

# AGENDA



*Life's Just Better Here*

## CHARTER REVIEW BOARD REGULAR MEETING

**Monday, February 24, 2020 at 6:30 PM  
2020 WILTON DRIVE, WILTON MANORS, FLORIDA 33305**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PUBLIC COMMENT**
  - a Members of the public may speak up to three (3) minutes
- 5. REVIEW OF PUBLIC COMMENTS RECEIVED BY EMAIL**
- 6. ADDITIONS/CHANGES/DELETIONS**
- 7. APPROVAL OF MINUTES**
  - a January 21, 2020
- 8. REPORTS BY CHAIR, CITY MANAGER, AND/OR CITY ATTORNEY**
- 9. UNFINISHED BUSINESS**
  - a Discuss and approve Proposal 7, confirming the qualifying period for candidates
- 10. NEW BUSINESS**
  - a Discuss and approve proposed change to Proposal 3, recommendation for City boards and committees
  - b Discuss sunseting of Charter Review Board
  - c Review and approve final report to the City Commission
  - d Discuss March 24, 2020 joint City Commission and Charter Review Board Workshop
- 11. PUBLIC COMMENT**
  - a Members of the public may speak up to two (two) minutes

## **12. ADJOURNMENT**

**NEXT MEETING DATE - Joint workshop with the City Commission on March 24, 2020**

**Pursuant to FS. 286.0105, if a person decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting, or hearing, he/she will need a record of the proceedings and that for such purposes he/she 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 based. Any person requiring Auxiliary Aids and Services for the Meeting may call the ADA Coordinator at (954) 390-2120 at least two working days prior to the meeting. If you are Hearing or Speech impaired, please contact the Florida Relay Services by using the following phone numbers: 1-800-955-8770 (Voice) 1-800-955-8771 (tdd)**



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**DRAFT**  
**CHARTER REVIEW BOARD**  
**2020 WILTON DRIVE**  
**WILTON MANORS, FLORIDA 33305**  
**TUESDAY, JANUARY 21, 2020 – 6:30 P.M.**

| <b>MEMBERS</b>           | <b>ATTENDANCE</b> |
|--------------------------|-------------------|
| Michael Rajner, Chair    | P                 |
| Scott Newton, Vice Chair | P                 |
| Salvatore Torre          | P                 |
| Christopher Ryan         | P                 |
| Doug Blevins             | P                 |

**Staff**

Leigh Ann Henderson, City Manager  
Quentin Morgan, Assistant City Attorney  
Brigitte Chiappetta, Prototype, Inc.

**Guests**

City Commissioner Julie Carson  
City Commissioner Paul Rolli

**1. CALL TO ORDER**

Chair Rajner called the meeting to order at 6:33 p.m.

**2. ROLL CALL**

Roll was called by Ms. Chiappetta, and a quorum was present.

**3. PLEDGE OF ALLEGIANCE – The Pledge was recited.**

**4. REVIEW OF PUBLIC COMMENTS SUBMITTED IN WRITING**

**Letter and email from residents**

Chair Rajner reported an email from Steve Hanley and a memo from Paul Kuta. Chair Rajner sent a reply to Mr. Kuta [Attached], which appears on page 16 of the agenda packet. Mr. Kuta had suggested that the sale of City property in excess of \$750,000 would have to be a referendum item. Chair Rajner responded to the suggestion, saying it was too late in the process for consideration and asked for any feedback from the Board. None was given.

It was noted an email was also received from Ray Carrier.

## **5. ADDITIONS/CHANGES/DELETIONS**

Chair Rajner pointed out that a third item (Discuss Considerations in Future of Charter Reviews) was omitted from New Business.

Chair Rajner announced that after the approval of the changes to the presentation, he wished to table the remaining of New Business to go into the presentation of the proposals and the Public Hearing; after that, the agenda will return to the second item under New Business.

Mr. Blevins asked to review the content of the two emails received in the spirit of fairness. Chair Rajner noted the individuals were present and could speak. He explained that he highlighted Mr. Kuta's communication since it offered an item for the Board's consideration. Mr. Blevins noted both emails were in opposition to the referendum item for specific seat numbers.

## **6. APPROVAL OF MINUTES**

**December 16, 2019**

**Motion** made by Mr. Blevins to approve the minutes of the December 16, 2019, meeting as presented. Mr. Torre seconded the motion, which passed by unanimous voice vote.

## **7. REPORT BY CHAIR, CITY MANAGER, AND/OR CITY ATTORNEY**

### **Letter from Chair Rajner**

In addition to his previous comments on Mr. Kuta's letter, Chair Rajner reported that he and Mr. Torre met as part of the Report Writing Committee and began a template (to be addressed under New Business).

City Manager Henderson advised that staff sent a request to Board members for short bios to include in the report to the City Commission.

### **Statewide ballot amendments and initiatives**

City Manager Henderson stated there are three confirmed citizen initiative items that will be on the 2020 ballot, and several others are circulating or filed for language review (but do not have enough signatures); the legislature may also refer ballot items during their current session. The deadline for signatures to be certified by the Florida Secretary of State to qualify is February 1, 2020; however, the legislature has the entire session to submit.

Chair Rajner acknowledged the presence of Commissioner Paul Rolli and Commissioner Julie Carson and stated that Quentin Morgan, Assistant City Attorney, was standing in for City Attorney Ezrol.

Assistant City Attorney Morgan offered to share information on the qualifying dates. The last Special Act for Broward County in Elections was done in 2012, and Mr. Morgan confirmed that the September date is the correct qualifying date.

Discussion ensued, with comments being made that September seemed too close to the election, and City Manager Henderson said she would get an opinion from the City Clerk on what the qualifying deadline would be.

(Editorial note – after the meeting, the City Attorney and City Clerk confirmed that the qualifying date is in June.)

