

*Delivering Excellence Every Day*

## ***Charter Review Task Force Meeting***

Wednesday, August 29, 2007  
10:00 am  
Main Library Auditorium  
101 W. Flagler Street, 1st Floor  
Miami, Florida

### **AGENDA (revised)**

1. Call to Order
2. Roll Call
3. Approval of August 15, 2007 Meeting Minutes (revised)  
August 14, 2007 Workshop & Public Hearing Report of Statements
4. Old Business
  - Discussion of Issue 1 - Study of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being elected (Included is information previously provided to the Task Force on this issue only)
5. New Business
  - Discussion of Issue 4 - Study of Board of County Commissioners Composition
  - Discussion on Public Feedback and Prioritization of Issues
6. Reports by Chairman Diaz
  - Report on Public Hearings
  - Report on Media & Charter Review Website/E-mails
  - Report on Input from the Office of Community Relations
7. Adjournment

**Charter Review Task Force  
August 29, 2007**

**Addendum  
AGENDA PACKAGE**

Please be reminded that discussions among or between members regarding matters which might be considered by the Task Force must be held in accordance with the requirements of the Sunshine Law. Therefore, please reserve any discussion with Task Force members regarding information in your agenda packet and other Task Force topics, until the Task Force meets.

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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 18<sup>th</sup> Floor, Conference Rooms 18-3 and 18-4 of the Stephen P. Clark Center, 111 N.W. 1<sup>st</sup> 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 De Los 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.

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Victor M. Diaz, Chairman  
Charter Review Task force

4



# Employee Relations Department

## Tax Collector (009825)

<b>Job status</b>	3	<b>Recruit. type</b>	Resume	<b>Minimum</b>	\$101,483.	<b>Probation</b>	00
<b>Job category</b>	A	<b>Testing</b>		<b>Maximum</b>	\$162,918.08	<b>Range</b>	99
<b>Pos. status</b>	Exempt	<b>Specialist</b>	SAA	<b>Frequency</b>	Annually	<b>Grade</b>	11
<b>Job type</b>	Professional/Managerial			<b>Protection</b>	Not protected	<b>Union</b>	L

### Pay steps

T	3	6	9	12	\$6,266.08	15	18
1	\$3,903.21	4	7	10		13	16
2		5	\$4,293.51	8		11	14
						17	20

### Minimum Qualifications

Bachelor's degree in Business Administration, Public Administration or related field. A minimum of six to ten years of administrative and supervisory experience in the management of complex revenue collection and disbursement activities is required.

### Job Specifications

**NATURE OF WORK** This is highly responsible professional management work in planning and directing tax collection activities of Miami-Dade County. An employee in this class is responsible for directing and supervising, through various levels of subordinate supervisors, complex and varied tax collection activities, and formulating, directing and administering tax collection policies and methods within the framework of applicable state and local laws. Responsibilities include divisional budget preparation and monitoring, continuous analysis of tax collection administrative procedures, coordinating data system installation and modification, analysis and interpretation of applicable Florida Statutes, and planning divisional goals and objectives. The incumbent exercises extensive independent judgment, initiative and professional tax collection knowledge in coordinating the collection, distribution and disbursement of funds derived from local, state and municipal taxes and fees levied on real property, personal property, special taxing districts, improvement liens, motor vehicles, vessels, occupational licenses, hunting and fishing licenses, transient taxes on tourist facilities, food and beverages, utility taxes and other taxes that may be levied by taxing authorities. Supervision is exercised through various levels of subordinate supervisors over a large staff of professional, technical and clerical employees with assigned responsibilities in specific tax collection operations. General direction is received from the Finance Director who holds the incumbent responsible for the attainment of departmental tax collection objectives and the professional management of County tax collection activities.

**ILLUSTRATIVE TASKS** Directs, formulates, and coordinates the development of tax collection systems and methods pertaining to Ad Valorem, non-Ad Valorem, auto tag, occupational license and convention/tourist development taxes. Conducts and participates in meetings and conferences with state, County, municipal, and School Board officials to ensure adherence to legislative provisions related to tax collections. Ensures accurate and timely distribution of funds to taxing authorities for whom collections are effected. Analyzes and interprets Florida Statutes related to tax collections and instructs subordinate supervisory staff accordingly. Plans, coordinates and directs preparation and justification of annual budget for tax collection operations. Reviews, analyzes and implements changes in office policies and procedures to control and record tax payments; coordinates data processing needs for tax collection activities. Directs, examines and reviews the balancing of tax rolls for real and personal property, improvement liens, special taxing districts and delinquent accounts. Conducts and supervises the annual tax sale, including related notices and advertising. Ensures timely reporting and submission of state revenues collected on motor vehicles, vessels, and hunting and fishing licenses. Consults with County Attorney's Office concerning proper representations in Bankruptcy Court and other litigations. Corresponds with state departments, municipal and School Board taxing authorities; responds to complex tax inquiries from taxpayers or their legal representatives. Administers the management of private branch auto tag agencies established and operated under Miami-Dade County authorization. Supervises the management of County occupational license tax functions. Performs related work as required.

**KNOWLEDGES, ABILITIES, AND SKILLS** Thorough knowledge of Florida Statutes, Florida Department of Revenue rules, and local ordinances and regulations



## Employee Relations Department

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governing the collection and recordkeeping of revenues. Thorough knowledge of the policies, procedures and regulations pertaining to the collection, distribution and disbursement of tax revenues. Thorough knowledge of accounting principles pertaining to tax collections and disbursements. Thorough knowledge of the principles of management and business administration. Thorough knowledge of supervisory principles and practices. Thorough knowledge of internal controls applicable to the collection of large sums of money by draft, electronic funds transfer, and cash. Thorough knowledge of public relations principles and techniques. Ability to exercise resourcefulness and initiative in the formulation and development of long-range plans to achieve divisional goals and objectives. Ability to plan and direct, through various levels of supervisors, the work of a large staff of subordinates engaged in diversified tax collection functions. Ability to effectively evaluate the application of computer technology to tax collection functions and reporting requirements. Ability to express ideas and information clearly and concisely, verbally and in writing. Ability to establish and maintain effective working relationships with subordinates, superiors and a variety of public and private officials. Ability to delegate necessary authority to subordinates to complete responsibilities in assigned management functions. NEW 10-93



# Employee Relations Department

## Property Appraiser (000156)

<b>Job status</b>	3	<b>Recruit. type</b>	Resume	<b>Minimum</b>	\$112,619.	<b>Probation</b>	00
<b>Job category</b>	A	<b>Testing</b>		<b>Maximum</b>	\$182,160.42	<b>Range</b>	99
<b>Pos. status</b>	Exempt	<b>Specialist</b>	HERNANE	<b>Frequency</b>	Annually	<b>Grade</b>	12
<b>Job type</b>	Professional/Managerial			<b>Protection</b>		<b>Union</b>	L

### Pay steps

<b>T</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>12</b>	<b>\$7,006.17</b>	<b>15</b>	<b>18</b>
<b>1</b>	<b>\$4,331.53</b>	<b>4</b>	<b>7</b>	<b>10</b>		<b>13</b>	<b>16</b>
<b>2</b>	<b>\$4,764.70</b>	<b>8</b>	<b>11</b>	<b>14</b>		<b>17</b>	<b>20</b>

### Minimum Qualifications

Bachelor's degree in Business Administration, Public Administration or a related field. A minimum of six to ten years of progressively responsible managerial and/or administrative experience in property appraisal to include supervisory experience are required.

### Job Specifications

**NATURE OF WORK** This is highly responsible executive level work in planning and directing the activities of the Miami-Dade County Property Appraiser Department. An employee in this class is responsible for serving as a constitutional officer and directing all County operations required for the production and defense of the annual property tax roll. Responsibilities include planning and directing all tax roll functions in conformance with Florida Statutes and Department of Revenue rules and regulations, establishing and installing departmental policies, directing complex divisional property appraisal operations, supervising fiscal activities and preparation of the annual departmental budget, and maintaining contacts with other property tax officials, taxing authorities and appraisal associations. The incumbent exercises extensive independent judgment and professional managerial knowledge in the administration of a large and complex property appraisal operation. Supervision is exercised through subordinate executives and supervisors over a large staff of professional, technical and clerical employees. General direction is received from the County Manager who holds the incumbent responsible for the professional management of departmental operations and completion of the annual property tax roll in accordance with applicable regulations.

**ILLUSTRATIVE TASKS** Plans, directs and coordinates, through subordinate executives and supervisors, complex property appraisal activities including making and recording evaluations of tangible and intangible personal property for tax assessment purposes, assessing buildings and land, maintaining maps and records in conformance with legal descriptions, processing Homestead Exemption applications, and participating in Value Adjustment Board processes and hearings. Establishes department programs, functions and direction; sets goals and objectives and monitors their achievement; evaluates departmental operations and their effectiveness in meeting statutory requirements and the needs of the citizens of Dade County. Reviews organizational patterns, work relationships, data reporting systems and staff responsibilities; structures the organization of the department to effectively achieve organizational goals. Reviews and approves division budgets, disbursements, capital expenditures and departmental charges; directs preparation of departmental annual budget; analyzes expenditures to ensure maximum production at minimum cost. Attends meetings with property owners and their agents to discuss and resolve property appraisal issues; meets with County Attorney's with regard to property appraisal litigation. Coordinates property appraisal activities with the Mayor's Office, Board of County Commissioners and other County departments as required. Directs preparation of resolutions and reports for the Board of County Commissioners. Attends local, state and national professional meetings and conferences to keep abreast of current developments in the field of property taxes. Meets with executive, supervisory and administrative employees to discuss and resolve budgetary issues, policies and procedures, proposed legislation, new or revised property appraisal regulations, work progress, and other subjects. Makes decisions regarding hiring, discipline and promotion of subordinates; reviews performance reports prepared by subordinates and rates employee performance; exercises authority for departmental personnel actions consistent with collective bargaining agreements, County personnel rules and all other applicable rules and regulations. Performs related work as required.

**KNOWLEDGES, ABILITIES AND**



## Employee Relations Department

**SKILLS** Extensive knowledge of the organization, interrelationships and activities of the Miami-Dade Property Appraiser Department. Extensive knowledge of the mission, goals and objectives of the department in meeting the needs of the citizens of Dade County and statutory requirements. Extensive knowledge of the principles of general management, business and public administration. Thorough knowledge of appraisal methods and techniques used in the assessment of real, tangible and intangible personal property, and land for purposes of tax assessment. Thorough knowledge of Florida Statutes and the Department of Revenue rules and regulations pertaining to the production of the annual property tax roll. Thorough knowledge of supervisory principles and practices. Thorough knowledge of public relations principles and techniques. Ability to apply advanced professional knowledge of the principles of management and public administration in directing, supervising and coordinating a large and complex County property appraisal operation. Ability to plan, organize and coordinate, through subordinate executives and supervisors, the work of subordinates in a manner conducive to full performance and high morale. Ability to delegate the authority to subordinates necessary to complete responsibilities in varied departmental activities. Ability to communicate clearly and concisely, verbally and in writing, to groups and individuals. Ability to establish and maintain effective working relationships with subordinates, senior County management, elected officials, the public, and officials of other public and private organizations. Ability to exercise judgment and discretion in devising, installing and interpreting departmental and County policies, rules and regulations. Ability to determine if departmental standards, objectives and goals are being met and to redirect priorities as necessary. REVISED 01/98

### Nature of work

This is highly responsible executive level work in planning and directing the activities of the Miami-Dade County Property Appraiser Department.



