



1015 Cultural Park Blvd.
Cape Coral, FL

AGENDA

CHARTER REVIEW COMMISSION

November 15, 2018

3:00 PM

Conference Room 220A

1. Call to Order

A. Chair Peterson

2. Roll Call

A. Bennie, Jenkins, Kitchen, McNamara, Peterson, Robinson, Sund,
and Alternate Stewart

3. Public Input

4. Business

A. Approval of Minutes - October 18, 2018 meeting

B. Discussion to draft final report of recommendations to City Council

5. Commissioner Comments

6. Date and Time of Next Meeting:

A. The next meeting will be held on Thursday, December 20, 2018, at
3:00 p.m. in Conference Room 220A.

In accordance with the Americans with Disabilities Act and Section of 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at least forty-eight (48) hours prior to the meeting. If hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for

such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

SPECIAL NOTE: This is not a meeting of the Cape Coral City Council. However, two or more Council Members may be in attendance and may participate at this workshop/meeting.

Item Number:	4.A.
Meeting Date:	11/15/2018
Item Type:	Business

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Approval of Minutes - October 18, 2018 meeting

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▢ Revised October 18, 2018 meeting minutes	Backup Material

REVISED
MINUTES FOR THE MEETING OF THE CITY OF CAPE CORAL
CHARTER REVIEW COMMISSION

THURSDAY, OCTOBER 18, 2018

Conference Room 220A

3:00 P.M.

Chair Peterson called the meeting to order at 3:00 p.m.

Roll Call: Kitchen, McNamara, Peterson, and Sund were present. Member Robinson and Alternate Stewart were excused. Jenkins arrived at 3:02 p.m. Bennie arrived at 3:13 p.m.

Also Present: Mark Moriarty, Assistant City Attorney
Marilyn Stout, Council Liaison
Jay Murphy, Contract Business Manager, arrived at 3:04 p.m.

Public Input

Committee Member Jenkins arrived at 3:02 p.m.

Kenneth Weiss, Northwest Cape Coral Neighborhood Association, Inc. Board Member, discussed item 4C – draft language from the City Attorney’s Office to move 4.03(a) to an even year. He distributed a document from the NWNA affirming the proposal to move Citywide elections to even numbered years. Historically voter turnout for Citywide elections has been under 20 percent. Combining Citywide elections with other partisan and non-partisan elections in even numbered years would increase turnout without any incremental elections expense to the City.

Contract Business Manager Murphy arrived at 3:04 p.m.

Mary Anne Sweeney, resident, inquired about what is involved in making changes to the Charter. The City has grown immensely and needs to keep up with the challenge. She noted we need a change in our form of government body and would like to see a strong Mayor form of government, not just having one City administrator with so much power. Being a Mayor or Councilmember is a full-time job requiring a good full-time salary. She encouraged the CRC to consider changing the governing body. She was against changing the election years to even numbered years and was in favor of keeping the current odd numbered years.

Chair Peterson addressed the question posed by Ms. Sweeney. He explained the process the Board has been following for the past year reviewing the Charter. After discussion, the Board suggests changes and votes on them. It will be presented to City

Council who will review the suggested changes and move forward with what they want to have on a referendum for the public to vote on.

John Karcher asked how often the CRC reviews the Charter. How long is this Commission in place to discuss recommendations for those proposed changes?

Chair Peterson stated the current Commission has been meeting since October 2017.

Commissioner McNamara stated they are required to form a new CRC once every six years with the option of forming another one every two years.

Chair Peterson stated this is only one process to change the City Charter. The City Charter can be changed by Ordinance at any time.

Mr. Weiss added that roughly 18 percent of eligible voters in Cape Coral voted in the last election. By not changing it to even numbered years, you are disenfranchising voters which is not good public policy or good governance.

Bob Renshaw, resident, stated even in general elections turnouts are low so changing the cycle does not necessarily improve the turnout.

