



TOWN OF DAVIE
CHARTER REVIEW BOARD 2019/20

6591 Orange Drive
Davie, FL 33314
Telephone: 954-797-1011
www.davie-fl.gov

Charter Review Board (CRB) Meeting Minutes

Tuesday, November 19, 2019
6:30 pm
Council Chambers, Town Hall
Orange Drive, FL 33314

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:39 p.m.

2. ROLL CALL

Board members present were Ellen Christopher, Donna Evans, Josette McDonell, Sidney Calloway, Aimee Zadak, Ken DeArmas, and David Donzella. Board member Lynn Contreras was absent.

In attendance were the Board liaison Town Clerk Evelyn Roig serving and Assistant Town Clerk Gillian Brewster recording the meeting. Also, present were Vice Mayor Susan Starkey Town Administrator Richard J. Lemack, Deputy Town Administrator Macciano K. Lewis, Assistant Town Administrator Phillip R. Holste, and Town Attorney Allan Weinthal.

3. SELECTION OF CHAIR AND VICE CHAIR

Motion: Ken DeArmas made a motion, seconded by David Donzella to nominate Donna Evans as Chair All voted in favor. (Motion carried 7-0)

Motion: Donna Evans made a motion, seconded by Josette McDonnell to nominate Ken DeArmas as Vice Chair. (Motion carried 7-0)

4. PRESENTATIONS

Mrs. Roig introduced those in attendance which included Vice Mayor Starkey, Town Administrator Richard J. Lemack, Deputy Town Administrator Macciano K. Lewis, Assistant Town Administrator Phillip R. Holste and Town Attorney Allan Weinthal.

Mrs. Roig called upon Vice Mayor Starkey to speak. Vice Mayor Starkey welcomed the Board Members and stated the Mayor and Town Council were looking forward to the recommendations the board would bring forward. Vice Mayor Starkey emphasized the importance of reviewing the town charter on how the Town could improve. Vice Mayor Starkey thanked the Board Members for serving.

Mrs. Roig provided a brief overview of the charter review board’s purpose and process. Mrs. Roig explained the review must be complete within 120 from the first meeting in which a quorum was met. She stated 120 days from this meeting date was March 17, 2020.

4.1 Charter review process

Town Administrator Mr. Lemack thanked the Board Members for their commitment and service. Mr. Lemack stated that the purpose of the town charter and the tasks of the Board Members. Mr. Lemack explained that he had met with staff to review sections that staff felt needed revisions. He presented the board with an overview staff’s recommendations.

Mr. Lemack provided a PowerPoint presentation with staff’s recommendations. He explained that the language that was stricken out was proposed to be removed and the red underlined language is the proposed changes.

The recommendations were as follows:

Section 5 District Boundaries and District Boundaries Review Board

The recommendation was to move district boundaries language under its own section. Additionally, Mr. Lemack stated that the U.S. Census was the data source used across most jurisdictions for redistricting; therefore, it was recommended to incorporate the source into the language.

Section 6 Administration Department

(e) Town Clerk’s Office

The recommendation was to add language under this section in order to memorialize the duties of the town clerk.

(f) Annual Town Audit

The recommendation was to amend the language in order to ensure the town council mandated an annual audit.

(g) Creation of Departments

The recommendation was to remove this section because this was under the town administrator’s purview.

(k) Sale of Town Property.

(l) Sale of Personal Property.

(2) Sale of Real Property.

(m) Definition of “Daily Newspaper”

The recommendation was to incorporate the language under these sections as an ordinance in the event of law changes, the town would not wait until another charter review.

Section 7 The council, mayor and legislation

A. Councilmembers, Mayor, Number, Term, and Selection.

The recommendation was to revise this section by cleaning up language in order to reorganize the section to be clear and concise.

(1) Boundaries

The recommendation was to move the language and place it in a stand-alone section.

(B) Qualifications for Councilmembers.

The recommendation was to have this section address councilmember qualifications and include candidate qualification requirements are under the election section.

(C) Council Powers and Duties.

The recommendation was to update the language to be consistent with state law.

(F) Mayor and Vice-Mayor of the Council.

(1) [Election, qualification and tenure.]

Mr. Lemack explained that the town council had one meeting in November due to the Thanksgiving holiday and as a result this language conflicted and allowed the selection of Vice-Mayor to be made at any meeting in the month of November.

