MICROFILMING INFORMATION SHEET

TO: VENDOR

FROM: Town of Longboat Key
Town Clerk Department
501 Bay Isles Road
Longboat Key, FL 34228

DATE: 05-24-2005

SUBJECT: Microfilming

Please index the attached collection of records utilizing the following language and placing this language in the upper right hand cornor of each image.

CHARTER REVIEW COMMITTEE 05-18-1998

The database should include the following fields:

MMM055

Roll# 151

Image# 456

This collection of records should be placed on the following film type:

_X_ 16 mm

___ 35 mm

Total number of pages in this collection: 5

If there are questions regarding the collection of records that are to be microfilmed please contact Jo Ann Dunay-Mixon, Deputy Clerk Records, at 941-316-1999.

MINUTES: **Charter Review Committee**

MEETING DATE: 5-18-98 **TIME:** 1:30 PM

PRESENT: Vice-Chairman Bob Farber, Members Lew Gotthainer, Al Green Lee Rothenberg, Ken McCall, Bob Drohlich

ABSENT: Chairman Brown

ALSO PRESENT: Town Manager St. Denis, Town Attorney Persson, Deputy Clerk-Minutes Dunay-Mixon

Call to Order
The Charter Review Committee was called to order at 1:30 PM by Vice-Chairman Farber.

1. Date of Next Meeting
Vice-Chairman Farber suggested establishing a calendar denoting available dates. It was agreed that the next Charter Review Committee Meeting will he held on Tuesday, 5-26 at 2:00 PM.

2. Old Business (Articles Previously Reviewed)
A. Article VII, Section 2
Vice-Chairman Farber highlighted the changes to Article VII, Section
There was a consensus to accept the new language as submitted.

B. Article 7, Section 7
Vice-Chairman Farber reviewed the language changes.
There was a consensus to accept the new language as submitted.

C. Article IX, Section 1
Vice-Chairman pointed out the changes.
There was a consensus to accept the new language as submitted.

3. Committee Comments
Lee Rothenberg inquired as to when new additions to the Charter would be discussed, and how the Charter would be presented to the Commission. Vice-Chairman Farber suggested new additions to the Charter could be discussed at any time.

A. Article VII, Section 1
Al Green expressed concern with the referendum process. Discussion ensued pertaining to the petition requirements and the referendum process. Following the discussion Town Attorney Persson outlined the petition process. Mr. Green inquired whether signatures would be invalidated if language were changed. Further discussion was held. Mr. Persson explained the mechanics of developing the ballot language and noted the Town Commission would approve the ballot language. Following inquiry pertaining to the petition language and

the ballot language Mr. St. Denis advised if the referendum question were approved by the registered voters the petition language would become part of the Charter; however, the ballot language would not become part of the Charter.

Further discussion was held regarding the development of the ballot language. Following this discussion Mr. Persson advised the petitioner had the right to develop the ballot language without assistance from Town staff.

Mr. Gotthainer referred to Page 35, Article VII, Section 1(b); he explained additional language was not necessary. Following discussion on referendum ballot language Vice-Chairman Farber suggesting language be added which provided Town assistance for developing the ballot language. Further discussion ensued regarding ballot language development. Mr. Drohlich expressed concern with complicating this issue.

There was a consensus not to change Article VII, Section 1(b).

B. Article 1, Section 8

Mr. Drohlich inquired as to whether a court reporter would be required during the special master process. Mr. Persson advised prior to the hearing an advertisement would be placed indicating appeals would require a verbatim transcript and hiring a court reporter would be advisable; however, the Charter did not have to reflect the advertising particulars.

C. Article III, Section 4

Mr. Drohlich referred to Article III, Section 4 and noted the Town Manager was given authority to fix compensation for the chiefs and all subordinate officers of the police, fire, and other safety forces of the Town. Mr. Persson advised the Town Manager would set the compensation subject to Town Commission approval. Further discussion ensued concerning the Town Manager's ability to fix compensation.

There was a consensus to amend Article III, Section 4 to read: " The Town Manager shall pursuant to provisions of this Charter appoint, remove and fix compensation,,,".

D. Article V, Section 1(d)

Mr. Drohlich pointed out Article V, Section 1(d) indicated the Finance Director would report to the Town Commission; he inquired as to why the Finance Director would report to the Town Manager. Discussed followed regarding this issue.

