

CHARTER REVIEW COMMITTEE MEETING  
MONDAY, JANUARY 24, 2022, 6:00 P.M.

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CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE  
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PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

06:03:22 >>Eileen Normile: THIS IS THE MEETING OF THE JANUARY 24th  
06:03:25 CHARTER REVIEW COMMITTEE.  
06:03:26 AT THIS POINT, IT'S 6:03, AND WE DO NOT HAVE A QUORUM, SO  
06:03:31 WE'RE GOING TO TAKE A FEW MINUTES BREAK AND HOPE THAT  
06:03:35 SOMEONE DOES COME.  
06:03:36 WE NEED ONE MORE PERSON.  
06:03:38 THANK YOU.  
06:03:44 [BREAK]  
06:07:51 [ SOUNDING GAVEL ]  
06:07:53 >>Eileen Normile: GOOD EVENING, AND WELCOME TO A FULLY  
06:07:55 QUORUMED CHARTER REVIEW COMMITTEE MEETING.  
06:07:58 IT'S JANUARY 24th, 2022.  
06:08:02 COULD WE ALL STAND FOR THE PLEDGE OF ALLEGIANCE?  
06:08:08 [PLEDGE OF ALLEGIANCE]  
06:08:24 >>Eileen Normile: THANK YOU.  
06:08:25 I THINK THE FIRST THING ON OUR AGENDA IS THE APPROVAL OF THE  
06:08:28 MINUTES.  
06:08:28 DOES ANYONE HAVE ANY CHANGES THAT THEY WOULD LIKE TO DISCUSS  
  
06:08:33 OR THAT THEY HAVE SENT TO BE TAKEN CARE OF BEFORE THE  
06:08:37 MEETING?  
06:08:39 >>Peter Fanning: MOVE APPROVAL.  
06:08:42 >>Cathy Antunes: SECOND.  
06:08:42 >>Eileen Normile: ALL IN FAVOR?  
06:08:45 >> AYE.  
06:08:46 >>Eileen Normile: OPPOSED?  
06:08:47 THE CHAIR VOTES YES.  
06:08:48 SO THAT PASSES UNANIMOUSLY.  
06:08:50 MS. RIVERS, DO YOU WANT TO TALK ABOUT THE UPDATED WORK PLAN?  
06:08:57 >>Lori Rivers: ACTUALLY, WE DON'T NEED ANY ACTION ON THAT.  
06:09:01 IT'S JUST TRANSMITTING FOR YOUR REFERENCE, BUT WE DID HAVE  
06:09:04 TWO CITIZENS' INPUTS, IF WE CAN GO BACK FOR THOSE TWO.  
06:09:08 >>Eileen Normile: I WILL DO THAT.  
06:09:10 >>Lori Rivers: OKAY.  
06:09:10 THANK YOU.  
06:09:13 >>Eileen Normile: WE HAVE TWO PEOPLE SIGNED UP FOR CITIZENS'  
06:09:16 INPUT.  
06:09:17 FLO ENTLER AND ROB GRANT.  
06:09:18 IF YOU WANT TO COME UP AT THE SAME TIME, THAT WILL SAVE TIME  
06:09:23 FOR EVERYONE.  
06:09:23 IS THERE ANYONE ON ZOOM?  
06:09:26 >>Lori Rivers: NOT FOR THAT PORTION.

06:09:28 BUT FOR A DIFFERENT ITEM.  
06:09:29 >>Eileen Normile: THANK YOU.

06:09:44 >> AM I GOING FIRST?  
06:09:45 SORRY.  
06:09:45 [ LAUGHTER ]  
06:09:46 GOOD EVENING.  
06:09:47 MY NAME IS FLO ENTLER, CITY RESIDENT SINCE 1989, 33 YEARS.  
06:09:52 THANK YOU FOR VOLUNTEERING MANY HOURS OF SERVICE TO OUR  
06:09:56 CITY.  
06:09:57 I'VE ATTENDED EVERY CRC MEETING, AND THIS WILL BE MY FIFTH  
06:10:01 TIME SPEAKING.  
06:10:02 I CARE ABOUT OUR CITY.  
06:10:03 I LOVE SARASOTA.  
06:10:04 MY FIRST TIME THAT I SPOKE ABOUT HOW OUR CHARTER IS THE MOST  
06:10:08 IMPORTANT LEGAL DOCUMENT OF OUR CITY.  
06:10:10 IT SPELLS OUT THE RESPONSIBILITIES OF OUR ELECTED LEADERS  
06:10:13 AND CIVIL SERVANTS AND THE RIGHTS OF OUR CITIZENS.  
06:10:16 I ASKED, AS YOU REVIEW OUR CHARTER, PLEASE BE MINDFUL THAT  
06:10:21 SHOULD STRESS THE IMPORTANCE OF OUR BUILT ENVIRONMENT BY  
06:10:23 PLANNING SMART GROWTH AND A HIGH QUALITY OF LIFE FOR ALL  
06:10:27 CITIZENS.  
06:10:27 OUR CHARTER SHOULD PROTECT OUR CITIZENS FROM ANY ABUSE OF  
06:10:31 POWER AND POSSIBLE LEGAL LIABILITY TO OUR CITY.  
06:10:34 OUR CHARTER NEEDS SOME GUARDRAILS, SO PLEASE ADD SOME  
06:10:38 CONSEQUENCES FOR BAD BEHAVIOR AND NOT FOLLOWING THE RULE OF  
06:10:41 LAW.  
06:10:42 I ALSO SPOKE ABOUT OUR CURRENT FORM OF GOVERNMENT.

06:10:46 IT'S BEST FOR OUR CITY AS IT COMBINES THE STRONG POLITICAL  
06:10:48 LEADERSHIP OF FIVE COEQUAL ELECTED OFFICIALS WITH THE STRONG  
06:10:51 MANAGERIAL EXPERIENCE OF AN APPOINTED MANAGER.  
06:10:54 NO ELECTED MANAGER -- I MEAN, NO ELECTED MAYOR.  
06:10:57 IF IT AIN'T BROKE, DON'T FIX IT.  
06:11:00 I'M HERE TODAY BECAUSE I'VE NOTICED THAT SINCE MANY OF YOU  
06:11:02 COME FROM THE BUSINESS BACKGROUNDS, YOU THINK OUR GOVERNMENT  
06:11:05 SHOULD BE RUN AS A BUSINESS.  
06:11:06 OUR GOVERNMENT IS NOT A BUSINESS.  
06:11:08 A GOVERNMENT IS NOT ABOUT PROFIT.  
06:11:10 A GOVERNMENT IS ABOUT ITS PEOPLE.  
06:11:14 PROFIT VERSUS PEOPLE.  
06:11:16 A CORPORATION'S MISSION IS TO MAKE A PROFIT FOR ITS  
06:11:20 SHAREHOLDERS.  
06:11:21 IT'S NOT JUST GOOD BUSINESS SENSE; IT'S ALSO A LEGALLY  
06:11:24 BINDING COMPONENT OF INCORPORATING.  
06:11:26 A CORPORATION'S MISSION IS TO GENERATE A PROFIT.  
06:11:29 A GOVERNMENT'S MISSION IS TO PROVIDE GOODS AND SERVICES FOR  
06:11:32 ITS CITIZENS, PROVIDE AN INFRASTRUCTURE OF CARE TO ENABLE  
06:11:37 CITIZENS TO FLOURISH SOCIALLY AND ECONOMICALLY.  
06:11:41 I'M ASKING YOU TO REMOVE YOUR BUSINESS HAT AND REALIZE THAT  
06:11:44 YOUR DUTY ON THIS COMMITTEE IS ABOUT DOING RIGHT BY THE  
06:11:47 PEOPLE OF OUR CITY, THE PEOPLE WHO LIVE HERE, THE PEOPLE WHO  
06:11:49 PAY TAXES.  
06:11:50 I AM CONCERNED THAT YOU CHANGED THE COMPREHENSIVE PLAN TO

06:11:54 REQUIRE A 3-2 VOTE INSTEAD OF THE CURRENT 4-1 VOTE.  
06:11:58 WE ALL SEE THE GROWTH AND DEVELOPMENT THAT HAS BEEN  
06:12:00 HAPPENING FOR MANY, MANY YEARS.  
06:12:02 THE CURRENT 4-1 VOTE ISN'T SLOWING DEVELOPMENT.  
06:12:05 YOU ALSO CHANGED THE VOTE FROM 3-2 TO 4-1 TO REMOVE CITY  
06:12:10 STAFF.  
06:12:10 WE ALL SPOKE ABOUT THE GREAT JOB OUR CURRENT STAFF IS DOING.  
06:12:14 MR. BROWN, MS. GRIGGS, MS. RIVERS, AND MR. FOURNIER.  
06:12:19 WHAT WAS MISSED IS THAT THESE FOLKS WILL NOT ALWAYS BE IN  
06:12:25 THESE POSITIONS.  
06:12:26 WHAT IF THE NEXT CITY MANAGER DOESN'T DO A GOOD JOB AND NOW  
06:12:30 IT'S HARDER TO REMOVE THEM?  
06:12:32 YOU MADE IT EASIER FOR DEVELOPERS TO DO WHAT THEY WANT AND  
06:12:35 MORE CHALLENGING TO PROTECT THE CITY FROM BAD LEADERS.  
06:12:38 PLEASE REMEMBER YOU'RE SHARING IN THE CREATION OF OUR  
06:12:41 BEAUTIFUL CITY.  
06:12:42 PLEASE DO RIGHT BY ITS CITIZENS.  
06:12:45 THANK YOU.  
06:12:46 >>Eileen Normile: THANK YOU.  
06:12:46 MR. GRANT.  
06:12:47 >> THANK YOU.  
06:12:48 GOOD EVENING, EVERYONE.  
06:12:49 MY NAME IS ROB GRANT AND I LIVE IN THE ARLINGTON PARK  
06:12:53 NEIGHBORHOOD.  
06:12:54 AS I THINK BACK ON WHAT THE COMMITTEE ACCOMPLISHED IN THE  
  
06:12:56 PAST FEW MONTHS, I FIND MYSELF UNCOMFORTABLY PERPLEXED.  
06:12:59 KEEP ENDING UP WITH THE QUESTION, WHAT IS THE POINT OF THE  
06:13:02 CHANGES RECOMMENDED SO FAR?  
06:13:04 FOR INSTANCE, YOU'VE RECOMMENDED ENTRENCHING OUR CHARTER  
06:13:06 OFFICIALS WITH A SUPERMAJORITY VOTE FOR HIRING, FIRING  
06:13:10 VERSUS THE CURRENT 3-2 SIMPLE MAJORITY.  
06:13:13 YOU HAVE RECOMMENDED CREATING A HYBRID FORM OF GOVERNMENT  
06:13:16 WITH AN ELECTED MAYOR WHO SERVES AT THE CITY'S VISIONARY AND  
06:13:19 GO-TO PERSON, THOUGH IT IS UNCLEAR WHAT OTHER ROLES OR  
06:13:23 POWERS SHOULD BE OR COULD BE GRANTED TO THIS OFFICE.  
06:13:26 ON THE OTHER HAND THIS COMMITTEE HAS RECOMMENDED MAKING IT  
06:13:29 EASIER TO CHANGE THE COMPREHENSIVE PLAN BY RELAXING THE  
06:13:32 CURRENT SUPERMAJORITY VOTE AND INSTEAD ONLY REQUIRING A VOTE  
06:13:35 OF 3-2.  
06:13:37 RATHER THAN CREATE SOME ADDED FINANCIAL SECURITY, YOU ALSO  
06:13:40 SKIPPED THE CHANCE TO CREATE A LIMIT ON THE AMOUNT OF  
06:13:43 REVENUE BONDS THE CITY CAN ISSUE, EVEN THOUGH THE COUNTY,  
06:13:46 WITH A BUDGET SIX TIMES BIGGER THAN THE CITY, DOES HAVE A  
06:13:49 LIMIT.  
06:13:49 I BELIEVE IT'S \$20 MILLION.  
06:13:50 MOST NOTABLE SO FAR, THOUGH, IS THE LACK OF MEANINGFUL  
06:13:53 ACCOUNTABILITY IN OUR CHARTER.  
06:13:55 DESPITE HEARING EVIDENCE THAT SHOWS THE NEED TO STRENGTHEN  
06:13:58 OUR GOVERNANCE SYSTEM AND THERE IS A NEED.  
06:14:01 BECAUSE CITIZENS DESERVE TO KNOW THEY ARE PROTECTED WHEN OUR  
  
06:14:04 LEADERS MISUSE THEIR POWER AND VIOLATE THE CHARTER, SUCH AS

06:14:08 -- AND MAYOR HAGEN BRODY'S TEMPER TANTRUM LAST MARCH.  
06:14:11 SEE, WHILE THE FOCUS IN THE MEDIA WAS ON THAT DAY, MARCH 29,  
06:14:16 WHAT MANY OF US DIDN'T KNOW AT THE TIME WAS THAT CITY STAFF  
06:14:19 HAD ACTUALLY BEEN SUFFERING WITH THIS BEHAVIOR FOR YEARS.  
06:14:22 ACCORDING TO SOME Facebook POSTS BY A FORMER CITY STAFFER.  
06:14:26 HERE'S ONE OF THEM.  
06:14:27 THIS IS IN RESPONSE TO MEDIA -- SOMEONE POSTED ONE OF THE  
06:14:36 ARTICLES ABOUT THIS INCIDENT ON Facebook AND SHE  
06:14:38 COMMENTED.  
06:14:38 SURE GLAD I RETIRED WHEN I DID.  
06:14:41 TOO MUCH DRAMA IN THAT OFFICE.  
06:14:43 HERE'S ANOTHER ONE.  
06:14:46 SAME THREAD.  
06:14:48 I WAS GOING TO REPORT HIM A WHILE BACK BECAUSE HE CALLED ME  
06:14:51 FROM HIS VEHICLE WITH FRIENDS, AND HE SAID I WAS JUST A  
06:14:55 STUPID OLD LADY IN THE OFFICE.  
06:14:57 HE DID NOT THINK I HEARD HIM, AND I CALLED HIM ON IT, AND HE  
06:15:01 GOT ALL SHOOK UP WHEN I TOLD HIM I WAS GOING TO GO TO HR.  
06:15:04 THE ONLY REASON I DIDN'T WAS A HIGHER UP -- WILL NOT MENTION  
06:15:06 WHO -- TOLD ME NOT TO.  
06:15:08 AND THEN ANOTHER.  
06:15:10 LONGTIME CITY STAFFER.  
06:15:11 I WENT THROUGH MY BOX OF STUFF THAT I BROUGHT HOME WHEN I  
06:15:14 RETIRED AND I FOUND A NOTEBOOK I WROTE WITH DATES WHEN HE  
  
06:15:18 DID SOMETHING STUPID.  
06:15:19 MY LAST ENTRY WAS APRIL 8, 2019, WHICH SAID, YELLING,  
06:15:24 CUSSING AT MARLON, WHICH THE WHOLE OFFICE HEARD.  
06:15:27 AND THEN FINALLY, MR. TAYLOR WROTE, MY WRITINGS ARE FROM MAY  
06:15:36 2018 TO APRIL 2019, AND I WILL KEEP THEM.  
06:15:38 I'M SHARING THIS WITH YOU TONIGHT BECAUSE THERE IS A NEED  
06:15:41 FOR BETTER ACCOUNTABILITY.  
06:15:42 I DON'T FIND PLEASURE IN COMING UP AND DISCUSSING THIS  
06:15:45 REPEATEDLY WITH YOU AND BRINGING THIS UP.  
06:15:47 IT'S NOT EASY; IT'S HARD.  
06:15:49 BUT THIS IS SOMETHING THAT PREVIOUS CHARTER REVIEW  
06:15:53 COMMITTEES HAVE ACKNOWLEDGED BY ADDING THAT ARTICLE 3,  
06:15:56 SECTION 4 OF THE CHARTER ABOUT FORFEITURE OF OFFICE.  
06:15:58 I THINK WE'VE SEEN THAT.  
06:16:01 THAT'S IT.  
06:16:01 WE ALL KNOW IT.  
06:16:03 IT HAS VERY LITTLE TEETH TO IT.  
06:16:04 I'M ASKING YOU TO DO IS FOLLOW IN THEIR FOOTSTEPS.  
06:16:07 CONTINUE TO STRENGTHEN THE GOVERNANCE OF OUR CITY.  
06:16:10 I FEEL LIKE THAT IS SOMETHING THAT -- PART OF THE REASON OF  
06:16:12 YOUR DUTY OF BEING HERE.  
06:16:14 >> I THINK YOU NEED TO REMOVE THAT ONE PAGE SO WE CAN SEE.  
06:16:18 >> IT'S A COPY OF THE CHARTER THERE.  
06:16:20 >> PULL IT DOWN MAYBE.  
06:16:23 >> JUST A PAGE OUT OF THE CHARTER.  
  
06:16:24 I APPRECIATE IT VERY MUCH.  
06:16:25 I APPRECIATE YOUR HARD WORK. I KNOW IT'S BEEN A LONG FEW  
06:16:28 MONTHS AND YOU'VE HAD TO LISTEN TO US.

06:16:30 THANK YOU.  
06:16:31 >>Eileen Normile: THANK YOU BOTH.  
06:16:32 AGENDA ITEM 3, 3.1, THIS IS THE UPDATED WORK PLAN.  
06:16:39 DID ANYONE HAVE ANY COMMENTS ON THAT?  
06:16:42 MS. GRIGGS, DID YOU HAVE ANYTHING THAT YOU WANTED TO SAY?  
06:16:45 WE HAVE MS. GRIGGS ON ZOOM.  
06:16:48 >>Shayla Griggs: NO.  
06:16:50 HELLO, EVERYONE.  
06:16:51 NO I DON'T HAVE ANYTHING AT THIS MOMENT.  
06:16:53 JUST HERE IF YOU HAVE ANY QUESTIONS.  
06:16:56 >>Eileen Normile: THANK YOU.  
06:16:57 COULD YOU ALL HEAR MS. GRIGGS?  
06:16:59 IF YOU COULD SPEAK A LITTLE LOUDER NEXT TIME.  
06:17:02 THE MICROPHONE YOU'RE USING IS PROBABLY NOT QUITE WHAT  
06:17:05 YOU'RE USED TO.  
06:17:07 AGENDA ITEM 3.2, THE BOND REQUIREMENT.  
06:17:11 IS THIS SOMETHING YOU ADDRESS, MR. FOURNIER?  
06:17:14 >>Robert Fournier: WELL, IT COULD BE.  
06:17:16 I THINK THIS WAS ON THE LIST.  
06:17:18 LORI, YOU CAN TELL ME.  
06:17:20 I THINK ONE OF THE COMMITTEE MEMBERS BROUGHT THIS UP AS  
06:17:23 SOMETHING TO BE DISCUSSED.

06:17:25 I DID WANT TO POINT OUT THERE WAS A VOTE TAKEN ON THIS  
06:17:28 PARTICULAR SECTION, THE DAY THE HUMAN RESOURCES DIRECTOR  
06:17:32 APPEARED, AND THERE WAS A RECOMMENDED AMENDMENT TO IT, WHICH  
06:17:34 I THINK IS IN THE PACKAGE MATERIALS, RIGHT?  
06:17:36 >>Lori Rivers: YES, THAT'S CORRECT.  
06:17:39 >>Robert Fournier: AS I RECALL, THE AMENDMENT GAVE THE  
06:17:41 OPTION TO ACQUIRE, TO FURNISH INSURANCE.  
06:17:47 >>Lori Rivers: BOND OR INSURANCE IS WHAT THE RECOMMENDATION  
06:17:50 WAS.  
06:17:50 >>Robert Fournier: -- PROVIDE COVERAGE FROM --  
06:17:54 >>Eileen Normile: I THINK CATHY HAD HER HAND UP FIRST.  
06:17:59 >>Cathy Antunes: I BROUGHT THIS FORWARD.  
06:18:01 CAN YOU TELL ME BEFORE I SPEAK TO IT AGAIN, DOES THIS  
06:18:04 AMENDMENT REQUIRE -- BECAUSE REFRESH MY MEMORY -- THAT TO BE  
06:18:08 A CHARTER OFFICIAL YOU MUST BE ABLE TO BE BONDED?  
06:18:14 >>Robert Fournier: IT DOESN'T SAY YOU MUST BE ABLE TO, NO.  
06:18:19 >>Cathy Antunes: YOU MUST QUALIFY.  
06:18:20 >>Robert Fournier: I DON'T KNOW HOW -- I GUESS YOU WOULDN'T  
06:18:23 KNOW THAT UNTIL YOU WERE.  
06:18:24 I THINK WHAT HAD HAPPENED PREVIOUSLY -- OH, NO, I DON'T HAVE  
06:18:30 THE ANNOTATED VERSION HERE -- EVERYONE WAS ABLE TO BE  
06:18:35 BONDED, BUT THERE WAS JUST A DIFFERENCE IN THE COST.  
06:18:39 IT WAS MUCH HIGHER FOR THE PROBLEMATIC OFFICIAL.  
06:18:43 >>Cathy Antunes: OKAY.  
06:18:44 BECAUSE I THINK THE WORD OUT ON THE COMMUNITY WAS THAT A  
  
06:18:53 FORMER CLERK COULDN'T BE BONDED.  
06:18:56 BUT WHAT YOU'RE SAYING IS THAT IT JUST COST A LOT MORE.  
06:19:01 >>Robert Fournier: IT COST MUCH MORE MONEY, BUT A BOND WAS  
06:19:03 OBTAINED, AS I UNDERSTAND IT.  
06:19:06 >>Cathy Antunes: IS THERE ANY NATURAL -- BECAUSE MY

06:19:08 INTENTION IN BRINGING IT FORWARD IS THAT IF SOMEBODY ALREADY  
06:19:11 HAS A HIGH LIABILITY AND THERE ARE OTHER CANDIDATES OUT  
06:19:17 THERE AND THIS PERSON WAS ULTIMATELY ASKED TO LEAVE BECAUSE  
06:19:21 OF AN INVESTIGATION.  
06:19:25 SO IT WASN'T AS IF THEIR TENURE WAS WITHOUT CONTROVERSY.  
06:19:28 ACTUALLY, IT WAS QUITE CONTROVERSIAL.  
06:19:30 IS THERE A NATURAL REQUIREMENT TO HAVE SOMEBODY WHO ISN'T  
06:19:40 HIGH LIABILITY HERE?  
06:19:43 >>Robert Fournier: THERE'S NO FORMALIZED PREREQUISITE TO  
06:19:47 BEING HIRED THAT ADDRESSES THAT.  
06:19:54 >>Cathy Antunes: YOU SEE WHAT I'M TRYING TO GET AT.  
06:19:57 >>Robert Fournier: I DO SEE WHAT YOU'RE TRYING TO GET AT.  
06:20:00 I THINK IT WOULD BE HARD TO FORMALIZE AS A PRECONDITION OF  
06:20:03 BEING APPOINTED.  
06:20:03 >>Shayla Griggs: MAY I SPEAK?  
06:20:06 >>Eileen Normile: PLEASE.  
06:20:06 MS. GRIGGS.  
06:20:09 SHE FROZE.  
06:20:14 I SHOULD SAY HER VIDEO LINK FROZE.  
06:20:23 >>Cathy Antunes: WOULD IT BE OKAY IF I ADD A FEW MORE  
  
06:20:27 COMMENTS WHILE SHE UNFREEZES?  
06:20:29 >>Eileen Normile: MS. GRIGGS, IF YOU UNMUTE, I THINK WE'VE  
06:20:32 GOT YOU BACK.  
06:20:32 >>Shayla Griggs: SORRY.  
06:20:34 I'M AT A HOTEL AND DEALING WITH HOTEL INTERNET.  
06:20:37 CAN YOU GUYS HEAR ME?  
06:20:42 OKAY.  
06:20:44 I FEEL LIKE WE'RE GETTING THIS CONFUSED A LITTLE BIT.  
06:20:49 I BELIEVE, YOU KNOW, THE SITUATION WITH MS. NADALINI, LIKE  
06:20:53 YOU ALL SAID, IT WASN'T ABOUT HER BEING ABLE TO BE BONDED.  
06:20:56 I THINK SHE COULD BE BONDED.  
06:20:57 ALSO, TOO, IT'S HARD TO SAY WHAT SOMEONE'S BACKGROUND ON WHY  
06:21:02 THEY CAN'T BE BONDED.  
06:21:04 WE DON'T KNOW NECESSARILY.  
06:21:05 IT MAY BE SOMETHING MINOR, IN OUR OPINION, IN OUR WORLD, BUT  
06:21:10 I DON'T KNOW IF THAT'S FAIR TO SAY THEY SHOULDN'T HAVE A  
06:21:14 POSITION BASED OFF OF MAYBE SOMETHING MINOR IN THE FINANCIAL  
06:21:18 BACKGROUND.  
06:21:19 THEY MAY HAVE DEFAULTED ON THEIR STUDENT LOAN BECAUSE THEY  
06:21:23 MISSED A PAYMENT OR SOMETHING.  
06:21:24 I DON'T KNOW THAT'S NECESSARILY A REASON TO SAY SOMEBODY  
06:21:27 SHOULDN'T NECESSARILY BE A CHARTER OFFICIAL BASED OFF OF  
06:21:29 THAT.  
06:21:30 BECAUSE WE DON'T KNOW WHY THEY CAN'T BE BONDED.  
06:21:32 THAT'S JUST MY OWN PERSONAL OPINION ON THAT.  
  
06:21:36 >>Eileen Normile: THANK YOU.  
06:21:37 MR. FANNING, YOU HAD YOUR HAND UP.  
06:21:40 >>Peter Fanning: I WAS GOING TO SAY THAT WHEN THIS FIRST  
06:21:42 CAME UP, I HAD BEEN THE ONE WHO QUESTIONED THE DIFFERENCE  
06:21:46 BETWEEN BOND AND INSURANCE AND SO FORTH AND WE BROUGHT BACK  
06:21:50 THE HR PERSON TO EXPLAIN THAT.  
06:21:52 ALSO, THERE ESSENTIALLY IS NO DIFFERENCE BETWEEN THE BOND

06:21:56 AND THE INSURANCE.  
06:21:57 IT'S JUST NEW NOMENCLATURE AS THE FIELD HAS CHANGED.  
06:22:02 WE ALSO WENT THROUGH QUITE A DISCUSSION ON THIS, MADE A  
06:22:04 MOTION, SECONDED IT AND PASSED IT.  
06:22:06 JUST AS A POINT OF ORDER, UNLESS WE'RE GOING TO REDO THIS  
06:22:09 MOTION AND REWRITE IT AGAIN, THEN I'D LIKE TO THINK WE CAN  
06:22:14 MOVE ON FROM THIS ITEM.  
06:22:16 >>Eileen Normile: IS THERE ANYTHING ELSE?  
06:22:18 >>Cathy Antunes: NO, I AGREE.  
06:22:21 >>Eileen Normile: ALL RIGHT.  
06:22:22 THANK YOU.  
06:22:23 THEN WE'LL MOVE ON TO 3.3.  
06:22:30 WE DO HAVE A SPEAKER FOR 3.3.  
06:22:32 SHIRL GAUTHIER.  
06:22:41 IS THERE ANYONE ON ZOOM?  
06:22:43 >>Lori Rivers: THERE IS ONE INDIVIDUAL ON ZOOM FOR THIS  
06:22:47 ITEM.  
06:22:47 WE HAVE ANOTHER SPEAKER IN PERSON, MS. HAMILTON.

06:22:52 >> SHALL I COME AT THE SAME TIME?  
06:22:54 >>Eileen Normile: YES, PLEASE.  
06:22:55 >>Eileen Normile: WELCOME.  
06:22:56 >> THANK YOU.  
06:22:57 GOOD EVENING, EVERYONE.  
06:22:58 MY NAME IS SHIRL GAUTHIER.  
06:23:03 I'VE BEEN A RESIDENT OF DOWNTOWN SARASOTA FOR FIVE YEARS.  
06:23:05 I'M A FORMER EXECUTIVE LEVEL PUBLIC SERVANT AS WELL AS A  
06:23:08 FORMER PRIVATE SECTOR BUSINESS OWNER AND LEADER.  
06:23:11 THANK YOU FOR THE OPPORTUNITY TO SPEAK THIS EVENING.  
06:23:14 I'M AWARE THAT THE COMMITTEE IS LEANING TOWARDS RECOMMENDING  
06:23:17 A CHANGE FROM OUR COMMISSION MANAGER FORM OF GOVERNMENT TO  
06:23:21 ELECTED WEAK MAYOR WITH A FOUR-YEAR TERM.  
06:23:23 FOR ANY TERM OF LENGTH, BUT ESPECIALLY IF WE ARE TO HAVE A  
06:23:28 FOUR-YEAR MAYOR, WE MUST HAVE SAFEGUARDS AGAINST MISCONDUCT  
06:23:33 OR ABUSE OF POWER.  
06:23:34 A GOOD MAYOR FOR FOUR YEARS IS GOOD.  
06:23:36 BUT A BAD MAYOR FOR FOUR YEARS WOULD BE AWFUL.  
06:23:40 FOUR YEARS IS TOO LONG TO TOLERATE A TYRANT.  
06:23:45 I PRESENT RECOMMENDATIONS HERE, BUT ELABORATE ON THE REASON  
06:23:48 FOR THEM AND A LONGER VERSION OF MY REMARKS THAT I E-MAILED  
06:23:52 TO THE COMMITTEE AND THE CLERK'S OFFICE.  
06:23:54 AND I ASK THAT THE LONGER VERSION BE ENTERED INTO THE PUBLIC  
06:23:57 RECORD AND I BROUGHT COPIES FOR EACH OF YOU TONIGHT.  
06:24:00 I DON'T KNOW HOW THOSE GET DISTRIBUTED.