Council Liaison Stout stated the general election turnout has been approximately 70 to 80 percent in presidential elections and a little less in gubernatorial elections. For the off-election years, it has been at 15 to 16 percent.

Vice Chair Kitchen asked what the cost differences are in holding those elections.

Council Liaison Stout stated we bear the cost.

Manager Murphy added we share the cost.

Council Liaison Stout stated most of the cost is borne by the City in the City elections.

Manager Murphy stated we share the cost with Ft. Myers on a pro-rated basis since we are on the same cycle. We budget \$250,000. He stated we still have costs associated with the election during even numbered years.

Council Liaison Stout stated they were minor costs because the ballot is prepared for the entire County.

Manager Murphy stated we share it, but we also get a pro-rated charge for printing the ballots.

Council Liaison Stout stated she did not think so.

Manager Murphy stated that he spoke with Tommy Doyle (Supervisor of Elections), prior to this meeting. In reviewing their phone conversation, Manager Murphy explained there would be costs for odd or even year; that the last election cost was about \$250,000; and it would be substantially less. He further stated that whatever that number is, it would be less. And we are not talking \$10,000 less, he guessed somewhere less than \$100,000.

Chair Peterson stated we will save more of this discussion to section 4.03(a).

Commissioner Bennie arrived at 3:13 p.m.

BUSINESS

Approval of Minutes – September 20, 2018 meeting

Chair Peterson stated the minutes of the September 20, 2018 meeting were presented for approval.

Commissioner Sund moved, seconded by Commissioner Jenkins, to approve the minutes of the September 20, 2018 meeting as presented. Voice Poll: All “ayes.” Motion carried.

Full List of the Proposed Changes (continued)

Chair Peterson stated he would come back to this section after discussion on the next topic.

Discussion of draft language from the City Attorney’s Office to move 4.03(a) to an even year

Chair Peterson requested clarification of the two drafts.

Assistant City Attorney Moriarty stated at the last meeting the CRC discussed how the report would be made to Council and when would be the best time for the presentation. Then the question was presented on what was preventing this CRC from making their report now. The issue came up about election language. There was some discussion that Mr. Doyle had recommended or is suggesting a uniform election schedule with all of the municipalities. The CRC instructed the City Attorney’s Office to craft some language changing 4.03 so that they could consider making that recommendation to Council. There are two drafts of 4.03 for consideration. Since doing this draft, the Board should be made aware that this provision is in the Charter, and it is within their purview to make this recommendation to Council. The Council has the ability to make this change through Florida Statute 100.3605 which gives municipalities their ability to change its election schedule via Ordinance.

Chair Peterson asked if there was any legal difference between the two options.

Assistant City Attorney Moriarty stated the goal was to not truncate any councilmember's term. The dates of 2022 and 2024 were inserted so that anyone properly elected would not lose any time on their term.

Commissioner McNamara stated the second option coincides with Federal, State, and County elections beginning in November and would put us on track with moving the general election.

Chair Peterson agreed with the wording in that version because it gives an idea of why we are proposing it to coincide with Federal and State.

Commissioner McNamara asked for clarification that this would end up extending terms.

Manager Murphy stated every sitting Councilmember would get an extra year.

Commissioner McNamara stated it could be the person sitting at that time, but not necessarily so.

Manager Murphy stated as it stands now, there would be an election in 2019, and the term would go to 2024.

Commissioner Sund mentioned the NBC story which made its way to local Facebook forums. He noted there was a concern from some regarding not truncating terms and did not like them to get the extra year. The person elected in 2019 would be elected with the knowledge that they would have to serve five years and then fall into the even cycle.

Vice Chair Kitchen stated that is a communications issue, clarifying the fact that they are running for five years versus four years to help change the cycle.

Commissioner Jenkins stated if someone did not want to do the extra year, they could always resign.

Discussion held regarding the conclusion would be the same with a five-year term.

