

**CHARTER REVISION COMMITTEE MEETING/PUBLIC HEARING  
JUNE 26, 2012**

A Charter Revision Committee Meeting/Public Hearing of the City of Delray Beach, Florida, was called to order by Mr. Jay Alperin, Chairperson, in the Commission Chambers at City Hall at 6:00 p.m., on Tuesday, June 26, 2012.

**ROLL CALL**

Roll call showed:

Present - Jay Alperin, Chairperson  
Doak Campbell  
Kimberly Camejo  
Brian Cheslack  
Michael Malone  
Alberta McCarthy  
Scott Porten  
David Schmidt

Absent - Deborah Dowd  
Brenda Durden  
Gary Eliopoulos

Also present were - Brian Shutt, City Attorney  
Chevelle D. Nubin, City Clerk

**I. CALL TO ORDER – ROLL CALL**

Mr. Alperin called the meeting to order for the purpose of considering the following items.

**II. MINUTES**

Mr. Alperin stated everyone should have received a copy of the minutes from the last meeting. Mr. Alperin asked if anyone else had any other changes.

Mr. Porten moved to approve the May 25, 2012 minutes, seconded by Mr. Malone. Said motion passed unanimously.

At this point in the meeting, Mr. Alperin read the committee's draft report into record.

**III. DISCUSSION REGARDING THE COMMENTS FROM THE PUBLIC**

Mr. Alperin opened the meeting up for comments from the public.

**Mr. Jim Smith, 1225 South Ocean Boulevard**, stated he favors all proposed changes except reducing the number of Commission votes for removing the city manager. He read a statement into the record regarding this issue. He urged the committee to separate this issue out on the ballot and to reconsider this point.

Mr. Alperin stated there are four main items and he spoke with the City Attorney. They have to be separate items because they are separate issues if they go on the ballot. He stated they are just an advisory group who will present to the Commission and the Commission will decide which, if any, will go on the ballot and it will be the public's decision. It will be voted on by the public. He stated just because it is out there does not mean it is approved.

**Mr. Victor Kirson, President of Tierra Verde**, stated he did not have any thoughts one way or the other. He stated he does not want to see this connected to the city manager at all because it will be with us for many years. He stated by leaving it at 4 votes the manager has a business position; with just three votes the manager has a political position. Mr. Kirson urged the commission to keep a powerful city manager.

**Mr. Steve Blum, Antilles Homeowners' Association**, discussed the city's organizational chart. He stated he has not seen the organizational chart like that at all. He stated the city manager does what he wants to do; although, he has done some great things. He suggested that the Committee present to the Commission to go to a 3-2 vote as opposed to a 4-1 vote.

**Kevin Warner, 248 Venetian Drive**, stated he supports the 3-2 suggestion for city manager removal. He stated he normally supports majority rule. He stated 99% percent of Commission votes have been 5-0. He stated the success of Delray Beach is the Commission's ability to reach agreement. He stated a majority vote is the way to go. Mr. Warner stated the Commission is aware of what the city manager is doing and Commissioners have every opportunity to redirect the city manager or staff when they choose. He stated Mr. Harden is an honest, hardworking man and whoever takes his place deserves the same approach. He stated he also supports the two, three year terms. He mentioned the 12 years and stated he does not see the argument for this. He stated the Mayor position is procedural and feels no one is indispensable. Mr. Warner stated he would like to see the committee consider removing this. He stated this position is not more special or important than the other four positions.

There being no further comments, Mr. Alperin closed the public hearing.

#### **IV. DISCUSSION REGARDING THE LATEST DRAFT OF THE CHARTER AND THE PROPOSED ORDINANCES**

Mr. Alperin asked if the committee wishes to discuss the recommendations from the public at this point. Mr. Scott Porten spoke regarding changing the super majority vote to remove the city manager and going to a simple majority. He stated this was derived from the fact that he is hired by a simple majority. Mr. Porten stated if he is put in by a simple majority and a super is required to remove him, he felt there was a problem with that. He stated this has nothing to do with David Harden. He stated the idea of giving the mayor position more time was to garner more experience.

Mr. Brian Cheslack stated he appreciates the public comments and they had similar discussions amongst the committee members. He stated it is interesting that there was a comment regarding commissioners and the mayor. He stated the mayor has a different position and he thinks it is okay for the mayor to have a different election. He stated he wishes there was more participation from the public.

V. DISCUSSION OF THE CHARTER COMMITTEE REPORT

Mr. Alperin stated they need to put together a report for the City Commission he stated before putting the report together he would like to see some more input from the committee. Mr. Campbell asked Mr. Alperin to explain the process to the public about the next steps.

Discussion continued regarding timeframes for ballot language, public hearing and opportunity for public comments. The City Clerk and City Attorney discussed timelines including when the report should be sent to Commission regarding the ordinances.

Mr. Alperin stated it would be advantageous for the Committee to meet again in two weeks to finalize their report to commission. The City Attorney reiterated that Mr. Rich Reade, Public Information Officer, has placed this on the website in the Open City Hall format for public comment and at the next meeting staff can bring the rest of the comments for committee review.

The committee discussed the next meeting date and decided that it will held at 8:00 a.m. on July 6, 2012 in the First Floor Conference Room at City Hall. Mr. Alperin stated the meetings are open to the public.

VI. COMMENTS – COMMITTEE MEMBERS

No additional comments from Committee members.

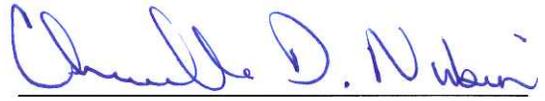
Mr. Alperin adjourned the Workshop Meeting at 6:36 p.m.

  
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City Clerk

ATTEST:

  
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Chairperson

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the Charter Revision Committee Meeting of the City of Delray Beach held on Tuesday, June 26, 2012, which Minutes were formally approved and adopted by the Committee on July 6, 2012.



City Clerk

**NOTE TO READER:** If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the Charter Revision Committee. They will become the official Minutes only after review and approval, which may involve amendments, additions or deletions to the Minutes as set forth above.