



MIAMI-DADE COUNTY FINAL OFFICIAL MINUTES CHARTER REVIEW TASK FORCE

Board of County Commissioners
Stephen P. Clark Government Center
18th Floor – Room 18-3 & 18-4
111 NW 1st Street
Miami, Florida

August 15, 2007
As Advertised

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**CLERKS SUMMARY AND OFFICIAL MINUTES
CHARTER REVIEW TASK FORCE MEETING
AUGUST 15, 2007**

The Charter Review Task Force convened in a meeting on August 15, 2007, at 10:00 a.m. on the 18th Floor, Conference Rooms 18-3 and 18-4 of the Stephen P. Clark Center, 111 N.W. 1st Street, Miami, Florida. The following members were present: Chairman Victor M. Diaz, Jr. and members Mr. Carlos Diaz-Padron, former Mayor of the City of West Miami, Commissioner Carlos Gimenez, Mr. Robert A. Ginsburg, Mr. Murray Greenberg, Mr. John Hogan, Mr. Robert Holland, Mr. Francois Illas, Mr. Richard Kuper, Mr. Raul L. Martinez, former Mayor of the City of Hialeah, Mr. H.T. Smith, Commissioner Javier Souto, Mr. Ignacio Vazquez; (Mr. Miguel De Grandy, Mayor David Dermer, Mr. Maurice Ferre, former Mayor of the City of Miami; Mayor Shirley Gibson and Ms. Yvonne Soler-McKinley were late); (Ms. Lynn Dannheiser, Mr. Larry Handfield and Ms. Elizabeth Hernandez were absent).

1. Call to Order

Chairman Diaz called the meeting to order at 10:09 a.m.

2. Roll Call

The following staff members were present: Assistant County Manager Susanne M. Torriente; Assistant County Attorneys Monica Rizo and Wilfredo Ferrer; Assistant to the County Manager Maggie Fernandez; and Deputy Clerks Kay Sullivan and Jill Thornton.

Chairman Diaz welcomed Senator Alex Villalobos, whom he noted was observing today's proceedings.

3. Approval of August 1, 2007 Meeting Minutes

It was moved by Mr. Martinez that the August 1, 2007 Charter Review Task Force meeting minutes be approved. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed unanimously by those members present.

Chairman Diaz noted he received a comment at last night's (8/14) public hearing requesting the Charter Review Task Force meeting minutes be posted before being approved. He asked the Task Force members to voice their opinions as to whether the meeting minutes should be posted in draft form before being approved by the Task Force.

Mr. Martinez noted he felt the minutes should be posted after they had been approved to allow for needed changes.

Hearing no further comments, Commissioner Diaz stated he would continue to post the minutes after they were approved.

4. Reports

Report by County Manager's Office

- **Report on Public Hearings**

Chairman Diaz expressed appreciation to members of the County Manager's Office, the Communications Department, and the Office of Public Information for making yesterday's public forum possible. He also commended Assistant County Manager Susan Torriente and her staff for spearheading that effort.

Chairman Diaz noted in less than 180 minutes, 50 public comments were fielded by staff at yesterday's forum, which he thought was a very efficient use of the time. He also noted members from the Miami Herald, Channel 4 and Diario Las Americas were present to report on that hearing.

Chairman Diaz stated he would like an open discussion regarding the three remaining public hearings and the interactive communication used at yesterday's (8/14) forum. He asked Assistant County Manager Torriente to provide an update on the County's remote capability for televising the remaining hearings at the regional locations.

Assistant County Manager Susanne Torriente advised that the Chamber was the only location that could facilitate remote access and allow public hearings to be broadcast live on Miami-Dade TV and via web casting. She noted an outside location capable of televising would be the City of Miami Beach but only within the Beach; that the City of Miami Beach had access to television and would work with County staff to televise its regional meeting within the Beach. She further advised that the remaining outside public hearings could be filmed and then replayed later.

Chairman Diaz opened the floor for Task Force members to voice their comments/concerns regarding future public forums.

Commissioner Gimenez stated he felt that yesterday's (8/14) forum was a success and suggested this type of forum be used with County Commission meetings as well. He also stated he felt more public input would be received with the interactive communication, and that anybody in the County could participate in these hearings from the convenience of their home.

