# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: January 14, 2025**
**Time: 6:00 p.m.**
**Meeting No. 2025-0114**

## 1. CALL TO ORDER

The meeting was called to order by City Attorney Terrill Pyburn at 6:00 p.m.

## 2. PRESENT UPON ROLL CALL:

Jonathan Ahlbum - District A
David Mintzes - District B
Mohammed Razib - District C
Alex Escoriaza - District D
Craig Valvo - District E

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

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

## 3. INTRODUCTION OF BOARD MEMBERS AND STAFF

Staff and Board members introduced themselves in turn.

## 4. OATH OF OFFICE

City Clerk Kavanagh administered the Oath of Office to the members of the Charter Review Board.

## 5. BOARD ORIENTATION: REVIEW OF GOVERNMENT-IN-THE-SUNSHINE, PUBLIC RECORDS, AND ETHICS LAWS

Deputy City Attorney Mehaffey provided an overview of what it means to be a board member and gave a thorough presentation on the following topics:

- Sunshine Law – Section 286.011, Florida Statutes;
- Public Records Law – Chapter 119, Florida Statutes;
- Social Media;
- Code of Ethics for Public Officers and Employees – Section 112.313, Florida Statutes;
- Board Basics; and
- Parliamentary Procedure.

Deputy City Attorney Mehaffey answered questions and encouraged the Board members to contact the City Attorney's Office with any further inquiries.

## 6. REVIEW OF TASKS AND DUTIES OF CHARTER REVIEW BOARD

City Attorney Pyburn reviewed the tasks and duties of the Board and discussed the City Charter. She advised that the Board had 120 days from the date of appointment to complete the task and reviewed the next steps.

Board Member Craig Valvo asked for clarification on the City Commission role in approving the recommendations of the Board. City Attorney Pyburn explained briefly. Deputy City Attorney Mehaffey provided additional details.

Discussion ensued as to documents available for reference, including the minutes of the past Charter Review Board meetings, the final ordinance of the 2020 Charter Review Board, and the Charters of other municipalities. City Clerk Kavanagh outlined the steps to access resources on the City website.

## 7. ELECTION OF CHAIR AND VICE CHAIR

City Attorney Pyburn opened the floor for nominations for the position of Board Chair.

Board Member David Mintzes nominated Craig Valvo as Chair, seconded by Board Member Alex Escoriaza. There being no further nominations, Mr. Valvo was named Board Chair.

City Attorney Pyburn opened the floor for nominations for the position of Vice Chair.

Board Member Mohammed Razib nominated Alex Escoriaza as Vice Chair, seconded by Chair Valvo. There being no further nominations, Mr. Escoriaza was named Vice Chair.

## 8. ESTABLISHMENT OF MEETING SCHEDULE

The Board agreed to the following tentative meeting schedule:

Wednesday, January 22, 5 p.m., Planning and Zoning Room
Tuesday, January 28, 5 p.m., City Commission Chambers
Wednesday, February 5, 5 p.m., City Commission Chambers
Tuesday, February 11, 5 p.m., Planning and Zoning Room
Wednesday, February 19, 5 p.m., City Commission Chambers
Wednesday, February 26, 5 p.m., City Commission Chambers
Thursday, March 6, 5 p.m., City Commission Chambers
Wednesday, March 19, 5 p.m., City Commission Chambers
Wednesday, March 26, 5 p.m., City Commission Chambers
Wednesday, April 2, 5 p.m., City Commission Chambers
Tuesday, April 8, 5 p.m., Planning and Zoning Room
Wednesday, April 16, 5 p.m., City Commission Chambers
Wednesday, April 23, 5 p.m., City Commission Chambers
Wednesday, April 30, 5 p.m., City Commission Chambers

## 9. INPUT FROM THE PUBLIC

There was no input from the Public.

## 10. ADJOURNMENT

The meeting was adjourned at 7:35 p.m.

Joseph J. Kavanagh, MMC
City Clerk

1/21/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: January 22, 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 5:01 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, City Attorney Terrill C. Pyburn, and City Manager Sheila N. Rose.

Chair Valvo noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

## 3. DISCUSSION BY CITY MANAGER SHEILA ROSE

City Manager Rose thanked the Board members for their willingness to serve and provided a brief background on the Charter Review Board. She spoke about the most recent Charter amendment to provide for an elected mayor that had resulted in a significant organizational change, which was approved by the voters and shared a chart, outlining the complexity of the issue and alternatives reviewed. She noted the topic of moving the election away from March was likely to be a topic of discussion of this Board and explained the potential impacts on the continuity of government should a change be made prior to the formal implementation of the elected Mayor system in 2029.

City Manager Rose called the Board's attention to Section 604 of the Charter for consideration, advising this section dealt with an accounting detail that created what could be viewed as unnecessary work and overburdening the budget. She discussed the impact of the section in times when the City was working to assemble funds for larger projects and noted the importance of having adequate funding in long-term funds.

**Section 604. – Lapse of Appropriations.**

> *Every appropriation, except an appropriation for capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if five (5) years pass without disbursement or encumbrance of the appropriation.*

Chair Valvo highlighted the timeframe between accomplished and abandoned capital expenditures in the section and asked City Manager Rose for her suggestion on a potential amendment. City Manager Rose stated she would recommend removal of the section from the Charter. She advised that the City follows all of the government finance processes for review and audit, and this section did not seem necessary. Discussion continued regarding the budgeting process and instances where the section had applied.

Mr. Mintzes asked for clarification on the timeline of the most recent Charter change and the reasons it was addressed out of cycle. City Attorney Pyburn explained that changes to the election cycle and a shift to an elected Mayor had been debated by at least the past two (2) Charter Review Boards, and ultimately those Boards voted the proposals down, but in 2024 the City Commission had determined that they wanted the question of an elected Mayor to go to the voters for consideration. Discussion ensued, regarding the activities which led to the vote to change to an elected Mayor, the citizen-driven petition filed to change portions of the Charter, changes to the election schedule based on the change in the number of districts, and the process for the Board moving forward.

Chair Valvo asked staff to explain how the role of the elected Mayor was defined. City Manager Rose advised the Board would be reviewing the specific applicable sections of the Charter, but as written, the Mayor would not have any additional authority over the Commissioners. She explained the intent was that the City Manager and Commission form of government would be maintained. She discussed the Strong Mayor form of government briefly. Discussion continued.

Vice Chair Escoriaza asked for clarification on reading the historical tracking in the Charter and changes made over time. Deputy City Attorney Mehaffey explained. City Attorney Pyburn advised that some older changes may require additional research. Vice Chair Escoriaza inquired as to whether there were instances of the Charter being expanded, with sections added. City Attorney Pyburn stated term limits were added in 2020 as a subsection which did not previously exist, but there were no other additions during her tenure with the City.

Mr. Mintzes asked about the hiring power of the City Manager and whether the Commission had an oversight role. City Manager Rose advised that the City tries to maintain a clear divide between the City Commission and City staff. She noted the Commission was engaged and informed.

Vice Chair Escoriaza asked if the City Manager had any other portions of the Charter which come up in day-to-day operations of the City and should be reviewed. City Manager Rose stated there was clear direction in the Charter on the types of things which should be managed by ordinance or by resolution, and for the most part her job was regulated by State law. City Attorney Pyburn added that the Charter acts similar to a Constitution for the City, so it provided the guard rails by which staff operates and then the Code of Ordinances and Land Development Code help to further explain and define the laws and development rules to be followed, along with a series of other documents containing policies and procedures.

Mr. Mintzes asked the history behind City Commissioners being elected to districts rather than at large. City Attorney Pyburn advised this was adopted by the City many years ago and was not required by State law. She noted other cities operate in different ways. Discussion continued.

Chair Valvo asked for additional clarification on how the role of Mayor would change with the shift to an elected position. City Manager Rose discussed consistency in the role when working with Broward County and State agencies.

City Manager Rose advised that she would schedule a time for Finance and Administrative Services Director Peta-Gay Lake to speak with the Board to provide additional information on Section 604.

## 4. REVIEW OF CHARTER SECTIONS

City Attorney Pyburn began a review of Charter sections, starting with Section 101 - Incorporation. Deputy City Attorney Mehaffey advised that the 2020 and 2024 Charter changes would be added to the section.

Mr. Mintzes asked if anyone could explain why the Post Office thinks residents are part of Pompano Beach when Coconut Creek has existed since 1967. City Attorney Pyburn stated this was something Congressman Jared Moskowitz had been asked to try to address. She noted the Postal Code was created before the City was incorporated.

City Attorney Pyburn continued the review by section.

Mr. Mintzes noted the 12-month residency requirement to be eligible for City Commission listed in Section 301 and inquired as to whether eligibility was in any way governed by State Statute. City Attorney Pyburn stated eligibility requirements were mostly governed by Federal and State law. She noted while the City could impose residency requirements on its commissioners and candidates, case law had been inconsistent with upholding a two (2) year residency requirement but had upheld a one (1) year residency requirement. Discussion ensued as to past instances related to Commissioner residency.

Chair Valvo advised that he was interested in further discussion as to the role of the elected Mayor. He asked if the term of the appointed Mayor could have been changed to four (4) years. City Attorney Pyburn stated this was an option that was considered, but ultimately the Commission voted to move forward with placing an elected Mayor on the ballot. She noted that, currently, all five (5) Commissioners serve a four-year term, and the role of appointed Mayor was selected annually for up to no more than two (2) years. She explained there had not been a change to the term of the role, but to the length of time the title of Mayor would be held. Discussion ensued regarding consistency in the role of Mayor and past discussions on moving the municipal elections to November.

Chair Valvo commented that the qualifications for Commissioner included holding a position on no other City Board or Committee. He stated he was the president of his Homeowners Association (HOA), and if he were to run for Commission, he would think that it would be required that he no longer represent that community. He discussed potential conflicts of interest and noted he did not see a requirement in the Charter to step down from that role. City Attorney Pyburn confirmed there was nothing in the Charter or State law requiring this, however, there were provisions for voting conflict in opinions issued by the State Commission on Ethics, which required a Board member to declare a

conflict and refrain from voting due to gain or loss based on percentage of interest. She reviewed examples of the percentage of interest briefly and stated her recommendation had always been that if there was the appearance of a conflict, the City Attorney's office should be consulted to determine whether a conflict should be declared. She stated while State law did not recognize this as dual office holding, she was not aware of specific language stating this could not be included in the City Charter. Chair Valvo clarified that his comments were not in reference to any existing condition and were intended to reflect on his own situation.

Mr. Mintzes commented that conflicts would exist not only for members of an HOA Board, but also for residents of a community if their HOA brought forward a request to the Commission. City Attorney Pyburn explained there was also language in State law as it pertained to a recurring conflict. Discussion continued as to how to effectuate suggested changes.

Chair Valvo stated not only avoiding conflicts but being at a level above reproach was important to him. He asked that the Board consider whether an elected Commissioner should have to resign their role representing a given community. He discussed an example situation where a member of his HOA Board stepped down when they were elected as a county judge. Deputy City Attorney Mehaffey suggested this could be considered as an addition to Section 304 – Prohibitions, either as an amendment to subsection a or the addition of a new subsection b if this were the desire of the Board. Discussion continued.

Mr. Mintzes asked the spending threshold that must be brought before the City Commission for approval. City Attorney Pyburn advised the threshold was dependent on the subject matter and discussed example purchasing policies and procedures.

City Attorney Pyburn stated if Board members had questions, staff could come back with examples from other cities, or research topics they wanted to delve deeper into. She noted that based on the conversation, staff would come back with additional materials on City Manager and Commission form of government versus a Strong Mayor form of government, as well as on an elected Mayor.

City Attorney Pyburn continued the Charter review by section.

Vice Chair Escoriaza noted there had initially been opposition on the Commission related to election changes and asked if the Board would hear conflicting opinions. He stated he did not know the reason behind no votes. City Attorney Pyburn advised that Board members could ask those questions of Commissioners when they come to speak to the Board. Vice Chair Escoriaza asked about provisions for term limits. Discussion ensued regarding Commission and Mayor term limits as outlined in the Charter and the term limit reset in 2029, as well as example situations that could result.

Chair Valvo asked about retirement or pension associated with service as a Commissioner. City Attorney Pyburn advised the Commissioners were part of the Florida Retirement System. Chair Valvo asked that additional information be provided to help the Board further understand the ramifications of various term limit lengths. City Attorney Pyburn highlighted the educational component associated with extended terms and noted frequent campaigning as factors to consider, and stated staff would report back with benefit information.

Vice Chair Escoriaza asked if there was a procedure outlined for filling the position of an

elected Mayor in the case of resignation. City Attorney Pyburn clarified the language surrounding resignation to run for another position, both on the City level and County, State, or Federal level. She advised the seat would remain vacant until an election or special election, as the process that allowed for an appointment was eliminated. Discussion continued. Deputy City Attorney Mehaffey shared the associated ordinance.

Discussion ensued regarding Commission compensation, cost-of-living increases, the potential for increase in compensation by vote of the Commission, process for setting employee salaries, flexibility in the budget, and Commission expense accounts and reimbursements. City Attorney Pyburn advised that staff would bring the associated resolution to the next meeting. Chair Valvo stated he also would be interested in knowing how Commission compensation and expenses were managed in other cities with a similar form of government.

Vice Chair Escoriaza commented that he had questions on the references to employees of the City Commission in the budget and the Charter. City Attorney Pyburn advised that Finance and Administrative Services Director Lake or City Manager Rose would be asked to provide explanation. Discussion continued regarding clarification of the reference to employees of the Commission in Section 303.d.

Consensus was to pick up the discussion with Section 304 – Prohibitions at the next meeting.

## 5. CONFIRMATION OF NEXT MEETING DATE

Chair Valvo confirmed the next meeting was scheduled for Tuesday, January 28, at 5 p.m. Discussion ensued regarding the preferred location for future meetings and calls for public engagement.

## 6. ADJOURNMENT

The meeting was adjourned at 7:11 p.m.

