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## **Charter Review Task Force Meeting**

Wednesday, November 28, 2007

10:00 am

Vizcaya Village "Garage"

3250 South Miami Avenue

### **AGENDA**

1. Call to Order
2. Roll Call
3. Approval of Minutes
  - A. Record of Statements of the November 15, 2007 Workshop
  - B. Review of Draft Motions of November 20, 2007 Task Force Meeting
4. Old Business
  - A. Discussion of Issue 6 - Study of Initiative, Referendum, Petition & Recall
    - County Attorney's Office Legal Opinion (oral report)
  - B. Prioritization of Pending Issues of Study
  - C. Discussion on Sheriff's powers & Department of Corrections
5. New Business
  - A. Discussion of Issue 7 - Study of Balance of Power between Mayor & Board of County Commissioners
    - Review Functions of Mayor vs. County Manager
    - Review Powers of Commission Auditor
6. Adjournment – Next Meeting:                      Wednesday, December 12, 2007  
10:00 am  
Main Library Auditorium, 1st Floor  
101 West Flagler Street

**Charter Review Task Force  
November 28, 2007**

**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.

**3-A**



**MIAMI-DADE COUNTY  
CLERK'S SUMMARY  
AND OFFICIAL MINUTES  
CHARTER REVIEW TASK FORCE**

**Board of County Commissioners**  
Main Library Auditorium  
101 W. Flagler Street, 1st Floor  
Miami, Florida 33128

**Meeting Date:**  
**Thursday, November 15, 2007**

**Prepared by:**  
Harvey Ruvin, Clerk  
Board of County Commissioners

Kay Madry Sullivan, Director  
Clerk of the Board Division

**Reporter:**  
Mary Smith-York, Commission Reporter  
(305) 375-1598



**CLERK'S SUMMARY AND OFFICIAL MINUTES  
CHARTER REVIEW TASK FORCE WORKSHOP  
(Annexation and Incorporation)  
November 15, 2007**

The Charter Review Task Force convened in a workshop on November 15, 2007, at 3:00 p.m. in the Main Library Auditorium, 101 W. Flagler Street, 1st Floor, Miami, Florida, there being present: Chairman Victor M. Diaz, Jr. and members Ms. Elizabeth Hernandez and Mr. Richard Kuper.

The following staff members were present: Assistant County Manager Susanne Torriente, Assistant to the County Manager Margaret Fernandez; Assistant County Attorney Craig Collier, Office of Strategic Business Management Director Jennifer Glazer-Moon and Coordinator Jorge Fernandez, and Deputy Clerks Diane Collins and Mary Smith-York.

**CALL TO ORDER**

Chairman Diaz called the meeting to order at 3:17 p.m. and provided opening remarks. He noted that after the last Charter Review Task Force's (CRTF) presentation before the County Commission, several task force members requested a workshop be held to discuss annexation and incorporation issues. Chairman Diaz recognized members Ms. Elizabeth Hernandez and Mr. Richard Kuper, who had exhibited great interest and were present today. He recognized County staff's presence at today's meeting and noted they were available to address questions. Chairman Diaz opened the floor to members' discussion.

**DISCUSSION OF ISSUE #5: Incorporation and Annexation**

Ms. Elizabeth Hernandez advised that she was appointed to the Task Force as a representative of the Miami-Dade County League of Cities (MDCLC).

Following Ms. Hernandez' remarks regarding the benefit of having guests present join Task Force members at the table, Chairman Diaz invited anyone wishing to take part in the discussion, to sit on the dais.

Mr. Kuper recognized Ms. Bev Gerald, representing Let's Incorporate Now Coalition (LINC), and referencing a handout she distributed, asked that she be invited to sit at the dais.

Chairman Diaz invited Ms. Gerald, as well as any police officer present wishing to speak, to sit on the dais.

Ms. Hernandez noted the issues regarding annexation and incorporation were very important to the citizens of this community, as well as to the impacted municipalities. She referenced a County Commission resolution, adopted in 1997, that provided for the County to be fully incorporated and/or annexed by 2007. Ms. Hernandez pointed out this had failed to occur due to

a government structured with competing issues. She advised that the MDCLC was interested in having a study done and reaching a consensus to determine the direction for the County's annexation and incorporation policy. Ms. Hernandez stated the MDCLC's position was, because the County currently provided both County and municipal services, there was a lack of efficiencies in government. Speaking from her personal experience and as a MDCLC representative, she explained that County Commissioners sometime competed against themselves when representing both, the County and the Unincorporated Municipal Services Area (UMSA). Ms. Hernandez emphasized the need to form a City/County partnership providing the greatest level of local and regional governmental services to the community. She pointed out these issues were highlighted in the paper by Ms. Lynn Dannheisser, entitled "Discussion of Issue #5 – Study of Incorporation and Unincorporated Municipal Service Area (UMSA)". Ms. Hernandez stated this meeting was requested so representatives of municipalities could express their views and address the County's concerns regarding communities being cherry picked. She advised that the Task Force needed to make a decision as to whether the voters should determine if Miami-Dade County should be fully incorporated; and if so, within what timeframe.

Chairman Diaz commented that discussion held at the last Task Force meeting stalled on the question pertaining to the manner countywide incorporation and annexation might be achieved. He noted a suggestion was made that this should be done by an independent body that had done a study and proposed a plan to be voted on by all citizens countywide. Chairman Diaz stated that proposal contained two fundamental assumptions: 1) the process would be driven from the top down, rather than the current bottom-up system; and 2) the decision-making authority would encompass all residents countywide, rather than the potential citizens of the proposed new municipality. He noted another alternative would be to lower the thresholds and reverse the restrictive legislation in the existing system. Chairman Diaz explained the bottom-up system that granted authority first to the Board of County Commissioners, with respect to whether municipalities would incorporate; then to the citizens of the respective municipality.