06:24:01 BUT HERE THEY ARE.  
06:24:03 I REQUEST THAT THIS CHARTER REVIEW COMMITTEE DO PRECISELY  
06:24:09 THAT WHICH THEN VICE MAYOR ARROYO AND COMMISSIONER BATTIE  
06:24:13 CALLED FOR ON JULY 19, 2021 WHEN THEY DEFERRED TO THIS  
06:24:18 COMMITTEE TO RECOMMEND CHARTER LANGUAGE WITH APPROPRIATE  
06:24:21 PROCEDURES TO DEAL WITH POSSIBLE FUTURE TRANSGRESSIONS SUCH  
06:24:25 AS THOSE THIS CITY EXPERIENCED ON MARCH 29, 2021.  
06:24:29 SPECIFICALLY I REQUEST THE FOLLOWING FIVE ACTIONS: AND I  
06:24:33 REQUEST THEM REGARDLESS OF WHETHER WE CHANGE OUR FORM OF

06:24:37 GOVERNMENT AND REGARDLESS OF WHOM OR WHAT GENDER OUR FUTURE  
06:24:41 MAYORS MIGHT BE.  
06:24:42 FIRST, THAT THE CITY CHARTER BE AMENDED WITH STANDARDS OF  
06:24:47 CONDUCT FOR THE MAYOR AND COMMISSIONERS THAT REQUIRE  
06:24:50 RESPECTFUL TREATMENT OF STAFF, COLLEAGUES, AND THE PUBLIC.  
06:24:53 SECOND, THAT THE CITY CHARTER BE AMENDED TO SET FORTH THE  
06:24:56 CONSEQUENCES OF FAILURE TO ADHERE TO SUCH STANDARDS, SUCH AS  
06:25:01 INVESTIGATION, CENSURE, REMOVAL, OR OTHER APPROPRIATE  
06:25:04 CONSEQUENCE.  
06:25:05 THIRD, THAT THE CITY CHARTER BE AMENDED WITH LANGUAGE  
06:25:09 REGARDING EQUAL EMPLOYMENT OPPORTUNITY COMMISSION VIOLATIONS  
06:25:12 AS A TOOL FOR COMMISSIONERS TO SAFEGUARD AGAINST SUCH ABUSES  
06:25:16 IN THE FUTURE.  
06:25:17 FOURTH, THAT THE CITY CHARTER BE AMENDED WITH LANGUAGE  
06:25:21 REGARDING THE FLORIDA CODE OF ETHICS FOR ELECTED AND  
06:25:24 APPOINTED OFFICIALS AS A TOOL FOR COMMISSIONERS TO USE TO  
  
06:25:28 SAFEGUARD AGAINST SUCH ABUSES IN THE FUTURE.  
06:25:30 AND FIFTH, THAT THE CITY CHARTER BE AMENDED TO PROVIDE  
06:25:34 AUTHORITY FOR A SIMPLE MAJORITY VOTE OF THE COMMISSIONERS OR  
06:25:38 A SPECIAL MAGISTRATE OR OTHER SUCH APPROPRIATE MECHANISM FOR  
06:25:43 ENFORCING THE STANDARDS AND CONSEQUENCES OF FAILURE.  
06:25:46 FOUR YEARS IS TOO LONG TO TOLERATE A TYRANT.  
06:25:51 WHILE I UNDERSTAND THE APPEAL OF HAVING AN ELECTED MAYOR  
06:25:54 WITH A FOUR-YEAR TERM FOR OUR GROWING CITY, I HAVE CONCERNS  
06:25:57 THAT OUR CURRENT CHARTER DOES NOT PROVIDE A PROCESS FOR  
06:26:00 INVESTIGATING, REMEDIATING, AND/OR REMOVING FROM OFFICE  
06:26:06 MAYOR WHO EGREGIOUSLY DISREGARDS THE PUBLIC TRUST.  
06:26:10 MY REMARKS ARE NOT FOR THE PURPOSE OF SEEKING RETRIBUTION  
06:26:13 FOR PAST FAILURE, BUT TO REQUEST THAT THIS CHARTER REVIEW  
06:26:16 COMMITTEE RECOMMEND PROCEDURES AND AUTHORITIES BE INCLUDED  
06:26:20 IN THE CHARTER LANGUAGE TO ADDRESS ANY FUTURE FAILURES SUCH  
06:26:24 AS THE PATTERN OF MISCONDUCT EXEMPLIFIED ON MARCH 29, 2021.  
06:26:30 FOUR YEARS IS TOO LONG TO TOLERATE A TYRANT.  
06:26:37 THANK YOU FOR THE OPPORTUNITY TO COMMENT.  
06:26:39 >>Eileen Normile: THANK YOU, MS. GAUTHIER.  
06:26:41 MS. HAMILTON.  
06:26:42 >> GOOD EVENING.  
06:26:43 MY NAME IS DIANA HAMILTON.  
06:26:46 I'VE LIVED HERE SINCE 1978 AND DONE A LOT OF THINGS IN OUR  
06:26:49 TOWN.  
06:26:50 DOWN OSPREY AVENUE AND LAUREL PARK, SEE A LOT OF TREES I  
  
06:26:53 PLANTED.  
06:26:54 EVERY ONCE IN A WHILE, PEOPLE GIVE THEIR CREDENTIALS.  
06:26:57 I'VE GOT CREDENTIALS.  
06:26:59 WHERE IN ALL THIS I'M JUST A CITIZEN TO SAY THIS.  
06:27:02 THE WORD I COME UP AGAINST EVERY TIME I SEE THIS IS THE WORD  
06:27:05 "INVESTIGATION."  
06:27:06 ALL RIGHT.  
06:27:07 SO I JUST DID THE GOOGLE MACHINE.  
06:27:10 THE INVESTIGATIVE PROCESS IS A PROGRESSION OF ACTIVITIES OR  
06:27:14 STEPS MOVING FROM EVIDENCE-GATHERING TASKS TO INFORMATION  
06:27:17 ANALYSIS TO THEORY, DEVELOPMENT AND VALIDATION TO FORMING



06:27:22 REASONABLE GROUNDS TO BELIEVE AND, FINALLY TO, NOW THIS  
06:27:25 WOULD PROBABLY NOT APPLY IN THIS INSTANCE, THE ARREST AND  
06:27:28 CHARGE OF A SUSPECT.  
06:27:31 NOW, WE KNOW THERE WAS SOME BAD BEHAVIOR THAT OCCURRED BACK  
06:27:34 IN MARCH, AND WE KNOW THAT IT'S BEEN TALKED ABOUT A WHOLE  
06:27:37 LOT AND WE KNOW IT KEEPS COMING UP AGAIN AND AGAIN AND AGAIN  
06:27:40 AS AN EXAMPLE OF WHY WE NEED TO HAVE THIS INVESTIGATIVE  
06:27:44 PROCESS IN OUR CHARTER.  
06:27:48 I DON'T AGREE.  
06:27:49 I DON'T AGREE WE NEED TO HAVE AN INVESTIGATIVE PROCESS IN  
06:27:51 OUR CHARTER.  
06:27:52 NUMBER ONE, I DON'T KNOW WHO THE HECK THE INVESTIGATOR WOULD  
06:27:55 BE, WHAT THE CRITERIA WOULD BE UNDER WHICH WE INVESTIGATE  
06:27:57 SOMEBODY, AND AT THE END OF THE DAY, WHAT I MIGHT CONSIDER

06:28:02 TO BE BAD BEHAVIOR, YOU MIGHT NOT CONSIDER TO BE BAD  
06:28:05 BEHAVIOR.  
06:28:06 SO WHO MAKES THAT DETERMINATION?  
06:28:08 THERE ARE LAWS AGAINST CERTAIN TYPES OF BAD BEHAVIOR.  
06:28:10 IF SOMEBODY PUNCHES SOMEBODY, YEAH, THAT'S AGAINST THE LAW,  
06:28:14 ALL RIGHT.  
06:28:14 IF SOMEBODY -- YOU KNOW, I'M REALLY SORRY TO HEAR WHAT WAS  
06:28:18 DONE TO DIANE TAYLOR, BY THE WAY.  
06:28:20 DIANE TAYLOR WAS A FRIEND OF MINE.  
06:28:23 MY CATS ACTUALLY CAME FROM DIANE TAYLOR.  
06:28:25 IT REALLY BOTHERS ME TO IMAGINE THAT SOMEBODY SAID THOSE  
06:28:28 WORDS TO HER.  
06:28:30 AND I HOPE THAT HE FEELS AS ASHAMED OF THAT AS I FEEL  
06:28:34 ASHAMED FOR HIM.  
06:28:36 I JUST NEED TO SAY THAT IN CASE DIANE IS LISTENING BECAUSE  
06:28:39 SHE IS A DEAR FRIEND.  
06:28:41 SOMEWHERE IN ALL THIS, THE VOTERS ARE AT THE END OF THE DAY  
06:28:44 WILL MAKE THE DETERMINATION OF WHETHER SOMEBODY STAYS IN  
06:28:46 OFFICE OR NOT.  
06:28:47 I PERSONALLY DON'T BELIEVE WE'RE GOING TO ELECT A TYRANT.  
06:28:50 WE HAVE AN AWFUL LOT OF GOOD PEOPLE IN OUR TOWN, AN AWFUL  
06:28:53 LOT OF GOOD PEOPLE AND WE HAVE PRETTY SMART PEOPLE VOTING IN  
06:28:56 OUR TOWN.  
06:28:57 AT THE END OF THE DAY, I DON'T KNOW HOW WE'LL GET A TYRANT.  
06:28:59 I BELIEVE THAT THERE ARE OPPORTUNITIES FOR COMMISSIONERS AT

06:29:02 THE END OF EVERY MEETING TO SPEAK UNDER COMMISSIONER  
06:29:06 COMMENTS TO BEHAVIOR THEY MIGHT FIND EGREGIOUS.  
06:29:09 I KNOW THAT JUST RECENTLY THERE WAS SOMETHING THAT OCCURRED  
06:29:13 BETWEEN A COMMISSIONER AND A CHARTER OFFICIAL THAT RESULTED  
06:29:16 IN THE CHARTER OFFICIAL HAVING TO TAKE A BREAK.  
06:29:19 IT WAS THAT DIFFICULT AND IT WAS IN PUBLIC.  
06:29:21 NOW, DO YOU SUPPOSE IF THIS INVESTIGATIVE PROCESS WAS IN THE  
06:29:25 CHARTER THAT COMMISSIONERS WOULD RIGHT THEN AND THERE SAID A  
06:29:28 MOTION IN PLACE, LET'S GET RID OF HER.  
06:29:32 I DON'T THINK SO.  
06:29:33 THAT WOULDN'T BE FAIR AND TAKES THE VOTERS OUT OF THE  
06:29:35 PROCESS.  
06:29:35 SOMEHOW IN THIS, WHAT I SEE AND I SAID IT AT THE COMMISSION

06:29:38 ALL THE MONTHS AGO WHEN THE 4-1 VOTE CAME DOWN TO NOT HAVE  
06:29:41 AN INVESTIGATION, THAT IN MANY WAYS, THIS IS SPITE.  
06:29:44 AND IT MIGHT BE SPITE AGAINST A PARTICULAR PERSONALITY,  
06:29:48 AGAINST A PARTICULAR PERSON.  
06:29:49 I DON'T BELIEVE SPITE BELONGS IN OUR CHARTER AND I DON'T  
06:29:52 BELIEVE AN INVESTIGATIVE PROCESS THAT MIGHT EVEN REQUIRE A  
06:29:56 MANUAL, HOW IN THE WORLD WOULD YOU PUT THE LANGUAGE ON THE  
06:30:00 DAGBUM BALLOT?  
06:30:02 HOW WOULD YOU DO IT?  
06:30:03 I THINK RIGHT NOW IN THESE DAYS AND TIMES, WE DON'T NEED TO  
06:30:08 GO DOWN THIS ROAD.  
06:30:09 THIS DOES NOT BELONG IN OUR CHARTER.

06:30:11 POSSIBLY -- OH.  
06:30:12 I'LL GET YOU A LITTLE DING.  
06:30:14 A LITTLE BELL.  
06:30:15 I'M SORRY I KEPT GOING.  
06:30:18 WHY DON'T WE HAVE THE CLOCK?  
06:30:20 THAT'S WHAT I WANT TO KNOW.  
06:30:21 THANK YOU.  
06:30:23 >>Eileen Normile: WE HAVE SOMEONE ON ZOOM?  
06:30:26 THANK YOU.  
06:30:31 >>Lori Rivers: MR. BORDEAUX, YOU CAN UNMUTE YOURSELF.  
06:30:34 >> HELLO?  
06:30:34 CAN YOU HEAR ME?  
06:30:37 >>Eileen Normile: YES, WE CAN HEAR YOU.  
06:30:39 >> OKAY.  
06:30:40 GOOD.  
06:30:40 THANK YOU.  
06:30:40 FIRST OF ALL, I'D LIKE TO THANK THE COMMITTEE FOR ALL THE  
06:30:44 TIME AND EFFORT THEY'VE PUT INTO THIS.  
06:30:46 I KNOW DOING THIS TYPE OF WORK AND DOING IT AT NIGHT,  
06:30:50 ET CETERA, IS DIFFICULT.  
06:30:53 I SUPPORT A FOUR-YEAR MAYOR FORM OF GOVERNMENT IN SARASOTA.  
06:30:59 I THINK WE NEED A CONSISTENT APPROACH TO GOVERNING SARASOTA,  
06:31:05 NOT ONE THAT POTENTIALLY CHANGES ANNUALLY WITH EACH CHANGE  
06:31:09 OF THE MAYOR.  
06:31:10 ALSO, WE DON'T WANT ANY FORMER MAYORS ACTING AS IF THEY ARE

06:31:15 STILL MAYOR.  
06:31:17 THERE'S REALLY ONLY ONE MAYOR, OKAY?  
06:31:19 A STRONG -- A MAYOR FORM OF GOVERNMENT SHOULD BE PART OF --  
06:31:28 LET ME START OVER.  
06:31:29 I'M SORRY.  
06:31:30 A MAYOR FORM OF GOVERNMENT SHOULD RESULT IN A MAYOR WITH A  
06:31:35 SIGNIFICANT BACKGROUND AND EXPERIENCE AND ELECTED CITYWIDE.  
06:31:40 BUT I AGREE WITH SHIRL.  
06:31:44 HOW DO WE ENSURE THE MAYOR IS ACTING IN THE BEST INTEREST OF  
06:31:47 SARASOTA'S RESIDENTS AND BUSINESSES?  
06:31:50 WE NEED A PROCESS SIMILAR TO THE 25th AMENDMENT WHEREBY  
06:31:54 THE COMMISSION CAN REMOVE THE MAYOR IF HE OR SHE ISN'T  
06:31:58 ACTING IN THE BEST INTEREST OF SARASOTA SUCH AS CONFLICTS OF  
06:32:02 INTEREST, DECISIONS INFLUENCED BY CAMPAIGN CONTRIBUTIONS, HR  
06:32:08 ISSUES WITH CITY EMPLOYEES, NOT REQUIRING ENFORCEMENT OF

06:32:13 EXISTING ORDINANCES, ET CETERA, ET CETERA.  
06:32:16 SO, AGAIN, IN CONCLUSION, I SUPPORT THE FOUR-YEAR MAYOR FORM  
06:32:23 OF GOVERNMENT, BUT I ALSO AGREE WITH SHIRL AND THE TWO  
06:32:27 ORIGINAL SPEAKERS THAT WE NEED SOME FORM OF ENFORCEMENT SUCH  
06:32:32 THAT THE MAYOR THAT IS ELECTED IS ACTING IN THE BEST  
06:32:36 INTEREST OF THE RESIDENTS AND THE BUSINESSES OF SARASOTA.  
06:32:40 THANK YOU.  
06:32:42 >>Eileen Normile: THANK YOU VERY MUCH.  
06:32:43 MS. RIVERS, IS THERE ANYONE ELSE ON ZOOM?  
06:32:46 >>Lori Rivers: I DO NOT HAVE ANYONE ELSE, NO.

06:32:49 >>Eileen Normile: ALL RIGHT.  
06:32:50 THEN I WILL OPEN THIS UP FOR DISCUSSION.  
06:32:55 ANYONE?  
06:32:57 >>Cathy Antunes: I CAN START.  
06:32:58 >>Eileen Normile: PLEASE.  
06:32:59 >>Cathy Antunes: I WOULD LIKE TO USE THE ELMO, IF I MAY.  
06:33:03 IS THERE A WAY TO PULL INTO THAT?  
06:33:30 SO MY ESTEEMED COLLEAGUES, I REGRET THAT I WAS NOT HERE LAST  
06:33:39 NIGHT.  
06:33:40 I WAS UNDER THE WEATHER AND OUT OF AN ABUNDANCE OF CAUTION  
06:33:43 THOUGHT I SHOULD REST AND NOT POTENTIALLY EXPOSE YOU.  
06:33:47 I WAS IMPRESSED WITH THE BACKGROUND INFORMATION THAT BOB  
06:33:50 FOURNIER PROVIDED LAST WEEK, BUT IT'S A SLOG TO GO THROUGH  
06:33:57 EIGHT DIFFERENT CITIES AND SEE HOW THEY COMPARE.  
06:34:01 SO WHAT I DID IS CREATED A TABLE.  
06:34:07 JUST TO HIGHLIGHT SOME OF THESE DIFFERENCES, AS YOU CAN SEE,  
06:34:12 COMMISSION OF A FELONY IS PRETTY MUCH A UNIVERSAL REASON TO  
06:34:15 BE BOOTED FROM OFFICE.  
06:34:17 I DON'T THINK ANY OF US WOULD HAVE AN ISSUE WITH THAT.  
06:34:22 NO LONGER LIVING.  
06:34:23 RESIDENCY QUALIFICATIONS.  
06:34:25 EVERY SINGLE CITY SAID, YEAH, YOU KNOW, YOU CAN'T HOLD  
06:34:28 OFFICE.  
06:34:29 NOT SHOWING UP FOR WORK, NOT GOING TO MEETINGS.  
06:34:32 PRETTY STRAIGHTFORWARD, ALTHOUGH IT'S INTERESTING THAT SOME

06:34:35 CITIES DON'T HAVE NOT SHOWING UP FOR WORK.  
06:34:38 THE ONES THAT THERE'S A LOT OF AGREEMENT.  
06:34:42 I'D LIKE TO CALL YOUR ATTENTION -- [NO AUDIO] -- DOESN'T  
06:34:49 HAVE ANY ENFORCEMENT TEETH.  
06:34:50 IT'S A PARAGRAPH.  
06:34:53 AND WHEN I LOOK AT MARGATE -- WELL, REALLY JUPITER AND  
06:35:01 WELLINGTON.  
06:35:02 I BELIEVE JUPITER IS IN PALM BEACH COUNTY, AND WELLINGTON,  
06:35:07 YOU KNOW, IF YOU'VE BEEN THERE, HORSE COUNTRY, POLO COUNTRY.  
06:35:11 IT HAS A VERY UNIQUE IDENTITY, BUT ALSO HAS TEETH IN THE  
06:35:15 CHARTER FOR ADDRESSING MISCONDUCT.  
06:35:19 WE DON'T HAVE TO REINVENT THE WHEEL HERE.  
06:35:21 SPECIFICALLY IN JUPITER, AND YOU KNOW THE CRUX OF WHAT  
06:35:26 HAPPENED, WHICH I THINK IS VERY SERIOUS, AND IT'S NOT EASY  
06:35:29 TO CALL OUT SOMEBODY YOU LIKE THAT YOU SEE IN THE GROCERY  
06:35:31 STORE AND YOU SAY HELLO AND YOU'VE HAD LUNCH WITH.  
06:35:36 IN A SMALL TOWN, WE LIVE IN A SMALL TOWN.

06:35:39 SO THIS ISN'T COMFORTABLE FOR ANYBODY.  
06:35:44 BUT THE KIND OF FULCRUM OF WHAT HAPPENED WAS THAT THIS  
06:35:50 PARTICULAR COMMISSIONER CHOSE TO DIRECT STAFF.  
06:35:54 AND IN BOTH THE JUPITER AND THE WELLINGTON CHARTERS, THEY  
06:36:00 ARE REALLY STRONG, THAT THERE IS ACTUALLY A NONINTERFERENCE  
06:36:04 CLAUSE.  
06:36:04 I BELIEVE IT'S IN WELLINGTON, BOTH OF THEM ARE VERY STRONG  
06:36:11 -- SHOOT.

06:36:11 I LEFT THEM OVER THERE.  
06:36:13 THAT IF YOU DO NOT THAT, IT'S MALFEASANCE.  
06:36:17 WHEN YOU COMMIT MALFEASANCE, YOU FORFEIT YOUR OFFICE.  
06:36:21 SO BEHIND WHAT HAPPENED HERE WAS A PUBLIC OFFICIAL WANTING  
06:36:26 CITY STAFF TO FOLLOW HIS ORDERS INSTEAD OF THE CITY MANAGER.  
06:36:35 I THINK WE CAN DO -- IN FACT, THESE CITIES DO A HELL OF A  
06:36:39 LOT BETTER THAN WE DO.  
06:36:40 THERE'S NO CONTEST.  
06:36:44 IT WOULD BE AN EASY THING TO LOOK AT -- RELOOK AT JUPITER  
06:36:48 AND WELLINGTON AND TAKE WHAT WE LIKE FROM THOSE CHARTERS AND  
06:36:53 ACTUALLY BE ABLE TO IMPOSE A SANCTION.  
06:36:56 BUT IF WE'RE GOING TO HAVE A CITY MANAGER THEN, YOU KNOW --  
06:37:03 I THINK AS WE'VE DISCUSSED EARLIER, YOU KNOW, ONE OF THE  
06:37:08 WORST THINGS YOU CAN HAVE IS A POLICY THAT MEANS NOTHING.  
06:37:11 AND RIGHT NOW I THINK THAT'S WHAT WE'VE GOT.  
06:37:13 I JUST WANTED TO SHOW THIS SO THAT PEOPLE COULD SEE IT ON  
06:37:17 THE ELMO AT HOME AND UNDERSTAND THAT IT'S FAR FROM THE CASE  
06:37:21 THAT THERE'S NOTHING OUT THERE.  
06:37:24 THERE'S QUITE A BIT OUT THERE AND THERE'S A LOT THAT WE CAN  
06:37:27 DO.  
06:37:29 >>Eileen Normile: THANK YOU.  
06:37:29 >>Dan Clermont: THANK YOU FOR THAT.  
06:37:40 THAT'S GOOD TO CLARIFY SOME OF THOSE THINGS.  
06:37:43 IN ONE OF THEM THAT YOU HAVE HERE, SAYS VIOLATES CHARTER BY  
06:37:48 DIRECTING STAFF AND SARASOTA IT IS NOT CHECKED OFF.

06:37:50 IN ARTICLE 3, SECTION 4, IT SAYS THE CITY COMMISSION SHALL  
06:37:56 BE THE JUDGE OF THE ELECTION AND QUALIFICATION OF ITS OWN  
06:38:00 MEMBERS SUBJECT TO REVIEW BY THE COURTS.  
06:38:01 A CITY COMMISSIONER SHALL FORFEIT OFFICE IF HE OR SHE,  
06:38:05 NUMBER TWO, VIOLATES ANY EXPRESSED PROHIBITION OF THIS  
06:38:10 CHARTER.  
06:38:10 WELL, IF YOU GO ON OVER TO I THINK IT'S 6 -- SECTION 6D, IT  
06:38:18 SAYS THIS IS AN EXPRESSED PROVISION OF THE CHARTER.  
06:38:23 INDIVIDUAL CITY COMMISSIONERS SHALL BE PROHIBITED FROM  
06:38:26 GIVING DIRECT ORDERS TO THE CITY MANAGER, CITY AUDITOR AND  
06:38:29 CLERK AND CITY ATTORNEY.  
06:38:30 THE CITY MANAGER, CITY AUDITOR AND CLERK AND CITY ATTORNEY  
06:38:34 SHALL BE PROHIBITED FROM -- IT CARRIES ON.  
06:38:36 YOU GET THE POINT THERE.  
06:38:38 IN 8-2 IT SAYS, INTERFERENCE WITH THE ADMINISTRATION, EXCEPT  
06:38:43 FOR THE PURPOSE OF FORMAL INQUIRIES AND INVESTIGATIONS  
06:38:46 CONDUCTED PURSUANT TO THE PROVISIONS OF THIS CHARTER.  
06:38:49 THE CITY COMMISSION AND ITS MEMBERS SHALL DEAL WITH CITY  
06:38:52 EMPLOYEES SUBJECT TO THE DIRECTION AND SUPERVISION OF THE

06:38:54 CITY ATTORNEY SOLELY THROUGH THE CITY ATTORNEY.  
06:38:56 BASICALLY, THIS IS SPRINKLED THROUGHOUT THE CHARTER THAT THE  
06:39:02 CITY COMMISSIONERS CANNOT AS A PART OF THE CHARTER, THEY  
06:39:06 CANNOT GIVE DIRECTION TO CITY STAFF THAT ARE WORKING FOR THE  
06:39:13 CHARTER POSITIONS, FOR LACK OF A BETTER WORD.  
06:39:16 THEN WHEN YOU GO BACK, IT SAYS IF THEY VIOLATE ANY EXPRESS  
  
06:39:20 PROHIBITION OF THIS CHARTER.  
06:39:21 I THINK IT'S PRETTY CLEAR THAT THAT IS ONE THAT SHOULD BE  
06:39:25 CHECKED FOR SARASOTA.  
06:39:26 SAYS VIOLATES CHARTER BY DIRECTING STAFF, TWO DIFFERENT  
06:39:30 LOCATIONS THAT I CITED THAT THEY CAN'T DO THAT.  
06:39:32 AND THEN IT SAYS YOU WILL LOSE YOUR QUALIFICATION FOR OFFICE  
06:39:35 IF YOU VIOLATE ANY EXPRESSED PROHIBITION OF THE CHARTER.  
06:39:39 COMMISSION VOTED 4-1 IN THE CASE OF MR. BRODY THAT DIDN'T  
06:39:43 WANT TO CARRY FORWARD WITH AN INVESTIGATION, WHICH THEY HAVE  
06:39:45 EVERY RIGHT TO DO PER THE CHARTER.  
06:39:47 WE VOTED ON THIS LAST WEEK.  
06:39:49 WHETHER WE WANTED TO CHANGE ANY OF THE PROVISIONS AND NOW  
06:39:52 WE'RE BACK DISCUSSING IT AGAIN.  
06:39:54 THAT'S FINE.  
06:39:54 WE'VE BEEN DOING A LOT OF BACK AND TALKING ABOUT THIS. I  
06:40:01 TAKE ISSUE WITH THE FACT WE DON'T HAVE THAT ALREADY IN THE  
06:40:04 CHARTER.  
06:40:05 THEN IT GETS TRICKY, HEY, WE'LL HAVE A MAJORITY VOTE AND RUN  
06:40:08 SOMEBODY OFF.  
06:40:09 I DO NOT LIKE THAT IDEA AT ALL.  
06:40:13 BECAUSE THE VOTERS CHOSE THIS PERSON AND WE'RE PUTTING A  
06:40:21 PROVISION THAT MAKES IT PRETTY EASY.  
06:40:23 TALK ABOUT ABUSE OF POWER.  
06:40:24 COULD HAVE AN ABUSE OF POWER IN THE MAJORITY KNOCKING OUT  
06:40:28 SOMEBODY THAT MAYBE THE ELECTORATE LIKES.  
  
06:40:30 I THINK THAT IS A DANGEROUS ROAD TO GO DOWN.  
06:40:36 >>Peter Fanning: I SPENT A CONSIDERABLE AMOUNT OF TIME  
06:40:38 LISTENING TO THE RECORDING OF OUR LAST DISCUSSION.  
06:40:41 IT WENT IN A NUMBER OF DIFFERENT DIRECTIONS.  
06:40:43 ME PERSONALLY, I GOT DISTRACTED ON SOME OF THAT.  
06:40:47 BUT WHAT I WAS GOING TO SAY IS THAT WE HAVE TWO PROVISIONS.  
06:40:52 ONE TALKS ABOUT THE ARTICLE III, SECTION 4, WHICH LISTS A  
06:41:00 NUMBER OF THINGS AND VICE-CHAIR NORMILE THE LAST TIME  
06:41:04 ENHANCED THAT, EMBELLISHED THAT LIST AND I THINK MADE SOME  
06:41:08 GOOD POINTS TO ADD SOME THINGS TO THE FOUR THAT ARE ALREADY  
06:41:13 THERE, AS WELL AS SUGGESTED THAT THERE BE SOME LANGUAGE  
06:41:18 MAYBE AS A PREAMBLE TO THAT THAT SAYS INCLUDING BUT NOT  
06:41:22 LIMITED TO SO THERE COULD BE SOME PROVISION THAT WE DIDN'T  
06:41:27 THINK ABOUT THAT MIGHT HAPPEN, WHATEVER THEY MAY BE.  
06:41:30 AND I THINK IF WE CAN TIGHTEN THAT UP A LITTLE BIT, IT'S  
06:41:34 ALREADY IN THE CHARTER, AND WE RECOGNIZE THAT AND FOR THE  
06:41:38 MOST PART, I THINK WE WANTED TO KEEP THAT IN THE CHARTER AND  
06:41:41 WE DID HAVE A MAJORITY VOTE FOR THAT.  
06:41:42 I'M JUST SAYING POSSIBLY WE MIGHT WANT TO CONTINUE TO AMEND  
06:41:46 IT A LITTLE BIT WITH SOME OTHER PROVISIONS IN THERE.  
06:41:49 AND THEN WHEN YOU GO TO ARTICLE 4, SECTION 17, THE WORD

06:41:55 "INVESTIGATIONS" IS THERE.  
06:41:57 I THINK THE PROBLEM THERE A LITTLE BIT IS THAT IT DOESN'T  
06:42:04 SPEAK DIRECTLY TO THE CITY COMMISSIONER, AND I THINK THAT  
06:42:09 CAN BE HANDLED VERY NICELY BY SIMPLY SAYING THE CITY

06:42:13 COMMISSION SHALL HAVE THE POWER AT ANY TIME TO CAUSE THE  
06:42:15 INVESTIGATION OF A SITTING MAYOR OR COMMISSIONER BEFORE YOU  
06:42:17 LIST THE OTHER THINGS THAT THEY CAN DO.  
06:42:20 I THINK THAT WE NEED TO HAVE PROVISIONS IN THERE THAT LAY  
06:42:24 OUT WHEN YOU DO HAVE AN INVESTIGATION AND THAT AS YOU LOOK  
06:42:31 AT HOW, AGAIN, VICE-CHAIR NORMILE HAD MENTIONED THE USE OF A  
06:42:35 NEUTRAL PARTY CONDUCTS THE INVESTIGATION BECAUSE I DON'T  
06:42:39 THINK IT'S WITHIN THE PURVIEW OF THE CITY COMMISSION TO BE  
06:42:42 ABLE TO CARRY OUT THAT INVESTIGATION, BUT THEY MAY APPOINT A  
06:42:46 PERSON -- AN ATTORNEY, A PERSON FAMILIAR WITH THE  
06:42:51 GOVERNMENT, WHOMEVER IT MAY BE TO CARRY OUT A NON-BIASED,  
06:42:56 NEUTRAL INVESTIGATION OF WHAT THE SITUATION WAS AND THEN  
06:42:59 BRING RECOMMENDATIONS BACK TO THE CITY COMMISSION.  
06:43:02 I THINK THIS CAN BE TIGHTENED UP A GREAT DEAL TO TAKE CARE  
06:43:06 OF ALL THE SITUATIONS THAT PEOPLE CONTINUE TO BRING UP WITH  
06:43:09 REGARD TO NOT HAVING ANY TEETH IN OUR CHARTER TO REMOVE  
06:43:14 PERSONS WHO ARE EXHIBITING POOR BEHAVIOR AND POOR JUDGMENT.  
06:43:22 >>Eileen Normile: THANK YOU.  
06:43:23 ANYTHING?  
06:43:23 I'D LIKE TO SAY SOMETHING BEFORE WE DO A SECOND ROUND.  
06:43:28 FIRST OF ALL, I AGREE WITH DAN THAT THERE ARE PROVISIONS IN  
06:43:32 THERE ABOUT THE CHARTER AND VIOLATING THE CHARTER.  
06:43:36 HOWEVER, WHAT I DISAGREE ABOUT IS THAT THERE WERE VIOLATIONS  
06:43:38 OF THE CHARTER AND NOTHING WAS DONE ABOUT IT.  
06:43:40 AND SO THEREFORE, ERGO, IT DOESN'T WORK.

