

MINUTES

CITY CHARTER AND DISTRICT BOUNDARY REVIEW COMMITTEE

TUESDAY, OCTOBER 25, 2011

A regular meeting of the City Charter and District Boundary Review Committee of the City of Key West, Florida was held in City Hall, City Attorney's Conference Room on Flagler Avenue, on Tuesday October 25, 2011.

Chair Panico called the meeting to order at 5:00 p.m.

Answering roll call were Robert Harvey, Perry Johnston, Clark Knight, Bill Lilley, Tom Milone, Philip Schaeffer and Chair Virginia Panico.

Also present were City Attorney Shawn Smith, Commissioner Clayton Lopez, Commissioner Jimmy Weekley, Senior Deputy City Clerk Sue Harrison and City Clerk Cheri Smith.

The pledge of allegiance to the flag of the United States of America was given by all present.

APPROVAL OF AGENDA:

It was moved by Mr. Harvey and seconded by Mr. Milone to approve the agenda. There were no objections.

APPROVAL OF MINUTES:

September 22, 2011

It was moved by Mr. Milone and seconded by Lilley to approve the minutes of September 22, 2011.

The Chair asked for objections, seeing none the minutes were approved as read.

October 13, 2011

It was moved by Mr. Milone and seconded by Mr. Harvey to approve the minutes of October 13, 2011 amending the dates on page 2, paragraph 2 from “2011” to “2012” and on page 4, paragraph 2 and paragraph 3 to amend the phrase in quotes adding the word ‘or’ to read “or otherwise required by law”.

The Chair asked for objections, seeing none the minutes were approved as amended.

ACTION ITEMS:

SECTION 3.01 – CITY COMMISSION AND MAYOR; ELECTION; TERM; TERM LIMITS

Mr. Johnston reviewed his suggestions for amending Section 3.01 “City Commission and Mayor . . .” with the Committee. Mr. Johnston’s rationale was that if they were asking the Mayor to look at a long term city-wide vision and to be more accountable it warrants a longer term of office to fulfill those duties.

Mr. Schaeffer’s proposal was similar but to treat the Mayor as a full Commissioner regarding the term of the office.

The Committee discussed the benefits and disadvantages of running a campaign every two years. Commissioner Weekley added historical perspective when the Mayoral seat had been a four year term. The question had been on ballots twice and both time the voters denied the change from a two year term to a four year term for the Mayor.

Comments from the public were from:

Albert Sullivan, 2203 Flagler Avenue
Margaret Romero, 1615 Washington Street

Chair Panico expressed her opinion that she was not in favor of a four year term but to maintain the two year term for the Mayor.

It was moved by Mr. Milone and seconded by Mr. Lilley to take no action with respect to the two year term of the Mayor.

It was suggested that this motion be withdrawn until further discussion regarding term limits had been heard.

Mr. Milone withdrew his motion and Mr. Lilley withdrew the second.

Mr. Johnston's opinion was that the term limits remain as they are presently written.

Mr. Schaeffer did not believe in term limits. But, realizing there is always a concern with incumbency, he thought a limit of three consecutive terms for both the Mayor and Commissioners, with the Mayor serving a four year term was preferable.

It was confirmed that the City presently has term limits for the Mayor and Commissioners.

It was moved by Mr. Milone and seconded by Mr. Knight to eliminate the term limits for the Mayor and Commissioners.

Chair Panico requested the Clerk to call the roll.

Yeas: Mr. Harvey, Mr. Knight, Mr. Milone, Mr. Schaeffer and Chair Panico

Nays: Mr. Johnston and Mr. Lilley

SECTION 3.09 – DUTIES OF MAYOR

Mr. Johnston read the proposed changes in Section 3.09 – Duties of Mayor - and elaborated on his rationale for these changes. Mr. Johnston proposed the following language: “. . . including assuming responsibility as the strategic leader of the city: 1) in assuring that a vision and long-range goals for the City are established and reviewed annually; 2) in presenting an annual State of the City address which must include an analysis of progress on city vision and goals; 3) in educating the public on citywide issues; 4) in setting the tone for city government;

and 5) in assuring that the Commission looks beyond the legal and geographical jurisdiction of the municipality and coordinate Key West leadership with that of regional jurisdictions.”

Commissioner Weekley commented on the Mayor’s annual State of the City address to organizations and stated it should be required he do the same for the public.

Mr. Milone suggested the State of the City address should be given at a meeting of the City Commission where the public could attend and would be televised similar to the State of the Union address by the President. He would like to see language to include that provision.

Comments from the public were from the following:

Mark Songer, 1310 Newton Street
Margaret Romero, 1615 Washington Street
Albert Sullivan, 2203 Flagler Avenue

It was moved by Mr. Schaeffer and seconded by Mr. Lilly to adopt Mr. Johnston’s proposed language to Section 3.09, “Duties of the Mayor” incorporating the two suggested changes as follows: 1) in assuring that a vision and long-range goals **established by the Commission** for the City are established and reviewed annually; and 2) in presenting an annual State of the City address which must include an analysis of progress on city vision and goals **before the City Commission.**

Chair Panico requested the Clerk to call the roll.

