



CITY OF COCONUT CREEK CHARTER REVIEW BOARD MINUTES

Government Center
4800 West Copans Road
Coconut Creek, FL 33063

Date: March 19, 2025
Time: 5:00 p.m.
Location: Public Meeting Room
Adjacent to Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Chair Craig Valvo at 5:07 p.m.

2. PRESENT UPON ROLL CALL:

Chair Craig Valvo - District E
Vice Chair Alex Escoriaza - District D
Jonathan Ahlbum - District A
David Mintzes - District B

ABSENT:

Mohammed Razib - District C

Also present: City Clerk Joseph J. Kavanagh, Deputy City Attorney Kathy Mehaffey, and City Attorney Terrill C. Pyburn.

City Attorney Terrill Pyburn noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

APPROVAL OF MINUTES

3. A MOTION APPROVING THE MINUTES FROM PREVIOUS CHARTER REVIEW BOARD MEETING(S). (2025-0219)

MOTION: Mintzes/Ahlbum – To approve the Minutes of the February 19, 2025, Charter Review Board Meeting, as presented.

The Motion passed by a unanimous voice vote.

4. REVIEW OF CHARTER SECTIONS

City Attorney Pyburn shared updated language for Section 801, as follows:

Section 801. – General Authority.

- a. *Power to Initiate or Repeal an Ordinance. The qualified voters of the City shall have power to propose ordinances for adoption or to require repeal of any adopted ordinance following the procedures of this Article.*
- b. *Limitations. Such power to initiate shall not extend to the budget or capital improvement program or any ordinance relating to the Land Development Code*

or Comprehensive Plan or any ordinance related thereto or to appropriation of money, levy of taxes or salaries of City officers or employees and such power to repeal an ordinance shall not extend to any emergency ordinance relating to appropriation of money, nor to the levy of taxes, the budget, or the capital improvement program except on capital improvement projects financed by tax revenue certificates for water and sewer systems.

Discussion ensued briefly and consensus was to move forward with the changes.

City Attorney Pyburn noted that the Board had discussed specifying calendar days throughout the Code unless the referenced time was under fifteen (15) days, at which time it would be business days. She stated changes could be made to individual sections, or a general provision could be added to Section 106 – Rules of Construction to specify.

Chair Valvo asked if sections later in the Charter referenced back to Section 106. Deputy City Attorney Mehaffey advised that the section applied globally to how the entire Charter was interpreted. Discussion continued. Consensus was to move forward with the addition to Section 106, as follows:

Section 106. – Rules of Construction.

- a. The singular includes the plural and vice versa.*
- b. Words used in the present or past tense include the future as well as the present and past.*
- c. The words "written" or "in writing," may include any form of reproduction or communication, except oral.*
- d. References to "days" shall mean calendar days unless the specified time is 15 days or less, then it shall mean business days.*

Chair Valvo continued the Charter review by section with Section 806 – Action by Petitions. He asked staff for any direction regarding the section. Deputy City Attorney Mehaffey explained there could be a process for working with City staff on a petition to clarify the language. Chair Valvo asked if the petition process was rare. Deputy City Attorney Mehaffey confirmed the process was rare but could be cumbersome. She stated the section was rewritten in 2020, and in doing a review and additional research, staff had identified some procedures that could help in setting out time periods and responsibilities, including the responsibility of the petitioner to provide language consistent with other provisions of the City Charter, the Comprehensive Plan, and State Law. She explained that the City offered concierge services and was focused on serving the residents, but providing designated responsibilities might be an asset, and clarification would help the process.

City Clerk Kavanagh shared his experience with the petition process playing out in two (2) separate ways, with and without an attorney representing the committee.

Chair Valvo asked if there was a middle ground where the petition must meet certain criteria, but did not require the cost of an attorney, which could be an impediment. Deputy City Attorney Mehaffey shared draft language for discussion.

Board Member David Mintzes asked what would make petition language “functionally invalid.” Deputy City Attorney Mehaffey explained that some reasons may include a conflict with another provision of the Charter or State law, or that the language was not coherent to be implemented. Discussion continued regarding the draft language and the

petition process.

Chair Valvo asked if there was a mechanism in place for rejecting a petition on an issue that has been continually brought back to the City. City Attorney Pyburn advised this would only be the case if it were inconsistent with State law or another Charter provision. Chair Valvo commented that a proposed change did not have to come through the petition process, a resident also had the option to work with their Commissioner to enact change.

Vice Chair Escoriza asked for clarification on the Commission involvement in the petition process. Deputy City Attorney Mehaffey explained briefly. Vice Chair Escoriza asked the reasoning behind the 30-day and 60-day timelines outlined. Deputy City Attorney Mehaffey stated there may have been the conception that the process to repeal an ordinance was faster than creating a new ordinance, but that was not true. She advised that depending on the start date, it would be difficult to complete either process in 30 days. Discussion continued regarding the timeline and the potential need for clarification of the timeline.

Mr. Mintzes asked if there had historically been issues with the timeline. City Attorney Pyburn noted there had only been one (1) citizen-led petition in the past ten (10) years.