Mr. Kuper noted it was incumbent on the Task Force members to correct inaccurate statements and to prevent people from using the forum to promote their own agenda, without engaging in a debate.

Chairman Diaz called for input from Task Force members regarding Mr. Kuper's proposal that speakers be excused while Task Force members rebut the speaker's comments.

Mr. H.T. Smith noted he supported the 80/20 rule, meaning that 80% of the comments represented significant interest while 20% represented extreme views, which always get exposed when using live television. He stated he appreciated the democracy of last night's (8/14) forum and that all of Miami-Dade County could be present at these forums by e-mail or telephone, without the Task Force needing to travel anywhere. Mr. H.T. Smith stated he felt that Mr. Kuper's proposal to correct inaccurate statements made by speakers should be used cautiously, and only when the misstatement was significant in terms of the Task Force's deliberations on an issue. He also encouraged the Chair of the Task Force to use discretion to discourage individuals from making personal attacks against public servants.

Chairman Diaz apologized to Mr. De Grandy for not instantly responding to the personal comments made against him at last night's meeting, and that he should have made it clear to the public that personal attacks directed against any Task Force member would not be tolerated. He noted he would not correct the subject matter of an individual's opinion, but he would correct personal attacks against members of the Task Force.

Mr. Martinez noted he also felt that last night's (8/14) forum was a success; that it provided much opportunity for public input and allowed people to participate in this process from their homes. He suggested staff be instructed to compile a list of the names, phone numbers and e-mail addresses of callers providing input since the meetings were recorded and maintained as an official public record; and that staff use this list to call speakers back and let them know when the Task Force was ready to address a specific topic. He noted the forum needed to be transparent and identify who was speaking and the nature of their concerns. He stated he had no issues with personal comments; that he was open-minded and felt the people should have the liberty to express themselves, however, he felt certain positions stated to this Task Force should be clarified, especially from individuals on the County's payroll.

Chairman Diaz expressed appreciation to Commissioner Gimenez and staff for their efforts in extending yesterday's meeting and ensuring it was televised. With respect to phone calls, he explained the procedure followed by staff at last night's meeting to register and screen the callers. He noted staff identified the issues of callers and instructed them that they would be called back to make their comments at the appropriate time, and staff tried to address those speakers who had legitimate concerns regarding a specific topic. Chairman Diaz noted the process was not perfect and could be improved, but staff did a commendable job. He said he would personally thank staff/phone operators who registered those callers and took much criticism from callers.

Regarding e-mails, Chairman Diaz noted last night's procedures were adjusted to inform the people that they needed to register their names and email addresses. He noted however, that after callers were informed that their names and e-mail addresses would be announced, the number of e-mail responses dropped. Chairman Diaz noted it would be inappropriate, however, to give out e-mail addresses, and they were not read after implementing that rule. He called for more comments from Task Force members regarding whether or not remote access should be provided for the remaining public hearings. He noted the public hearing dates could be changed at the discretion of Task Force members.

Commissioner Gimenez stated he felt it was important that individuals be allowed to express their comments on the record; that it was a public record and an informational process. He concurred with Mr. Kuper's proposal, noting the Task force members could rebut, accept or reject that information without a debate. He also stated he thought the technical interactive forum process was good, convenient and would invite more public participation and input; and that it was his preference to continue this process for the balance of the public hearings.

Mr. De Grandy echoed Commissioner Gimenez' comments and asked that the Task Force members consider the process used at last night's forum for the remaining public hearings. He also expressed appreciation to Chairman Diaz and Mr. H.T. Smith for their comments in his defense.

Mr. Ferre noted public perception was important and public servants should go out into the community as much as possible. He suggested continuing the public hearings as advertised in the regional locations, and if the public participation was low in the first two hearings, than they could consider changing the forum. He also noted this would not preclude the Task Force from convening in another forum as the last one at the end of this process.

Mr. H.T. Smith noted he liked the idea that everybody had an opportunity to participate in every forum by telephone, e-mail or in person, rather than the perception that public servants needed to be seen in the community. He suggested the Task Force members consider allotting a designated time for e-mail responses and delay addressing them until after those who appeared in person were addressed.

Chairman Diaz clarified the proposal as follows: to advertise the e-mail and phone capability to begin one hour after the public hearing started.