CITY OF COCOA · FLORIDA · 1969 · CLERK

Joseph J. Kavanagh, MMC
City Clerk

2/6/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: January 28, 2025**
**Time: 5:00 p.m.**
**Location: Public Meeting Room**
**Adjacent to Commission Chambers**

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## 1. CALL TO ORDER

The meeting was called to order by Chair Craig Valvo at 5:03 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
Mohammed Razib - District C *(arrived at 5:13 p.m.)*

Also present: City Clerk Joseph Kavanagh and Deputy City Attorney Kathy Mehaffey.

Deputy City Attorney Mehaffey 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) (2025-0114).

**MOTION:** Mintzes/Escoriaza – To approve the Minutes of the January 14, 2025, Charter Review Board Meeting, as presented.

**The Motion passed by a unanimous voice vote, with Mr. Razib not present at the time of the vote.**

## 4. DISCUSSION BY MAYOR WELCH

## 5. DISCUSSION BY VICE MAYOR RAILEY

Deputy City Attorney Mehaffey explained that Mayor Welch, Vice Mayor Railey, and City Attorney Pyburn would be unable to attend the meeting and sent their regrets, as they were at the Broward County Commission meeting. She advised that Agenda Items 4 and 5 for the Mayor and Vice Mayor discussions would be rescheduled to a future meeting.

## 6. REVIEW OF CHARTER SECTIONS

Deputy City Attorney Mehaffey reviewed materials sent to the Board in response to

requests at the January 22 meeting, including the resolution history to reflect Commission salaries and changes over time. She noted City Clerk Kavanagh was working to gather information from other cities on Commission compensation. City Clerk Kavanagh advised that he had received approximately 10 responses so far, which included every possible permutation. He stated once a substantial percentage of responses was received, staff would compile the results and present them to the Board.

Deputy City Attorney Mehaffey stated draft language for Section 303 regarding the City Manager and City Attorney would be available for review at the next meeting. She noted Section 604 would be brought back at a future meeting when City Manager Sheila Rose and Finance and Administrative Services Director Peta-Gay Lake were available to provide additional background on the budget process and answer any questions.

**Section 304 – Prohibitions**.

In reference to subsection a, Vice Chair Escoriaza asked if a City Commissioner could lobby for another entity. Deputy City Attorney Mehaffey advised the activity was heavily regulated by the Broward County Office of the Inspector General and State law. Discussion ensued, and Deputy City Attorney Mehaffey stated she would follow up with additional information.

Mr. Mintzes asked about prohibitions on Commissioners with the City as a professional client. Deputy City Attorney Mehaffey explained there were a number of prohibitions spelled out explicitly in State law, as well as in the Broward County Code of Ethics.

*Board Member Mohammed Razib joined the meeting at 5:13 p.m.*

Deputy City Attorney Mehaffey continued with the review of Section 304. Discussion ensued briefly regarding 304.c, Interference with Administration, the inclusion of the Mayor in reference to the Commission members, and involvement of the Commission in staffing decisions, including the recent change in Chief of Police.

Deputy City Attorney Mehaffey continued the Charter review by section.

Chair Valvo asked for clarification on whether a sitting Commissioner had to resign to run for a County or State office. Deputy City Attorney Mehaffey and City Clerk Kavanagh explained the applicable laws. Discussion continued.

Vice Chair Escoriaza referenced Section 303.b. and asked how ties were broken on the dais when only four (4) members of the Commission were present. Deputy City Attorney Mehaffey advised there was not an automatic tiebreaker. Discussion continued regarding provisions for quorum, voting and tie breaking, in various situations.

Discussion ensued regarding Section 307 – Investigations, including how an investigation was initiated, the process for investigation, and the appropriate forum for appeal. City Clerk Kavanagh provided additional details on the process for qualifying candidates for office.

Vice Chair Escoriaza asked that Finance and Administrative Services Director Peta-Gay Lake address the Board to provide an updated opinion on Section 308 – Independent Audit and changes made. Deputy City Attorney Mehaffey explained language was added in accordance with State law and noted staff had expressed concern related to considering the number of auditors and auditing firms available to conduct the work.

Discussion continued regarding audit firm qualifications and the selection process.

Deputy City Attorney Mehaffey noted Section 309 – Procedure, addressed Commission meeting requirements on a general level, but additional regulations were laid out in the procedures ordinance, decorum policy, and Broward County requirements.

Discussion ensued on the difference between resolution and ordinance and concerns with voter fatigue when placing Charter changes on the ballot. Consensus was to discuss changes to align the Charter Review Board process with municipal election dates when reviewing Section 907.

In reference to Section 310 – Action Requiring an Ordinance, Vice Chair Escoriaza asked for clarification on the impact fee ordinance currently before the City Commission. Deputy City Attorney Mehaffey outlined the process the City was currently undergoing to review and amend its schedule of impact fees, including the study completed, changes to State law, and the ordinance process. Discussion continued.

The Board and staff discussed distinctions between the Charter and City Code, as well as between ordinance and resolution.

Deputy City Attorney Mehaffey advised that Article IV of the Charter dealt entirely with the City Manager. She explained potential changes discussed by the 2020 Charter Review Board, including change to the residency requirement and amendments to align with contract requirements and State law had failed at referendum. Discussion ensued regarding residency requirements and qualifications for the City Manager role, length of term and contract renewal, and appointment of a deputy to attend meetings on behalf of the City Manager.

Chair Valvo suggested that in addition to the Mayor, Vice Mayor, Commissioners, and Finance Director, the Board may want to hear from the Police Department at a future meeting. Mr. Razib commented that it may be a topic to revisit following the meetings scheduled with members of the Commission. Discussion continued.

Consensus was to pick up the discussion with Section 405 – Removal, at the next meeting.

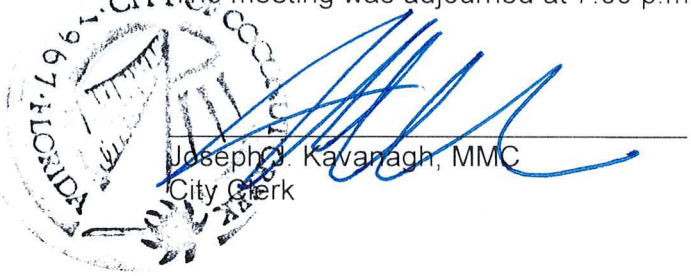
## 7. CONFIRMATION OF UPCOMING FEBRUARY MEETING DATES

City Clerk Kavanagh reviewed the calendar of upcoming meetings, as follows:

- Wednesday, February 5, 5 p.m., Public Meeting Room adjacent to Commission Chambers
- Tuesday, February 11, 5 p.m., Public Meeting Room adjacent to Commission Chambers
- Wednesday, February 19, 5 p.m., Public Meeting Room adjacent to Commission Chambers
- Wednesday, February 26, 5 p.m., Public Meeting Room adjacent to Commission Chambers

## 8. ADJOURNMENT

The meeting was adjourned at 7:00 p.m.



Joseph J. Kavanagh, MMC
City Clerk

2/11/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

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

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## 1. CALL TO ORDER

The meeting was called to order by Chair Craig Valvo at 5:01 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
Mohammed Razib - District C

Also present: City Clerk Joseph Kavanagh, City Attorney Terrill C. Pyburn, Deputy City Attorney Kathy Mehaffey, Commissioner Jeffrey R. Wasserman, Commissioner John A. Brodie, and Mayor Sandra L. Welch.

City Attorney 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) (2025-0122). *(NEW ITEM)*

**MOTION:** Mintzes/Ahlbum – To approve the Minutes of the January 22, 2025, Charter Review Board Meeting, as presented.

**The Motion passed by a unanimous voice vote.**

## 4. DISCUSSION BY COMMISSIONER WASSERMAN (Time Certain 5:00 p.m.)

Commissioner Wasserman joined the meeting at 5:00 p.m. He thanked the Board members for agreeing to serve. He shared an interest in adding board term limits of two (2) consecutive terms to the Charter, and to restrict service on multiple boards at the same time. He commented that this would allow more people to get involved.

Board Member Mohammed Razib commented that the Charter Review Board meets every five (5) years, so while he agreed terms should be limited, there should be overlap. Discussion ensued as to how long it takes for recommended Charter changes to be

implemented.

Vice Chair Escoriaza noted he was currently serving on the Planning and Zoning Advisory Board as well as the Charter Review Board. He inquired about the Parks and Recreation Advisory Board. Deputy City Attorney Mehaffey explained that the Parks and Recreation Advisory Board was formed based on Commission policy, while the Planning and Zoning Board sits as the local planning agency so it is based on a State requirement. She noted Sections 501 and 505 addressed boards generally and pointed out that in the past, the number and makeup of boards fluctuated based on the City's needs. She stated if this was something the Board was interested in reviewing, staff would conduct some additional research and then if the Board directed, bring back draft language for discussion.

Vice Chair Escoriaza asked Commissioner Wasserman for his thoughts on implementation of term limits. He noted several members of the Planning and Zoning Board had served for a while. Commissioner Wasserman suggested the change could be implemented in March 2026 beginning with a reset of terms.

Chair Valvo commented on the knowledge base needed to serve on the Planning and Zoning Board, as they talked about complex things at times. He asked if a board made up of first year members would hinder their ability to be effective. Vice Chair Escoriaza shared his experience briefly. Board Member David Mintzes stated he saw value in having people that know history and suggested a staggered term.

Chair Valvo asked if the individual Commissioners take the composition of the board into account when selecting their appointments. Commissioner Wasserman stated it was difficult to gauge and advised he was not okay with requirements for the position, noting he had run for the Commission with a background as a civics teacher.

Commissioner Wasserman highlighted the requirements to run for the City Commission, and stated he believes a requirement should be added that the candidate must be a registered voter in Broward County. He stated he did not believe board experience should be a prerequisite.

Vice Chair Escoriaza commented on the possibility of a previously disenfranchised voter not being able to run for office. Commissioner Wasserman stated this was a fair point.

Mr. Mintzes noted there was a Constitutional Amendment passed to restore the rights of disenfranchised voters. City Attorney Pyburn confirmed there was an amendment which provides for those with a criminal history to register to vote, and noted it required the payment of all restitution.

Mr. Mintzes stated he thought candidates being registered as voters was something people took for granted, and noted he thought it was a good idea. Chair Valvo posited whether providing voter registration would shift a nonpartisan Commission race. Discussion ensued.

Commissioner Wasserman suggested addition of a clause to the Charter which would address what happens to a Commission seat if the Commissioner moves out of the district but stays in the City, outlining that the seat would be maintained up to 365 days, and then a special election would be triggered.

Vice Chair Escoriaza commented that he found it strange to require someone who wanted to move within the City to give up their Commission seat.

City Attorney Pyburn stated her reading of Section 305.b.5 was that the Commissioner would forfeit their seat by moving out of the district. She noted this was a fairly recent change. She noted the Redistricting Board meets every seven (7) years, so there was always the possibility of the district moving.

Commissioner Wasserman asked if the term limit applied to the district seat the Commissioner holds or applied to the individual serving as a Commissioner. City Attorney Pyburn stated she believed it was the individual. She noted with the recent revisions, a Commissioner running for Mayor would not restart their term limits. Discussion continued.

Chair Valvo opened the floor to any questions for Commissioner Wasserman.

Vice Chair Escoriaza asked if the length of board terms was included in the Charter. Deputy City Attorney Mehaffey advised this was included in the Code and was not in the Charter.

Vice Chair Escoriaza asked Commissioner Wasserman if, based on his experience, he believed board terms should remain one (1) year. Commissioner Wasserman stated he would not be opposed to two (2) year term limits.

Vice Chair Escoriaza commented on the time required to get up to speed on a new board, canceled meetings, and the time it took for a development to make it through the approval process, and stated there was potential for a one (1) year term to be sparse. Commissioner Wasserman agreed. He noted a longer term was also a larger commitment but would build more consistency. Discussion continued regarding the role of the Planning and Zoning and other boards, makeup of the boards, and process for filling vacancies.

## 5. DISCUSSION BY COMMISSIONER BRODIE (Time Certain 5:45 p.m.)

Commissioner Brodie joined the meeting at 5:45 p.m. He stated that based on current events, it had become clear that a Commissioner also serving on a Homeowners Association (HOA) or Condominium Association (COA) board becomes complicated. He advised that he believes this should be addressed in the Charter with a requirement to leave the seat at the time of swearing-in as Commissioner.

Chair Valvo commented that in his experience, the conflict could also extend into HOA subcommittees, and noted it was not enough to be clear of conflict of interest, but to all extent possible the Commissioners should be above reproach.

Mr. Mintzes asked about spouses serving on HOA and COA boards. Commissioner Brodie stated he would limit only the Commissioner but would leave it up to the Board if they wanted to define it further.

Chair Valvo asked how conflict of interest was addressed in the City's procurement policies. City Attorney Pyburn advised that there were prescriptions under State law as well as in the County Code of Ethics and County Office of the Inspector General which have prohibitions as to voting conflict. She explained the rules depend on the situation and there are exceptions in some instances.

*David Mintzes left the meeting at 6:07 p.m.*

Commissioner Brodie stated the date of the municipal election had led to extensive discussion, and a change would not benefit anyone. He commented that there was conversation on the State level about a change and recommended the March election was kept at this time.

Commissioner Brodie discussed recent issues with the past Chief of Police and asserted the position should be among the City's Charter officers who report directly to the Commission, with day-to-day management by the City Manager. He stated this would be better aligned with State law. Discussion ensued regarding the Chief of Police's ability to appeal employment decisions to the City Commission under State law, the hiring process, and the history of issues related to the past Chief of Police.

Chair Valvo commented that the system had worked, in that the Chief of Police and the City Manager were no longer with the City. Commissioner Brodie asserted the issue was a matter of right is right, and wrong is wrong.

Mr. Razib asked how it would help for the Chief of Police to be a Charter officer, as well as whether the Commission has the time to manage a Chief of Police. Commissioner Brodie stated falling under the Commission would not change day-to-day management but would give the Commission authority over hiring and firing. He asserted this would streamline the process in the future, along with giving five (5) people control instead of one (1) person. Board members asked questions regarding the recently changed State law, hiring process, and the past issues which led to the request. Commissioner Brodie responded.