Chair Peterson agreed that if someone did not want the extra year, they could always resign.

Commissioner Sund moved, seconded by Vice Chair Kitchen, to accept the proposed amendment for 4.03(a) that includes the language to coincide with Federal, State, and County elections.

Commission polled as follows: Bennie, Jenkins, Kitchen, McNamara, Peterson, and Sund voted “aye.” Six “ayes.” Motion carried 6-0.

Chair Peterson stated that language would be added to the list of proposed changes.

Full List of the Proposed Changes (continued)

Chair Peterson stated this was discussed at the last meeting, but since we did not have a full Board, he asked for further input.

Assistant City Attorney Moriarty asked for the Chair to go back and specifically from the motions identify the Charter revisions that have been approved so that there is clear direction from the CRC.

Chair Peterson went over the full list:

- 1) 4.02 Eligibility – we’re adding to that section the underlined: Proof of residence shall be established by a valid voter’s registration card. That comes out of 4.05(b) and is moved to 4.02.
- 2) 4.05 b – we strike out from the Charter: Proof of residence shall be established by a valid voter’s registration card. This is moved to 4.02. That change essentially covers two sections: 4.02 and 4.05(b).
- 3) 4.03(a) – Election terms – we just voted on and chose the wording for 4.03(a) to include the version that had to coincide with Federal, State, and County elections.
- 4) 4.06(a) – Mayor and Mayor Pro Tem – removing the current wording allowing the Mayor to veto line item budgets
- 5) 4.06(b) – Mayor and Mayor Pro Tem – along the same lines for the Mayor Pro not having the ability to veto in the Mayor’s absence
- 6) 4.10(a) – Prohibitions – added the caveat to either directly or indirectly during their active term or until one year after the expiration of the last term for which he or she was elected as Mayor or Council may be a contractor to the City.
- 7) 4.16(d) – Veto Procedure – striking it from the Charter if the previous recommendations are accepted.
- 8) 4.20(b) – Codes of technical regulations – changing the current wording to copies of any adopted Code of technical regulations shall be made available online at no cost. **This was voted on May 17, 2018 but rescinded on September 20, 2018.**
- 9) 4.21(b) – Authentication and recording; codification; printing – adding to the current wording “copies of the code shall be furnished to City Officers, placed online at libraries and public offices for free public reference.”
- 10) 4.21(c) – Authentication and recording; codification; printing - similar to the previous where we changed printing to publication and added placed online at no cost
- 11) 7.08 – Public Records – another similar change that we added to be made available online at no cost and at suitable places in the City

- 12)8.02(c) – Report; specifications – added number 3 to the list “Districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice.
- 13)9.03(a) – Number of signatures – lowered the percent requirement from 15 to 10 percent of the total qualified electors.

Chair Peterson stated these were all the recommendations for changes made to date.

**Discussion of timeline to submit complete report
of recommendations to City Council**

Chair Peterson led the discussion on this item.

Commissioner Sund stated as you look at the list, essentially it is cleaning up the language where the same thing is occurring:

- 1) The change in 4.02 and 4.05 b should go forward as one issue, not separate.
- 2) Veto is in three sections: 4.06(a), 4.06(b), and 4.16(d).
- 3) Prohibition in 4.10(a).
- 4) Public Information being made available online for free; there are three: 4.21(b), 4.21(c), and 7.08.
- 5) Redistricting – 8.02(c), making that clear how that process works
- 6) Number of signatures 9.03(a)
- 7) Election change 4.03(a)

Commissioner Sund stated the list would be consolidated from 12 to 7.

Chair Peterson opined that the presentation should not be sent in its present form. If we make one change and Council accepts it, mention the subsequent housekeeping changes that have to be accepted with that change.

Commissioner Sund stated his concern was looking at 14 or 15 on the list which can be overwhelming when in reality it is only half of that.

Chair Peterson agreed.