Commissioner Souto concurred that e-mail and phone access was great but expressed concern that Task Force members should meet at the various locations.

Mayor Gibson noted she initially supported going out into the community but subsequently changed her position based on the high level of participation at last night's

forum and feels that the remaining public hearings should be held in the Chambers. She stated she believed the public would expect the interactive technology to be available at future public hearings.

Chairman Diaz emphasized the need for Task Force members to think creatively, outside-the-box, about how to increase the public participation in future hearings. He noted it was necessary at one time to travel around County due to the lack of technology; and this Task Force had an opportunity to provide a model for future forums that would allow greater inclusion from any geographical location. He noted he concurred with Mr. Ferre's comments that public perception was important on some issues, but he would encourage Task Force members to establish a different, yet better process.

Mr. Greenberg noted he was pleasantly surprised with the success of last night's public hearing and commended Chairman Diaz for an amazing job. He noted the only way they would have any impact with the County Commission was to assure the Board that the citizens supported the Task Force's recommendations. He recommended that future Task Force meetings be held in the Chambers so that they could be televised; and that public transportation be provided to the Stephen P. Clark Center from the various locations.

Ms. Soler-McKinley noted she received a fax from the Community Relations Board (CRB) regarding their public hearings being conducted at the same locations. She suggested the Task Force's public hearings be held at a central location to avoid confusing the public.

Chairman Diaz noted he prepared a letter in response to the CRB's request that their meetings be held jointly with the Task Force meetings; that this request was declined at the last Task Force meeting; and that a copy of his letter was included in today's agenda package.

Mr. John Hogan and Mr. Holland concurred that the meetings should be held in the Chamber with remote technology to various locations, particularly because of the level of participation in last night's public hearing process. Mr. Hogan noted this process may prove to be more efficient considering the time constraints this Task Force was working under. Mr. Holland suggested, however, that remote location(s) should be identified for some pockets of the community that may not have the technology capabilities or transportation, such as the elderly population, who appeared to be more politically involved.

Mayor Dermer commended Chairman Diaz on the way he handled last night's meeting. He noted the Task Force members could reach a consensus very quickly on certain issues based on the public input received, however, he suggested the public be encouraged to offer some solutions as oppose to identifying the problems.

Chairman Diaz noted he tried to guide the speakers in that direction, but the nature of speakers' comments was that solutions would largely need to come from the Task Force. He noted his primary concern was to ensure integrity in the process and that the final recommendations of the Task Force were valuable. He also noted he felt the County Commission would be more inclined to accept the recommendations of this Task Force if they received the public support.

Mayor Diaz-Padron concurred that if the public supported the Task Force recommendations than the County Commission would listen.

It was moved by Mr. Ferre that the Task Force continue with the public hearing process as scheduled at the regional locations at the South Dade Government Center, the City of Miami Beach and the Caleb Center; that a subcommittee of this Task Force be created to attend forums in various regions; and that an additional televised interactive technology meeting be added to this process. This motion was seconded by Mr. Holland and upon being put to a vote, the motion failed to carry.

It was moved by Mr. H.T. Smith that the three remaining public forums, already scheduled and advertised for the remote locations in South Dade Government Center, the Caleb Center and the City of Miami Beach, be conducted in the Commission Chambers at the Stephen P. Clark Center. This motion was second by Mr. Illas for discussion.

Mr. Kuper offered a friendly amendment to provide public transportation from the regional locations to the Stephen P. Clark Center.

Chairman Diaz pointed out that the chambers may not be available on those dates; however, the dates could be changed.

Mr. H.T. Smith accepted the friendly amendment to the motion extended by Mr. Kuper and Mr. Illas seconded the amendment.

Following Mr. Holland's suggestion that at least one televised meeting be scheduled on the weekend, Chairman Diaz pointed out that Saturday meetings could interfere with religious holidays and some people may feel excluded.

Commissioner Gimenez offered a friendly amendment to have staff provide the interactive technology at the remote locations, on the same date and time the public hearing of that region was scheduled to be televised in Chambers.

Mr. H.T. Smith, the mover of the motion and Mr. Illas, the second of the motion, noted the amendment was acceptable.

