION

- a. Final Discussion on recommendation of charter changes to the City Commission

6. ADJOURNMENT

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, no later than two days prior to such proceeding. One or more members of the City of Cooper City Advisory Boards and City Commission may attend and may participate at the meeting. Anyone wishing to appeal any decision made by the 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.



**City of Cooper City
Charter Review Board Minutes
City Hall Auditorium
Tuesday, February 4, 2020
6:30 p.m.**

1. CALL TO ORDER

Chair Sands called the meeting to order at 6:30 PM.

2. ROLL CALL

Present were David Nall, Joshua Giancarlo, Lori Green, Jim Federici, Bob Sands, John Sims and Ryan Shrouder. Tom Jones, Jimmy Goulet and William Athas were absent.

3. PUBLIC COMMENTS

Former City Commissioner Scott Kleiman addressed the elimination of districts Mr. Kleiman provided how this historically came about. He spoke about fair and equal representation from the city's entirety. Mr. Kleiman requested the prevailing side revisit this issue.

Members of the board asked several questions of Mr. Kleiman

Marty Sherwood addressed the proposed budget date and asked it be revisited and recommend August 1 instead of August 15 due to submission of mileage and projected ad valorem taxes required to the BCPA on August 4.

Members of the board addressed Mr. Sherwood

Mr. Nall requested to table the discussion.

Consensus was reached to table this item until a full quorum is present.

Commissioner Meltzer spoke on Districting.

Requested reconsidering the prior motion from last meeting.

4. CONSENT AGENDA

- a. Minutes for January 8, 2020 meeting (*tabled from previous meeting*)
- b. Minutes for January 21, 2020 meeting (*forthcoming*)

MOTION: To approve consent agenda. **Moved by John Sims. Seconded by David Nall. All aye on roll call vote. Motion passed.**

5. ITEMS FOR DISCUSSION

- a. Review of draft language as prepared by City Attorney

City Attorney Horowitz spoke on the language on proposed changes such as budget dates, auditors and debt and expenditures.

- b. Discussion on and prioritization of proposed charter changes

MOTION: To have City Attorney to revise with language discussed in section 515.2 to say unless included in the adopted budget for a particular fiscal year no capital projected shall exceed 5% of the city operating budget of the general fund as adopted at the beginning of the most recent fiscal year unless approved by a vote of the elector at a referendum election this restriction shall not apply to expenditures from the city's enterprise fund or expenditures from projects that commenced in a prior fiscal year. **Moved by Ryan Shrouder Seconded by John Sims.**

Friendly Amendment by John Sims to strike commenced and replace with projects that were approved in the prior fiscal year.

MOTION: To have City Attorney to revise with language discussed in section 515.2 to say unless included in the adopted budget for a particular fiscal year no capital projected shall exceed 5% of the city operating budget of the general fund as adopted at the beginning of the most recent fiscal year unless approved by a vote of the elector at a referendum election this restriction shall not apply to expenditures from the city's enterprise fund or expenditures from projects that were approved at a prior fiscal year.. **Moved by Ryan Shrouder Seconded by John Sims.**

Motion Withdrawn by Ryan Shrouder to have the City Attorney work on the language pursuant to the Boards discussion.

MOTION: To have the City Attorney to revise number 2 section 5.10 (attached) with the comments he received tonight. **Moved by David Nall. Seconded by Joshua Giancarlo. David Nall, Joshua Giancarlo, Lori Green, Jim Federici, Bob Sands, and Ryan Shrouder, Yes. John Sims, No. Motion passed.**

MOTION: To strike the revision in number 1 section 5.02 (attached). **Moved by Ryan Shrouder. Seconded by David Nall. All aye on roll call vote. Motion passed.**

City Attorney Horowitz read changes proposed for Section 7.02.

MOTION: If any Commission member fails to appointment, two members to the Charter Review Board within 45 days of the initial appointment the Mayor can appoint those vacancies without restriction. **Moved by David Nall. Seconded by John Sims.**

Discussion took place based on information received from Kathryn Sims regarding all municipalities in Broward County and how often they review their Charter.

Lori Green recommended we extend our timeframe as we are amongst the only 2 in the county who review as frequently as every 4 years.

Friendly amendment by Ryan Shrouder convene the Charter Review Board every 10 years.

David Nall made a friendly amendment to convene the Charter Review Board every 6 years.