Vice Chair Kitchen stated once we have the final draft, we should notify City Council. He asked how much time was needed to get on an agenda.

Council Liaison Stout suggested notifying the City Manager and the Mayor of when you would like to have it placed on an agenda.

Commissioner Sund stated if we meet in November, the CRC will be ready to go when Council returns from their winter hiatus. This would give us plenty of time to get it on the ballot.

Chair Peterson stated we could meet next month and draft the final report. We could correspond with the whole Commission with ideas on the draft and finalize the draft at the November meeting.

Council Liaison Stout asked if all of the other Councilmembers received the draft.

Recording Secretary Kerr stated the information was available to the public online and that Council Liaison Stout received it because she is the Liaison to the CRC.

Chair Peterson stated we could have the final draft ready in November; take December off; and ask for it to be on the agenda in January.

Vice Chair Kitchen stated it would be at the Council's convenience.

Chair Peterson stated we talked about not doing necessarily a power point. We could do a handout that consolidates the changes into one summary sheet and then we use what we already have with the substantiation as backup if a Council person wanted to reference one of the bullet points to the wording in more detail.

Commissioner Sund stated it is simply reorganizing all the same issues together. There are a couple of gaps because of the way they fell in the Charter.

Chair Peterson stated the bullet point at the top would be changing removing the ability for the Mayor to veto line item budgets, then mention the sections that would have to be changed if approved.

Vice Chair Kitchen stated present the rationale first, then the content.

Commissioner Bennie questioned the process of any recommendations that are approved would have to go to the public as a referendum during a regular election.

Chair Peterson responded that we can suggest to Council whatever report comes out of our group in November. City Council can take it as it is, modify it, or not move anything forward at all. He asked when we go to present early next year, how does this group want the information presented?

Vice Chair Kitchen stated he recalled a discussion earlier that the Chair should be the lead person and the group should attend for support.

Chair Peterson stated he can be the presenter, but if there are questions from Council, the CRC should attend to answer any questions.

Commissioner Sund stated for our November meeting we will need a computer and screen to reorganize what already exists here (in whatever system the City is using) and then put together a one-page summary and a bullet point for the actual citation.

Chair Peterson stated if the CRC agreed, he volunteered to put something together before the next meeting for everyone's review, so we have something to work from.

Vice Chair Kitchen stated it was pretty straightforward.

Chair Peterson stated there have been some items that not all of us have agreed on that may have moved forward. When we go to City Council, these are the items that the group has decided to move forward. If there is something that someone does not agree with, there is the opportunity for Citizens' Input to voice your opinion at that time.

Commissioner Comments

Commissioner Sund thanked the public for attending this meeting and voicing their opinions. He discussed length of ballots, percentage voting, and absentee ballots.

Chair Peterson commented on how we went from no public input for a year to this meeting having a roomful of people.

Date and Time of Next Meeting

The next meeting would be held on Thursday, November 15, 2018, at 3:00 p.m. in Conference Room 220 A.

Adjournment

There being no further business, the meeting was adjourned at 3:48 p.m.

Submitted by,

Barbara Kerr
Recording Secretary

Item Number:	4.B.
Meeting Date:	11/15/2018
Item Type:	Business

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Discussion to draft final report of recommendations to City Council

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▢ 2018-10-18 CRC updated list of recommendations	Backup Material

Charter Review Commission Recommendation Made February 15, 2018

§ 4.02. - Eligibility.

Current Wording	Proposed Amendment	If Adopted Will Read
Only qualified electors of the City, who have been continuous full time residents of the City for the entire calendar year immediately preceding their qualification for office, as provided in Section 4.05, shall be eligible to hold the office of Council member or Mayor	Only qualified electors of the City, who have been continuous full time residents of the City for the entire calendar year immediately preceding their qualification for office, as provided in Section 4.05, shall be eligible to hold the office of Council member or Mayor. <u>Proof of residence shall be established by a valid voter's registration card.</u>	Only qualified electors of the City, who have been continuous full time residents of the City for the entire calendar year immediately preceding their qualification for office, as provided in Section 4.05, shall be eligible to hold the office of Council member or Mayor. Proof of residence shall be established by a valid voter's registration card.