## **8. New Business**

### **Approval of changes to presentation**

Chair Rajner reviewed the following changes to the presentation for approval:

- Added page 8 to the presentation slides showing sample ballots
- Pages 9-10-11 were added to reflect options in language based on public comment and discussions with the City Attorney between the two meetings
- Pages 14-15-16 were added to provide clarity
- A handout appears after page 16 regarding the seats
- Page 18 was edited to include the word “excused”
- Page 21 might change to correctly reflect the qualifying date

Chair Rajner asked for Board feedback on the changes, and there were no concerns.

### **Discussion of report to the City Commission (Moved to later in the agenda)**

### **Discuss Considerations in Future of Charter Reviews (Moved to later in the agenda)**

## **9. PRESENTATION OF CHARTER REVIEW BOARD PROPOSALS**

At this time, Chair Rajner showed the PowerPoint presentation on the Board proposals [Attached].

### **Proposal 1 - Term limits for commissioners and mayor (Referendum)**

*[Note: Paul Kuta submitted new language, but it exceeded the 75 maximum words allowed for a referendum, so it was edited.]*

**Proposal 2 - Specific seats for commissioner candidates (Referendum)**

*[Note: The Board is suggesting going to the Plurality Voting System. If the Board desires, Chair Rajner was open to having a speaker come in and talk about the “specific seat” process.]*

**Proposal 3 - Changes related to city boards (Ordinance)**

*[Note: The following boards are excluded from the proposed changes: General Employees and Police Officers Pension Board of trustees; The Fire Fighter Pension Board of Trustees; and the Wilton Drive Improvement District.]*

**Proposal 4 - Forfeiture of office for missing four consecutive regular city commission meetings (Referendum)**

**Proposal 5 - Amends the City Charter to include gender neutral pronouns and eliminates gender preference language (Ordinance)**

**Proposal 6 - Amends Article II to reflect municipal powers to be consistent with Florida Laws (Ordinance)**

**Proposal 7 - Amends Article IV, Elections, Section 2 to correct the date of payment of the qualifying fee (Ordinance)**

*[Note: The correct date will be inserted when it is verified.]*

**Proposal 8 - Repeals obsolete Articles IIIA, Sections 14 and 22 and Article V (Referendum)**

**Proposal 9 - Recommendation to amend rules and policies of governing meetings of the city commission (Resolution)**

## **10. PUBLIC HEARING**

Mike Bracchi, 2609 14 Avenue, said he has attended or watched all the meetings and has read all the minutes from the previous meetings. He asked what problem was trying to be solved with the term limits and number of seats and what the benefits would be for the electorate. Regarding term limits, Mr. Bracchi did not see the point in allowing a commissioner to run again after a two-year hiatus if the goal was to avoid “lifetime commissioners.”

Continuing, Mr. Bracchi said the only people who would benefit from eliminating bullet voting would be the incumbent commissioners. Under bullet voting, Mr. Bracchi remarked that voters can vote for any candidate they wish to vote for, or none at all. He provided several scenarios where a candidate could wait until the last minute to decide what seat to run for based on who else is running.

Mr. Bracchi also believed that the wording of the ballot language was ambiguous. The wording does not tell the average voter that anyone running would have to run for a specific seat. In addition, the average voter does not understand the meaning of “at-large.”

Ray Carrier, 2048 NE 6 Terrace, referred to his submitted written objection to the numbered seats. He added that he did not think it warranted to have an “expert” speaker come to the meeting to explain the numbering of seats, since the Board is composed of knowledgeable members. He reiterated that he would like to see the numbered seats dropped. Although he may not totally agree with all the other proposals, Mr. Carrier respected the work done by the Board.

Hearing no further comments, Chair Rajner closed the floor to public comment.

At this time, the Board returned to New Business with Board discussion of changes to the proposals.

Proposal #1:

- The third option, the one proposed by resident Paul Kuta, clarified the various terms
- If a candidate is “not liked,” they will be voted out; the seat option is not needed
- Sees both sides and will not oppose it
- Supports term limits – incumbents are otherwise favored, especially supported by City-provided service contractors and vendors. Twelve years is a generous time to serve, allowing for fresh and new ideas.
- Use the term, “combination of service,” instead of “mixture of service” for clarity
- Agrees with the third option because it clarifies the combination of services for two offices
- “Incumbent” is not necessarily a dirty word; the amount of campaign funds is not always an indicator of winning the election
- The term limits will probably have overwhelming support by voters; shorter term limits might divide the City
- If a commissioner is only in office for a short period of time, they may not be vested in their votes

**Motion** made by Mr. Blevins to adopt the “Kuta modified language” as the ballot question for Proposal #1. Vice Chair Newton seconded the motion.

Mr. Blevins noted that there has been support for some type of term limits in the public feedback, and Chair Rajner commented about the importance of public feedback.

Motion prevailed by unanimous voice vote.

**Motion** made by Vice Chair Newton, seconded by Mr. Blevins, to adopt the “Kuta modified language” with the change of “mixture of services” to “combination of services.” Motion prevailed by unanimous voice vote.

Proposal #2:

- Concern that language should be broadened
  - First-time voters might be confused by the present wording
  - Add the word “continues” after the word “candidates”
  - Add “multi-winner” and “single-winner”
  - Add “Seat one has one winner” and “seat two has one winner,” etc.
- The ordinance is clear, but the ballot language is not
  - Chair Rajner clarified that when he suggested bringing in someone from the academic world to explain, he did not mean to imply the person would be a “salesman” for a particular verbiage it would simple be to provide the Board guidance on fair voting.
- Public comment reflected issues relating to a two-party system, which is not an issue in Wilton Manors as municipal elections are non-partisan
- Having numbered seats is more prevalent in larger cities, and a larger electorate might dilute specific issues that certain groups have because they would have to appeal city-wide
  - Since Wilton Manors is so small, residents’ concerns are all local
  - Perhaps take a second look at the proposal
  - Last municipal election could have been different if there were numbered seats
- Could agree to strike the proposal
- Ballot question is “extremely” confusing and current system works well in City – would like to strike the item
- Language is not clear enough – should be reworked. The voters should make the choice, not the Board.
- Have not heard a large outcry from the public to have seats – have never had a problem with different segments of the population residing in different areas
- Voter turnout for commission races was just over 50% in 2018. Some individuals voted for two candidates, some voted for one in the commission races. Are some voters gaming the system by voting for one, or are they used to only voting for one?
- Voting by seat is more transparent and provides a level playing field
- There have been social media posts to drive “outcries” on some other issues
- Chair Rajner was open to scheduling a special meeting before the next regular meeting to hear an expert on the subject
- The effect of bullet voting in a small population might be very limited
- Using the seats has the effect of “policing” the voter and takes away from the democratic process. If a voter wants to vote for only one person, that is their prerogative. An analyst is not needed.