In response to Chairman Diaz' inquiry as to which of the two models she would prefer, Ms. Hernandez indicated a hybrid model should be considered. She proposed a hybrid model that allowed approximately two years for prospective municipalities to decide whether to incorporate/annex, after which, the County Commission would review the policies to take a proactive approach towards incorporation and annexation of the entire Miami-Dade County.

Ms. Jennifer Glazer-Moon, Director, Office of Strategic Business Management, noted the County Commission considered two resolutions regarding the full incorporation of Miami-Dade County in 1997 and in 2002, and neither resolution passed.

Ms. Hernandez advised the Task Force received a report stating the resolution was adopted. She read into the record an excerpt from a positioning paper by former Mayor Alex Penelas dated March 9, 1998, stating "...The Board of County Commissioners has adopted a resolution expressing the intent to get out of the municipal services business by 2007..."

Chairman Diaz asked that Ms. Glazer-Moon investigate this matter and provide the findings clarifying what action the Commission took regarding the subject resolution, at the next Task Force meeting.

Ms. Glazer-Moon agreed to research this matter and report back her findings to the Task Force.

Mr. Keven Klopp, City Manager, City of North Miami Beach, noted a letter was received from the County regarding annexing enclaves surrounding the City's boundaries. He advised he met with representatives from the Northeast and Biscayne Gardens Municipal Advisory Committees (MAC). Mr. Klopp noted agreement among municipal representatives that without the hybrid model, the issue would continue unresolved. He concurred with the recommendation to allow the process a specific time period, and at the end of that time period, initiate steps to incorporate the entire county.

In response to Chairman Diaz' questions regarding the four donut hole areas within the City of North Miami Beach's boundaries, Mr. Klopp advised that the current movement was citizen driven and was not focused on those four areas.

In response to Chairman Diaz' request for a map indicating the boundaries of MACs, Ms. Glazer-Moon advised this designation already existed on a different set of maps.

Responding to Chairman Diaz' question of why additional time for the current process be granted when it had already run for so long with little success, Mr. Klopp stated he believed the process had not run its course, but was stagnant.

Following a brief explanation of the color-coded designations on the different maps displayed, Chairman Diaz described the impact support for the hybrid model would have on the Charter, including abolishing mitigation fees, lowering thresholds for petitioning for MACs, reversing legislation and, if not resolved by a certain date, requiring the County Commission to propose a plan.

Ms. Eve Boutsis, Attorney for the Village of Palmetto Bay and City of South Miami, spoke in support of the hybrid model, advising constant changes to mitigation fees and the threshold requirements for petitions were stumbling blocks in the incorporation process. She noted the Council for Palmetto Bay supported the hybrid model; however, she was unsure of the City of South Miami's position.

Mr. Klopp advised that the council of the City of North Miami Beach had not formally established a position on the issue at this point.

Ms. Glazer-Moon pointed out that the issues concerning annexation and incorporation being discussed, were included in the Code of Miami-Dade County; not in the Home Rule Charter.

Ms. Bev Gerald, Chair, Let's Incorporate Now Corporation (LINC), appeared and expressed concern regarding the hybrid model.

Mr. Samuels appeared and spoke on the issue of incorporation as it pertained to the North Central area of the County. He stated a desire to move the incorporation process forward with

accurate information including a feasibility study to assess the area based on the cost for police services.

Chairman Diaz asked Ms. Glazer-Moon whether it was possible to create a set of objective criteria that, when complied with, would guarantee a vote of the people within the district's boundaries, or whether those criteria would require constant changes.

In response, Ms. Glazer-Moon advised that staff could develop such a list of criteria for this purpose. Regarding Chairman Diaz' inquiry pertaining to calculating revenue neutrality, Ms. Glazer-Moon noted two different issues were involved and advised staff served two roles that sometimes conflicted with each other.

Discussion ensued between Chairman Diaz and staff regarding the issue of calculating revenue neutrality and allegations that the County calculated costs in an arbitrary manner to discourage incorporation. Ms. Glazer-Moon explained the process for calculating revenues and expenses for areas to be annexed or incorporated.

Chairman Diaz recommended the County no longer perform the task of calculating revenues for incorporations, rather require that to be the responsibility of the groups forming the incorporations. He suggested criteria that included lowering all other thresholds and the Board of County Commissioners or other body propose the revenue calculation. Chairman Diaz acknowledged overall concurrence that once a system was in place, it should be voted on by the affected people in the area seeking to incorporate; not by the County as a whole.

Discussion ensued among Task Force members and staff regarding whether the voting should be limited to the affected people versus countywide voting.

Ms. Hernandez addressed the issue regarding certain areas being ignored by the County in terms of capital improvement. She questioned whether an area seeking to incorporate or annex should bear the burden of those neglected areas. Ms. Hernandez suggested the County follow the method used in Broward County, wherein tax proceeds were used to fund improvements to such areas.

Following further discussion, Chairman Diaz posed the question of what system best addressed the inevitable disparities that piecemeal incorporation created.

In response, Ms. Gerald addressed the issue of revenue neutrality and noted it should not be included in the criteria. She stated North Central Dade and Biscayne Gardens were recipient communities and other areas were donor communities, which balanced out. Ms. Gerald spoke in support of a vote by the affected people, rather than the County. She suggested letting donor and recipient communities grow out so the system would balance out.

Chairman Diaz expressed his concern with creating and endorsing a system that isolated recipient communities, forcing them to incorporate; thereby imposing the necessity of a higher millage rate in order to have the level of service enjoyed by other parts of the County.

In response to Mr. Kuper's inquiry regarding the need for a countywide vote, Chairman Diaz explained that this enabled recipient communities to vote on issues pertaining to portions of surrounding areas being targeted by other incorporating communities. He noted Mr. Degrandy's top-down system addressed this issue from a global perspective.

Discussion ensued among Task Force members and Mr. Samuel regarding recipient and donor communities and whether the top-down system or the bottom-up system would better accommodate the incorporation/annexation process in the County.