Substantiation:

The requirement is in §4.05(b) and should be added to §4.02

Charter Review Commission Recommendation Made August 16, 2018

§ 4.05 (b). - Candidate qualifications and election.

Current Wording	Proposed Amendment	If Adopted Will Read
Any person eligible to hold the office of Council member may have his or her name placed on the ballot as a candidate for Council member for the Council district in which he or she resides upon filing with the City Clerk a sworn statement of qualifications and the payment of a one hundred dollar (\$100) filing fee. Proof of residence shall be established by a valid voter's registration card.	Any person eligible to hold the office of Council member may have his or her name placed on the ballot as a candidate for Council member for the Council district in which he or she resides upon filing with the City Clerk a sworn statement of qualifications and the payment of a one hundred dollar (\$100) filing fee. Proof of residence shall be established by a valid voter's registration card.	Any person eligible to hold the office of Council member may have his or her name placed on the ballot as a candidate for Council member for the Council district in which he or she resides upon filing with the City Clerk a sworn statement of qualifications and the payment of a one hundred dollar (\$100) filing fee.

Substantiation:

The requirement was moved to §4.02

Proposed Draft Language

§ 4.03 (a). – Election and terms.

Current Wording	Proposed Amendment	If Adopted Will Read
A Primary Election and a General Election are to be held pursuant to law. The General Election date for councilpersons from Districts 2, 3, 5, and 7 shall be held on the first Tuesday after the first Monday in November in odd numbered years beginning in November, 2007 and every fourth year thereafter. Councilpersons for Districts 1, 4, and 6 and the Mayor shall be elected at the general election held on the first Tuesday after the first Monday beginning in November in odd numbered years beginning in November, 2009, and every fourth year thereafter. Primary Elections shall be held on the second Tuesday after the first Monday in the month of September.	A Primary Election and a General Election are to be held pursuant to <u>state</u> law. The General Election date for councilpersons from Districts 2, 3, 5, and 7 shall be held on the first Tuesday after the first Monday in November in odd <u>even</u> numbered years <u>to coincide with federal, state, and county elections</u> beginning in November, 2007 <u>2024</u> and every fourth year thereafter. Councilpersons for Districts 1, 4, and 6 and the Mayor shall be elected at the general election held on the first Tuesday after the first Monday beginning in November in odd <u>even</u> numbered years <u>to coincide with federal, state, and county elections</u> beginning in November, 2009 <u>2022</u> , and every fourth year thereafter. Primary Elections shall be held on the second Tuesday after the first Monday in the month of September.	A Primary Election and a General Election are to be held pursuant to state law. The General Election date for councilpersons from Districts 2, 3, 5, and 7 shall be held on the first Tuesday after the first Monday in November in even numbered years to coincide with federal, state, and county elections beginning in November, 2024 and every fourth year thereafter. Councilpersons for Districts 1, 4, and 6 and the Mayor shall be elected at the general election held on the first Tuesday after the first Monday beginning in November in even numbered years to coincide with federal, state, and county elections beginning in November, 2022, and every fourth year thereafter. Primary Elections shall be held on the second Tuesday after the first Monday in the month of September.

Substantiation:

Higher voter participation generally occurs during the federal, state and county elections in even numbered years.

II. Charter Review Commission Recommendation Made March 15, 2018

§ 4.06 (a) - Mayor; mayor pro tem.