Following further discussion, the Task Force members proceeded to vote on the pending motion as amended, that the three remaining public forums already scheduled and

advertised for the remote locations in South Dade, the Caleb Center and Miami Beach, be held in the County Commission Chambers at the Stephen P. Clark Center, subject to the availability of the Chambers; that public transportation be provided from the regional locations to the Stephen P. Clark Center; and that Interactive Technology (e-mail and telephone capability) be provided by staff at the regional locations on the same date and time the public hearing of that region was scheduled to be held in Chambers. Upon being put to vote, the foregoing motion passed unanimously by those members present.

- **Report on Media/Outreach & Charter Review Website**

Chairman Diaz expressed appreciation to Mr. Vasquez and Mayor Gibson for representing him in a media opportunity. He also expressed appreciation to Mayor Gibson for contacting him in advance regarding her participation in a media opportunity. Chairman Diaz requested more volunteers, specifically to appear on the Creole radio station, WRHB, for three days during the week. He noted that the Task Force could decide the dates and that he preferred some representation from the African American community, considering the sensitive nature of comments expressed at yesterday's forum.

In response to Chairman Diaz' request for volunteers, Mayor Gibson, Mr. Smith and Mr. Holland agreed to volunteer. Mr. Ferre noted he would volunteer as well, but that he needed to have the scheduled dates and times in advance.

Chairman Diaz said he would coordinate the times and schedules and that the Task Force members who volunteered would be contacted. He noted there would be other media opportunities. He asked members to respond to staff's e-mails soliciting volunteers, if they wish to be designated.

Mr. Vasquez suggested a media opportunity be scheduled with the Hispanic Radio Station "La Poderosa" (WWFE 670 AM) for a Task Force member to participate in.

Chairman Diaz asked that any Task Force member wishing to participate in future media opportunities to contact him in advance as Mayor Gibson did, so that he could remind Task Force members not to take a position when representing the Task Force.

Mr. H.T. Smith noted his recent involvement with a public service announcement on a local radio station, WMBM, and that he did not communicate that with the Chair of the Task Force because he believed it to be a violation of the Sunshine Law, however, he did communicate it with staff.

Chairman Diaz explained that as a procedural matter, the Task Force members could communicate with him regarding their participation in media opportunities provided that they did not discuss the substance of the Task Force deliberations. He asked that they communicate with his office or staff in advance before appearing before the media.

Chairman Diaz stated he maintained his position that any Task Force member was free to exercise their first amendment rights to state their personal position on any issue; that Task Force members should exercise their discretion when appearing before the media and consider whether doing so would improve the process.

Mr. De Grandy advised that Ms. Rosa Ortega contacted his office regarding some media opportunities, but he respectfully declined the invitation. He said he felt that he should not participate in any media opportunity on behalf of the Task Force, but he would continue to share his own personal views and opinions with this Task Force and the public, if asked.

Chairman Diaz asked that out of respect for this Task Force and the process, that he be given the benefit of hearing, first, the opinion of Task Force members on issues that had not been deliberated on. Otherwise, the rule remains that Task Force members were free to exercise their first amendment rights provided they used personal judgment.

- **Report on Letters to Knowledgeable Members of the Community**

Chairman Diaz noted he received many comments regarding the status of the Charter Review Task Force process. He encouraged Task Force members to communicate with the body that appointed them to this Task Force; lobby, if appropriate, on issues; and report back to the appropriate parties. He stated he did not want to field all of the questions regarding the status of this process, and it would be helpful if Task Force members communicated with the County Commissioners.

Report by Chairman Diaz

- **Request for Extension of Time**

Chairman Diaz referred to a resolution prepared and sponsored by Commission Chairman Barreiro indicating this Task Force would not submit its recommendations on October 31, 2007; that they would submit them on January 29, 2008 instead. Chairman Diaz noted he amended this resolution to reflect the intent of the Task Force's discussion, which was that the Task Force needed additional time to complete its deliberations but intended to submit a preliminary report and recommendations to the County Commission by October 31. He noted the Task Force would continue its deliberations within the 90-day extension and would submit its final report and recommendations by January 29, 2008.

Chairman Diaz questioned whether any Task Force member objected to his proposed amendment.

Hearing no comments or objection, Chairman Diaz noted the amended resolution would be presented at the Government Operations and Economic (GOE) Committee in September 2007. He noted he would not be available to attend that meeting and questioned whether anyone on the Task Force would volunteer to represent the Task Force's position at that hearing.