**Motion** made by Vice Chair Newton, seconded by Mr. Blevins, to strike Proposal #2.

Mr. Torre commented that, after discussion, he had changed his mind to support removing the proposal.

Motion prevailed by voice vote (3-2), with Chair Rajner and Mr. Ryan opposed.

Proposal #3:

- Some residents are opposed to this proposal, due to the varying term lengths on different boards
- Sometimes there are lots of candidates, but sometimes there are not
  - If too many candidates, new applicants might get passed over by incumbents
- Should the limit be defined by terms or by years?
- Chair Rajner read from the ordinance where it explains the 3-term limit
- The Commission can always amend the proposal

There were no changes to Proposal #3, so the Board moved on to Proposal #4.

Proposal #4:

**Motion** made by Vice Chair Newton, seconded by Mr. Torre, to approve Proposal #4 as amended. Motion prevailed by unanimous voice vote.

Proposals #5 and #6:

No discussion.

Proposal #7:

This item was tabled to the next meeting when it will come back with the confirmation of the qualifying date.

Proposals #8 and #9:

No discussion.

**Discussion of report to the City Commission**

Mr. Torre reported that he, City Manager Henderson, and Chair Rajner met to discuss the outline of the Commission report. A template of the table of contents for the report was included in the meeting packet [Attached].

Chair Rajner went through the template and asked all Board members to submit a bio of 150 words, tailored to what made them a good candidate to sit on the Charter Review Board. The bios will be rewritten in one voice for consistency, if necessary. The bios were requested as soon as possible.

The proposals will be listed in the report by type: that is, “B” for ballot proposals, “O” for ordinances, and “R” for resolutions.

In the section for “Recommendations for Next Charter Review Process,” Chair Rajner suggested including an earlier start time, inclusion of experts, and a stand-alone public hearing.

Chair Rajner thanked City Manager Henderson and the City Attorney for their generous time.

For what might be changed for the future for other Charter Review Boards, the following ideas were mentioned:

- Perhaps have an outline to follow
- Show what this Board did and how long it took
- Recommend more time
- Be conscious of legal time and fees
  - Fees are mostly due to drafting of ordinances
  - The ordinance creating the Charter Review Board required that the Board develop the language for the ballot items, the ordinances, etc.
  - The fees are just over \$22,000
  - City Attorney Ezrol called Chair Rajner several times to confirm wording for a draft, which saved time in the long run

Chair Rajner requested that City Manager Henderson provide a link to the State Statute, the Special Act, and any other items needed for the report.

## **ADJOURNMENT**

Hearing no further business, the meeting was adjourned at 8:33 p.m.

[Minutes transcribed by J. Rubin, Prototype, Inc.]

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**ORDINANCE NO. 2019-XXX**

**AN ORDINANCE OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING ARTICLE IV, ENTITLED “ELECTIONS,” AND IN PARTICULAR AMENDING SECTION 2 ENTITLED “DATE OF ELECTION; CANDIDATES QUALIFYING FEE AND ACCEPTANCE OF CANDIDACY” OF THE CITY’S CHARTER; PROVIDING FOR THE DATES OF PAYMENT OF THE QUALIFYING FEE AND THE DATE OF QUALIFYING FOR OFFICE; PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

17           **WHEREAS**, the City of Wilton Manors, Florida (“City”) is a municipal  
18 corporation, duly organized and operating under the Constitution and the Laws of the  
19 State of Florida; and

20           **WHEREAS**, Chapter 166, Florida Statutes, as amended, provides for a  
21 methodology of Charter amendments supplementary to and not in conflict with the  
22 Charter of the City, Florida; and

23           **WHEREAS**, chapter 2012-253, Laws of Florida, provides that for  
24 municipalities holding elections in November, candidates for office in such elections  
25 must file the required paperwork and pay the qualifying fee pursuant to the same  
26 timeframes as candidates who qualify for county offices as provided in section  
27 99.061(2), Florida Statutes; and

28           **WHEREAS**, the City’s Charter Review Board has recommended modifications  
29 to Article IV, “Elections,” and in particular has recommended the amendment of

{00325260.4 2976-9201291}

CODING:           Words in ~~strike-through~~ type are deletions from existing law;  
                          Words in underlined type are additions.

1 Section 2, “Date of Election; Candidates Qualifying Fee and Acceptance of Candidacy”  
2 to provide for the date of payment of the qualifying fee and the date of qualifying for  
3 office to be consistent with State law; and

4 **WHEREAS**, the City Commission of the City of Wilton Manors, Florida deems  
5 it to be in the best interests of the citizens and residents of the City to amend the City  
6 Charter as set forth herein.

7 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**  
8 **OF THE CITY OF WILTON MANORS, FLORIDA:**

9  
10 **Section 1:** The foregoing “WHEREAS” clauses are hereby ratified as being  
11 true and correct and are hereby made a specific part of this Ordinance upon adoption  
12 hereof.