MOTION: If any Commission member fails to appointment, two members to the Charter Review Board within 45 days of the initial appointment the Mayor can appoint those vacancies without restriction. In addition, the board will convene every 6 years. **Moved by David Nall. Seconded by John Sims. All aye on roll call vote.**

MOTION: The City Commission will present any charter amendment receiving a unanimous vote of all members of the Charter Review Board to the electors of the City. **Moved by David Nall. Seconded by Josh Giancarlo. All aye on roll call vote.**

City Attorney Horowitz, spoke on Section 5.16 which he is still researching. Section 8.03 he would recommend a housekeeping amendment.

Consensus was reached to move forward with the housekeeping amendment as provided by City Attorney.

MOTION: To table prioritization until we have a full list. **Moved by Josh Giancarlo. Seconded by John Sims. All aye on roll call vote. Motion passed.**

Ryan Shrouder asked if there is a provision where a resident can challenge the charter.

City Attorney Horowitz said he would research the question.

The next meeting will be held on February 18, 2020 at 6:30 PM.

MOTION: To adjourn: **Moved by John Sims. Seconded by Josh Giancarlo. All aye on roll call vote. Motion passed.**

6. ADJOURNMENT

The meeting was adjourned at 8:23 PM.

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**City of Cooper City
Charter Review Board Minutes
City Hall Auditorium
Tuesday, February 18, 2020
6:30 p.m.**

1. CALL TO ORDER

Chair Sands called the meeting to order at 6:30 PM.

2. ROLL CALL

Present were William Athas, David Nall, Joshua Giancarlo, Lori Green, Jim Federichi, Bob Sands, John Sims, Jimmy Goulet and Ryan Shrouder. Tom Jones was absent.

3. PUBLIC COMMENTS

None.

4. CONSENT AGENDA

a. Minutes for February 4, 2020 meeting
Minutes were tabled to March 3, 2020 as they were not added to agenda.

5. ITEMS FOR DISCUSSION

a. Discussion on and prioritization of proposed charter changes
City Manager Napoli was introduced to the Board.

The timeline for the Charter process was discussed. The charter changes are needed by April 17, 2020.

MOTION: To change the language in Section 7.02 to include resignation.
**Moved by David Nall. Seconded by Josh Giancarlo. All aye on roll call vote.
Motion passed.**

MOTION: To replace language in 7.02, to read the Mayor shall appoint vacancies to the Charter Review Board if a vacancy occurs or if the vacancy occurs longer than 45 days. **Moved by John Sims. Seconded by Josh Giancarlo. All aye on roll call vote. Motion passed.**

MOTION: To discuss Section 3.01 Voting Districts. **Moved by Jimmy Goulet. Seconded by Josh Giancarlo. All aye on roll call vote.**

MOTION: To keep option C. **Moved by David Nall. Seconded by William Athas. David Nall, William Athas, Yes. Ryan Shrouder, Josh Giancarlo, Lori Green, Jim Federici, Bob Sands, John Sims, Jimmy Goulet, No. Motion failed.**

MOTION: To keep option B to eliminate districts. **Moved by Ryan Shrouder. Seconded by Jimmy Goulet. Ryan Shrouder, Josh Giancarlo, David Nall, William Athas, Jim Federici and Jimmy Goulet, Yes. Lori Green, Bob Sands, John Sims, No.**
Motion passed.

Josh Giancarlo asked that we revisit the issue Mr. Sherwood addressed during public comments at a couple meetings regarding having the Finance Director report directly to Commission

City Manager, Mr. Napoli does not believe this is a good idea as the Finance Director handles the budget and needs to work with the City Manager.

Consensus was reached to not further discuss this item.

David Nall asked the City Attorney about qualifying if a Commissioner resigns.

Ballot fatigue was discussed.

City Attorney Horowitz spoke on prioritizing the way the Board will have the Commission consider the recommendations and also the priority of the order the items are placed on the ballot.

City Attorney Horowitz will work on the items passed tonight and bring back all recommendations at the next meeting.

City Attorney reported on language on remedies on Charter violations, enforcement and cited a 2019 case.

MOTION: To codify the language recited by City Attorney regarding enforcement by the residents of a charter violation. **Moved by Ryan Shrouder. Seconded by Josh Giancarlo. Ryan Shrouder, Josh Giancarlo, David Nall, Jim Federici, Bob Sands, Jimmy Goulet, Yes. Lori Green, William Athas and John Sims, No. Motion passed.**

Motion: To adjourn. **Moved by Josh Giancarlo. Seconded by John Sims. All aye on roll call vote. Motion passed.**

6. ADJOURNMENT

The meeting was adjourned at 8:18 PM.

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