

Statement of Michael J. Ryan, Sunrise Resident
January 13, 2010
City of Sunrise Charter Review Board Meeting

Good Evening. My name is Michael Ryan and I live in Sunrise

I am here tonight in my capacity as a resident of Sunrise to offer comments regarding a proposal to alter dramatically the form of our city government by creating distinct districts for respective City Commissioners. On December 15, 2009, I offered my strong views on why this body **MUST REJECT** any districting proposal from being submitted to the City Commission. After my comments, members of the Board were permitted to offer a response to my points. Due to the rules of this body that evening, I was not provided the opportunity to reply.

Tonight, I wish to reply to the arguments made by certain Board members then and since and offer a suggestion for going forward.

Before I begin, I want you to know I have reviewed the minutes of every meeting closely. I would note the public has **NOT** come out in support of districting. Virtually everyone who has spoken on this topic before the Charter Review Board has been strongly **OPPOSED** or at the least on the fence on districting.

As I explained on December 15th, simply put, I am opposed to any plan which alters the decision making process of any Commissioner from what is good for our entire City to that of an “us versus them” mentality which would naturally be generated by districting and would further divide our City.

The destiny of Sunrise is inextricably tied to success of all regions of our City and decisions being made by each member of our elected Official body must be made for the collective good, not the fiefdom of a district.

Let me begin by summarizing my reply to the points raised after I spoke and then explain:

First, in an effort to construct at least some proposal for the Commission that includes districting, the compromised proposal right now adds another commissioner generating a Commission that has 6 members.

It is inconceivable that this Board could put forward a proposal that will inevitably and most certainly lead to tie votes – and yet promote this charter review proposal and process as thoughtful, deliberative, and with due aforethought to the implications of even minor changes in how our government works, no less grand restructuring. I apologize for being this direct, but it is inconceivable to me that you would actually propose a form of government where stand-stills and ties, perhaps due to honest disagreement on the merits of an item or more sinister as a Machiavellian political game of holding up government for interests untethered to the merits, would be your best product of deliberation and thought.

Second, your decision to add another Commissioner has been generated, as is evident from the minutes, without any substantive analysis of the short term and long term costs to the City. Gross generalizations of “we can do with a few less palm trees” or “it isn’t that much” can not substitute for the deliberative process that is expected of this Board and which is your solemn duty.

Third, the tinkering that is going with the Charter is the result not of overwhelming public sentiment, but personal views that are inconsistently supported with contradicting arguments. This is NOT what was expected of this Board.

Tonight is the night to reject this districting plan. Allowing this unsupported and poorly constructed plan to emerge from this Board gives the plan a false sense of momentum for which some in our community will say “If the Charter Review Board recommended this plan, it must be the product of broad consensus and deliberative process”. It is not either.

First as to the “tie vote Commission” as it will become known.

After months of meeting, after compromise and debates over the number of districts anyone could tolerate, the proposal for is a 6 person Commission. Deadlocks are not just possible, but inevitable and I dare say a strategic tool. Application of Machiavellian tactics of tying up government through a tie vote until concessions are made with respect to parochial demands of a particular commissioner will be the norm. In fact any Commissioner who fails to employ such corrosive political tactics may not be representing his or her district well enough.

I recognize that the current draft of Section 3.01 and thereby some aspects of Section 3.03 and 3.04 are the result of compromise rather than good government principles. It is obvious in tracking the ever evolving number of districts, 6 by Mr. Rubenstein, 4 or 6 by Mr. Callsen, creation of the at-large Vice Mayor position to try to dampen the ills of pure districting, the result is a compromise born of little outside analysis as I will outline in a moment. But, on the narrow issue of the new form of government where tie votes are inevitable, this is far from an improvement of government. We can not be cavalier in this respect because the consequences are real to our citizens, not just theoretical.

Second, as to the cost issue.

There has been NO evidence taken nor has there been any serious discussion regarding the certain and potential costs of any of these revisions to the Charter with the exception of the cost of a special election in the event there is a vacancy, which has been a rare occurrence for our City. Varying proposals of 4, 5 or 6 districts, attendant increases in the number of Commissioners, and districting plans and eventual re-districting expectations have been bantered without any invitation to any real analysis whatsoever of costs.

Mr. Callsen and Mr. Rubenstein have suggested that there is very little cost. Mr. Callsen suggests the costs of this restructured government can be borne from a few less palm trees. – but where is the evidence to support that financial analysis. Perhaps it was tongue and cheek and not meant literally, but this is a literal process – your work has real world implications and your duty is to consider the impact of what you are suggesting.

To that end, let's talk about the true world impact of what you are doing by increasing the number of commissioners with a cavalier approach to the costs.

Our Commission eliminated full-time School Resource Officers in the Elementary Schools this year because of purported funding shortfalls, there are proposals which could significantly alter the health care plans for employees and retired workers of the City due to bleak budgetary forecasts, the costs of city services continue to rise to make up short falls and the police department even talked of eliminating police officers.

Yet, in the face of true economic issues, this body suggests adding another Commissioner –the actual financial costs current and future costs and physical plant demands will likely exceed \$100,000 per year – for what purpose? If you say otherwise, where is the comprehensive study? It is not for workshops or future debate – this is your job now to consider the implications. Without thoughtful and deliberative process, you undermine the strength of anything you are trying to build here. And, if you are voting on such a plan without a concern about the costs, then you have failed in your duty.