13 **Section 2:** Article IV of the Charter of the City of Wilton Manors, entitled  
14 “Elections,” shall be amended by the specific amendment of Section 2 entitled “Date of  
15 Election; Candidates Qualifying Fee and Acceptance of Candidacy,” as follows:

16 **Sec. 2. – Date of election; candidates qualifying fee and acceptance of**  
17 **candidacy.**

- 18 (a) All general elections relating to a municipal office in the City of  
19 Wilton Manors shall be held on the first Tuesday after the first  
20 Monday in November of every even numbered calendar year, in  
21 accordance with State of Florida Law.  
22  
23 (b) The name of any elector who must be a resident of the city shall  
24 be printed upon the ballot and become a candidate for any office  
25 after he has paid to the city clerk a qualifying fee in the amount  
26 of fifty dollars (\$50.00) and has filed with the city clerk his  
27 written acceptance of such candidacy, which acceptance shall  
28 state that if elected he will qualify and serve in such office during  
29 the term for which he is elected. It shall be the duty of the city

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Page 2 of 5

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clerk forthwith on the paying of said qualifying fee and filing of such acceptance to make and deliver to such candidate a written certificate acknowledging the receipt of said qualifying fee and such acceptance. The payment of said qualifying fee and filing of such acceptance must be done ~~no earlier than noon on the second day in January nor later than noon on the sixteenth day in January of the calendar year in which the election is to be held, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. at any time after noon of the 1<sup>st</sup> day for qualifying, which shall be the 71<sup>st</sup> day prior to the primary election in Broward County, but not later than noon of the 67<sup>th</sup> day prior to the date of the primary election in Broward County.~~ If a candidate fails to comply with the provisions of this section, his name shall not appear on the ballot.

(c) A duly elected municipal officer shall take office within fourteen (14) days after the general election with the specific day to be decided by city ordinance.

**Section 3: Codification.** It is the intention of the City Commission of the City of Wilton Manors, that the provisions of this Ordinance shall become and be made a part of the Charter of the City of Wilton Manors, Florida, and that Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article,” or such other word or phrase in order to accomplish such intention.

**Section 4: Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

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**Section 5: Conflicts.** That all Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

**Section 6. Effective Date.** That this Ordinance shall take effect immediately upon adoption.

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**PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

**PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

CITY OF WILTON MANORS, FLORIDA

By: \_\_\_\_\_  
JUSTIN S. FLIPPEN, MAYOR

ATTEST: RECORD OF COMMISSION VOTE: 1<sup>ST</sup>  
Reading

|                |                      |       |
|----------------|----------------------|-------|
| _____          | MAYOR FLIPPEN        | _____ |
| FAITH LOMBARDO | VICE MAYOR GREEN     | _____ |
| CITY CLERK     | COMMISSIONER CARSON  | _____ |
|                | COMMISSIONER RESNICK | _____ |
|                | COMMISSIONER ROLLI   | _____ |

I HEREBY CERTIFY that I have approved the form of this Ordinance.

\_\_\_\_\_  
KERRY L. EZROL, ESQ.  
CITY ATTORNEY

RECORD OF COMMISSION VOTE: 2<sup>ND</sup>  
Reading

|  |                      |       |
|--|----------------------|-------|
|  | MAYOR FLIPPEN        | _____ |
|  | VICE MAYOR GREEN     | _____ |
|  | COMMISSIONER CARSON  | _____ |
|  | COMMISSIONER RESNICK | _____ |
|  | COMMISSIONER ROLLI   | _____ |

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**ORDINANCE NO. 2019-XXX**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ARTICLE III, ENTITLED “BOARDS, COMMITTEES, COMMISSIONS,” AND IN PARTICULAR TO CREATE SECTION 2-48 ENTITLED “CITY BOARDS AND COMMITTEES: TERM LIMITS; SERVICE ON MULTIPLE BOARDS AND COMMITTEES”; PROVIDING FOR TERM LIMITS FOR BOARD AND COMMITTEE MEMBERS; LIMITING BOARD AND COMMITTEE MEMBERS TO TWO BOARDS OR COMMITTEES; PROVIDING FOR A LIMITATION TO SERVE AS OFFICER ON ONLY ONE CITY BOARD OR COMMITTEE; PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Charter Review Board of the City of Wilton Manors, Florida has recommended amendments to Article III, “Boards, Committees, Commissions,” Creating Section 2-48, “City Boards and Committees: Term Limits; Service on Multiple Boards and Committees”, to provide term limits for board and committee appointees, to limit the number of boards or committees an individual may serve on to two boards or committees, and impose a limitation on board and committee appointees restricting them to serve as an officer on only one City board or committee; and

**WHEREAS**, the City Commission of the City of Wilton Manors, Florida deems it to be in the best interests of the citizens and residents of the City to amend the Code of Ordinances as set forth herein.

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CODING: Words in ~~strike through~~ type are deletions from existing law; Words in underlined type are additions.

1           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**  
2           **OF THE CITY OF WILTON MANORS, FLORIDA:**

3           **Section 1:**     The foregoing “WHEREAS” clauses are hereby ratified as being  
4 true and correct and are hereby made a specific part of this Ordinance upon adoption  
5 hereof.  
6

7           **Section 2:**     Article III of the City Code of the City of Wilton Manors, entitled  
8 “Boards, Committees, Commissions,” shall be amended by the creation of Section 2-48  
9 entitled “City Boards and Committees: Term Limits; Service on Multiple Boards or  
10 Committees,” as follows:

11           **Sec. 2-48. – City Boards and Committees: Term limits; and Service on**  
12 **multiple Boards or Committees**

- 13                           (1)     For board or committee terms commencing on or after November  
14                                     3, 2020, individuals serving on city boards or committees shall  
15                                     not be permitted to serve on more than two (2) separate boards or  
16                                     committees concurrently. This subsection shall not apply to the  
17                                     General Employees’ and Police Officers Pension Board of  
18                                     Trustees, the Firefighters Pension Board of Trustees, and the  
19                                     Wilton Drive Improvement District.  
20  
21                           (2)     For board or committee terms commencing on or after November  
22                                     3, 2020, an individual serving on two (2) separate boards or  
23                                     committees concurrently may only serve as an officer on one (1)  
24                                     board or committee.  
25  
26                           (3)     For board or committee terms commencing on or after November  
27                                     3, 2020, all persons appointed to serve on a city board or  
28                                     committee shall be limited to three (3) terms of service for each  
29                                     respective board or committee. An individual appointed to serve  
30                                     an unexpired term as a member of a city board or committee shall  
31                                     not have such time counted in the limitation hereby established.  
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All persons who have served for three (3) consecutive terms on a city board or committee must remain off the board or committee for at least two (2) years before being eligible to be appointed to the same board or committee.