# Employee Relations Department

## Supervisor of Elections (002430)

<b>Job status</b>	3	<b>Recruit. type</b>	Resume	<b>Minimum</b>	\$121,362.	<b>Probation</b>	00
<b>Job category</b>	A	<b>Testing</b>		<b>Maximum</b>	\$214,285.24	<b>Range</b>	99
<b>Pos. status</b>	Exempt	<b>Specialist</b>	ORI	<b>Frequency</b>	Annually	<b>Grade</b>	13
<b>Job type</b>	Professional/Managerial			<b>Protection</b>	Personnel protected	<b>Union</b>	L

### Pay steps

T	3	6	9	12	\$8,241.74	15	18
1	\$4,667.77	4	7	10		13	16
2		5	\$5,134.55	8		11	14
						17	20

### Minimum Qualifications

Bachelor's degree. A minimum of seven to ten years of administrative experience to include election strategic planning, execution and evaluation, voter registration, logistics and technology assessment and planning are required.

### Job Specifications

**NATURE OF WORK** This is highly responsible executive level work in planning and directing activities of the Miami-Dade County Elections Department. An employee in this class is responsible for planning, directing and supervising departmental operations and functions required for local, state and federal elections. Responsibilities include establishing departmental objectives and monitoring progress toward their achievement; directing diversified divisional functions; maintaining contacts with public officials and the media; interpreting state and federal election laws; managing departmental financial and budgetary operations; and organizing work to ensure maximum productivity at minimum cost. The incumbent exercises extensive independent judgement and professional managerial knowledge in formulating departmental policies and directing departmental operations. Supervision is exercised through various levels of subordinate executives and supervisors over a staff of employees which may vary greatly in size depending upon election activities. General direction is received from the County Manager who holds the incumbent responsible for attainment of desired goals and objectives and for the professional management of the department.

**ILLUSTRATIVE TASKS** Establishes departmental programs, functions and direction; sets goals and objectives and monitors their achievement; evaluates departmental programs and assesses their effectiveness in meeting the needs of the citizens of Dade County, elected officials and candidates. Directs the operation of diversified divisional activities through subordinate executives and supervisors; reviews and evaluates operation of all divisions and sections; reviews and approves written procedures for all functions. Reviews existing organizational patterns, work relationships, space utilization, data reporting systems and staff responsibilities, and structures the organization of the department to effectively achieve organizational goals. Meets with the public, candidates, public officials and the news media. Prepares reports, ordinances, resolutions and correspondence. Interprets election statutes; recommends and lobbies for changes in federal and state election laws. Prepares information for lawsuits regarding elections; testifies at court hearings. Prepares and delivers speeches to governmental and private organizations; makes media appearances. Reviews and approves divisional budgets, disbursements, capital expenditures and departmental charges; prepares departmental budget; analyzes expenditures to ensure maximum productivity at minimal cost. Makes decisions regarding hiring, discipline and promotion of subordinates; reviews performance reports prepared by subordinates and rates employee performance; exercises authority for departmental personnel actions consistent with collective bargaining agreements, County personnel rules and all other applicable rules and regulations. Performs related work as required.

**KNOWLEDGES, ABILITIES AND SKILLS** Extensive knowledge of local, state and federal election laws, rules, regulations and procedures. Extensive knowledge of the principles of business and public administration. Extensive knowledge of departmental policies, procedures and operations in the preparation and conduct of elections. Thorough knowledge of the demographics of Dade County. Thorough knowledge of supervisory principles and practices. Thorough knowledge of public relations principles and techniques. Ability to use advanced professional knowledge of the principles of management and public administration to formulate departmental policy and control departmental activities. Ability to plan, organize and supervise, through various levels of executives and supervisors, the



## Employee Relations Department

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work of subordinates in a manner conducive to full performance and high morale. Ability to delegate the authority to subordinates necessary to complete responsibilities in varied departmental activities. Ability to effectively evaluate the impact of alternative possible courses of action on departmental operations, future developments and circumstances of a new or unprecedented nature. Ability to exercise judgment and discretion in devising, installing and interpreting departmental and County policies, rules and regulations. Ability to establish and maintain effective working relationships with senior County management, officials of other public and private organizations, officials of County departments, news media, candidates and the public. Ability to communicate clearly and concisely, verbally and in writing, to groups and individuals. Ability to determine if departmental standards are being met and to redirect priorities as necessary. NEW 07/92 REVISED 01/98

### Nature of work

This is highly responsible executive level work in planning and directing activities of the Miami-Dade County Elections Department.



# Employee Relations Department

## Director, Miami-Dade Police Department (004298)

<b>Job status</b>	3	<b>Recruit. type</b>	Resume	<b>Minimum</b>	\$142,191.	<b>Probation</b>	00
<b>Job category</b>	A	<b>Testing</b>		<b>Maximum</b>	\$252,260.32	<b>Range</b>	99
<b>Pos. status</b>	Exempt	<b>Specialist</b>	JSS	<b>Frequency</b>	Annually	<b>Grade</b>	14
<b>Job type</b>	Professional/Managerial			<b>Protection</b>	Personnel protected	<b>Union</b>	L

### Pay steps

<b>T</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>12</b>	<b>\$9,702.32</b>	<b>15</b>	<b>18</b>
<b>1</b>	<b>\$5,468.89</b>	<b>4</b>	<b>7</b>	<b>10</b>		<b>13</b>	<b>16</b>
<b>2</b>	<b>\$6,043.74</b>	<b>5</b>	<b>8</b>	<b>11</b>		<b>14</b>	<b>17</b>
						<b>17</b>	<b>20</b>

### Minimum Qualifications

Bachelor's degree. A minimum of seven to ten years of progressively responsible law enforcement experience to include managerial experience is required. Must be a certified law enforcement officer in accordance with s. 943.1395, F.S.

### Job Specifications

**NATURE OF WORK** This is highly responsible executive level work in directing the complex operations and activities of the Miami-Dade Police Department. An employee in this class is responsible for planning, directing and coordinating extensive and complex law enforcement activities in Miami-Dade County. Responsibilities include directing, through subordinate levels of executives and managers, various departmental activities including police patrol, protective services, criminal investigations, technical support, community and public relations activities, and a variety of financial and administrative support functions. The incumbent exercises extensive independent judgement and professional managerial knowledge in the administration of a large and complex public safety and law enforcement system to provide the highest level of protection to the citizens of Miami-Dade County. Supervision is exercised through subordinate levels of executives, managers and supervisors over a large staff of uniformed line and staff officers, professional, technical, administrative and clerical employees. General direction is received from the County Manager who holds the incumbent responsible for the professional management of departmental operations and achievement of desired goals and objectives.

**ILLUSTRATIVE TASKS** Plans, directs and coordinates through subordinate executives, managers and sworn staff, the command of public safety incidents and law enforcement operations, collaboration with other police or public safety departments and agencies, management of patrol services for the Miami International Airport and public housing projects, provision of police air support for land pursuits and transportation and provision of specialized services such as K-9, bomb squad, SWAT in order to provide the maximum level of protection to the public. Directs and coordinates, through subordinate executives and managers, logistical services and facilities management functions including planning for new and replacement facilities, conducting construction and renovation projects, procurement and supply of materials required for support of police patrol and other public safety services, maintenance of police stations and other departmental facilities, and management of mobile equipment required for operations. Directs and coordinates, through executives and supervisors, the development of departmental policies and procedures to enhance effectiveness and ensure the Department is operated in full compliance with all applicable codes, standards and statutory mandates for Miami-Dade County and the State of Florida. □ Directs and coordinates, through subordinate executives and supervisors, the enhancement of citizens' safety through various crime prevention programs, training protocol for police patrol and other special forces, self defense and riot control techniques and other campaigns to lower incidences of crime. Directs and coordinates, through subordinate executives and supervisors, the development of departmental public safety policies and procedures, and departmental procedures for the resolution of all events requiring police services. Directs and coordinates, through subordinate executives and supervisors, community services activities, public relations functions, research and development activities, and a variety of administrative and financial services including personnel administration, budget preparation and administration, computer services and accounting. Defines and formulates departmental policy, programs, objectives and direction; coordinates police and public safety policy with the Mayor's Office, Board of County Commissioners, and other County departments and agencies. Maintains working relationships with other local, state and federal law enforcement agencies, correctional agencies and the



## Employee Relations Department

judicial system; identifies trends and new developments applicable to law enforcement and public safety. Ensures that goals and objectives for public safety and law enforcement operations are compatible with County policies and the needs of the citizens of Miami-Dade County. Ensures compliance with all required local, state and federal regulations for the management of a metropolitan police department. Meets with governmental, business, professional, civic and community groups to discuss, interpret and explain departmental policies, operations and objectives; represents the department at local, state and national conferences. Reviews organizational patterns, work relationships and staff responsibilities; structures the organization of the department to effectively achieve organizational goals. Meets with line and staff officers, executives, managers and supervisors to discuss and resolve budgetary issues, review police services and crime prevention operations, evaluate legislative proposals, review policies and procedures, establish or redirect priorities, and implement enhancements in departmental activities. Make decisions regarding hiring, discipline and promotion of subordinates; reviews performance reports prepared by subordinates and rates employee performance. Performs related work as required. **KNOWLEDGES, ABILITIES AND SKILLS** Extensive knowledge of the management and administration of public safety, law enforcement and crime prevention activities. Extensive knowledge of modern crime fighting, investigations, prevention and enforcement principles, practices and techniques. Extensive knowledge of the organization, interrelationships and operations of the Miami-Dade Police Department. Extensive knowledge of the mission, goals and objectives of the department in providing the highest level of public safety and law enforcement services. Thorough knowledge of local ordinances, state statutes and all applicable laws. Thorough knowledge of the principles and practices of general management and public administration. Thorough knowledge of public relations principles and techniques. Ability to apply advanced professional knowledge of the principles of management, public administration and police administration in directing, supervising and coordinating a large and complex metropolitan police department. Ability to plan, organize, direct and coordinate, through various levels of line and staff officers, executives, managers and supervisors, the work of subordinates in a manner conducive to maximum performance and high morale. Ability to establish and maintain effective working relationships with senior County management, members of the Board of County Commissioners, the Mayor's office, and officials of other local, state and national organizations. Ability to exercise judgement and discretion in devising and installing departmental rules and regulations. Ability to delegate the authority to subordinates necessary to complete responsibilities in varied departmental activities. Ability to determine if departmental standards, objectives and goals are being met and to redirect priorities as necessary. Ability to communicate clearly and concisely, verbally and in writing. **MINIMUM QUALIFICATIONS** Bachelor's degree. A minimum of seven to ten years of progressively responsible law enforcement experience to include managerial experience is required. Must be a certified law enforcement officer in accordance with s. 943.1395, F.S.