Third, as to the tinkering, and inconsistent arguments in support.

There are repeated references throughout the minutes of the meetings to the benefits from districting as evidenced by the School Board. Regardless of what you say your experience was years ago, you can not say that there are not coalitions and factions developing or that certain cities in our county HAVE in fact received the lion share of building dollars and support. If you believe this is simply the functioning of good politics, the perception of the public is otherwise. You are free to defend the functioning of the school board – I for one will not.

At the December meeting, you ironically supported my very argument with proof that there is no ill being fixed here, but rather the promotion of a personal view of government. Importantly, you argued strenuously that you wanted to make clear that there is no horse trading amongst the current commissioners that no part of the city is favored over another, that our government is working well. Exactly. Then, what ill do you seek to cure by this plan for districting?

Of course, on your website, you in essence indict the current commissioners and the form of government. You say “My own support of the idea stems from the real lack of concern by the city for a number of areas which need proactive support.” What areas do you think this Commission has failed? If you are truly motivated by genuine concern about a section of the City, come forward to the City Commission meetings and identify those. On the one hand you argue these Commissioners will listen, on the other you cast historic aspersions that areas of the city are failing due to the form of government, for which districting will improve. When left to the musings of the blogs and websites that is fine, but you have been charged with a duty to be specific and thoughtful and deliberative, and these arguments are instead gross generalizations lacking specific facts.

Mr. Callsen has repeatedly said the most important issue for this Board is single Member districts – but where did you get that from? Not from those who have come out to testify. In fact, virtually everyone who has spoken on this topic before the Board has been opposed to the implementation of districts. And, the discussion is intentionally short on debate as to why this is the most important issue.

There are only two reasons which this could be the most important issue to the city, one is legitimate and the other is corrosive.

The first could be that there is in fact a diffuse failure of this Commission to address multiple areas of the City despite repeated efforts of the electorate. That would be a legitimate concern if the Board took such evidence and deliberated with those examples in mind. There is no such evidence taken and Mr. Rubenstein has said otherwise.

The other possible reason to promote districting represents an effort by a small contingent of our city to generate a fiefdom where small voting pockets can install a Commissioner who will become entrenched and completely controlled. As it stands now, it is difficult if not impossible for any single section of the city to long term dominate a commissioner – in perception or reality. Your proposal for districting will ensure such corrosive behavior.

I will remind you that the calls for charter review were generated through the rise of the current Mayor to his post and the appointment of a Commissioner without an election. Now, this Board, has run far afield tinkering with a

document that will alter dramatically and with consequences that can not be fully predicted, the costs of which have not been fully accounted, and the justifications for are fragile at best. This is not deliberative and highly reasoned analysis deserving of the very structure of government.

As a side note, let just point out perhaps the best example of a provision that lacks thoughtful analysis or proof.

A single Charter Review Board member raised his personal concerns regarding how the City generates debt and the process for public review. All of sudden, based on this singular view, an entire new Amendment is proposed to the Charter that would restrict the manner in which the City operates fiscally. I speak of Section 5.09.

Where is the evidence that the threshold chosen for the limitation is needed and that government can operate? There is NO evidence taken by this Charter Review Board to identify what specific ill is being tackled by this recommendation. The example given was that we have trees that will not last as long as the debt – powerful bumper sticker slogan but factually unsupported by the ONLY evidence taken – the staffer who said the City never borrowed to fund trees.

The threshold of \$2,000,000, like the proposal itself, lacks any analysis. Why not \$1,500,000 or \$2,500,000 or \$3,000,000 or \$10,000,000. And how many borrowings will you impact? How will this change how our departments and government work? Will it restrict police or fire or parks or something else we can not predict? Nothing in the record to show a deliberative analysis at all.

In fact, when someone finally asked staff if they had a recommendation as to whether should make a change, the only comment from City Manager's office was "make no change". Perhaps they do not know what they are doing, perhaps it is still justified, but where is the deliberation and analysis and fact finding expected of this Board.

Therefore, to those who have voted against the districting plan or on the fence I beseech you to stand your ground tonight and propose the districting proposal be vacated. Propose it if for no other reason to rise to the grand duty you have been given. Otherwise, these changes are going to cost the city millions of dollars in the future and promote the very ills of the school

board districting that we have seen – I know Mr. Rubenstein you will say other wise as you have repeatedly and at every meeting. But you stand against a rushing tide that refuses to use the School board as an example of good governance.

The voters are NOT denied any opportunity as has been said – if there is truly a concerted effort of homeowners to generate districting, then there are methods to get such a referendum.

Therefore, I beg of you tonight to do the following:

Move to Amend the current draft to eliminate the current deletions and additions to Section 3.01, resulting in amendments to 3.03, 3.04 and other provisions, and eliminate the Vice Mayor references which were generated as a compromise to the districting. I am providing to you a proposal in writing of the amendments to be made which also include the Section 5.09 amendment.

Districting, particularly one with a “tie vote Commission”, once unleashed, is not easy to undo. And, there will be those in the community who will falsely say this Charter Review Board took months and months of deliberation and therefore this proposal reflects thoughtful and deliberative process as well as the will of the public. It does not and is not.

You will invite folly and failures in our City Government and City for generations to come. You owe our next generation, our children and families, more than to tinker without better and more deliberative thought.