



AGENDA CHARTER REVIEW COMMITTEE MEETING

6:00 PM - Monday, October 25, 2021
Council Chambers

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1. CALL TO ORDER	
2. PLEDGE OF ALLEGIANCE	
3. ROLL CALL	
4. APPROVAL OF THE PREVIOUS MEETING MINUTES	
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5. PRESENTATIONS	
5.1. Harry Taubenfeld, Finance Director Finance Director Charter Review Presentation	4 - 8
6. NEW BUSINESS	
6.1. Discussion of Forms of Government - Town Attorney Anderson Attorney presentation forms of gov charter review	9 - 18
7. NEXT MEETING	
7.1. Next Charter Review Committee meeting, Monday, November 15, 2021 at 6:00 PM Presentation by Public Works Department	
8. ADJOURNMENT	



TOWN OF PEMBROKE PARK
CHARTER REVIEW BOARD 2021/2022
3150 SW 52 Avenue
Pembroke Park, FL. 33023
Telephone: 954-966-4600

Charter Review Board (CRB) MEETING MINUTES

September 27, 2021
6:00 PM
Commission Chambers, Town Hall
Pembroke Park, FL 33023

1. CALL TO ORDER

Chair Buchanan called the meeting to order at 6:05 p.m. in the Commission Chambers.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Board members present were Lucy Weber, Gary Schrader, Evelyn Cunningham, and Bianca Buchanan.

Absent: Paulette Walker

In attendance were Assistant to the Town Clerk Suzi Reutlinger recording the meeting. Also, present were Town Planner Heidi Siegal, and Town Attorney Melissa Anderson

4. APPROVAL OF MINUTES

MOTION TO APPROVE 08 30 2021 MEETING MINUTES MADE BY GARY SCHRADER
SECONDED BY LUCY WEBER, ALL VOTED IN FAVOR

5. PRESENTATION

The Town Planner, Heidi Seigel, will make a presentation regarding the Planning Department and give a brief history of the Town's boundaries.

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Gave an overview of the town boundaries and discussed items related to planning and development in the Charter.

6. CHARTER REVIEW BUSINESS

6.1 Discussion of the Charter, general issues

Town Attorney Anderson generally reviewed the charter with the board members.

6.2 Next Meeting – Presentation by Finance Department

Harry Taubenfeld, Finance Director will review the Town Charter under Section 18.

ADJOURNMENT

Chair Buchanan moved to adjourn the meeting. The motion was seconded.

Motion carried unanimously

The meeting was adjourned at 7:06 PM.

ATTEST:

(SEAL)

Marlen D. Martell, Town Clerk

Town of Pembroke Park

Finance Department Presentation Charter Review Committee

October 25, 2021



Sec. 24-102. - Disbursement by check only; authorizations to sign checks, transfer funds

All municipal funds and public monies shall only be disbursed by check, which check shall be signed by the Mayor or Vice-Mayor, and countersigned by the Clerk-Commissioner or acting Clerk-Commissioner



Resolution 2020-148.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, AUTHORIZING ANY TOWN COMMISSIONER AT LARGE AND THE **TOWN MANAGER** TO EXECUTE CHECKS IN LIEU OF THE MAYOR, VICE-MAYOR OR CLERK-COMMISSIONER; PROVIDING FOR SEVERABILITY; SUPERSEDING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.



Recommendation: Include Town Manager and Finance Director as check signers for disbursement of funds.