Ms. Hernandez spoke in support of the top-down system.

Mr. Kuper noted the need to address specific issues presented today, including disagreement with the 25 percent requirement for petitions. He noted he would attempt resolution of these issues at the League of Cities.

Chairman Diaz noted it was helpful having anecdotal information regarding the problems and the successes of the current system: why cities succeeded in their incorporations while others became frustrated. He stated the Task Force would inform the Board of County Commissioners as to whether this problem was susceptible to systemic solution, and what the best systemic solution was. Chairman Diaz stated if the County Commission was not allowed to continue its gatekeeper role, the people in line first would dictate the shape of the boundaries and the people at the end of the line would be disenfranchised.

Mr. Kuper recalled being told by mayors of recent municipal incorporations that they had been misguided by the County when presented with the numbers determining whether an area was a donor or recipient community.

Chairman Diaz noted criticism of the current process included opinions that the County was providing this information and the County Commission was exercising its gatekeeper functions arbitrarily. He noted the rules were being changed by the gatekeeper. Chairman Diaz advised that a superior system using a bottom-up approach without providing a vehicle for the last in line to vote on whether the first in line get to incorporate, would mean acceptance of the principle that people in the County will be forced to live in a recipient City. He stated he was convinced that merely tweaking the current system would not work and that it should be done by a vote of the community; not by charter amendment.

In response to Mr. Kuper's inquiry regarding whether the last group in line would annex another municipality, Chairman Diaz advised this was possible. He noted the last in line would be given two choices: to form its own city; or choose to annex one of the other cities. Chairman Diaz advised that the other cities would be given the opportunity to vote whether to accept the proposed annexation.

Ms. Glazer-Moon addressed the issue of what would be done about the areas within the Urban Development Boundary (UDB).

Chairman Diaz noted this issue would be discussed further at the next Task Force meeting. He encouraged the LINC organization to expand on its document and present it for discussion at the next Charter Review Task Force meeting.

#### ADJOURNMENT

There being no further discussion to be held, the Charter Review Task Force Workshop was adjourned at 4:55 p.m.

**3-B**

**CLERK'S DRAFT OF MOTIONS  
CHARTER REVIEW TASK FORCE  
MEETING OF NOVEMBER 20, 2007**

The following motions were made at the Charter Review Task Force meeting held on November 20, 2007.

**3. Approval of Minutes**

**A. Approval of October 31, 2007 meeting minutes**

Mayor Ferre requested that the minutes of October 31, 2007 be corrected in connection with agenda item 4A, Review and Approval of Interim Report to the Board of County Commissioners, to note he had indicated that if he had been present at the meeting of October 17, 2007, when the Task Force members had taken a final vote on the recommendations contained in its Interim Report, he would have voted "No" on the recommendations relating to the Public Safety Director, Property Appraiser and Supervisor of Elections, and that he was in support of the salary raise and term limits for county commissioners, however, the election should be held in November, as reflected in the Dissenting Opinion he had submitted relating to the Task Force's Initial Recommendations.

The Task Force by motion duly made, seconded and carried approved the minutes of the October 31, 2007 meeting as corrected.

**4. Old Business**

**A. Discussion of Issue 5—Study of Municipalities and Unincorporated Municipal Service Area (UMSA)**

- **Creating/Abolishing Municipalities**
- **Separation of Powers or Responsibilities between the County and Municipalities**
- **Annexation/Incorporation in effort to eliminate UMSA**

It was moved by Mr. De Grandy that the Task Force recommend to the County Commission that an Independent Task Force be appointed to prepare and submit a comprehensive plan in 2009 for countywide incorporation, accomplished through annexation and/or incorporation, subject to amendments or changes by two-thirds vote of the County Commission, and placed on the ballot for all citizens to vote on at a general election in 2010. This motion was seconded by Ms. Hernandez, and upon being put to a vote, passed by a vote of 12-2, (Mr. Ginsburg and Mr. Holland voted no), (Mayor Dermer, Mr. Greenberg, Mayor Martinez, Mr. Lopez, Mr. Smith, Ms. Soler-McKinley, and Mr. Vazquez were absent).

**B. Discussion of Issue 6—Study of Initiative, Referendum, Petition & Recall**

It was moved by Mayor Ferre that the Task Force recommend that the provision of the Charter that addresses the need for periodic charter review be amended to provide that the Charter Review Task Force, once appointed by the County Commission, will have the power to put recommendations directly on the ballot, unless vetoed by a 2/3 super majority vote of the County Commission. This motion was seconded by Mr. De Grandy, and upon being put to a vote, passed by a vote of 10-1 (Mayor Gibson voted No), (Ms. Dannheiser, Mayor Dermer, Mr. Greenberg, Mr. Handfield, Mr. Holland, Mayor Martinez, Mr. Lopez, Mr. Smith, Ms. Soler-McKinley and Mr. Vazquez were absent).

It was moved by Mayor Ferre that the Task Force recommend that amendments to the Charter may be proposed by petition of electors numbering not less than ten percent of the total number of electors registered in Miami-Dade County; that the time period for collection of valid signatures be extended to 120 days, provided that five percent of the total number of signatures required be collected in 60 days, followed by a public hearing, and upon conclusion of the public hearing the petitioner having 60 days to gather the remaining five percent of signatures required; and that a valid petition be placed on the ballot of the next general election. This motion was seconded by Mr. Hogan.

Mr. De Grandy proposed a friendly amendment to the foregoing motion that provided that when a petitioner submits a petition to amend the charter there be a source document that states what the ballot question intends to accomplish, or that a redlined charter be attached to the petition.

Following discussion, the Task Force agreed to vote on Mayor Ferre's motion at its next meeting, and requested that the county attorney present its opinion on the amendment proposed by Mr. De Grandy, which would be voted on separately.

