



# Charter Review Advisory Committee May 28, 2019 at 6:00 p.m.

Winter Park Community Center

721 W. New England Avenue

Winter Park, Florida

## Agenda Items

1. Call to order
  2. Roll call
  3. Approval of May 14, 2019 minutes
  4. Public comment - One Hour
  5. Review of Preliminary Recommendations to Date
  6. Article II - Legislative
    - Sec. 2.01. - Commission Created; Composition, Designation; Election Generally.
    - Sec. 2.04. - Term of office.
    - Sec. 2.05. - Compensation
    - Sec. 2.06. - Functions of Mayor; Vice Mayor.
    - Sec. 2.07. - Vacancies; Forfeiture of Office; Filling of Vacancies.
    - Sec. 2.08. - Procedure.
    - Sec. 2.09. - City Attorney
    - Sec. 2.10. - Prohibitions.
    - Sec. 2.11. - Ordinances in General.
    - Sec. 2.12. - Emergency Ordinances.
  7. Public Comment
- 8:00 p.m. Adjournment

## Agenda Items

### Meeting Schedule:

June 11 (will begin at 5:00 p.m.)

June 25 (6:00 p.m.)

July 9 (6:00 p.m.)

July 23 (6:00 p.m.)

August 13 (6:00 p.m.)

August 27 (6:00 p.m.)

September 10 (6:00 p.m.)

September 24 (6:00 p.m.)

### appeals & assistance

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“If a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.” (F.S. 286.0105).

“Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk’s Office (407-599-3277) at least 48 hours in advance of the meeting.”

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# Charter Review Advisory Committee Minutes

May 14, 2019

## Present

Steve Brandon

Lisa Coney

Bud Kirk, Jr. (arrived 6:20)

Lawrence Lyman

Nick Pope

City Manager Randy Knight

City Clerk Cynthia Bonham

City Attorney Dan Langley

## Absent

Marjorie Bridges

Amanda Day

James Johnston

The meeting was called to order by Facilitator Marilyn Crotty at 6:05 p.m. in the Oak Room 'C', Winter Park Community Center, 721 West New England Avenue, Winter Park, Florida.

Roll call was taken. There was not a quorum present at the start of the meeting.

The following residents provided comments:

Michael Perelman, 1010 Greentree, asked that the minutes be distributed along with the agenda and that Commission comments regarding what they would like to see in the Charter also be provided. He asked if the Board should consider making the Charter gender neutral.

Sally Flynn, 1400 Highland Road, asked the Committee to consider single member districts.

Beverlye Neal, 550 N. Denning Drive, addressed the need for single member districts to ensure diversity and to make sure minorities are not discriminated against. She asked that the Westside residents be taken into consideration when it comes to development and believed they need a voice on the City Commission.

LaWanda Thompson, 664 W. Lyman Avenue, wanted to make sure there is inclusiveness, diversity and representation within the City. She asked that the Preamble in the current Charter include verbiage regarding diversity; that City documents do not include words that diminish the quality of neighborhoods; and that single member districts are considered by the Committee.

Pat McDonald, 2348 Summerfield Road, asked that the term 'non-partisan' be specifically defined in the Charter so candidates know exactly what they can do because of the difference in how people interpret this during elections and political parties getting involved and supporting candidates.

Committee members Steve Brandon and Lisa Coney provided their background information.

Ms. Crotty addressed portions of the Sunshine Law that prohibits committee members from communicating with each other about items that potentially could come before the committee for discussion and/or action. She also spoke about the public records law where written communication needs to be forwarded to the City Clerk or City Management to be retained by the City as a public record.

Mr. Kirk arrived at this time to make the quorum. He introduced himself and addressed his background.

#### Approval of minutes

Motion made by Nick Pope to approve the April 23 minutes, seconded by Lawrence Lyman and carried with a 5-0 vote.

Ms. Crotty addressed the establishment of the meeting guidelines/ground rules. She announced that the first hour of the next meeting will be for citizen comments and hoped that the City will promote this for the next meeting. She stated if there are not enough speakers to fill the hour, they will move forward to the remainder of the agenda. She also asked that if members are unable to attend that they notify Michelle Neuner ahead of time so they know if they will have a quorum. The Committee agreed with the set guidelines.