06:43:45 SO I THINK THERE HAS TO BE AN INVESTIGATION, POSSIBILITY,  
06:43:48 WHICH IS A TOOL.  
06:43:51 AN INVESTIGATION IS A TOOL THAT CAN BE PUT INTO THE TOOLBOX.  
06:43:55 I PASSED OUT TO EVERYONE SOME VERBATIM EXCERPTS OF MINUTES  
06:44:01 FROM THE JULY 19 CITY COMMISSION MEETING WHERE THIS WAS  
06:44:05 DISCUSSED.  
06:44:08 I'VE WRITTEN NEXT TO THE COMMENTS THE NAME OF THE  
06:44:13 COMMISSIONERS WHO ARE SPEAKING, AND YOU'LL SEE, COMMISSIONER  
06:44:18 AHEARN-KOCH, COMMISSIONER LIZ ALPERT, COMMISSIONER ARROYO,  
06:44:21 AND COMMISSIONER BATTIE.  
06:44:24 ALL OF THEM SPOKE TO IT SAYING, WELL, IF ONLY WE HAD A  
06:44:27 PROCEDURE, AND THEY ALSO SAID, TWO OF THEM, COMMISSIONER  
06:44:32 BATTIE AND COMMISSIONER -- OR VICE MAYOR AT THE TIME ARROYO,  
06:44:37 WE'LL JUST LEAVE THAT TO THE CHARTER REVIEW COMMITTEE.  
06:44:40 THAT'S US.  
06:44:42 SO THERE'S THAT.  
06:44:46 I THINK THAT IS INTENT ON THE PART OF THE CITY COMMISSION  
06:44:49 FOR US TO DO SOMETHING ABOUT THIS.  
06:44:51 IN FACT, ALMOST A COMMAND, THOUGH NO ONE PUT IT TO A VOTE.  
06:44:56 >>Shayla Griggs: EXCUSE ME.  
06:44:59 >>Eileen Normile: I'M SORRY.  
06:45:00 MS. GRIGGS.  
06:45:00 >>Shayla Griggs: JUST SO WE CAN HAVE SOME CLARIFICATION.

06:45:08 I DON'T HAVE A STAKE EITHER WAY.  
06:45:09 IT IS MY DUTY TO STATE THIS.

06:45:11 THAT WAS NOT A COMMISSION DIRECTIVE.  
06:45:13 THAT WAS NOT A VOTE.  
06:45:14 THAT WAS STATEMENT.  
06:45:14 WE HAVE TO BE CAREFUL WITH THE WORDS BECAUSE IT WAS NOT A  
06:45:17 COMMISSION DIRECTIVE TO DO THAT.  
06:45:19 THOSE WERE STATEMENTS MADE BY INDIVIDUAL COMMISSIONERS AND  
06:45:23 THAT'S TOTALLY UP TO THEM HOW THEY FEEL.  
06:45:25 BUT TO SAY IT WAS DIRECTED, THAT IS NOT A TRUE STATEMENT.  
06:45:28 SO LET'S NOT SAY THAT.  
06:45:29 >>Eileen Normile: I'M SORRY, MS. GRIGGS.  
06:45:32 I DIDN'T MEAN TO SAY IT WAS A COMMISSION DIRECTIVE.  
06:45:34 IT WAS INDIVIDUALS SAYING THEY WOULD LIKE TO SEE THE CHARTER  
06:45:38 REVIEW COMMITTEE TAKE CARE OF THIS.  
06:45:42 TWO OF THEM ARE QUOTED IN HERE.  
06:45:44 BUT, NO, IT WAS NOT A VOTE AND IT WAS NOT A CONSENSUS.  
06:45:48 YOU'RE ABSOLUTELY CORRECT.  
06:45:50 THANK YOU FOR THAT.  
06:45:50 I DON'T THINK -- YOU KNOW, FOLLOWING UP ON MS. HAMILTON'S  
06:45:58 COMMENTS, I DON'T THINK WE HAVE TO WAIT FOR SOMEBODY TO  
06:46:00 PUNCH SOMEBODY TO DECIDE THEY SHOULDN'T BE THERE.  
06:46:03 THAT'S NOT WHERE WE SHOULD BE.  
06:46:08 THERE ARE EXPERTS WHO RUN INTERFERENCE BETWEEN THE POLITICS  
06:46:14 OF THE COMMISSION AND A DECISION THEY MAKE.  
06:46:17 THAT'S WHY THE COMMISSION DOESN'T JUST -- SHOULD NOT, IN MY  
06:46:21 OPINION, MAKE THEIR OWN DECISION.

06:46:23 THERE SHOULD BE AN INDEPENDENT INVESTIGATION.  
06:46:25 IF THE COMMISSION DECIDES TO DO THAT.  
06:46:27 AND THERE'S WHERE THEIR DECISION COMES IN, AND WE'VE HAD ONE  
06:46:31 ALREADY, AND IT WAS VERY THOROUGH, VERY NEUTRAL, AND  
06:46:35 IMPRESSIVE BY A FIRM THAT WAS EXPERIENCED IN HUMAN RESOURCES  
06:46:45 LAW.  
06:46:46 ANOTHER THING THAT DOESN'T SEEM TO BE COMING TO THE FLOOR  
06:46:50 HERE IS WHEN WE'RE DISCUSSING THE CONDUCT OF THE FORMER  
06:46:54 MAYOR, IT WAS A COURSE OF CONDUCT.  
06:46:58 IT WASN'T A BAD DAY.  
06:46:59 THIS IS SIGNIFICANT IN THE SENSE -- IN THE LEGAL SENSE THAT  
06:47:04 A COURSE OF CONDUCT PUTS THE CITY AT RISK LEGALLY SO THAT IF  
06:47:11 EMPLOYEES FEEL HARASSED OR AT RISK, THEY HAVE THE ABILITY TO  
06:47:15 SUE.  
06:47:17 PLEASE TELL ME IF I'M INCORRECT ABOUT THAT, MR. FOURNIER.  
06:47:20 >>Robert Fournier: NO, THAT'S CORRECT.  
06:47:22 IT HAS TO BE A COURSE OF CONDUCT OVER TIME, A PATTERN.  
06:47:27 >>Eileen Normile: AND SO WHEN THAT HAPPENS, IT WASN'T JUST  
06:47:29 I'M HAVING A REALLY CRUMMY DAY AND I'M OVER THE TOP, I'M  
06:47:34 GOING POSTAL.  
06:47:35 IT WAS A COURSE OF CONDUCT.  
06:47:37 PEOPLE CONCERNED ABOUT THEIR JOBS, PEOPLE HAVING TO LISTEN  
06:47:41 TO TIRADES.  
06:47:43 AND SO THAT IS WHAT PEOPLE ARE TALKING ABOUT WHEN THEY ARE  
06:47:46 SAYING WE DON'T NEED A TYRANT.

06:47:49 I THINK IT HAS TO BE HANDLED SOMEHOW.  
06:47:53 OTHER DISCUSSION?  
06:47:57 >>Dan Clermont: I JUST TEND TO THINK WE ALREADY HAVE THIS.  
06:47:59 YOU JUST MENTIONED, WE HAD AN INVESTIGATION DONE OF SOMEBODY  
06:48:02 WHO WAS EVENTUALLY REMOVED -- NOT FROM THE COMMISSION, BUT  
06:48:04 FROM ANOTHER SPOT IN THE CITY, AND IT WAS HANDLED QUITE  
06:48:08 WELL.  
06:48:09 IT SAYS IN HERE THAT THEY HAVE -- IN HERE BEING THE CHARTER  
06:48:13 -- THAT THEY HAVE THE RIGHT TO AN INVESTIGATION.  
06:48:17 IS IT THEN OUR JOB THEN TO SAY HOW THAT INVESTIGATION WILL  
06:48:20 GO?  
06:48:20 WHO IS IN CHARGE?  
06:48:22 I DON'T KNOW.  
06:48:22 THEY HAVE THE AUTHORITY HERE.  
06:48:25 IT SAYS TO DO AN INVESTIGATION.  
06:48:27 WELL, THEN, WHY CAN'T THEY COMMENCE TO DO IT?  
06:48:30 I DO AGREE WITH WHAT MR. FANNING SAID.  
06:48:33 WE COULD BROADEN IT SO THAT IS SAYS MAYOR AND COMMISSIONER.  
06:48:36 THERE IS A LITTLE BIT OF GRAY AREA, EVEN THOUGH MR. FOURNIER  
06:48:39 -- DON'T WANT TO PUT WORDS IN YOUR MOUTH -- I BELIEVE YOU  
06:48:42 SAID IT WAS IMPLIED TO HAVE AN INVESTIGATION.  
06:48:44 BUT MAYBE LET'S PUT IT IN THERE BECAUSE IT MAKES ME A LITTLE  
06:48:47 UNCOMFORTABLE, TOO, THAT IT DOESN'T REALLY SAY THAT.  
06:48:49 I THOUGHT EMPLOYEE, WELL, THEY ARE AN EMPLOYEE BECAUSE THEY  
06:48:51 GET PAID AND GET BENEFITS.

06:48:53 I THOUGHT THEY WERE, BUT MAYBE THEY ARE NOT.  
06:48:54 SO THAT PART I THINK IS THERE.  
06:48:58 I'M AFRAID OF GOING DOWN THIS WORMHOLE OF CREATING ALL THIS  
06:49:00 STUFF -- YEAH BUT THIS AND YEAH BUT THAT.  
06:49:03 WE ARE NOT HR PROFESSIONALS.  
06:49:04 I WOULD RATHER THAT WE BROADEN THAT A LITTLE BIT AND WHAT  
06:49:11 THE SCOPE IS OF WHO CAN BE INVESTIGATED, AND THEN IF  
06:49:15 SOMETHING EGREGIOUS ENOUGH DOES HAPPEN, THAT THEY CAN BRING  
06:49:19 SOMEBODY IN LIKE THIS.  
06:49:21 THEY CAN VOTE.  
06:49:22 HAVE THEIR MAJORITY VOTE BECAUSE THEY CAN.  
06:49:24 IT'S ALREADY IN THERE THEY CAN HAVE AN INVESTIGATION.  
06:49:27 WITH THE ASSISTANCE OF STAFF TO MAKE THAT HAPPEN.  
06:49:31 I'M UNCOMFORTABLE ABOUT GETTING TOO FAR INTO THIS AND THEN  
06:49:35 WE GET INTO A SITUATION WHERE WE CAN HAVE ACRIMONY WHERE  
06:49:39 THEY ARE SPENDING MORE TIME.  
06:49:40 MS. BAILEY MENTIONED THIS THE OTHER DAY.  
06:49:43 WE WANT THEM RUNNING THE CITY, NOT GETTING INTO FIGHTS WHO  
06:49:46 WILL KICK WHO OFF.  
06:49:48 ANGLING, WE HAVE A WAY TO DO ITS.  
06:49:52 RUN HIM OR HER OUT.  
06:49:53 I DON'T WANT TO GIVE THEM THAT TOOL.  
06:49:56 >>Eileen Normile: MS. ANTUNES.  
06:49:57 >>Cathy Antunes: THERE ARE A LOT OF THINGS.  
06:50:00 WE ALREADY HAVE A PROBLEM.

06:50:01 WE HAVE A PROBLEM WITH NORMS BEING CHANGED AT THE TABLE.



06:50:06 PEOPLE NOT BEING RECOGNIZED, PEOPLE NOT -- ELECTED  
06:50:10 OFFICIALS, COLLEAGUES NOT BEING PERMITTED TO PUT THINGS ON  
06:50:12 THE AGENDA.  
06:50:14 THAT ACTUALLY COMES MORE UNDER THE PARLIAMENTARIAN ISSUE, I  
06:50:22 THINK, WHICH IS LATER IN THIS MEETING.  
06:50:23 BUT THERE IS A PROBLEM, AND IT WAS A PATTERN, AND IT'S A  
06:50:27 LIABILITY.  
06:50:27 I AGREE THAT WE CAN TIGHTEN AND BROADEN THESE SECTIONS.  
06:50:31 BECAUSE WHEN YOU HAVE THINGS THAT ARE FAR-FLUNG, THESE OTHER  
06:50:35 CHARTERS, PARTICULARLY WELLINGTON AND JUPITER, IT'S ALL  
06:50:40 TOGETHER.  
06:50:40 THERE'S NO AMBIGUITY.  
06:50:42 IT SAYS THAT THE INTERFERENCE WITH CITY STAFF IS MALFEASANCE  
06:50:51 AND THAT IS A VIOLATION AND FORFEITURE OF OFFICE.  
06:50:55 IT'S VERY CLEAR.  
06:50:56 AND IT DOESN'T EVEN PUT IT TO THE COMMISSION.  
06:50:58 I THINK THAT KIND OF BOUNDARY WOULD REALLY HELP.  
06:51:02 THIS THING WOULD NEVER HAVE HAPPENED IF -- WELL, PEOPLE CAN  
06:51:06 DO WHAT THEY ARE GOING TO DO.  
06:51:07 THE OTHER PIECE TO LOOK AT IS AT THE BOTTOM OF THE CHART,  
06:51:11 VIOLATING STANDARDS OF CONDUCT OR CODE OF ETHICS ESTABLISHED  
06:51:14 BY LAW FOR PUBLIC OFFICIALS, THERE'S A WHOLE BODY OF STATE  
06:51:20 LAW AND FEDERAL LAW ABOUT BRIBERY.  
06:51:23 THINGS THAT ARE ILLEGAL.

06:51:24 AND THESE CHARTERS, THEY DON'T HAVE TO REINVENT THE WHEEL.  
06:51:28 IT'S NOT COMPLICATED.  
06:51:30 THEY BASICALLY SAY YOU GOT TO FOLLOW THE LAW.  
06:51:33 IF YOU'RE A PUBLIC OFFICIAL, YOU MUST FOLLOW ETHICAL  
06:51:36 STANDARDS THAT APPLY TO YOU AND CODES OF CONDUCT UNDER THE  
06:51:43 LAW.  
06:51:44 WE DO NOT HAVE THAT IN OUR CHARTER.  
06:51:47 AND I THINK THAT'S IMPORTANT.  
06:51:51 IT IS OBVIOUSLY TO ME -- I'VE WORKED IN CORPORATE AMERICA.  
06:51:55 I CAN APPRECIATE WHAT MS. GAUTHIER WAS SAYING ABOUT THE  
06:51:59 DIFFERENCE BETWEEN BUSINESS AND GOVERNMENT.  
06:52:01 THE LATITUDE IT PERMITTED FOR MISCONDUCT HERE IS SOMETHING.  
06:52:07 I WORKED FOR MERCK; I WORKED FOR ROCHE, SANOFI-AVENTIS.  
06:52:15 PEOPLE WERE MET IN THE PARKING LOT WITH THE CONTENTS OF  
06:52:18 THEIR DESK FOR THINGS THAT IF THIS HAPPENED, THEY WOULDN'T  
06:52:21 BE THERE ANYMORE.  
06:52:23 THEY JUST WOULDN'T.  
06:52:25 SO THERE'S A WAY THAT BUSINESS STANDARDS SHOULD BE IN PLAY  
06:52:27 HERE AND THIS IS ONE OF THEM.  
06:52:30 WE CAN DO THIS.  
06:52:30 IT'S NOT THAT HARD.  
06:52:32 IF IT'S CAUSING DIFFICULTY, IT SHOULDN'T.  
06:52:35 PEOPLE SHOULD WELCOME -- PEOPLE SHOULD WELCOME A HEALTHY  
06:52:39 WORK ENVIRONMENT.  
06:52:41 I DON'T SEE WHY IT'S AN ISSUE.

06:52:43 >>Eileen Normile: THANK YOU.

06:52:44 MR. FANNING.

06:52:45 >>Peter Fanning: I THINK IF YOU FOCUS IN ON THAT SECTION 17

06:52:49 AGAIN UNDER ARTICLE 4 AND YOU TRY TO FIGURE OUT WHY THAT  
06:52:53 LANGUAGE IS THAT WAY.  
06:52:58 WHEN YOU LOOK AT IT, YOU REALIZE THAT THIS LANGUAGE WAS PUT  
06:53:00 IN FOR EVERYBODY EXCEPT THE COMMISSIONERS.  
06:53:03 BECAUSE WHEN YOU READ COMPELLING EVIDENCE, YOU CAN SUBPOENA  
06:53:07 AND COMPEL EVIDENCE EXCEPT WHO HAS TO SIGN IT -- THE MAYOR.  
06:53:10 THE MAYOR HAS TO SIGN THAT.  
06:53:12 WELL, WHAT HAPPENS WHEN THE MAYOR IS THE FOCAL POINT?  
06:53:16 THERE IS NO PROVISION.  
06:53:17 SO I THINK IN THE THINKING OF PEOPLE, WE WOULD NEVER HAVE  
06:53:19 ELECTED OFFICIALS WHO WOULD CROSS THE LINE THE WAY MAYBE  
06:53:25 SOMEBODY DID.  
06:53:26 THERE ARE STILL ALLEGATIONS.  
06:53:27 I DON'T KNOW THAT THE PROOF -- I MEAN, THERE ARE A LOT OF  
06:53:30 WITNESSES, BUT MUCH OF IT MAY BE HEARSAY OR WHATEVER.  
06:53:33 I DON'T LIKE TO USE THAT EXAMPLE NECESSARILY BECAUSE WE  
06:53:36 CONTINUE TO INDICT SOMEBODY WHO HASN'T GONE THROUGH DUE  
06:53:40 PROCESS YET REALLY.  
06:53:41 AT ANY RATE, I THINK WE CAN TIGHTEN THIS THING UP AND MAKE  
06:53:46 SURE THAT IT'S UNDERSTOOD THAT MAYORS AND VICE MAYORS AND  
06:53:50 COMMISSIONERS ALSO FALL UNDER THE AEGIS OF THIS CHARTER AND  
06:53:59 GOOD BEHAVIOR.

06:54:00 >>Eileen Normile: THERE'S ALSO, IF NO ONE ELSE HAS THEIR  
06:54:03 HAND UP, WE'VE BEEN GIVEN AND INTRODUCED TO THE CITIZENS'  
06:54:07 BILL OF RIGHTS FOR MIAMI AND NORTH MIAMI.  
06:54:12 ONE OF THE THINGS IN THE MIAMI CITIZENS' BILL OF RIGHTS IS  
06:54:17 REMEDIES FOR VIOLATIONS GIVING CITIZENS, RESIDENTS OF THE  
06:54:22 CITY STANDING TO BRING LEGAL ACTION.  
06:54:27 IF YOU DON'T WANT THE CITY COMMISSION TO BE THE ONLY BODY TO  
06:54:34 TAKE ACTION, YOU CAN GIVE STANDING TO THE VOTERS TO BRING  
06:54:39 LEGAL ACTION.  
06:54:40 NOW, THAT COMES WITH ITS OWN SET OF ISSUES, BUT THAT IS  
06:54:45 SOMETHING THAT EVIDENTLY MIAMI HAS.  
06:54:47 ANY OTHER COMMENTS ON THIS?

06:54:59 >>Cathy Antunes: MAY I ASK A QUESTION?

06:55:01 >>Eileen Normile: MS. ANTUNES.

06:55:04 >>Cathy Antunes: OF MY COLLEAGUES, PARTICULARLY MR. FANNING.  
06:55:07 THE STATEMENT I REFERRED TO, THE LANGUAGE IN THESE CHARTERS  
06:55:12 IS REMARKABLY CONSISTENT ABOUT VIOLATING STANDARDS OF  
06:55:17 CONDUCT, CODE OF ETHICS ESTABLISHED BY LAW FOR PUBLIC  
06:55:21 OFFICIALS.

06:55:22 I MEAN, IT'S SIMPLE AND IT'S CLEAR AND THEN WE HAVE A NUMBER  
06:55:27 THAT ACTUALLY SAY YOU DON'T INTERFERE WITH STAFF.  
06:55:32 THESE TO ME SEEM TO BE FAIRLY STRAIGHTFORWARD WAYS TO PUT IN  
06:55:38 REASONABLE BOUNDARIES, BUT WHAT ARE YOUR THOUGHTS ON  
06:55:43 TIGHTENING IT UP?  
06:55:44 WE ONLY HAVE ONE MORE MEETING.

06:55:45 WOULD THAT LANGUAGE BE SOMETHING YOU THINK WOULD WORK OR DO  
06:55:48 YOU HAVE A DIFFERENT IDEA?

06:55:50 >>Peter Fanning: YOU'RE ASKING ME?

06:55:51 >>Cathy Antunes: YEAH, YEAH.

06:55:52 >>Peter Fanning: WELL, I THINK THERE'S A WAY TO FRAME THE

06:55:55 LANGUAGE THAT KEEPS IT NEUTRAL AND JUST DEALS WITH THE  
06:55:59 FACTUAL SITUATIONS THAT COMES UP AND IN FRONT OF PEOPLE, BUT  
06:56:05 YOU'RE RIGHT.  
06:56:09 WE ALL SAY WE HAVE ONE MORE MEETING.  
06:56:10 THAT'S ONLY BECAUSE WE SAID AT THE BEGINNING THIS WOULD END  
06:56:14 FEBRUARY 14.  
06:56:15 MAYBE WE'LL HAVE TO HAVE A SPECIAL MEETING IN BETWEEN NOW  
06:56:17 AND FEBRUARY 14.  
06:56:19 I DON'T KNOW WHEN WE HAVE IT.  
06:56:20 SUNDAY MORNING OR AFTER A CHURCH, WHATEVER.  
06:56:24 YOU CAN HAVE ANOTHER MEETING IF YOU CAN COME TO RESOLUTION.  
06:56:28 AND THIS MAY BE BIG ENOUGH TO SCHEDULE ANOTHER HOUR TO LOOK  
06:56:33 AT SOME LANGUAGE THAT MAYBE WE CAN ASK THE STAFF TO HELP  
06:56:39 DRAFT BASED ON WHAT YOU FOUND WITH OTHER JURISDICTIONS AND  
06:56:42 WITH SOME OF THE COMMENTS THAT HAVE BEEN MADE HERE TONIGHT  
06:56:45 RATHER THAN THE TEN OF US TRYING TO DRAFT SOMETHING THAT'S  
06:56:53 NOT COMPLEX BUT HAS TO BE DRAFTED WITH CONSISTENCY.  
06:56:59 >>Cathy Antunes: I'M NOT A FAN OF THE WHOLE WEAK MAYOR.  
06:57:02 IF IT AIN'T BROKE, DON'T FIX IT.  
06:57:04 THAT'S HOW I FEEL.

06:57:06 BUT OUT OF RESPECT FOR YOU ALL AND WHAT YOU WANT TO  
06:57:10 ACCOMPLISH HERE, THAT DISCUSSION, THE ACCOUNTABILITY FACTOR  
06:57:15 WAS PART OF IT, AND IT CERTAINLY WAS PART OF THE FOUR YEAR  
06:57:19 AND TO SOME OF THE COMMENTS HERE.  
06:57:21 WE GOT FIVE E-MAILS.  
06:57:22 I DON'T KNOW IF YOU GOT TO LOOK AT THEM.  
06:57:24 SOME OF THEM FROM LEADERS IN THE CITY ASKING FOR THIS.  
06:57:28 SO IT SEEMS TO ME THAT WANTING TO CHANGE THE FORM OF  
06:57:35 GOVERNMENT AND OPENING THE DOOR TO A MAYOR THAT COULD BE  
06:57:39 THERE FOR FOUR YEARS WHEN WE'VE HAD A DEMONSTRATED PROBLEM  
06:57:42 WITH ONE YEAR, IF WE DON'T ADDRESS IT AS A GROUP, WE'RE  
06:57:48 PUNTING ON SOMETHING, I DON'T THINK ANY OF IT WILL GO.  
06:57:52 I THINK IF YOU WANT THAT, IT'S ONLY FAIR TO ADDRESS THE  
06:57:59 ACCOUNTABILITY FACTOR AS WELL.  
06:58:02 >>Peter Fanning: JUST TO YOUR POINT, HOWEVER, IT DOESN'T  
06:58:04 MAKE ANY DIFFERENCE WHETHER THE MAYOR IS THERE FOUR YEARS OR  
06:58:07 NOT.  
06:58:07 BUT THE FACT IS THAT YOU HAVE A MAYOR FOR ONE YEAR AND THAT  
06:58:11 PERSON, HE OR SHE, BECOMES A COMMISSIONER FOR THE NEXT  
06:58:14 THREE.  
06:58:16 THEY ARE ON THE COMMISSION AND WE NEED TO ADDRESS THAT.  
06:58:19 I THINK THE IDEA OF HAVING A FOUR-YEAR SPOKESMAN, IF YOU  
06:58:25 LOOK BACK, THERE WERE SOME GOOD POINTS FOR THAT, BUT WE'RE  
06:58:29 NOT TRYING TO PUT THIS IN SUDDENLY BECAUSE WE PROPOSED A  
06:58:33 WEAK MAYOR FOR FOUR YEARS.

06:58:34 WE'RE PUTTING IT IN BECAUSE A CURRENT MAYOR APPARENTLY DID  
06:58:39 SOMETHING THAT ISN'T ADDRESSED IN THIS CHARTER TO TAKE CARE  
06:58:45 OF.  
06:58:45 >>Cathy Antunes: I WOULD RESPOND, IF I MAY, QUICKLY.  
06:58:49 THAT IS NOT -- I'M HEARING WHO THE MAYOR IS MAKES A  
06:58:52 DIFFERENCE IN TERMS OF THE CULTURE AND IT CHANGES WHEN THAT  
06:58:55 PERSON IS NO LONGER MAYOR.

06:58:57 >>Eileen Normile: MR. CLERMONT.  
06:59:01 >>Dan Clermont: I'M WONDERING NOW, AS WE'RE TALKING ABOUT  
06:59:04 ALL OF THIS, IS THE END GAME HERE TO FIND A WAY TO BE ABLE  
06:59:07 TO REMOVE A MAYOR?  
06:59:08 I THINK THAT'S WHAT IT IS.  
06:59:09 I WOULD ASK MR. FOURNIER IS THERE REALLY ANY REALISTIC WAY  
06:59:12 TO DO THAT FROM -- CAN THE COMMISSIONERS REMOVE THE MAYOR?  
06:59:17 THEY WERE VOTED ON I THINK SOME MONTHS AGO YOU SAID IT'S  
06:59:19 VERY DIFFICULT TO REMOVE SOMEBODY THAT WAS POPULARLY  
06:59:23 ELECTED.  
06:59:24 >>Robert Fournier: THERE'S GOING TO BE, I THINK, A FEELING  
06:59:26 THAT'S PRETTY MUCH IN THE HANDS OF THE VOTERS AS WAS STATED.  
06:59:32 DEPENDS ON THE SECTION THAT YOU'RE TALKING ABOUT.  
06:59:34 YOU'RE KIND OF JUMPING AROUND A LITTLE BIT BETWEEN -- I  
06:59:37 THOUGHT THIS ITEM WAS ON THE AGENDA AS A FOLLOW-UP FROM THE  
06:59:41 DISCUSSION THAT WAS HAD THE LAST TIME, AND I COULD BE WRONG,  
06:59:45 ABOUT ARTICLE 3, SECTION 4, WHICH TALKS ABOUT FORFEITURE OF  
06:59:50 OFFICE.

