

**TOWN OF DAVIE
WORKSHOP
DECEMBER 6, 2012**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present at the meeting were Mayor Paul, Vice-Mayor Luis and Councilmembers Caletka and Hattan. Councilmember Starkey was absent. Also present were Town Administrator Lemack and Assistant Town Clerk Roig recording the meeting.

Councilmember Hattan made a motion, seconded by Councilmember Caletka to excuse Councilmember Starkey's absence. In a voice vote, with Councilmember Starkey absent, all voted in favor. (Motion carried 4-0)

3. PUBLIC HEARING – CHARTER AMENDMENTS

Mr. Muniz presented the recommendations made by the Charter Review Board (CRB) and staff:

- Include "The United States and Florida Constitution" (instead of "the Constitution") in Section 1.
- Use of only the terms "Councilmember" and "Town Council" throughout the document.
- In Section 4, to State the CRB should submit its report within 120 days from the first Board meeting at which a quorum was established.
- Under Section 6, to refer to the Town Administrator throughout the document as Town Administrator, and to refer to the Administrator as "him or her."
- In Section D, to make it clear that the Town Attorney would be compensated "as determined by the Council" and to remove language referring to a retainer.
- Also in Section D, to clarify the word "notwithstanding" to be one word.

Council did not object to any of the above suggestions.

- In Section E, eliminating the required Town Council ratification of the Town Clerk and give sole authority to the Town Administrator. The CRB did not approve this recommendation.

Mayor Paul and Vice-Mayor Luis agreed with this recommendation; Councilmember Caletka did not.

- In Section E.2, removing the language regarding the Surety Bonds. The CRB approved this staff recommendation.
- Adding language to indicate that the Town Clerk shall be the custodian of all Town of Davie records.

Council did not object to these recommendations.

- Staff proposed to add language making information regarding publishing information about the sale of Town property available on the Town's website and to remove the existing language regarding publishing the information in a newspaper. The CRB approved the existing language and adding the posting of the information on the Town's website.

Council favored the CRB recommendation.

- In Section K2, staff recommended removing the language beginning "In the event of..." through "...forfeiture statutes." And to add A, B, C and D. The CRB did not approve this,

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but wanted to keep the existing language and to add a requirement to publish on the Town's website.

Council agreed with the CRB's recommendation.

- In Section I, staff wanted the language to reflect what was currently in the employee handbook. The CRB had approved this suggestion.

Vice-Mayor Luis felt the hiring requirements should be even more stringent regarding family members. Director of Human Resources Stacey Hipsman said the Town's language regarding relatives mirrored stringent State government standards, and included a caution regarding the best interest of the Town. The relationships were also disclosed and put in personnel files.

Council agreed with the CRB recommendation.

- Staff recommended and the CRB approved a change regarding the purchase of real property that was currently in Section N but might be more beneficial in Section K3.

Council agreed with this recommendation.

- Regarding District Boundary Review, staff recommended changing the requirement for a review from every five years to every ten years. The CRB had rejected this recommendation.

Council agreed with the CRB.

- Regarding terms of office, the CRB had recommended term limits, including a one-term period of non-service after two consecutive terms.

Chris Love, member of the CRB, explained that the language was meant to indicate that Mayor and Councilmember were different offices, so a person could serve two terms as Mayor and immediately run for Councilmember.

Council rejected the Board's recommendation.

- Regarding Council meetings, staff had recommended deleting language requiring that the Council meeting after the election must be at 7:30 pm. The CRB had approved this recommendation.

Council agreed with this recommendation.

- In the section regarding referendums for new ordinances or amendments to existing ordinances, The CRB wanted to create a mechanism to allow people to propose Charter amendments in the same fashion.

Mayor Paul disagreed with this proposal, and said this was the function of the CRB. Council opposed this recommendation.

- Staff recommended removing language regarding risk since the Town had insurance covering employees. The CRB had approved this recommendation.
- In Subsection B, regarding submission of the budget, staff recommended the language be changed from the first of August to the first of September.
- In Subsection E.1, to change the capital program horizon from five years to ten, and to add language indicating a date of on or before August 15 for the ensuing fiscal year.
- In Subsection F, the CRB recommended adding language to require Town website notification regarding Council action on the budget.
- In Subsection G, to add the same language to require notification on the Town's website.
- In Subsection G2, to change this to indicate the adoption would take place at Council's first regular meeting in September instead of June.

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- In Subsection H, to add language that public records would be available on the Town's website.
- In Subsection 4, regarding transfer of appropriations, staff recommended increasing the amount to \$5,000.
- Regarding surety bonds, the staff and CRB recommended a change on page 28.
- In Section V, staff recommended cleanup language indicating the Finance Director only would issue checks. The CRB agreed with this recommendation.

Council agreed with the above recommendations.

- On page 29-30, the Planning and Zoning Manager had recommended deleting the entire paragraph C, but this recommendation had been rejected and a subsequent staff suggestion was made to update the language only. The CRB had approved the second recommendation.

Deputy Planning and Zoning Manager David Abramson explained that he had been trying to address a possible merger of the Site Plan Committee and the Planning and Zoning Board; the Charter specified there should be five members but he wanted to be able to have ten if the boards merged.

Council agreed with the second recommendation.

- On page 33, the Police Chief had recommended deleting the second paragraph because the language was unnecessary.
- On page 33, staff suggested including the word "Rescue" after "Fire" when referring to the department and to include additional language. The CRB approved this recommendation.
- Regarding Franchises, the CRB recommended adding a requirement to provide notice on the Town's website.
- The CRB recommended moving elections from March until November, and adjusting Councilmember terms to four years.

Mr. Love said the intent was to provide cost savings and to encourage more voter turnout. Mr. Lemack said the CRB had voted 5-3 in favor of this recommendation.

Council agreed with the above recommendations.

Mr. Muniz explained that some of the recommendations would be combined into one ballot question, where appropriate and workable. He said the questions would be presented at Council's February 2 meeting.

Vice-Mayor Luis had heard a suggestion from residents that union contracts should be by referendum. Mr. Lemack questioned the rationale for this, since the contracts were typically three years long. He also questioned whether a contract should be negotiated "with 93,000 people." Ms. Hipsman noted that the meetings were public. Mr. Love said residents were seeking a mechanism to become more involved in the process. Council did not agree with this suggestion.

Vice-Mayor Luis brought up Town-wide elections. Mayor Paul agreed with this idea, but Vice-Mayor Luis felt this polarized the Town. Councilmember Caletka thought single-member districts allowed challengers a better opportunity. Councilmember Caletka suggested moving the recommendation forward and they could get Councilmember Starkey's input.

Councilmember Caletka suggested that all Councilmembers be elected at the same time; this would allow a Councilmember to run for Mayor without resigning and would save the Town money for elections. Council agreed with this suggestion.

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Donna Evans, Chair of the CRB, said there was no mention of consecutive absences for the Planning and Zoning Board members. Mr. Muniz said this could be accomplished by an ordinance amendment instead of a Charter amendment. Councilmember Caletka objected to this change.

4. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:54 p.m.

Approved _____

Mayor/Councilmember

Town Clerk