Commissioner Gimenez volunteered to represent the Task Force at that Committee meeting.

In response to Mr. Holland's request for clarification on whether it would be appropriate for Commissioner Gimenez to represent this position since he originally opposed the extension, Commissioner Gimenez assured Mr. Holland that he would represent the position of the Task Force at that Committee meeting.

5. Discussion of Approved Charter Review Issues (in priority order)

- **Study of Compensation – Mayor and Board of County Commissioners (BCC)**

Chairman Diaz asked if any Task Force members had questions concerning the materials prepared and distributed by staff. He stated he would like to adopt a different system for today's discussion by having each member voice their opinion regarding compensation of the County Commission. He noted his opinion was that commissioners were under-compensated and should be compensated consistent with the State Statutes. He recommended the ballot question be worded to state that a commissioner shall be compensated in a manner set forth by State Statutes provided they accept a prohibition on outside employment; that any salary increase would be tied to some restriction with respect to outside employment; and that commissioners would be given an option to become employed full-time, if compensated pursuant to State Statutes.

Mayor Dermer stated he would put that in a form of a motion. Mayor Gibson seconded the motion for discussion.

Chairman Diaz proposed that the commissioners' terms of office be limited to three 4-year terms.

Mayor Dermer suggested the terms of office be limited to two 4-year terms as opposed to three.

Commissioner Gimenez noted he offered a similar motion before the commission but that his motion did not include an option regarding outside employment. He stated he felt that Miami-Dade County should be the commissioners' sole employer.

Chairman Diaz noted he had concerns with the two subject rule and whether linking the term limits to the salary increase would be a valid ballot question. He suggested Task Force members vote on these issues separately and seek legal advice on the rule.

Mr. Ginsberg advised that the Supreme Court decided there was no one-subject rule for Charter amendments.

Discussion ensued among the Task Force members on the pending motion and how to frame the ballot questions.

Mr. Ferre noted the question on increasing the commissioners' salaries had been presented to the electors several times and was rejected. He noted he felt that voters would not approve a salary increase unless it was linked to term limits.

Chairman Diaz restated the motion as follows: that the County Commission position would be a mandatory full-time position with a prohibition on outside employment; and that commissioners receive a salary increase pursuant to the State Statutes (approximately \$89,000).

Mr. Greenberg noted all Task Force members agreed there needed to be an increase in commissioner salary, but the issue was the option of full time employment. He noted unless term limits were included, it may be difficult to get voters to approve a salary increase. He noted the Task Force could recommend both issues now and decide at a future meeting whether to link them in one ballot question.

Discussion ensued further regarding whether or not to link term limits with a salary increase for Commissioners on the ballot question.

Following comments regarding whether the Task Force should proceed to vote on the commissioner's compensation and terms of office, as a preliminary recommendation and then place it before the public for input, Chairman Diaz emphasized that all recommendations made by this Task Force would be preliminary, as previously decided and would be put out for public input before the Task Force submits their final recommendations to the County Commission.

Mr. Ginsburg stated he prepared a written proposal that was placed on the agenda two meetings ago, but was not in the current materials and these issues were important to him for many reasons. He stated the foregoing motion seemed to be following the same path as previous charter revisions, which were rejected by the voters.

In response to Chairman Diaz' request that Mr. Ginsburg state his proposal for the record, Mr. Ginsburg noted his proposal was that a committee be established, consisting of five distinguish citizens to set the commissioner's salary; that the membership include the Chief Judge of the Eleventh Judicial Circuit Court; the Miami-Dade State Attorney; the

President of Miami Dade College; the immediate past Chair of the Public Health Trust and the immediate past Chair of the Community Relations Board; that in the event any one of these individuals could not serve, the governor would appoint a substitute; and that the committee would meet under the auspices of the Clerk of the Courts only, who would provide the secretarial and technical support. Mr. Ginsburg also highlighted a number of provisions outlined in his proposal. He noted he believed his proposal would set a system with provisions that the voters would have faith in and that he believed the voters would approve.

Mr. Illas concurred with Mr. Ginsburg that the voters had repeatedly rejected the ballot question to increase the commissioners' salaries, and that it should be taken out of the Charter context. He noted he was opposed to term limits, philosophically, but agreed they were important. He suggested Task Force members consider Mr. Ginsburg's proposal.