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**EXECUTIVE SUMMARY**  
**POPULATION AND VOTER REGISTRATION DATA**

	2000 Population			2005 Estimated Population			2010 Projection Population			2007 Voter Registration*						
	White Non-Hispanic	Black Non-Hispanic	Hispanic	Other	White Non-Hispanic	Black Non-Hispanic	Hispanic	Other	White Non-Hispanic	Black Non-Hispanic	Hispanic	Other				
Miami-Dade County	20.7%	19.0%	57.3%	3.0%	18.6%	18.7%	60.0%	2.7%	16.6%	18.7%	62.4%	2.3%	24.5%	20.0%	49.1%	6.4%
District 1	7.5%	63.7%	25.6%	3.2%	6.3%	63.5%	27.5%	2.7%	5.1%	63.7%	28.9%	2.2%	6.5%	67.9%	18.7%	6.9%
District 2	7.5%	61.7%	26.5%	4.3%	5.9%	61.8%	29.0%	3.3%	4.2%	62.2%	31.2%	2.4%	8.1%	65.9%	18.2%	7.7%
District 3	11.1%	52.8%	30.7%	5.4%	9.4%	53.2%	32.9%	4.5%	7.6%	53.9%	34.8%	3.7%	14.7%	55.6%	22.4%	7.3%
District 4	51.5%	9.8%	34.4%	4.3%	47.3%	10.5%	38.2%	4.0%	43.4%	11.3%	41.6%	3.6%	57.7%	8.1%	27.0%	7.2%
District 5	18.7%	1.8%	77.9%	1.6%	17.2%	1.5%	79.8%	1.5%	15.7%	1.4%	81.6%	1.3%	28.1%	2.6%	63.2%	6.0%
District 6	13.9%	0.6%	84.5%	0.9%	12.2%	0.4%	86.5%	0.8%	10.6%	0.3%	88.4%	0.7%	19.3%	0.7%	75.7%	4.1%
District 7	37.3%	5.6%	54.3%	2.8%	35.0%	5.4%	57.0%	2.6%	32.9%	5.2%	59.4%	2.5%	42.8%	5.2%	46.2%	5.7%
District 8	44.4%	8.2%	43.0%	4.4%	42.1%	8.1%	45.6%	4.2%	39.8%	8.3%	47.9%	4.0%	48.4%	8.4%	36.4%	6.7%
District 9	16.2%	34.1%	45.8%	3.9%	14.4%	33.7%	49.3%	3.5%	12.5%	32.8%	51.7%	3.0%	19.5%	34.6%	39.1%	6.8%
District 10	17.8%	1.2%	78.8%	2.2%	15.4%	1.3%	81.4%	1.9%	12.9%	1.5%	84.0%	1.6%	19.7%	1.1%	74.1%	4.9%
District 11	17.6%	4.3%	74.8%	3.3%	14.8%	4.4%	78.1%	2.7%	11.8%	4.5%	81.5%	2.3%	16.7%	3.5%	73.5%	6.2%
District 12	11.2%	2.5%	84.4%	1.9%	9.1%	2.4%	87.0%	1.5%	7.0%	2.3%	89.5%	1.2%	11.6%	1.6%	81.4%	5.3%
District 13	13.3%	4.5%	80.6%	1.6%	10.6%	4.7%	83.5%	1.3%	7.8%	4.9%	86.4%	0.9%	16.0%	4.4%	74.6%	5.1%

**Sources:** Miami-Dade Planning and Zoning and Miami-Dade Elections Department data as provided in the Charter Review Task Force August 29 agenda kit.

**Notes:**

Percentages are relative to the total population and total voter registration of each District. Population and Voter Registration demographics are categorized differently.

\*American Indian, Asian, Other and Unknown categories from Voter Registration data were combined under "Other."

TO: Charter Review Task Force  
Chair: Victor Diaz Jr.

DATE: August 14, 2007

FROM: Maurice A. Ferré

Attachment: August 15, 2007 Memorandum from Maurice A. Ferre to CRTF

As I was out of town for the August 1 meeting, I did not submit my full recommendations for the CRTF following my July 18, 2007 memorandum. In the July 23 minutes, Chair Diaz granted an extension of time to the League of Cities to present their charter reform positions. I understand that at the August 1 meeting the matter of further input was left open. I had requested through Andy Gazitua, in the Mayor's office, additional time to submit my list.

Enclosed please find my position paper outlining my recommendations for consideration for discussion by the CRTF.

The majority of my areas of interest are already included in your selected lists. The only outstanding issues are:

1. Contracts
2. Zoning
3. UDB
4. MDC County Manger's required appointment, qualifications and responsibilities.
5. Foundations and Trusts
6. New Name for BCC
7. Election Reform
8. County Auditor

My version of the issues and differences with the Mayors July 31 recommendations to you are self explanatory in my memorandum of August 15.

**Recommendations of Charter Review Task Force member Maurice A. Ferré  
for changes in governance in the Miami-Dade County Charter.  
August 15, 2007**

**GOVERNANCE**

**i. CONSTITUTIONAL OFFICERS**

The Tax Collector, Property Appraiser, Supervisor of Elections, and Sheriff are all highly technical positions. There is no way to ensure that the candidates for election to these positions would have the requisite technical skill sets.

Our citizens are better served by the appointment of these constitutional officers from candidates with appropriate qualifications and technical expertise. This logic is equally appropriate for similar reasons to all four positions under discussion.

**ii. BOARD OF COUNTY COMMISSIONERS**

***a. Quasi-Judicial Proceedings***

***i. Contracts***

Under the traditional Council-Manager<sup>1</sup> government structure the Governing Body has final decisions concerning expenditures – such expenditures include the budget and the award of contracts. Under the new Executive Mayor-Council<sup>2</sup> structure the Governing Body retains the same powers.

As the governing body, the Board of County Commissioners (BCC) may establish processes in the Charter that make the practice of awarding of contracts more transparent and accountable.

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<sup>1</sup> The council-manager plan is the system of local government that combines the strong *political leadership* of elected officials in the form of a council or other governing body, with the strong *managerial experience* of an appointed local government manager. The plan establishes a representative system where all power is concentrated in the elected council as a whole and where the council hires a professionally trained manager to oversee the delivery of public services.

<sup>2</sup> Under this system the Mayor is the chief executive and the council is the legislative governing body. This system provides accessibility to the public of an elected chief executive.

The awarding of contracts could be structured under a *quasi-judicial* process, which provides that Administrative Judges review contract disputes under strict procedures. The review by the BCC should only be on an appellate basis, also under strict procedures, such as no new evidence allowed, no public input (that should be at administrative levels) etc., with a 2/3 vote required to override a decision by an Administrative Judge.

The BCC should monitor and, if necessary, have regular overview hearings on the codified regulations and procedures, but not directly intervene in the original awarding of contracts, that should be done by the administrative side of MDC.

### ***ii. Zoning***

The above mentioned format could be mirrored for zoning hearings. Again, the BCC would only be, as it were, a *quasi-judicial* appellate court. This Administrative Judge system works well in zoning hearings in Orlando, Florida and other jurisdictions.

### ***iii. UBD***

All UBD changes should require a 2/3 vote. If there is less than a 3/4 vote in favor of the change, the matter should be referred to the electorate at the next Presidential election ballot, i.e. every four years would be the referendum dates.

### ***b. BCC Composition***

The BCC composition could be expanded to contain both district and at large members.<sup>3</sup> For example, nineteen commissioners, similar to Jacksonville; thirteen commissioners elected from districts; six commissioners elected at large, with two years residency requirements from six equal areas, reconfigured every ten years, after the census. Six at large commissioners would avoid dilution of representation. The at large commissioners would first be elected from the district, subsequently, at the general election, the two top vote getters from the primary election in each at large district would be elected at large, county wide.

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<sup>3</sup> Prior to the increase in BCC membership, the budget of the BCC should be frozen to the amount of the previously approved budget before enactment for a period of five years, except for an annual CRP adjustment, unless an emergency is declared by a supermajority of the BCC. After five years the BCC will revert back to the regular yearly budget adoption method.

The at large seat holders would chair six standing committees to be designated by the elected chair. All nineteen BCC members would each have one vote to elect a chair every two years. No chairperson can serve as chair for more than four years total, consecutively or broken into two, two year terms. The chair will designate all members of the six standing committees. No member will serve consecutively more than four years in any committee.

**c. BCC Term Limits**

No commissioner shall serve more than a total of eight years in his/her specific seat. However, a district commissioner could seek an at large seat for an additional eight years or *vice versa*, an at large commissioner can run for an additional eight years as a district commissioners.

**d. BCC Salaries**

All at large commissioners will serve full time and will be paid a salary commensurate with the formula established by the State of Florida for non-chartered Home Rule counties.

The district commissioners may serve either full time or part time. Full time district commissioners will be paid a salary commensurate with the formula established by the State of Florida for a non Home Rule county. Part time commissioners will be paid 1/3 of the State formula.

Outside income for full time commissioners would follow the same restrictions in place for Members of Congress.

**e. BCC New Name**

The BCC name shall be changed to the Miami Dade Legislative Council and the members will be referred to as Councilman or Councilwoman. An alternate could be the Miami Dade Legislative Assembly and the members would be referred to as Assemblywoman or Assemblyman. The name change is to emphasize the different nature between the old BCC and the new Legislative Assembly.

**iii. INITIATIVE, REFERENDUM AND RECALL.**

The Home Rule Charter *must provide the only method* for citizens to initiate referenda.<sup>4</sup> The Commission cannot act alone in passing a legislative act or administrative rule which concerns the initiative amending process, without Citizen input, since any restriction of the initiative process would strengthen the authority and power of the Commission and *weaken the power of the citizen*.

The Charter dictates that it should be construed liberally in favor of the citizen-initiative process: "This Charter shall be *liberally construed* in aid of its declared purpose, which is to establish effective home rule government in this county *responsive to the people*." Charter, § 9.06(A) (emphasis added). Indeed this liberal-construction canon derives directly from the Constitution.

Therefore, this Taskforce should recommend that the Charter continue to embody the initiatory petition process in its entirety and that no ordinance or regulation can override the Charter in this regard.