Mr. Razib asked if the request was to make both the Police and Fire Chiefs Charter officers. Commissioner Brodie stated he believed the new Fire Chief should be given time to grow his department before making changes and noted that position may be a discussion for the next Charter Review Board. He advised that he would not want to take that farther, but wanted to give the first responders more interaction with the Commission.

Chair Valvo opened the floor to questions.

*Chair Valvo called for a recess at 6:40 p.m., and the meeting reconvened at 6:45 p.m.*

## 6. DISCUSSION BY MAYOR WELCH (Time Certain 6:30 p.m.)

Mayor Welch began by addressing the issue of the Police chief reporting to the City Commission. She stated she would not recommend any other officers that be appointed by or report to the Commission aside from those who are there today. She advised that the Commission does not individually or as a board get into the daily administrative affairs of any of the departments, including the Police and Fire Chief. She noted she had seen this change in other cities, and it had not led to a positive end. She added that she wanted first responders to have a clarity in who they report to and succession plans were now in place in all departments.

Mayor Welch thanked the Board for taking on the difficult task of Charter Review. She referenced the recent ballot measures and stated an item she feels strongly should go before the voters was a change in the municipal elections from March to November. She stated the City would not be paying upward of $100,000 for the special election, and less than 10 percent of voters would not determine who runs the City.

Chair Valvo asked about voter turnout in March versus November. Mayor Welch stated it

depended on the volatility of issues a national election might garner, but it would far surpass the numbers in a local election. She stated she would provide the Board with voter turnout numbers for the most recent elections.

Vice Chair Escoriaza asked about differences other than voter turnout. Discussion ensued as to whether the issue of ballot fatigue outweighs the benefits of having more people turn out to vote and whether voters completed the entire ballot.

Mayor Welch pointed out that it was difficult to campaign in January, and to gather energy when there has just been a very large election cycle.

Vice Chair Escoriaza noted Commissioner Brodie had shared that the State may mandate the November election date. Mayor Welch stated there were only a few left in Broward County with March elections, and some of the others were very small cities.

Chair Valvo stated he would also be interested in data on the turnout disparity in more seasonal districts such as that containing Wynmoor, and whether there were many registered voters who were not present in March or November.

Mayor Welch highlighted Section 801 and asked Deputy City Attorney Mehaffey to elaborate on what inclusion of the Land Development Code in the limitations in subsection (b) would do.

Deputy City Attorney Mehaffey advised that Section 801 talked about initiatives, referendums, and recalls. She explained this was the ability of the general public to gather votes, support, and signatures to initiate a change to a City Code, and section (b) referred to limitations in terms of things the public generally could or could not initiate without going through the City Commission. She stated the Land Development Code sets out the parameters that regulate how a piece of property was going to be developed, such as setbacks, permitted uses, height restrictions, landscaping requirements, as well as procedures for getting City approval in that process. She stated the Land Development Code was required to be consistent with the Broward County Land Development Code as well as the State Land Development Code, and with the City, County, and State Comprehensive Plan. She commented that a citizen initiative to change the Land Development Code was probably fraught with a lot of serious risks because it would be very easy to trigger an amendment which violated something else. She noted individual rights to develop property were also impacted, so it may also give citizens the ability to overrule well established development rights, which can have significant risks and heavy liabilities for the City.

*Mohammed Razib left the meeting at 7:03 p.m.*

Chair Valvo asked for clarification on the initiative, referendum, and recall process. City Attorney Pyburn reviewed the process and examples.

Chair Valvo asked if hypothetically, someone could buy a piece of land for development and then a resident could gather approximately 4,000 signatures and change the zoning of that property to agricultural. City Attorney Pyburn confirmed they could, and stated what was more concerning was that they could do this in a situation where an application had already been submitted and reviewed, and the City could face liability for claims of property rights being taken. She stated it was a nuanced area of law.

Mayor Welch advised that given all of this information, she believes this would be a

positive addition to the Charter, but she does not want to set the tone that the City is opposed to or discouraging residents from taking their own initiatives and petitions. She stated she did not believe the 50 qualified voters required to start the process should be changed, but did believe it would behoove the City to update the percentage of registered voter signatures required as referenced in Section 803.c – Time for Filing Petition to Initiate or Repeal an Ordinance from five (5) percent to 10 percent to be consistent with State law.

Mayor Welch asked if the timelines outlined in Section 804 – Procedure After Submittal of Petition were calendar days. City Attorney Pyburn advised that it was calendar days, as it was not specified otherwise. Discussion continued.

Chair Valvo opened the floor to any questions for Mayor Welch.

Vice Chair Escoriaza commented that there had been sentiment expressed in earlier meetings about not messing with the election date until after the change to an elected Mayor and asked if the intent of the recommendation was a change after that date. Mayor Welch confirmed. She stated the term limits which also go into effect in 2029 would allow for an extended length of service and could also be reviewed. Discussion ensued regarding term limits and the impetus behind the language as proposed, as well as the specific potential terms of members of the Commission.

## 7. REVIEW OF CHARTER SECTIONS

Chair Valvo stated his intention was to ask the remaining two (2) Commissioners about the issue of Charter officers brought forward by Commission Brodie, which would provide the Board with the opinions of five (5) members. He asked how he could go about getting Commissioner Wasserman's opinion on the issue. City Attorney Pyburn advised there was the opportunity to invite Commissioner Wasserman back for that conversation. Discussion continued regarding follow-up questions. Consensus was to re-evaluate after speaking with the remaining members of the Commission.

Vice Chair Escoriaza asked if there were examples from other cities that the Board could look at. City Attorney Pyburn stated Margate would be an example. Discussion continued briefly on the structure of the Margate Charter and on dual office holding. City Clerk Kavanagh provided additional details.

Chair Valvo inquired as to the process for reviewing the Commission recommendations and continued review of the individual sections. Deputy City Attorney Mehaffey explained the Board could decide whether to discuss the recommendations as they were brought up, or as that section of the Charter was reached in order.

## 8. CONFIRMATION OF UPCOMING FEBRUARY MEETING DATES

Upcoming meetings are scheduled as follows:

- Tuesday, February 11, 5 p.m., Public Meeting Room adjacent to City Commission Chambers
- Wednesday, February 19, 5 p.m., Public Meeting Room adjacent to City Commission Chambers
- Wednesday, February 26, 5 p.m., Public Meeting Room adjacent to City Commission Chambers

## 9. ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

Joseph Kavanagh, MMC
City Clerk

Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: February 11, 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 5:06 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
Mohammed Razib - District C

Also present: City Clerk Joseph J. Kavanagh, City Attorney Terrill C. Pyburn, Deputy City Attorney Kathy Mehaffey, Vice Mayor Jacqueline Railey, and Commissioner Joshua Rydell.

City Attorney 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). (2025-0128).

**MOTION:** Mintzes/Escoriaza – To approve the Minutes of the January 28, 2025, Charter Review Board Meeting, as presented.

**The Motion passed by a unanimous voice vote.**

## 4. DISCUSSION BY VICE MAYOR RAILEY

Vice Mayor Railey thanked the Board for their service. She highlighted items in the Charter that she would like the Board to consider in their discussion, beginning with addition of qualifications to run for Mayor and Commission. She stated candidates should have to be involved in the City in some capacity, whether it be participating in Citizens Academy, service on a Board, or volunteer work.

Chair Valvo noted there had been discussion of adding a requirement to be a registered voter in addition to the one (1) year residency. He asked staff whether there was State law precluding an increase to the residency requirement. City Attorney Pyburn stated all of the case law she had seen was supportive of a one (1) year requirement, but not all of the

Florida case law was supportive of two (2) years, so it would open to risk of challenge.

Board Member David Mintzes asked if there had been any test to support additional requirements. City Attorney Pyburn stated that generally the courts have mostly found in favor of providing the opportunity for a candidate to serve and not creating obstacles to that process. She noted background checks were stricken and were not required for the highest national office. Discussion continued. Deputy City Attorney Mehaffey noted there were significant ongoing continuing education requirements for Commissioners following election. City Attorney Pyburn reviewed the State and County requirements. Vice Mayor Railey pointed out training requirements were on ethics and personal behavior, not operations.

Vice Chair Escoriaza asked if there were any other cities requiring prior City involvement of candidates. City Attorney Pyburn advised that staff would research the question.

Chair Valvo asked if an elected Commissioner is characterized as a City employee, and whether there were employment qualifications for City employees that a Commissioner would not be subject to because they were elected. City Attorney Pyburn stated they were classified as employees for purposes of payroll, pension benefits, and similar, and were subject to drug-free workplace and IT security training, but they were set apart in other ways.

Board Member Mohammed Razib inquired as to what the requirement would be trying to accomplish. Discussion continued regarding eligibility and evidence of eligibility.

Vice Mayor Railey commented that in speaking to elected officials in other municipalities, people were sorry that they had moved the elections from March to November. She stated she was told that it costs the same to run an election in March or November, so there were no cost savings to the municipality. City Clerk Kavanagh explained the formula used by the Broward Supervisor of Elections Office for March and November elections. Discussion continued.

Chair Valvo noted citizenship was not listed as a requirement to run for Commissioner, and posited whether a requirement to be a registered voter would create a disconnect. City Attorney Pyburn advised that voter registration was already a requirement under State law, though it was not included in the Charter. City Clerk Kavanagh provided additional information on the State application form and affidavit required to declare candidacy.

Chair Valvo asked Vice Mayor Railey for her opinion on the idea mentioned at a previous meeting to make the Police Chief a Charter officer. Vice Mayor Railey stated department heads report to the City Manager, and asserted the position would become political if they answered to the Commission.

Chair Valvo opened the floor to questions, and there were none.

## 5. DISCUSSION BY COMMISSIONER RYDELL

Commissioner Rydell thanked the Board for taking the time to serve and shared his recommendations. He referenced Section 401 – Appointment; Compensation; Qualifications and stated there were inconsistencies in the obligations of the City Manager and the City Attorney, including residency and authority to terminate appointed deputies.

He noted Section 403, as follows:

Section 403. – Acting City Manager.

> *In the event of absence or disability, the Manager shall designate, by writing addressed to the City Commission, a qualified City administrative officer to exercise the powers and perform the duties of the Manager during his/her temporary absence or disability. In the event such absence or disability exceeds a period of two (2) months, the Commission may revoke such designation at any time and designate another officer of the City to serve until the Manager shall return or his/her disability no longer prevents him/her from performing his/her duties.*

Commissioner Rydell commented that an absence of two (2) months was a larger issue and that a different Charter requirement or trigger may need to happen. He pointed out that under Section 405 – Removal, there was a process which was sometimes contradictory to the employment contract with the City Manager and City Attorney.

Commissioner Rydell referenced Section 501 – Organization of Boards and Committees and noted only two (2) Boards were highlighted in the Charter. He stated in other cities, other boards were codified in the Charter, and noted the Charter Review Board may want to consider whether there were other boards that should be included, or whether the Board should make a recommendation to the Commission to enact other boards through resolution. He noted some municipalities also have professional standards for some boards, such as the Planning and Zoning Board.

Commissioner Rydell discussed contentious elections and read from the City of Fort Lauderdale Municipal Charter, Section 7-15, related to standards for candidates. He noted he was a huge proponent of free speech, but certain behaviors could cause a lack of transparency in people's trust of government, and candidates could be held accountable for their actions and their words in some capacity. Discussion ensued regarding election standards.

Commissioner Rydell suggested principles for discussion might include mechanisms for the public, including referendums, petitions, and engagement, and noted the Charter requirement for signatures from five (5) percent of registered voters. City Attorney Pyburn advised the State law requirement was ten (10) percent. Commissioner Rydell commented that this was a tall order for a resident-led initiative to get on the ballot and was worth looking at, but a change may be preempted. He asserted it was important that engagement platforms were modernized and stay current.

Commissioner Rydell commented that ethics and transparency were subjects which could be included, along with Police oversight. He noted a board empaneled annually to deal with oversight issues in a citizen-led way was an option. He stated the majority of the City's budget goes to Police and Fire. Discussion ensued. Commissioner Rydell asked that staff provide the Board information on the Fort Lauderdale Police Review Board. Commissioner Rydell stated he used to think that having a Police Chief or Fire Chief who answered to the City Commission was a good thing but had changed his position. He shared a brief example where a City had made the same change and gone through four police chief's in seven years.

Vice Chair Escoriaza commented on the difference in the amount of text with which the City Manager and City Attorney were addressed in the Charter. He stated he was interested in the reason. City Attorney Pyburn stated she could only presume, as it predated her time with the City, that this was because the City Attorney provides legal advice whereas the City Manager manages all of the employees of the City and the day-

to-day operations, and these were completely different roles. She noted that the section on the City Attorney was created when the City used outside counsel and did not have an in-house attorney.

Vice Chair Escoriaza asked if the sections could be consolidated into Employees of the City or if language should be copied from the City Manager section to the City Attorney section. Commissioner Rydell stated his proposal was that the sections be consistent.

Vice Chair Escoriaza asked for further clarification on Commissioner Rydell's comments related to Section 405 – Removal. Commissioner Rydell stated there should be a vehicle for immediate termination for cause. Discussion continued regarding the contracts of Charter employees and the process for termination.

Mr. Mintzes noted the requirement for removal of the City Manager was "just cause" rather than "cause," which had a different standard under employment law. He agreed there should be a procedure that would make it smoother to remove a City Manager, if necessary. Commissioner Rydell stated this had not been an issue in his tenure but believed in it was a protection for the residents.

Vice Chair Escoriaza asked for further clarification on Commissioner Rydell's comments related to Section 501 – Organization of Boards and Committees. Commissioner Rydell stated he had brought up whether additional boards should be included as well as professional standards because he thought they were topics that could be discussed further. He noted historical issues with appointment of unqualified people to the Planning and Zoning Board during a time they had full authority. He pointed out that the Charter Review Board could also suggest the City Commission make a change by resolution or ordinance rather than in the Charter.

Mr. Mintzes asked if a board had more credibility if it was included in the Charter rather than being established by ordinance. Discussion continued on the City's changing needs, flexibility, and previously sunset boards.