**5. New Business**

**B. Review and Prioritization of Pending Issues of Study**

It was moved by Mr. De Grandy that the Task Force members individually submit a list ranking the ten (10) remaining Issues of Study based on the order of importance; and for the results to be tallied and presented at the next scheduled Charter Review Task Force meeting. This motion was seconded by Mr. Illas, and upon being put to a vote, passed by a majority vote of those members present, (Mr. Ginsburg voted No).



**4-B**

## Issues for Study

Adopted by the Charter Review Task Force - August 1, 2007

(Revised on September 19, 2007)

<b>7</b>	<b>Study of Balance of Power - Mayor &amp; BCC</b> <ul style="list-style-type: none"><li>• Review Functions of Mayor vs. County Manager</li><li>• Review Powers of Commission Auditor</li></ul>
<b>8</b>	<b>Study of Procurement Reform</b>
<b>9</b>	<b>Study of Lobbying Reform</b>
<b>10</b>	<b>Study of Ethics Regulations</b>
<b>11</b>	<b>Study of Public Records</b>
<b>12</b>	<b>Study of Zoning and Urban Development Boundary (UDB) reform</b>
<b>13</b>	<b>Study of the Delimitation of Powers and Checks and Balances of the Ethics Commission and the Office of the Inspector General for Inclusion in the Charter</b>
<b>14</b>	<b>Study of Any Changes to the Form of County Government be Required to be Placed on the Ballot during a <u>General</u> Election</b>
<b>15</b>	<b>Study of Placement in the Charter Language regarding County Employees Convicted of Any Crime Involving a Breach of the Public's Trust be Subject to Forfeiture of his/her Public Salary, Pension Rights and Privileges</b>

**5-A**

# Memorandum



**Date:** November 27, 2007

**To:** Victor M. Diaz, Chairman  
Charter Review Task Force

**From:** Susanne M. Torriente  
Assistant County Manager

**Subject:** Information Package for Charter Review Task Force – Issue 7

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At its August 1, 2007 meeting, the Charter Review Task Force (CRTF) approved a list of issues, in priority order, for study during this process. As requested, research on Issue 7, the Study of Balance of Power – Mayor and BCC, has been performed.

The attached grid presents the summary findings of this effort. Staff studied the Charters of selected Florida and national comparable counties with an elected chief executive officer (CEO) responsible for the administrative branch of government, frequently referred to as a *strong mayor*. All of the counties studied can be characterized as having a *strong mayor – council with Chief Administrative Officer (CAO)* form of government, as described by Desantis and Renner:

*“Cities are considered to have the strong mayor – council with CAO form when there is a mayor-council structure in which the CAO is appointed and the mayor is independently elected. Moreover, the mayor has veto power and a formal role (solely or shared) in either the budget preparation process or in the appointment of department heads.”* (Desantis, Victor S. and Renner, Tari, “City Government Structures: An Attempt at Clarification,” *State and Local Government Review*, Vol. 34, No. 2: 95-104)

Additionally, staff studied three additional *strong mayor* cities at the request of Task Force Member Mayor Maurice Ferre: Philadelphia, Newark and Washington, D.C. Counties with other forms of government, such as *classic council – manager* (in which there is an appointed chief administrative officer but no independently elected mayor) or *council – manager with at-large mayor* (in which the independently elected mayor has no formal role in the preparation of the budget or appointment of department heads) were not reviewed as part of this exercise.

For each jurisdiction, the powers and duties of the elected CEO, CAO and commission, as outlined in the respective charters – or, for non-charter counties, the county code - are summarized. The powers of the CEO and commission with respect to appointment and dismissal of department directors are particularly noted for your attention. The powers and duties of the council auditor or independently elected comptroller, if any, are also noted.

I would like to thank Amy Horton-Tavera, Paul Mauriello, Cara Tuzeo, John Murphey and Tracie Auguste for pulling this data together. Staff will continue to research this issue, as well as the other issues approved by the Task Force.

c: Charter Review Task Force Members and Staff

Miami-Dade County  
Office of Strategic Business Management

**Selected Florida and National Counties/Cities with Elected Chief Executive Officer (CEO):  
Powers of Executive, Chief Administrative Officer, Council and Commission Auditor**