There was a consensus to relocate Article V, Section 1(d) to Article 3, Section 4.

E. Term Limits

Discussion was held pertaining to term limits. Mr. Green stated he favored term limits for Town Commissioners; however, the other Boards should not be subjected to term limits. Mr. McCall agreed with term limits.

There was a consensus to recommend three two-year terms.

F. Charter For Presentation

Mr. Gotthainer suggested that an index with a reference to page numbers would be appropriate and that the Section reference be indicated at the top of each page.

G. Revenue Bond Issue

Green asked whether revenue bonds would be handled in the same manner as General Obligation Bonds. Vice-Chairman suggested comments be deferred on the Revenue Bond issued until all Charter Review Committee members and the Finance Director were present.

H. Advisory Boards

Vice-Chairman Farber referred to a memorandum written by Jim Brown addressing the P&Z Board role in the Charter.

Mr. St. Denis advised the joint Town Commission and P&Z Board meeting would be held in September or October 1998. Vice-Chairman Farber stated the Charter should provide for a P&Z Board; however, further recognition was not necessary.

Discussions were held regarding the role of advisory boards, and whether the P&Z Board should be recognized as a Charter Board. Following the discussion Mr. McCall pointed out advisory boards investigate and consider various projects; the P&Z Board filtered through the projects and determine if the Town Code were satisfied. He stated the Board was important; however, no decisions should be made at this level.

Further discussion ensued pertaining to the quasijudicial aspect of the public hearings. Mr. Persson advised the Code Enforcement Board and the Zoning Board of Adjustment Board were also quasijudicial and component substantial evidence of record was necessary to support the decisions. Mr. Rothenberg pointed out the P&Z Board was the final authority for Special Exceptions. He noted the philosophy behind the P&Z Board was to remove itself from politics. Further discussion was held.

Mr. Farber pointed out the Town adopted an Ordinance which created the P&Z Board; details and responsibilities were specified. He expressed concern with a future Commission eliminating the P&Z Board.

There was a consensus to place the requirement of a Planning and Zoning Board, Zoning Board of Adjustment, Code Enforcement Board in the Charter. There was a consensus for the Town Attorney to develop new language.

Discussion was held pertaining to whether a mechanism should be recommended to the Commission granting a higher degree of responsibility to the P&Z Board.
Following the discussion Mr. Green pointed out if the P&Z Board were developing a "Village Plan" would the P&Z Board present the "Village Plan" to the Commission. Mr. St. Denis advised the P&Z Board were not developing a "Village Plan". He explained Town staff was conducting the study; however, the P&Z Board would review the "Village Plan".

There was a consensus to add the new language to Article II, Section 22 (a).

Further discussion was held pertaining to the Ordinance which created the P&Z Board. Following the discussion Vice-Chairman Farber suggested the Charter Review Committee recommend to the Town Commission that this Ordinance be reviewed. Mr. Drohlich express concern with complicating the Charter by adding language that would indicate to the Commission necessary actions and behaviors.

I. Timetable for Presenting the Charter to the Commission

Vice-Chairman inquired as to the timetable for recommendations to be presented to the Commission. Mr. St. Denis advised the Charter Review Committee should conclude their review prior to September; a public hearing would be held in December.

J. Clarifications on Term Limits

Mr. Persson asked for clarification on the three two-year limits. Discussion was held concerning whether a grace period should be included so previous Commission could run for office after serving the initial terms. Following the discussion Mr. St. Denis questioned whether a term limit would be specific to a District.

There was a consensus to restrict the elected officers to three two-year terms without regard to a specific district or at-large seat; a one year grace period would be necessary prior to re-election after the three two-year term limits were served.

K. Charter Simplification

Mr. Drohlich stated words could be eliminated or simplified throughout the Charter. Vice-Chairman Farber suggested the Charter Review Committee "wordsmith" the Charter as a full Committee. Mr. Gotthainer recommended Articles I, II, and III be reviewed at the next Meeting. Mr. Drohlich suggested amendments should be submitted to the Town Manager.

4. Adjournment

The Charter Review Committee meeting adjourned at 3:15 PM.

Submitted by: Jo Ann Dunay-Mixon
Jo Ann Dunay-Mixon, Deputy Clerk-Minutes