



## CITY OF COCONUT CREEK CHARTER REVIEW BOARD MEETING MINUTES

**Jeffrey Barker, Chairperson**  
**Heidi Thorman, Vice Chairperson**  
**Ann Fantell**  
**Connie Finley**  
**Steven Hall**

**Government Center**  
**4800 West Copans Road**  
**Coconut Creek, FL 33063**

**Date: January 27, 2020**  
**Time: 3:30 p.m.**  
**Location: Public Meeting Room**

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### **1. CALL TO ORDER**

The second meeting of the 2020 Charter Review Board (CRB) was called to order by Chair Jeffrey Barker at 3:34 p.m.

### **2. ROLL CALL**

Jeffrey Barker – District C  
Heidi Thorman – District A  
Ann Fantell - District B  
Connie Finley - District D  
Steven Hall – District E

**ALSO PRESENT:** City Manager Karen Brooks, Deputy City Attorney Kathryn Mehaffey, and City Clerk Leslie Wallace May.

### **3. OATH OF OFFICE**

The Oath of Office was administered to Mr. Hall and Ms. Finley by City Clerk May.

### **4. APPROVAL OF MINUTES**

A motion to approve the minutes of the January 14, 2020, Charter Review Board Meeting was made by Vice Chair Thorman and seconded by Ms. Fantell. There was a unanimous voice vote to approve the minutes.

### **5. PUBLIC DISCUSSION**

There was no one present from the public. Discussion ensued to allow for public input throughout the meetings without the need to have it as an agenda item.

### **6. DISCUSSION OF CITY CHARTER – CITY MANAGER KAREN BROOKS**

*Discussion relating to Items 6 and 7 were combined.*

## 7. DISCUSSION – BOARD MEMBERS REVIEW OF CITY CHARTER

City Manager Karen Brooks introduced herself to the board. She explained that staff was still in the process of reviewing the Charter and compiling a list of items for discussion. Chair Barker noted the parameters of presentations made during meetings of previous year's Charter Review Boards. He suggested for the board to first hear the opinions of the City Commission and the city staff and then have the board review the components of the recommendations. Mr. Hall agreed and stated that when the board goes through each section of the Charter it can be considered and any necessary follow-up questions can then be asked of staff. Chair Barker suggested that City Manager Brooks could communicate her recommendations via a memo instead of having to come back before the board. City Manager Brooks thanked Chair Barker for the courtesy but noted that she would like to come back before the board. She mentioned she would get the list of recommendations to the board as soon as possible. Discussion ensued regarding the composition of the referendum questions, and Deputy City Attorney Mehaffey explained the intricacies of wording the questions and that the board may have to decide if minor changes are worthwhile to add as a ballot question.

*Discussion ensued regarding the following Charter sections:*

**Charter Section 907. – Charter Review Board:** Vice Chair Thorman asked if there was a state mandate on how often a municipal charter should be reviewed. Discussion ensued on how often other cities review their charters. City Clerk May offered to check with other cities on how often their charters are reviewed. Chair Barker asked City Clerk May to get a sampling of lengths of time from other Broward County cities. Chair Barker inquired about the powers of the Commission to propose any ordinances that are in conflict with the Charter. Deputy City Attorney Mehaffey explained that the legal department reviewed the past history and looked at the City's Charter requirement and at state law. She noted that towards the end of the Charter review process, it would be discussed in further detailed. She summarized that the City Commission cannot make changes to the Charter Review Board's changes, but they can add their own changes. If their changes were contrary to the Charter Review Board's changes, then the question on the ballot with the higher number of votes would prevail. Chair Barker asked if the City Commission can pass ordinances that are in conflict with the Charter, and Deputy City Attorney Mehaffey stated that it could not be done.

**Charter Section 308. – Independent Audit:** City Manager Brooks explained that the audit process is spelled out in state statutes, and the City's Charter is more limiting in that it requires a change to the auditors every five years. She noted that some cities do not have requirements to change auditors or to go out and competitively bid for auditors. She suggested tweaking the language so it reads that the City must go out for new auditors every five years, but is not required to change the auditing firm. She explained that government auditors are very specialized and there are very few of them, making it difficult to find new firms. Discussion ensued regarding the number of firms who respond to bids, and City Manager Brooks explained the limiting factors with getting auditors to respond to a request for proposal (RFP). Discussion ensued on the auditing process, the potential pitfalls of keeping the same firm, allowing for the same auditing firm to be included in the RFP process every five years, the length of time to allow the same auditor to have successive terms, and

who was part of the selection team. Consensus was to have language drafted for staff's suggested changes to this section and bring it back to board.

**Charter Section 706. – City Elections:** Mr. Hall inquired about the costs related to holding elections in March versus November. City Manager Brooks explained that historically municipalities held their elections in March. The City has continued to keep elections in March so that ballot issues are separate and apart from the national issues so that local issues are not lost on the ballot. Ms. Fantell inquired about the cost difference and whether or not more people would participate in the election if it was held in November. Discussion ensued regarding the cost difference and that the City's elections are staggered and held in March of odd-numbered years. Chair Barker suggested moving City elections to March of even-numbered years as a possible cost savings. Chair Barker asked staff to obtain some type of financial analysis of the cost to switch the City's elections to coincide with the primaries held in March. Discussion ensued on when primaries are held and the difficulty of getting voters out on the primary dates. Chair Barker also asked for a list of cities on even-numbered March elections and a list of cities on odd-numbered March elections. Vice Chair Thorman expressed concerns with changing election dates, and discussion ensued on voter fatigue with lengthy ballots.

*Mr. Hall asked City Manager Brooks if there were any changes she would like made to the Charter sections relating to the Powers and Duties of the City Manager.*

**Charter Section 401. – Appointment; Compensation; Qualifications:** Deputy City Attorney Mehaffey noted that legal recommended striking paragraph "b" regarding the residency of the City Manager. Discussion ensued on the pros and cons of requiring the city manager to reside within the city's limits.

**Charter Section 402. – Powers and Duties of the City Manager:** Discussion ensued regarding paragraph "i" to remove the word "exclusive" from the City Manager's authority to place items on the agenda. Discussion ensued regarding this being included in a house-keeping type of referendum question.

**Charter Section 403. – Acting City Manager:** Discussion ensued regarding removing the "and filed with City Clerk" formality language and revising the language so that it strictly referred to a temporary absence and not an absence relating to a long term disability.

**Charter Section 405. – Removal:** Discussion ensued regarding revising this language so that the procedures listed would be applied absent any procedures outlined within the City Manager's contract with the City.

## **8. SET NEXT MEETING DATE**

The following consensus was conveyed for the date and time of upcoming meetings:

- Monday, February 3 at 3:30 PM – to hear from two of the City Commissioners
- Monday, February 10 at 5 PM – to hear from the City Clerk and to review the list from staff
- Tuesday, February 18 at 5 PM

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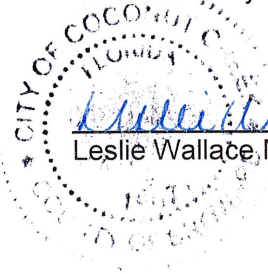
Ms. Fantell noted that she would not be available for meetings the first two weeks of April.

Mr. Hall asked Deputy City Attorney Mehaffey to provide a copy of the state statute referencing city audits.

**9. ADJOURNMENT**

The meeting was adjourned at 5:09 p.m.

Transcribed by: Leslie Wallace May



Leslie Wallace May  
Leslie Wallace May, MMC, City Clerk

2/3/2020  
Date