(H) Council and Board Procedure and Quorum.

Mr. Lemack explained the intent of this section was to protect land and open space not products thereof.

(J) Salary for Councilmembers and Mayor:

(1) Salary

The recommendation was to correct the date to reflect the commencement of the fiscal year. Also, Mr. Lemack provided a copy of a survey which reflected the pay for elected officials for various jurisdictions.

Mr. DeArmas stated the town was well below the average.

Mr. Calloway inquired as to what the historical reason was as to why the salary was so low.

Mr. Lemack explained there could be multiple reasons behind the low salary.

Ms. McDonnell inquired as to whether there was an increase introduced that was voted down.

Mr. Holste stated there was a discussion in 2002.

The Board Members requested the survey be amended to include the following municipalities: Weston, Cooper City, Pembroke Pines and Southwest Ranches.

Mr. Donzella stated it should be noted that a lot of cities were contracted cities.

(6) Emergency Ordinances

The recommendation was to change the language to be able to pass an emergency ordinance with 3 affirmative votes.

(M) Initiating Referendums

The recommendation was to move this section under the election section.

Section 8 Finance

(1) The recommendation was to amend the language to be consistent with the budget process.

(G) (b) The recommendation was to amend the language to be consistent with the budget process.

(V) Payment

Mr. Lemack explained that the we pay some of the Town's debt and payroll (direct deposit) via ACH. The Town also utilized wire transfers to pay some of the Town's debt, pension payments, fuel and to complete real estate transactions.

Section 9 Town Planning and development

C) Town Planning and Zoning Board

Mr. Lemack explained that the purpose the proposed language was to allow the merging of functions of the site plan committee into the planning and zoning board. The new language would provide new board duties.

Chair Evans inquired as to whether this meant that the site plan committee would be eliminated through the sunseting process.

Mr. Lemack confirmed that the site plan committee would be sunsetted.

(G) Illegal Erection of Buildings

The recommendation was to remove this because it was not necessary as a charter provision and the language was it outdated.

Section 11 Fire Rescue Department

Mr. Lemack provided a handout which provided information regarding an ordinance. Mr. Lemack explained that the ordinance language stated that the fire chief answered to the town council which was in conflict with the police chief's language. The intent of the recommendation was for the language regarding the police chief and fire chief to mirror each other so that both positions would answer to the town administrator.

Section 12 Franchises

The recommendation was to remove language regarding advertisement in public places and adding advertisement on the town's website.

Section 13 Elections

The recommendation was to add language to section 13 to ensure the election process was memorialized. Mr. Lemack highlighted that staff proposed a change in the residency requirement for eligibility from six (6) months to one (1) year in preceding the qualification period start date.

4.2 Timeline

Mrs. Roig reviewed the timeline for the charter review.

4.3 Meeting schedules

Mrs. Roig reviewed the meeting schedule and stated if the board needed extra meetings they could be added at any time.

4.4 Introduction of staff recommendations

5. REPORTS/ACTION ITEMS

6. OLD BUSINESS

7. NEW BUSINESS

8. ITEMS FOR NEXT AGENDA

8.1 Review of Section 1 through 6

Mrs. Roig recommended discussing sections 1 through 6 during the next meeting.

Chair Evans inquired as to whether a section could be added to the agenda if the board completed the scheduled sections for that meeting. The board agreed they would move into another section.

Mrs. Roig stated staff would be present when their respective section was scheduled to answer any questions.

9. SCHEDULING OF NEXT MEETING

December 2019

1. Tuesday, December 3, 2019 at 6:30 pm
2. Tuesday, December 17, 2019 at 6:30 pm

January 2020

3. Tuesday, January 7, 2020 at 6:30 pm
4. Tuesday, January 21, 2020 at 6:30 pm

February 2020

5. Tuesday, February 4, 2020 at 6:30 pm
6. Tuesday, February 18, 2020 at 6:30 pm

March 2020

7. Tuesday, March 3, 2020 - CRB *Report Due on this date

10. COMMENTS AND/OR SUGGESTIONS

11. ADJOURNMENT

Motion made by Mr. Calloway, seconded by Ms. McDonnell, to adjourn the meeting at 7:18 p.m.

12/03/2019
Date Approved

Chair/Board Member