**Section 3: Codification.** It is the intention of the City Commission of the City of Wilton Manors, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code and Ordinances of the City of Wilton Manors, Florida, and that Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article,” or such other word or phrase in order to accomplish such intention.

**Section 4: Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

**Section 5: Conflicts.** That all Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

**Section 6. Effective Date.** That this Ordinance shall take effect immediately upon adoption.

CODING: Words in ~~strike through~~ type are deletions from existing law;  
Words in underlined type are additions.

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**PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

**PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

CITY OF WILTON MANORS, FLORIDA

By: \_\_\_\_\_  
JUSTIN S. FLIPPEN, MAYOR

ATTEST: RECORD OF COMMISSION VOTE: 1<sup>ST</sup>  
Reading

|                |                      |       |
|----------------|----------------------|-------|
| _____          | MAYOR FLIPPEN        | _____ |
| FAITH LOMBARDO | VICE MAYOR GREEN     | _____ |
| CITY CLERK     | COMMISSIONER CARSON  | _____ |
|                | COMMISSIONER RESNICK | _____ |
|                | COMMISSIONER ROLLI   | _____ |

I HEREBY CERTIFY that I have approved the form of this Ordinance.

\_\_\_\_\_  
KERRY L. EZROL, ESQ.  
CITY ATTORNEY

RECORD OF COMMISSION VOTE: 2<sup>ND</sup>  
Reading

|  |                      |       |
|--|----------------------|-------|
|  | MAYOR FLIPPEN        | _____ |
|  | VICE MAYOR GREEN     | _____ |
|  | COMMISSIONER CARSON  | _____ |
|  | COMMISSIONER RESNICK | _____ |
|  | COMMISSIONER ROLLI   | _____ |

CODING: Words in ~~strike through~~ type are deletions from existing law;  
Words in underlined type are additions.



**2019 – 2020**  
**REPORT OF THE**  
**CHARTER REVIEW BOARD**

**(ENTER DATE ADOPTED)**

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## I. INTRODUCTION

This report is provided pursuant to Wilton Manors (City) Ordinance No. 2019-002, enacted on February 26, 2019, which created the Charter Review Board (“Board”). The ordinance calls for five (5) individuals to be appointed to study the existing City Charter (“Charter”) with the view to improve the Charter to provide for the preservation of the general health, welfare and safety of the inhabitants of the City, and to make recommendations to the City Commission (“Commission”) for changes, additions or deletions. While multiple issues could be consolidated into a single ballot question, the Board wanted to avoid any concerns of “logrolling”. The Board is recommending one (1) ballot measure as a repeal item. The item would repeal several obsolete sections of the Charter.

The purpose of the report is twofold: 1. For the Board to provide advisory recommendations to the Commission along with the Board’s process, justification as to whether a recommendation should go forward; and 2. To provide a historical reference for future Boards. Some topics the Board considered may continue to come up in future years, and the report will provide history and research considered by the current Board when reaching its decisions.

The Board (2019-2020) has chosen to recommend the Commission consider three (3) ballot items for the voters’ consideration. Additionally, the Board has recommended the Commission to consider four (4) recommendations by ordinance and one (1) recommendation by resolution. The decision was reached after holding 10 meetings which included input from city staff, city attorney, members of the public, and two (2) public hearings as required by ordinance.

The report contains a summary of the topics discussed and actions taken by the Board, described in Section III, Summary of Charter Review Board Recommendations.

The Board operated under Roberts Rules of Order. During our initial review of the Charter to flag concerns or items to discuss, the Board would express a consensus to do so. At later meetings, the Board revisited those Articles and Sections of the Charter, and at least 3 Board members would need to vote affirmatively for a recommendation to move forward to the Commission. **After exhaustive deliberations and redrafting, the Board voted unanimously on all matters being recommended for action.**

The Board was staffed by the city manager, city attorney, and a contracted stenographer. The city clerk researched information on behalf of the Board. The Board was at no time directed by city staff. While the Board’s powers are limited to act only in an advisory capacity to the City Commission, city staff are an invaluable resource to support for the Board to carry out its responsibility.

Recognizing the diversity of viewpoints throughout the City, the Board viewed everyone as an important stakeholder and valued input throughout our process. The city manager’s office set up an email address for residents to submit public comment, and the public had 2 opportunities throughout our meeting to voice their concerns. Board members also engaged stakeholders outside of meetings. Public comment assisted the Board to improve on proposals and ballot language.

While members of the Board are volunteers, efforts were made to reach out to the public by use of the City’s newsletter, flyers, website, neighborhood associations, and local news publications.

In accordance with the enacting ordinance, proposed Charter amendments and/or revisions with associated ballot language must be submitted to the Commission no later than March 1, 2020. The Commission shall place the Board's proposal amendment and/or revisions with the associated ballot language approved by the Board on the November 3, 2020 general election ballot, unless rejected or modified by a majority of the Commission.

## II. CHARTER REVIEW BOARD MEMBERS AND SUPPORT STAFF



(Left to right: Christopher Ryan, Vice Chair Scott Newton, Chair Michael Rajner, Doug Blevins, Salvatore Torre)

**DOUG BLEVINS** (appointed by Commissioner Paul Rolli) has been a resident and active community volunteer in Wilton Manors for seventeen years. He has been appointed to several city boards including Board of Adjustment, City Hall Task Force, President of Wilton Manors Main Street, Wilton Drive Task Force, currently vice-chair of the Wilton Drive Improvement District and proud to be a current member of the Wilton Manors Charter Review Board. Doug was a past Mayoral and City Commission Candidate for Wilton Manors. Doug was previously active in Fort Lauderdale as a member of the city's Code Enforcement Board, past president of the South Middle River Civic Association and was awarded volunteer of the year for District II in Fort Lauderdale in 2001. Doug is a full-time Realtor and Design Consultant and looks forward to continuing his dedication and service to the Island City of Wilton Manors. Doug is grateful to the continued support of city staff and our elected officials.