Current Wording	Proposed Amendment	If Adopted Will Read
<p>§ 4.06 (a). The Mayor shall be the chief elected officer of the city, preside at all council meetings, be responsible for the orderly conduct of business, have the same powers as a council member, sign all documents as required by the City Council and shall have the power to veto line items in the City budget, provided that such veto is exercised in writing to the City Clerk, with immediate notification to the other members of the City Council at least fourteen (14) days prior to the date of the Final Public Hearing on the budget. The City Council may override such veto with a two-thirds vote of its members as provided in Section 4.16(d).</p>	<p>§ 4.06 (a). The Mayor shall be the chief elected officer of the city, preside at all council meetings, be responsible for the orderly conduct of business, have the same powers as a council member, sign all documents as required by the City Council and shall have the power to veto line items in the City budget, provided that such veto is exercised in writing to the City Clerk, with immediate notification to the other members of the City Council at least fourteen (14) days prior to the date of the Final Public Hearing on the budget. The City Council may override such veto with a two-thirds vote of its members as provided in Section 4.16(d).</p>	<p>§ 4.06 (a). The Mayor shall be the chief elected officer of the city, preside at all council meetings, be responsible for the orderly conduct of business, have the same powers as a council member, sign all documents as required by the City Council.</p>

II. Charter Review Commission Recommendation Made March 15, 2018

§ 4.06 (b) - Mayor; mayor pro tem.

Current Wording	Proposed Amendment	If Adopted Will Read
§ 4.06 (b). A council member shall be elected by the majority vote of the Council to serve as Mayor Pro Tem. Such election shall be held at the first Council meeting following each City General Election, except that in the years in which there is no City General Election, such election shall take place at the first regular City Council meeting on or after the anniversary of the previous City General Election. The Mayor Pro Tem shall be responsible for the orderly conduct of business in the Mayor's absence, shall not have the power to veto and shall serve for a period of one year.	§ 4.06 (b). A council member shall be elected by the majority vote of the Council to serve as Mayor Pro Tem. Such election shall be held at the first Council meeting following each City General Election, except that in the years in which there is no City General Election, such election shall take place at the first regular City Council meeting on or after the anniversary of the previous City General Election. The Mayor Pro Tem shall be responsible for the orderly conduct of business in the Mayor's absence, shall not have the power to veto and shall serve for a period of one year.	§ 4.06 (b). A council member shall be elected by the majority vote of the Council to serve as Mayor Pro Tem. Such election shall be held at the first Council meeting following each City General Election, except that in the years in which there is no City General Election, such election shall take place at the first regular City Council meeting on or after the anniversary of the previous City General Election. The Mayor Pro Tem shall be responsible for the orderly conduct of business in the Mayor's absence, and shall serve for a period of one year.

Substantiation:

A single member of Council shouldn't have the power to veto the budget. This is further supported by §4.10 (b) and (c). Vetoing line items is, or could be interfering with administration as defined in §4.10 (b) and (c). The Major is not an executive.

Charter Review Commission Recommendation Made April 19, 2018

§ 4.10 (a) Prohibitions.

Current Wording	Proposed Amendment	If Adopted Will Read
(a) Holding other office. Except where authorized by law, neither the Mayor nor any Council member shall hold any other City office or employment during the term for which he or she was elected to the Council, and neither a former Mayor nor former Council member shall hold any compensated appointive City office or employment until one (1) year after the expiration of the last term for which he or she was elected as Mayor or Council member. Neither the Mayor nor any Council member, either directly or indirectly, may be a contractor to the City.	(a) Holding other office. Except where authorized by law, neither the Mayor nor any Council member shall hold any other City office or employment during the term for which he or she was elected to the Council, and neither a former Mayor nor former Council member shall hold any compensated appointive City office or employment until one (1) year after the expiration of the last term for which he or she was elected as Mayor or Council member. Neither the Mayor nor any Council member, either directly or indirectly <u>during their active term or until one (1) year after the expiration of the last term for which he or she was elected as Mayor or Council member</u> may be a contractor to the City.	(a) Holding other office. Except where authorized by law, neither the Mayor nor any Council member shall hold any other City office or employment during the term for which he or she was elected to the Council, and neither a former Mayor nor former Council member shall hold any compensated appointive City office or employment until one (1) year after the expiration of the last term for which he or she was elected as Mayor or Council member. Neither the Mayor nor any Council member, either directly or indirectly during their active term or until one (1) year after the expiration of the last term for which he or she was elected as Mayor or Council member may be a contractor to the City

Substantiation:

The change clarifies the time period the member may not be a contractor to the city.