06:59:54 THEN ALSO BROUGHT INTO THE CONVERSATION ARTICLE 4, SECTION  
06:59:56 17, WHICH IS ABOUT INVESTIGATIONS.  
06:59:59 SO I THINK IF YOU LOOK AT ARTICLE 3, SECTION 4, WHICH IS  
07:00:02 WHAT THE QUESTION YOU RAISED ABOUT FORFEITURE, WHICH I AGREE  
07:00:06 IS AN EXTREME REMEDY, MOST OF THESE THINGS HERE, EXCEPT FOR  
07:00:11 THE ONE, I THINK NUMBER TWO, THEY ARE FAIRLY COMMON BECAUSE  
07:00:16 I THINK THERE'S -- YOU KNOW, THERE'S CLARITY THERE.  
07:00:20 IF THEY LACK THE QUALIFICATIONS PRESCRIBED BY THE CHARTER OR  
07:00:23 BY LAW, NOT A REGISTERED VOTER IN THE CITY CONVICTED OF A  
07:00:28 FELONY OR A CRIME, THAT'S SOMETHING THAT EITHER HAPPENS OR  
07:00:31 DOESN'T, FAILS TO ATTEND THREE CONSECUTIVE REGULAR MEETINGS,  
07:00:35 CEASES TO FULFILL THE RESIDENCY REQUIREMENTS, ALL OF THOSE  
07:00:38 THINGS, THERE'S LITTLE DISPUTE.  
07:00:40 THE ONLY ONE THAT REQUIRES INVESTIGATION WAS VIOLATES ANY  
07:00:44 EXPRESSED PROHIBITION OF THE CHARTER.  
07:00:47 SO I THOUGHT THE DISCUSSION WAS, WELL, I REMEMBER IN MARGATE  
07:00:50 THE COMMISSION HELD A HEARING OR YOU COULD MAYBE HIRE  
07:00:54 SOMEBODY TO DO AN INVESTIGATION.  
07:00:58 THEN, OF COURSE, THE SUBJECT OF THE INVESTIGATION HAS SORT  
07:01:01 OF GOTTEN BEYOND VIOLATING AN EXPRESSED PROHIBITION IN THE  
07:01:05 CHARTER TO MISCONDUCT OF SOME SORT, WHATEVER, MAY BE  
07:01:12 MISCONDUCT THAT DOESN'T RISE TO THE LEVEL OF A CRIME.  
07:01:15 I THINK -- YOU KNOW, I'M NOT SURE WHICH SECTION, AND THEN  
07:01:19 THAT ALSO RELATES, I GUESS, IN SOME WAYS TOO TO THE  
07:01:22 CITIZENS' BILL OF RIGHTS AND CITIZEN STANDING, WHICH IS A

07:01:26 SEPARATE BUT RELATED ISSUE.  
07:01:28 I THINK TALK ABOUT THE SUBJECT MATTER OF AN INVESTIGATION  
07:01:33 AND THEN THE PROCESS FOR AN INVESTIGATION AND THE CONTEXT,  
07:01:38 JUST KIND OF MAKE IT CLEAR WHAT THE CONCERN IS OR WHERE  
07:01:43 WOULD BE SORT OF ANSWERING A QUESTION WHETHER OR NOT --  
07:01:47 >>Dan Clermont: CONTINUING ON WITH MY COMMENT -- I HAD ASKED  
07:01:53 HIM IN THE COURSE OF MY COMMENT.  
07:01:54 EVEN IN HERE, AND IT SAYS THAT COMMISSIONERS AND  
07:02:03 SUBSEQUENTLY MAYOR ISN'T SUPPOSED TO PROVIDE DIRECTIVE TO

07:02:09 ANY CITY STAFF.  
07:02:11 I WOULD IMAGINE ANYBODY WHO HAS BEEN COMMISSIONER, CAN YOU  
07:02:15 RUN COPIES FOR ME?  
07:02:16 ARE WE TO SIT HERE AND DETERMINE WHEN DO WE GET OVER THAT  
07:02:22 LINE?  
07:02:23 I THINK THAT'S WHAT THE COMMISSIONERS HAVE TO DO.  
07:02:26 OBVIOUSLY, NOBODY WANTS SOMEBODY WHO IS A TYRANT.  
07:02:29 NOBODY WANTS SOMEBODY WHO IS BREAKING THE SPIRIT OF THE  
07:02:34 CHARTER.  
07:02:37 BUT AT WHAT POINT -- IS THAT OUR ROLE HERE TO MAKE THAT  
07:02:40 DETERMINATION?  
07:02:40 I THINK THAT -- GO BACK AGAIN -- VERY COMFORTABLE WITH  
07:02:46 BROADENING THE INVESTIGATION TO A MAYOR, COMMISSIONER.  
07:02:50 BUT GETTING INTO THE WEEDS ON ADDING ALL THESE OTHER LAYERS  
07:02:54 WHEN WE DON'T EVEN REALLY KNOW IF WE CAN REMOVE AN ELECTED  
07:02:58 COMMISSIONER OR MAYOR ANYWAY.

07:03:01 ONE LAST COMMENT.  
07:03:03 PEOPLE ARE REALLY CONCERNED ABOUT THIS ABUSE OF POWER  
07:03:06 BUSINESS.  
07:03:06 THE TYPE OF MAYOR WE'RE TALKING ABOUT HERE IS NO DIFFERENT  
07:03:10 THAN THE MAYOR WE HAVE NOW AS FAR AS THEIR POWERS.  
07:03:12 SO IT IS NOT AS THOUGH -- WE TALKED ABOUT HAVING A STRONG  
07:03:16 MAYOR.  
07:03:17 THAT DIDN'T FLY HERE.  
07:03:18 AND SO IT'S REALLY NOT A SITUATION OF ABUSE OF POWER ANY  
07:03:25 MORE THAN ANY OTHER COMMISSIONER OR ANY COMMISSIONER ABUSE  
07:03:27 THE POWER IN 70 OR SO YEARS THAT WE'VE HAD COMMISSIONERS  
07:03:30 HERE.  
07:03:30 THE MAYOR TALK BROUGHT THIS UP.  
07:03:38 I DON'T KNOW THAT THE SITUATION IS ANY MORE DIRE THAN IT IS  
07:03:41 TODAY AS FAR AS WHAT WE'RE -- THE POWER THAT THE MAYOR MAY  
07:03:47 HAVE.  
07:03:56 >>Eileen Normile: I WOULD SAY CREATION OF A HOSTILE  
07:03:59 WORKPLACE, CONTINUING BAD STATEMENTS ABOUT FEMALE EMPLOYEES,  
07:04:08 COURSE OF CONDUCT OF FLYING OFF THE HANDLE, I DON'T KNOW  
07:04:15 THAT A MAYOR OR CITY COMMISSIONER SHOULD BE HELD TO A  
07:04:19 DIFFERENT STANDARD OR GIVEN FREE RANGE THAN ANYONE WOULD BE  
07:04:22 IF THEY WERE WORKING FOR MERRILL LYNCH OR THEY WERE WORKING  
07:04:26 AS A STAFF MEMBER HERE.  
07:04:28 I CAN'T IMAGINE THAT MR. BROWN WOULD PUT UP WITH SOMEONE  
07:04:33 GOING POSTAL THREE TIMES A WEEK IN ANY OF HIS DEPARTMENTS.

07:04:39 IT CREATES -- IT WREAKS HAVOC ON THE WAY THE CITY FUNCTIONS.  
07:04:46 I DON'T KNOW WHY OUR ELECTED OFFICIALS CAN'T BE HELD TO THAT  
07:04:52 SAME STANDARD.  
07:04:53 IT'S -- IT'S -- IT'S CONFUSING TO ME.  
07:05:01 BECAUSE WHAT YOU HAVE SAID IS THESE THINGS -- WHAT'S IN HERE  
07:05:04 VIOLATES ANY EXPRESSED PROHIBITION OF THIS CHARTER SHOULD  
07:05:11 HAVE A REVIEW, SUBJECT TO REVIEW.  
07:05:14 WE DIDN'T DO IT.  
07:05:15 IT'S ALMOST AS THOUGH THIS PAST YEAR WAS A LEARNING  
07:05:17 EXPERIENCE.  
07:05:18 WE HAD THE POSTER CHILD FOR WHAT A MAYOR COULD HAVE BEEN IF

07:05:23 HE WAS GIVEN FREE RANGE.  
07:05:26 THERE WAS MISBEHAVIOR ALLEGED, AND NOTHING WAS DONE AND  
07:05:31 THERE WAS A GREAT DEAL OF DISCUSSION AS IS INDICATED IN  
07:05:34 THESE HIGHLIGHTED PORTIONS ABOUT IF ONLY WE HAD A PROCEDURE.  
07:05:40 I THINK IT BEHOOVES US TO TALK ABOUT A PROCEDURE WHEN THERE  
07:05:45 IS MISBEHAVIOR.  
07:05:46 I CAN'T IMAGINE CEOs -- AND I'LL ASK OUR CEOs AND FORMER  
07:05:52 CEOs -- IF YOU BEHAVED IN A WAY THAT CREATED A HOSTILE  
07:06:00 WORK ENVIRONMENT, HOW LONG WOULD YOU LAST?  
07:06:02 WHO WOULD MAKE A DECISION ABOUT WHETHER OR NOT YOU SHOULD  
07:06:09 STAY IN THAT POSITION?  
07:06:10 AND WOULD IT AFFECT YOUR STOCK PRICE?  
07:06:13 LET'S LET OUR CEOs --  
07:06:23 >>Jeff Jackson: I'LL JUMP ON THAT ONE.

07:06:25 FIRST OF ALL, I WANT TO GO ON THE RECORD SAY, LOOK, WE KEEP  
07:06:29 TALKING -- TAKE YOUR CORPORATE HAT OFF, GOVERNMENT HAT OFF.  
07:06:32 I THINK THAT'S ONE OF THE PROBLEMS.  
07:06:34 NEITHER CORPORATIONS NOR GOVERNMENT ARE TYRANTS.  
07:06:37 WE'VE GOT TO FIGURE OUT HOW TO ALL GET ALONG.  
07:06:40 THERE'S GOOD ON BOTH SIDES.  
07:06:42 UNFORTUNATELY SOMETIMES THERE ARE A FEW OF THESE TERRIBLE  
07:06:45 CORPORATIONS.  
07:06:46 THESE BAD BUILDERS AND ALL THIS.  
07:06:49 WELL, LET'S ALL BE CLEAR.  
07:06:52 GOVERNMENT CAN ONLY EXIST BECAUSE OF PEOPLE.  
07:06:54 AND PEOPLE WORK AT CORPORATIONS.  
07:06:57 SO CORPORATIONS CAN EXIST WITHOUT GOVERNMENT.  
07:07:02 IT HAS BEEN IN THE PAST.  
07:07:03 GOVERNMENT CAN'T EXIST WITHOUT CORPORATIONS BECAUSE THEY  
07:07:06 EMPLOY PEOPLE.  
07:07:08 WE ALL HAVE TO FIGURE OUT HOW TO GET ALONG.  
07:07:11 I DO THINK YOU CAN APPLY PRINCIPLES ACROSS TO YOUR POINT  
07:07:18 EARLIER, I'M GLAD TO HEAR YOU SAY THAT BECAUSE I DO THINK  
07:07:21 YOU CAN.  
07:07:21 I THINK -- I GOT A QUESTION.  
07:07:25 FOR INSTANCE, HOW DOES STUFF LIKE THIS EVEN GET REPORTED?  
07:07:30 LIKE, IF SOMEBODY HAS A VIOLATION ON A MAYOR, OUR COUNCIL,  
07:07:34 BECAUSE THIS CAME UP BEFORE THE MAYOR.  
07:07:35 IN ALL DUE RESPECT, IT SHOULD BE ABOUT BOTH, ABOUT

07:07:38 COUNCILMEN, MEN AND WOMEN AND A MAYOR.  
07:07:41 IT'S NOT JUST A MAYOR.  
07:07:42 CAME UP WAY BEFORE THAT.  
07:07:44 HOW DOES THAT ABUSE GET REPORTED NOW?  
07:07:52 >>Marlon Brown: SO, MR. JACKSON, USUALLY ANY EVENT WITHIN  
07:07:55 THE CITY MANAGER'S OFFICE, CITY COMMISSION OFFICE, IF THERE  
07:07:57 IS SOMETHING I WITNESS, I WILL ADDRESS IT WITH THE OTHER  
07:08:00 COMMISSIONERS.  
07:08:02 IT WAS THE OTHER COMMISSIONERS THAT BROUGHT THE SITUATION TO  
07:08:05 THE DAIS.  
07:08:06 >>Jeff Jackson: HOW DOES IT GET REPORTED IF YOU DON'T  
07:08:10 WITNESS IT?  
07:08:11 IF SOMEBODY IN THE WATER DEPARTMENT SUPERVISOR IS ABUSING

07:08:14 THEM, TAKE IT OUT FROM THE MAYOR THING, HOW DOES THAT GET  
07:08:17 REPORTED NOW?  
07:08:19 >>Marlon Brown: REPORTED TO THE NEXT SUPERVISOR OR  
07:08:21 DEPARTMENT DIRECTOR OR THEY WILL COME TO THE CITY MANAGER'S  
07:08:24 OFFICE OR GO TO THE HR DEPARTMENT.  
07:08:26 >>Jeff Jackson: AGAIN, THE SAME THING.  
07:08:28 WHAT IF THEY DO THAT?  
07:08:29 NOW THEIR CAREER IS TRASHED.  
07:08:30 >>Marlon Brown: NOT AT ALL.  
07:08:32 ONE OF THE THINGS WE HAVE INSTILLED IN ALL OUR EMPLOYEES  
07:08:35 THAT ANY TYPE OF BEHAVIOR, REGARDLESS OF HOW YOU FEEL ABOUT  
07:08:38 IT, MUST BE REPORTED AND SHOULD BE REPORTED AND WILL BE  
  
07:08:41 TAKEN SERIOUSLY.  
07:08:42 SO NO MATTER WHAT THE SITUATION IS, WE DO TAKE IT SERIOUSLY  
07:08:45 AND WE DO INVESTIGATE IT.  
07:08:48 >>Jeff Jackson: QUICK READ OF THE NOTES, THREE PEOPLE  
07:08:50 REPORTED THIS.  
07:08:50 IN THE NOTES, AT LEAST IT QUOTES THEY WERE -- COULD BE  
07:08:53 WORRIED ABOUT THEIR JOBS OR SOMETHING.  
07:08:55 GO BACK AND READ IT REAL QUICK.  
07:08:56 WHAT HAPPENED TO THE THREE PEOPLE?  
07:08:58 ARE THEY STILL HERE?  
07:08:59 >>Marlon Brown: THEY ARE STILL EMPLOYED.  
07:09:00 NO INDIVIDUAL EMPLOYEE'S JOB WAS THREATENED BY REPORTING THE  
07:09:07 SITUATION THAT OCCURRED.  
07:09:10 >>Jeff Jackson: OKAY.  
07:09:10 SO I WOULD ASK OR MAYBE WE THINK ABOUT A WAY TO REPORT IT  
07:09:14 DIFFERENTLY TO START.  
07:09:17 FOR ME, WE HAVE A 1-800 NUMBER.  
07:09:19 I SHOULDN'T SAY THIS, IF YOU GUYS GOT MAD, YOU COULD CALL IT  
07:09:23 UP.  
07:09:23 WE HAVE A 1-800 NUMBER IF ANYTHING GOES WRONG, THEY CALL.  
07:09:26 IF THEY SEE SOMETHING ACROSS THE COMPANY, ANOTHER EMPLOYEE  
07:09:30 IS STEALING OR ME DOING SOMETHING OR WHATEVER, WE GET CALLS  
07:09:34 ON THAT NUMBER.  
07:09:36 IT'S ANONYMOUS, AND IT COMES THROUGH AND COMES TO A  
07:09:41 COMMITTEE AND THE COMMITTEE INVESTIGATES IT.  
  
07:09:42 COMMITTEE OUTSIDE MYSELF.  
07:09:44 COMMITTEE WITH HR AND A BOARD MEMBER.  
07:09:46 IF I DO SOMETHING WRONG, IT GETS INVESTIGATED BY AS BEST OF  
07:09:50 AN INDEPENDENT COMMITTEE AS WE CAN HAVE.  
07:09:53 IF IT IS SERIOUS, IT GOES TO OUR OUTSIDE COUNCIL, OUR LEGAL  
07:09:56 COUNCIL.  
07:09:57 SO THAT'S THE PROCESS, I GUESS, FOR SOMETHING I WOULD DO  
07:10:03 WRONG.  
07:10:04 SHORT OF ME NOT MAKING NUMBERS OR DOING SOMETHING THE BOARD  
07:10:07 WOULD FIRE ME ON, NOT BEING A GOOD LEADER OR SETTING A  
07:10:10 STRATEGY THAT THE COMPANY CAN FOLLOW.  
07:10:12 I FEEL THERE'S SOMETHING WRONG HERE, BECAUSE EVERYBODY SEEMS  
07:10:17 TO KEEP BRINGING IT UP.  
07:10:18 MY GUT SAYS I DON'T KNOW HOW TO SOLVE IT HERE.  
07:10:23 I HAVEN'T HEARD A GREAT WAY TO SOLVE IT.

07:10:25 DAN, I GUESS THE LAST MEETING WHAT WE VOTED ON WAS TO KEEP  
07:10:28 GOING, BUT WE ALSO SAID WE WOULD COME BACK TO HIS POINT.  
07:10:32 WE WOULD DISCUSS IT AT THIS MEETING AND I THINK THAT'S WHY  
07:10:34 WE'RE DISCUSSING IT.  
07:10:35 I THINK IT NEEDED TO BE DISCUSSED FURTHER.  
07:10:37 I STILL DON'T KNOW WHAT TO PUT IN HERE TO MAKE IT BETTER OR  
07:10:43 HAVE MORE TEETH.  
07:10:45 BUT I DO THINK EMPLOYEES NEED TO FEEL LIKE WE HAVE THEIR  
07:10:48 BACK.  
07:10:48 AND IF THAT SOMEHOW ISN'T THE CASE, I DON'T KNOW, SITTING  
  
07:10:53 HERE RIGHT NOW, I DON'T KNOW HOW TO RECTIFY THAT, BUT I  
07:10:56 THINK THAT'S A PROBLEM.  
07:10:57 DO YOU THINK THE EMPLOYEES THINK -- ARE YOU THREE -- WHAT'S  
07:11:00 YOUR OPINION?  
07:11:01 DO YOU THINK THE EMPLOYEES, THE COMMISSIONERS, AND THE  
07:11:03 MAYORS DON'T HAVE THEIR BACK AND THEY ARE AFRAID TO WORK FOR  
07:11:07 THE CITY?  
07:11:07 IS THERE A PROBLEM THAT WE NEED TO ADDRESS?  
07:11:11 >>Marlon Brown: REALLY AND TRULY --  
07:11:12 >>Jeff Jackson: PUTTING YOU ON THE SPOT NOW.  
07:11:14 ALL OF THE COMMISSIONERS ARE LISTENING RIGHT NOW.  
07:11:15 >>Marlon Brown: I DON'T MIND BEING ON THE SPOT.  
07:11:17 I THINK WE HAVE CREATED A CULTURE IN OUR ORGANIZATION THAT  
07:11:20 INDIVIDUALS FEEL THAT THEY CAN REPORT ANY ISSUE REGARDLESS.  
07:11:25 AND SO THEY KNOW IT WILL BE TAKEN SERIOUSLY.  
07:11:27 WE'VE DONE TRAINING OVER THE PAST YEAR, COMPLIANCE TRAINING  
07:11:30 THAT IF AN INDIVIDUAL HEARS SOMETHING OR SEES SOMETHING OR  
07:11:33 KNOWS SOMETHING, TO REPORT IT.  
07:11:35 THEY DON'T HAVE TO GIVE THEIR NAME.  
07:11:36 THEY CAN REPORT IT ANONYMOUSLY.  
07:11:37 WE BELIEVE WE HAVE CREATED A CULTURE THAT INDIVIDUALS DON'T  
07:11:41 FEEL THAT THEY WILL BE RETALIATED.  
07:11:43 OBVIOUSLY, THEY ARE HUMAN BEINGS.  
07:11:44 YES, THERE WOULD BE A LEVEL OF FEAR.  
07:11:46 AGAIN, WE ARE TRYING TO CREATE A CULTURE THAT INDIVIDUALS  
  
07:11:49 CAN COME UP AND EXPLAIN WHAT THEY HAVE SEEN OR WHAT THEY MAY  
07:11:55 HEAR OR KNOW OF.  
07:11:57 >>Shayla Griggs: CAN I SPEAK AS WELL?  
07:12:00 >>Eileen Normile: PLEASE, MS. GRIGGS.  
07:12:03 >>Shayla Griggs: I HAVE TO PIGGYBACK OFF OF WHAT MR. BROWN  
07:12:05 STATED AS WELL.  
07:12:07 IN MY OFFICE WE TRY TO CREATE THAT CULTURE AS WELL.  
07:12:10 WE ALL KNOW THAT MY OFFICE AND INDIVIDUALS IN MY OFFICE WENT  
07:12:15 THROUGH SOME THINGS WITH MY PREDECESSOR AND I MAKE IT A  
07:12:21 POINT, MYSELF AND MS. RIVERS MAKES IT A POINT TO LET STAFF  
07:12:24 KNOW THAT EVERYTHING, IF THEY HAVE ANY ISSUES, ANY PROBLEMS,  
07:12:29 THEY DO NOT HAVE TO COME TO ME.  
07:12:31 THEY CAN GO TO HR.  
07:12:32 THEY CAN GO TO MS. RIVERS IF ANYONE HAS A PROBLEM WITH ME.  
07:12:36 WE HAVE CHANGED THAT CULTURE WHERE I WANT EVERYONE TO FEEL  
07:12:43 COMFORTABLE WITH VOICING ANY ISSUES THAT THEY MAY HAVE.  
07:12:46 SO I AGREE WITH WHAT MR. BROWN STATES AS WELL.



07:12:51 >>Eileen Normile: THANK YOU.  
07:12:52 MR. FANNING.  
07:12:53 >>Peter Fanning: I WOULD LIKE TO POINT OUT THAT WE'RE NOT  
07:12:57 TALKING ABOUT THE NUCLEAR OPTION ALL THE TIME.  
07:13:00 THIS KIND OF A PROCESS CAN WORK FOR THE ACCUSED EMPLOYEE AS  
07:13:07 WELL.  
07:13:08 TAKE THE EXAMPLE, IN MY CAREER, I'VE BEEN CEO OF A HOSPITAL  
07:13:11 THAT TAKES CARE OF BRAIN INJURY AND PERSONS WITH MENTAL  
  
07:13:14 HEALTH PROBLEMS.  
07:13:16 IF YOU HAD A TOURETTE'S SYNDROME PERSON WHO WENT OFF THEIR  
07:13:20 MEDICATION AND SUDDENLY LOST IT, THAT WOULD COME UP IN A  
07:13:24 REVIEW OR AN INVESTIGATION -- STOP USING THE WORD  
07:13:26 INVESTIGATION -- A REVIEW OF THE SITUATION AND SOMEBODY MAY  
07:13:29 SAY, HEY, THIS PERSON, THEY HAVE A DISABILITY.  
07:13:34 THEY NEED TO STAY ON THEIR MEDICATION.  
07:13:36 WE NEED TO HELP THAT PERSON.  
07:13:37 WE NEED TO GET THEM INTO THE EMPLOYEE ADJUSTMENT PROGRAM OR  
07:13:41 THE EMPLOYEE ASSISTANCE PROGRAM.  
07:13:43 IT CAN WORK FOR THE PERSON, TOO, FOR THE GOOD OF THE WHOLE  
07:13:46 ORGANIZATION.  
07:13:47 IT DOESN'T MEAN THAT WHEN SOMEBODY MISBEHAVES OR MISJUDGES A  
07:13:52 SITUATION THAT THEY ARE FIRED.  
07:13:53 THAT'S NOT WHAT THIS IS ABOUT.  
07:13:55 I'D LIKE TO TAKE IT FROM THE POINT OF VIEW THAT WE'RE TRYING  
07:13:59 TO MAKE THE WHOLE SYSTEM WORK BETTER BY PUTTING IN SOME  
07:14:02 PROVISIONS THAT NOT ONLY TAKE CARE OF THE AGGRIEVED BUT THE  
07:14:07 PERSON WHO, FOR WHATEVER REASON, DID THE AGGRIEVING.  
07:14:10 I WOULD JUST LIKE TO PUT THAT IN THE SITUATION HERE.  
07:14:16 >>Eileen Normile: DID YOU WANT TO ADDRESS THIS?  
07:14:21 >>Kim Githler: WELL, I TEND TO AGREE WITH JEFF THAT I THINK  
07:14:25 WE NEED TO KEEP THE CHARTER LESS COMPLICATED, BUT I ALSO  
07:14:31 THINK IT'S IMPORTANT TO KEEP PEOPLE ACCOUNTABLE.  
07:14:34 ACCOUNTABILITY.  
  
07:14:37 I ALWAYS SAY TO MY TEAM, I REPRESENT THE ONE AND I REPRESENT  
07:14:42 THE MANY.  
07:14:42 AND WHEN THE ONE STARTS TO AFFECT THE MANY, THAT'S WHEN I  
07:14:46 INTERFERE BECAUSE IT'S VERY IMPORTANT.  
07:14:48 SO YOU NEED TO KEEP ACCOUNTABILITY IN PLACE.  
07:14:52 I LIKE PETER'S IDEA, MR. FANNING'S IDEA OF TAKING A LOOK AND  
07:14:56 TIGHTENING UP THE LANGUAGE.  
07:14:58 I DON'T WANT TO REALLY ADD A LOT TO IT BECAUSE I REALLY  
07:15:02 STILL THINK IT SHOULD BE AN INVESTIGATION FROM AN OUTSIDE  
07:15:06 OFFICE THAT'S INDEPENDENT AND VOTED UPON BY THE COMMISSION.  
07:15:12 THAT'S WHAT I THINK SHOULD HAPPEN.  
07:15:14 BUT WHAT THAT IS, WHY THIS DIDN'T GO TO THAT SITUATION OR  
07:15:19 WHY THAT DIDN'T HAPPEN HERE, I DON'T KNOW.  
07:15:22 OBVIOUSLY, THEY DIDN'T FEEL THAT THEY HAD THE POWER TO DO  
07:15:25 SO.  
07:15:26 MAYBE THAT WAS THE ISSUE.  
07:15:27 SO LET'S TAKE A LOOK AT THE LANGUAGE AND BE MORE SPECIFIC AS  
07:15:33 MR. FANNING RECOMMENDED AND AS YOU HAVE ALSO THOUGHT, BUT WE  
07:15:40 MAY BE ABLE TO SOLVE IT TONIGHT, BUT THAT'S UP TO YOU.

07:15:43 MADAM CHAIR.  
07:15:43 >>Eileen Normile: I THINK PART OF WHAT WE'RE TALKING ABOUT  
07:15:46 HERE, AND, MR. FOURNIER CAN ADDRESS THIS, IS THAT WE'RE NOT  
07:15:50 REALLY TALKING ABOUT A REGULAR STAFF SITUATION.  
07:15:52 WE'RE TALKING ABOUT ELECTED OFFICIALS.  
07:15:54 AND THAT MAKES IT SO MUCH MORE DIFFICULT AND MORE TOUCHY.

07:16:00 WE HAVE TO BE VERY CAREFUL, AND YOU REALLY DON'T WANT TO RUN  
07:16:04 INTO THESE SITUATIONS EVER, EVER.  
07:16:06 AND YOU HOPE YOU NEVER DO.  
07:16:08 BUT THERE HAS TO BE SOME ACCOUNTABILITY, OTHERWISE -- IN MY  
07:16:12 ESTIMATION -- OTHERWISE, IT JUST GETS REPEATED.  
07:16:15 BUT IT DOESN'T MEAN YOU WANT TO EVER HAVE TO CALL FOR AN  
07:16:22 INVESTIGATION.  
07:16:22 BUT I KNOW THAT, HAVING LISTENED TO THE INVESTIGATION OF THE  
07:16:26 CITY AUDITOR AND CLERK, IT WAS DONE BY AN OUTSIDE FIRM WHO  
07:16:31 WERE SPECIALISTS IN HUMAN RELATIONS, AND IT WAS REALLY  
07:16:38 EXCELLENT WITH ALL KINDS OF RECOMMENDATIONS, AT LEAST I  
07:16:41 THOUGHT SO.  
07:16:42 I DON'T KNOW IF MR. BROWN WANTS TO ADD TO THAT OR MS. GRIGGS  
07:16:46 OR MR. FOURNIER.  
07:16:47 IT SEEMED -- I WAS VERY, VERY IMPRESSED BY IT AND THE  
07:16:52 COMMISSION WENT WITH THE RECOMMENDATIONS.  
07:16:54 THEY DIDN'T HAVE TO MAKE THEM.  
07:16:58 >>Marlon Brown: AGAIN, YOU'RE RIGHT.  
07:17:00 IT WAS AN OUTSIDE FIRM THAT DID THE INVESTIGATION.  
07:17:02 IT WAS DONE VERY THOROUGHLY AND REPORTED BACK TO THE  
07:17:05 COMMISSION WHO THEN TOOK WHATEVER ACTION THEY DEEMED  
07:17:08 NECESSARY BASED ON THE RECOMMENDATIONS.  
07:17:11 >>Robert Fournier: THE ONLY THING I WOULD ADD, I THINK ANY  
07:17:13 FORMALIZED PROCESS THEN OBVIOUSLY, IF IT WAS DONE THAT WAY  
07:17:18 BY AN INVESTIGATION, THERE HAD TO BE SOME FORMALIZED

07:17:21 OPPORTUNITY TO RESPOND TO IT, A PERSON WHO IS INVESTIGATED  
07:17:27 AND THE EXAMPLE YOU GAVE, THERE WAS A DECISION MADE NOT TO.  
07:17:32 BUT IF THERE'S SOME PROCESS, HAD TO BE SOME WAY THAT SHOULD  
07:17:35 THE PERSON CHOOSE TO RESPOND, THEY HAVE TO BE ALLOWED TO DO  
07:17:39 THAT, OF COURSE.  
07:17:43 >>Jeff Jackson: THEN IT BEGS THE QUESTION DAN IS SAYING.  
07:17:47 IF THERE IS AN INVESTIGATION, IF THERE IS AN ISSUE, CAN THE  
07:17:49 CITY OR WHOEVER, THE COUNCIL, CAN THEY ACTUALLY FIRE AN  
07:17:53 ELECTED OFFICIAL, MAYOR, CHAIR, WHATEVER?  
07:17:57 >>Robert Fournier: THAT'S KIND OF WHAT I WAS SAYING A FEW  
07:17:59 MINUTES AGO ABOUT, IN THE FORFEITURE, THE INVESTIGATION IS  
07:18:01 ONE THING AND THE CONSEQUENCE IS THE RESULT FROM IT IS  
07:18:05 ANOTHER SUBJECT IN A WAY.  
07:18:06 WHAT WE HAVE HERE IS JUST FOR A CHARTER VIOLATION COULD  
07:18:10 RESULT IN A FORFEITURE.  
07:18:13 EXPRESSED PROHIBITION OF THE CHARTER.  
07:18:18 BUT THAT NEEDS INVESTIGATION.  
07:18:19 THAT'S NOT GOING TO BE AS OBVIOUS AS THESE OTHER THINGS.  
07:18:23 BUT MAYBE SOMETHING ELSE, LIKE IF IT'S SOME OTHER TYPE OF  
07:18:26 MISCONDUCT, JUST LET THE COMMISSION DECIDE WHAT'S  
07:18:30 APPROPRIATE ACTION TO TAKE OR MAYBE JUST A CENSURE, A FORMAL