In response to Mayor Dermer's question regarding how the ballot question would be worded to accomplish the intent of this proposal, Mr. Ginsburg noted he had not framed the ballot question, but essentially the wording would include the Charter establish a committee to consider the commissioners' salaries with a number of provisions in the ballot question that highlighted the intent of his proposal.

Discussion ensued among Task Force members regarding Mr. Ginsburg's proposal.

Referring to Resolution R-05-6106, Chairman Diaz asked whether any legal opinion had been rendered that required an amount of the salary increase be specified in the ballot question.

Mr. Ginsburg noted he had advised the Commission several times that an amount needed to be included, which was usually reflected in parenthesis as an approximate amount. He also noted the Appellant Court had consistently said that the amount needed to be included in the ballot question.

Commissioner Gimenez stated he felt Mr. Ginsburg's proposal was too complicated and the citizens would not understand it. He suggested the language on the ballot question be simple. He stated he believed the amount of the commissions' salary should be consistent with the State Statute formula; and that the position be full-time with a prohibition against any outside employment. He noted he did not object to term limits, and that he believed the intent of the Charter was never to limit the commissioner's salaries, but that an escalator clause was never added.

As a matter of procedural observation, Chairman Diaz stated he felt it was incumbent on the Task Force members to read all of the materials included in the agenda packages; and encouraged members to inform him or staff if they wanted to submit supplemental

materials for inclusion in the agenda packages, which he noted, could be added up to the date of the meeting.

Chairman Diaz stated he found the merits of Mr. Ginsburg's proposal to be intelligent and thoughtful, but that he felt it was elitist and non-democratic. He stated he did not feel this proposal set the right tone for a public process; that he did not want to forfeit his right to have input and that the people should decide. He also stated he felt there was no guarantee that the composition of the proposed committee would represent the diverse sections of this community.

Regarding the subject of term limits, Chairman Diaz noted term limits had never been linked in prior ballots. He concurred with Mr. De Grandy's comments regarding citizens not feeling they were getting something in return, regardless of the merits of the proposal; and that he agreed with Mayor Gibson's comments that public input should be provided before debating this issue before the Task Force.

Mr. Martinez noted he read Mr. Ginsburg's proposal, but disagreed with some of it. He stated he felt that any number placed on the ballot would be rejected; that the amount of commissioners' salary should not be placed on the ballot; and that a committee should not be established to determine commissioners' salaries, as proposed by Mr. Ginsburg.

Mr. Ferre stated he felt the voters needed to be given something significant. He noted he did not agree with Mr. Ginsburg's proposal for practical reasons and that an elitist approach would not pass. He did agree, however, that an option for outside employment should be included and that the Commission budget should be frozen for five years in lieu of the three years proposed by Mr. Ginsburg.

Mr. Holland commended Mr. Ginsburg on his proposal, for thinking outside the box, and for bringing a lot of issues to the table. He noted academically, he did not agree with the term limits, but understood that if a commissioner was to receive a decent salary, it may need to be tied to term limits. Mr. Holland noted; however, that he would not support two 4-year terms. He also noted he believed the true concern with voters was their poor perception of politicians.

Regarding the incremental value of term limits, Chairman Diaz pointed out that when a salary increase was presented without limits in the 2006 referendum, it failed by 58.12 % of the voters.

Mr. Vazquez noted he opposed term limits and that he felt the voters would not approve a salary increase for commissioners.

Mr. De Grandy stated he felt a consensus was emerging on whether the ballot question on term limits should be linked to salary increase for commissioners. He suggested some provisions in Mr. Ginsburg's proposal would be useful. He also suggested, since this

would be a preliminary vote, that the maker of the motion offer a more generic motion to create a consensus.

Mr. Dermer stated he would like to encompass some of Mr. Ginsburg's proposed provisions in his motion; and that he would accept Mr. De Grandy's suggestion to help frame the motion. He restated his motion as follows: to have the State mandated formula for the salary increase; that the County Commission position be full-time; and that the terms of office be limited to two 4-year terms. He stated he would entertain amendments but would let the public decide whether full-time employment should be an option.