#### **iv. UMSA**

UMSA (Unincorporated Metro Service Area) should be phased out by 2014. All municipal services should be rendered by incorporated cities under standards established by MDC and the oversight of MDC. Centralized area wide services of both police and fire/rescue services should be maintained by MDC (crime laboratory, organized crime bureau, etc.) as defined by MDC in cooperation with the MDC League of Cities. It is the intent that MDC should concentrate in only regional services, setting municipal standards and overview of municipalities. MDC will define municipal services for all municipalities.

A financing mechanism will be established by 2010 wherein all citizens and taxpayers in UMSA or the municipalities of MDC will pay through a tax increment plan (similar for the plan in existence in St. Paul, Minneapolis, Minnesota for the past 25 years) for those municipalities that cannot financially meet the minimum standards set by MDC (for police, park, etc.). An alternative could be the plan proposed by Eugene Stearns in CRTF 2000, Section "B", page 7 "Municipal Revenue Sharing".

#### **v. MAYOR/MANAGER**

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<sup>4</sup> Article VIII, Section 11(1)(i) of the 1885 Florida Constitution, carried forward by Article VIII, Section 6(e) of the 1968 Florida Constitution, states that the Home Rule Charter "[s]hall provide a method for . . . initiative and referendum, including the initiation of and referendum on ordinances . . ." Section 7.01 of the Charter carries out the constitutional directive and lays out a "procedure" for Dade County electors to initiate passage of or referenda on ordinances.

## **STRONG MAYOR**

The Mayor will be the head of the MDC government and will retain the powers given to him/her in the January 23, 2007 Charter Change election that established the current "Strong Mayor" government format.

## **MANAGER**

The Mayor will appoint a Manger with the consent of the BCC as in the current Charter. The title of the Manager will be changed to Chief Administrative Officer (CAO). The CAO will be the Operating Officer of the MDC operating the government day to day under the mayor.

The appointed <sup>CAO</sup> Deputy Mayor shall be a person with at least five (5) years of experience as a Chief Executive, COO or comparable, of a public entity, local, State or Federal of at least a third of MDC in yearly budget and/or employees or of equal size in the private sector. The BCC can wave these requirements of the Mayor's appointment of the CAO with a 2/3 vote.

## **vi. FOUNDATIONS AND TRUST**

MDC can delegate any regional function or department to a Foundation/Trust.

The Trusts will be governed by boards that must be appointed by the Mayor with the advice and consent of the BCC. All Directors of Trusts shall be recommended by the Trust Board, but will be selected by the Mayor, with the advice and consent of the BCC.

The budgets of all Trusts must be approved yearly by the BCC, with the veto power of the Mayor.

All Trusts will sunset every 10 years and must be reauthorized by the BCC with the veto of the Mayor, after at least two public hearings.

## **ETHICS**

### **I. LOBBYIST REFORM DISCUSSION ITEMS**

- Full yearly **PUBLIC DISCLOSURE** of all forms and quantities of payment for services rendered to clients for anyone registered as a lobbyist in MDC.
- No indirectly payment to lobbyist registered and doing work for clients at MDC.
- No success fee payments to lobbyist at MDC; no percent participation as payment for clients business, direct or indirectly; no participation by lobbyists in any deals pertaining to any contract or processing in MDC, currently or promised, directly or indirectly, in the future.
- No paid lobbyist representing MDC can represent third party issues before staff, administration or BCC.
- No citizen who serves in any MDC appointed board, trust or foundation can during the time of the appointed service or for three years after ending service, lobby staff, administration or BCC.
- No lobbyist can represent MDC if he/she also represents another jurisdiction in Florida competing with MDC for funds or grants.
- No lobbyist who represents a client/s against MDC in any court of law or jurisdiction can represent MDC for a period of five years thereafter.
- No lobbyist, person or corporation that directly or indirectly conducts any business with MDC may raise political contributions for any elected person in MDC government or any PAC involved in a MDC election or referendum, directly or indirectly, for a one year period before and/or after that election. This should include vendors, suppliers of goods and services, including lobbyist.
- The BCC will clearly define who is a lobbyist to avoid the usage of professional status as an avoidance of registering as a lobbyist in MDC.

## **ii. CONFLICTS OF INTEREST**

- Should the increased salary provisions be voted favorably upon by the electors of MDC, no elected official or employee of MDC can serve in a paid capacity in any entity, public or private, that conducts business with or receives funding from MDC. No elected official of MDC can work for any other government, agency or NGO that receives any public funding.
- No elected official of MDC can receive any funding, grant, material or services from any person or entity that is regulated by or does business with MDC.

## **iii. ELECTIONS REFORM**

- All MDC primary elections will be held on the Tuesday following the first Monday of October in even years.
- All runoff and general elections will be held on the Tuesday following the first Monday of November in even years, to coincide with U.S. Congressional elections.
- All referendums and Charter reform issues at MDC will be held only at general election dates on even years.
- There shall be public funding of all elected positions in MDC as designated and determined by the BCC.

## **iv. COUNTY AUDITOR**

- Internal auditing of administrative agencies should be removed from the administrative branch and transferred to a newly created Office of County Auditor, whose head would be appointed by the County Commission. The County Auditor would be responsible for both performance and financial audits of all County agencies and would report to the County Commission.

# Memo

**To:** Victor Diaz, Chair  
**From:** Francois Illas  
**CC:** Members of the Charter Review Task Force  
**Date:** August 27, 2007  
**Re:** WORK SHOP SCHEDULED FOR AUGUST 30<sup>TH</sup>

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I am writing this memorandum due to the restriction imposed by the Florida Sunshine law limiting our discussions on matters before our body to public meetings. In an effort to maintain the decorum you have sought to realize throughout the proceedings of our Task Force, I bring forth an issue which I believe may have been an oversight on your part. Yet I would first take a moment to commend you for performing a job I recognize is very difficult in such a professional manner. Your work and time on preparing for both our meetings and the work shops has made this process a better experience in civic involvement for me.

Bringing me to the reason for my memorandum today, at the conclusion of tonight's meeting you discussed the two remaining workshop scheduled for August 28<sup>th</sup> and 30<sup>th</sup> and the ancillary locations that would host those residents who would not be able to attend the hearing in person at the County Commission Chambers located at the Stephen P. Clark Building. I recognize and assume that the unilateral decision in this matter on your part was in an effort to further involve as many residents as possible. I would be remiss if I did not say that I was surprised when you mentioned that at the August 30<sup>th</sup> meeting the ancillary sites would be the City Halls of both Miami Beach and Hialeah.

First let me be clear that I have no objection with the City of Hialeah being used as an ancillary venue for participation by residents in this area of the County and I applaud you for such an expansion. Yet, I must point out that the unilateral way this decision was made without consultation from the membership of the Charter Review Task Force concerned me. At our August 1<sup>st</sup> meeting the majority of the Task Force, of which I was in the minority, clearly moved that both the innovative and interactive forum realized after much discussion be held at the Stephen P. Clark Center on August 15<sup>th</sup> and that subsequent meetings be scheduled for the Caleb Center, Miami Beach City Hall and the South Dade Government Center. Furthermore, at the August 15<sup>th</sup> meeting, following the successful outcome of this first of kind meeting on August 14<sup>th</sup>, the Task Force further authorized that the remaining workshops be

relocated to the County Commission Chambers, if available, with the original locations serving as ancillary locations for residents who could not make it downtown or had not received notice of the change in venue.

As mentioned above I applaud your extraordinary effort to be as inclusive in this process as possible, but I have to be honest and say that I must object to the way the City of Hialeah and the Miami Dade West Regional Library have been added without consulting with the members of the Task Force. I know we agreed at our first meeting to give you certain latitude as Chairman and as mentioned above you have, in my opinion, acted professionally and equitably in the exercise of this authority. Yet, I have to protest at the manner in which the addition of the City of Hialeah was done as it relates to the August 30<sup>th</sup> Work Shop.

If you believe that the August 30<sup>th</sup> meeting should have additional ancillary sites then it is my personal belief that all municipalities must be given the equal opportunity to host such a forum where their residents can interact and present their ideas on the Charter Review Process. Thus limiting it only to two cities is a disservice to our efforts and an action that goes against your own publicly stated philosophy of universal inclusion. Since the experiment of the internet and call in format worked so successfully at the August 14<sup>th</sup> Work Shop, I must believe that there are more than just two cities that can facilitate such an activity and also act as an ancillary site for such an activity.

Respectfully I ask that you address this concern immediately and notice the other municipalities of this opportunity so as to assure their residents are given the same opportunity as Miami Beach and Hialeah to inform and involve their residents in this very important civic process. I know you will do the right thing as it relates to this matter and if technically or logistically impossible to realize you with the additional municipalities that may want to also avail themselves of this opportunity to serve as an ancillary site you will retract the additional sites and acts as directed by the majority of the Task Force at both the meetings of August 1<sup>st</sup> and 15<sup>th</sup>.

I thank you in advance for your attention to this matter. I am also confident that you will act immediately at which time I would greatly appreciate a response detailing your decision and actions as it relates to this matter.

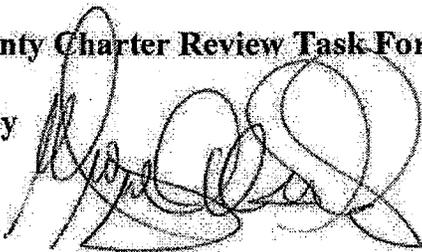
# MEMO

**TO:** Victor Díaz  
Chairperson  
Miami-Dade County Charter Review Task Force

**FROM:** Miguel De Grandy  
Member

**DATE:** August 27, 2007

**RE:** Presentations by Executive Director of Ethics Commission,  
The Inspector General, and PBA Letter Re The Office of  
Inspector General



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As you know, our first Public Hearing included detailed presentations by Robert Meyers, Executive Director of the Ethics Commission and Christopher Mazzella, Miami-Dade County Inspector General. I have also recently received correspondence from the Dade County Police Benevolent Association addressing the comments made by Mr. Mazzella. Currently, the issues raised by Mr. Meyers and Mr. Mazzella are not included in our list of issues to be analyzed. I respectfully request that at the next available meeting, these two issues be placed under the "New Business" section of the Agenda for the members to discuss whether they should be included in our current list of study items.