County Name	2005 Population	Form Of Government	Executive Powers/Authority	Chief Administrative Officer(s) Powers/Duties	Commission/Council Powers/Authority	Commission Auditor Appointment and Authority
Miami-Dade	2.4 million	Commission/ Executive (Mayor)	<p>Manage all departments and carry out Commission policies; Establish departments; Veto legislation including budget or budget component; Issue administrative orders; set County Manager compensation; (Mayor, 4 year term, limited to two consecutive terms) <b>Appointment / Dismissal of Department Directors:</b> Appoints County Manager and department directors; may dismiss the County Manager and department directors at will.</p>	<p>County Manager assists Mayor in administration of County government; Prepares County Budget for review by Mayor and Commission</p>	<p>Legislative and governing body of the County; Appropriate funds and adopt operating and capital budgets; Override Mayor's veto by 2/3 vote; Select chairperson and vice-chairperson; Establish committees; Chairperson appoints committee members (1/3 single member districts; 4 year term) <b>Appointment / Dismissal of Department Directors:</b> Commission may disapprove Mayor's appointment of the county manager and department directors by 2/3 majority of those commissioners then in office</p>	<p>Commission Auditor is appointed by the Commission. Provides the Commission with independent budgetary, audit, management, revenue forecasting, and fiscal analyses of commission policies, and county services and contracts.</p>
Orange	1 million	Commission/ Executive (Mayor)	<p>Execution of Board policy; Manage the operation of all elements of County government, consistent with the policies, ordinances and resolutions of the Board; Serve as chair of the Board; Vote on all matters before the Board; Prepare Board agendas and submit the annual budget estimate to the Board; Serve as ceremonial dignitary for County government; Call the Board into regular or special session; Prepare administrative regulations for approval by the Board (Mayor, 4 year term; limited to two full consecutive terms) <b>Appointment / Dismissal of Department Directors:</b> Appoint and dismiss the County Administrator; heads of county departments, divisions and other agencies, subject to confirmation by the Board</p>	<p>County Administrator assists the Mayor in the daily management of the County</p>	<p>Originate, terminate and regulate legislative and policy matters; Approve annual operating and capital budgets; Conduct studies in the operation of County programs and take actions for improvement; Elect a Vice Mayor to serve as official representative and ceremonial dignitary in the absence of the Mayor, may preside at Board meetings and execute documents approved by the Board (6 single member districts; 4 year term limited to two consecutive terms within the same district) <b>Appointment / Dismissal of Department Directors:</b> Confirm Mayor's appointment and dismissal of directors</p>	<p>Elected County Comptroller has independent audit responsibilities. The Comptroller's specific roles include serving as chief financial officer, county auditor, clerk of the board, recorder, and custodian of county funds and records.</p>
Duval (City of Jacksonville)	830,000	Council / Executive (Mayor)	<p>Shall be responsible for the conduct of the executive and administrative departments, the mayor shall administer, supervise, and control all departments and divisions created by the charter and departments and divisions created by the council; appointment of the directors and deputy directors (subject to confirmation by council) submit to council the annual budget (Mayor, 4 year term, 2 year term limit) <b>Appointment / Dismissal of Department Directors:</b> Appoints the department directors and division chiefs, subject to Council approval</p>	<p>The Chief Administrative Officer (CAO) oversees the day-to-day running of the consolidated government operations. He provides financial oversight and chairs the Mayor's Budget Review Committee. The CAO is appointed by the mayor and serves as a member of his staff.</p>	<p>All legislative powers are vested in the council, the council may legislate with respect to any and all matters which are within the powers of the consolidated government. The Council shall review budgets and appropriate money to the consolidated government and any independent agencies which request appropriations; fix the salaries of the tax collector, the sheriff, the supervisor of elections and the clerk of the circuit court <b>Appointment / Dismissal of Department Directors:</b> Approves appointments of department heads made by Mayor (14 single member districts, 5 at large, 4 year terms 2 term limit)</p>	<p>Council Auditor is appointed by the Council. Examine the accounting systems used by all offices and departments of the consolidated government and all independent agencies, and advise the Council as to whether all such systems provide for full disclosure of the financial results and adequate information for the management needs and budgetary requests of each such office, department, board and agency. Conduct a continuous internal audit of the fiscal operations of the consolidated government and all independent agencies. Submit such reports and financial statements to the Council as it may from time to time require. By ordinance, the Council Auditor also serves as contract manager for the independent external audit contract and opines on external audit findings.</p>
Montgomery County, MD	930,000	Council / Executive	<p>Implements and enforces Montgomery County's laws and provides executive direction to the government; Power to veto legislation, but veto may be overridden by the affirmative vote of six council members; <b>Appointment / Dismissal of Department Directors:</b> Appoints County Administrative Officer and department heads, subject to Council approval; Submits annual budget and a comprehensive six-year program for capital improvements for Council approval (County Executive, 4 year term)</p>	<p>The Chief Administrative Officer shall, subject to the direction of the County Executive, supervise all departments, offices, and agencies of the Executive Branch, advise the County Executive on all administrative matters and perform such other duties as may be assigned by the County Executive, or by the Charter.</p>	<p>The Legislative Branch consists of the County Council; enacts public local laws; May override legislative veto by County Executive with six affirmative votes; Elects Council President; <b>Appointment / Dismissal of Department Directors:</b> Approves County Executive appointments of department heads; Approves operating and capital budget as well as six year capital improvement program (6 single member districts, 4 at large, 4 year terms)</p>	<p>Director of the Office of Legislative Oversight (OLO) is appointed by the Council. OLO staff conduct program evaluations, budget analyses, audits, investigations, and other special studies. OLO receives its assignments from the nine elected members of the County Council, which annually adopt a Council Resolution that sets forth the Work Program for the office.</p>