07:18:36 FINDING AND THAT'S ON THE RECORD AND LEAVE IT AT THAT.  
07:18:38 YOU KNOW, AS I SAY, I THINK THAT THE FORFEITURE OF OFFICE IS  
07:18:43 A VERY SERIOUS THING AND SHOULD BE DONE VERY SPARINGLY.  
07:18:48 >>Eileen Normile: MR. FOURNIER, WHEN WE TALK ABOUT THE  
  
07:18:50 FORFEITURE OF OFFICE, WE'RE TALKING ABOUT REMOVAL FROM THE  
07:18:54 COMMISSION ITSELF, BUT THE CITY COMMISSION ACTUALLY DECIDES,  
07:18:57 AT THE CURRENT TIME, WHO WILL BE MAYOR AND WHO WILL BE VICE  
07:19:00 MAYOR.  
07:19:00 SO THEY WOULD HAVE THE ABILITY TO SAY YOU'RE NO LONGER  
07:19:04 MAYOR.  
07:19:04 >>Robert Fournier: THAT THEY COULD DO AND THAT PERSON WOULD  
07:19:07 STILL BE A COMMISSIONER BUT NOT PERHAPS MAYOR OR VICE MAYOR.  
07:19:10 >>Eileen Normile: NOT IF THEY ARE ELECTED MAYOR.  
07:19:13 >>Robert Fournier: IT MAY BE LETTER TO LEAVE IT MORE OPEN  
07:19:16 FOR THE FLEXIBILITY SO WHOEVER THE COMMISSIONERS WERE AT THE  
07:19:20 TIME COULD DECIDE WHAT ACTION WAS MOST APPROPRIATE BASED ON  
07:19:24 WHAT THE INVESTIGATION REVEALED, BASED ON THE RESPONSE.  
07:19:28 >>Eileen Normile: SO EVERYONE IS ENTITLED TO DUE PROCESS,  
07:19:32 BUT IN THAT PHRASE IS THE WORD "PROCESS," AND WE DON'T HAVE  
07:19:37 A PROCESS.  
07:19:38 MR. FANNING.  
07:19:39 >>Peter Fanning: WELL, I THINK THE OTHER PROVISION IS THAT  
07:19:41 IF SOMEBODY DOING AN INVESTIGATION MAY LOOK AT THE CHARTER  
07:19:46 AND IF IT'S AN ELECTED OFFICIAL, PROBABLY WOULDN'T RECOMMEND  
07:19:51 TERMINATION FROM THE OFFICE AS THE RECOMMENDATION OF THE  
07:19:54 CITY COMMISSION, BUT MAYBE GO TO SECTION, ARTICLE 9, SECTION  
07:19:57 7 AND RECOMMEND A RECALL ELECTION.  
07:20:00 AND THEN PUT THAT PROCESS OF A RECALL ELECTION.  
07:20:03 IF IT'S SO SERIOUS, THEN IT OUGHT TO GO BACK TO THE PEOPLE  
  
07:20:07 WHO PUT THE PERSON IN OFFERS AND RECOMMEND A RECALL  
07:20:09 ELECTION.  
07:20:10 WE HAVE A NUMBER OF PROVISIONS IN THIS CHARTER THAT I THINK  
07:20:12 COULD WORK WITH IF WE JUST PUT THEM INTO A SEQUENCE THAT  
07:20:16 MADE SOME LOGIC THAT WHEN YOU READ THROUGH IT YOU DIDN'T  
07:20:19 SAY, IN SECTION 3, OH, LOOK AT THIS, AND YOU HAVE TO GO ALL  
07:20:23 THE WAY OVER TO SECTION 4, 17 TO FIND OUT THERE'S AN  
07:20:26 INVESTIGATION AND GO TO 9, SECTION 7 TO FIND A RECALL.  
07:20:31 IT'S OUT OF SEQUENCE.  
07:20:32 I DON'T KNOW ANYBODY WHO SITS DOWN AND READS THIS THING IN  
07:20:35 ONE SITTING.  
07:20:39 >>Cathy Antunes: THAT'S EXACTLY WHAT I WAS SEEING IN THESE  
07:20:41 OTHER CHARTERS WAS CLARITY, YOU KNOW, AND THIS IS, YES, WE  
07:20:48 CAN HOLD OFFICIALS ACCOUNTABLE EVERY FOUR YEARS, BUT THE  
07:20:51 WHOLE POINT OF HAVING A CHARTER IS THIS IS -- EVERYTHING  
07:20:55 THAT HAPPENS IN GOVERNMENT, THE POWER IN OUR SYSTEM IS GIVEN  
07:21:00 BY THE CITIZENS AND THE CHARTER IS THE WAY THAT THE CITIZENS  
07:21:07 LAY OUT THE GUARDRAILS.  
07:21:09 THEY LAY OUT THE STANDARDS.  
07:21:10 SO IT'S ABSOLUTELY THE APPROPRIATE VENUE FOR THERE TO BE  
07:21:16 PROTECTIONS.  
07:21:17 I REALLY APPRECIATE -- IT'S NOT THIS BLACK AND WHITE, ALL OR  
07:21:20 NOTHING, YOU'RE IN OR YOU'RE OUT, YOU'RE KICKED OUT, YOU

07:21:23 KNOW, HAVING A PROCESS AND PUTTING IN -- FINDING OUT WHERE  
07:21:30 THERE ARE WEAKNESSES AND SAYING, HEY, WE'RE GOING TO MAKE

07:21:33 THIS RECOMMENDATION AND YOU'RE GOING TO BE CENSURED, AND  
07:21:37 THAT OFTEN MOST PEOPLE WANT TO DO BETTER AND THEY CHANGE.  
07:21:41 YOU KNOW.  
07:21:42 BUT THE PROCESS IS KEY.  
07:21:45 I DID LIKE AND I HAVE WORKED UNDER COMPANIES HIGHLY  
07:21:50 REGULATED WORK ENVIRONMENT IN WHAT WAS EXPECTED OF US, AND  
07:21:54 WE HAD THAT COMPLIANCE OFFICER.  
07:21:56 WE CALLED AN OUTSIDE 800 NUMBER IF WE SAW SOMETHING,  
07:22:01 DIVERSION OF DRUG SAMPLES, THINGS THAT WERE PROBLEMATIC.  
07:22:05 I NEVER SAW THOSE THINGS, BUT WE GOT A WHOLE TRAINING ON  
07:22:08 WHERE TO BRING THOSE CONCERNS, AND IT WAS COMPLETELY  
07:22:12 ANONYMOUS.  
07:22:13 NO RETALIATION.  
07:22:14 I HEARD SOMETHING TONIGHT ABOUT YOU'RE CALLING SOMEONE IN  
07:22:18 THE OFFICE A STUPID OLD LADY.  
07:22:20 THAT'S A LAWSUIT.  
07:22:23 I MEAN, WE DO NEED TO TAKE THIS STUFF SERIOUSLY.  
07:22:26 IT'S NOT A GAME.  
07:22:27 THESE ARE PEOPLE'S WORK ENVIRONMENTS AND LIVES AND THE  
07:22:30 CITIZENS ARE ULTIMATELY THE ONES BEING REPRESENTED.  
07:22:35 I THINK WE CAN DO SOMETHING THAT FITS AND WORKS.  
07:22:42 >>Crystal Bailey: I'VE BEEN QUIET SO FAR BECAUSE I WANTED TO  
07:22:44 HEAR EVERYONE ELSE'S INPUT.  
07:22:46 I JUST WANT CLARIFICATION FROM YOU, THAT YOU CITED AN  
07:22:50 EXAMPLE THAT WORKED WELL WHERE AN INVESTIGATION WENT WELL,

07:22:53 AND I'M JUST CONFUSED WHY THAT PROCESS DOESN'T WORK NOW OR  
07:22:59 THE NEED FOR THE CHANGE IF THAT PROCESS DID WORK WELL.  
07:23:04 I'M SORRY IF I MISQUOTED YOU.  
07:23:06 >>Eileen Normile: I'LL LEAVE THAT TO MR. FOURNIER.  
07:23:09 I BELIEVE IT IS THE DIFFERENCE BETWEEN AN ELECTED OFFICIAL  
07:23:12 AND CHARTER OFFICIAL.  
07:23:12 >>Robert Fournier: I WOULD HAVE SAID THE SAME THING.  
07:23:14 >>Crystal Bailey: THANK YOU.  
07:23:15 >>Eileen Normile: THINGS GET VERY COMPLICATED WHEN PEOPLE  
07:23:17 ARE ELECTED.  
07:23:18 WOULD ANYBODY INTERESTED IN A MOTION TO HAVE LANGUAGE  
07:23:25 BROUGHT BACK TO US TO DISCUSS?  
07:23:31 >>Jeff Jackson: SO THAT PROCESS DOESN'T WORK OR ISN'T  
07:23:36 FOLLOWED BY THE COMMISSION?  
07:23:39 THEY DON'T VOTE TO DO AN INVESTIGATION?  
07:23:43 >>Robert Fournier: AS I SAID, I THINK THEY HAVE THAT  
07:23:46 AUTHORITY JUST INHERENTLY, BUT THERE ISN'T ANYTHING, A  
07:23:50 GUIDELINE WRITTEN, SPELLED OUT AND WHAT IS THERE DOES  
07:23:53 ADDRESS EMPLOYEES AND DOESN'T ADDRESS EXPLICITLY ELECTED  
07:23:58 OFFICIALS.  
07:23:59 >>Eileen Normile: I TRIED TO PULL THE LANGUAGE OUT OF THE  
07:24:02 DISCUSSION AND HIGHLIGHT IT, BUT THERE WAS MORE TO THAT  
07:24:04 DISCUSSION.  
07:24:04 YOU CAN GO BACK AND READ THE WHOLE THING.  
07:24:06 I DIDN'T MEAN TO TRUNCATE IT.

07:24:08 THERE WAS A LOT OF CONFUSION AND THE PROCESS SEEMED TO BE  
07:24:13 THE PROBLEM.  
07:24:17 >>Dan Clermont: CAN WE -- YOU KNOW, PEOPLE WILL BE JUST  
07:24:23 HAPPIER IF WE HAD A CHANGE WHERE IT WOULD ENCOMPASS THE  
07:24:28 ELECTED OFFICIALS AND THEN WOULD HE WOULD ADD LANGUAGE UNDER  
07:24:31 THE INVESTIGATIONS THAT THEY CAN HAVE AN INVESTIGATION AND  
07:24:34 IF THE INVESTIGATION WERE TO BE OF AN ELECTED OFFICIAL, THAT  
07:24:37 IT WOULD BE CARRIED OUT BY AN INDEPENDENT ENTITY CHOSEN BY  
07:24:41 THE COMMISSION.  
07:24:42 NOW THAT INDEPENDENT ENTITY OUT THERE IS GOING TO BRING BACK  
07:24:49 A REPORT.  
07:24:50 WHERE I GET INTO A LITTLE BIT OF A QUAGMIRE THEN IS WHAT IS  
07:24:53 THE DUE PROCESS THERE?  
07:24:55 YOU HAVE AN INVESTIGATOR, HOW DO WE KNOW IF THEY REALLY  
07:25:00 INTERVIEWED EVERYBODY INVOLVED?  
07:25:01 IF THEY REALLY WERE FAIR TO THE PERSON BEING ACCUSED OF  
07:25:04 SOMETHING?  
07:25:05 IT'S A LITTLE QUAGMIRISH TO ME.  
07:25:07 I'M PUSHING BACK AGAINST THIS ALL THE TIME BECAUSE I THINK  
07:25:11 SOMEBODY NEEDS TO, AND PART OF IT -- I DON'T WANT TO SEE ANY  
07:25:16 MALFEASANCE FROM THE CITY COMMISSION OR ANYBODY LORDING OVER  
07:25:19 THE STAFF.  
07:25:21 NOBODY WANTS TO SEE THAT.  
07:25:22 I'M LOOKING FURTHER DOWN THE ROAD TO WHAT -- WHAT ARE WE  
07:25:26 GOING TO REALLY BE ABLE TO ACCOMPLISH IN THE END?

07:25:28 THAT'S WHY I ASKED THE QUESTION.  
07:25:29 CAN WE REALLY REMOVE ANYBODY?  
07:25:31 IS IT A MATTER OF HAVING AN INVESTIGATION?  
07:25:35 GO RIGHT BACK, RIGHT WHERE WE STARTED.  
07:25:36 IF WE'RE GOING TO MAKE CHANGES, I'D LIKE THEM TO BE FAIRLY  
07:25:39 BROAD.  
07:25:39 I LIKE THE IDEA OF BRINGING THE ELECTED OFFICIALS UNDER THE  
07:25:43 INVESTIGATION IN THE SECTION 17.  
07:25:44 BUT MY POINT IS THEN MAYBE WE SHOULD TAKE A STEP FURTHER.  
07:25:49 WE CAN PUT LANGUAGE IN THERE IF WE DO IT, HAS TO BE AN  
07:25:53 INDEPENDENT ENTITY OUTSIDE.  
07:25:54 WHO ELSE WOULD IT BE?  
07:25:56 STAFF WHO REPORTS TO MR. BROWN?  
07:25:59 THAT DOESN'T WORK.  
07:26:00 >>Eileen Normile: JUST TO ANSWER YOUR QUESTION, HOW DO WE  
07:26:02 KNOW THAT THEY DIDN'T INTERVIEW -- DID THEY INTERVIEW  
07:26:05 EVERYONE, IS IT FAIR?  
07:26:06 WELL, THAT'S WHEN YOU GET TO REBUT.  
07:26:10 THAT'S DUE PROCESS.  
07:26:17 >>Crystal Bailey: I DON'T FEEL COMFORTABLE -- NOT THAT IT'S  
07:26:19 BEEN PUT TO A VOTE -- I DON'T FEEL COMFORTABLE IF I DON'T  
07:26:22 KNOW WHAT OPTIONS THERE ARE IF A VIOLATION IS SUSTAINED.  
07:26:27 I WOULD IMAGINE THAT HIRING OUTSIDE COUNSEL WOULD BE  
07:26:31 LENGTHY, TAKE A LOT OF TIME FROM THE CITY WORKERS, COST A  
07:26:34 LOT OF MONEY, AND THEN TO WHAT END?

07:26:36 AND THAT'S JUST WHAT I'M NOT CLEAR ON.

07:26:39 WHAT ARE WE ACCOMPLISHING IF WE DO PROVE?  
07:26:45 >>Robert Fournier: I THINK THAT DEPENDS ON WHAT YOU  
07:26:47 ULTIMATELY DECIDE TO DO OR WHAT THE PROCESS SAYS.  
07:26:51 BUT I THINK I WOULD THINK SOMETHING THAT PROVIDED MAXIMUM  
07:26:56 FLEXIBILITY WOULD BE OPTIMUM, MEANING THE COMMISSION COULD  
07:27:01 DECIDE WHAT TO DO WITH THE INFORMATION WHEN THEY GOT IT.  
07:27:05 BUT I THINK THAT YOU'D HAVE TO BE VERY CAREFUL.  
07:27:08 I DON'T KNOW THAT YOU'D WANT TO EXPAND THIS IDEA OF  
07:27:12 FORFEITING OFFICE OR THE COMMISSION -- YOU KNOW, LIKE, FOR  
07:27:17 EXAMPLE, AN ETHICAL VIOLATION THAT'S HERE, I THINK THE  
07:27:20 GOVERNOR WOULD REMOVE AN ELECTED OFFICIAL WHO WAS FOUND TO  
07:27:23 HAVE VIOLATED CHAPTER 112, PERHAPS IT DOESN'T HURT TO SAY  
07:27:27 THE SAME THING IN THE CHARTER.  
07:27:29 BUT ONE THOUGHT I HAD THERE.  
07:27:31 I CAN LOOK AND SEE UNDER WHAT EXPLICIT EXAMPLES THAT COULD  
07:27:36 HAPPEN.  
07:27:36 THAT'S ONE THING THAT MAY BE TAKEN CARE OF ELSEWHERE.  
07:27:39 IF IT'S JUST THE TYPE OF MISCONDUCT THAT YOU'RE TALKING  
07:27:44 ABOUT, I THINK THAT JUST MAYBE THE FINDING ALONE THAT IT HAD  
07:27:48 HAPPENED WOULD BE SUFFICIENT IS SORT OF AN ADMONITION NOT TO  
07:27:54 KEEP GOING DOWN THAT ROAD, THAT YOU WOULDN'T HAVE TO LET IT  
07:27:58 LEAD TO SOMEONE BEING IN EFFECT TERMINATED FROM HOLDING  
07:28:04 THEIR OFFICE THAT THE VOTERS PUT THEM THERE.  
07:28:06 I'D JUST BE RELUCTANT TO GO TOO FAR WITH THAT.

07:28:14 >>Cathy Antunes: THE PHRASE THAT I KEEP GOING BACK TO,  
07:28:16 VIOLATING, YOU KNOW, EXISTING LAW, STANDARDS, AND ALL, I  
07:28:20 THINK WOULD SPEAK TO EXISTING STATE ETHICS LAWS AND BRING IN  
07:28:27 FEDERAL LEGAL EMPLOYMENT.  
07:28:30 IT'S BROAD AND A LOT OF COMMUNITIES HAVE IT.  
07:28:33 THE FACT OF GOING THROUGH A PROCESS AND PUTTING THE BRAKES  
07:28:36 ON SOMEONE CAN BE QUITE POWERFUL.  
07:28:39 THEY DON'T HAVE TO BE KICKED OUT, YOU KNOW.  
07:28:41 BUT JUST SAY HOLD THE PHONE, YOU DON'T GET TO DO THIS.  
07:28:44 WE NEED TO LOOK AT THIS.  
07:28:46 AND THEN THEY CAN BE COACHED AS TO WHAT'S APPROPRIATE AND  
07:28:50 WHAT'S NOT.  
07:28:51 AND TALENTED PEOPLE CAN CHANGE COURSE, YOU KNOW.  
07:28:55 IT'S NOT AN ALL OR NOTHING THING, BUT TO ACT LIKE OUR HANDS  
07:28:58 ARE TIED AND WE CAN'T DO ANYTHING IS FALSE.  
07:29:01 THERE'S A LOT WE CAN DO.  
07:29:05 WE SAID WE WOULD WHEN WE TALKED ABOUT A FOUR-YEAR TERM.  
07:29:11 SO, YOU KNOW, THIS IS DOABLE.

07:29:14 >>Eileen Normile: ANYTHING FURTHER?

07:29:21 >>Peter Fanning: I'D LIKE TO MOVE THAT WE ASK THE STAFF TO  
07:29:26 TAKE INTO ACCOUNTABILITY THE ELEMENTS OF THIS DISCUSSION AND  
07:29:30 ALSO TO LOOK AT OTHER JURISDICTIONS THAT MAY PROVIDE AN  
07:29:36 EXAMPLE FOR US AND BRING BACK THAT INFORMATION FOR OUR NEXT  
07:29:42 MEETING.

07:29:43 >>Cathy Antunes: I'LL SECOND THAT.

07:29:46 >>Eileen Normile: ANY FURTHER DISCUSSION?

07:29:47 MS. RIVERS, DO YOU WANT TO DO A VOICE VOTE ON THAT?

07:29:55 >>Lori Rivers: YES.

07:29:56 I'LL JUST CLARIFY FOR THE RECORD, THE COMMISSION REPORTER SO  
07:30:02 IT'S CLEAR.  
07:30:02 THE MOTION WAS BY MEMBER FANNING, SECONDED BY MEMBER ANTUNES  
07:30:06 FOR STAFF TO TAKE INTO ACCOUNT THIS DISCUSSION, LOOK AT  
07:30:09 OTHER EXAMPLES AND BRING BACK LANGUAGE AT THE NEXT MEETING.  
07:30:12 I'LL DO A ROLL CALL.  
07:30:15 >>Cathy Antunes: YES.  
07:30:17 >>Crystal Bailey: NO.  
07:30:19 >>Dan Clermont: NO.  
07:30:21 >>Eileen Normile: YES.  
07:30:22 >>Peter Fanning: YES.  
07:30:24 >>Kim Githler: YES.  
07:30:26 >>Jeff Jackson: YES.  
07:30:29 >>Lori Rivers: MOTION CARRIES.  
07:30:31 >>Eileen Normile: THANK YOU.  
07:30:32 WE ARE NOW ON TO -- I HAVE LOST THE AGENDA, 3.4.  
07:30:41 DISCUSSION OF CONVENING AN ADVISORY BOARD TO REVIEW THE  
07:30:49 CITY'S COMPREHENSIVE PLAN EVERY SEVEN YEARS, WHICH I THINK  
07:30:52 MR. BROWN INDICATED IS NEXT YEAR.  
07:30:55 SO THIS WAS A SUGGESTION SOMEONE HAD MADE THAT THERE BE AN  
07:31:00 ADVISORY BOARD.  
07:31:02 BEFORE WE START ON THIS -- OH, MR. FOURNIER.

07:31:04 >>Robert Fournier: IT'S ALL RIGHT.  
07:31:05 CALL ON ME AFTER YOU ARE THROUGH.  
07:31:08 >>Eileen Normile: I WAS ACTUALLY GOING TO CALL ON MR. BROWN  
07:31:10 TO ASK WHO ACTUALLY COMES UP WITH THE --  
07:31:12 >>Robert Fournier: I JUST HAD A COMMENT.  
07:31:14 MY COMMENT WAS THAT BY FLORIDA STATUTE, THE COMMISSION HAS  
07:31:19 TO APPOINT AND DESIGNATE BY ORDINANCE A LOCAL PLANNING  
07:31:24 AGENCY, WHICH THEY HAVE DESIGNATED THE CITY'S PLANNING  
07:31:27 BOARD.  
07:31:28 AND AMONG THEIR FUNCTIONS IS TO PREPARE THE COMPREHENSIVE  
07:31:31 PLAN AND PLAN AMENDMENTS AFTER HEARINGS AND MAKE  
07:31:35 RECOMMENDATIONS TO THE CITY COMMISSION REGARDING ADOPTION OR  
07:31:38 AMENDMENTS TO THE COMPREHENSIVE PLAN.  
07:31:41 SO UNLESS THERE'S SOME WAY TO SUPPLEMENT THAT, BUT LOCAL  
07:31:45 PLANNING AGENCY BY STATUTE SAYS, HAS GENERAL RESPONSIBILITY  
07:31:48 FOR THE CONDUCT OF THE COMPREHENSIVE PLANNING PROGRAM, AND  
07:31:51 THEN IT OUTLINES SPECIFIC THINGS THAT THEY DO.  
07:31:55 I GUESS -- I'M SUGGESTING THAT BY STATUTE THAT FUNCTION HAS  
07:31:59 ALREADY BEEN ASSIGNED TO THE CITY'S PLANNING BOARD SO IT MAY  
07:32:02 NOT BE NECESSARY TO CREATE ANOTHER BOARD TO DO THAT.  
07:32:07 >>Eileen Normile: MR. BROWN, DID YOU WANT TO ADD ANYTHING TO  
07:32:09 THAT?  
07:32:09 >>Marlon Brown: NO.  
07:32:10 AGAIN, THIS BEING ON THE AGENDA, YOU KNOW, WE ARE REQUIRED  
07:32:13 BY STATE STATUTE TO TAKE A LOOK AT THE COMPREHENSIVE PLAN

07:32:16 EVERY SEVEN YEARS.  
07:32:17 IT IS THE EVALUATION AND APPRAISAL REPORT.  
07:32:21 THIS IS ALREADY BEING DONE.  
07:32:23 I AGREE WITH MR. FOURNIER.  
07:32:25 >>Eileen Normile: GENERALLY, THE PROCEDURE -- CORRECT ME IF

07:32:27 I'M WRONG -- IT COMES OUT OF THE PLANNING DEPARTMENT.  
07:32:29 >>Marlon Brown: CORRECT.  
07:32:30 >>Eileen Normile: THEY SPEND TIME GOING OVER EVERYTHING AND  
07:32:33 THEN THEY PRESENT IT TO THE PLANNING BOARD.  
07:32:34 >>Marlon Brown: CORRECT.  
07:32:35 >>Eileen Normile: THE PLANNING BOARD ISN'T ACTUALLY PART OF  
07:32:37 THE ORIGINAL CREATION OF IT, BUT THEY TWEAK IT.  
07:32:39 >>Marlon Brown: CORRECT.  
07:32:40 >>Eileen Normile: AND THEN IT GOES TO THE CITY COMMISSION.  
07:32:42 >>Marlon Brown: CORRECT.  
07:32:45 >>Eileen Normile: ANY DISCUSSION ON THIS?  
07:32:46 >>Robert Fournier: THE PLANNING BOARD IS THE ENTITY THAT  
07:32:48 HOLDS THE REQUIRED HEARINGS.  
07:32:53 >>Eileen Normile: I RECALL.  
07:32:55 >>Cathy Antunes: SOUNDS LIKE ANYTHING WE DO MIGHT BE  
07:32:57 PREEMPTED BECAUSE THAT IS THE LAW ALREADY, RIGHT?  
07:33:00 >>Robert Fournier: I MEAN, I DON'T HAVE TO APPOINT THE  
07:33:02 PLANNING BOARD.  
07:33:03 THEY COULD PERHAPS APPOINT THIS OTHER ENTITY, BUT IT COULD  
07:33:06 CONFLICT.

07:33:06 AND I THINK IT'S BETTER TO HAVE THE PLANNING BOARD DO IT  
07:33:12 SINCE THEY CONSIDER A REQUEST, PRIVATE REQUEST TO AMEND THE  
07:33:17 PLAN.  
07:33:18 >> SHALL WE MOVE ON?  
07:33:19 >>Eileen Normile: WE SHOULD VOTE I GUESS --  
07:33:22 >>Cathy Antunes: I MAKE A MOTION --  
07:33:24 >>Peter Fanning: I CAN GET THE DISCUSSION IN ON THE MOTION.  
07:33:27 GO AHEAD.  
07:33:28 >>Cathy Antunes: I MAKE A MOTION THAT WE RECOGNIZE THE  
07:33:30 EXISTING PLANNING BOARD AS THE AGENCY THAT REVIEWS THE COMP  
07:33:35 PLAN EVERY SEVEN YEARS.  
07:33:37 >>Dan Clermont: SECOND.  
07:33:42 >>Eileen Normile: ANY DISCUSSION?  
07:33:43 >>Peter Fanning: I THINK AS I REMEMBER THE DISCUSSION AS WE  
07:33:46 HAD IT, THERE WAS THE QUESTION OF WHY SEVEN JUST BECAUSE  
07:33:49 IT'S A MAGICAL NUMBER?  
07:33:51 AND SOME OF US WERE CONCERNED THAT THREE YEARS LATER THERE'S  
07:33:53 GOING TO BE A CHARTER REVIEW BOARD TO LOOK AT THIS WHOLE  
07:33:55 THING AGAIN AND WOULDN'T IT BE BETTER IF YOU DID IT EVERY  
07:33:58 FIVE YEARS?  
07:34:00 THAT WAS BASICALLY -- I THINK THAT WAS BASICALLY THE DILEMMA  
07:34:04 THAT PEOPLE WERE HAVING.  
07:34:05 IT WASN'T SO MUCH THAT WE DIDN'T HAVE A PROCESS, BUT THAT  
07:34:08 THE PROCESS JUST DIDN'T SEEM TO FIT THE SCHEDULE THAT WE  
07:34:12 ALREADY HAVE.

07:34:12 >>Eileen Normile: IS THAT A STATUTE?  
07:34:14 >>Robert Fournier: SEVEN YEARS IS BY STATUTE.  
07:34:16 >>Peter Fanning: THEN IT'S FINE.  
07:34:18 I MOVE WE CALL THE QUESTION.  
07:34:20 [ LAUGHTER ]  
07:34:21 >>Eileen Normile: THE QUESTION IS CALLED.  
07:34:22 >>Lori Rivers: MOTION BY MEMBER ANTUNES.



07:34:25 SECOND BY MEMBER CLERMONT.  
07:34:27 I'LL DO ROLL CALL.  
07:34:29 >>Cathy Antunes: YES.  
07:34:30 >>Crystal Bailey: YES.  
07:34:31 >>Dan Clermont: YES.  
07:34:32 >>Eileen Normile: YES.  
07:34:34 >>Peter Fanning: YES.  
07:34:35 >>Kim Githler: YES.  
07:34:36 >>Jeff Jackson: YES.  
07:34:38 >>Lori Rivers: THE MOTION CARRIES 7-0.  
07:34:41 >>Eileen Normile: AGENDA ITEM 3.5.  
07:34:44 THIS IS ADDING A PROVISION THAT A CHARTER REVIEW COMMITTEE  
07:34:48 WOULD BE CONVENED MORE FREQUENTLY THAN EVERY TEN YEARS OR  
07:34:53 THAT A PERMANENT COMMITTEE BE ESTABLISHED.  
07:34:55 I KNOW EVERYONE HERE WOULD LIKE TO BE ON THE PERMANENT  
07:34:59 COMMITTEE AND MEET EVERY WEEK.  
07:35:01 SEE YOU HERE NEXT WEEK AT 6.  
07:35:03 I ACTUALLY PUT THIS ON THE LIST.

07:35:08 I'LL SAY A FEW THINGS ABOUT IT.  
07:35:10 I THINK WE'VE ALL LEARNED THAT REVIEWING AN ENTIRE CHARTER  
07:35:14 IS A MASSIVE UNDERTAKING.  
07:35:18 I'M NOT SURE THAT WE DO THE BEST JOB WE COULD DO IF WE WERE  
07:35:23 LOOKING AT SMALLER SEGMENTS OF IT AND REALLY STUDYING  
07:35:29 PROPOSALS IN DEPTH, GETTING EXPERTS TO COME IN AND TRAIN US  
07:35:33 A LITTLE BIT, ET CETERA.  
07:35:35 WE HAVE A VERY SHORT TERM TURNAROUND.  
07:35:39 IT DOESN'T ALLOW FOR MUCH TRAINING.  
07:35:41 WE TRIED TO DO THE BEST WE COULD.  
07:35:43 I KNOW SOME PEOPLE HAVEN'T BEEN INVOLVED IN CITY GOVERNMENT  
07:35:46 BEFORE AND A LOT OF THIS IS NEW.  
07:35:49 AND I THINK WHEN YOU REVIEW AN ENTIRE CHARTER, YOU WIND UP  
07:35:54 WITH A LOT OF LANGUAGE THAT MR. FOURNIER LOSES SLEEP OVER  
07:35:58 AND HAS TO WRITE ALL OF THESE VARIOUS AMENDMENTS FOR THE  
07:36:03 CITY COMMISSION TO LOOK AT AND THEN, OF COURSE, THEY MAKE  
07:36:05 THE FINAL DECISION.  
07:36:06 ALSO, IF YOU ONLY MEET EVERY TEN YEARS, WHAT YOU GET IS A  
07:36:10 GROUP OF PEOPLE, US, WHO ARE BASICALLY A SNAPSHOT OF THE  
07:36:14 CITY COMMISSION.  
07:36:16 EACH CITY COMMISSIONER APPOINTS TWO PEOPLE, AND THAT'S IT  
07:36:21 THEN FOR THE NEXT TEN YEARS.  
07:36:23 SO THE QUESTION IS, WOULD IT BE BETTER TO RECOMMEND THAT THE  
07:36:27 CHARTER REVIEW COMMITTEE EITHER BE PERMANENT, WHICH I'M  
07:36:31 GUESSING NO ONE WOULD LIKE THAT.