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**MIGUEL DE GRANDY P.A.**

ATTORNEYS AT LAW

***Information provided by  
CRTF Member Miguel De Grandy***

## Total Expenditures for Winning Candidates of Most Recent County General Elections (2004 Mayoral Election and 2006 Commission Election)

Please Note:

- Charts and graphs contain highest and the lowest monetary amounts of total campaign expenditures (including in-kind contributions) for 2006 General Election
- Winners of races are shown in Red on graphs and are bolded in charts

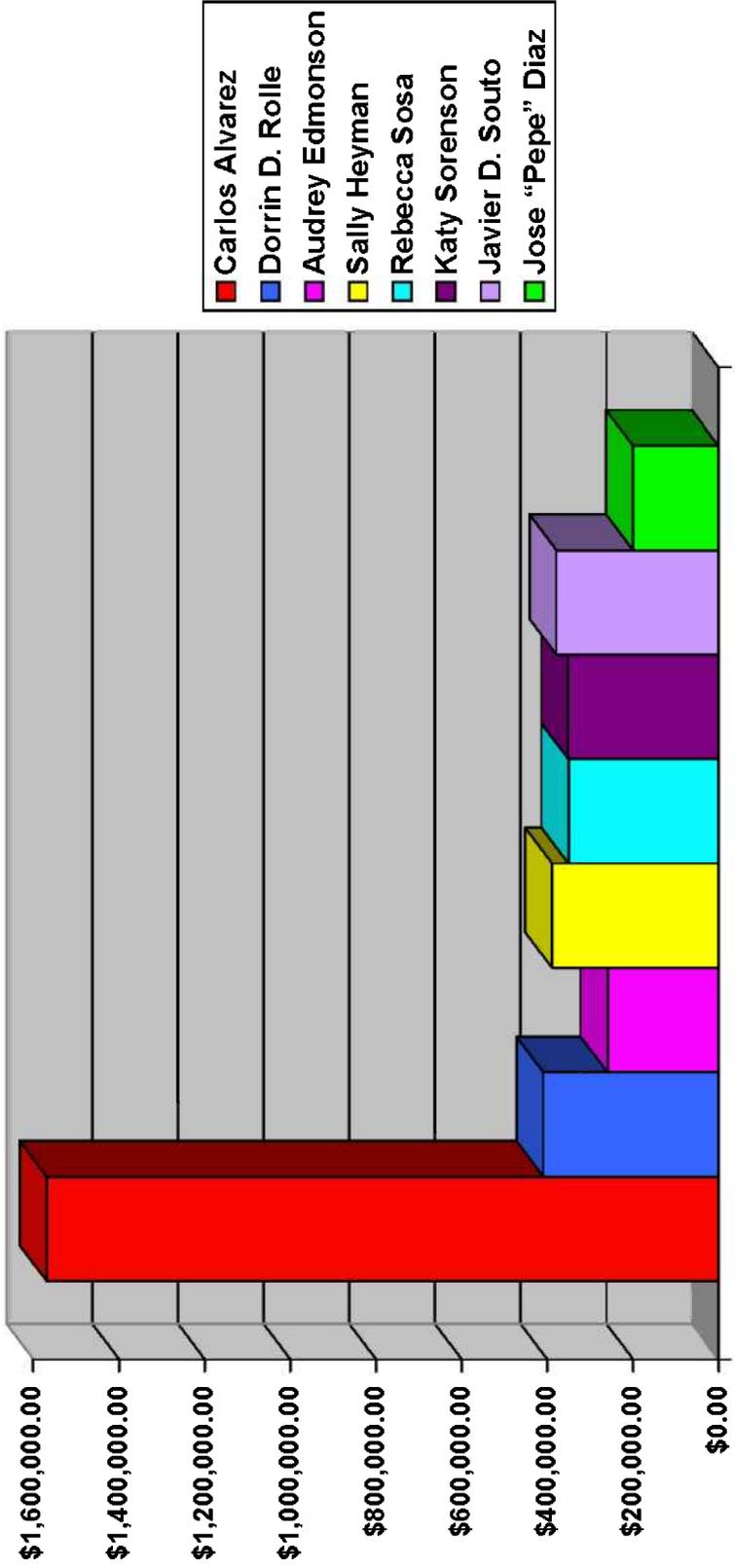
<b>Winner</b>	<b>Total Expenditures</b> (including in-kind contributions)	<b>Election Year</b>	<b>Race</b>
Carlos Alvarez	\$1,569,107.46	2004	Mayor
Dorrin D. Rolle	\$409,792.14	2006	District 2
Audrey Edmonson	\$260,189.67	2006	District 3
Sally Heyman	\$389,360.98	2006	District 4
Rebecca Sosa	\$350,864.00	2006	District 6
Katy Sorenson	\$351,752.48	2006	District 8
Javier D. Souto	\$379,050.00	2006	District 10
Jose "Pepe" Diaz	\$200,705.00	2006	District 12

1. Average expenditure for Commission Seat: **\$334,530.61**
2. Expenditure of the winning candidate for Mayoral Election: **\$1,569,107.46**<sup>1</sup>
3. Average Commission Election Expenditure as a % of the Mayoral Election Expenditure: **21.32%**

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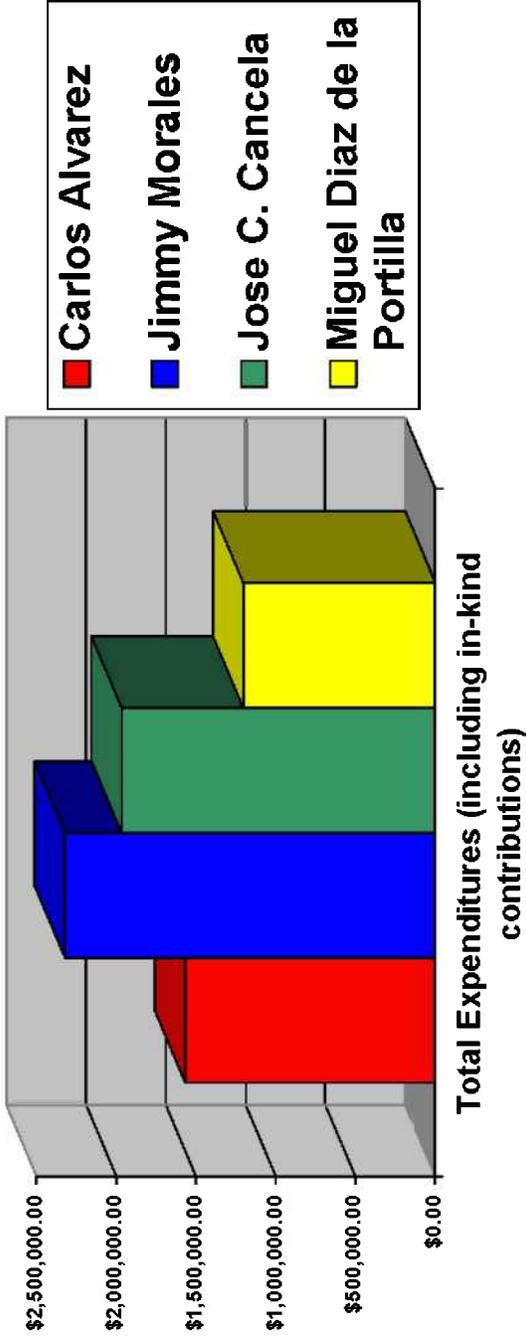
<sup>1</sup> Mayor Alvarez was the third-highest fundraiser. Candidate Jimmy Morales spent over \$2.3 Million and candidate Jose Cancela spent over \$1.95 million

# Total Expenditures (including in-kind contributions) for Winning Candidates in Most Recent Mayor and Commission Elections (2004 Mayoral and 2006 Commission Races)



# Total Expenditures for 2004 Mayoral Election

Candidate	Total Expenditures (including in-kind contributions)
<b>Carlos Alvarez</b>	<b>\$1,569,107.46</b>
Jimmy Morales	\$2,321,887.56
Jose C. Cancela	\$1,967,593.77
Miguel Diaz de la Portilla	\$1,205,045.19

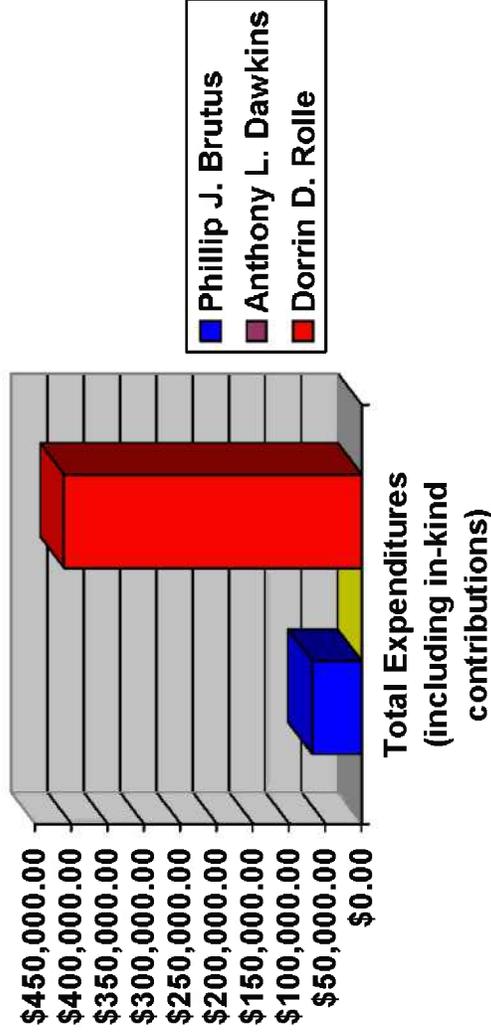


**Total expenditure for Top 4 candidates for Mayor in 2004 race \$7,063,633.98**

# Total Expenditures for Winning Candidates of 2006 Commission Election

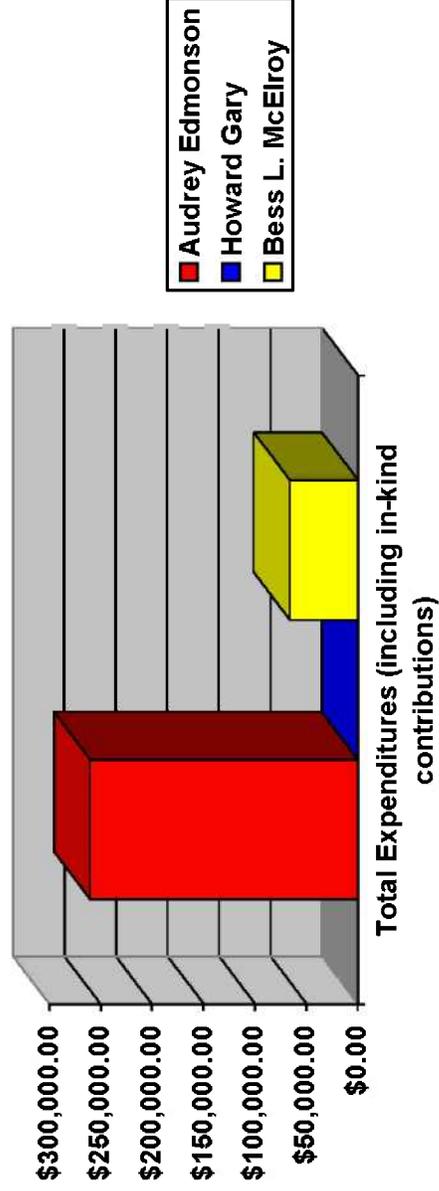
## District 2 Race 2006

Candidate	Total Expenditures (including in-kind contributions)
Phillip J. Brutus	\$68,624.40
Anthony L. Dawkins	\$444.05
<b>Dorrin D. Rolle</b>	<b>\$409,792.14</b>