Vice Chair Escoriaza asked if the two (2) month absence of the City Manager was added as a COVID-19 protection. Deputy City Attorney Mehaffey advised there had not been a time limitation in the language, but a change in 2020 had added the two (2) months.

In response to a question, City Attorney Pyburn provided an overview of the Civil Service Board and the type of grievances that triggered its convening under State law.

Chair Valvo asked Commissioner Rydell his position on March versus November elections. Commissioner Rydell stated he has traditionally supported November elections, but with the current implementation of the elected Mayor, there were logistical issues with a change prior to 2030. He highlighted the difference in turnout, ballot fatigue, early voting and ballot drop-off infrastructure, and noted he believes the issue might also be addressed on a State level, preempting a local decision.

Mr. Mintzes commented on the nonpartisan nature of municipal elections, and shared that in his experience, a move to November led to a more partisan shift. He expressed concern that local issues would get lost in the noise. Commissioner Rydell recognized City Clerk Kavanagh for his commitment to increasing voter turnout. Discussion continued.

Mr. Razib asked if municipal elections could be held online. City Attorney Pyburn advised that State law would not allow for this.

Mr. Razib inquired as to Commissioner Rydell's position on Commissioners holding a position on their Homeowners Association (HOA). Commissioner Rydell stated this was a difficult question in part because when he ran for Commission, he was the Vice President of his HOA. He noted the question could lead to questions of other jobs held by candidates, as well.

Mr. Mintzes advised that the question of conflict had come up. Commissioner Rydell asserted there was not a voting conflict, as Vice Mayor Railey had always recused herself from any vote that fiscally impacted Wynmoor. He noted that people who seek public office were typically more community-minded and interested in their community. Discussion continued regarding dual office holding.

Mr. Mintzes asked about residents serving on multiple City boards. Commissioner Rydell stated he did not have an issue with engaged people serving in multiple capacities. He highlighted the number of people who volunteer to serve and the short-term nature of boards like the Charter Review.

Chair Valvo opened the floor to questions, and there were none.

## 6. REVIEW OF CHARTER SECTIONS

Deputy City Attorney Mehaffey advised that City Manager Sheila Rose and Finance and Administrative Services Director Peta-Gay Lake had been invited to the next meeting to address questions related to appropriations and auditing, which had come up previously, but the speakers were not yet confirmed. City Attorney Pyburn noted Ms. Lake would also be able to answer questions the Board previously asked regarding City Commission salary and benefits.

Chair Valvo commented that he would also like to revisit the Police Chief discussion with the City Manager. He noted that he would also like to ask Police Chief Fred Hofer for input on this issue and on the Public Safety Commission discussion. City Attorney Pyburn advised that staff would check availability.

Chair Valvo stated there were issues a Public Safety Commission could bring to light. Discussion ensued regarding the community's homeless population.

Vice Chair Escoriaza suggested that the February 19 agenda should not include speakers to allow the Board time to review the suggestions to date. Consensus was to move forward without a speaker at the next meeting. Chair Valvo noted the review would start with Section 405.

## 7. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.

Joseph J. Kavanagh, MMC
City Clerk

3/6/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: February 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 5:01 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
Mohammed Razib - District C

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

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

## 3. REVIEW OF CHARTER SECTIONS

Chair Valvo noted that the Board had been provided with a list of topics addressed to date in the backup materials. He began the Charter Section Review with Section 405. – Removal. City Attorney Pyburn explained that while the City Manager and City Attorney have employment contracts, the Charter also addresses the process for removal. Vice Chair Escoriaza asked how a conflict between the contract and the Charter would be resolved. City Attorney Pyburn explained that the contract may have more up-to-date references to State law than the Charter due to the time involved in making Charter updates. Chair Valvo highlighted the previous conversation regarding whether there should be a process for expedited removal of a City Manager should an egregious situation occur. City Attorney Pyburn stated that the employment contract provided for dismissal, and the Charter included a process for appeal of a decision. She discussed the existing City Manager contract briefly. Discussion continued regarding the removal process and timeline.

Discussion continued with Section 406. – Appointment and Duties of the City Clerk. Vice Chair Escoriaza asked why the City Clerk was called out in a section while other department heads were not. City Attorney Pyburn stated she believed this was related to the specific duties which were distinguishable from other positions. City Clerk Kavanagh commented that the City Clerk was arguably the longest standing position in City government responsible for maintenance of records going back thousands of years, and noted it was usually provided for as a Charter officer regardless of the structure of the municipality. Vice Chair Escoriaza inquired as to whether charters in other cities

specifically called out additional positions that reported to the City Manager. Deputy City Attorney Mehaffey stated there were examples of the individual departments or directors being identified. Chair Valvo asked City Clerk Kavanagh if he had any feedback on Section 406. City Clerk Kavanagh stated the responsibilities were clearly annotated and explained transparently.

Review continued with Section 501. – Organization of Boards and Committees. City Attorney Pyburn noted that the associated section of City Code that addressed Boards and Committees had been shared in the backup. She pointed out the inclusion of recommended qualifications for Parks and Recreation Advisory Board members and Planning and Zoning Board members. Discussion ensued regarding flexibility in appointments of board members, recommended guidelines, terms, the role of experience in board service, reappointments, at-large appointments, and service on more than one (1) board at the same time. City Attorney Pyburn advised that State law generally prohibited dual office holding, except for a specific provision for the Charter Review Board and Redistricting Board. Chair Valvo asked about boards that were previously sunset. City Attorney Pyburn provided a brief background and discussed statutory requirements. Chair Valvo commented that he saw value in additional boards as a way for residents to get more involved and noted this may be a recommendation to the Commission rather than a recommended change to the Charter. Discussion continued regarding the Citizens Academy and Ambassador Program.

Board Member David Mintzes stated he would like to consider adding boards. He asked about the role of the previously sunset Education Advisory Board. Deputy City Attorney Mehaffey stated that she would provide a summary of that board's activity. Discussion continued on staffing concerns and education topics, including the Teen Political Forum, Lunch Bunch, Broward County School Board, Seminole Coconut Creek Education Foundation, Junior Achievement, mock City Commission, Local Government Day, and internships. Board Member Mohammed Razib asserted the Board should recommend bringing the Education Advisory Board back. Chair Valvo stated that the Community Outreach Advisory Board was also of interest. Consensus was to add the topic to the list of items to revisit.

Chair Valvo suggested leaving Article VI. – Financial Procedures for discussion at the February 26 meeting with Finance and Administrative Services Director Peta-Gay Lake and City Manager Sheila Rose.

Vice Chair Escoriaza asked for clarification on the structure of the Capital Improvement Plan and its budget. City Attorney Pyburn explained briefly.

Chair Valvo stated he wanted to better understand the increase in City revenue from property taxes each year, including how it was forecasted and accounted for in the budget, as well as how the converse would be managed. Discussion ensued.

Discussion continued with Article VII. – Registration and Elections. Vice Chair Escoriaza asked about previous changes to the article. City Attorney Pyburn stated that changes were made to Section 701 in 2016 for consistency with State law.

Mr. Razib highlighted the opinions shared by the Mayor, Vice Mayor, and Commissioners related to moving the date of the municipal election. Discussion ensued regarding potential cost savings and State preemption. Chair Valvo stated he had been asking people their position on the issue since it was brought up, and the more he considers, the more he leans toward the idea of a March election that just focuses on the City and can be

accompanied by advertising and forums specific to City issues. He added that he would like any opportunity to protect the City from partisanship, and November may be a conduit to bring that in. Board Member Jonathan Ahlbum agreed, noting that people he spoke with seemed to prefer keeping the municipal election separate.

Mr. Mintzes commented that he could see the City doing a better job of getting out the vote and communicating with people about the local election. Vice Chair Escoriaza stated that he had shifted from a preference for a March election to November after seeing the City ballot. He noted he agreed that a change should not be made before the elected Mayor change went into effect. He asked about the impact on the timeline for registration of candidates and stated he felt he had heard more about the recent referendum than about past elections. City Clerk Kavanagh shared that in the last election cycle, the City had implemented a new promotional strategy, which had not been done previously. He stated they had taken the best of what was done in other cities to develop a strategy and commented on the metrics and timeline.

Chair Valvo asked about staffing differences between November and March elections due to longer poll times. City Attorney Pyburn stated there was early voting available for the November elections, but not the March elections. She explained that, in March, votes can be cast by using a vote-by-mail ballot or in person on the day of the election. Chair Valvo asked whether the March elections were less expensive for candidates. Discussion continued regarding keeping election influence local and party affiliation.

Mr. Razib stated his perception was that people showing up to vote in March were more involved and may be influenced in ways other than party affiliation. He commented that it made sense for the municipal election to be in November. Discussion continued regarding informed voters and ballot placement.

Mr. Mintzes asked for clarification on whether Section 702. – Election Precincts and Polling Places impacted the City's districts. City Attorney Pyburn advised they were separate issues. Discussion ensued regarding vote-by-mail ballot changes in State law.

Chair Valvo asked if the filing fee for candidates needed to be in the Charter. City Clerk Kavanagh explained there were typically two (2) filing fees, one (1) set by the City and one (1) set by the State, which was a percentage of the City Commission salary. City Attorney Pyburn noted there was a process to request the fee be waived. Discussion continued.

Mr. Mintzes inquired as to whether candidates were barred from endorsement by partisan groups. City Attorney Pyburn discussed electioneering requirements and stated endorsements had happened in recent years in several cities. She advised that the language of the ordinance was consistent with State law for nonpartisan seats.

Chair Valvo referenced Section 712. – Titling of Proposed Ordinances and asked about application of the section. City Attorney Pyburn explained this section covered ballot language. She stated the language tracked State law but was not as specific.

Mr. Mintzes asked who determined which languages the ballot was available in. City Clerk Kavanagh stated the languages were determined by the State, but there was not consistency between municipalities. He provided a brief background and advised that Coconut Creek had chosen to translate at the highest level available.

Consensus was to begin the review with Article VIII. – Initiative, Referendum, and Recall at the next meeting.

The Board reviewed the list of previously-discussed Charter topics. Regarding the language proposed for Section 303, Vice Chair Escoriaza noted he preferred City Manager/City Attorney spelled out rather than utilizing pronouns for consistency as provided in the second option. Discussion ensued and consensus was provided by the Board to proceed with the second option with City Manager/City Attorney spelled out for consistency.

Chair Valvo stated the subject of whether Commissioners should be barred from holding positions on Homeowners Association (HOA) and Condominium Owners Association (COA) boards had been brought up by the Board and members of the Commission. He commented that he was in support of working out the language. City Attorney Pyburn shared that the subject of including spouses had come up in discussion, and staff had conducted research, which found this addition would not be supported by law. Vice Chair Escoriaza stated officers of the board should be included, but service at other levels such as committees should be excluded. Mr. Mintzes highlighted that there were additional levels of boards within a Master Association. Discussion continued as to whether size of the association should be considered, master associations, and personal preferences. Mr. Razib asserted the restriction should only go into effect when a candidate wins. He stated the requirement would help to protect the City's resources. Deputy City Attorney Mehaffey stated staff would draft language for review and further discussion.

Chair Valvo highlighted the previous conversation regarding qualifications to run for the Commission. He stated the Board had discussed a requirement for voter registration, but it had come out during conversation that was already a requirement by State law. He noted that he had considered other qualifications, such as Citizens Academy or service on a board, but found he may be influenced by current situations.

Mr. Mintzes commented on the legality of establishing criteria for candidacy that go beyond the requirements at the State and National level. City Attorney Pyburn stated this was a valid point which fit with the case law. She noted there was a requirement that a candidate must be a resident for one (1) year, and this has been upheld through several cases. Discussion continued regarding potential criteria, case law, and training required for elected officials.

The Board continued to review the list of previously discussed Charter topics.

Mr. Razib highlighted a potential conflict with the end time of meetings in the upcoming month. Discussion ensued regarding meeting times and room availability. Consensus was to have a short meeting on March 6, from 5 p.m. to 6 p.m.

## 4. ADJOURNMENT

*The meeting was adjourned at 7:05 p.m.*

Joseph J. Kavanagh, MMC
City Clerk

3/20/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: February 26, 2025**
**Time: 5:00 p.m.**
**Location: Public Meeting Room**
**Adjacent to Commission Chambers**

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## 1. CALL TO ORDER

The meeting was called to order by Chair Craig Valvo at 5:02 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
Mohammed Razib - District C

Also present: City Clerk Joseph J. Kavanagh, Deputy City Attorney Kathy Mehaffey, City Manager Sheila Rose, Finance and Administrative Services Director Peta-Gay Lake, and Human Resources Director Pam Kershaw, City Attorney Terrill Pyburn.

Deputy City Attorney Kathy Mehaffey 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) (2025-0205).

**MOTION:** Mintzes/Escoriaza – To approve the Minutes of the February 5, 2025, Charter Review Board Meeting, as presented.

**The Motion passed by a unanimous voice vote.**

## 4. DISCUSSION BY CITY MANAGER SHEILA ROSE AND FINANCE AND ADMINISTRATIVE SERVICES DIRECTOR PETA-GAY LAKE

Finance and Administrative Services Director Peta-Gay Lake provided a brief overview of the City's financial processes, beginning with a comprehensive review of the budget. She discussed revenues and expenses, special assessments, millage rates, and comparisons to other municipalities. Board members asked for clarification of various issues.

City Manager Rose noted that the Board previously had questions regarding the independent audit process. Ms. Lake provided a brief overview of the process and changes during the last Charter Review to allow the current auditors to resubmit and remove the rotation requirement. She explained that the change had been made in

response to a shrinking pool of qualified auditors. She discussed pros and cons of rotating auditors and highlighted other rules that govern the process, including rotation of the audit partner and makeup of the audit selection committee to ensure the selection process was independent from staff. Discussion continued on the committee and the auditor.