Mr. Kuper stated he was opposed to term limits, philosophically, but he supported them in practicality. He also stated he felt it would be unfair to preclude people with outside employment from serving on the County Commission.

It was moved by Mr. H.T. Smith that the Chair call for a vote on the pending motion on the table. This motion was seconded Ms. Yvonne Soler-McKinley, and upon being put to a vote, the motion failed to carry.

Further discussion continued on the pending motion.

Mr. Holland offered a friendly amendment to include a penalty provision that any Commission found guilty of a criminal violation of the public trust, shall forfeit any and all of his/her public earned retirement and pension benefits, in addition to the criminal penalty.

Mr. Dermer and Mr. Illas accepted the friendly amendment.

Mr. Ferre offered a friendly amendment that the motion include a budgetary control provision for a set period of time.

Mr. Dermer rejected that amendment, stating it would be too complex.

Upon conclusion of the discussion, Chairman Diaz requested a roll call vote. Following a roll call vote, the motion carried 11-3. (Mr. Kuper, Mr. Vasquez and Mayor Diaz Padron voted No), (Mr. Ginsburg, Mayor Martinez, Commissioner Souto, Mr. De Grandy, Ms. Lynn Dannheiser, Mr. Larry Handfield and Ms. Elizabeth Hernandez were absent).

The Charter Review Task Force, by preliminary vote, presented for public comment and input, the following proposal:

- 1) Commissioners would receive a population based salary provided by Florida's Statutory formula (approx. \$89,000);
- 2) Commissioners' terms of office shall be limited to two 4-year terms;
- 3) Commissioners' would be prohibited from outside employment; and

- 4) Any Commissioner who is convicted of any crime involving a breach of public trust shall be subject to forfeiture of his/her public earned salary and pension rights and privileges.

- **Study of Term Limits – BCC or other elected officials**

(See report under -Study of Compensation-Mayor and Board of County Commission)

6. **Old Business**

Study of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being elected

Not presented

7. **New Business**

Chairman Diaz noted at the next Task Force meeting, the study of the four constitutional positions (Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections) would be discussed first, followed by a discussion on the Composition of the Mayor and Board of County Commissioners. Chairman Diaz noted he would defer all committee reports in order to begin the substantive discussions.

Chairman Diaz also noted that additional staff and resources were made available to this Task Force. He commended staff for an amazing job at gathering and distributing materials requested by this Task Force on issues they would discuss.

Chairman Diaz highlighted materials staff had gathered for inclusion in the next meeting's agenda and asked if Task Force members would like any additional items.

Mr. Illas asked that when the analysis was done of the County's demographics, that the registered voters information be included.

Chairman Diaz requested that any Task Force member wishing to submit additional materials for the next agenda, inform him by tomorrow, or submit any supplemental item to staff before the next agenda package was prepared. He also asked members to review agenda packages for any items excluded and contact him or staff in advance to ensure the item was included. Chairman Diaz noted it would require some discipline on the Task Force member's part so that they could get to more substantive matters.

Mr. Ferre indicated he submitted a memorandum of additional issues to be included in today's agenda package, but it was excluded and he requested some consideration be given to discuss this item in the near future.

Chairman Diaz noted Mr. Kuper requested the Task Force re-evaluate the list of priorities using the public input received at yesterday's forum. He congratulated everyone for accomplishing an open and inclusive process in a timely matter.

It was moved by Commissioner Gimenez that the next Task Force meeting be televised. This motion was seconded by Mr. Diaz-Padron.

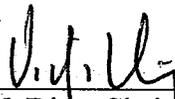
Chairman Diaz commented that he consulted on this issue and was advised that televising the meetings might promote lengthy discussion; however, it would do much for public education and confidence on the issues. He stated, however, that he wanted to avoid an extended debate.

Chairman Diaz called for a vote on the pending motion that future Charter Review Task Force meetings be held in the Commission's Chamber and televised, subject to the availability of the Chamber. Upon being put to a vote, the motion passed unanimously by those members present.

Chairman Diaz asked that "Thank you" letters be prepared for his signature on behalf of the Charter Review Task Force and sent to each county employee who volunteered their services at yesterday's forum.

8. Adjournment

There being no further business to come before the Task Force, the meeting was adjourned at 1:03 p.m.



Victor M. Diaz, Chairman
Charter Review Task force