07:36:34 THE COUNTY IS PERMANENT, BUT THEY ARE ELECTED.  
07:36:36 OR SHOULD IT MEET PERHAPS EVERY FIVE YEARS OR TWO YEARS OR  
07:36:42 SEVEN YEARS?  
07:36:45 THAT WAS THE REASON I ASKED FOR IT TO BE PUT ON TONIGHT'S  
07:36:49 AGENDA.  
07:36:50 DOES ANYONE HAVE ANY THOUGHTS ON THAT?  
07:36:55 >>Robert Fournier: THERE'S ONE POINT I DID WANT TO CLARIFY  
07:36:58 IS THAT I DO BELIEVE -- I THINK IT'S EXPLICITLY STATED IN  
07:37:04 THE SECTION -- TEN-YEAR INTERVALS, THE REQUIREMENT IS THAT

07:37:08 THE CHARTER REVIEW COMMITTEE HAVE THE AUTHORITY -- BE GIVEN  
07:37:12 THE AUTHORITY TO REVIEW THE ENTIRE CHARTER, BUT JUST SO  
07:37:15 THERE'S NO MISUNDERSTANDING, THE CITY COMMISSION CAN IN THE  
07:37:19 INTERIM SAY AFTER FIVE YEARS CONVENE A CHARTER REVIEW  
07:37:23 COMMITTEE WITH A SPECIFIC ASSIGNMENT TO LOOK AT A PARTICULAR  
07:37:27 SECTION.  
07:37:27 SO JUST FOR CLARIFICATION PURPOSES I WANTED TO MENTION THAT.  
07:37:35 >>Eileen Normile: ANYONE?  
07:37:39 >>Crystal Bailey: DID YOU SAY THEY CAN DO THAT EVERY FIVE  
07:37:42 YEARS?  
07:37:42 >>Robert Fournier: WHENEVER THEY WANT.  
07:37:44 WHENEVER THEY FEEL THE NEED, THE REQUIREMENT IS JUST THAT  
07:37:47 THE COMMITTEE HAVE THE AUTHORITY TO GO OVER THE ENTIRE  
07:37:50 CHARTER.  
07:37:51 I DO REMEMBER ONE TIME ONE WAS CONVENED WITH SPECIFIC  
07:37:56 ASSIGNMENTS, SO THAT CAN BE DONE.

07:37:58 >>Kim Githler: MY CONCERN ABOUT DOING SOMETHING EVERY TWO  
07:38:02 YEARS OR FOUR YEARS OR FIVE YEARS, I THINK THAT THIS  
07:38:08 COMMITTEE HAS DONE AN AMAZING JOB.  
07:38:11 I AM NOT SOMEONE THAT IS A PROPONENT OF CONTINUING TO CREATE  
07:38:17 HURDLES AND LAWS AND ISSUES.  
07:38:19 I LIKE TO KEEP THINGS SIMPLE.  
07:38:21 AND WHAT WOULD WORRY ME ABOUT THAT IS THAT THEY WOULD KEEP  
07:38:27 CHANGING ALL THE LAWS OR ALL THE AMENDMENTS.  
07:38:30 I THINK LESS IS BETTER.  
07:38:34 THAT'S JUST MY OPINION.  
07:38:40 >>Jeff Jackson: I TEND TO AGREE WITH THAT.  
07:38:43 I GUESS YOUR THOUGHT WAS LINE THEM UP, SEVEN AND SEVEN.  
07:38:46 >>Eileen Normile: NO, NO.  
07:38:48 I WAS BEING FACETIOUS.  
07:38:50 NO, I JUST THOUGHT EVERY FIVE YEARS, THERE WOULD BE LESS TO  
07:38:55 CHANGE AND LESS TO BE CONCERNED ABOUT BRINGING IT INTO THE  
07:39:00 CURRENT TIME PERIOD.  
07:39:02 TIMES CHANGE.  
07:39:03 SALARIES CHANGE.  
07:39:06 I JUST THOUGHT IT MIGHT BE AN EASIER BURDEN IF IT WAS DONE  
07:39:10 MORE FREQUENTLY.  
07:39:11 >>Jeff Jackson: MAYBE I WOULD SUGGEST YOU GIVE IT MORE TIME  
07:39:14 EVERY TEN YEARS BECAUSE WE SEEM TO HAVE CRAMMED THIS IN  
07:39:17 QUICKLY FOR THAT REASON.  
07:39:19 BUT I WOULD NOT DO IT MORE FREQUENTLY.

07:39:22 MAYBE GIVE US MORE TIME, I WOULD SAY.  
07:39:32 >>Dan Clermont: I FEEL THAT, YEAH, FOR ONE, THAT'S A GOOD  
07:39:34 POINT.  
07:39:35 LITTLE MORE TIME.  
07:39:36 THIS HAS FELT RUSHED.  
07:39:38 BUT I THINK THAT -- THIS IS THE BACKBONE OF THE WAY THE  
07:39:41 CITY'S GOVERNMENT IS FORMED.  
07:39:42 IT'S NOT SOMETHING THAT SHOULD BE CONSTANTLY IN FLUX BECAUSE  
07:39:45 YOU CAN HAVE POLITICAL -- YOU CAN HAVE THE POLITICAL FLAVOR  
07:39:51 OF THE DAY, THEN BECOME WHAT IS -- GOT THIS PROBLEM THAT  
07:39:56 HAPPENED THIS WEEK OR THIS YEAR AND WE'RE GOING TO DEAL WITH

07:40:00 IT IN THE CHARTER.  
07:40:01 AND THERE'S SO MUCH RECENCY THERE THAT IT'S NOT A  
07:40:05 30,000-FOOT VIEW OF HOW THE CITY SHOULD RUN; IT STARTS TO  
07:40:08 JUST MICROMANAGE.  
07:40:09 THAT'S NOT WHAT THE CITY CHARTER SHOULD BE, I DON'T THINK.  
07:40:12 I THINK THE CITY COMMISSIONERS AND STAFF SHOULD BE HANDLING  
07:40:15 AND MICROMANAGING THE CITY AS IT GOES ALONG.  
07:40:18 THIS IS JUST AN OVERALL.  
07:40:20 IT'S A STRUCTURE.  
07:40:21 IT'S A SKELETON FOR HOW THE CITY RUNS.  
07:40:23 IT'S GOOD WE REVIEW IT, BUT I DON'T THINK IT SHOULD BE TOO  
07:40:26 FREQUENT.  
07:40:26 >>Eileen Normile: ANYONE ELSE?  
07:40:28 MS. ANTUNES.

07:40:29 >>Cathy Antunes: YEAH, I THINK OUR TIMELINE WAS CONTRACTED.  
07:40:33 IT WAS COMPRESSED.  
07:40:34 I DON'T THINK FORMER CHARTER REVIEW COMMITTEES HAD THIS  
07:40:39 SHORT AMOUNT OF TIME.  
07:40:41 THEY HAD LONGER.  
07:40:42 SO MAYBE IT WOULD MAKE SENSE, TO YOUR POINT, THAT WE MANDATE  
07:40:49 -- I KNOW THAT MAY NOT -- BUT TO SAY TEN MONTHS, YOU KNOW,  
07:40:53 INSTEAD OF THIS REALLY COMPRESSED TIMELINE, BECAUSE WHAT DID  
07:40:57 WE HAVE, EIGHT MONTHS?  
07:40:59 SIX MONTHS?  
07:41:04 >>Dan Clermont: THE PROBLEM IS THAT AN AMENDMENT -- OR WHAT  
07:41:07 IS IT?  
07:41:08 WHAT'S THE WORD?  
07:41:09 WE GOT TO VOTE ON THIS -- REFERENDUM.  
07:41:12 IT'S THE DROP-DEAD FOR THE REFERENDUM.  
07:41:14 MAYBE WE COULD SAY THAT IT HAS -- THAT THE CHARTER REVIEW  
07:41:18 BOARD HAS TO BE ASSIGNED AND SEATED BY 12 MONTHS PRIOR OR  
07:41:22 SAY 16 MONTHS PRIOR OR SOMETHING LIKE THAT BECAUSE THERE'S A  
07:41:28 PROCESS.  
07:41:28 WE GET DONE HERE, THEN IT HAS TO GO THROUGH CITY COMMISSION.  
07:41:31 YOU KNOW THAT RON TURNER WILL BE SAYING, HEY, GET ME THIS  
07:41:34 LANGUAGE, GET ME THIS LANGUAGE.  
07:41:35 HE WILL NEED THAT FOR IT TO BE DISTRIBUTED FOR THE  
07:41:38 REFERENDUM.  
07:41:39 WE HAVE TO WORK BACKWARD FROM THERE MAYBE AND MAYBE ASK FOR

07:41:42 SOMETHING LIKE THAT.  
07:41:43 >>Peter Fanning: TWO POINTS I'D LIKE TO MAKE.  
07:41:45 ONE, I'M A GREAT PROPONENT IN THE FACT THAT WORK WILL TAKE  
07:41:49 THE AMOUNT OF TIME THEY ALLOT TO IT.  
07:41:52 YOU GIVE THEM TEN MONTHS AND NINE MONTHS GO BY AND THEY ARE  
07:41:56 ALL RUSHING AROUND TRYING TO FIND AN EXTRA MEETING.  
07:41:59 THAT'S THE FIRST THING.  
07:42:00 THE SECOND THING IS, I'VE LOOKED AT ARTICLE 10 IN THE  
07:42:04 CHARTER, AND IT SEEMS TO ALLOW FOR GREAT LATITUDE IN MAKING  
07:42:09 AMENDMENTS TO THE CHARTER OR REVIEWING THE OLD CHARTER LESS  
07:42:13 THAN EVERY TEN YEARS.  
07:42:14 I THINK WE'VE GOT -- THIS IS THE PIECE THAT ISN'T BROKEN IN  
07:42:17 THE CHARTER, I THINK, IN MY OPINION.

07:42:21 THAT'S MY COMMENT, AND I WOULD BE WILLING TO MAKE A MOTION  
07:42:24 THAT WE KEEP THE LANGUAGE THAT WE FIND IN ARTICLE 10,  
07:42:28 CHARTER AMENDMENTS, AS IT'S WRITTEN IN THE CURRENT CHARTER.  
07:42:31 >>Kim Githler: I'LL SECOND IT.  
07:42:33 >>Eileen Normile: WE'LL TAKE A VOICE VOTE.  
07:42:35 >>Lori Rivers: MOTION BY FANNING.  
07:42:39 SECOND BY GITHLER.  
07:42:42 I'M SORRY.  
07:42:44 COULD YOU REPEAT THE ARTICLE?  
07:42:47 >>Peter Fanning: ARTICLE 10.  
07:42:50 I THINK THAT ONLY ADDRESSES CHARTER AMENDMENTS.  
07:42:52 >>Lori Rivers: THANK YOU.

07:42:54 >>Cathy Antunes: YES.  
07:42:55 >>Crystal Bailey: YES.  
07:42:56 >>Dan Clermont: YES.  
07:42:58 >>Eileen Normile: YES.  
07:42:59 YOU'VE CONVINCED ME.  
07:43:01 >>Peter Fanning: YES.  
07:43:02 >>Kim Githler: YES.  
07:43:03 >>Jeff Jackson: YES.  
07:43:04 >>Lori Rivers: MOTION CARRIED UNANIMOUSLY.  
07:43:07 >>Eileen Normile: ALL RIGHT.  
07:43:08 THANK YOU.  
07:43:08 AGENDA ITEM 3.6, ADDING A PROVISION TO THE CHARTER THAT THE  
07:43:16 CITY COMMISSION FOLLOW ROBERT'S RULES OF ORDER AND THERE BE  
07:43:20 A DESIGNATED PARLIAMENTARIAN OTHER THAN THE CITY AUDITOR AND  
07:43:24 CLERK.  
07:43:27 >>Shayla Griggs: MAY I SPEAK?  
07:43:32 >>Eileen Normile: MS. GRIGGS, DID YOU WISH TO WEIGH IN?  
07:43:35 >>Shayla Griggs: YES, PLEASE.  
07:43:36 THIS IS MY ONLY OPINION ON THIS.  
07:43:43 I DO NOT IN MY OPINION DO NOT BELIEVE ROBERT'S RULES OF  
07:43:47 ORDER NEED TO BE A PART OF THE CHARTER.  
07:43:50 IT IS ALREADY A PART OF OUR RULES OF PROCEDURE.  
07:43:52 I DO THINK THAT IS NOT THE PLACE FOR IT TO BE IN THE CITY  
07:43:57 CHARTER.  
07:43:58 I DON'T THINK YOU'LL FIND ANY MUNICIPALITY IN THE WORLD THAT

07:44:03 FOLLOWS ROBERT'S RULES OF ORDER TO THE T.  
07:44:05 AND I DON'T THINK YOU'LL FIND ANYBODY IN THE WORLD WHO KNOWS  
07:44:08 EVERY SINGLE WORD TO ROBERT'S RULES OF ORDER BY HEART.  
07:44:12 TO SAY THAT IT NEEDS TO BE IN THE CHARTER, I DON'T THINK IS  
07:44:17 THE PLACE FOR THAT AND ALSO, TOO, I DON'T KNOW IF  
07:44:22 NECESSARILY NEED TO -- PARLIAMENTARIAN.  
07:44:26 I BELIEVE THAT I CAN HANDLE THAT.  
07:44:29 AND ALSO, TOO, I ALSO DON'T KNOW HOW THAT'S GOING TO BE PAID  
07:44:33 FOR.  
07:44:33 WHO IS PAYING FOR IT.  
07:44:35 WHO IS TAKING CARE OF IT.  
07:44:36 WHO IS MANAGING IT.  
07:44:37 THAT'S JUST MY OPINION.  
07:44:39 AND THEN YOU ALL DO WHAT YOU LIKE.  
07:44:41 THANK YOU.

07:44:41 >>Eileen Normile: MS. GRIGGS, JUST CLARIFICATION, DID YOU  
07:44:44 SAY ROBERT'S RULES OF ORDER WAS PART OF THE RULES OF  
07:44:48 PROCEDURE?  
07:44:49 I'M NOT SURE IF I UNDERSTOOD YOU.  
07:44:51 >>Shayla Griggs: YES.  
07:44:52 IT IS IN THE COMMISSION'S RULES OF PROCEDURE TO USE ROBERT'S  
07:44:55 RULES OF ORDER.  
07:44:57 >>Eileen Normile: THANK YOU.  
07:44:58 MR. FANNING.  
07:45:00 >>Peter Fanning: WELL, I AGREE WITH THE AUDITOR AND CLERK.

07:45:04 THE PRESENT REVISED EDITION OF ROBERT RULES OF ORDER IS 636  
07:45:08 PAGES.  
07:45:09 AND THE REASON I KNOW THAT IS BECAUSE I DO WORK WITH  
07:45:11 NONPROFIT ORGANIZATIONS FOR WHICH THE ROBERT'S RULES WERE  
07:45:14 WRITTEN.  
07:45:15 THEY WEREN'T WRITTEN FOR A LEGISLATIVE BODY.  
07:45:18 THE SECOND THING ABOUT ROBERT'S RULES OF ORDER IS THAT IT  
07:45:21 PROPOSES MANY THINGS THAT ARE IN VIOLATION TO ESPECIALLY  
07:45:25 FLORIDA SUNSHINE LAW BECAUSE ROBERT'S RULES OF ORDER ALWAYS  
07:45:28 SAYING, HAVE YOUR COMMITTEE MEET AND DECIDED WHAT YOU'RE  
07:45:32 GOING TO DO.  
07:45:34 SO I THINK WHAT THE AUDITOR AND CLERK WAS REFERRING TO MIGHT  
07:45:40 BE IN THE CITY OF SARASOTA RULES OF PROCEDURE FOR CITY  
07:45:43 COMMISSION MEETINGS, RULE 10, WHICH DOES SAY THE PRESIDING  
07:45:47 OFFICER SHALL BE FAMILIAR WITH AND FOLLOW ROBERT'S RULES OF  
07:45:51 ORDER NEWLY REVISED CURRENT EDITION.  
07:45:54 SO BY IMPLICATION RIGHT THERE, THEY HAVE THAT.  
07:45:57 THE JOB OF THE CITY -- THE JOB OF THE PARLIAMENTARIAN AT  
07:46:00 THAT POINT IS TO BE FAMILIAR ENOUGH WITH 636 PAGES TO BE  
07:46:05 ABLE TO SAY TO THE CHAIR, YOU MAY WANT TO LOOK AT SECTION 20  
07:46:11 AND YOU CAN'T DO THAT.  
07:46:12 I THINK, AGAIN, WE HAVE A PROVISION THAT'S ALREADY TAKEN  
07:46:17 CARE OF FOR WHAT WE NEED TO DO WITH CITY GOVERNMENT.  
07:46:24 >>Eileen Normile: ANY FURTHER DISCUSSION BEFORE A MOTION?  
07:46:28 >>Cathy Antunes: I HAD FLOATED THIS IDEA.

07:46:29 AND I HAD ACTUALLY GONE TO MS. GRIGGS AND THIS WAS JUST AN  
07:46:35 IDEA.  
07:46:36 BILLY ROBINSON, FOR MANY OF YOU WHO REMEMBER HIM, HE WAS AN  
07:46:42 ACCREDITED PARLIAMENTARIAN, AND HE KNEW THAT INSIDE AND OUT  
07:46:46 AND THERE WAS A CERTAIN, YOU KNOW, BENEFIT TO HAVING  
07:46:51 SOMEBODY WITH THAT EXPERTISE.  
07:46:54 MY CONCERN ABOUT THE NORMS THAT CHANGED IN THE PAST YEAR,  
07:47:01 COMMISSIONERS THAT WERE BLOCKED FROM PUTTING STUFF ON THE  
07:47:05 AGENDA, COMMISSIONERS WHO WEREN'T BEING RECOGNIZED, THE  
07:47:08 DECORUM AT THE TABLE HAS TAKEN A HIT, ESPECIALLY A PERENNIAL  
07:47:14 VISITOR TO PUBLIC COMMENT WHO IS VERY ABUSIVE.  
07:47:19 AND THEN MS. GRIGGS WAS ALSO GIVEN THE BURDEN OF HAVING TO  
07:47:25 ENGAGE IN WHAT I THOUGHT WAS A RIDICULOUS TIMING CHORE WHICH  
07:47:30 DETRACTED FROM HER ABILITY TO -- ANYONE'S ABILITY.  
07:47:35 IT'S NOT A RUN ON MS. GRIGGS.  
07:47:38 SHE SHOULDN'T HAVE BEEN GIVEN EXTRA WORK.  
07:47:40 IT WAS UNNECESSARY.

07:47:41 SO THAT WAS THE INTENTION.  
07:47:44 I'M NOT -- THIS IS NOT A HILL I'M GOING TO DIE ON, BUT WE'VE  
07:47:49 SEEN A MARKED DIVE AND MAYBE IT'S STARTING TO GET BETTER,  
07:47:54 BUT THIS WAS JUST ONE POTENTIAL WAY OF INJECTING SOME  
07:48:00 STANDARDS WHERE THERE WASN'T SUCH BLATANT FAVORITISM IN WHO  
07:48:04 GOT CALLED ON AND HOW LONG PEOPLE GOT TO TALK AND WHO GOT TO  
07:48:08 PUT STUFF ON THE AGENDA.  
07:48:10 SOME OF THAT IS RECTIFIED BUT, YOU KNOW, IT SPEAKS TO THE

07:48:13 OTHER CONDUCT ISSUE.  
07:48:14 AND THAT'S WHY I FLOATED THE IDEA.  
07:48:18 >>Eileen Normile: FURTHER DISCUSSION OR A MOTION?  
07:48:26 >>Cathy Antunes: I'M FINE WITH LETTING IT DIE.  
07:48:28 I'M GOING TO SAY THAT WE PASS ON ADDING THIS TO THE CHARTER.  
07:48:34 >>Eileen Normile: SECOND?  
07:48:34 >>Peter Fanning: SECOND.

07:48:37 >>Eileen Normile: VOICE VOTE IF YOU WOULD.  
07:48:38 >>Lori Rivers: WHO SECONDED IT?

07:48:40 I'M SORRY.  
07:48:40 MR. FANNING.  
07:48:41 THANK YOU.

07:48:45 >>Cathy Antunes: YES.  
07:48:47 >>Crystal Bailey: YES.  
07:48:47 >>Dan Clermont: YES.  
07:48:48 >>Eileen Normile: YES.  
07:48:49 >>Peter Fanning: YES.  
07:48:51 >>Kim Githler: YES.  
07:48:52 >>Jeff Jackson: YES.

07:48:54 >>Eileen Normile: THANK YOU.

07:48:57 AGENDA ITEM 3.7, THIS IS THE IDEA OF ADDING A PROVISION TO  
07:49:03 THE CHARTER THAT THE CITY COMMISSION BE REQUIRED TO UNDERGO  
07:49:06 YEARLY ETHICS TRAINING AND YEARLY TRAINING ON THE CITY  
07:49:09 CHARTER.

07:49:10 I ASKED TO PUT THIS ON, SO I'LL ADDRESS IT QUICKLY.

07:49:14 THE CITY COMMISSION UNDERGOES SUNSHINE TRAINING EVERY YEAR,  
07:49:20 AND HAVING DONE THAT -- OR EVERY COUPLE OF YEARS.

07:49:23 >>Marlon Brown: BOTH ETHICS AND SUNSHINE.

07:49:27 >>Eileen Normile: ETHICS AND SUNSHINE.

07:49:28 THAT TAKES CARE OF ETHICS.

07:49:30 YOU REALLY FORGET SOME OF THESE ISSUES.

07:49:35 I KNOW SUNSHINE TRAINING IS ALWAYS AN UNPLEASANT SURPRISE.

07:49:39 THERE ARE PEOPLE WHO RAN AND RUN FOR CITY COMMISSION AND

07:49:44 MAYBE EVEN SIT ON CITY COMMISSION AT VARIOUS TIMES WHO

07:49:48 DIDN'T EVEN KNOW THERE WAS A CHARTER.

07:49:49 SO I THINK IT MIGHT BE WORTH THE HALF AN HOUR OR THE HOUR A

07:49:56 YEAR TO GO THROUGH THE CHARTER AND JUST READ THROUGH IT WITH

07:49:58 THEM AND FOR MR. FOURNIER OR ATTORNEY TO ANSWER QUESTIONS.

07:50:05 THAT KEEPS PEOPLE OUT OF TROUBLE, TOO.

07:50:08 THEY MAY NOT REALIZE THAT THEY ARE NOT SUPPOSED TO ACTUALLY

07:50:13 TELL STAFF MEMBERS WHAT TO DO.

07:50:14 THERE ARE THINGS IN THERE -- THEY ARE NOT INTUITIVE.

07:50:17 I THINK IT'S WORTH AN HOUR A YEAR TO GO OVER THE CHARTER AND

07:50:24 THAT'S WHY I PUT IT ON.

07:50:25 MR. FANNING.  
07:50:26 >>Peter Fanning: I LEARN SOMETHING EVERY NIGHT I GET HERE.  
07:50:30 THIS IS LIKE MY GRADUATE SEMINAR AND CONTINUING EDUCATION,  
07:50:33 BUT MR. FOURNIER ALERTED ME TO SECTION 112.  
07:50:38 SO I WENT AND LOOKED AT IT.  
07:50:40 AND UNDER 11, TRAINING, CONSTITUTIONAL OFFICES, MUNICIPAL  
  
07:50:45 ELECTED OFFICES AND COMMISSIONERS OF COMMUNITY REDEVELOPMENT  
07:50:47 AGENCIES ARE REQUIRED TO RECEIVE A TOTAL OF FOUR HOURS  
07:50:51 TRAINING PER CALENDAR YEAR IN AREA OF ETHICS, PUBLIC RECORDS  
07:50:55 AND OPEN MEETINGS.  
07:50:56 I WOULD SUGGEST THAT IF YOU WANTED TO DO ANYTHING, YOU COULD  
07:51:00 ADD TWO HOURS A YEAR AND PUT IN ROBERT'S RULES IF YOU WANTED  
07:51:03 TO OR A GUIDE TO CONDUCTING A MEETING.  
07:51:06 BUT I THINK THERE'S ALREADY A PROVISION FOR TRAINING THAT  
07:51:09 UNDER STATE LAW YOU'RE SUPPOSED TO FOLLOW AND I HOPE WE'RE  
07:51:13 FOLLOWING STATE LAW.  
07:51:13 DO WE HAVE FOUR HOURS OF TRAINING A YEAR?  
07:51:16 >>Marlon Brown: CORRECT.  
07:51:17 >>Peter Fanning: CAN YOU HAVE MORE?  
07:51:18 DO YOU TAKE A HALF A DAY SABBATICAL OR SOMETHING?  
07:51:22 HOW DO YOU DO FOUR HOURS OF TRAINING?  
07:51:24 AFTER WORK?  
07:51:26 SATURDAY MORNING?  
07:51:26 >>Marlon Brown: SO, AGAIN, THE FLORIDA LEAGUE OF CITIES  
07:51:30 PROVIDES TRAINING AT EITHER THE ANNUAL CONFERENCE OR  
07:51:32 COMMISSIONERS CAN TAKE IT EITHER ONLINE, ANYTIME DURING THE  
07:51:36 COURSE OF THE YEAR AS WELL.  
07:51:37 THEY PROVIDE MANY OPPORTUNITIES TO PROVIDE TRAINING, BUT  
07:51:42 AGAIN, THEY DON'T TOUCH THE CHARTER, WHICH IS UNIQUE TO  
07:51:45 DIFFERENT COMMUNITIES.  
07:51:50 >>Eileen Normile: ANYONE ELSE?  
  
07:51:53 >>Dan Clermont: I'LL SAY, TO PUT A PROVISION IN THE CHARTER  
07:51:56 TO READ THE CHARTER, WHEN MANY OF THE OTHER THINGS ARE  
07:52:03 ALREADY HANDLED IN THE PROVISION WE WERE JUST TALKING ABOUT,  
07:52:07 MAYBE COULD BE ADDED THERE, BUT THAT'S NOT OUR JOB TO HAVE  
07:52:10 THAT ADDED THERE.  
07:52:11 WHEN YOU'RE DOING THE FOUR HOURS OF TRAINING, MAYBE GOING  
07:52:14 THROUGH THE CHARTER A LITTLE BIT MIGHT NOT BE A BAD IDEA.  
07:52:17 BECAUSE, YEAH, YOU COULD MAKE A MISTAKE WITH THE CHARTER AND  
07:52:20 NOT EVEN REALIZE IT.  
07:52:21 BUT I DON'T KNOW THAT PUTTING THAT IN THE CHARTER IS REALLY  
07:52:25 -- YOU MUST READ THIS CHARTER.  
07:52:28 I DON'T KNOW --  
07:52:29 >>Eileen Normile: THE SUNSHINE TRAINING, I DON'T THINK WE DO  
07:52:31 THAT, DO WE?  
07:52:33 WE DON'T DO THAT, SO THEY ARE NOT GOING TO TALK ABOUT THE  
07:52:35 CHARTER.  
07:52:35 THE FOUR HOURS --  
07:52:37 >>Dan Clermont: RIGHT.  
07:52:38 IT IS SUCH A NARROW ISSUE.  
07:52:40 SUCH A NARROW THING TO SAY WE MUST -- NOT REQUIRING THIS  
07:52:43 OTHER TRAINING THEY ARE ALREADY DOING, BUT WE'RE GOING TO

07:52:45 REQUIRE TRAINING ON THIS.  
07:52:46 IT JUST SEEMS LIKE --  
07:52:49 >>Eileen Normile: JUST A REVIEW.  
07:52:50 >>Dan Clermont: THEY SHOULD BE DOING THAT ALREADY.