City Manager Rose noted that she had previously called the Board's attention to Section 604 of the Charter for consideration, advising this section dealt with an accounting detail that created what could be viewed as unnecessary work and overburdening the budget. She stated she would like the Board to consider striking the section, and asked Ms. Lake to provide a brief background on the section and reasons staff did not believe the section was good government. Ms. Lake stated there were projects that extended beyond the five (5) years laid out in Section 604 for a variety of reasons, including the need to secure additional funding due to increased costs or grant approvals, nature of the project, and turnover in staff. She reviewed amendments made in 2001 and 2020, which addressed the Capital Improvement Plan (CIP). She highlighted issues of re-budgeting for projects leading to skewing of the budget process and reviewed examples related to water meter upgrades and the waste water pump station for MainStreet. City Manager Rose added that staff tries to anticipate projects and gather funds over a period of years, and this change would also help in this instance.

Board Member Mohammed Razib asked if there was a particular number that identified a large project. Ms. Lake stated there was not an amount defined. Board Member David Mintzes asked if there was a mechanism for the Commission to revoke an appropriation to a project. Ms. Lake confirmed this could take place during the annual budget process. Ms. Lake shared proposed language to modify Section 604 that a project would be deemed abandoned if not included in the City's Five-Year CIP, which was approved by resolution. She stated the Commission reviews the budget and CIP annually. Mr. Mintzes stated he would prefer to modify the section rather than strike it. Deputy City Attorney Mehaffey advised that the proposed language would be added to the Board's list for review at the next meeting. Chair Valvo commented that the proposed changes would exchange the five (5) year time limit for the Commission intention and provide flexibility in budgeting.

Chair Valvo referenced the budget highlights document provided to the Board and asked for clarification on revenue sources and appropriated fund balances. Ms. Lake explained.

Discussion ensued on the impact of Millage Rate increases, budgeting, increasing assessed values, Save Our Homes, commercial property in the tax base, and comparison of Millage Rates with other municipalities.

Chair Valvo asked how infrastructure in the MainStreet project would be financed. City Manager Rose discussed the proposal for a Community Development District to fund infrastructure projects in the MainStreet area. City Attorney Pyburn advised the item would be before the City Commission on their March 13, 2025, agenda. Discussion continued.

Deputy City Attorney Mehaffey noted that the Board had been provided with salary surveys and information related to the previous discussion on Commission compensation in Section 303.c. She noted a history of salaries, compensation, and expenses for the Coconut Creek City Commission was also included. Discussion ensued regarding the documents. Human Resources Director Pam Kershaw, City Attorney Pyburn, and Deputy City Attorney Mehaffey provided clarification, as requested.

Mr. Razib asked about set hours and other expectations of Commissioners time. City Manager Rose stated the expectation was that they attend all City Commission meetings

at a minimum, but the current Commission participated in public events several times per week and on the weekends. Mr. Razib inquired as to whether there was an attendance requirement. Deputy City Attorney Mehaffey stated there were attendance requirements for board members, but not for Commissioners. She noted there was a public expectation that the Commissioners be present to represent their constituents. City Attorney Pyburn added that the Commission could vote to excuse an absent member. She stated in Section 305.b there was a provision for forfeiture of office after failure to attend three (3) consecutive meetings without being excused.

Vice Chair Escoriaza asked about previous references to the Cost of Living Adjustment (COLA) being rejected, and whether that was done individually or as a whole of the Commission. City Manager Rose advised this was done by consensus of the Commission. City Attorney Pyburn provided additional details.

City Manager Rose stated with the increase in social media, the expectation of time commitment had increased. Mr. Razib commented that the current Commission did an exceptional job, but he was concerned with looking forward to the future and whether there should be a recommendation of expectations. Ms. Kershaw stated she did not think an arbitrary number of hours was necessary. She noted if a Commissioner was not doing what others thought they should be doing, that would work itself out in the following election.

Mr. Mintzes asked if Commissioners could attend meetings via Zoom. City Attorney Pyburn advised that a quorum physically present was required under State law. She explained that virtual participation of members not required for the quorum had taken place at times due to illness and similar reasons, but it did impose additional burden on staff and could create limitations, so she encouraged in-person attendance as much as possible. Chair Valvo commented on online participation during COVID-19 and stated it was difficult for people to be a part of the meeting. Discussion continued.

Vice Chair Escoriaza asked for clarification on the appropriated fund balance and transfer in line items in the budget, as well as the mechanism for re-appropriation. Ms. Lake explained the process.

City Manager Rose noted there had been previous discussion about adding boards, including a Public Safety Advisory Board. She stated that the City goes through a rigorous police accreditation process done by professionals from around the State and Country, which addressed Public Safety and Police policies. She commented that in her opinion, if a Public Safety Advisory Board were added, they should be focused on community outreach and expectations of community policing. She stated this may be a policy discussion to recommend rather than a Charter change and highlighted the Ambassador Program as a potential forum. Chair Valvo stated he believed any board formed now or in the future should have a purpose statement and guidelines. He agreed that a Public Safety Advisory Board made up of lay citizens should not be getting into policy and practices of policing. City Manager Rose commented on the extensive accreditation process and stated the Police Department had come a long way as a result. Mr. Razib stated the Board had discussed the Educational Advisory Board and concerns as to why it was sunset. City Manager Rose stated the City has very little authority over what happens with schools located in the City. She noted City partners and shares resources wherever possible, but the Educational Advisory Board was tasked with topics it had no jurisdiction over. She discussed educational outreach, Lunch Bunch, Teen Political Forum, and other opportunities for getting the younger generations engaged. Mr. Razib expressed concern that if it were not included in the Charter, educational outreach could be shut down at any

time. City Manager Rose suggested the Strategic Plan may be a more appropriate place to ensure continuity. She noted that programs develop through the budget process. Discussion continued.

Board Member John Ahlbum advised that at least one (1) member of the Commission had brought up the idea of making the Police Chief a Charter officer, while others strongly disagreed. He asked City Manager Rose her thoughts. City Manager Rose commented on the politicization of the role and stated, in looking at surrounding cities, the idea concerned her.

Chair Valvo commented on reserves and stated he was concerned about how to keep taxes from increasing to the highest in the area. City Manager Rose stated she believed the City did a tremendous job of budgeting. She highlighted the agreement with the Seminole Tribe and efforts to pursue grant funding. She stated the mission was to be financially conservative and know where every dime goes, so they would not become the most expensive city. She noted the residents of Coconut Creek expect concierge level service, so it was also not going to be the cheapest city to live in. She discussed initiatives planned in the near future to continue to grow the tax base, including plans for an Economic Development Master Plan and the MainStreet development.

Chair Valvo discussed the role of an elected Mayor and stated he hoped the plan was in place before the election because not every Commissioner would be an asset in the role, and without a clear delineation of the job, voting would not necessarily be educated. City Manager Rose highlighted advocacy on the Metropolitan Planning Organization (MPO) and meetings with shopping centers as opportunities for the role of Mayor.

Chair Valvo stated he would like to see balance between great service and not seeing Millage Rate increases at the same time as increasing real estate values. Discussion continued regarding property taxes and valuations.

## 5. REVIEW OF CHARTER SECTIONS

Deputy City Attorney Mehaffey reviewed the list of topics addressed to date in the backup materials, beginning with language requested to address conflicts with Commissioners serving on Homeowners Association (HOA) and Condominium Association (COA) boards, as follows:

**Section 304. – Prohibitions.**

*a. Holding Other Office or Employment Except as Authorized by Law. Commission members must not hold any office in this City (other than Mayor or Vice Mayor), or serve as an officer on a homeowner or condominium association board within the City, or serve as a City employee during the term for which he/she is elected to office or be employed as a paid lobbyist.*

Deputy City Attorney Mehaffey pointed out that the language applied to Commissioners, not candidates, and would only become applicable at such time as they were seated. Consensus was to add the language as the Board's second proposal.

Deputy City Attorney Mehaffey asked if there was additional discussion on Commission compensation and expenses. The Board had no further questions or comments.

Deputy City Attorney Mehaffey asked if there was additional discussion on the independent audit. Vice Chair Escoriaza asked how the selection committee was established. Deputy City Attorney Mehaffey advised that the committee was established by State law. She noted there was not a lot of flexibility in this area. Discussion continued.

Deputy City Attorney Mehaffey asked City Attorney Pyburn to address the previous discussion on the treatment of the City Attorney and City Manager in the Charter and the significant differences in the way in which they operate. City Attorney Pyburn discussed the sections of the Charter applicable to the two (2) positions, and noted the current language allowed the City to return to outside counsel should that become their desire again in the future. She discussed the hiring and firing abilities of the two (2) positions, differences in roles, and associated language of the Charter. She noted both Charter officers were managed by contract directly with the City Commission and serve at the pleasure of the Commission. Board members asked for clarification on hiring and firing authority, removal, qualification requirements, and conflicts of interest. City Attorney Pyburn and Deputy City Attorney Mehaffey explained as appropriate and discussed the potential for creating unintended consequences by restricting flexibility.

Chair Valvo stated based on previous conversations, the office of the City Manager and the City Attorney have similar relationships with the City Commission in terms of organizational structure, authority, and accountability, but were addressed differently in the Charter. City Attorney Pyburn stated the role of the City Manager was to serve as Chief Executive Officer of the City, while the role of the City Attorney was to serve as in-house counsel. She discussed the day-to-day tasks of both roles and differences in scope. Chair Valvo noted the Charter required that the City Manager live in the City, while it did not address this for the City Attorney. City Attorney Pyburn advised that if the Board were to suggest a change to address this, she would recommend the language should include the same provision that allows for approval of the City Commission. She noted the City Attorney could be a firm, and addition of a residency requirement would limit flexibility. Chair Valvo stated the other topic related to the City Manager was the ability to expedite removal of the City Manager for cause. Deputy City Attorney Mehaffey stated after discussion, she believed the Board was more comfortable with the procedure in place but left it on the list for confirmation.

## 6. CONFIRMATION OF UPCOMING MARCH MEETING DATES

Discussion ensued briefly regarding future agenda items. The next meeting was scheduled for Thursday, March 6, at 5 p.m.

Mr. Razib stated he would be interested in speaking with the Police Chief, regarding the role of a Public Safety Advisory Board. City Attorney Mehaffey clarified that there was State Statute which regulated police oversight boards that specifically prohibited certain actions, primarily oversight of disciplinary actions.

## 7. ADJOURNMENT

The meeting was adjourned at 7:12 p.m.

Joseph J. Kavanagh, MMC
City Clerk

3/26/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: March 6, 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 5:03 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
Mohammed Razib - District C

Also present: City Clerk Joseph J. Kavanagh 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) (2025-0211).

**The Minutes were approved by a unanimous voice vote.**

## 4. REVIEW OF CHARTER SECTIONS

City Attorney Pyburn shared proposed new language for Section 604 based on discussions at previous meetings, as follows:

**Section 604. – Lapse of Appropriations.**

*Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if* *so determined by the City Commission through the annual budget process.* ~~*five (5) years pass without disbursement from or encumbrance of the appropriation.*~~

Vice Chair Escoriaza noted that prior to the February 26 meeting, the discussion had been to remove the encumbrance in Section 604, but the revised language was an evolution of the conversation. Chair Valvo agreed, adding that he liked the flexibility provided.

**MOTION:** Escoriaza/Mintzes – To approve the draft language as presented for Section 604. – Lapse of Appropriations.

**The Motion passed by a unanimous voice vote.**

City Attorney Pyburn began the Charter review by section with Section 801 – General Authority.

Chair Valvo highlighted comments from Vice Mayor Railey regarding the section. City Attorney Pyburn provided a brief background on limitations consistent with State law and explained that Vice Mayor Railey's comments had suggested adding references to the Land Development Code and Comprehensive Plan. She provided a brief overview of the purpose of each document and noted the trickle-down impacts of changes. Chair Valvo asked if there was an opportunity in the process for a resident-initiated item to be shaped or denied based on legal limitations. City Attorney Pyburn stated there were limitations referenced in State law, the Broward County Charter, and the City Charter, and noted that petitions to change the Land Development Code could result in Bert Harris Act claims or inconsistencies with the land uses allowed in the Comprehensive Plan, leading to complicated problems. Discussion continued.

Board Member Mohammed Razib commented on development threatening the equestrian community. Vice Chair Escoriaza shared that the Planning and Zoning Board had recently reviewed an overlay district, which was proposed to address some of these concerns. City Attorney Pyburn noted the item was scheduled to be on the April 10 City Commission agenda.

Consensus was to direct staff to bring forward draft language for changes to Section 801.

City Attorney Pyburn continued the Charter review by section.

Board Member David Mintzes pointed to the fifty (50) qualified voters required to commence initiative or repeal proceedings and posited whether it should change as the City grows. Chair Valvo asked for clarification of the process. City Attorney Pyburn reviewed the process step-by-step. She explained that after the process was initiated and language was drafted, the petitioner was required to gather signatures of five (5) percent of registered voters, or approximately 1,800 people. Chair Valvo stated there had been discussion of amending the five (5) percent to ten (10) percent to reflect State law, but this would require a petitioner to almost match the turnout for a municipal election without a City budget. Mr. Razib pointed out that a single large community like Wynmoor could easily meet the five (5) percent requirement if they took up an issue together. Discussion continued.

Vice Chair Escoriaza suggested that the time allotted could be amended to reflect the number of signatures required. Mr. Mintzes asked how the signatures were checked. City Clerk Kavanagh explained that the Supervisor of Elections office verified the signatures at a cost of ten cents per signature. He stated a buffer of approximately ten (10) percent was typically necessary to account for signatures that could not be verified.

Chair Valvo asked how often petitions were filed. City Attorney Pyburn provided a brief background, and discussion ensued. Chair Valvo asked if the 90-day time frame tracked State law. City Attorney Pyburn responded that the Statute included a ten (10) percent requirement, but not a time frame. She noted this was in reference to a petition for Constitutional amendment. City Clerk Kavanagh shared his experience in Coconut Creek

and Margate with citizen-led initiatives. He noted staff planning was required to be ready for the next administrative steps once the ninety (90) days had elapsed. City Attorney Pyburn highlighted the deadlines imposed by the Supervisor of Elections and logistics of getting an item on the ballot. Consensus was to leave the petition process as-is.