II. Charter Review Commission Recommendation Made March 15, 2018

§ 4.16 (d) – Veto Procedure.

Current Wording	Proposed Amendment	If Adopted Will Read
§ 4.16 (d). <i>Veto procedure.</i> The Mayor's line item veto may be overridden by the Council by an affirmative vote of two-thirds of the entire Council at any time prior to the adoption of the final budget.	§ 4.16 (d). Veto procedure. The Mayor's line item veto may be overridden by the Council by an affirmative vote of two-thirds of the entire Council at any time prior to the adoption of the final budget.	

Substantiation:

See §4.06 substantiation.

II. Charter Review Commission Recommendation Made May 17, 2018

§ 4.21 (b) – Authentication and recording; codification; printing.

Current Wording	Proposed Amendment	If Adopted Will Read
(b) Codification. Within three (3) years after adoption of this charter and annually thereafter, the council shall provide for the preparation of a general codification of all city ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the council by ordinance and shall be published promptly in bound or looseleaf form, together with this charter and any amendments thereto, pertinent provisions of the constitution and other laws of the State of Florida, and such codes of technical regulations and other rules and regulations as the council may specify. This compilation shall be known and cited officially as the Cape Coral City Code. Copies of the code shall be furnished to city officers, placed in libraries and public offices for free public reference, and made available for purchase by the public at a reasonable price fixed by the council, all as required by resolution.	(b) Codification. Within three (3) years after adoption of this charter and annually thereafter, the council shall provide for the preparation of a general codification of all city ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the council by ordinance and shall be published promptly in bound or looseleaf form, together with this charter and any amendments thereto, pertinent provisions of the constitution and other laws of the State of Florida, and such codes of technical regulations and other rules and regulations as the council may specify. This compilation shall be known and cited officially as the Cape Coral City Code. Copies of the code shall be furnished to city officers, placed <u>online</u> , in libraries and public offices for free public reference, and made available for purchase by the public at a reasonable price fixed by the council, all as required by resolution.	(b) Codification. Within three (3) years after adoption of this charter and annually thereafter, the council shall provide for the preparation of a general codification of all city ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the council by ordinance and shall be published promptly in bound or looseleaf form, together with this charter and any amendments thereto, pertinent provisions of the constitution and other laws of the State of Florida, and such codes of technical regulations and other rules and regulations as the council may specify. This compilation shall be known and cited officially as the Cape Coral City Code. Copies of the code shall be furnished to city officers, placed online, in libraries and public offices for free public reference, and made available for purchase by the public at a reasonable price fixed by the council, all as required by resolution.

Substantiation:

To leverage technology to make ordinances and resolutions available and convenient to the broadest audience possible at no cost..

II. Charter Review Commission Recommendation Made May 17, 2018

§ 4.21 (c) – Authentication and recording; codification; printing.

