



**CITY OF OKEECHOBEE
CITIZENS CHARTER REVIEW ADVISORY COMMITTEE
DECEMBER 15, 2020
OFFICIAL MINUTES**

I. CALL TO ORDER

The initial meeting of the Citizens Charter Review Advisory Committee (CCRAC) was called to order by City Administrator Marcos MontesDeOca on Tuesday, December 15, 2020, at 4:34 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida.

II. ATTENDANCE

The following CCRAC Members were present: Suzanne Bowen, Noel Chandler, Jamie Gamiotea, Sandy Perry, Gary Ritter, and Myranda Whirls. Members absent were Jeremy LaRue, Cary Pigman, and Hoot Worley.

A. Election of Chair

City Attorney John Fumero opened the floor for nominations for Chairperson. Member Gamiotea nominated Gary Ritter. The nomination was seconded by Member Chandler together with a motion to close the nominations. **Motion Carried unanimously.** During deliberation it was suggested that the Chairperson position be readdressed when all members could be in attendance. [Additionally, electing a Vice-Chair will need to be addressed per Resolution No. 2020-10.]

Chairperson Ritter then asked to begin the proceeding with an invocation given by Member Chandler, followed by the Pledge of Allegiance.

III. NEW BUSINESS

- A.** Attorney Fumero distributed copies of a power point presentation and reviewed the application of sunshine, public records, and ethics laws as they relate to and govern this Committee, and City Staff. The State Code of Ethics key concepts are that the members cannot accept gifts that would influence a decision, cannot do business with the City of Okeechobee, and cannot misuse their positions to secure a special privilege, benefit or exemption for themselves or on behalf of others. They are also held to the State public records and open public meetings laws, known as the "Sunshine Laws." The members cannot discuss with one another, outside a convened publicly advertised meeting, any topic that will come before them, or could knowingly come before them. He reviewed the three-part test as to whether an item is a public record, members cannot destroy anything that falls under: 1. All "documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material regardless of the physical form, characteristics or means of transmission," including electronic communications like Facebook postings, text messages, emails, blog, vlog, tweets. 2. Made or received pursuant to law or ordinance or in connection with the transaction of official business. 3. By any local government which is used to perpetuate, communicate or formalize knowledge or information.

III. NEW BUSINESS, ITEM A. CONTINUED.

He encouraged each member to create a separate email for conducting and receiving correspondences related to their duties while serving on the CCRAC. He cautioned using their personal devices to retain public records, such as their personal computers and/or cell phones. Attorney Fumero provided his cell phone number for members to contact him at any time. He highly recommended they retain the copies of the presentations and refer to them often.

[Note for Clarification: The City Clerk's Office will provide the members with the appropriate forms for transferring all public records once the committee concludes their recommendations to the City Council. In the meantime, should anyone need to transfer records, they will need to see Clerk Gamiotea.]

- B. The second power point presentation Attorney Fumero distributed covered the importance and role of the Charter and the goals of the CCRAC. The Charter is the foundation of the local government and functions as the equivalent of a state constitution, setting the guiding principles for governance. The Charter should establish a framework for how the City operates in terms of its structure, responsibilities, functions and processes.

One item Attorney Fumero strongly suggested the Committee include within their recommendation is a method to review the Charter within a specific time frame to keep it relevant, as well as in step with the needs and priorities of the citizens. Due to the City's current Charter not being fully reviewed since the 1960's, Members will need to decide whether they want to start from scratch with a new Charter or amend the existing. He encouraged members to discuss ideas and information with family members, co-workers, and friends in order to initiate public inclusion. There needs to be a concerted effort in public outreach during their discussions. To facilitate this, the City will be creating a page on the website specifically where citizens can learn everything that is going on about the review and provide feedback directly.

- C. Attorney Fumero has researched other municipalities of like size, who have revised their Charter in the last five years and will be providing copies of his research for the Members to review along with the City's current Charter.
- D. Resolution No. 2020-10 was distributed to the members by the City Clerk, which provides the outline of the Chair and Vice Chair duties, attendance requirement, and a timeline of at least one year. Attorney Fumero explained that once the Committee is ready with their recommendation, it will be presented to the City Council. The City Council can then choose to amend/modify the recommendations. The result will be formatted into one or multiple ordinances and placed on the ballot for the voters to decide on adoption.

The Members took time to introduce themselves, provide a brief background, and why they wanted to serve on this Committee. City Staff also introduced themselves.

III. NEW BUSINESS CONTINUED.

- E. Upon discussion, Chairperson Ritter announced that it has been determined that meetings will be held at 6:00 P.M. The meetings for January will be on the 7th and 28th; a regular schedule will need to be addressed at the January 7, 2021 meeting. He encouraged members to take this time to read through all the materials that will be provided, to be ready to make a decision as to which method they will be proceeding with (use the existing Charter or a template from another City) and provide feedback on the copies of Charters from other cities.

IV. ADJOURN MEETING

There being no further items for discussion, the meeting was adjourned at 5:38 P.M.

Submitted by: Lane Gamiolea, CMC, City Clerk

Approved on: January 7, 2021

Please take notice and be advised that when a person decides to appeal any decision made by the Citizens Charter Review Advisory Committee with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk media are for the sole purpose of backup for official records of the Clerk.