Discussion ensued as to whether to recommend clarification of the timeframe calculations in Article VIII to state whether the reference was to calendar days or business days. Chair Valvo suggested an amendment that stated references were to calendar days unless otherwise noted. Consensus was to adopt this recommendation.

City Attorney Pyburn noted that the Charter review at the next meeting would start with Section 806. – Actions by Petitions.

Chair Valvo asked the Board to consider between meetings the concept of each district voting for Mayor and their Commissioner, rather than the full Commission. Discussion ensued briefly.

City Attorney Pyburn stated the next meeting was scheduled for March 19 at 5 p.m.

## 5. ADJOURNMENT

The meeting was adjourned at 6:01 p.m.

Joseph J. Kavanagh, MMC
City Clerk

3/26/2025
Date

# 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**

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## 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 Escoriaza asked for clarification on the Commission involvement in the petition process. Deputy City Attorney Mehaffey explained briefly. Vice Chair Escoriaza 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.

Vice Chair Escoriaza 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 Escoriaza 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

4/8/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: March 26, 2025**
**Time: 5:00 p.m.**
**Location: Public Meeting Room**
**Adjacent to Commission Chambers**

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## 1. CALL TO ORDER

The meeting was called to order by Chair Craig Valvo at 5:06 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
Mohammed Razib - District C

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

City Attorney 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). (2025-0226 AND 2025-0306)

**MOTION:** Mintzes/Ahlbum – To approve the Minutes of the February 26, 2025, and March 6, 2025, Charter Review Board Meetings, as presented.

**The Motion passed by a unanimous voice vote.**

## 4. REVIEW OF CHARTER SECTIONS

Deputy City Attorney Mehaffey reviewed materials provided by staff for the Board's discussion of Single Member Districts. She stated staff had provided a map of the Commission Districts A-E and the voting precincts. She noted voting precincts were established by the Supervisor of Elections Office, and the City had no say in changes. She explained there had been changes between 2021 and 2023, which included a reduction from fourteen (14) precincts to nine (9). She stated that because of the precinct changes, data was provided on the 2023 and 2025 elections, to include a summary of voter turnout and associated data analysis.

City Attorney Pyburn highlighted Senate Bill 1416, which proposed a change for all municipal elections to November. She stated she would provide updates as available. Discussion ensued regarding the potential timeline for implementation of the legislation if

passed and the associated impacts.

The Board reviewed and discussed the voting data provided and the impact of districts, precincts, and voter turnout. Chair Valvo outlined a hypothetical example in which a single district or precinct sought to elect candidates based on pushing a single issue through. He pointed out candidates in the past had told him that support from Wynmoor was a must, and he was interested in whether this was supported by data. He stated that, in reviewing the data, it appeared in the past two (2) elections, Precinct 4 saw the election the same as the rest of Coconut Creek, but his concern would be in the event that they did not.

Board Member David Mintzes commented on the communication within Wynmoor, noting that with close to 8,000 people on an email list, it was easier to campaign to a more cohesive group. Discussion continued. Mr. Mintzes stated he was interested in exploring each district electing its own Commissioner rather having at-large District Commissioners.

Chair Valvo advised that he had been discussing the idea in the community, and the only consistent negative feedback he had received was that if a single district elected a Commissioner, that Commissioner would be less incentivized to serve the whole City. He stated he could see that as a potential downside but personally saw it as each district being well represented by an individual Commissioner and the Mayor.

City Attorney Pyburn noted that the Redistricting Board would be charged in 2026 with reducing the districts from five (5) to four (4). Chair Valvo commented that in his experience serving on that board, instructions included consideration of where existing Commissioners lived to avoid two (2) in a single district and added that it would be a complicated job. Discussion continued. Chair Valvo stated another potential downside was a district with low turnout.

Vice Chair Alex Escoriaza commented that Precinct 4 could be divided. Chair Valvo stated that was something the Redistricting Board could look at, but it would conflict with some of the guidelines. Discussion continued regarding the potential for Single Member Districts, voter turnout, and voter disenfranchisement. City Clerk Kavanagh provided additional details on voter turnout.

Chair Valvo stated he had also received feedback on the cost of running a City Commission campaign. City Clerk Kavanagh reviewed fundraising figures for the most recent elections and clarified what happens to remaining funds.

Chair Valvo asked when the Commission last did not include a resident of Wynmoor. Discussion continued.

Board Member Mohammed Razib asked what district MainStreet would be part of. City Attorney Pyburn pointed out the development on the map and reiterated that this decision would be made by the Redistricting Board in 2026.

Deputy City Attorney Mehaffey stated the Board was discussing three (3) options, including the existing identified district/at-large voting system, single member voting districts, and at-large candidate/voting. Consensus was to take the third option off the table and continue discussion.

Chair Valvo pointed out that the Board was not making a decision on what to do but making a recommendation to the voters. He stated his view was that the issue would need to be stronger and easier to understand in order to get voters to turn out. Mr. Mintzes

stated that he believed with enough communication, there would be interest. Discussion continued. Consensus was to propose a change. City Attorney Pyburn stated staff would bring forward language at the next meeting.

Deputy City Attorney Mehaffey continued the Charter review with draft language for Section 802, as follows:

**Section 802. – Commencement of Proceedings; Petitioner's Committee; Affidavit.**

a. *Any fifty (50) qualified voters may commence initiative or repeal proceedings by filing with the City Clerk an affidavit stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be repealed.*

b. *The proposed initiative ordinance or ordinance sought to be repealed shall be reviewed by the City Attorney or designee within fifteen (15) days of submittal for consistency with the City Charter, Comprehensive Plan, City Code of Ordinances and applicable City, County, State, and Federal laws and requirements. If the City Attorney determines the proposed amendment is facially invalid, inconsistent, or creates conflicts with any other applicable legal authority, the petition shall be returned to the Petitioner, together with a notice of deficiency specifying the deficiencies or conflicts. The Petitioner will thereafter have a period of thirty (30) days from the date of the notice of deficiency within which to submit a revised petition addressing such deficiencies. The City Attorney shall review any subsequent resubmissions pursuant to this paragraph and provide a finding of consistency or deficiency within fifteen (15) days of any resubmission. Petitioner may submit a revised petition addressing identified deficiencies no more than three (3) times after the initial submittal. If the petition is determined deficient after the third (3rd) resubmittal, the petition shall be deemed withdrawn. Petitioner may initiate a new petition pursuant to this Section 802, with new affidavits pursuant to Section 802(a), no sooner than thirty 30 days after a prior petition is deemed withdrawn.*

c. *If the City Attorney determines the petition is consistent, ~~Promptly after the affidavit of the petitioner's committee is filed,~~ the City Clerk shall promptly issue the appropriate blank petition forms to the petitioner's committee.*

Discussion ensued regarding the language, including distinction between sufficiency and consistency with the City and State requirements, and the number of times a petition could be resubmitted. Chair Valvo stated with reasonable effort, this was possible, as the process would provide the petitioner with thousands of dollars of legal guidance. Deputy City Attorney Mehaffey advised that this change would trigger a need to amend 803 to match the language, as follows:

**Section 803. – General Authority.**

c. *Time for Filing Petition to Initiate or Repeal an Ordinance. Initiative and Repeal Petitions signed by a minimum of five (5) percent of the total number of registered voters as of the preceding election must be filed within ninety (90) days after the ~~affidavit of the petitioner's committee is filed with the City Clerk~~ blank petition forms are provided by the petitioner to the City Clerk.*

Chair Valvo asked if the forms would be marked in such a way that the same signatures could not be resubmitted. City Clerk Kavanagh advised that signatures were dated and

verified by the Clerk, so they would have records of previous submissions, and signatures would not be counted if they did not meet the requirements.

Consensus was to approve the changes to Section 802 and Section 803.

Deputy City Attorney Mehaffey continued the Charter review with draft language for Section 806, as follows:

**Section 806. – Action by Petitions.**

a. *Action by Commission. When an initiative or repeal petition has been finally determined sufficient, the Commission shall promptly consider the proposed initiative ordinance or repeal of the referred ordinance in the manner provided in Section 311 of this Charter. If the Commission fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days or fails to repeal the referred ordinance within ~~thirty (30)~~ sixty (60) days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the City, unless same would violate state or federal law.*

b. *Submission to Voters. The vote of the qualified voters of the City on an ordinance proposed for adoption or for repeal shall be held not less than thirty (30) days and not later than one (1) year from the date of the final Commission vote thereon and shall be noticed in accordance with state law. If no general election or regular City election is to be held within the period prescribed in the subsection, the Commission shall provide for a special election otherwise, the vote shall be held at the same time as such regular election, except that the Commission may in its discretion provide for a special election at an earlier date within the prescribed period. Copies of the ordinance proposed for adoption or for repeal shall be made available at the polls.*

Deputy City Attorney Mehaffey explained that the proposed changes stemmed from conversation of the Board at its previous meeting. Consensus was to move forward with the changes to Section 806.

Deputy City Attorney Mehaffey reviewed draft changes to Section 907 to address concerns of conflicting amendments, including possible scenarios. Discussion ensued regarding simplification of the language and ballot language.

Consensus was to approve the addition of subsection (b) to Section 907 as follows:

**Section 907. – Charter Review; Charter Review Board.**

b. *Conflicting Charter Amendments. In the event that a Charter Amendment proposed pursuant to Article VIII, Initiative, Referendum, and Recall, or by the Charter Review Board or City Commission, is on the ballot at the same election in which another Charter Amendment is proposed pursuant to Article VIII, Initiative, Referendum, and Recall, or by the Charter Review Board or City Commission, and the results of the election on those Charter Amendments creates a conflict between the two, then in that event they shall go into effect in respect to their provisions that are not in conflict and the one receiving the highest affirmative vote shall prevail as to the provisions in conflict.*

Consensus was to approve the concept of the changes to Section 907, as discussed, with

a request that staff revisit Section 907 to see if language could be further simplified.

## 5. CONFIRMATION OF UPCOMING APRIL MEETING DATES

Chair Valvo stated the next meeting was scheduled for April 2, 2025 at 5 p.m.

## 6. ADJOURNMENT

The meeting was adjourned at 6:28 p.m.

Joseph J. Kavanagh, MMC
City Clerk

4/17/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: April 2, 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 5:03 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 Pyburn noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

## 3. REVIEW OF CHARTER SECTIONS

Chair Valvo noted a member of the public was present and invited public comment.

Nancy Fry, 5341 Flamingo Place, Coconut Creek, shared feedback on the Board's previous discussion regarding Single Member Districts and March elections. She asked the Board to keep in mind that, given the current voter turnout trends, less than 1,000 people would be electing each Commissioner. She commented that the districts on cycle with the mayoral election would have a much greater influence due to a greater incentive to turn out for that election. She questioned whether low turnout for March elections was a referendum on what residents value or on March voting. She stated she thought the response to November ballot initiatives was an indication that the public did not want March elections. She noted the time frame to request a mail-in ballot and lack of early voting available for March elections and stated that the Wynmoor turnout numbers were evidence that when people have access to resources, they can get to a polling site. Ms. Fry highlighted the percentage of turnout in District 4 compared to population and stated this was on par with November turnout numbers in other districts. She stated March elections were a strain on schools, impacting operations every election cycle and resulted in trouble accessing polling places. She asserted that her experience was that the partisan influence was higher in March than in November, because the political parties were busy with other races in November. She stated if the State required a move to November elections, sitting Commissioners would have their terms extended.

Chair Valvo responded briefly. He stated both subjects had been touched on in the past, and it was his intention to further discuss at this meeting. He commented on the proposed legislation to change all municipal elections to November and stated he was interested in learning more about extension of terms and whether this was up for discussion. City Attorney Pyburn advised that someone's vested right to their existing term could not be taken away. She noted legislation had passed through committee in the Senate, but it did not have a companion bill in the House, so it was unlikely to pass this year. She stated City staff had provided comments regarding ambiguity surrounding extension of terms and the bill's author had agreed to take the comments under advisement when bringing the legislation back in the next session. She reviewed potential scenarios. Discussion continued. Chair Valvo asked if shortening any of the terms had been discussed when working out the move to an elected Mayor. City Attorney Pyburn stated the Commission discussed it, but it was ultimately not the direction they voted in, so the item that went before the voters was to extend terms.

Ms. Fry asked if holding an election in November 2028 but not seating the Commissioners until March 2029 so they still fulfilled their entire term would be legally prohibited. City Attorney Pyburn stated this was an interesting question, and noted the work of the Redistricting Board was also a factor. She stated she had not seen case law specific to this question and would need to investigate. Board Member David Mintzes stated this would create a lame duck situation that may be uncomfortable. Discussion continued.

Vice Chair Escoriaza asked for clarification on whether recommendations of the Charter Review Board would be voted on individually or bundled together. Deputy City Attorney Mehaffey stated they would be bundled when the subject matter was related. City Attorney Pyburn provided additional details.

Vice Chair Escoriaza stated he did not necessarily support Single Member Districts, but putting the question to the democratic process might be interesting.

Chair Valvo commented that he had also started from this position, but in getting feedback from others and weighing pros and cons, cons to include the Commission becoming more territorial, especially on budget matters, had been raised. Deputy City Attorney Mehaffey pointed out that Section 808 – Recall, was applicable and had not previously been part of this discussion. She noted that State law required that a recall of a Commissioner in a Single Member District would be processed the same way. She pointed out the percentage of signatures required would be of the District, not City-wide.

Mr. Mintzes shared that he had also gotten feedback, and learned newly-elected Mayor Jackie Railey did not support a move to Single Member Districts. He stated he liked to think people would still serve the entire City but understood the fear. Discussion continued regarding districts and the redistricting process.

Vice Chair Escoriaza commented that it would be nice to know how the four (4) new Districts would be made up before deciding on a move to Single Member Districts. Consensus was to continue on with review and revisit this discussion with a full Board.