**SCOTT NEWTON** (appointed by Mayor Justin Flippen) is a third-generation resident of Wilton Manors and long-time public servant. Mr. Newton's service to the City includes 18 years on the City Commission, including four years as Mayor. Prior to his election to the City Commission, he served on the Planning and Zoning Board and the Board of Adjustment. Mr. Newton was an active member of local service organizations including the Kiwanis Club, the Wilton Manors Business Association, and is the Past President of Wilton Manors Little League Baseball.

**MICHAEL RAJNER** (appointed by Commissioner Julie Carson) has resided in the City of Wilton Manors for 15 years and earned a Bachelor of Social Work degree from Florida Atlantic University. He currently serves as Chair of the Wilton Manors Charter Review Board, and the Broward County Human Rights Board, a quasi judicial board that adjudicates on matters of discrimination for protections provided through the Broward County Human

Rights Act. Some of Michael's past public board service includes Chair of the Wilton Manors Community Affairs Advisory Board, and Chair of the 2011-2013 Broward County School Board Redistricting Steering Committee. He was raised in New Jersey, he began to engage in state legislative matters as a legislative aide to a state senator. Since relocating to South Florida, Rajner has collaborated on several local, state, and national legislative efforts.

**CHRISTOPHER RYAN** (appointed by Gary Resnick) is a native of Broward County, a graduate of St Thomas Aquinas High School and a resident of Wilton Manors since 1992. Mr. Ryan earned both his Bachelor of Science and Juris Doctorate degrees at the University of Florida. Mr. Ryan practices law in Dania Beach and is board certified in City, County, and Local Government Law and received an AV rating by Martindale-Hubbell. Mr. Ryan served as Chair of both the Wilton Manors Board of Adjustment and the Broward County Historical Commission. Mr. Ryan currently serves as counsel for Broward Navy Days, Inc. Which is the non-profit organization that sponsors the annual Port Everglades Fleet Week event.

**SALVATORE TORRE** (appointed by Vice Mayor Tom Green) (Salvatore Torre is an active member of the Wilton Manors community over the past ten years.

Mr. Torre first served on the Wilton Drive Task Force. Followed by an appointment to the Wilton Manors Budget Review Advisory Committee serving eight years, six years as Chairperson. Currently serving as an appointed member of the city's Charter Review Board. He ran twice for a seat on the City Commission and now enjoys actively supporting others' campaigns. Mr. Torre frequently attends City Commission meetings, often speaking about issues he supports.

In addition to his service to the City of Wilton Manors, Mr. Torre serves as long-time President of the Westside Association of Wilton Manors (WAWM) and on the Executive Board of Friends of the Wilton Manors Library.

For the past five years, Mr. Torre has written a regular opinion piece on local news and issues for the Wilton Manors Gazette, a supplement to the South Florida Gay News.

### III. CHARTER REVIEW BOARD PROCESS & TIMELINE

The City Commission’s charge for the Charter Review Board did not include any specific direction to examine particular issues. The Board reviewed the entire City Charter and identified articles and sections needing to be revised and updated. The Board also considered issues such as term limits and designation of commission seats which the City Commission has previously engaged in dialogue, but put off any formal action until a Charter Review Board was established to review and make any potential recommendations.

The Board met once monthly as outlined in the table below:

| MEETING DATE       | AGENDA TOPICS/ACTIONS  |
|--------------------|--|
| May 20, 2019       | <ul style="list-style-type: none"> <li>• Organizational Meeting</li> <li>• Reviewed Scope and Duties of Charter Review Board</li> <li>• Elected Chair and Vice Chair</li> <li>• Reviewed of Sunshine, Ethics, and Public Records Laws</li> <li>• Discussed Outreach Efforts</li> </ul>   |
| June 17, 2019      | <ul style="list-style-type: none"> <li>• Reviewed of Charter Amendment Process</li> <li>• Reviewed Articles I - VIII and Flag Items for Discussion</li> </ul>  |
| July 15, 2019      | <ul style="list-style-type: none"> <li>• Reviewed Articles IX - XV and Flag Items for Discussion</li> </ul>  |
| August 19, 2019    | <ul style="list-style-type: none"> <li>• Reviewed and Discussed Information Researched by the City Clerk</li> <li>• Identified Additional Charter Issues for Future Discussion</li> </ul>  |
| September 16, 2019 | <ul style="list-style-type: none"> <li>• Continued Discussion of Flagged Items</li> <li>• Reviewed City Staff Recommendations</li> <li>• Requested, Revised, &amp; Reviewed Draft CRB Recommendations</li> </ul>   |
| October 21, 2019   | <ul style="list-style-type: none"> <li>• Reviewed City staff Recommendations</li> <li>• Requested, Revised, &amp; Reviewed Draft CRB Recommendation</li> <li>• Discussed Charter Review Board in Charter (role, name, powers)</li> <li>• Adopted Dates and Format for Public Hearings</li> <li>• Created a Report Writing Committee</li> </ul> |
| November 18, 2019  | <ul style="list-style-type: none"> <li>• Reviewed and Finalized Draft CRB Recommendations for Public Hearing</li> </ul>  |
| December 16, 2019  | <ul style="list-style-type: none"> <li>• Held 1<sup>st</sup> Public Hearing on CRB Proposed Recommendations</li> </ul>   |
| January 21, 2020   | <ul style="list-style-type: none"> <li>• Held 2<sup>nd</sup> Public Hearing on CRB Proposed Recommendations</li> </ul>   |
| February 18,2020   | <ul style="list-style-type: none"> <li>• Meeting rescheduled to February 24, 2020</li> </ul>   |

|                   |  |
|-------------------|--|
| February 24, 2020 | <ul style="list-style-type: none"> <li>Review/Finalize CRB Report to City Commission on Recommendations</li> </ul> |
|-------------------|--|