Contact Information

Harry Taubenfeld

Budget & Finance Director

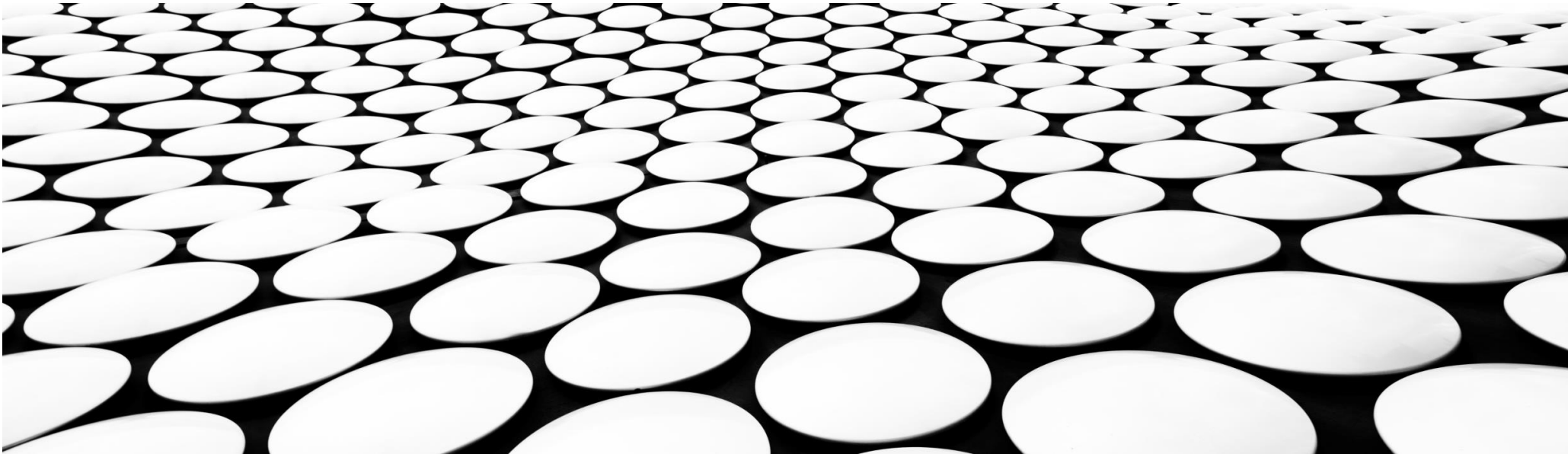
(954) 966-4600 ext 232

htaubenfeld@tppfl.gov



FORMS OF LOCAL GOVERNMENT

COMMISSION-MANAGER, STRONG MAYOR, COMMISSION



GENERAL MUNICIPAL GOVERNMENT CONCEPTS

- Local government with an elected council or commission, made up of citizens
- A charter is the town constitution that sets the boundaries of the municipality, form of government, size of the town commission and other important government functions such as election procedures and financial powers

FORMS OF GOVERNMENT

- Strong Mayor
- Commission - Manager
- Commission

STRONG MAYOR

- Commission serves as the legislative body and makes policy decisions and performs all legislative functions
- The Mayor is the head of the local government: Hires staff and oversees day to day operations

EXAMPLE: WEST PALM BEACH

- **Sec. 1.01. - Corporate existence; form of government; charter.**
- The City of West Palm Beach in Palm Beach County, Florida, which was created by the Florida Legislature, shall continue as a municipal corporation with a mayor-commission form of government as provided herein and with this document as the charter for the city.
- **Sec. 2.03. - Powers of the city commission.**
- All powers of the city shall be vested in the city commission except those powers specifically given to the mayor, and to the internal auditor and reserved to the electors of the city in this charter.
- **Sec. 3.01. - Mayor.**
- The chief executive officer and administrative head of the city shall be the mayor who shall be responsible for the proper administration and conduct of the executive work and affairs of the city. The mayor shall be a voting member of the city commission, only for the purpose of breaking a tie vote. The mayor shall be recognized by the courts for the purpose of serving civil process and by the governor for purposes of military law. The mayor may, with the consent of the city commission, take command of the police in case of public danger or emergency. The mayor shall, when directed to do so by the city commission, execute all instruments to which the city is a party, unless otherwise provided in this charter or by ordinance.
- **Sec. 3.02. - Mayor's veto power.**
- The mayor shall have the power to veto legislation within forty-eight (48) hours after the adjournment of any city commission meeting. Ordinances or resolutions vetoed by the mayor shall be considered by the city commission at its next regularly scheduled meeting, and at that meeting the city commission may pass the ordinance or resolution over the mayor's veto by four votes of the commission. The effective date of an ordinance passed over the mayor's veto shall not be less than fifteen (15) days after the final passage, which shall be considered to be the date on which the city commission originally passed the ordinance or resolution and it shall then become law.
- Within forty-eight (48) hours of the adoption of an ordinance or resolution appropriating money for the use of city government, the mayor may disapprove all or a portion of an appropriation. Any appropriations disapproved or reduced shall be void to such disapproval or reduction unless restored to the ordinance or resolution by four votes of the city commission at its next regularly scheduled meeting.
- The mayor shall not have the power to veto emergency ordinances or any enactments relating to emergency appropriations or emergency borrowing.



