

**CITY OF COOPER CITY  
CHARTER REVIEW BOARD  
MARCH 2, 2016  
6:00 PM**

**1. Call to Order/Roll Call**

Chair de Jesus called the meeting to order at 6:09 PM. Present were board members Meltzer, Sullivan, Lanza, Calhoun and Chair de Jesus. Dr. Clarke, Mr. Grave and Ms. Megna were absent.

**2. Approval of Minutes**

February 17, 2016

**Moved by Mr. Meltzer. Seconded by Mr. Lanza.**

**Motion passed by unanimous approval.**

**3. Public Input**

There was no one in attendance wishing to speak at this meeting.

**4. Old Business**

**Language Clarifications requested of City Attorney Wolpin**

**A. Section 3.06. Compensation; expenses.**

City Atty. Wolpin read, "The city commission may determine any change in the monthly salary of the mayor and commissioners by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of commissioners elected at the next regular election, and shall not be effective unless submitted to and approved by the majority of electors voting at a referendum election which is held in conjunction with such scheduled, regular city commission election," as amended.

**MOTION:** To accept and approve the change to the language as provided by City Attorney Wolpin.

**Moved by Mr. Meltzer. Seconded by Mr. Sullivan.**

**Motion failed 4-1 with only Mr. Meltzer voting to approve.**

**B. Section 3.10. Vacancies, forfeitures of office, filling of vacancies.**

City Atty. Wolpin read, (2) "A commissioner shall forfeit their office if said person, (a) lacks at any time during a term of office any qualification for the office prescribed by this charter or law; (b) violates any standard of conduct or code of ethics established by law for public officials; (c) is convicted of a felony while in office; (d) fails to attend regular meetings for a consecutive period of three (3) months (d) or is absent from more than six (6) regular meetings within any one(1) year period of time unless such failure to attend or absence is excused upon the basis of illness or other good cause by majority vote of the full commission," as amended.

**MOTION:** To accept and approve the change to the language as provided by the City Attorney.

**Moved by Mr. Sullivan. Seconded by Mr. Meltzer.**

**Consensus was reached to bring this item back with language that further clarifies how "good cause" is determined.**

**C. Section 4.01. City Manager.**

City Atty. Wolpin described the language changes, additions and clarifications to the section as provided.

**MOTION:** To accept and approve the change to the language as provided by the City Attorney.

**Moved by Mr. Lanza. Seconded by Mr. Calhoun.**

**Motion passed by unanimous roll call vote.**

**D. Section 4.03. Administrative assistant**

City Atty. Wolpin read, "Section 4.03. Administrative assistant. The city commission may appoint a person to serve as an administrative assistant to the mayor and city commissioners. The administrative assistant shall provide secretarial services to the mayor and commissioners. Service in the position of administrative assistant shall constitute city employment. The city commission may, by resolution, hire and terminate the administrative assistant and may provide for the terms and conditions of city employment, including, but not limited to, requirements for reporting to the city commission and the maintenance of confidentiality in performing the work of the administrative assistant in a manner consistent with applicable law," as added.

**MOTION:** To accept and approve the creation of section 4.03 with the language provided by City Attorney Wolpin, as directed.

**Moved by Mr. Calhoun. Seconded by Mr. Sullivan.**

**Motion passed by unanimous roll call vote.**

**E. Section 5.02. Submission of budget and message.**

City Atty. Wolpin explained that the word [City] was added before the word Manager in paragraph 1, for consistency; and read, "Prior to the submittal of the budget to the city commission as described in paragraph (1) above, the city manager shall have no less than two (2) open public meetings which shall be properly noticed as described below. Published notice covering each of such meetings shall appear in at least one daily newspaper of general circulation within the city, to be published once at least ten (10) days prior to the meeting dates, along with an additional form of public notice to city residents and businesses to be provided by mail or otherwise, in order to invite public input for recommended funding for projects and programs of public interest. The recommendations resulting from the public input

process shall be presented to the city commission for review and consideration. Upon completion of the public input meetings described above, the city manager shall have no less than two (2) open public meetings with the city commission for the purpose of reviewing and considering the recommendations resulting from the public input process and enabling the city manager to obtain input from the city commission on recommended funding for projects and programs of public interest," as added.

**MOTION:** To accept and approve the change to paragraph 1 and addition of paragraph 2 as provided by the City Attorney.

**Moved by Mr. Lanza. Seconded by Mr. Meltzer.**

Chair De Jesus received clarification from the City Attorney that the Open Public Meetings described in paragraph 2 are independent of the state statute required Budget Hearings.

**Motion passed by unanimous roll call vote.**

**F. Section 5.10 Independent audit of city accounts.**

City Attorney Wolpin explained that, per Board direction, Section 5.10 was revised to remove the current language. He read, as the proposed new language: "The city commission shall provide for an independent annual audit of all City accounts, as required by Section 218.39, Florida Statutes, as amended, and may provide for more frequent or special purpose audits as the city commission deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the city government or any of city's officers. The certified public accountant or firm of such accountants utilized for the required annual audit shall be rotated at least every five (5) years to a new certified public accountant or firm of such accountants, in accordance with the competitive selection process provided by Section 218.391, Florida Statutes, as amended. The certified public accountant or firm of such accountants shall report directly to and communicate directly with the city commission. Upon completion, such independent audits shall be furnished directly to the city commission. The city commission may by resolution provide further requirements for an independent audit, "which replaces the former language.

**MOTION:** To accept and approve the change to the language as provided by the City Attorney.

**Moved by Mr. Calhoun. Seconded by Mr. Lanza.**

**It was agreed by consensus and accepted by the motion makers to change the five (5) year requirement to a three (3) year requirement.**

**Motion passed by unanimous roll call vote.**

5. **New Business**

**Submissions provided by Chair de Jesus**

**A. Section 6.01. Standards of ethics.**

Recommendation to change the word *may* to *shall* in this section for consistency.

**MOTION:** To change the word *may* to *shall* in this section for consistency.

**Moved by Mr. Meltzer. Seconded by Mr. Sullivan.**

**Motion passed by unanimous roll call vote.**

**B. Section 7.02. Charter Review board**

Chair De Jesus suggested that Section 7.02 be revised to either empower future Charter Review Boards by Charter to automatically put their recommendations before the voters or abolish the Charter Review Board and place the responsibility of reviewing the Charter on the Commission.

**By consensus, the board agreed to request that the City Attorney provide clarifying language that represents each proposed scenario for consideration by the Commission.**

Chair De Jesus asked for additional input and/or recommendations from the Board and thanked City Manager Loucks for reaching out to the public for input. With no suggestions or recommendations having been submitted by the public, he suggested that the Board's timeline, conclusion and subsequent presentation to the Commission be reevaluated.

Consensus was reached to review and vote upon the new business and language requested of the City Attorney at this meeting, along with any new recommendations that may be presented for the next Agenda at the meeting of the 16<sup>th</sup> and finalize the list of recommendations for presentation to the Commission by the March 30<sup>th</sup> meeting.

Chair De Jesus asked for it to be made public that the last meeting will be on March 30<sup>th</sup>.

6. **Adjournment**

**MOTION:** To adjourn.

**Moved by Mr. Meltzer. Seconded by Mr. Lanza.**

**With no objection, the meeting adjourned at 7:13 PM.**

**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 and Advisory Boards may be in attendance and may participate as the public does 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](http://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.