



**FORT MYERS BEACH
CHARTER REVIEW COMMISSION (CRC)
MINUTES**

Town Hall – Council Chambers
2523 Estero Boulevard
Fort Myers Beach, Florida 33931
Thursday, February 26, 2015

I. CALL TO ORDER

The meeting was called to order at 9:00 a.m. Chair Babcock. Members present: Tom Babcock, Miffie Greer, Dan Hughes, Jay Light, and Dan Parker.

Council Liaison: Rexann Hosafros

Staff: Michelle Mayher

Town Attorney: Derek Rooney

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF FINAL AGENDA

IV. PUBLIC COMMENT

V. APPROVAL OF MINUTES of February 12, 2015

Minutes not available.

VI. REVIEW NEW SUBSTANTIVE & CLERICAL CHANGE CHARTER LOGS

Chair Babcock renumbered substantive changes.

VII. REVIEW AND APPROVE NEW WORKSHEETS

A. Combine Art. IV Sections 4.02 and 4.03

B. Section 5.09 Canvassing Board - Babcock

Town Attorney Rooney suggested the following change: The Town canvassing board shall be composed of ~~the longest term~~ a Town Council Member, selected by Town Council, ... Mr. Hughes noted inconsistencies with capitalization. Chair Babcock stated he would correct inconsistencies.

MOTION: Mr. Hughes moved to make the following change: The Town canvassing board shall be composed of ~~the longest term~~ a Town Council Member, selected by Town Council,; second by Ms. Greer.

VOTE: Motion passed unanimously.

C. Section 10.02(b) Emergency Ordinance Language - Rooney

Town Attorney Rooney indicated that since he changed the scope of the ordinance, he would not characterize it as a clerical change.

MOTION: Mr. Light moved to adopt the proposal; second by Mr. Parker.

VOTE: Motion passed unanimously.

VIII. FINAL REVIEW AND APPROVAL OF ALL SUBSTANTITIVE CHANGE WORKSHEETS - Label with SC number and revision date

Section 4.07(e) Forfeiture of Office - Does not maintain a permanent residence...

Section 4.13 Voting - No action of the council shall be valid or binding unless adopted by the affirmative vote of at least three members of the council.

Section 5.03 Length of Terms - under cons, change populous to populace.

Section 6.02 Removal - The council may remove the town manager for any reason by affirmative vote of ~~the council~~ at least three members.

Section 12.01 Initiate and Referendum - Mr. Hughes will revise.

Section 13.03 Charter Review - move to clerical change.

IX. REVIEW FINAL CLERICAL CHANGE RECOMMENDATIONS

A. Combine pronoun use with Section 4.08 clerical changes

MOTION: Ms. Greer moved to accept the changes listed under clerical change 4; second by Mr. Parker.

VOTE: Motion passed unanimously.

B. Which clerical changes can be combined into a single referendum?

Town Attorney Rooney indicated that clerical changes that could not be combined with a substantive change must be independent. Town Attorney Rooney suggested combining clerical changes #2 and #3 with substantive change #1.

Combine Section 4.07(d) and (e).

**C. Which clerical changes can be combined with a substantive change?
- Discuss Section 5.03 with two substantive changes and one clerical change**

Town Attorney Rooney recommended that the clerical change and terms of office be one item. Consensus was reached to include clerical change #5 with substantive change #10.

X. REVIEW CHARTER WITH ALL RECOMMENDED CHANGES

Section 2.01 Boundaries of the Town of Fort Myers Beach:

A corporate limit lying offshore from Estero Island, which line is described as follows: all that part of Lee County ~~that is located and~~ situated within Estero Island,... - stand alone.

Section 4.01(a) and (b) - combine for one clerical change.

Section 4.02 and 4.03 - combine.

Section 4.04 - stand alone.

Section 4.05 - stand alone.

Section 4.07(d) and (e) - combine.

Section 4.08 - stand alone.

Section 4.11 - stand alone.

Section 4.13 - stand alone.

Section 5.03 Length of Terms and Term Limits - Town Attorney Rooney will check with the Supervisor of Elections about combining the changes.

Section 6.01 Appointment and Qualifications and 6.02 Removal - combine.

Emergency Ordinances - combine.

Charter Review - stand alone.

Toll Referendum - stand alone.

Section 12.01 - Initiative and Referendum - stand alone.

Independent Districts - combine.

Section 15 - combine entire section.

Section 16 and 17 - combine.

XI. DISCUSS WHAT NEEDS TO BE COMPLETED FOR FINAL CHARTER REVIEW COMMISSION REPORT TO TOWN COUNCIL

Chair Babcock discussed the cover letter listing contents of the summary document. The current charter, changes, and worksheets will be included. Mr. Hughes did not think including the current charter in the packet was necessary. Chair Babcock suggested that the letter, the charter changes, the charter logs (clerical and substantive), and the worksheets be individual documents. Mr. Light felt that all documents could be combined with the exception of the worksheets. Chair Babcock indicated he would create individual documents and bring them back before combining and he will draft the cover letter. Discussion was held concerning a target date to present to Council, scheduling a work session, prioritizing changes, removal of the bonding provisions, items for the work session, and educating citizens. The joint work session was scheduled for April 20 and hearings on May 4 and May 18. Mr. Light stated he would continue to submit articles to generate interest and to help educate.

XII. SET NEXT AGENDA AND MEETING DATE - Thursday, March 12, 2015 at 9:00 a.m.

XIII. ADJOURNMENT

Chair Babcock adjourned the meeting at 11:30 a.m.

Adopted 3/12/15 With/Without changes. Motion by Greer / Light

Vote: 5-0

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