The Chair of the Charter Review Board regularly attended most meetings of the Commission, and about every two months provided the Commission and residents with a verbal update at the Commission meeting on the Board's progress. The public was also reminded of upcoming meetings and agenda items.

| <b>COMMISSION MEETING DATE</b> |  |
|--------------------------------|--|
| June 11, 2019                  | Chair provided CRB Update at City Commission meeting, announced officers elected and encouraged public input |
| August 27, 2019                | Chair provided CRB Update at City Commission meeting, provided timeline and list issues CRB considering      |
| November 12, 2019              | Chair provided CRB Update at City Commission meeting, announced public hearings                              |
| January 28, 2020               | Chair provided CRB Update at City Commission meeting, reported on outcome of 1 <sup>st</sup> public hearing  |

#### IV. RECOMMENDATIONS – BALLOT

##### **BALLOT 1 (formerly Proposal 1)**

**BALLOT TITLE:**  
“TERM LIMITS FOR COMMISSIONER AND MAYOR”

**BALLOT QUESTION:**  
“Shall Article IIIA of the City Charter be amended to provide a term limit of 12 consecutive years of service for elected officials, as Mayor for six 2-year terms, as Commissioner for three 4-year terms, or as a combination of service in both offices; and require elected officials to take a minimum 2-year absence after the 12 consecutive years of service before being eligible to again serve as either Mayor or Commissioner?”

**JUSTIFICATION:** The Board believes the City’s electorate should have the opportunity to vote on a proposal to establish term limits for our Commissioners and Mayor. The Board engaged in a lengthy dialogue to recommend a proposal whereby elected officials would be term limited after 12 consecutive years of service, regardless of which office they serve. In order to run again for Commissioner or Mayor, individuals would have to be absent from the Commission for 2 years. The Board believes the terms of each respective office should remain unchanged.

##### **BALLOT 2 (formerly Proposal 4)**

**BALLOT TITLE:**  
“FORFEITURE OF OFFICE FOR MISSING FOUR UNEXCUSED CONSECUTIVE REGULAR CITY COMMISSION MEETINGS”

**BALLOT QUESTION:**  
“Shall Article IIIA of the City Charter be amended to provide for the forfeiture from office of a commissioner or mayor due to unexcused absence from four (4) consecutive regular city commission meetings?”

**JUSTIFICATION:** The Board is recommending a measure to ensure for greater accountability of the City’s elected officials to ensure for participation in City business. The Commission has the authority to develop its own rules and establish a policy for excused absences.

##### **BALLOT 3 (formerly (Proposal 8)**

**BALLOT TITLE:**

“REPEAL OBSOLETE ARTICLES IIIA. SECTIONS 14 AND 22 AND ARTICLE V.”

**BALLOT QUESTION:**

“Article IIIA. Section 14 of the City Charter provides for a City Treasurer, and Section 22 provided for a transitional City Commission in 1985, and Article V of the City Charter provides that the City Clerk shall be the tax collector and collect local business taxes as well. Shall the City Charter be amended to repeal Article IIIA, Sections 14 and 22, and Article V in their entirety?”

**JUSTIFICATION:** The Commission has since transitioned from the changes in 1985 and this Article IIIA, Section 22 is no longer needed in the Charter. The city no longer has a city treasurer or tax collector. The Board recommends these obsolete provisions be repeal by a referendum of the electorate.

**V. RECOMMENDATIONS – ORDINANCE**

**ORDINANCE 1 (formerly Proposal 3)**

Recommendation for the City Commission to adopt an ordinance to amend Article III “Boards, Committees, Commissions,” and create Section 2-48 entitled “City Boards: Term Limits; Service on Multiple Boards,”:

**“Sec. 2-48. – City Boards: Term Limits; Service on Multiple Boards**

- (1) For board terms commencing on or after November 3, 2020, individuals serving on city boards shall not be permitted to serve on more than (2) separate boards, committees, or commissions concurrently. This subsection shall not apply to the General Employees’ and Police Officers Pension Board of Trustees, the Firefighters Pension Board of Trustees, and the Wilton Drive Improvement District.
- (2) For board terms commencing on or after November 3, 2020, an individual serving on two (2) separate boards concurrently may only serve as an officer on one (1) board, committee, or commission.
- (3) For board terms commencing on or after November 3, 2020, all persons appointed to serve on a city board, committee, or commission shall be limited to three (3) terms of service for each respective board, committee, or commission. An individual appointed to serve an

unexpired term as a member of a city board shall not have such tie counted in the limitation hereby established. All persons who have served for three (3) consecutive terms on a city board must remain off the board for at least two (2) years before being eligible to be appointed to the same board.

**JUSTIFICATION:** The Board believes that this recommendation would help bring more diversity and opportunity to benefit our City's Boards, Committees, and Commissions. The city attorney has advised the Commission has the authority to enact this recommendation by ordinance.

### **ORDINANCE 2 (formerly Proposal 5)**

Recommendation for the City Commission to adopt an ordinance to amend the City Charter to include gender-neutral pronouns by eliminating gender preference language within the Charter of the City of Wilton Manors will promote equality.

Example:

There shall be a city manager who shall be the chief administrative officer of the city. ~~He~~The city manager shall be responsible to the city commission for the administration of all city affairs placed in ~~his~~the city manager's charge by or under this Charter."

**JUSTIFICATION:** The believes this recommendation is needed to move away from gender limited language in an effort to promote equality. The city attorney has advised the Commission has the authority to enact this recommendation by ordinance.

