

**TOWN OF DAVIE  
CHARTER REVIEW BOARD MEETING  
NOVEMBER 1, 2012**

**1. ROLL CALL**

The meeting was called to order at 6:02 pm.

Present at the meeting were Chair Donna Evans, Vice Chair James Moore, Sidney Calloway (6:04), Ellen Christopher, Todd Evans, Chris Love and Tom Truex. Nan Gault, Howard Neu and Harry Venis were absent. Also present were Mayor Paul, Police Chief Patrick Lynn, Town Clerk Russell Muniz, and Assistant Town Clerk Evelyn Roig.

**2. APPROVAL OF MINUTES**

2.1 October 18, 2012

Chair Evans made corrections to the minutes.

Mr. Love made a motion, seconded by Mr. Calloway, to have staff make Chair Evans' corrections. In a voice vote, motion carried 7-0.

**3. REVIEW OF CHARTER**

Chair Evans stated she was very disillusioned that council often did not even consider the advice of advisory boards, and wanted to remove all of them from the charter. If council wanted to create a committee, they could.

Chair Evans drew the board's attention to page 2 of the charter, which stated the town council could submit its own amendments if the charter review board (CRB) failed to provide them within 120 days after the board was appointed.

Chair Evans had researched recommended changes from the last CRB and discovered that 50% of the changes had been approved by council and 75% of those approved had been staff recommendations, not CRB recommendations.

Mr. Love shared this frustration and disillusionment. He said the board strove to understand the intricate details and finer points to make a recommendation so council did not need to, only to have their input discarded for reasons of personal agendas. Mr. Love discussed the difficulty getting appointed members to actually attend the board's meetings, showing a lack of commitment by appointees.

Chair Evans pointed out that the charter allowed council to create a committee or board as needed, by resolution.

Ms. Christopher felt having advisory committees and boards allowed residents to be more aware of what was going on.

Mr. Love feared that removing all advisory boards would be "throwing the baby out with the bath water." He felt that advisory boards performed the "heavy lifting" for Council and their informed recommendations had weight.

Mr. Love asked Mayor Paul and former Mayor Truex if an ad hoc advisory board's input would have less weight with council than a board included in the charter. Mayor Paul said she considered all recommendations equally. Mr. Muniz stated anything in the charter would have more weight. Mr. Truex felt serving on an advisory board was a public service and asked board members not to take council's responses personally; he did not believe malice was involved.

Chair Evans explained that board members' name became associated with the recommendations that resulted from thorough homework and input from experts. After their recommendations were made, someone else could recommend something that was possibly not legal. Chair Evans was concerned about how this reflected on board members.

Mr. Calloway was frustrated as well, but felt the work the boards performed was an important public service and they were part of the political process. He did not believe it would be in the Town's best interest to have no committees or boards because of the important service they provided to the community. He opposed removing them from the charter.

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Mr. Love thought it would be a disservice to residents to not have advisory boards. He added that the advisory boards' input should actually have more weight, since they performed research on an issue.

Mr. Calloway said the discussions the boards had proved the importance of their work.

Mr. Moore suggested that having council term limits could help give the advisory boards more value.

Mayor Paul believed that leaving the advisory boards in the charter created the importance board members had discussed and gave the boards and committees the opportunity to hold joint meetings with council. She feared that eliminating the boards from the charter would result in a less transparent, more politicized process.

Mr. Truex suggested adding to the charter the ability to have a citizen referendum. He also recommended limiting councilmembers to two terms and/or allowing a councilmember to run again after a one-year hiatus. Mr. Muniz informed the board that section 7M of the charter provided for initiating referendums, but he was not certain this would apply to amending the charter. He thought it would cover new ordinances only. Mr. Muniz read the existing language to the board and the board discussed adapting the language to pertain to charter amendments. Mr. Muniz explained that the language would need to be put in a new charter section.

Mr. Truex made a motion, seconded by Mr. Love to amend section M to make it apply to charter amendments as well, and that the language be added as a separate subsection. In a voice vote, motion carried 7-0.

The board discussed item 5 and later returned to discussion of the charter.

The board discussed differentiating between the mayor's position and councilmembers' positions.

Mr. Moore made a motion, seconded by Mr. Truex to amend the charter to limit a Councilmember or Mayor to two consecutive elected terms and require a hiatus of one election cycle equaling the term of the position being run for before running for office again. In a voice vote, with Ms. Christopher dissenting, motion carried 6-1.

Mr. Love wished to require all advisory board meetings to be video recorded and available on the town's website. Mr. Muniz stated this would entail considerable additional labor costs. He reminded the board that there were several advisory boards. Mr. Muniz informed everyone that the State of Florida only required keeping video stored for three years. He added that not all meetings were held in town hall, where the video equipment was located. Mr. Moore agreed this was a good idea, and it should be a goal of the town in the future. Mr. Love stressed how inexpensive the process could be with a fixed, unmanned camera. Mr. Muniz advised Mr. Love to contact his individual councilmember and he agreed to bring this suggestion to the town administrator's attention.

Mr. Muniz advised the board to have one more meeting to approve a final amended document, which he would provide in advance. He would suggest council add consideration of the board's recommendations to the agenda of their special meeting on November 14.

#### **4. MEETING SCHEDULE**

The board agreed to meet again on November 8.

#### **5. OLD BUSINESS**

5.1 Section 10 - Police Department: Chief Lynn's Review of Paragraph 2

Chief Lynn had provided a revision for the board to consider.

Mr. Moore made a motion, seconded by Ms. Christopher to accept the changes to section 10 as outlined in Chief Lynn's November 1 memo.

Mr. Love asked about the impact of deleting the language.

Chief Lynn explained that there would be no impact. He stated the existing language was incorrect; they did not pursue people for ordinance violations. Their policy was much more restrictive.

In a voice vote, motion carried 7-0.

**6. NEW BUSINESS**

No discussion.

**7. ITEMS FOR NEXT AGENDA**

No discussion.

**8. ADJOURNMENT**

There being no further business to come before the board, the meeting was adjourned at 7:27 p.m.

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Board Chair