





**CITY OF PALM BEACH GARDENS  
MEMORANDUM**

TO:	Mayor/Council
FROM:	Patricia Snider, CMC, City Clerk 
Through:	Ronald M. Ferris, City Manager 
SUBJECT:	Charter Review Committee
DATE:	May 17, 2017

As you are aware, during the last City Council meeting on May 4, 2017, Vice Mayor Marciano requested that the subject of the Charter Review Committee be brought back to City Council on June 1, 2017, for discussion.

This report will outline the purpose, powers and duties, membership, timelines, public outreach, and costs associated with a Charter Review.

**Purpose:**

The primary purpose of a Charter Review Committee is to review the terms and provisions of the City's Charter and to make written recommendations to the City Council concerning any proposed amendments considered appropriate for review.

**Powers and Duties:**

The Committee will be directed to carry out the following powers and duties:

- Review and recommend the repeal and replacement of individual sections or review and recommend the repeal and replacement of the entire Charter.
- Prepare and submit recommendations to the City Council via a final report.
- Attend all meetings and provide comment to the City Council when solicited.

## **Membership:**

Although neither state law nor the City Charter requires that the City Council utilize a Charter Review Committee to process proposed Charter amendments; historically, a Committee has been established to review and recommend amendments. These individuals will be tasked with methodically and objectively reviewing the existing Charter and, as noted above, provide a final report to Council for review.

The recommended composition of the Committee will consist of five regular members nominated to be selected using these minimum qualifications:

- Property owner for a minimum of 5 years.
- Business owner in the City for a minimum of 5 years.
- Not currently serving on a City or County board or committee.
- Able to attend both daytime and evening meetings.
- Registered voter in the City.
- May not be a lobbyist.
- Have knowledge of municipal functions, municipal charters, the Florida Constitution, and the Florida Statutes pertaining to municipal law.
- The successful appointee would not present a conflict of interest on any subject matter discussed, reviewed, or decided upon.

Each Councilmember will consider personally recruiting one qualified resident and or business owner in the City to serve. Appointments should be considered only if the individual possesses the minimum qualifications listed above and can commit to the entire process.

**As with any Committee appointment, these individuals would be approved and voted on by the entire Council.**

## **Timelines:**

In order to meet the deadlines for the March 13, 2018, Uniform Municipal Election, the following timeline has been established:

- Adopt a Resolution establishing the Charter Review Committee
  - July 13, 2017, City Council meeting
- Adopt a Resolution appointing members to the Charter Review Committee
  - August 3, 2017, City Council meeting
- Charter Review Committee to present final report to Council
  - October 12, 2017, City Council meeting
- Referendum Ordinance – first reading
  - November 2, 2017, City Council meeting
- Referendum Ordinance – second reading and adoption
  - December 7, 2017, City Council meeting
- Ballot due to the Supervisor of Elections
  - February 2, 2018, at Noon

### **Public Outreach Campaign:**

It will be important to develop a concerted outreach campaign to gain the electors' understanding and acceptance and ensure they are well informed on the proposed amendments. This informational campaign could begin on January 16, 2018, allowing ample opportunity to reach the registered voters without causing voter apathy or inundating them with redundant information.

In addition, the voter outreach could be expanded to a public education initiative to include meetings at City Hall, HOA and POA meetings, and release an automated telephone message to all registered voters.

There would also be information provided via the Signature City Magazine, the City's website, Social Media, informational flyers distributed during all publicly noticed meetings, i.e., City Council, Planning, Zoning and Appeals Board, Recreation Advisory Board, Art in Public Places Advisory Board, Budget Oversight Review Board, in literature stands throughout all City Buildings, and mail pieces.

This would also be the perfect opportunity to utilize the newly established Speakers Bureau.

It is recommended the City hire an outside consultant to facilitate the process to remove any bias and ensure transparency.

### **Costs:**

Using the most recent March election, the projected cost is between \$90,000 to \$110,000, however, multiple questions on the ballot vs. a single repeal, would increase the advertisement and ballot costs.

### **Implementation:**

As stated above, in order to maintain transparency and impartiality, it is recommended that Council consider using an outside consultant to facilitate the process. Using a facilitator would provide the flexibility to meet with the appointees as needed and accommodate either daytime or evening meetings. There are seasoned professionals well versed in this field and an outside consultant would bring the continuity, professionalism, and an unbiased approach while keeping focus on the issues.

There are currently funds allocated in the current Council budget that would cover the costs of these professional services.

Please contact the City Manager if you have any questions.