Ms. Crotty discussed the comments she has received from Commissioners Cooper and Seidel and said that she will address them as the Committee arrives at those points in the Charter. Mr. Pope asked that the comments be provided to the board in advance. Ms. Coney asked that comments made at the Commission meeting related to the Charter also be provided to them. Ms. Crotty addressed the model charter that they will use as a reference.

Discussion ensued beginning with the Preamble of the Charter. The following action or non-action was taken:

Consensus to make the Charter gender neutral.

Consensus to add the word 'inclusive' within the Preamble: 'creating an open, inclusive and responsible government'. The word 'diversity' was discussed and determined that could have various meanings so it was not included.

Ms. Crotty spoke about Part B that the attorney has determined does not need to be addressed because this part was part of the charter before home rule was adopted when

they had special acts of the Legislature. Attorney Langley commented on Part B and why they can take it out of the Charter.

Consensus to rename Article I, 'Generally' to 'Powers and Form of Government'.

Section 1.01, Creation and powers. Change the title of Winter Park Charter Section 1.01, 'Creation and Powers' to 'Creation, Powers and Construction'. Leave current language but add what is included in Section 1.02 of the model charter regarding construction as follows: the powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power granted in this article'.

Section 1.02, Corporate boundaries. Clean up this section (editor's notes).

After discussion, no addition will be made to the Winter Park charter related to Intergovernmental Relations (as stated in the model charter).

Section 1.03, Charter Amendments, CONSENSUS to take from the Winter Park Charter out of Article I and move it to the back of the Charter. The substance of this section will be discussed when they arrive at that section.

Consensus that Section 1.03 become 'Form of Government' and to add a statement that the City has a Council/Manager form of government.

Ms. Crotty will bring back suggested language at the next meeting that the committee will determine if there is a consensus to move forward on each item or to change words.

Section 1.05, 'Oath' - No action was taken and was left in with no changes.

## Article II - Legislative

Section 2.01, Commission created; composition; designation; election generally. No action taken to change the number of five (5) commissioners.

Ms. Crotty summarized pros and cons for geographic districts and single member districts. After further comments, there was a consensus to delay further discussions on Section 2.01 until the Committee has a full board attendance before making any recommendations.

Section 2.02, Qualifications. After discussion, no action was taken to change this.

Section 2.03, Judge of election and qualification of members.

Ms. Crotty spoke about Section 2.07 of the model charter regarding a forfeiture of office provision. There was a consensus to add language that the Commission is the judge of the forfeiture and to add provisions for having a public hearing, etc. Ms. Crotty will

bring back language to add to Section 2.03 that can be accepted/ rejected or changed at the next meeting.

The meeting was opened again for citizen comments and participation. The Board will resume the next meeting agenda at Section 2.04, Term of office.

Sally Flynn, 1400 Highland Road, spoke about the difficulty to get people to run for the Commission and asked what happens when you do not have people wanting to run in specific districts (if you agree to districts) which would create a problem.

Barbara Chandler, 730 Minnesota Avenue, asked when was the last time there was someone of color on the City Commission. She spoke about diversity and the need for single member districts to ensure each district has a voice.

Michael Perelman, 1010 Greentree, asked for transparency of documentation for items they are addressing such as the model charter. Regarding Section 2.02, he asked what the definition of a 'resident' is. It was explained that a registered voter, that is a part of the qualifications, has to be a resident. Mr. Perelman explained that he is not a registered voter but is a resident of the City. He disagreed with the qualification of 'resident' and that it needs to be further defined.

Pat McDonald, 2348 Summerfield, spoke about the noise in the next room over being very loud and distracting and asked if this is where the meetings will always be held. She spoke about not having a copy of the Charter which makes it difficult to follow what is being discussed. Ms. Crotty stated the agendas will be published on the website. A copy of the model charter (when purchased) will be provided at the meeting for review by the public.

Ms. Crotty asked if the June 11 meeting could start at 5:00-7:00 because of a conflict. There was a consensus to change the starting time of this one meeting and the remainder would begin at 6:00.

The meeting adjourned at 8:10.