07:52:53 THERE ARE A LOT OF THINGS THAT ELECTED OFFICIALS SHOULD BE  
07:52:54 DOING ALL OF THE TIME TO BE GOOD AT THEIR JOBS.  
07:52:57 I DON'T KNOW THAT YOU WRITE IT ALL INTO THE CHARTER.  
07:52:59 >>Eileen Normile: MS. ANTUNES.  
07:53:01 >>Cathy Antunes: I THINK IT'S THEIR JOB TO KNOW WHAT THE  
07:53:05 CHARTER SAYS.  
07:53:06 AND I DON'T SEE A PROBLEM WITH SAYING IN THE CHARTER, YOU  
07:53:09 GOT TO KNOW WHAT THIS SAYS.  
07:53:11 I THINK A TWO-HOUR CLASS IS NOTHING, KNOW THE LOCAL  
07:53:21 CONSTITUTION, YOU KNOW.  
07:53:23 I DON'T THINK IT'S A BURDEN.  
07:53:24 I THINK IT'S A REASONABLE EXPECTATION AND, YEAH, THERE HAVE  
07:53:30 BEEN PEOPLE -- IT IS DISCONCERTING TO KNOW THAT THERE ARE  
07:53:37 ELECTED OFFICIALS WHEN YOU SAY, YOU KNOW, HAVE YOU LOOKED AT  
07:53:40 THIS AND THEY ARE LIKE, WHAT?  
07:53:41 I THINK IT MIGHT AVOID SOME PROBLEMS.  
07:53:48 >>Eileen Normile: ANYONE ELSE?  
07:53:49 >>Peter Fanning: I'M CONFIDENT THAT THIS CITY COMMISSION  
07:53:52 WILL READ THE CHARTER THOROUGHLY BECAUSE THEY ARE GOING TO  
07:53:54 HAVE TO APPROVE OR DISAPPROVE OF OUR RECOMMENDATIONS.  
07:53:58 >>Eileen Normile: ONCE EVERY TEN YEARS.  
07:54:01 I FEEL BETTER NOW.  
07:54:03 THANK YOU.  
07:54:04 I LIKE THE IDEA THAT THEY CAN -- YOU CAN PROBABLY READ  
07:54:09 THROUGH IT IN AN HOUR, BUT THEY WOULD HAVE THE OPPORTUNITY

07:54:13 TO ASK THE ATTORNEY IF SOMETHING WASN'T CLEAR.  
07:54:18 I LIKE THE INTERACTION WITH THE CITY ATTORNEY.  
07:54:21 ANYONE MAKE A MOTION?  
07:54:28 >> CAN YOU MAKE A MOTION?  
07:54:29 >>Eileen Normile: I CAN AND I WILL.  
07:54:31 PETER IS NOT THE VICE-CHAIR, BUT HE'S SITTING NEXT TO ME.  
07:54:35 YES.  
07:54:36 I'LL MAKE A MOTION THAT THERE BE A YEARLY TRAINING ON THE  
07:54:39 CHARTER FOR THE -- A REVIEW OF THE CHARTER FOR CITY  
07:54:43 COMMISSIONERS.  
07:54:44 >>Peter Fanning: IS THERE A SECOND?  
07:54:46 >>Cathy Antunes: I SECOND.  
07:54:47 >>Peter Fanning: SECONDED BY MS. ANTUNES.  
07:54:49 ANY FURTHER DISCUSSION?  
07:54:52 >>Crystal Bailey: I WILL.  
07:54:53 I THINK -- I'LL BE VOTING NO, BUT I THINK IT'S A GOOD IDEA  
07:54:57 AND ENCOURAGE.  
07:54:59 I THINK IT'S A LITTLE GRANULAR FOR THE CHARTER ITSELF.  
07:55:03 I DO SUPPORT THE SENTIMENT.  
07:55:12 >>Dan Clermont: GRANULAR.  
07:55:13 THAT IS A GOOD TERM FOR THAT.  
07:55:15 YOU COULD ALSO MAKE THE ARGUMENT THAT WE SHOULD ADD TO THE  
07:55:17 CHARTER THAT THEY READ THE BACKUP MATERIAL FOR EACH OF THEIR



07:55:20 COMMISSION MEETINGS.  
07:55:21 I'M SURE THEY DON'T ALL DO THAT.

07:55:23 I CAN'T IMAGINE NOT BEING PREPARED FOR A MEETING BUT I'M  
07:55:26 SURE THERE HAVE BEEN PLENTY THAT HAVE.  
07:55:27 SHOULD WE MAKE THAT A CHARTER REQUIREMENT OR A CHARTER RULE  
07:55:30 THAT THEY MUST READ THE BACKUP MATERIAL, THAT THEY MUST BE  
07:55:33 PREPARED AT MEETINGS?  
07:55:34 TO ME, SOME OF THIS STUFF -- TO USE YOUR TERM GRANULAR, THIS  
07:55:38 IS YOUR RESPONSIBILITY.  
07:55:39 THIS IS YOUR JOB.  
07:55:40 YOU ARE ELECTED TO DO IT.  
07:55:41 WE ARE NOT GOING TO PUT IN THE CHARTER.  
07:55:43 BE A GOOD COMMISSIONER.  
07:55:44 BE RESPONSIBLE TO YOUR JOB.  
07:55:46 TO ME, THAT'S JUST UNDERSTOOD.  
07:55:49 >>Peter Fanning: WELL, IF I MAY, AS CHAIR, I'LL TAKE THE  
07:55:54 PRIVILEGE, AT THE POINT WE'RE NOT DISCUSSING THE ELEMENTS OF  
07:55:57 IT.  
07:55:58 WE'RE ACTUALLY DISCUSSING THIS AMENDMENT THAT IS A TRAINING  
07:56:05 AMENDMENT TO THE -- OR A TRAINING, NOT WHAT WAS GOING TO BE  
07:56:09 IN THAT TRAINING NECESSARILY.  
07:56:11 MS. RIVERS, WOULD YOU CALL THE ROLL, PLEASE?  
07:56:18 >>Lori Rivers: JUST TO CLARIFY, A MOTION BY VICE-CHAIR  
07:56:21 NORMILE, SECOND BY MEMBER ANTUNES, IF I HAVE THIS RIGHT,  
07:56:26 MAKE SURE, TO REQUIRE YEARLY REVIEW OF THE CHARTER FOR CITY  
07:56:30 COMMISSIONERS.  
07:56:32 >>Eileen Normile: THAT SOUNDS RIGHT.

07:56:33 >>Cathy Antunes: YES.  
07:56:35 >>Crystal Bailey: NO.  
07:56:35 >>Dan Clermont: NO.  
07:56:36 >>Eileen Normile: YES.  
07:56:37 >>Peter Fanning: YES.  
07:56:39 >>Kim Githler: NO.  
07:56:40 >>Jeff Jackson: YES.  
07:56:45 >>Lori Rivers: THE MOTION CARRIES 4-3.  
07:56:50 >>Eileen Normile: THANK YOU.  
07:56:50 THANK YOU, MR. FANNING.  
07:56:53 ITEM 3.8.  
07:56:55 THIS WAS I THINK -- WAS PUT ON THE LIST I BELIEVE BY  
07:57:00 MS. BAILEY, INCLUDING -- SUGGESTING THAT WE CONSIDER  
07:57:05 INCLUDING THE RESIGN TO RUN REQUIREMENT FOR PLANNING BOARD  
07:57:10 MEMBERS TO RUN FOR A CITY COMMISSION SEAT.  
07:57:12 MS. BAILEY, DO YOU WANT TO ADDRESS THAT?  
07:57:16 >>Crystal Bailey: YES.  
07:57:17 I JUST WANTED FOR DISCUSSION AND POSSIBLY A MOTION THE IDEA  
07:57:21 THAT WHEN YOU'RE ON THE PLANNING BOARD AND MAKING  
07:57:24 RECOMMENDATIONS TO THE COMMISSION AND ALSO RUNNING FOR THE  
07:57:28 COMMISSION THAT IT HAS THE POTENTIAL TO HAVE A CONFLICT OF  
07:57:34 INTEREST.  
07:57:39 >>Eileen Normile: ANY DISCUSSION?  
07:57:44 >>Dan Clermont: AS A PLANNING BOARD MEMBER WHO IS  
07:57:46 CONSIDERING RUNNING FOR CITY COMMISSION, I WOULD HATE TO

07:57:49 THINK THAT I WOULD HAVE TO RESIGN THE POSITION.  
07:57:54 I GUESS, YOU KNOW, I CAN LOOK AT IT FROM MY OWN EXPERIENCE  
07:57:57 THAT I THINK THAT WHEN YOU TAKE THAT RESPONSIBILITY TO BE ON  
07:57:59 THE PLANNING BOARD, YOU READ YOUR BACKUP MATERIAL, YOU TALK  
07:58:05 TO THE PEOPLE ON STAFF THAT YOU NEED TO, AND YOU MAKE A  
07:58:07 DECISION WHAT'S BEST FOR THE CITY.  
07:58:09 I CAN'T -- SPEAKING FOR MYSELF AND I THINK FOR THE PEOPLE I  
07:58:13 KNOW ON THE BOARD, I DON'T THINK THAT THEY WOULD MAKE A BAD  
07:58:20 DECISION BASED ON THEY ARE GOING TO BE MAKING -- GIVING  
07:58:24 ADVICE TO THE CITY COMMISSION BASED ON PERCEPTION FOR THEIR  
07:58:29 ELECTION.  
07:58:29 I WOULD THINK YOU'RE TRUE TO YOURSELF REGARDLESS.  
07:58:33 WHEN YOU'RE RUNNING FOR OFFICE, YOU'RE SPEAKING IN PUBLIC  
07:58:35 ALL THE TIME ANYWAY.  
07:58:36 YOU'RE ALWAYS SHARING YOUR OPINIONS.  
07:58:38 I DON'T KNOW THAT IT WOULD BE NECESSARY.  
07:58:42 WOULD IT BE NECESSARY FOR THE PARKS BOARD?  
07:58:45 WOULD IT BE NECESSARY FOR BOARD OF ADJUSTMENT?  
07:58:48 EVERYBODY WHO WANTS TO RUN FOR CITY COMMISSION THAT'S ON THE  
07:58:51 BOARD WOULD HAVE TO TAKE A SEAT -- OR WOULD HAVE TO LEAVE  
07:58:53 THEIR SEAT?  
07:58:54 I CAN'T SUPPORT THAT.  
07:58:58 >>Eileen Normile: ANY FURTHER DISCUSSION?  
07:58:59 MS. ANTUNES.  
07:59:00 >>Cathy Antunes: I APPRECIATE THE SENTIMENT, BUT I DO THINK  
  
07:59:03 IT IS A BIT OF OVERREACH BECAUSE YOU'RE NOT GOING TO BE  
07:59:07 CONTEMPORANEOUSLY ON THE PLANNING BOARD AND A CITY  
07:59:10 COMMISSIONER.  
07:59:10 SOME OF OUR BEST CANDIDATES COME OUT OF THE PLANNING BOARD,  
07:59:14 AND I WOULD HATE TO LOSE THAT EXPERTISE WHILE THEY'RE  
07:59:16 RUNNING.  
07:59:17 I AGREE WITH DAN.  
07:59:22 >>Eileen Normile: ANYONE ELSE?  
07:59:23 I'LL SAY AS A FORMER MEMBER OF THE PLANNING BOARD, IT IS THE  
07:59:28 BEST TRAINING GROUND THERE IS FOR BEING A CITY COMMISSIONER.  
07:59:31 I WISH ALL OF THEM HAD BEEN THROUGH THAT.  
07:59:35 AND I WOULD NOT SUPPORT THAT.  
07:59:38 ESPECIALLY BECAUSE, AS YOU MENTIONED, DAN, THAT THERE COULD  
07:59:44 BE OTHER SO-CALLED POTENTIAL CONFLICTS WITH OTHER BOARDS,  
07:59:49 THOUGH THE PLANNING BOARD I THINK IS THE MOST IMPORTANT  
07:59:51 BOARD.  
07:59:52 SO I WOULD NOT SUPPORT IT.  
07:59:55 ANYTHING FURTHER?  
07:59:55 SHOULD WE DO A VOTE?  
08:00:00 >> THERE'S NO MOTION.  
08:00:05 >>Eileen Normile: NO FURTHER ACTION.  
08:00:08 >>Lori Rivers: ON THE FIRST ITEM, YOU DECIDED TO TAKE NO  
08:00:10 ACTION.  
08:00:11 >>Eileen Normile: THEN LET'S NOT VOTE.  
08:00:13 AGENDA ITEM 3.9, COMMITTEE MEMBERS -- OH, REQUIRING A SUPER  
  
08:00:22 MAJORITY VOTE BY THE CITY COMMISSION FOR THE SALE OF

08:00:25 CITY-OWNED PROPERTY OF A CERTAIN SIZE.  
08:00:28 I PUT THIS ON.  
08:00:32 THERE HAS BEEN CONCERN LATELY ABOUT SALE OF GOVERNMENT  
08:00:37 PROPERTY, AND I WOULD LIKE TO SEE SUPER MAJORITY HAVE TO  
08:00:43 VOTE IF THE PROPERTY IS OF A CERTAIN SIZE.  
08:00:46 THE CERTAIN SIZE WOULD HAVE TO BE DISCUSSED SO THAT YOU  
08:00:51 DON'T HAVE GOVERNMENT PROPERTY BEING DISPENSED WITHOUT A  
08:00:57 GREAT DEAL OF DISCUSSION.  
08:01:00 ANYONE ELSE LIKE TO WEIGH IN?  
08:01:03 >>Kim Githler: I AGREE WITH THAT.  
08:01:07 >>Dan Clermont: I TEND TO AGREE WITH WHAT YOU'RE SAYING.  
08:01:10 SINCE YOU BROUGHT IT UP, CAN YOU SHARE WITH US LIKE -- MAYBE  
08:01:14 A CIRCUMSTANCE THAT CAUSED YOU CONCERN IN THIS AREA, HERE OR  
08:01:18 IN ANOTHER CITY?  
08:01:20 WHERE IS THIS BORN FROM?  
08:01:22 >>Eileen Normile: WELL, WE JUST HAD A COUPLE OF EPISODES  
08:01:26 WITH PAUL THORPE PARK, WHICH IF WE'RE TALKING ABOUT A  
08:01:29 CERTAIN SIZE, THAT IS A LITTLE BITTY SIZE, SO MAYBE WE DON'T  
08:01:32 WANT A CERTAIN SIZE.  
08:01:33 MAYBE IT'S ANY GOVERNMENT PROPERTY.  
08:01:36 BOBBY JONES.  
08:01:37 THERE WAS A GREAT DEAL OF DISCUSSION ABOUT WHETHER SOME OF  
08:01:39 THAT -- AT SOME POINT THERE WAS DISCUSSION SHOULD ANYTHING  
08:01:42 BE SOLD, WILL WE KEEP IT ALL?  
  
08:01:45 WILL WE PUT IT IN A CONSERVANCY?  
08:01:46 I THINK FOUR MEMBERS SHOULD HAVE TO WEIGH IN.  
08:01:56 >>Cathy Antunes: THERE IS A PROPOSAL IN ST. ARMANDS RIGHT  
08:01:58 NOW ABOUT SELLING THE PUBLIC PARKING LOT, YOU KNOW, I  
08:02:06 PERSONALLY -- I THINK THAT ONCE IT'S GONE, IT'S GONE.  
08:02:11 AND SOMETHING -- THERE'S ALWAYS GOING TO BE SOMEONE LOOKING  
08:02:14 FOR A BARGAIN.  
08:02:15 AND THE BIGGEST BARGAIN YOU CAN GET IS WHEN THE PUBLIC ISN'T  
08:02:19 LOOKING AND THE CITY NEEDS SOME MONEY.  
08:02:23 AND IT CAN BE COMPLETELY UNINTENTIONAL, INNOCUOUS, BUT THEN  
08:02:28 IT HAPPENS AND THEN PEOPLE GO, OH, MY GOD, WHAT JUST  
08:02:31 HAPPENED HERE?  
08:02:32 AND WE CAN'T GET IT BACK.  
08:02:33 I THINK THERE'S A LOT OF MERIT TO WHAT'S BEING SUGGESTED  
08:02:41 BECAUSE WE'RE NOT MAKING NEW LAND.  
08:02:44 >>Eileen Normile: ANY FURTHER DISCUSSION?  
08:02:47 I MIGHT INDICATE TAKE OUT THE CERTAIN SIZE.  
08:02:49 JUST MAKE IT ALL GOVERNMENT PROPERTY.  
08:02:56 >>Jeff Jackson: HOW OFTEN DOES THAT OCCUR THE SALE OF  
08:03:00 PROPERTY?  
08:03:00 IS IT WEEKLY, MONTHLY?  
08:03:02 YOU'RE NOT MAKING LAND.  
08:03:04 YOU ONLY GOT SO MUCH TO SELL.  
08:03:07 >>Cathy Antunes: WELL, WE'VE HAD PAUL THORPE PARK, RIGHT.  
08:03:10 THAT WAS A BIG ISSUE.  
  
08:03:11 WE'VE HAD, YOU KNOW, THE LAND, THAT PARKING LOT IN  
08:03:17 ST. ARMANDS, IT WASN'T -- INITIALLY, IT WAS BROUGHT TO THE  
08:03:21 COMMISSION.

08:03:21 THEY WEREN'T EVEN GETTING BID.  
08:03:24 IT WAS ONE LOCAL PERSON THAT WANTED TO BUY IT BASICALLY FOR  
08:03:27 LESS THAN HALF OF WHAT IT WAS WORTH.  
08:03:28 IT DOES HAPPEN, YOU KNOW.  
08:03:33 THOSE ARE JUST TWO EXAMPLES FOR THE PAST YEAR AND A HALF,  
08:03:38 YEAR.  
08:03:38 >>Peter Fanning: I THINK THERE HAVE BEEN PAST COMMISSIONS  
08:03:42 AND THINKING BACK JUST COMING OUT OF THE RECESSION, THE CITY  
08:03:45 WAS STRUGGLING WITH FUNDING CERTAIN ITEMS AND DIDN'T WANT TO  
08:03:49 RAISE THE TAX RATE, SO THEY PROPOSED SELLING OFF SOME  
08:03:54 PROPERTY IN ORDER TO GAIN SOME REVENUE.  
08:03:57 I THINK IT WAS IN 2010.  
08:03:58 >>Robert Fournier: THERE WAS A PROPOSAL TO SELL THE PROPERTY  
08:04:01 AT THE NORTHEAST CORNER OF BENEVA AND FRUITVILLE.  
08:04:06 >>Peter Fanning: SO IT DOES OCCUR.  
08:04:08 >>Kim Githler: IS IT ALWAYS PUT OUT TO AN RFP?  
08:04:11 BECAUSE IT SHOULD BE.  
08:04:14 >>Robert Fournier: THE FILLMORE LOT IS NOT AND THAT'S ON THE  
08:04:15 AGENDA FOR THE NEXT MEETING.  
08:04:18 >>Cathy Antunes: THAT'S KIND OF THE ISSUE.  
08:04:19 >>Kim Githler: TO BE PUT OUT FOR AN RFP AND THEN IT SHOULD  
08:04:23 ALSO BE EVALUATED ACCORDINGLY AND A MAJORITY VOTE.

08:04:26 THAT'S MY OPINION.  
08:04:28 >>Eileen Normile: OFTEN THEY COME IN WITH AN OFFER.  
08:04:30 >>Robert Fournier: THERE ARE SOME SALES, THOUGH, THAT ARE  
08:04:32 ROUTINE LOTS THAT ARE ACQUIRED THROUGH FORECLOSURE OR CODE  
08:04:37 COMPLIANCE.  
08:04:38 NOW, THEY ARE NORMALLY UNANIMOUSLY APPROVED, SO MAYBE IT  
08:04:41 WOULDN'T BE AN ISSUE, BUT THEY ARE SOLD SOME TO HABITAT FOR  
08:04:46 HUMANITY OR FOR AFFORDABLE HOUSING.  
08:04:50 I'VE SEEN CHARTER PROVISIONS WHERE IT DEPENDS ON THE USE OF  
08:04:52 THE PROPERTY.  
08:04:54 >>Kim Githler: IF IT BENEFITS THE PEOPLE, IT WOULD BE  
08:04:56 DIFFERENT.  
08:04:57 >>Robert Fournier: THOSE PROBABLY WOULD GET MAJORITY SUPPORT  
08:04:59 OR SUPERMAJORITY SUPPORT IN ANY CASE.  
08:05:03 >>Cathy Antunes: YOU'RE BASICALLY TRYING TO PREVENT SOMEBODY  
08:05:06 FROM GOING IN AND SCOOPING UP SOMETHING IN A BARGAIN  
08:05:10 BASEMENT PRICE, WHICH REALLY IS WORTH A LOT MORE OR HAS A  
08:05:16 USE, LIKE A PARK THAT CAN'T BE GOTTEN BACK, YOU KNOW.  
08:05:24 >>Eileen Normile: 4-1 VOTE IS A MORE SERIOUS DISCUSSION,  
08:05:27 REALLY.  
08:05:27 MR. CLERMONT.  
08:05:30 >>Dan Clermont: I GET CONCERNED WHEN WE ALLOW THE MINORITY  
08:05:32 TO MAKE A DECISION.  
08:05:35 NOW, I SAID, I LIKE THIS IDEA.  
08:05:37 THE REASON I LIKE THIS IDEA IS, THE OVER A CERTAIN SIZE --

08:05:40 PREPOSITIONAL PHRASE THERE -- I LIKE THAT.  
08:05:45 BECAUSE, YOU KNOW, YOU MENTIONED BOBBY JONES.  
08:05:46 A 3-2 ISN'T ENOUGH FOR ME TO SAY SELL OFF 300 ACRES, OR  
08:05:51 WHATEVER EXACTLY IT IS.  
08:05:51 TO ME, IT IS MAJOR PURCHASES OR MAJOR SALES.

08:05:54 IF IT IS A MATTER OF SMALLER PROPERTIES AND SO ON, NOW I'M  
08:05:59 GETTING A LITTLE MORE WISHY-WASHY ON IT BECAUSE I'M  
08:06:01 CONCERNED ABOUT, LIKE I SAID, THE MINORITY RULING OVER THE  
08:06:07 MAJORITY.  
08:06:07 YEAH, A SERIOUS DISCUSSION ON A SERIOUS PIECE OF PROPERTY,  
08:06:11 SERIOUS ASSET FOR THE CITY.  
08:06:12 IF SOMEBODY CAME ALONG AND WANTED TO BUY THE ARENA, SOMEBODY  
08:06:15 WANTED TO BUY MarineMax OR THAT AREA OUT THERE, I WOULD  
08:06:19 RATHER SEE A MORE SERIOUS DISCUSSION AND A 4-1 VOTE ON MAJOR  
08:06:24 ASSETS FOR THE CITY.  
08:06:25 >>Eileen Normile: I WOULD HAVE AGREED WITH YOU, ACTUALLY.  
08:06:27 I PUT THAT IN THERE UNTIL PAUL THORPE PARK.  
08:06:31 AND THEN I REALIZED EVEN THE SIZE OF A LINER BUILDING HAS  
08:06:36 OVER SIZE EFFECT.  
08:06:38 IT'S NOT JUST THE SIZE OF THE PROPERTY, IT'S THE SIZE OF THE  
08:06:40 IMPACT.  
08:06:41 MS. ANTUNES.  
08:06:42 >>Cathy Antunes: WHAT ABOUT VALUE?  
08:06:45 BECAUSE PAUL THORPE PARK, DOWNTOWN CORE, SMALL LOT,  
08:06:49 MULTIMILLION DOLLAR LOT.

08:06:51 IT WASN'T -- WOULD YOU BE MORE COMFORTABLE -- BECAUSE THAT  
08:06:56 WOULD ENCOMPASS BOTH, RIGHT?  
08:06:59 YOU WOULD COVER THE LARGE PARCELS OVER A CERTAIN VALUE, BUT  
08:07:03 YOU'D ALSO CAPTURE THE LITTLE ONES THAT ARE VERY STRATEGIC  
08:07:06 AND VALUABLE.  
08:07:08 AND ONCE THEY ARE GONE, WE HAVE TROUBLE.  
08:07:13 >>Eileen Normile: I WOULD HATE TO GET INTO WHO VALUED IT AND  
08:07:16 HOW MANY STORIES AND IF IT WERE TEN STORIES IT WOULD BE  
08:07:19 WORTH THIS OR TWO STORIES.  
08:07:22 I'D RATHER LEAVE IT AS MAJORITY VOTE.  
08:07:27 >>Cathy Antunes: FOR EVERYTHING?  
08:07:29 YOU WANT A MAJORITY --  
08:07:33 >>Eileen Normile: I DON'T KNOW IF I'M MAKING THE MOTION OR  
08:07:34 NOT.  
08:07:35 ANYONE WANT TO ADD ANYTHING TO THAT?  
08:07:38 >>Kim Githler: I WANTED TO HEAR FROM MARLON BROWN ABOUT THE  
08:07:41 SIZE OR THE MAJORITY.  
08:07:44 BECAUSE YOU HAVE A LOT OF DEALINGS WITH THIS AND WE DON'T  
08:07:47 WANT TO HAMSTRING THE CITY EITHER.  
08:07:49 >>Marlon Brown: SO USUALLY EVERY -- I BELIEVE IT'S TWO OR  
08:07:53 THREE YEARS, THE COMMISSION IS REQUIRED BY STATE STATUTE TO  
08:07:56 IDENTIFY ANY VACANT LAND THAT CAN BE PUT ON THE AFFORDABLE  
08:08:02 HOUSING LIST.  
08:08:03 COMPILE THAT.  
08:08:04 RIGHT NOW, FOR EXAMPLE, WE HAVE ABOUT 25 LOTS THAT WE ARE

08:08:06 PUTTING OUT -- WE'RE CREATING AN RFP TO PUT OUT FOR  
08:08:10 AFFORDABLE HOUSING FOR ANY DEVELOPER WHO MAY BE INTERESTED  
08:08:12 IN DEVELOPING ALL OF THESE LOTS.  
08:08:15 AGAIN, THESE ARE SMALL LOTS.  
08:08:16 THESE ARE SMALL SINGLE-FAMILY LOTS.  
08:08:18 SOME OF THEM ARE MULTIFAMILY, BUT NONE OF THEM ARE PROBABLY  
08:08:22 MORE THAN AN ACRE.

08:08:25 I THINK ONE MAY BE THREE, BUT IT'S MULTIFAMILY.  
08:08:28 THAT COMES BEFORE THE COMMISSION EVERY YEAR.  
08:08:29 IT'S A PUBLIC HEARING THAT THEY HAVE ON THIS, AND THEN,  
08:08:32 AGAIN, IF IT REQUIRES A SUPERMAJORITY, I DON'T KNOW IF WE  
08:08:36 CAN REQUIRE SUPERMAJORITY.  
08:08:38 >>Robert Fournier: GIVING ME AN IDEA PERHAPS TO CREATE AN  
08:08:41 EXCEPTION FOR PROPERTIES THAT ARE PUT ON THAT LIST, SLATED  
08:08:45 FOR AFFORDABLE HOUSING TO JUST SAY EXCEPT FOR AND IDENTIFY  
08:08:48 THOSE PROPERTIES.  
08:08:53 FACILITATE THE SALE AND REDEVELOPMENT FOR AFFORDABLE HOUSING  
08:08:55 SO WITH THAT EXCEPTION --  
08:08:59 >>Marlon Brown: THAT SHOULD NOT REQUIRE A SUPERMAJORITY.  
08:09:01 THAT'S FOR A COMMUNITY GOOD COMPARED TO --  
08:09:05 >>Kim Githler: WHAT ABOUT NONPROFIT?  
08:09:07 WHERE DO YOU FALL ON NONPROFIT?  
08:09:08 >>Marlon Brown: AGAIN, NONPROFITS --  
08:09:10 >>Kim Githler: NONPROFITS THAT NEEDS -- LIKE GIRL  
08:09:15 INCORPORATED NEEDS A PIECE OF PROPERTY, WHATEVER.

08:09:17 >>Marlon Brown: MR. FOURNIER CAN PROBABLY, YOU KNOW, EXPAND  
08:09:23 UPON THIS.  
08:09:24 THE HUMANE SOCIETY, FOR EXAMPLE, WANTED TO BUY THE PROPERTY  
08:09:28 THAT THEY WERE LEASING FROM THE CITY.  
08:09:30 AND SO THEY ARE A NONPROFIT.  
08:09:32 THEY CAME BEFORE THE COMMISSION.  
08:09:33 THEY SHARED WITH THEM WHAT THEY INTENDED TO DO AND THE  
08:09:36 COMMISSION DECIDED TO VOTE TO SELL THEM THAT PROPERTY.  
08:09:41 IN THAT CASE, WOULD YOU REQUIRE A SUPERMAJORITY FOR A  
08:09:44 NONPROFIT THAT IS DOING GOOD TO THE COMMUNITY?  
08:09:47 OR WOULD THAT BE A SIMPLE MAJORITY OF A 3-2.  
08:09:50 >>Kim Githler: I WOULD NOT DO A SUPERMAJORITY ON THAT.  
08:09:53 >>Robert Fournier: I THINK, THOUGH, FOR MY PART, THAT THE  
08:09:56 REASONS WOULD BE FOR THE DETRIMENT TO THE PUBLIC FOR THE  
08:09:59 LOSS OF OWNERSHIP, SO YOU WOULDN'T CONSIDER WHO IT WAS BEING  
08:10:03 SOLD TO OR THE GRANTEE, BUT THAT REALLY SHOULDN'T BE  
08:10:06 CONTROLLING.  
08:10:08 THAT'S MY THOUGHT.  
08:10:12 >>Cathy Antunes: THE ORCHESTRA AND PAYNE PARK.  
08:10:14 THAT IS A NONPROFIT, BUT, BOY, WAS THE COMMUNITY PASSIONATE  
08:10:18 ABOUT NOT GIVING UP PARK SPACE AND MADE REALLY GREAT  
08:10:22 ARGUMENTS THAT THE FOOTPRINT THEY WERE ASKING FOR WAS LIKE  
08:10:25 FIVE TIMES THE SIZE OF CARNEGIE HALL.  
08:10:27 USUALLY THE NONPROFIT WORLD, YES, BUT THERE ARE TIMES IT  
08:10:34 GETS TRICKY.

08:10:40 >>Marlon Brown: AGAIN, WITH THE HUMANE SOCIETY, THAT WAS A  
08:10:42 PROPERTY THAT THEY ALREADY HAD ENCUMBERED IN TERMS OF A  
08:10:47 LEASE, UNLIKE THE ORCHESTRA, WHICH WAS GOING FOR NEW LAND,  
08:10:52 NEW PROPERTY.  
08:10:53 THERE ARE A LOT OF NUANCES IN TERMS OF THAT WHOLE DISCUSSION  
08:10:56 ABOUT THE SALE OF CITY PROPERTY.  
08:10:59 >>Eileen Normile: I WOULD THINK THE COMMISSION ALSO TAKES  
08:11:00 INTO ACCOUNT THE FACT THAT IT'S A NONPROFIT WHEN THEY ARE  
08:11:03 DISCUSSING WHETHER OR NOT TO SELL IT TO THEM AS OPPOSED TO

08:11:07 SOMEONE WHO WANTS TO COME IN AND PUT A BAR ON IT OR A FOOD  
08:11:12 COURT, TO QUOTE SOMETHING.  
08:11:16 THEY MIGHT CONSIDER IT DIFFERENTLY IF IT WAS GIRLS  
08:11:22 INCORPORATED.  
08:11:22 I DON'T THINK I WOULD EXEMPT THAT.  
08:11:25 I THINK THEY HAVE A LEG UP TO BEGIN WITH.  
08:11:30 BUT CERTAINLY EXEMPTING THE AFFORDABLE HOUSING IS A REALLY  
08:11:33 NICE IDEA.  
08:11:33 MR. FANNING.  
08:11:37 >>Peter Fanning: JUST A CLARIFICATION.  
08:11:38 THE LIST THAT IS GENERATED THAT YOU REFERENCED, IS THAT  
08:11:42 REQUIRED OR AUTHORIZED BY SOME PROVISION?  
08:11:46 >>Marlon Brown: YES, BY STATE STATUTE.  
08:11:50 >>Peter Fanning: STATE STATUTE.  
08:11:51 OKAY.  
08:11:53 >>Eileen Normile: THAT CAN BE DONE BY A 3-2.