Yeas: Mr. Harvey, Mr. Johnston, Mr. Knight, Mr. Lilley, Mr. Milone, Mr. Schaeffer and Chair Panico

Nays: None

DISCUSSION:

SECTION 6.01 – CITY COMMISSION ELECTIONS

Mr. Milone brought forth for discussion amendments to Section 6.01, City Commission Election. The options he proposed are 1) prohibit automatic election of unopposed candidates, 2)

provide electors the right to write-in the name of a person whose name does not appear on the ballot without the necessity of filing paperwork in advance requesting permission to do so, 3) provide that where only one name appears on the ballot for an office, electors shall have the option of voting "No", 4) provide that where there are two or more candidates for an office, electors shall have the option of voting for "None Of The Above".

After discussion and in order to get a feeling of how the Committee felt on this issue Chair Panico asked for a show of hands on the items. When asked about each item the majority showed they had no interest in pursuing the options as presented.

Comments from the public were from the following:

Steve, 3513 Sunrise Drive
Margaret Romero, 1615 Washington Street

SECTION 6.01 - DISTRICT BOUNDARY REVIEW

Mr. Schaeffer reviewed the information with the Committee for options to change the six single member districts with the Mayor elected at-large to three single member districts with three at-large Commissioners and the Mayor at-large being the preferred option. Mr. Schaeffer showed four maps reconfiguring the districts. The first map showed the current configuration and the statistical breakdown. The second map showed the current map configuration with district lines drawn according to the 2010 census figures. The third map showed three districts with a population of approximately 8,000 in each district. The layout of the configuration showed the loss of the compactness of the community. The fourth map laid out the option for four single-member districts with two at-large commission seats. This configuration improved the population base to approximately 6,000 per district. This also kept the percentages within what we presently have in the districts.

The Committee members discussed the pros and cons of at-large commission seats and the related campaign races.

Commissioner Lopez was not in favor of the at-large vote for commissioners. His first preference was to keep six districts as it is today or reluctantly to get rid of two commission seats at-large and return to a five member commission.

Commissioner Weekley stated that the real objective would be to encourage people to get out and vote. He did not have a problem going back to a five member commission.

Comments from the public were from the following:

Margaret Romero, 1615 Washington Street
Mark Songer, 1310 Newton Street
Albert Sullivan, 2203 Flagler Avenue

Mr. Johnston pointed out that what ever changes are made they must be reviewed by the Department of Justice.

At this time Mr. Milone moved to extend the time of the meeting for thirty minutes. Mr. Lilley seconded the motion to extend. There were no objections.

Mr. Schaeffer asked what the preference of the Committee was on moving forward as the next piece depended on the outcome of this discussion. He said if the four district single member map is the preferred option then they could discuss the shift to the gubernatorial and presidential elections.

Chair Panico asked the members their preference in the redistricting process.

Mr. Milone preferred to stay with the status quo, option three.

Mr. Johnston preferred the four single member districts.

Mr. Schaeffer preferred the four single member districts.

Mr. Harvey preferred the four member districts, either single member or two at large.

Chair Panico agreed with either four single member districts or four with two at large.

Mr. Lilley preferred the four single member districts.

Mr. Knight preferred the four single member districts with two at-large seats.

The City Clerk suggested that both scenarios be presented to the Commission for them to decide.

It was determined that this item would come back for action at the next (evening) meeting.

PROPOSED ELECTION TRANSITION

Mr. Schaeffer presenting the proposed election transition sequences for the 4-2-1 districts. Starting in 2013 the terms to be served would be for three years for one cycle. This would bring them all into configuration with gubernatorial and presidential election years. He explained the process through the year 2030 for the 3-3-1 and the 6-1 scenarios.

Mr. Milone asked about the change for the Utility Board elected members. Mr. Schaeffer said the Chairman of the Utility Board didn't have a problem with the change.

Comments from the public were from the following:

Mark Songer, 1310 Newton Street

Mr. Schaeffer recommended, with the consensus of the Committee, that the transition period would be dictated by either one of the two scenarios with the four single-member districts. Each scenario should be acted on individually at the next (evening) meeting.

Mr. Schaeffer said the other significant item for consideration is the Mayor's term of office. This should also be on the next (evening) agenda as an action item.

Chair Panico asked if everyone was comfortable with the next meeting of November 10, 2011 at 1:00 p.m. It was discussed that these items should be considered and voted on at the

next scheduled meeting to be held at 5:00 p.m. That meeting is set for January 26, 2012. After further discussion it was decided that the November 10, 2011 meeting be cancelled. The next meeting would take place on December 8, 2011 at 1:00 p.m. at Old City Hall on Greene Street. This meeting would be for any items that need to be addressed by the City Attorney or anyone else for clarification. This would clear up any “housekeeping” issues.

CITIZEN COMMENTS:


There was no further public comment.

COMMITTEE COMMENTS:

There were no comments from Committee members.

ADJOURNMENT:

There being no further business the meeting was adjourned at 7:24 p.m.


Susan P. Harrison, CMC
Senior Deputy City Clerk