County Name	2005 Population	Form Of Government	Executive Powers/Authority	Chief Administrative Officer(s) Powers/Duties	Commission/Council Powers/Authority	Commission Auditor/ Appointment and Authority
Cook County, IL	5 million	Council/ Executive (President)	Directs the administrative functions of the County. Presides over all Board meetings (Board President; 4 year term) <b>Appointment / Dismissal of Department Directors:</b> Appoints County executive officers;	Chief Administrative Officer; Chief Financial Officer; Comptroller; Chief Information Officer; Chief Health Officer; Chief Human Resources Officer; Chief Public Safety Officer, each having discrete areas of authority and responsibility	Legislative and policy making body of the County; Appoint members to standing committees; Select committee chairs and vice-chairs; Create special committees and appoint members; Appropriate revenue and adopt budget (17 single member districts, one of which may also be Board President; 4 year term) <b>Appointment / Dismissal of Department Directors:</b> See under executive powers	County Auditor is appointed by the President of the County Board and ratified by a majority of the members of the County Board. Appointment of the Auditor shall be for a period of five years, and removal from office must be for cause and by a vote of a majority of the members of the County Board. The County Auditor's compensation and official bond shall be fixed by the County Board. The Auditor works with the external auditors on the County's annual financial audit, and performs audits of County fee departments and information systems in the County. The Auditors Office also performs special audits as directed by the County Board President and County Board of Commissioners.
Wayne, MI	2 million	Commission/ Executive	Supervise, coordinate, direct and control all county facilities, operations and functions (except those of elected officials); Implement and enforce state laws and county ordinances, resolutions, orders and rules; Veto legislation by the Commission, including line items in an appropriation ordinance; Submit a reorganization plan to the Commission for approval; (Chief Executive Officer (CEO); 4 year term; partisan ) <b>Appointment / Dismissal of Department Directors:</b> Appoint Deputy CEO, department directors, deputy directors and all other officials not in the classified service, subject to council approval	Deputy CEO exercises the powers and duties of the CEO in his absence; Performs powers and duties delegated by the CEO	Legislative and policy making body of the County; Appropriate revenue; Approve all contracts; Override a veto of the CEO by 2/3 vote; Approve and amend rules and regulations issued by a department or county officer <b>Appointment / Dismissal of Department Directors:</b> Confirm CEO appointments for Deputy CEO, department heads, deputy directors and members of boards and commissions; (15 single member districts, 2 year term; partisan)	Legislative Auditor General is appointed by Commission. The Auditor General shall make audits of the financial transactions of all County agencies at least once every two years, or as otherwise directed by the County Commission; make compliance audits of the past or current operations of any County agency, as requested by the Audit Committee of the Commission; and make performance audits of agency operations if requested by the executive officer in charge thereof. As soon as possible after the close of each fiscal year, the Auditor General shall make a report of the financial position of the County; additionally, (s)he shall audit annually all funds and property of the County .
King, WA	1.8 million	Council/ Executive	Supervise all administrative offices and executive departments; Veto legislation or object of expense in an appropriation ordinance; Prepare budget and submit to Council; (County Executive 4 year term no term limit; partisan) <b>Appointment / Dismissal of Department Directors:</b> Appoint the County Administrative Officer, chief officer of each executive department and members of all boards and commissions	County Administrative Officer assists the County Executive and supervises the administrative offices; appoints the chief officer of each administrative office (internal support agencies)	Legislative and policy making body of the County; Appropriate revenue and adopt budget; Establish, abolish, combine and divide administrative offices/ departments and set responsibilities; Elect a chairman (9 single member districts; 4 year term; partisan) <b>Appointment / Dismissal of Department Directors:</b> Confirm the County Executive's appointments for CAO and department heads;	County Auditor is appointed by County Council. Responsible to the council for conducting independent audits of county agencies for the purpose of reporting to the council regarding the integrity of the function of the financial management system, the quality and efficiency of agency management, and the effectiveness of programs. In carrying out this purpose, the auditor shall perform the following audits: financial and compliance audits to supplement those performed by the state pursuant to general law, economy and efficiency audits, and program result audits. In addition, the auditor shall perform such special studies as may be requested by the council.
Baltimore, MD	800,000	Council / Executive	Supervise, direct and control the administrative services of the County; Present the Council with an annual budget; Veto legislation of the Council; issue administrative orders, rules and regulations; (County Executive; 4 year term) <b>Appointment / Dismissal of Department Directors:</b> Appoint/dismiss the County Administrative Officer and department heads, subject to council approval; Appoint the members of all boards, commissions, and authorities; Serve on all boards and commissions; May delegate any duties of office to County Administrative Officer, except veto, subject to council approval	County Administrative Officer supervises all activities of those offices and departments whose heads he appoints; Chief budget officer of the County; Prepares and submits budget to County Executive for approval by Council; Serves a term of 4 years	Legislative and policy making body of the County; Adopt a county budget; Elect a chairman and chairman pro tem; Override County Executive veto by a majority vote, plus one; (7 single member districts; 4 year term) <b>Appointment / Dismissal of Department Directors:</b> Confirm the County Executive's appointments for CAO and department heads; Increase or decrease compensation for the County Executive and Administrative Officer, but not during current term	County Auditor is appointed by County Council. The county auditor may assist the external auditor in conducting a financial audit required by section 312. The county auditor may also conduct a financial audit of any organization funded in whole or in part by county funds, if directed by a majority of the county council. The county auditor shall prepare and submit to the county council and the county executive reports in internal accounting control, administrative and operating practices and procedures, and other pertinent financial and compliance matters. The county auditor's duties may include operational and performance auditing of any office, department or agency funded in whole or in part by county funds, as assigned and directed by a majority of the county council by resolution. All actions of the county council pursuant to this section shall be exempt from the executive veto.