COMMISSION-MANAGER

- Most common form of local government
- Commissioners are responsible for making policy with advice of Town Manager
- A professional manager is appointed by the board of council has full responsibility for the day-to-day operations of the local government
 - Appointed off experience and credentials, implements the policies set by the commissioners
 - Subject to accountability to the commissioners, who can vote to replace that manager
- A mayor is chosen from among the commissioners on a rotating basis
- Ideal to avoid corruption

EXAMPLE: FORT LAUDERDALE

- ARTICLE III. - GOVERNMENT OF CITY AND FORM OF GOVERNMENT
- Sec. 3.01. - Commissioner-manager plan.
 - The form of government of City of Fort Lauderdale, provided for under the charter, shall be known as the "commissioner-manager plan." The city manager shall be the administrative head of the city, answerable to the city commission.
- Sec. 3.02. - Creation, composition and term of commission.
 - There is hereby created a city commission composed of one (1) mayor-commissioner and four (4) city commissioners all of whom shall be elected in the manner provided in this charter, shall take office on the first regular meeting day in December following their election, and who, beginning in the year 2020, shall hold office for a term of four (4) years, or until their successors are elected and qualified. The term of the mayor and four (4) city commissioners that commenced in the year 2018 shall last until such time as their successors are elected and qualified as a result of the 2020 election. No person who has been elected to the office of mayor-commissioner or to the office of city commissioner for three (3) consecutive terms shall be qualified for nomination or election to that office for the succeeding term. This limitation shall apply to terms which commence after the regular election of March 7, 2000. The mayor-commissioner and the four (4) city commissioners are sometimes referred to herein as commissioners or the city commission.
- Sec. 3.06. - Powers vested in commission; limitations. The legislative powers of the city shall be vested in and exercised by the city commission, and the commission shall have the power to pass ordinances, adopt resolutions, appoint by resolution all appointive officers, boards and those employees specified in this charter as being appointed by the city commission, and exercise all other powers herein provided. All powers of the City of Fort Lauderdale, except as otherwise provided by this charter or by the Constitution of the State of Florida, are hereby vested in the city commission; and except as otherwise provided by this charter or by the Constitution of the State of Florida, the city commission may by ordinance or resolution prescribe the manner in which any powers of the city shall be exercised.



COMMISSION

- Members of a board of elected commissioners serve as heads of specific departments and also act collectively as the legislative body and executive body for the local government
- Each commissioner is responsible for one specific aspect (e.g. fire department, police, public works, health, finance, etc.)
- One of the commissioners is designated chairman or mayor that presides over the meeting
- Less than 1% of municipalities use this older form of government

EXAMPLE: PORTLAND, OREGON

- Portland City Charter, Section 2-302 Assignment and Authority of Commissioners. At the first regular meeting after the election of any Council member, the Mayor shall designate one member to be Commissioner In Charge of each department, who shall thereafter be designated as Commissioner of such department, which designation may be changed and a transfer of Commissioners from one department to another be made, whenever it appears that the public service will be benefitted thereby. Such assignment shall be made by the Mayor by order which shall be filed and preserved as an ordinance. The Commissioner In Charge of each department shall have the supervision and control of all the affairs and property which belong to that department, subject to the provisions of this Charter and to such regulation as may be prescribed by the Council.
- Portland Charter Review: The city is currently reviewing its charter to determine whether it will continue to use a commission form of government. It is one of the only, if not the only, local government in the US to use commission form of government. (See, <https://www.kgw.com/article/news/local/the-story/portland-government-charter-review/283-0c34bb1b-45b6-42cf-9b80-45938d9d4e61>)

TOWN OF PEMBROKE PARK CHARTER

- **Sec. 15. - [Creation of departments.]** For the purpose of systematically handling the government, the Commission shall create the following departments, and one Commissioner shall have charge of each department: Executive Department, in charge thereof to be ex-officio the Mayor; Department of Taxes, the Commissioner in charge thereof to be the Clerk; Department of Finance, the Commissioner in charge thereof to be the Vice-Mayor; Department of Health and Zoning, one of the other Commissioners as is designated by resolution of the Commission; and Department of Public Works and Water, one of the other Commissioners as is designated by resolution of the Commission.
- **Sec. 16. - [Additional compensation for Commissioners.]** Each of the Commissioners is authorized to hold any office or perform any duties or functions necessary for the government of the municipality, but he or she shall receive no additional compensation for such service except as to the Public Works Director. The Commissioners may in case of necessity appoint suitable persons to assist them in performing the duties of their respective departments, and the compensation of such persons shall be determined by the Commission.