City Attorney Pyburn sought direction on the language specifying that initiatives had to meet certain criteria before being moved forward, as shared by Deputy City Attorney Mehaffey. Consensus was to direct staff to draft revised language for further review.

Deputy City Attorney Mehaffey continued the Charter review by section with Section 807 – Results of Election. She noted that the last sentence of Section 807(a) addressed conflicting ordinances and would be recommended for deletion or revision if the Board moved forward with the proposed changes to Section 907. She advised that Section 807(c) was amended in 2020 to provide for modification or repeal of initiated ordinances. Discussion ensued briefly.

Deputy City Attorney Mehaffey continued the Charter review by section with Sections 901, 902, and 903. Board members asked for clarification, as appropriate.

Deputy City Attorney Mehaffey continued the Charter review by section with Section 904 – City Attorney. She advised that the City Attorney's office was not requesting any changes. Mr. Mintzes highlighted the last sentence of the section, noting Assistant City Attorney(s) may be removed with or without cause by the City Attorney. Deputy City Attorney Mehaffey commented that the City Attorney was also hired and fired at the will of the Commission. Chair Valvo asked if State law would support the removal without cause. Deputy City Attorney Mehaffey confirmed. Discussion continued.

Deputy City Attorney Mehaffey continued the Charter review by section with Section 905 – State Laws as Amended. Discussion ensued regarding State law and the process for amendment in response to changes to State law.

Deputy City Attorney Mehaffey continued the Charter review by section with Section 907 – Charter Review; Charter Review Board. She noted the section was previously flagged during conversation with Commissioner Wasserman, regarding service on multiple boards. She stated the 2020 Charter Review Board had recommended a change in the frequency of meetings from every five (5) years to every ten (10) years, but that had not passed. Discussion ensued regarding simultaneous service on the Charter Review Board and another City board and the 120-day review period.

Charter Review Board Minutes

March 19, 2025

Page 4

Vice Chair Escoriza highlighted the importance of issues brought up by the Charter Review Board getting before the voters in a timely fashion. He stated the timing of the Board and the elections were out of sync. Deputy City Attorney Mehaffey noted that after 2029, the City would have an election every two years, so if a change were recommended, six (6) or eight (8) years might be appropriate. City Attorney Pyburn clarified that the change to a 10-year Charter Review Board had failed narrowly, with a vote of roughly fifty-one percent (51%) to forty-nine percent (49%). Discussion continued. Consensus was to recommend the Commission consider a change to six (6) years following the 2030 Charter Review Board.

The Board discussed service on more than one (1) City board at the same time. City Attorney Pyburn noted there were prohibitions against dual office holding as it related to other boards, but there was a separate carve-out for the Charter Review Board and the Redistricting Board due to the limited timeframe the person would serve in those roles.

Chair Valvo commented that the Redistricting Board would meet again in 2026. Deputy City Attorney Mehaffey and City Attorney Pyburn provided additional detail on the changes to the schedule made by the previous Charter Review Board to accommodate the MainStreet development. Discussion continued regarding redistricting. Chair Valvo shared his experience serving on the Redistricting Board.

Vice Chair Escoriza initiated a discussion on single-member voting districts. City Attorney Pyburn advised that the Board was sent a survey on at-large versus single-member district voting in other municipalities. She noted staff was working to gather data on recent elections as requested by Chair Valvo. Consensus was to wait until data was available on how votes were cast in recent elections.

Chair Valvo stated that he had spoken with people about the pros and cons of at-large voting, and noted there would be an elected Mayor who was at-large, so even if the Commissioners were solely focused on their own district, residents would have at least two (2) members representing their interests on the Commission. He suggested there may be a need for a difference in the expense account portion of compensation between the elected Mayor and members of the Commission.

Mr. Mintzes pointed to the potential of having an entire Commission that represents the community at-large rather than representing individual districts. Deputy City Attorney Mehaffey advised that Sunrise operates in this manner. Mr. Mintzes stated he was not in favor of the way it was done at this time, with at-large votes for district Commissioners. He acknowledged the fear that too many people would come from one (1) neighborhood and commented that he believed the community was diverse enough that this would not happen. Discussion continued.

Deputy City Attorney Mehaffey stated staff would provide a map of the voting precincts, a map of the districts, and the 2025 precinct totals. She noted a breakdown by district had been requested from the Supervisor of Elections office. She shared that Cooper City had recently made an amendment on this issue, and she would also reach out to learn more about that process and the thinking behind it.

Deputy City Attorney Mehaffey sought direction regarding a previous discussion on Section 403 – Acting City Manager. She noted Commissioner Rydell had highlighted the provision that allows the City Manager to designate an officer during a period of absence or disability of up to two (2) months. She provided a brief background on previous

amendments to the section. Discussion ensued as to the process and the intent, as well as various scenarios and circumstances. Consensus was to leave the language as written.

Chair Valvo stated the next meeting was scheduled for March 26 at 5 p.m.

5. ADJOURNMENT

The meeting was adjourned at 6:53 p.m.

Joseph J. Kavanagh, MMC
City Clerk

Date