Deputy City Attorney Mehaffey stated the Board had previously requested shorter language to address amendments to the Charter in Section 907. She advised that Section 906 had been determined to be a more appropriate location, and shared the revised language for discussion as follows:

**Section 906. - Amendments to Charter.**

a. *The Charter may be amended by any one of the following:*
   ~~a~~*1. As provided by the Florida Statutes.*
   ~~b~~*2. By a Charter Review Board as provided for in Section 907 of this Article.*

b. *In the event that there is more than one Charter Amendment on a ballot at the same election and the results of the elections on those Charter Amendments creates a conflict between the approved Charter Amendments, then each Charter Amendment shall go into effect in respect to the provisions that are not in conflict and, where there is conflict, the one receiving the highest affirmative vote shall prevail as to the provisions in conflict.*

Vice Chair Escoriaza commented that the changes were easy to understand.

*Chair Valvo called for a recess at 5:47 p.m., and the meeting reconvened at 5:59 p.m.*

Consensus was to move forward with the changes to Section 906, as presented.

Vice Chair Escoriaza referenced previous discussion on designating the Police Chief as a Charter Officer. Deputy City Attorney Mehaffey advised this change would require a new Charter section. She noted the sections related to the City Manager and City Attorney were provided as examples.

Chair Valvo asked whether the Police Chief becoming a Charter Officer was synonymous with the Police Chief reporting directly to the City Commission. City Clerk Kavanagh explained a Charter Officer could be defined as any position specifically provided for in the Charter. Deputy City Attorney Mehaffey stated the question previously brought up was whether the Police Chief should be hired and fired by the Commission. Chair Valvo stated he was in favor of the Police Chief answering to the City Manager. Consensus was to make no change.

Chair Valvo opened a discussion on Commission compensation. He noted that if the elected Mayor would be involved in larger issues and responsible for a larger area, he would be in favor of allocating additional expenses. Vice Chair Escoriaza stated that under Section 303.c (2), the Commission sets the expense allowances. City Clerk Kavanagh explained that under the current resolution, the Fiscal Year 2025 budget provided $36,000 for the Commission as a whole, which breaks down to $600 per month for each Commissioner. Discussion continued regarding expenses covered under this line item. Chair Valvo suggested a recommendation to the Commission that the Mayor's allotment be 1.5 times the Commissioners' allotment. City Attorney Pyburn asked if the recommendation would be for the current Commission, or for the elected Mayor. She noted the amount was adopted annually through resolution as part of the budget process. Discussion continued. Mr. Mintzes pointed out that the Charter language, as written, allowed the Commission to increase the expense allowance. Consensus was to include in the Board's communication to the Commission a recommendation that the Commission consider increasing the expense allowance for the elected Mayor.

Vice Chair Escoriaza noted previously-discussed changes to Section 907 to align the review with elections going forward, as follows:

**Section 907. – Charter Review; Charter Review Board.**

*In January, 1980 [2030/2032], and every five (5) [six (6)/eight (8)] years thereafter, the Commission will in January appoint a Charter Review Board…*

Vice Chair Escoriaza commented that a change to six (6) or eight (8) year intervals would allow the recommendations of the Charter Review Board to align with the general election or get the rotation in sync. Chair Valvo stated it was clear to him that ten (10) years was too long and five (5) years was the wrong number, as it did not match up.

Deputy City Attorney Mehaffey asked if the Board sought to recommend that the Commission consider a change, or to include the item in the changes proposed to the voters. Discussion ensued. Consensus was to move forward with a draft ordinance with options at first reading to be clarified between first and second reading based on direction of the Commission.

City Clerk Kavanagh noted that when the Charter Review question came up in 2020 with a recommendation for 10-year intervals, it barely failed and was presented on its face without additional context to educate voters on how the change would better align with elections.

Mr. Mintzes sought to revisit the topic of Single Member Districts. He stated he was in favor, but also saw the downsides, so was open to hearing more thoughts on it. Discussion ensued briefly. Consensus was to wait to discuss the issue further with a full Board present.

City Attorney Pyburn returned to the list of pending topics to address. She asked if there was further discussion to be had on the issue of moving the Municipal Election to November.

Chair Valvo highlighted pending State legislation, which would preempt the discussion, and asked if there was a benefit to making a change when it would be undone by the requirement. He asked if there was a chance the State language would have flexibility to defer to the Charter. City Attorney Pyburn stated it could, but that was not included in drafts she had reviewed. She noted that the recent Charter change, which required a move from five (5) Districts to four (4) Districts, was also a factor. Discussion continued.

Vice Chair Escoriaza stated he was fine with leaving it, as the momentum was already moving toward November elections. City Attorney Pyburn advised that if there was insecurity as to whether the State would move forward with the bill and the Board felt strongly about it, an amendment could be proposed or recommendation made. Chair Valvo asserted that if the Board were to make an amendment, the logistics of the election cycle would need to be worked out. City Attorney Pyburn stated staff could research the options. Discussion continued. Consensus was to leave the language as-is.

Deputy City Attorney Mehaffey explained next steps. She stated after the final two (2) issues on the list were decided, staff would provide the Board with a full draft of the changes and ballot language. The Board and staff discussed the process briefly.

City Clerk Kavanagh reviewed the schedule of remaining meetings, as follows:

- Tuesday, April 8 at 5 p.m.
- Wednesday, April 16 at 5 p.m.
- Wednesday, April 23 at 5 p.m.
- Wednesday, April 30 at 5 p.m.

Mr. Mintzes highlighted a potential personal conflict with the April 23 meeting.

## 4. ADJOURNMENT

The meeting was adjourned at 6:40 p.m.

Joseph J. Kavanagh, MMC
City Clerk

5/6/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: April 8, 2025**
**Time: 5:00 p.m.**
**Location: Public Meeting Room**
**Adjacent to Commission Chambers**

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## 1. CALL TO ORDER

The meeting was called to order by Chair Craig Valvo at 5:04 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
Mohammed Razib - District C

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

City Attorney 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). (2025-0319)

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

**The Motion passed by a unanimous voice vote.**

## 4. REVIEW OF POTENTIAL CITY CHARTER AMENDMENTS

Chair Valvo and Deputy City Attorney Mehaffey reviewed the backup documents provided by staff, including the Charter Review Board potential changes and issues list and City Code provisions regulating boards.

Deputy City Attorney Mehaffey opened the discussion on Single Member Districts. She provided a brief overview of the previous discussion and noted the decision to wait for a full Board prior to proceeding. Deputy City Attorney Mehaffey explained the process for initiating a recall under a Single Member District. Chair Valvo stated there would be four (4) Districts in the future, and the question that was posed was whether each District should vote for its own representative. He advised that, based on the discussion in previous meetings and feedback gathered in the community, he had reconsidered his position on the change. He pointed to the low number of voters needed to recall a Commissioner. Discussion continued.

Board Member Mohammed Razib commented that the issue came down to whether Municipal Elections were in March or November, in part because of party affiliation and voter education. He suggested that the Board entertain moving the election to November rather than waiting to see what may happen on the State level, as the increased turnout of voters would make the at-large election make sense.

Chair Valvo shared feedback received from a Commissioner who had been in Tallahassee regarding the eventuality of the State mandating the election be held in November. He stated the change seemed to be an eventuality and noted the Board had discussed allowing that process to take its course. City Attorney Pyburn provided additional details on the legislation and Commissioner Rydell's report on his conversation with the sponsor. She stated this did not prohibit the Board from recommending a change to the Municipal Election from March to November. She pointed out that the change could not take place prior to the March 2029 election due to the recent referendum and outlined the details of the associated term adjustments previously made. Discussion continued. Consensus was to leave as-is and not move forward with Single Member District language.

Deputy City Attorney Mehaffey directed the Board to page 13 of the Charter Review Board running list for discussion of outstanding topics related to boards. She advised that currently there were no limitations on the number of times someone could serve on a board, and Commissioner Wasserman had asked the Board to consider limiting the number of consecutive terms. She stated right now, terms were one (1) year, and previous discussion had been that two (2) year terms may be more appropriate. Chair Valvo asked if changes would apply to any board or committee in the City, or only those in the Charter. Deputy City Attorney Mehaffey stated it would apply to the Parks and Recreation Board and Planning and Zoning Board, because the Civil Service Board was already a two (2) year term. She noted these were laid out in City Code, not the Charter, so it would be a recommendation to the Commission unless the Board chose to add it to the Charter. City Attorney Pyburn advised that the Redistricting Board and Charter Review Board had separate terms.

Chair Valvo inquired as to whether newly-created boards would be included, or if additional language needed to be added to clarify. Deputy City Attorney Mehaffey reviewed the referenced sections and stated new boards would be covered.

Vice Chair Escoriaza commented on his experience on the Planning and Zoning Board. He stated he was cautious of extending terms due to the potential for absences and noted that it did take a little while to get up to speed. Chair Valvo pointed out there was nothing keeping a Commissioner from reappointing. Vice Chair Escoriaza noted the board member would have to apply for the position. Discussion continued. City Attorney Pyburn provided additional details on attendance requirements and terms.

Chair Valvo stated he did not see the need to change the terms to two (2) years, as the ability to make a term two (2) years already existed. He posited whether term limits were necessary. The Board discussed potential scenarios, existing protections, and the benefit of making space for more people to get involved.

Vice Chair Escoriaza stated he was comfortable with leaving the length of terms as-is. He noted Mr. Razib had previously brought up additional boards and asked if there was any further to consider. Mr. Razib stated his suggestion had been for an educational board, but the functions may have been already covered. He explained his concern had been how to be proactive to ensure the younger generation gets involved and brings their innovative ideas. He added that as long as the City had initiatives to address those areas,

he was fine.

Vice Chair Escoriaza noted there had also been comments related to qualifications to serve on the Planning and Zoning Board. He reviewed the provisions for service on a board and discussed his own background briefly and suggested the addition of a specialty in economic development. Chair Valvo agreed this would expand the pool of applicants.

Chair Valvo stated a Commissioner had raised the question as to whether other boards should be codified in the Charter and asked whether that point had been adequately addressed. Deputy City Attorney Mehaffey stated based on the discussions she had heard the Board had addressed the issue. She noted the Planning and Zoning Board was in the Charter due to Statutory requirements. Discussion continued.

Board Member David Mintzes commented that there had been a suggestion regarding prohibiting service on more than one (1) board at a time, but he did not see a need for that. He noted the positions were filled by volunteers.

Chair Valvo pointed out differences in requirements for the Parks and Recreation Advisory Board and the Planning and Zoning Board, including residency. Discussion ensued regarding eligibility of non-residents, who own businesses in Coconut Creek, to serve on the Planning and Zoning Board. Deputy City Attorney Mehaffey explained this was a change made by the Commission in 2019. Discussion continued regarding residency.

Consensus was to recommend experience in economic development be added as a qualification for the Planning and Zoning Board in Code Section 13-16(b)1. City Attorney Pyburn confirmed there were no further changes to the boards section.

Deputy City Attorney Mehaffey advised that the next issue was whether to move elections to November. Chair Valvo stated his concern was that if the elections were moved to November, this would cause an uproar and require staff time to draft language, and then the State preemption required additional changes. City Attorney Pyburn reviewed concerns with alignment of the legislation and the City's recent referendum and stated staff was hopeful that would be worked out in the drafting of the State language. Discussion continued regarding the pending legislation.

Vice Chair Escoriaza asked when the residents would vote on changes proposed by this Charter Review Board. City Attorney Pyburn advised the vote would be scheduled for November 2026.

Chair Valvo asked if the Commission could vote to shorten their own vested terms. City Attorney Pyburn stated they could not. She provided a brief overview of the logistics of changes to terms to accommodate a move to four (4) Districts and an elected Mayor. Discussion continued.

Consensus was to recommend no change, with the suggestion that the item be revisited by the Commission should the State legislation not pass.

Deputy City Attorney Mehaffey stated this was the last of the identified issues. She asked if there were any additional issues to address. There being no further discussion, she explained next steps. She stated staff would provide a copy of the full Charter with the changes proposed in a strike-through and underline format later in the week, and a draft of the ballot language would be provided at the next meeting.

The Board and staff discussed the schedule briefly, and it was determined that the April

23 meeting would be canceled. City Attorney Pyburn reviewed the schedule of remaining meetings, as follows:

- Wednesday, April 16 at 5 p.m.
- Wednesday, April 30 at 5 p.m.

## 5. ADJOURNMENT

The meeting was adjourned at 6:07 p.m.

Joseph J. Kavanagh, MMC
City Clerk

5/6/2025
Date

# CITY OF COCONUT CREEK
# CHARTER REVIEW BOARD MINUTES

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

**Date: April 16, 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 5:06 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
Mohammed Razib - District C

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

City Attorney 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). (2025-0326)

**MOTION:** Mintzes/Ahlbum – To approve the Minutes of the March 26, 2025, Charter Review Board Meeting, as presented.

**The Motion passed by a unanimous voice vote.**

## 4. REVIEW OF DRAFT CITY CHARTER AMENDMENTS

Deputy City Attorney Mehaffey provided an overview of the materials provided and the procedure to move forward with the proposed amendments. She reviewed the proposed changes as previously discussed individually and provided the Board with an opportunity for further discussion of each Section.

**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.*

**MOTION:** Escoriaza/Razib – To approve the changes to Section 106.d. as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

**Section 303. – General Powers and Duties; Compensation.**

d. *Salaries and Compensation of Officers and Employees; and Bonds.*
   1. *The Commission has the power to fix the salaries of ~~all other officers and employees~~ the City Manager and City Attorney hired or appointed by the City Commission, and to establish such bonds as in the opinion of the Commission are necessary for the faithful discharge of the City Manager's and City Attorney's duties ~~of such officers and employees~~.*
   2. *The premium of any bond required by the Commission will be paid by the City.*
   3. *The Commission may authorize the payment to any Commission member, officer or employee hired or appointed by City Commission for travel and relevant expenses for any municipal service. All payments will be based on acceptable evidence of actual expenses incurred.*

**MOTION:** Valvo/Escoriaza – To approve the changes to Section 303.d. as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

**Section 304. – Prohibitions.**

a. *Holding Other Office or Employment Except as Authorized by Law. Commission members must not hold any office in this City (other than Mayor or Vice Mayor), or serve as an officer on a homeowner or condominium association board within the City, or serve as a City employee during the term for which he/she is elected to office or be employed as a paid lobbyist.*

Mr. Razib asked for clarification on whether the proposed changes to Section 304 would apply only after a candidate was elected. Deputy City Attorney Mehaffey confirmed the language was written to apply only to Commission members.