Current Wording	Proposed Amendment	If Adopted Will Read
(c) <i>Printing of ordinances and resolutions.</i> The council shall cause each ordinance and resolution to have the force and effect of law and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances, resolutions and charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the council. Following publication of the first Cape Coral City Code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the constitution and other laws of the state, or the codes of technical regulations and other rules and regulations included in the code.	(c) <i>Printing</i> <u><i>Publication</i></u> of ordinances and resolutions. The council shall cause each ordinance and resolution to have the force and effect of law and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances, resolutions and charter amendments shall be <u>placed online at no cost</u> , distributed or sold to the public at reasonable prices to be fixed by the council. Following publication of the first Cape Coral City Code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the constitution and other laws of the state, or the codes of technical regulations and other rules and regulations included in the code.	(c) <i>Publication of ordinances and resolutions.</i> The council shall cause each ordinance and resolution to have the force and effect of law and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances, resolutions and charter amendments shall be placed online at no cost, distributed or sold to the public at reasonable prices to be fixed by the council. Following publication of the first Cape Coral City Code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the constitution and other laws of the state, or the codes of technical regulations and other rules and regulations included in the code.

Substantiation:

To leverage technology to make ordinances and resolutions available and convenient to the broadest audience possible at no cost.

II. Charter Review Commission Recommendation Made June 21, 2018

§ 7.08 – Public Records.

Current Wording	Proposed Amendment	If Adopted Will Read
Copies of the budget and capital program as adopted shall be public records and shall be made available to the public at suitable places in the city.	Copies of the budget and capital program as adopted shall be public records and shall be made available <u>on-line at no cost</u> to the public, <u>and</u> at suitable places in the city.	Copies of the budget and capital program as adopted shall be public records and shall be made available on-line at no cost to the public, and at suitable places in the city.

Substantiation:

To leverage technology to make the budget and capital program available and convenient to the broadest audience possible at no cost.

II. Charter Review Commission Recommendation Made July 19, 2018

§ 8.02 (c) – Report; specifications.

Current Wording	Proposed Amendment	If Adopted Will Read
<p>(c) <i>Report; specifications.</i> Within six (6) months after the completion and receipt of the federal census and at least each ten (10) years thereafter. The districting commission shall file with the City Clerk a report containing a recommended plan for adjustment of the council district boundaries to comply with these specifications:</p> <p>(1) Insofar as practicable, each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the centerlines of streets or canals.</p> <p>(2) Each district shall contain, as nearly as possible equal population.</p>	<p>(c) <i>Report; specifications.</i> Within six (6) months after the completion and receipt of the federal census and at least each ten (10) years thereafter. The districting commission shall file with the City Clerk a report containing a recommended plan for adjustment of the council district boundaries to comply with these specifications:</p> <p>(1) Insofar as practicable, each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the centerlines of streets or canals.</p> <p>(2) Each district shall contain, as nearly as possible equal population.</p> <p>(3) <u>Districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice.</u></p>	<p>(c) <i>Report; specifications.</i> Within six (6) months after the completion and receipt of the federal census and at least each ten (10) years thereafter. The districting commission shall file with the City Clerk a report containing a recommended plan for adjustment of the council district boundaries to comply with these specifications:</p> <p>(1) Insofar as practicable, each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the centerlines of streets or canals.</p> <p>(2) Each district shall contain, as nearly as possible equal population.</p> <p>(3) Districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice.</p>

Substantiation:

The districting constitutional amendment passed in 2010 did not apply to municipalities. This proposed revision makes the city charter consistent with the language approved in 2010.

II. Charter Review Commission Recommendation Made July 19, 2018

§ 9.03 (a) – *Number of Signatures.*

Current Wording	Proposed Amendment	If Adopted Will Read
(a) <i>Number of signatures.</i> Initiative and referendum petitions must be signed by qualified electors of the city equal in number to at least fifteen (15) percent of the total number of qualified electors registered to vote at the last regular city election.	(a) <i>Number of signatures.</i> Initiative and referendum petitions must be signed by qualified electors of the city equal in number to at least fifteen (15) <u>ten (10)</u> percent of the total number of qualified electors registered to vote at the last regular city election.	(a) Number of signatures. Initiative and referendum petitions must be signed by qualified electors of the city equal in number to at least ten (10) percent of the total number of qualified electors registered to vote at the last regular city election.

Substantiation:

Aligns with other city's requirements for citizen-initiated ballots.