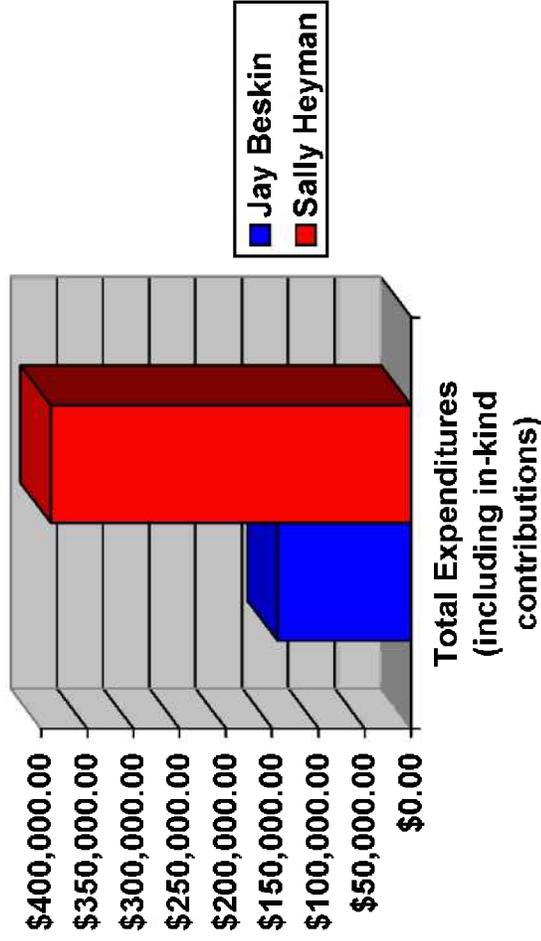
## District 3 Race 2006

Candidate	Total Expenditures (including in-kind contributions)
<b>Audrey Edmonson</b>	<b>\$260,189.67</b>
Howard Gary	\$360.00
Bess L. McElroy	\$66,321.14



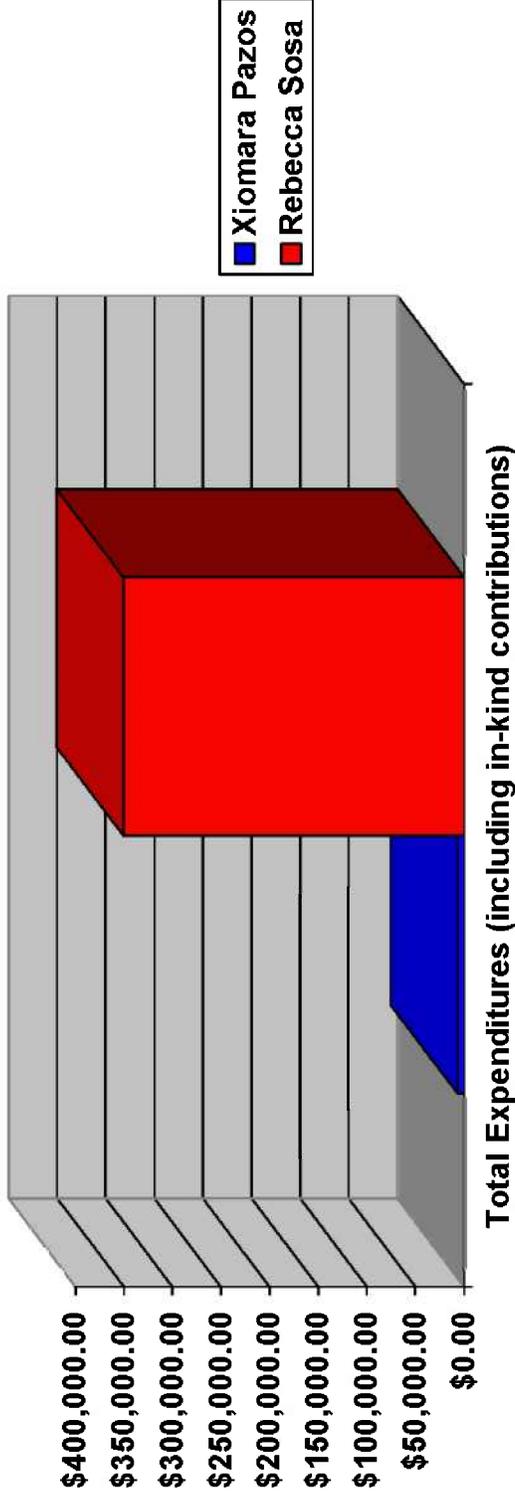
## District 4 Race 2006

Candidate	Total Expenditures (including in-kind contributions)
Jay Beskin	\$144,717.74
<b>Sally Heyman</b>	<b>\$389,360.98</b>



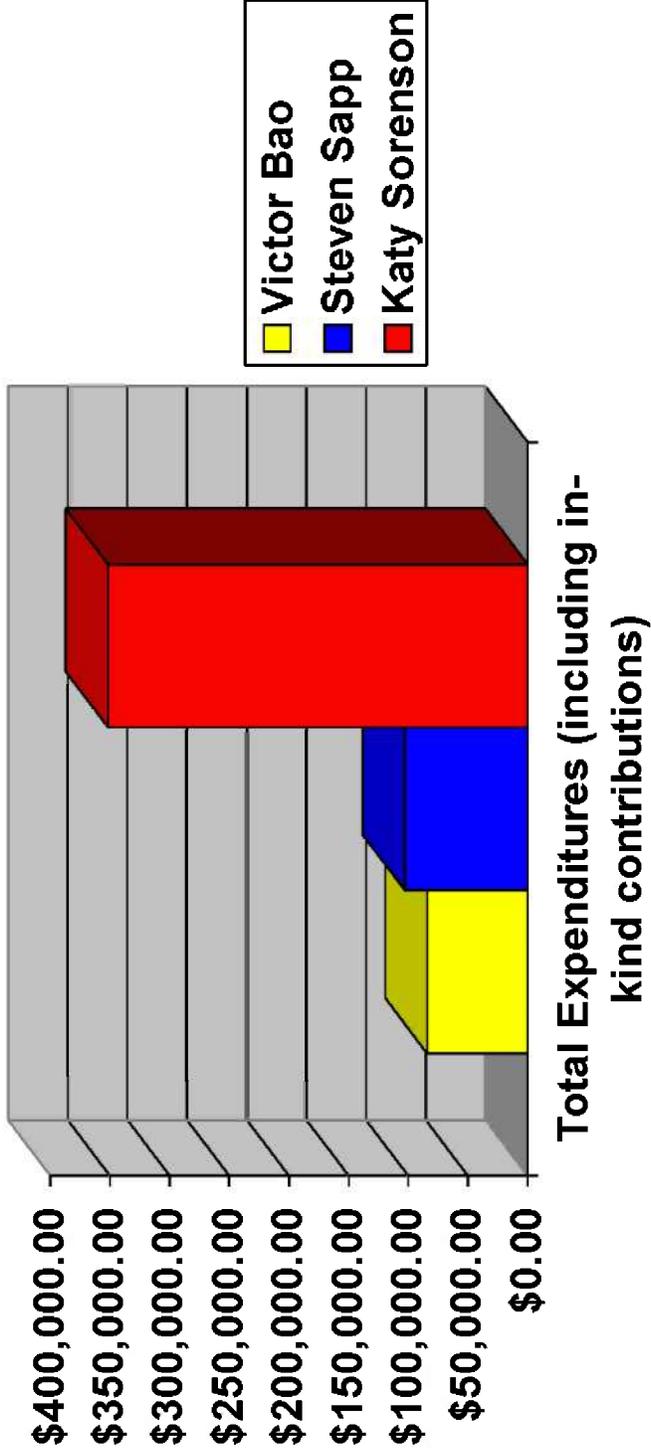
# District 6 Race 2006

Candidate	Total Expenditures (including in-kind contributions)
Xiomara Pazos	\$6,818.00
<b>Rebecca Sosa</b>	<b>\$350,864.00</b>



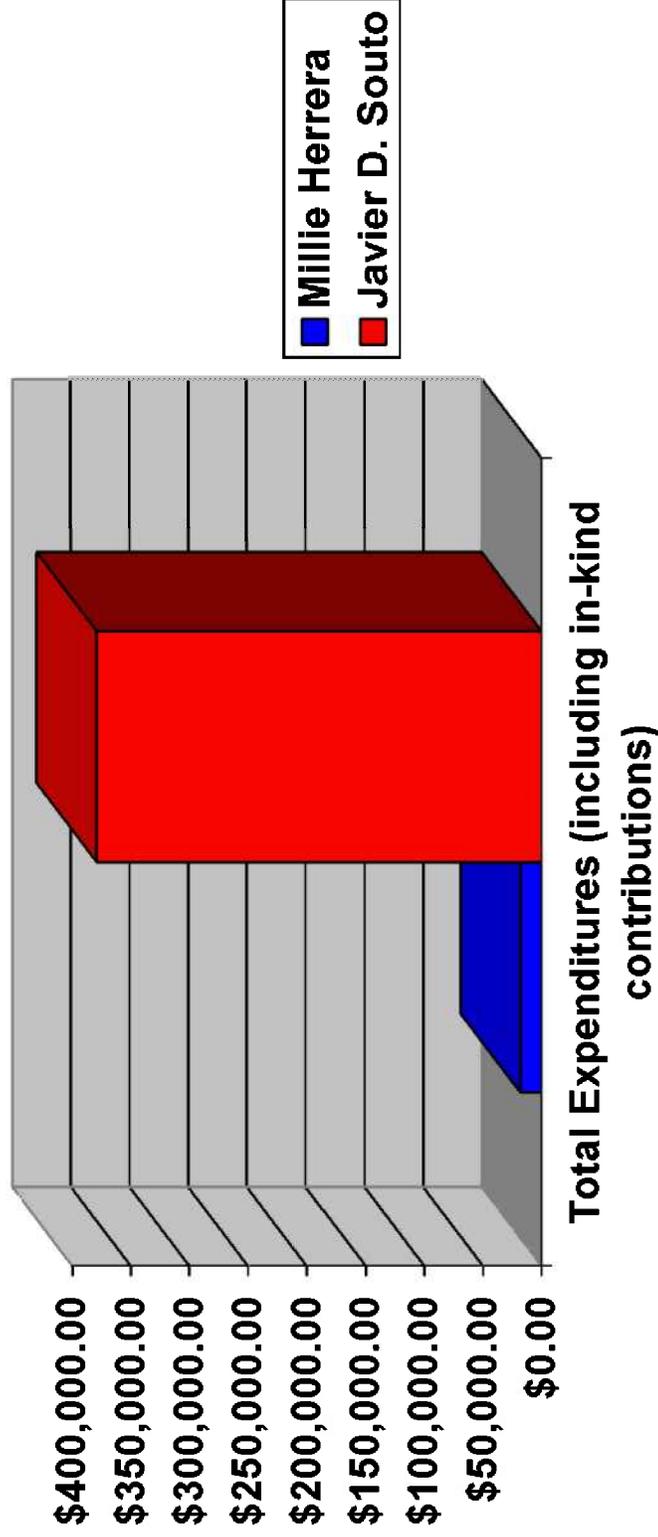
# District 8 Race 2006

Candidate	Total Expenditures (including in-kind contributions)
Victor Bao	\$84,187.27
Steven Sapp	\$102,710.00
<b>Katy Sorenson</b>	<b>\$351,752.48</b>