**MOTION:** Valvo/Escoriaza – To approve the changes to Section 304.a. as presented.

**Upon roll call, the Motion passed by a 4-1 vote, with Mr. Mintzes voting nay.**

**Section 604. – Lapse of Appropriations.**

*Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if so determined by the City Commission through the annual budget process. ~~five (5)~~*

~~*years pass without disbursement from or encumbrance of the appropriation.*~~

**MOTION:** Mintzes/Valvo – To approve the changes to Section 604 as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

Deputy City Attorney Mehaffey advised that proposed amendments to Sections 801, 802, 803, and 806 were related to initiatives.

Chair Valvo referenced Section 806 and asked if there was a situation where a special election would be required. Deputy City Attorney Mehaffey advised that everything possible had been done to eliminate that situation. Discussion continued regarding the election timeline and associated State Statute, as well as the potential to create the need for a special election and consideration of additional language to address the concern. City Attorney Pyburn and City Clerk Kavanagh provided additional details. Consensus was to leave the language as-is.

**ARTICLE VIII. – Initiative, Referendum, and Recall**

**Section 801. – General Authority.**

a. *The 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.*

**MOTION:** Mintzes/Razib – To approve the changes to Section 801.b. as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

**Section 802. – Commencement of Proceedings; Petitioner's Committee; Affidavit.**

a. *Any fifty (50) qualified voters may commence initiative or repeal proceedings by filing with the City Clerk an affidavit stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be repealed.*
b. *The proposed initiative ordinance or ordinance sought to be repealed shall be reviewed by the City Attorney or designee within fifteen (15) days of submittal for consistency with the City Charter, Comprehensive Plan, City Code of Ordinances and applicable City, County, state and federal laws and requirements. If the City Attorney determines the proposed amendment is facially invalid, inconsistent or creates conflicts with any other applicable legal authority, the petition shall be returned to the Petitioner, together with a notice of deficiency specifying the deficiencies or conflicts. The Petitioner will thereafter have a period of thirty (30) days from the date of the notice of deficiency within which to submit a revised*

*petition addressing such deficiencies. The City Attorney shall review any subsequent resubmissions pursuant to this paragraph and provide a finding of consistency or deficiency within fifteen (15) days of any resubmission. Petitioner may submit a revised petition addressing identified deficiencies no more than three (3) times after the initial submittal. If the petition is determined deficient after the third (3rd) re-submittal, the petition shall be deemed withdrawn. Petitioner may initiate a new petition pursuant to this Section 802, with new affidavits pursuant to Section 802(a), no sooner than thirty (30) days after a prior petition is deemed withdrawn.*

c. *If the City Attorney determines the petition is consistent, ~~Promptly after the affidavit of the petitioner's committee is filed,~~ the City Clerk shall promptly issue the appropriate blank petition forms to the Petitioner's committee.*

**MOTION:** Mintzes/Valvo – To approve the changes to Section 802, as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

**Section 803. – Petitions.**

a. *Action Form and Content. All pages of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Petitions shall also contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.*

b. *Affidavit of Circulator. Each page of a petition shall have attached to it when filed an affidavit executed by the circulator thereof stating that he/she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his/her presence, that he/she believes them to be genuine signatures of the persons whose names they purport to be and that each signatory had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.*

c. *Time for Filing Petition to Initiate or Repeal an Ordinance. Initiative and Repeal Petitions signed by a minimum of five (5) percent of the total number of registered voters as of the preceding election must be filed within ninety (90) days after the ~~affidavit of the petitioner's committee is filed with the City Clerk~~ blank petition forms are provided to petitioner by the City Clerk.*

**MOTION:** Escoriaza/Valvo – To approve the changes to Section 803 as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

**Section 806. – Action by Petitions.**

a. *Action by Commission. When an initiative or repeal petition has been finally determined sufficient, the Commission shall promptly consider the proposed initiative ordinance or repeal of the referred ordinance in the manner provided in Section 311 of this Charter. If the Commission fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days or fails to repeal the referred ordinance within ~~thirty (30)~~ sixty (60) days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the City, unless same would violate state or federal law.*

*b. Submission to Voters. The vote of the qualified voters of the City on an ordinance proposed for adoption or for repeal shall be held not less than thirty (30) days and not later than one (1) year from the date of the final Commission vote thereon and shall be noticed in accordance with state law. If no general election or regular City election is to be held within the period prescribed in the subsection, the Commission shall provide for a special election otherwise, the vote shall be held at the same time as such regular election, except that the Commission may in its discretion provide for a special election at an earlier date within the prescribed period. Copies of the ordinance proposed for adoption or for repeal shall be made available at the polls.*

**MOTION:** Escoriaza/Valvo – To approve the changes to Section 806 as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

Deputy City Attorney Mehaffey advised that proposed amendments to Section 807 and 906 were related to how to deal with conflicting amendments.

**Section 807. – Results of Election.**

a. *Initiative. If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Commission. If conflicting ordinances are approved at the same election, ~~the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict~~ they shall be implemented as provided in Section 906, "Amendments to Charter."*

b. *Repeal. If a majority of the qualified electors voting on an ordinance referred for repeal vote to repeal the ordinance, it shall be considered repealed upon certification of the election results.*

c. *Amendment or Repeal of Initiated Ordinance. An ordinance of the City of Coconut Creek which has been enacted after a favorable vote of a majority of the electors shall not, for a period of five (5) years, be amended or repealed by the City Commission unless such amendment or repeal is approved by a majority of the electors voting in a referendum called for that purpose.*

**MOTION:** Mintzes/Album – To approve the changes to Section 807 as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

**Section 906. - Amendments to Charter.**

*a. The Charter may be amended by any one of the following:*
*~~a~~1. As provided by the Florida Statutes.*
*~~b~~2. By a Charter Review Board as provided for in Section 907 of this Article.*

*b. In the event that there is more than one Charter Amendment on a ballot at the same election and the results of the elections on those Charter Amendments creates a conflict between the approved Charter Amendments, then each Charter Amendment shall go into effect in respect to the provisions that are not in conflict and, where there is conflict, the one receiving the highest affirmative vote shall prevail as to the provisions in conflict.*

**MOTION:** Mintzes/Valvo – To approve the changes to Section 906 as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

Deputy City Attorney Mehaffey advised that language in Section 907 had been drafted to allow for a Commission decision on whether the Charter Review Board should meet every six (6) or eight (8) years, as was the direction of the Board. She asked for clarification on whether the board wanted to definitively recommend amending the Charter Review Board schedule to align with future election cycles.

Chair Valvo stated he believed it was valuable for the Charter Review Board to be in sync with the election cycle and Vice-Chair Escoriaza and Board Members Mintzes, Razib and Alhbum concurred with proposing the amendment and asking the City Commission to decide if the reviews should be every six (6) or eight (8) years.

**Section 907. – Charter Review; Charter Review Board.**

*In January, ~~1980~~ [2030/2032], and every ~~five (5)~~ [six (6)/eight (8)] years thereafter, the Commission will in January appoint a Charter Review Board consisting of five (5) electors of the City, one (1) from each district, holding no other office, appointment or employment in the government of the City of Coconut Creek except on advisory bodies of the City. Commencing with the reorganization of the City Commission on March 13, 2029 and thereafter, the composition of the Charter Review Board will include an appointed elector from each of the four (4) districts, and one (1) appointed elector who is selected by the Elected Mayor and resides in any district of the City; all of whom must not hold any other office, appointment or employment in the government of the City of Coconut Creek except on advisory bodies of the City. In addition, the Commission may appoint a Charter Review Board at any other time as it may deem necessary or desirable, having the required composition as stated herein. Such Board must review the Municipal Charter, and within one hundred twenty (120) days after such appointment, submit to the Commission such alteration, revisions, and amendments, if any, to this Charter, as in its judgment are desirable. The Commission will submit to the electors not later than the next succeeding general election or municipal election any such proposed alterations, revisions, or amendments. The members appointed to said Board will serve without compensation and their terms will expire one hundred twenty (120) days after their appointment.*

**MOTION:** Escoriaza/Razib – To approve the changes to Section 907 as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

Deputy City Attorney Mehaffey stated this represented the full list of Charter changes the Board had come to consensus on. She asked if there were any further issues to discuss, and there were none.

## 5. DISCUSSION OF BALLOT QUESTIONS AND REVIEW OF DRAFT CHARTER AMENDMENT ORDINANCE

Deputy City Attorney Mehaffey reviewed the Draft Charter Amendment Ordinance and ballot language. Discussion ensued regarding splitting the questions further, ballot fatigue, and clarification of the ballot language.

Mr. Mintzes suggested that Mayor be added to clarify question two (2). The Board and

staff discussed revised language for clarity. Consensus was to amend the language.

Chair Valvo expressed concern that question four (4) would not be understood by the average person. City Attorney Pyburn commented that the title summarized the change. Discussion continued. Consensus was to amend the language.

Deputy City Attorney Mehaffey suggested an amendment to remove the final clause in question five (5). Discussion ensued briefly and consensus was to remove the clause.

Chair Valvo asked for clarification on abandonment of appropriations as addressed in question three (3). Deputy City Attorney Mehaffey explained. Discussion ensued regarding the language and next steps.

Deputy City Attorney Mehaffey reviewed the amended language of the proposed ballot questions as follows:

1. **CLARIFYING CALCULATION OF "DAYS" AND CONFIRMING COMMISSION SETS CITY MANAGER AND CITY ATTORNEY SALARIES**

   SHALL THE CHARTER BE AMENDED TO PROVIDE GENERAL CLARIFICATION, BY SPECIFYING WHEN REFERENCES TO "DAYS" MEANS CALENDAR DAYS AND WHEN IT MEANS BUSINESS DAYS AND CLARIFYING THAT THE OFFICERS THE CITY COMMISSION SETS SALARIES FOR ARE THE CITY MANAGER AND CITY ATTORNEY?

2. **PROHIBITING MAYOR OR COMMISSIONERS FROM SERVING ON HOMEOWNER OR CONDOMINIUM BOARD DURING THEIR COMMISSION TERM**

   SHALL THE GENERAL POWERS AND DUTIES OF THE MAYOR AND CITY COMMISSION BE AMENDED TO PROHIBIT THE MAYOR OR CITY COMMISSIONERS FROM SIMULTANEOUSLY SERVING AS AN OFFICER ON A HOMEOWNER OR CONDOMINIUM ASSOCIATION BOARD LOCATED WITHIN THE CITY WHILE THEY ARE SERVING AS THE MAYOR OR A CITY COMMISSIONER?

3. **AUTHORIZING CITY COMMISSION TO DETERMINE, DURING THE BUDGET PROCESS, WHETHER APPROPRIATIONS SHOULD BE ABANDONED**

   SHALL THE CHARTER BE AMENDED TO REMOVE THE CURRENT FIVE-YEAR AUTOMATIC LAPSE OF UNSPENT APPROPRIATIONS AND INSTEAD AUTHORIZE THE CITY COMMISSION TO DETERMINE, DURING THE ANNUAL BUDGET PROCESS, WHICH APPROPRIATIONS SHALL BE DEEMED ABANDONED? CURRENTLY, THE CHARTER REQUIRES ABANDONMENT OF APPROPRIATIONS WITHIN FIVE YEARS, IF NOT DISBURSED OR ENCUMBERED, WHICH REDUCES THE EFFECTIVENESS OF LONG RANGE FINANCIAL PLANNING.

4. **REVISING INITIATIVE, REFERENDUM, AND RECALL PROCEDURES**

   SHALL THE CHARTER BE AMENDED TO REVISE THE INITIATIVE AND REPEAL PROCEDURES TO PROVIDE THAT THE LAND DEVELOPMENT CODE, COMPREHENSIVE PLAN AND RELATED ORDINANCES ARE NOT SUBJECT TO THE REFERENDUM PROCESS; DEFINE A PROCEDURE FOR VALIDATION OF THE FORM OF A PETITION OR ORDINANCE; AND A METHODOLOGY FOR ADDRESSING CHARTER AMENDMENTS APPROVED BY THE VOTERS.

**5. CHARTER REVIEW BOARD**

SHALL THE CHARTER BE AMENDED TO REQUIRE REVIEW OF THE CITY CHARTER EVERY [SIX/EIGHT] YEARS BEGINNING IN APRIL [2030/2032] IN ORDER TO ALIGN WITH THE GENERAL ELECTION SCHEDULE? CURRENTLY, THE CHARTER IS REVIEWED EVERY FIVE YEARS WHICH OFTEN DOES NOT ALIGN WITH A SCHEDULED ELECTION THEREBY CREATING A DELAY IN VOTER CONSIDERATION OF THE BOARD'S RECOMMENDATIONS.

**MOTION:** Escoriaza/Valvo – To approve the Draft Charter Amendment Ordinance as amended.

**Upon roll call, the Motion passed by a 5-0 vote.**

**6. REVIEW OF DRAFT CHARTER REVIEW BOARD TRANSMITTAL REPORT**

Deputy City Attorney Mehaffey reviewed the draft transmittal letter, outlining and summarizing the work of the Charter Review Board. She explained a summary of the Board's discussion regarding the Charter Review Board included the recommendation that the Commission consider a change to six (6) or eight (8) year intervals to align with the election schedule, and noted the letter also included the Board's recommendations for non-Charter issues.

*Chair Valvo called for a recess at 6:21 p.m., and the meeting reconvened at 6:29 p.m.*

**MOTION:** Valvo/Escoriaza – To accept and execute the Charter Review Board Final Transmittal Letter.

**Upon roll call, the Motion passed by a 5-0 vote.**

**7. ADJOURNMENT**

Deputy City Attorney Mehaffey and City Attorney Pyburn thanked the Board for their time and thoughtfulness throughout the process.

The meeting was adjourned at 6:32 p.m.

Joseph J. Kavanagh, MMC
City Clerk

5/12/2025
Date