County Name	2005 Population	Form Of Government	Executive Powers/Authority	Chief Administrative Officer(s) Powers/Duties	Commission/Council Powers/Authority	Commission Auditor Appointment and Authority
Philadelphia, PA	1,448,394	Council - Executive (Mayor)	<p>Submit statement of the finances and general conditions of the affairs of the City to Council; submit proposed budget to Council; call special meetings of the Council when required by public necessity; Veto legislation, including most line item budget appropriations, and to approve or disapprove ordinances in whole or in part as provided in the article on the Council, establish an agency in his office for receiving and answering all requests for information about the City or its government (Mayor, 4 year terms, limited to 2 terms)</p> <p><b>Appointment / dismissal of Department Directors:</b> The Mayor shall appoint the Managing Director, the Director of Finance and the City Representative.<sup>1</sup></p>	<p>The Managing Director shall exercise supervision over all activities of those departments whose heads he appoints and the boards and commissions connected with such departments and shall be the contact officer between the Mayor and such departments, boards and commissions.</p>	<p>Legislative and policymaking body of the City. The Council adopts the annual operating budget ordinance for the next fiscal year. The Council may by ordinance add new powers and new duties, not inconsistent with the charter, to the powers and duties of the offices, departments, boards and commissions which are designated as the agencies of the executive and administrative branch of the City government. The Council may not, except as provided for in the Charter, increase the number of such agencies nor abolish any agency unless the agency no longer has any functions to perform. (10 single member districts, 7 at large; 4 year term no limitations)</p> <p><b>Appointment / Dismissal of Department Directors:</b> See under executive powers</p>	<p>Independently elected Controller's powers and duties include approving disbursement requisitions and payment requests and auditing city agencies.</p>
Newark, NJ	281,402	Council - Executive (Mayor)	<p>Enforce the charter and ordinances of the municipality and all general laws; Prepare and submit to the council for its consideration and adoption an annual operating budget and a capital budget, establish schedules and procedures to be followed by all municipal agencies and supervise and administer the budgetary process (Mayor, 4 year terms, limited to 2 terms)</p> <p><b>Appointment / dismissal of Department Directors:</b> Appoint department directors 2 with the advice and consent of the council. Each department head shall serve during the term of office of the mayor appointing him, and until the appointment and qualification of his successor. The mayor may remove any department head after notice and an opportunity to be heard. Prior to removal the mayor shall first file written notice of his intention with the council, and removal shall become effective unless the council disapproves by a 2/3 vote of the whole number of the council.</p>	<p>Business Administrator: Assists in the preparation of the budget, administers a centralized purchasing system, power to investigate the organization and operation of any and all departments, to prescribe standards and rules of administrative practices and procedures, and to consult with the heads of the departments under his jurisdiction; provided that with respect to any department of law or department of audit, accounts or control, the authority of the business administrator under this subsection shall extend only to matters of budgeting, personnel and purchasing.</p>	<p>Legislative and policymaking body of the City. Enact by ordinance, resolution or motion the local laws which govern the city; Approve the municipal budget; Establish financial controls; Establish city departments; Set salaries of elected officials and top appointed administrators, override a veto of the mayor. Council may reduce or increase appropriations requested by the Mayor. (5 single member districts, 4 at large; 4 year terms; no limitations)</p> <p><b>Appointment / Dismissal of Department Directors:</b> See under executive powers</p>	<p>None identified</p>
Washington D.C.	581,530	Council - Executive (Mayor)	<p>The Mayor shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the Office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies; the Mayor shall appoint a City Administrator, who shall serve at the pleasure of the Mayor. The Mayor shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices and agencies, except as otherwise provided by this chapter (Mayor, 4 year terms, no term limits)</p> <p><b>Appointment / Dismissal of Department Directors:</b> Appoint/dismiss the County Administrative Officer and department heads, subject to council approval; Appoint the members of all boards, commissions, and authorities; Serve on all boards and commissions</p>	<p>City Administrator: The City Administrator shall be the chief administrative officer of the Mayor, and he shall assist the Mayor in carrying out his functions under this chapter, and shall perform such other duties as may be assigned to him by the Mayor. The City Administrator shall be paid at a rate established by the Mayor.</p>	<p>The Council shall have authority to create, abolish, or organize any office, agency, department, or instrumentality of the government of the District and to define the powers, duties, and responsibilities of any such office, agency, department, or instrumentality; the Council shall adopt and publish rules of procedures which shall include provisions for adequate public notification of intended actions of the Council (8 single ward districts, 5 at large; 4 year terms no term limits)</p> <p><b>Appointment / Dismissal of Department Directors:</b> See under executive powers</p>	<p>The Office of the District of Columbia Auditor was established by federal legislation. The District of Columbia Auditor annually audits the accounts, operations, and programs of the District of Columbia Government and certifies revenue estimates in support of municipal bond issuances. Further, the Office of the Auditor is required by the Advisory Neighborhood Commissions Act of 1975, as amended, to provide oversight and conduct audits of the financial activities of the District government's 37 Advisory Neighborhood Commissions.</p>

NOTES

1 - The Director of Finance is appointed from among three persons whose names are submitted to the Mayor by the Finance Panel. The Civil Service Commission is appointed by the Personnel Director. With the approval of the Mayor: (a) The Managing Director appoints the Police Commissioner, the Health Commissioner, the Fire Commissioner, the Street Commissioner, the Recreation Commissioner, the Welfare Commissioner, the Water Commissioner, the Commissioner of Public Property, the Commissioner of Licenses and Inspections, and the Commissioner of Records; (b) The Director of Finance appoints the Revenue Commissioner and the Procurement Commissioner.

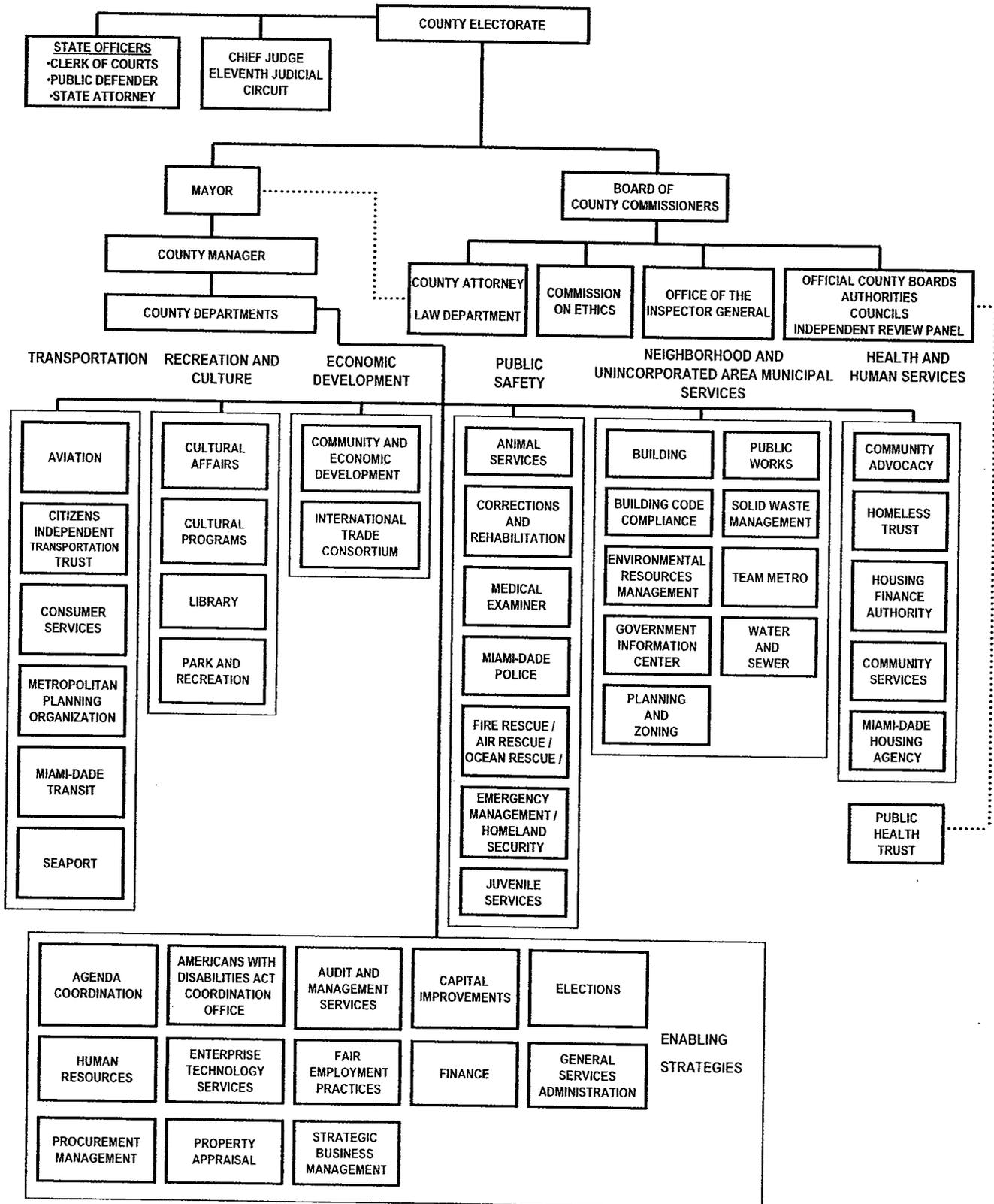
2 - Under the Charter, the municipality shall have a maximum of nine departments, as the council may establish by ordinance. All of the administrative functions, powers and duties of the municipality, other than those vested in the offices of the municipal clerk and the municipal tax assessor, shall be allocated and assigned among and within such departments.