08:11:55 >>Marlon Brown: CORRECT.  
08:11:57 >>Eileen Normile: ANYTHING FURTHER ON THIS?  
08:12:05 >>Cathy Antunes: MAKE A MOTION?  
08:12:06 IT'S YOUR IDEA.  
08:12:09 >>Peter Fanning: THE CHAIR RECOGNIZES MS. NORMILE.  
08:12:11 [ LAUGHTER ]  
08:12:13 >>Eileen Normile: THE VICE-CHAIR APPEARING AS CHAIR, PLAY  
08:12:17 CHAIR ON TV.  
08:12:18 I WOULD MAKE A MOTION THAT THE CITY REQUIRE A SUPER MAJORITY  
08:12:24 VOTE OF THE CITY COMMISSION FOR THE SALE OF CITY-OWNED  
08:12:28 PROPERTY WITH THE EXCEPTION OF -- AND WHATEVER THE NAME OF  
08:12:33 THAT --  
08:12:34 >>Marlon Brown: PROPERTIES FOR AFFORDABLE HOUSING.  
08:12:36 >>Eileen Normile: -- PROPERTIES FOR AFFORDABLE HOUSING.  
08:12:38 >>Peter Fanning: IS THERE A SECOND?  
08:12:40 SECONDED BY MEMBER ANTUNES.  
08:12:43 FURTHER DISCUSSION?  
08:12:45 >>Eileen Normile: NO.  
08:12:48 >>Peter Fanning: MS. RIVERS -- OH, GO AHEAD.  
08:12:50 SORRY.  
08:12:50 I DIDN'T SEE YOU.  
08:12:51 >>Dan Clermont: I'M NOT GOING TO BE SUPPORTIVE OF IT BECAUSE  
08:12:54 I DON'T WANT TO HAMSTRING THE CITY COMMISSION TO 4-1 VOTES  
08:12:59 FOR EVERY PROPERTY THAT WOULD BE SOLD, WITH THIS EXCEPTION  
08:13:04 ASIDE.

08:13:05 TO ME, IT'S FOR MAJOR PROPERTIES.  
08:13:07 I UNDERSTAND THE PARK, JUST DEALING WITH PAUL THORPE, WHICH  
08:13:11 I THOUGHT WAS A BAD IDEA AND THEY DID, TOO.  
08:13:13 5-0 THEY THOUGHT IT WAS A BAD IDEA.  
08:13:16 >> 4-1.  
08:13:17 >>Dan Clermont: 4-1.  
08:13:18 WELL, NEVERTHELESS.  
08:13:20 I CAN'T SUPPORT SOMETHING THAT BROAD.  
08:13:23 I'M SORRY.  
08:13:26 >>Kim Githler: HOW MANY PROPERTIES ARE SOLD A YEAR, MARLON?  
08:13:29 >>Marlon Brown: GOOD QUESTION.

08:13:32 >>Kim Githler: HUNDREDS OR --  
08:13:33 >>Marlon Brown: NOT HUNDREDS.  
08:13:34 NOT HUNDREDS.  
08:13:37 A NUMBER OF PROPERTIES OBVIOUSLY GO TO OUR NONPROFITS,  
08:13:43 WHETHER IT'S HARVEST HOUSE OR HABITAT FOR HUMANITY, BUT IT'S  
08:13:47 NOT HUNDREDS.  
08:13:50 I WOULDN'T HAVE A NUMBER OFFHAND.  
08:13:52 I HAVE TO DO A LITTLE BIT OF RESEARCH.  
08:13:54 >>Jeff Jackson: THERE'S NO AVERAGE OR THRESHOLD?  
08:13:57 AGAIN, I GUESS, I'M WITH DAN.  
08:13:59 I THINK THERE SHOULD BE IF IT'S BIG ENOUGH.  
08:14:02 IF IT'S LIKE 20 GRAND AND WHATEVER, I DON'T WANT TO  
08:14:05 HAMSTRING SOMETHING LIKE THAT.  
08:14:07 IS THERE LIKE A DOLLAR THRESHOLD THAT WOULD HELP US HERE?

08:14:10 >>Marlon Brown: USUALLY FOR A NONPROFIT, IT'S USUALLY EITHER  
08:14:13 GIVEN TO THEM FOR A DOLLAR.  
08:14:17 BECAUSE IT'S FOR AFFORDABLE HOUSING.  
08:14:19 AND WE USUALLY WILL USE OUR FEDERAL GRANTS, OUR HOUSING AND  
08:14:24 URBAN DEVELOPMENT GRANTS TO HELP FACILITATE THE CONSTRUCTION  
08:14:27 OF THOSE HOUSES.  
08:14:32 >>Kim Githler: WOULD YOU FEEL THIS WOULD HAMSTRING YOU IF IT  
08:14:35 PASSED?  
08:14:36 >>Marlon Brown: NOT IF YOU DO THE EXCEPTION FOR AFFORDABLE  
08:14:38 HOUSING.  
08:14:40 >>Peter Fanning: ANY FURTHER CLARIFICATIONS OR DISCUSSION?  
08:14:44 >>Cathy Antunes: IF I MAY, I DO THINK THAT ST. ARMANDS IS A  
08:14:49 GOOD EXAMPLE.  
08:14:50 YOU'VE GOT A SURFACE PARKING LOT OUT THERE WITH A COMMUNITY  
08:14:54 THAT'S, FRANKLY, BEING RAVAGED BY HOTEL HOUSES.  
08:14:57 IT'S REALLY BECOME A BIG PROBLEM, AND THEN THE PROGRESSION  
08:15:05 OF WHAT HAPPENED HERE IS THERE WAS ONE DEVELOPER WANTING IT  
08:15:10 FOR 2 MILLION WHEN IT'S REALLY WORTH AT LEAST 5.  
08:15:14 THERE'S A PROCESS -- IT'S A SAFEGUARD.  
08:15:19 LIKE, I THINK THERE'S GREAT THINGS ABOUT THAT PROPOSAL IN  
08:15:22 TERMS OF HAVING A MARKET ON ST. ARMANDS.  
08:15:25 I THINK IT'S NEEDED.  
08:15:26 BUT THEN THERE'S A HOTEL ASPECT.  
08:15:29 HOW MUCH RETAIL?  
08:15:30 WHERE ARE YOU GOING TO PUT THE PARKING?

08:15:32 SO YOU CAN REALLY -- I MEAN, THE NEIGHBORHOOD IS ALREADY  
08:15:35 BEING CHANGED IN TERMS OF ITS CHARACTER BECAUSE OF THE HOTEL  
08:15:39 HOUSE ISSUE, BUT HAVING A SUPERMAJORITY, FOR A GOOD IDEA,  
08:15:46 IT'S LIKE THE COMP PLAN ISSUE.  
08:15:48 SARASOTA IS GROWING.  
08:15:50 THESE SUPERMAJORITY FOR CHANGING THE COMP PLAN REALLY HASN'T  
08:15:53 GOTTEN IN THE WAY OF US BEING THE NUMBER ONE PLACE TO LIVE,  
08:15:58 RETIRE, AND THE GROWTH THAT'S OCCURRING IS HIGH-QUALITY  
08:16:02 GROWTH.  
08:16:02 SO I THINK THE COMMUNITY WOULD WELCOME IT AND THAT IT WOULD  
08:16:05 BE A SAFEGUARD FOR JUST PUTTING THE BRAKES ON THINGS SO  
08:16:12 PEOPLE HAVE TO THINK ABOUT IT.  
08:16:13 BUT AT THE END OF THE DAY FOR A GOOD IDEA, THEY PASS.



08:16:18 >>Peter Fanning: THANK YOU.  
08:16:20 >>Crystal Bailey: WHAT HAPPENED TO THE EXAMPLE --  
08:16:23 >>Peter Fanning: MS. BAILEY.  
08:16:24 >>Crystal Bailey: EXCUSE ME.  
08:16:25 THANK YOU.  
08:16:25 WHAT HAPPENED TO THE EXAMPLE ON ST. ARMANDS?  
08:16:28 >>Cathy Antunes: I'M NOT CLEAR WHERE THAT STANDS.  
08:16:30 >>Robert Fournier: IT WILL BE ON THE CITY COMMISSION'S  
08:16:31 AGENDA FEBRUARY 7.  
08:16:36 >>Marlon Brown: ONE CLARIFICATION, IF I MAY.  
08:16:37 ONE OF THE THINGS WE NEED TO BE CAREFUL OF, WHEN WE SAY  
08:16:43 AFFORDABLE HOUSING, LET'S SAY WE DO HAVE A PIECE OF  
  
08:16:45 PROPERTY, SOMEBODY SAYS -- LET'S SAY TEN UNITS PER ACRE AND  
08:16:49 DOING TWO UNITS OF AFFORDABLE HOUSING.  
08:16:52 I WANT TO MAKE SURE THAT DOES NOT QUALIFY FOR THE EXCEPTION.  
08:16:54 IT HAS TO BE ALL.  
08:17:02 >>Peter Fanning: ANY FURTHER DISCUSSION?  
08:17:03 MS. RIVERS, WOULD YOU CALL THE ROLL?  
08:17:05 >>Cathy Antunes: YES.  
08:17:06 >>Crystal Bailey: YES.  
08:17:10 >>Dan Clermont: NO.  
08:17:12 >>Eileen Normile: YES.  
08:17:13 >>Peter Fanning: YES.  
08:17:15 >>Kim Githler: YES.  
08:17:17 >>Jeff Jackson: NO.  
08:17:23 >>Lori Rivers: MOTION CARRIES.  
08:17:32 >>Jeff Jackson: I HAVE TROUBLE WITH THE THRESHOLD.  
08:17:33 THAT'S ALL.  
08:17:34 I AGREE WITH THE CONCEPT TOTALLY.  
08:17:38 >>Eileen Normile: THIS LAST ONE IS A DISCUSSION OF THE  
08:17:43 CITIZENS BILL OF RIGHTS AND WHETHER OR NOT TO INCLUDE THAT  
08:17:46 IN THE CHARTER.  
08:17:49 DOES EVERYBODY REMEMBER RECEIVING THAT EARLIER ON?  
08:17:54 >>Peter Fanning: I REMEMBER RECEIVING IT.  
08:17:56 I COULDN'T FIND IT.  
08:17:57 I LOOKED EVERYWHERE.  
08:18:01 >>Eileen Normile: I SHOULD HAVE PRINTED OUT COPIES FOR  
  
08:18:03 EVERYONE.  
08:18:03 >>Peter Fanning: I REMEMBER WE DISCUSS IT AT SOME POINT AND  
08:18:07 THOUGHT MAYBE A GOOD IDEA AS A PREAMBLE.  
08:18:10 >>Lori Rivers: I CAN MAKE COPIES.  
08:18:13 I WOULD BE GLAD TO DO THAT.  
08:18:15 >>Robert Fournier: MIAMI AND NORTH MIAMI BEACH, TWO OF THEM.  
08:18:35 >>Eileen Normile: IS THERE ANYTHING FURTHER ANYBODY WANTS TO  
08:18:37 DISCUSS WHILE MR. BROWN KINDLY MAKES SOME COPIES FOR US.  
08:18:43 MS. RIVERS, WHEN IS THE NEXT MEETING?  
08:18:46 >>Lori Rivers: FEBRUARY 14th.  
08:18:50 HOPE YOU DIDN'T HAVE PLANS.  
08:18:56 >>Eileen Normile: THAT'S SO KIND OF YOU.  
08:18:58 >>Lori Rivers: YOU ALL APPROVED YOUR SCHEDULE AT THE  
08:19:01 BEGINNING, I'LL JUST REMIND YOU.  
08:19:04 >>Eileen Normile: AT SOME POINT WE SHOULD DISCUSS WHETHER WE

08:19:07 NEED ANOTHER MEETING, ACTUALLY.  
08:19:08 >>Lori Rivers: IF YOU DO, I HAVE LOOKED AT THE CALENDAR AND  
08:19:13 NEXT MONDAY WOULD BE ONE OF THE ONLY OPTIONS.  
08:19:18 THE CHAMBERS IS AVAILABLE.  
08:19:22 >>Eileen Normile: CAN YOU TELL US OR MS. GRIGGS TELL US WHAT  
08:19:26 THE PROCEDURE IS FOR WRAPPING EVERYTHING UP?  
08:19:30 IS THERE A REPORT WRITTEN?  
08:19:32 HOW DOES IT WORK?  
08:19:32 >>Lori Rivers: WELL, WE HAVE ACTUALLY -- I DON'T KNOW,  
08:19:35 MS. GRIGGS, DO YOU MIND IF I GO AHEAD?

08:19:38 OKAY.  
08:19:38 WE HAVE ACTUALLY MET WITH MR. FOURNIER ON THIS, AND WE ARE  
08:19:43 PREPARING A REPORT OUTLINING THE RECOMMENDATIONS YOU ALL  
08:19:47 HAVE MADE.  
08:19:49 AND ALONG WITH THAT, IT WOULD DEPEND IF MR. FOURNIER WOULD  
08:19:56 BE READY TO PROVIDE ALL OF THE WORDING FOR THE ENTIRE  
08:19:59 CHARTER.  
08:20:00 WE'RE GOING TO TRY TO SHOOT FOR THAT I BELIEVE.  
08:20:02 >>Robert Fournier: I THINK WE CAN.  
08:20:03 I THINK AT THE VERY LEAST WHAT WE HAD IN MIND WAS A LIST AND  
08:20:07 THE ORDER OF WHICH THEY APPEAR IN THE CHARTER THAT WOULD IN  
08:20:09 A SENTENCE OR TWO SUMMARIZE THE RECOMMENDATION.  
08:20:13 AND THEN AS A SUPPLEMENT TO THAT, THE BACKUP WITH THE  
08:20:17 BLACK-LINED VERSION OF THE CHARTER.  
08:20:18 THAT YOU COULD APPROVE.  
08:20:21 >>Eileen Normile: DOES ANYONE HAVE ANY QUESTIONS FOR MR.  
08:20:23 FOURNIER?  
08:20:25 >>Peter Fanning: IS THAT AN UP-OR-DOWN VOTE WITH NO CHANGE?  
08:20:29 >>Robert Fournier: WELL, I THINK THE POINT OF IT IS YOU GO  
08:20:31 THROUGH AND CHECK EACH ONE AND SEE THAT IT ACCURATELY  
08:20:34 REFLECTS WHAT YOU VOTED ON AND YOU GET TO LOOK AT EVERYTHING  
08:20:37 AGAIN SO THAT IF THERE IS A CHANGE, BECAUSE I THINK WE  
08:20:40 AGREED, YOU KNOW, THIS WOULD BE -- THINGS COULD COME BACK  
08:20:45 AGAIN.  
08:20:46 IF YOU WANT TO CHANGE YOUR MIND ABOUT ANYTHING, THAT'S

08:20:48 POSSIBLE.  
08:20:48 >>Lori Rivers: WE WOULD HOPE AT THE LAST MEETING YOU'RE NOT  
08:20:52 MAKING MAJOR CHANGES BUT RATHER HOPEFULLY LOOKING AT THE  
08:20:57 LANGUAGE.  
08:20:57 AND IF TWEAKS ARE NECESSARY BUT NOT LIKE CHANGING DIRECTION  
08:21:01 WHOLLY.  
08:21:03 >>Eileen Normile: AS A MATTER OF PROCEDURE, WHEN THAT  
08:21:08 APPEARS AS A PUBLIC DOCUMENT, DOES THAT -- IT OPENS IT UP  
08:21:11 FOR COMMENT BY THE PUBLIC, IS THAT CORRECT?  
08:21:14 IT IS A PUBLIC HEARING ON THAT, ON THE WHOLE DOCUMENT.  
08:21:21 >>Lori Rivers: YEAH, LIKE WE ALWAYS DO, WE WILL BE  
08:21:23 PUBLISHING THE AGENDA BEFOREHAND, SO IT WOULD OPEN IT TO  
08:21:27 PEOPLE TO COMMENT.  
08:21:31 >>Cathy Antunes: AFTER FEBRUARY 14th, THAT IS A DROP-DEAD  
08:21:34 DATE.  
08:21:35 LIKE, THAT IS THE END OF IT.  
08:21:36 >>Robert Fournier: DIDN'T THE COMMISSION SAY YOU COULD ASK

08:21:39 FOR -- THEY LEFT IT OPEN --  
08:21:42 >>Lori Rivers: THE COMMISSION HAD DIRECTED THAT YOU WOULD  
08:21:44 MAKE YOUR REPORT TO THEM ON MARCH 7.  
08:21:46 IF YOU NEEDED MORE TIME, I BELIEVE THEY SAID TO COME BACK  
08:21:49 AND REQUEST SO.  
08:21:51 >>Robert Fournier: LET THEM KNOW, BECAUSE I DON'T KNOW THAT  
08:21:55 WE WOULD BE ABLE TO HAVE THE LANGUAGE THAT WAS REQUESTED TO  
08:21:58 BE PROVIDED BY NEXT MONDAY.

08:22:01 SO THAT'S A CONCERN.  
08:22:08 >>Dan Clermont: CAN I ASK, WHAT DO WE ALL HAVE TO COVER YET?  
08:22:11 WE KNOW WE SEND YOU BACK FOR SOME LANGUAGE.  
08:22:15 >>Robert Fournier: I THINK THAT WOULD BE THE MAIN ONE.  
08:22:16 I THINK DEPENDING ON WHAT HAPPENS WITH THIS ITEM HERE,  
08:22:20 PERHAPS COMING BACK TO THIS, BUT JUST A REVIEW OF THE LIST  
08:22:24 TO MAKE SURE THAT IT REPRESENTS THE FINAL REPORT THAT  
08:22:26 EVERYONE IS COMFORTABLE WITH.  
08:22:34 >>Cathy Antunes: WOULD IT MAKE SENSE TO ANTICIPATE THE  
08:22:37 14th WE'LL REVIEW THAT LANGUAGE AND WE DO ACTUALLY HAVE  
08:22:40 SOME WIGGLE ROOM TO BEGIN THIS PROCESS OF LOOKING AT WHERE  
08:22:47 WE'VE BEEN, AND IF WE NEED AN EXTRA MEETING, WE COULD TAKE  
08:22:50 THAT AND DO THE REST?  
08:22:52 >>Robert Fournier: I THINK IT'S POSSIBLE THAT YOU MIGHT  
08:22:54 FINISH ON THE 14th, BUT I'M NOT SURE.  
08:22:56 THAT DEPENDS -- I MEAN, YOU WOULD BE IN CONTROL OF THAT.  
08:22:59 CERTAINLY COULD HAVE ANOTHER MEETING IF NECESSARY.  
08:23:03 THE COMMISSION DID SAY IF YOU WEREN'T GOING TO BE DONE IN  
08:23:07 TIME, THEY'D BE OPEN TO PUSHING THAT BACK A FEW WEEKS.  
08:23:10 BUT I DO THINK THEY WERE CONCERNED THAT THEY HAVE TIME TO  
08:23:13 REVIEW EVERYTHING BEFORE IT WAS DUE TO BE ON THE BALLOT.  
08:23:19 >>Eileen Normile: THE LANGUAGE YOU'RE BRINGING BACK IS  
08:23:21 REGARDING THE PROCEDURE, THE PROCESS.  
08:23:22 >>Robert Fournier: IT WON'T BE THE BALLOT LANGUAGE BUT A  
08:23:25 SUMMARY.

08:23:26 BECAUSE I WON'T DO THAT UNTIL THEY DECIDE TO PUT IT ON THE  
08:23:29 BALLOT.  
08:23:29 IT WOULD BE HOPEFULLY AN ACCURATE SUMMARY IN LIST FORM OF  
08:23:33 EVERYTHING THAT YOU HAD RECOMMENDED.  
08:23:36 >>Eileen Normile: YOU'RE GOING TO COME BACK WITH LANGUAGE  
08:23:38 REGARDING THE PROCESS FOR MISBEHAVIOR.  
08:23:43 >>Robert Fournier: THAT WAS REQUESTED, YES.  
08:23:44 THAT WILL TAKE SOME TIME.  
08:23:49 >>Eileen Normile: I WOULD THINK SO.  
08:23:51 DO WE HAVE ANY COMMENTS ON THE CITIZENS' BILL OF RIGHTS THAT  
08:24:02 YOU JUST GOT?  
08:24:03 AND IS FOUR PAGES.  
08:24:07 I'LL MAKE A COMMENT TO START.  
08:24:16 THIS IS ANOTHER CHARTER REALLY.  
08:24:20 IT'S SOMETHING IF WE WERE GOING TO INCLUDE IT, I THINK WE  
08:24:23 WOULD NEED A GREAT DEAL OF TIME TO GO THROUGH IT AND  
08:24:27 UNDERSTAND IT.  
08:24:29 >>Kim Githler: I WOULD AGREE WITH THAT.  
08:24:31 >> I AGREE.

08:24:32 >>Dan Clermont: I HAVE A QUESTION FOR MR. FOURNIER.  
08:24:35 DIDN'T -- DID THE STATE LEGISLATURE MAKE SOME TYPE OF LAW  
08:24:39 THAT WE CAN'T MAKE LAWS ABOUT THIS TYPE OF THING, THAT -- I  
08:24:42 THOUGHT -- I'M JUST GOING BY I THOUGHT I READ SOMETHING.  
08:24:46 NO MORE AUTHORITATIVE THAN THAT.  
08:24:50 >>Robert Fournier: I DID WONDER IF SOME OF THIS WAS DUE TO  
  
08:24:53 THE SPECIAL ACT THAT APPLIED IN DADE COUNTY.  
08:24:55 I HADN'T SEEN ONE OTHERWISE.  
08:24:57 I DID THINK -- NONE OF THIS, OF COURSE, IS OBJECTIONABLE IN  
08:25:00 ANY WAY, BUT MANY OF THE THINGS THAT ARE GUARANTEED HERE ARE  
08:25:04 ALSO GUARANTEED IN THE LAW AND OTHER PLACES.  
08:25:09 I THINK THE ISSUE I MIGHT HAVE RAISED BEFORE WAS ON THIS  
08:25:13 QUESTION OF CITIZENS BEING ABLE TO BRING SUIT FOR CHARTER  
08:25:20 VIOLATIONS.  
08:25:21 AND I THINK I SAID THAT IT WAS THE EXCLUSIVE PROVINCE OR  
08:25:28 ROLE OF THE LEGISLATURE TO CREATE A CAUSE OF ACTION TO GIVE  
08:25:31 SOMEBODY A RIGHT TO SUE.  
08:25:35 THE LEGISLATURE CREATES THE STATUTE AND SAYS YOU CAN SUE  
08:25:38 UNDER THE STATUTE THAT CITIES CAN'T DO THAT.  
08:25:40 BUT SINCE THEN, I DON'T KNOW IF YOU WANT ME TO GET INTO IT  
08:25:44 ANY FURTHER, I CAN, BECAUSE I DID LOOK AT IT A LITTLE BIT.  
08:25:47 BUT I'LL STOP RIGHT THERE FOR NOW.  
08:25:49 I DID RAISE THAT AS AN ISSUE.  
08:25:50 I THINK THERE IS A WAY THEY WOULD DO THIS BECAUSE YOU CAN  
08:25:55 STATE WHAT YOU CALL A DECLARATORY JUDGMENT TO CONSTRUE A  
08:25:59 WRITTEN INSTRUMENT TO SEE IF IT'S BEEN VIOLATED.  
08:26:01 SO I THINK THAT WOULD BE THE AVENUE SOMEBODY WOULD USE.  
08:26:04 YOU WOULDN'T NECESSARILY HAVE TO CREATE A NEW CAUSE OF  
08:26:09 ACTION.  
08:26:09 BUT THEN THERE IS THE STANDING ISSUE, AND THAT GOT RAISED  
08:26:13 BECAUSE I DID LOOK INTO SOME OF THE BACKGROUND AND THE CITY  
  
08:26:17 OF MIAMI WHEN THIS WAS BEING ADOPTED.  
08:26:21 AND I THINK THAT THE ARGUMENT OF THE PROPONENTS, THE CITY  
08:26:25 ATTORNEY THERE HAD SIMILAR CONCERNS ABOUT STANDING.  
08:26:28 AND THEN IT WAS BROUGHT UP THAT THE IDEA OF STANDING --  
08:26:32 STANDING IS JUST BASED ON THE IDEA THAT SOMEBODY BRINGING A  
08:26:35 LAWSUIT HAS TO HAVE A SUFFICIENT ENOUGH INTEREST IN THE  
08:26:39 OUTCOME OF THE LAWSUIT TO WARRANT THE COURT'S TIME IN  
08:26:42 HEARING THE CASE AND CONSIDERING IT.  
08:26:45 AND I THINK THEY SAID THAT STANDING IS AN AFFIRMATIVE  
08:26:49 DEFENSE IN FLORIDA, THAT A DEFENDANT COULD RAISE SO THAT IT  
08:26:54 COULD BE WAIVED.  
08:26:55 I THINK THE CITY IN MIAMI, EVERYTHING THAT I'VE SEEN IS THE  
08:26:59 SUIT IF IT IS FILED IS AGAINST THE CITY.  
08:27:01 SO THE CITY CAN WAIVE STANDING AND SAY, OKAY, CITIZENS, IF  
08:27:06 YOU WANT TO SUE THE CITY, I'M NOT SURE WHY THEY'D WANT TO DO  
08:27:10 THAT BUT, YOU KNOW, YOU CAN.  
08:27:12 BUT THEN THE COURTS I FOUND IN SOME OF THESE CASES FOR THAT  
08:27:17 EXACT REASON BECAUSE THEY DON'T WANT TO GIVE YOU AN OPINION,  
08:27:20 THEY WOULD SAY THAT THERE'S CASE LAW, THEY'LL SAY YOU NEED  
08:27:24 TO ALLEGE A SPECIAL INJURY, HOW THIS WOULD WORK TO YOUR  
08:27:30 DETRIMENT IN A DIFFERENT WAY THAN MEMBERS OF THE PUBLIC OR

08:27:34 WE'RE NOT GOING TO HEAR THE SUIT.  
08:27:35 SO THERE ARE SOME LEGAL ISSUES THERE WITH THAT IDEA THAT YOU  
08:27:40 COULD GRANT ENFORCEMENT RIGHTS.  
08:27:43 NOT THAT IT COULDN'T BE DONE, BUT YOU COULD EXPECT TO HEAR

08:27:47 SOME OF THESE THINGS RAISED OR DISCUSSIONS OR ARGUMENTS  
08:27:48 ABOUT THE SPECIAL INJURY CONCEPT AND THE WAIVER OF STANDING.  
08:27:53 >>Eileen Normile: THAT'S LIKE THE AGGRIEVED PERSON STANDARD.  
08:27:56 >>Robert Fournier: IT IS IN A WAY FOR PLANNING PURPOSES.  
08:27:59 BUT YOU SUFFER A SPECIAL HARM THAT'S A LITTLE MORE, EITHER  
08:28:03 DIFFERENT IN KIND OR DEGREE THAN THE GENERAL PUBLIC  
08:28:06 EXPERIENCES.  
08:28:07 >>Eileen Normile: RIGHT.  
08:28:07 I RECALL THAT CLEARLY.  
08:28:08 >>Robert Fournier: THE COURTS COULD THROW UP THAT ROADBLOCK.  
08:28:12 >>Eileen Normile: MS. ANTUNES.  
08:28:13 >>Cathy Antunes: I THINK AS A PRACTICAL MATTER, THIS IS  
08:28:16 REALLY A LOT MORE THAN WE CAN CHEW, AND IT'S WELL  
08:28:19 INTENTIONED, BUT IT'S NOT PRACTICALLY DOABLE IN OUR TIME.  
08:28:24 SO I WOULD MOVE THAT -- WE'RE NOT -- I WOULD THINK THAT WE  
08:28:28 CAN SET THIS ONE ASIDE.  
08:28:31 >> I AGREE.  
08:28:31 >>Kim Githler: I AGREE WITH THAT.  
08:28:33 >>Dan Clermont: LINE BY LINE.  
08:28:34 >>Cathy Antunes: IT'S A LOT.  
08:28:36 >>Eileen Normile: ANYONE HAVE A DIFFERING OPINION?  
08:28:40 >>Peter Fanning: I LIKE THE IDEA OF A BILL OF RIGHTS, BUT  
08:28:43 QUICKLY LOOKING AT THESE, THIS IS MORE THAN A BILL OF  
08:28:48 RIGHTS.  
08:28:48 THESE SEEM TO BE REAFFIRMING ALL THESE PROTECTIONS WE

08:28:51 ALREADY HAVE SOMEPLACE ELSE, EITHER FEDERAL, STATE OR  
08:28:56 EXISTING CHARTER.  
08:28:57 I THINK OF A BILL OF RIGHTS, A PREAMBLE, BEING MORE  
08:29:02 VISIONARY THAN PRESCRIPTIVE, I GUESS.  
08:29:07 >>Eileen Normile: BY CONSENSUS, WILL WE SET THIS ASIDE?  
08:29:12 >> YES.  
08:29:13 >> YES.  
08:29:17 >>Eileen Normile: I THINK THAT BRINGS US TO THE END OF THE  
08:29:21 HARDEST PART OF WHAT WE STARTED A COUPLE OF MONTHS AGO.  
08:29:26 WE LOOK FORWARD TO SEEING THE RESULTS WHEN THEY COME BACK ON  
08:29:33 VALENTINE'S DAY, WHICH EVERYONE IS REQUIRED TO WEAR RED.  
08:29:42 >>Peter Fanning: SO THE STAFF IS GOING TO MAKE US LOOK  
08:29:45 BRILLIANT?  
08:29:46 >>Eileen Normile: CERTAINLY.  
08:29:47 THAT WOULD BE A LOVELY THING.  
08:29:49 ANYTHING ELSE FROM ANYONE?  
08:29:51 ANY DISCUSSION?  
08:29:52 ANY CONCERNS?  
08:29:52 FROM THE STAFF?  
08:29:54 FROM MS. GRIGGS?  
08:29:55 IN THAT CASE, THANK YOU VERY MUCH, EVERYONE.  
08:30:00 THANK YOU FOR COMING TONIGHT.  
08:30:02 AND WE'LL SEE YOU ON VALENTINE'S DAY.

08:30:05  
08:30:07

[ SOUNDING GAVEL ]

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