### **ORDINANCE 3 (formerly Proposal 6)**

Recommendation for the City Commission to adopt an ordinance to amend Article II "General Municipal Powers", Section 1 "Enumeration of Powers", of the City Charter as follows:

~~The commission within the limitations of this Act shall have the power by ordinance:~~

~~(4th) To make regulations to prevent the introduction and spread of infections and contagious disease into the city and to make quarantine laws for the purpose and to enforce the same within five (5) miles of the city limits when the same are not in conflict with the quarantine laws and regulations of the state or of the United States; provided that this jurisdiction shall not extend of the territory of any other municipality.~~

~~(9th) To provide the city with a supply of water for public purposes and to sell the same to private individuals for profit, by waterworks to be within or beyond the boundaries of the city, and for that purpose to acquire, build, construct or lease or permit others to acquire, build, construct or lease waterworks and a water system, and to dig artesian wells. The city commission may contract with other municipalities or private individuals for the supply of water to be furnished the inhabitants and citizens of the City of Wilton Manors whose water plants or facilities for furnishing water may be outside the city limits. The city commission may also grant a license and privilege to any person, firm, corporation or municipality to use its streets, alleys, and ways for water mains, fire hydrants, and such other water distribution system as is necessary for the serving of the inhabitants and citizens of the city with water and fire protection.~~

~~(10th) To provide for the prevention and extinguishment of fires and to organize and establish fire departments. The city commission may contract with other fire departments, located beyond its limits, for its services in providing the inhabitants and citizens of the City of Wilton Manors with fire protection, and is authorized to pay a reasonable sum for the services of said fire department or departments.~~

~~(11th) To provide for the lighting of the city by electricity, gas or other illuminating material and to sell gas or electricity to others for profit, within or beyond the boundaries of the municipality.~~

~~(15th) To license, tax, and regulate carriages, wheelchairs, cars, vehicles, motors, omnibuses, wagons and drays, and to fix the rate to be charged for the carriage of persons and property within the city limits and to the public works and property without the city limits.~~

~~(37th) To prohibit the dumping of filth, garbage, shells, trash, refuse or other things in the waters of any body of water within the city limits, or any body of water adjacent to or adjoining the city limits.~~

~~(38th) To have and to exercise jurisdiction over the commission of all offenses against the public health, decency or morals within the said city and within one (1) mile of the corporate limits of said city.~~

**The City of Wilton Manors shall have all powers possible for a city to have under the Constitution and Laws of the State of Florida as fully and completely as though they were specifically enumerated in this Charter.**

**JUSTIFICATION:** The Board recognizes that this Article includes outdated language and recommends the Commission adopt this proposal to simplify the Charter's language and to broaden the Commission's authority to be consistent with Florida Constitution, Statute and Home Rule Authority. The city attorney has advised the Commission has the authority to enact this recommendation by ordinance.

**ORDINANCE 4 (formerly Proposal 7)**

Recommendation for the City Commission to adopt an ordinance to amend Article IV “Elections”, Section 2 entitled “Date of Election, Candidates Qualifying Fee and Acceptance of Candidacy,” of the City Charter as follows:

“The name of any elector who must be a resident of the city shall be printed upon the ballot and become a candidate for any office after he has paid to the city clerk a qualifying fee in the amount of fifty dollars (\$50.00) and has filed with the city clerk his written acceptance of such candidacy, which acceptance shall state that if elected he will qualify and serve in such office during the term for which he is elected. It shall be the duty of the city clerk forthwith on the paying of said qualifying fee and filing of such acceptance to make and deliver to such candidate a written certificate acknowledging the receipt of said qualifying fee and such acceptance. The payment of said qualifying fee and filing of such acceptance must be done ~~no earlier than noon on the second day in January nor later than noon on the sixteenth day in January of the calendar year in which the election is to be held, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. at any time after noon of the 1st day for qualifying, which shall be the 71st day prior to the primary election in Broward County, but not later than noon of the 67th day prior to the date of the primary election in Broward County.~~ If a candidate fails to comply with the provisions of this section, his name shall not appear on the ballot.”

**Justification:** In March 2006, Wilton Manors voters approved a referendum to move the City election from March to November, effective 2008. The Charter Review Board identified that Charter language relating to candidate qualification deadline was not consistent with the November election date. The city clerk has been correctly administering oversight consistent with Florida Law and Broward County Special Act (~~insert number~~), with a qualifying deadline in the month of June. This recommendation is necessary to ensure the City’s Charter is consistent with the current November election date. The city attorney has advised that this amendment does not require a referendum and the Commission can amend the Charter by adoption of an ordinance.

## VI. RECOMMENDATIONS – RESOLUTION

### RESOLUTION 1 (formerly Proposal 9)

1. Limit participation by phone for City Commission meetings;
2. Postpone action on new business items that were not publicly advertised added under “Additions/Changes/Deletions”, except when permissible by Florida Statute; and
3. Provide for an addition period of public comment for up to two (2) minutes at the end of each Commission agenda.

**JUSTIFICATION:**

1. The Board recognizes that the participation by phone of a Commissioner and Mayor at meetings can be disruptive and unproductive. The Commission has the authority to adopt rules for its meetings and govern phone participation. Some city’s ban the

practice of participation by phone for Commission meetings.

2. The Board believes that matters not publicly advertised, unless consistent with Florida Statute, should not be voted on when added to a Commission meeting, especially when the item has a negative fiscal impact on the City.
3. Often there have been agenda items where either insufficient agenda back-up materials are provided to the public, or an item is discussed where the public may have information that could be important to the business of the Commission. The Board incorporated a second opportunity for the public to speak at its meetings and found this did not create any extra burden. Few individuals from the public remain until the end of Commission meetings, and the Board does not feel this would create any extra burden for the Commission for conduct its business.

The city attorney has advised the Commission has the authority to enact this recommendation by resolution.

## **VII. ITEMS CONSIDERED, BUT NO RECOMMENDATION FOR ACTION**

Designation of Commission Seats – the Board discussed a proposal to designate specific seats for commissioner candidates. The proposal was intended to promote fair elections in the City, however, the Board reversed its decision to send this proposal to the Commission for consideration.

Revisit Charter Amendment – the Board engaged in dialogue to potentially revisit a 2011 referendum in which voters approve for the City to opt-out of the County’s Ethics Ordinance. The Board recognized the divisiveness of the referendum and that the 2018 Florida Constitutional Revision Commission amendment relating to lobbying and public officials would impose a prohibition on lobbying which addressed members concerns.