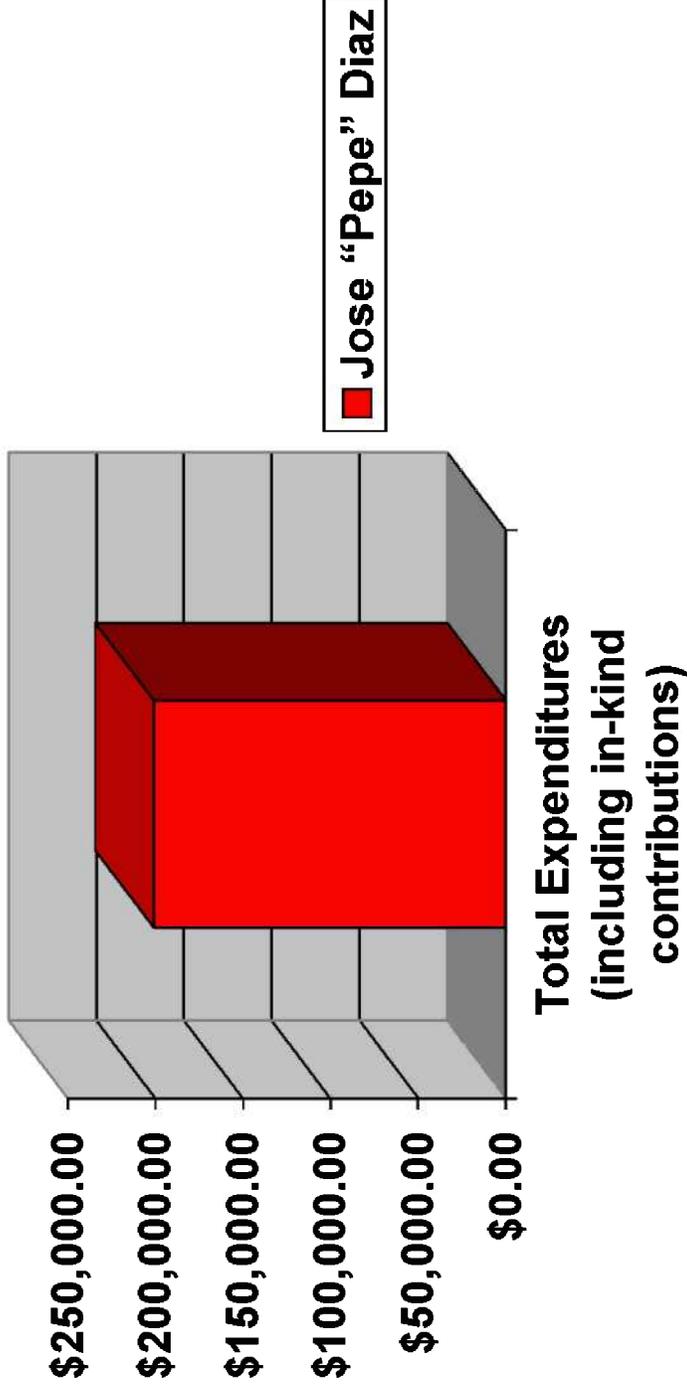
## District 10 Race 2006

Candidate	Total Expenditures (including in-kind contributions)
Millie Herrera	\$17,882.11
Javier D. Souto	\$379,050.00



# District 12 Race 2006

Candidate	Total Expenditures (including in-kind contributions)
Jose "Pepe" Diaz	\$200,705.00



6

**Proposed Revisions to Section 8.07 of the Miami-Dade County Charter**  
by Stephen F. Rosenthal, Esq.

Section 8.07. **AMENDMENTS.**

- A. Amendments to this Charter may be proposed by a resolution adopted by the Board of County Commissioners or by petition of electors numbering not less than ten percent of the total number of electors registered in Dade County at the time the petition is submitted to the Board. ~~Initiatory petitions shall be certified in the manner required for intiatory petitions for an ordinance.~~
  
- B. Amendments to this Charter ~~may be~~ proposed by initiatory petitions of electors *shall be governed by the following procedure:*
  - 1. *The person proposing the amendment shall submit to the Board a proposed petition, in the form specified in section (2) below, and proposed ballot language, including a title. The Board shall without delay approve as to form a petition for circulation in one or several copies as the proposer may desire.<sup>1</sup>*
  
  - 2. *The petition shall be printed in 12-point font and contain the following information: (a) the title and full text of the proposed amendment, printed in English, Spanish and Creole; (b) a statement in each petition circulator's own handwriting, setting forth his or her own name, both in printed and signature form; (c) the residence address of the circulator; (d) dates between which all the signatures on each individual petition were obtained; (e) a sworn statement that the circulator personally circulated the petition, witnessed each signature as it was being written and that to the best information and belief of the ciruclator, each signature is the genuine signature of the person whose name it purports to be; and (f) a sworn statement signed by the circulator certifying to the truthfulness and the correctness of the certificate set forth in Section (2)(e) hereof; stating that it is being given under penalty of perjury under the laws of the State of Florida; and setting forth the date and the place of execution of the certification.<sup>2</sup>*
  
  - 3. Initiatory petitions shall be certified in the manner required for intiatory petitions for an ordinance.
  
  - 4. *Within thirty (30) days of the date that a certified petition is presented to the*

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<sup>1</sup> This last sentence comes from Charter, § 7.01(1). New text, other than just renumbered provisions of § 8.07, appears in *italics and redline*.

<sup>2</sup> These provisions come from § 12-23(2) of the Miami-Dade County Code.

*County Commission, the Board shall approve ballot language, including a title, in impartial and concise language which provides a clear understanding of the proposed amendment.*<sup>3</sup>

5. The Board of County Commissioners shall call an election to be held within 60-120 days of the date that a certified petition is presented to the County Commission. Such election shall be called in conjunction with a countywide election; however, if no countywide election is scheduled to occur within 60-120 days of presentation, a special election on the petition shall be called.
- C. Amendments to this Charter may be proposed by the Board of County Commissioners at any time. Elections on charter amendments proposed by the Board shall be held not less than 60 nor more than 120 days after the Board adopts a resolution proposing any amendment.
  - D. The result of all election son charter amendments shall be determined by a majority of the electors voting on the proposed amendment.

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<sup>3</sup> Derived from § 7.01(4) of the 1978 Charter, which was in place until 2004.

## Charter (CMO)

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**From:** Jean souffrant [jjsouffrant@yahoo.com]  
**Sent:** Tuesday, August 28, 2007 6:41 PM  
**To:** Charter (CMO)  
**Subject:** Inclusion of Haitian-Americans

It gives me great pleasure to address you again today, as I've mentioned before decisions that involve Haitians should include Haitians. This governing body has a great responsibility to all neighboring communities-the Haitian community should have its fair representation. I beg of you to include a voice from the Haitian-American community.

JEAN SOUFFRANT

20121 nw 32nd ave

8/28/2007

**Fernandez, Margarita (CMO)**

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**From:** VICTOR M. DIAZ [VDIAZ@PODHURST.com]  
**Sent:** Sunday, August 26, 2007 8:48 PM  
**To:** Torriente, Susanne M. (CMO); Fernandez, Margarita (CMO)  
**Subject:** FW: Personal note from Judy Cannon Stierheim  
**Attachments:** 1990 Metro-Dade Charter Review Panel Recommendations.doc

Please print attached article and distribute at Wednesday Charter Review meeting.

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**From:** MerrettorJudy Stierheim [mailto:mrstierheim@msn.com]  
**Sent:** Saturday, August 25, 2007 9:27 AM  
**To:** VICTOR M. DIAZ  
**Subject:** Personal note from Judy Cannon Stierheim

Please see the attached. I remembered that in 2006 I had come across this [attached] article from January 1990 after a charter review process in 1989 and at the time I was president of the League of Women Voters and I was encouraging our members to study the issue carefully.....Judy

08/27/2007

**To: Members of the League of Women Voters of Miami-Dade**

**From: Judy Cannon, President**

**Date: September 15, 2006**

**Subject: 1990 Metro-Dade Charter Review Panel  
Recommendations ..... 2006 September .....**

There is an old saying that I have heard many times in the past and I do not know to whom to attribute it: In a democracy if less than twenty percent vote then you have governance by minority interests over the majority, however, if you have over eighty percent vote, you could have revolution, so somewhere between twenty and eighty percent voting is healthy.

The Miami Herald, Local News, Saturday, January 6, 1990: **Panel Urges Changes in Dade Charter** by Luis Feldstein Soto

“A divided but satisfied citizen’s panel prescribed major changes in Metro-Dade government Friday, calling for a stronger mayor and an expanded Metro Commission elected mostly from individual districts. The panel, the third to debate such changes in the past year, echoed much of Metro Commissioner Larry Hawkins’ ill fated “Five for Reform package. Hawkins’ fellow commissioners shot down that plan in September, claiming he had sprung it on them at the last minute. In its chief departure from the Hawkins package, the new panel refused to endorse merging all local police departments into one metropolitan force under the Metro Commission’s control. Hawkins’ idea had drawn instant opposition from fellow commissioners and the Dade League of Cities.

“We felt that was too volatile and too divisive,” said the new panel’s chairman, former County Manager Merrett Stierheim. But Stierheim’s panel preserved the heart of the charter movement that gained momentum since voters ousted three anti-reform commissioners in late 1988. For 15 months, community leaders have debated ways to make the commission more accountable, more sensitive to minorities and less vulnerable to special interests. Metro commissioners will meet Jan. 16 to begin considering which changes, if any, to put on the ballot for voter approval ---- and when. Stierheim’s panel concluded the last of more than a dozen sessions Friday by urging broad new powers for the county mayor, who now has no more clout than the other eight commissioners. The mayor would remain a voting

member of the commission, plus have the power to veto the commission's legislative and budget decisions.

Only zoning changes would be immune from the mayor's veto, which could be used against single line items in the county budget. All mayoral vetoes could be overridden by the commission.

The commission, which now chooses the county manager, would be reduced to confirming the mayor's choice. The mayor also could fire the county manager unless two-thirds of the commission voted against the dismissal within 45 days. A commission majority also could vote to remove the manager on its own.

Stierheim's 10-member panel was sharply divided, however, on how to structure the Metro Commission itself. Stierheim and two other members, David Samson and Aileen Lotz, wanted to stick with eight commissioners and continue electing all of them countywide. But most panel members favored a larger commission, with most commissioners elected from individual districts instead of countywide. Advocates say district elections would give minorities a better chance of winning and erode the influence of monied interests in campaigns. Even the panel majority couldn't agree on exactly how many commissioners should come from districts. So the panel offered a menu of options:

- A 13-member commission, with eight elected from districts and the remaining five, including the mayor, elected countywide.
- An 11-member commission, including seven from districts and four at-large. That mirrors Hawkins' proposal.
- An 11-member commission, but only six elected from districts and five countywide.

The panel added a twist, urging that district commissioners be barred from voting on zoning changes outside their districts. That would guarantee that "nobody would be voting on zoning in your neighborhood who you didn't vote for in your neighborhood," Stierheim said.

On the delicate issue of salaries, the panel ---- again divided ---- resisted calls to raise commissioners' pay from \$6000 a year to more than \$50,000 a year. Afraid that would turn voters against the entire charter package, the panel settled on paying district commissioners the same as state legislators - --- now \$21,600 a year.

At-large commissioners should earn 10 percent more and the mayor 15 percent more, the panel recommended. The higher salaries would all take effect at the same time.

"I believe the salary is so low now that it will pass, 'said panel member William Losner, who argued for a \$50,000 salary.

“I’m not sure about that, knowing this county,” replied Stierheim, chuckling.

The panel also split on what Stierheim called “the three most sacred democratic provisions of the charter,” which allow voters to enact ordinances, amend the charter or recall commissioners after petition drives. After lengthy debate, the panel recommended a 120-day deadline ---- instead of the current 60 days ---- for organizers to collect the thousands of signatures needed to put an ordinance or charter amendment on the ballot. They’d still have only 60 days to force a recall vote on a commissioner.”

In 1992, a special election was called and with less than 13 percent of our registered voters voting, a little over 50 percent of the 13 percent who voted, we changed our structure by adding an Executive Mayor.

Today’s paper, which I strongly encourage you all to read: The Miami Herald, Friday September 15, 2006, page 3B: **Alvarez seen getting mayor proposal on ballot** by Charles Rabin

**Quiz yourself:** What are you giving up and what are you gaining? Will the County Commission cease to have authority over the government and its policies, as many appear to think? We now allowed to vote for two elected officials, our Executive Mayor and one of the 13 County Commissioners, however, we do have an appointed CEO, the County Manager, who works for all of the residents of Miami-Dade County to deliver the day to day services and answers to the elected Executive Mayor and the individual County Commissioners. What will change and will it make it better local governance?

**Fernandez, Margarita (CMO)**

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**From:** Citizen\_Email  
**Sent:** Saturday, August 25, 2007 1:37 PM  
**To:** Charter (CMO)  
**Subject:** Charter Review Task Force

**Charter Review Comment Form**

Name: **Jaime Reyes**

Street Address: **9750 SW 215 Lane**

City: **Miami**

State: **FL**

Zip: **33189**

Comment: **Study of Lobbying Reform Section \_\_\_\_\_ Prohibited campaign contributions by vendors. No person who is a vendor to the County shall give a campaign contribution directly, or through a member of the person's immediate family, or through a political action committee, or through any other person, to a candidate, or to the campaign committee of a candidate, for the offices of mayor or commissioner. No candidate, or campaign committee of a candidate for the offices of mayor or commissioner, shall solicit or receive any campaign contribution from a person who is a vendor to the County, or through a member of the person's immediate family, or through a political action committee, or through any other person on behalf of the person. This prohibition applies to natural persons and to persons who hold a controlling financial interest in business entities. This will be for a period of two (2) years following the swearing in of the subject elected official.**

**Fernandez, Margarita (CMO)**

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**From:** LUPICO@aol.com

**Sent:** Sunday, August 26, 2007 10:10 AM

**To:** Charter (CMO)

**Subject:** Comite Revision a la Carta Constitucional Condado Miami-Dade

Agradezco considerar e incluir en las recomendaciones preliminares lo siguiente:

1-Periodo de mandato de Comisionados 4 años,prorrogable por eleccion 4 años mas.

2-Salario a tiempo completo,con beneficios de carro,telefono,seguro familiar,todo limitado al tiempo en que funcionen.

3-Que contribuyan a su retiro,como cualquier ciudadano,que necesita mas de 10 quarters,y con un maximo de 8 años no hay porque hacerlo ciudadanos diferentes.No privilegios.

4-Exigirles mas accion comunitaria en sus trabajo,y que se concentren en los problemas de su comunidad.

5-En Comisionado ,supuestamente no es politico,es un leader comunitario y no tiene porque sacar sus raices o herencia en sus campañas.Esto debe prohibirse.

6-Prohibirse tambien,usar su experiencia en el cargo que vale mas que la de o los oponentes.Cuando se inicio era un inexperto.Todos con defectos y virtudes,pero honestos es lo que necesitamos.

7-Suspender los votos ausentes,o limitarlos condicionados.Eliminar el desorden actual.

Todas estas cosas y muchas mas podran ser recomendades en la reunion que asistiremos el 28 Agosto.

Atentamente

Luis C Pino

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**Fernandez, Margarita (CMO)**

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**From:** Citizen\_Email  
**Sent:** Sunday, August 26, 2007 1:40 PM  
**To:** Charter (CMO)  
**Subject:** Charter Review Task Force

**Charter Review Comment Form**

Name: **John L Gehr**

Street Address: **8465 SW 120 St.**

City: **Miami**

State: **FL**

Zip: **33156**

Comment: **I approve of a Four of these changes to the Charter. I would like to have minutes for the meetings more recently held, a month seems an overly long time to wait for the minutes.**

08/27/2007

## Fernandez, Margarita (CMO)

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**From:** KenAHolden@aol.com  
**Sent:** Monday, August 27, 2007 2:45 PM  
**To:** Charter (CMO)  
**Subject:** Issues for Study / Charter Review Task Force

Dear Sir/Madam,

My wife and I attended the recent public meeting held at the So. Dade Government Center. Thank you for conducting it in an area where we, the public, can have personal access instead of a video offering. I think it is critical for the Commission and its committees to frequently interact physically with the public. Electronics is nice and convenient for the Commissioners, but the personal impact is lost in the transmission.

During the meeting, I made the following comments and would now like to have them recorded:

1. I think the Sheriff should be elected, but not the tax collector or property appraiser. These positions require technical knowledge and some immunity to public pressure.
2. the Mayor's current salary is sufficient. I would only support the \$89K (including all perks and benefits) for the Commissioners if it is conditioned to the requirement they cannot hold any other employment and cannot be on the Board of any Community Association that receives funding from the county.
3. I absolutely support term limits and two four year terms should be enough.
4. BCC composition should include at least 5 more "At Large" commissioners. It is obvious that this current structure does not work and the interests of the county as a whole is not being represented.
5. The requirements for petitions and recalls have recently been modified to silence the voice of the public. The objective of good government should be to encourage their citizens to voice their wishes. The petition process of 25% should not exceed the State requirements.
6. I strongly support the new powers given to the Mayor. The County Manager and Auditor should both report to the Mayor and not the Commission. The Commission already is already trying to exempt itself from being audited and they are the ones who should be audited the most.
7. I support the Study for procurement Reform. We have seen numerous cases malfeasance. We need corrective action and not just a Study.
8. The entire issue of Lobbying screams for reform. There are so many issues that need correcting and it is long overdue. The guiding principles that I suggest should be applied are Transparency and the elimination of any possible Conflict of Interest.
9. Ethics Regulations should be conducted by an independent panel and report to the Mayors office. Again Transparency and the avoidance of any Conflict of Interest should be the guiding principles.
10. Municipalities:
  - A. The Commissioners should quit blocking the Redland petition to Incorporate. No community should ever be denied the right to vote and this is exactly what Comm. Moss has been doing. Enough of the political games! Give us our American right to vote and the results will determine what happens. Also, reduce the petition requirements back to the previous level. The increase to 25% is not logical when, in many cases, you don't even get a 25% turnout. Since they applied it retroactively, maybe you can retroactively change it.
  - B. The communities should be able to also directly petition or appeal to the Charter Review Committee for incorporation.
  - C. I think we should encourage the separation of powers. Many communities initially incorporated due to the poor job being conducted by the Commission. We should allow the communities to handle as much responsibility as they desire.
  - D. No community should be annexed without their approval and it should only be given by a public referendum. Their community should be the only ones allowed to vote and it should not be diluted or impacted by the entity that wants to annex them.
11. All public records and meetings should be transparent. Judges should not have the authority to hide any court decisions or sentences.
12. The UDB should not be allowed to be changed. The developers have entirely too much influence with the Commissioners, which conflicts with the public desires. We are under water restrictions and obviously cannot adequately support the current population. We have tens of thousands of condos coming on the market and we do not have the infrastructure to support them. Additionally, we have several areas where we can infill with other housing.

Thank you for this opportunity to provide you with my comments. Please feel free to contact me at your convenience

08/28/2007

with any questions or comments.

Respectfully,  
Ken Holden  
23490 SW 152nd Ave.  
Redland (Hope soon to be), FL 33032-2002  
Tel.: (305) 318-5868  
[kenaholden@aol.com](mailto:kenaholden@aol.com)

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## Charter (CMO)

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**From:** Carolyn Rose-Avila [caro@favaca.org]  
**Sent:** Tuesday, August 28, 2007 4:31 PM  
**To:** Charter (CMO)  
**Subject:** Fair Haitian-American Representation

South Florida needs fair representation of Haitians at all levels of government. Haitians are the 2<sup>nd</sup> largest immigrant community in South Florida but are not represented proportionally. Therefore we also need redistricting so Haitians can fairly represent their constituencies interests.



Carolyn Rose-Avila  
President  
Florida Association for Volunteer Action in the Caribbean and the Americas

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## Charter (CMO)

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**From:** Magali Abad [magbelady@bellsouth.net]

**Sent:** Tuesday, August 28, 2007 4:43 PM

**To:** Charter (CMO)

**Subject:** changes

I am in total agreement to make changes to the Chapter as follows:

- 1- Give commissioners a commensurable salary
- 2- Prohibit them to work in another job while serving
- 3- Limit the term to 2 consecutive terms only.

Magali R. Abad,  
voting Miami-Dade resident  
305-491-0444