**Information Sources:** The information on this grid is from individual County/City websites. In most instances the entire charter text was accessible on the website.

# MIAMI-DADE COUNTY

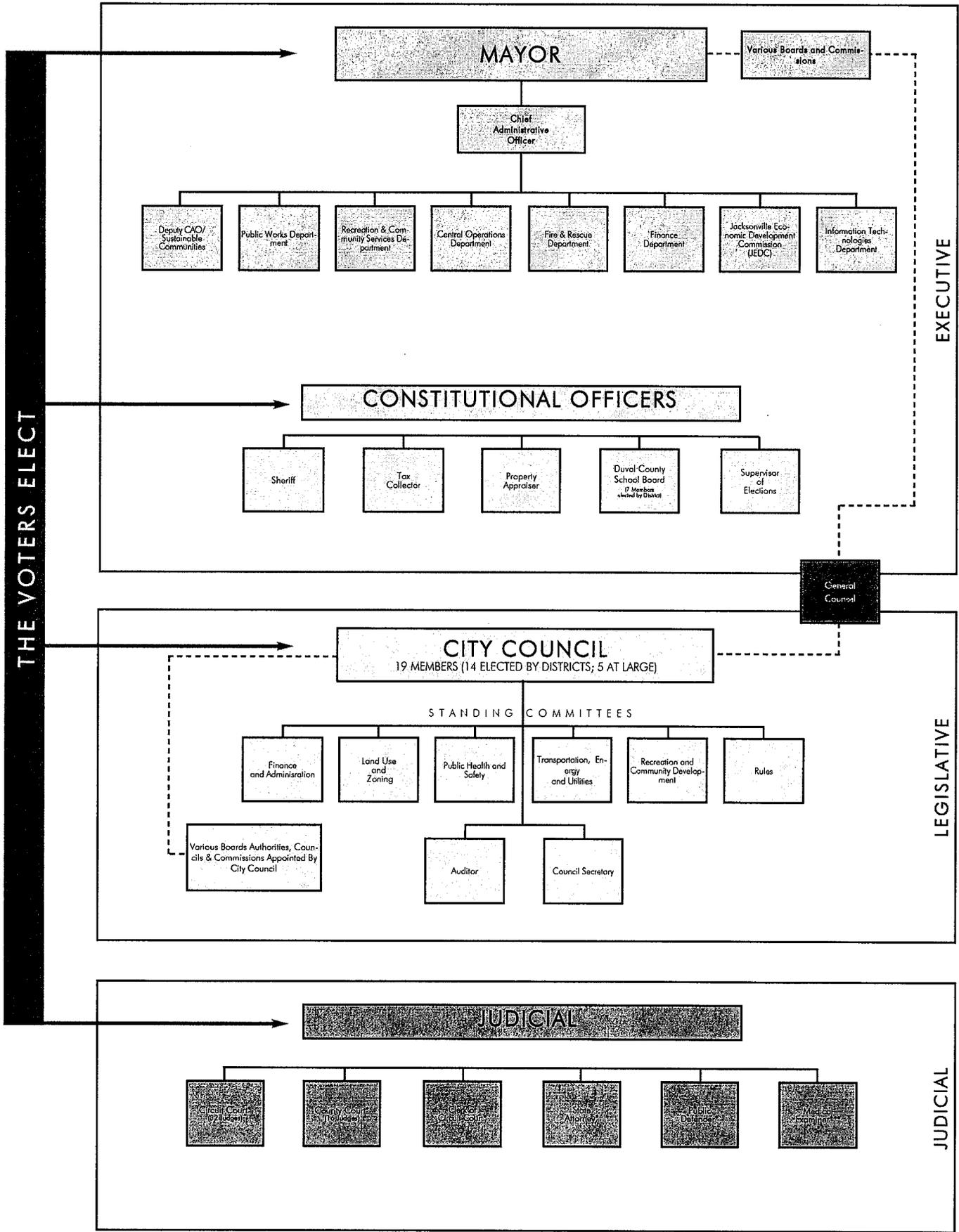
## TABLE OF ORGANIZATION

2007-2008



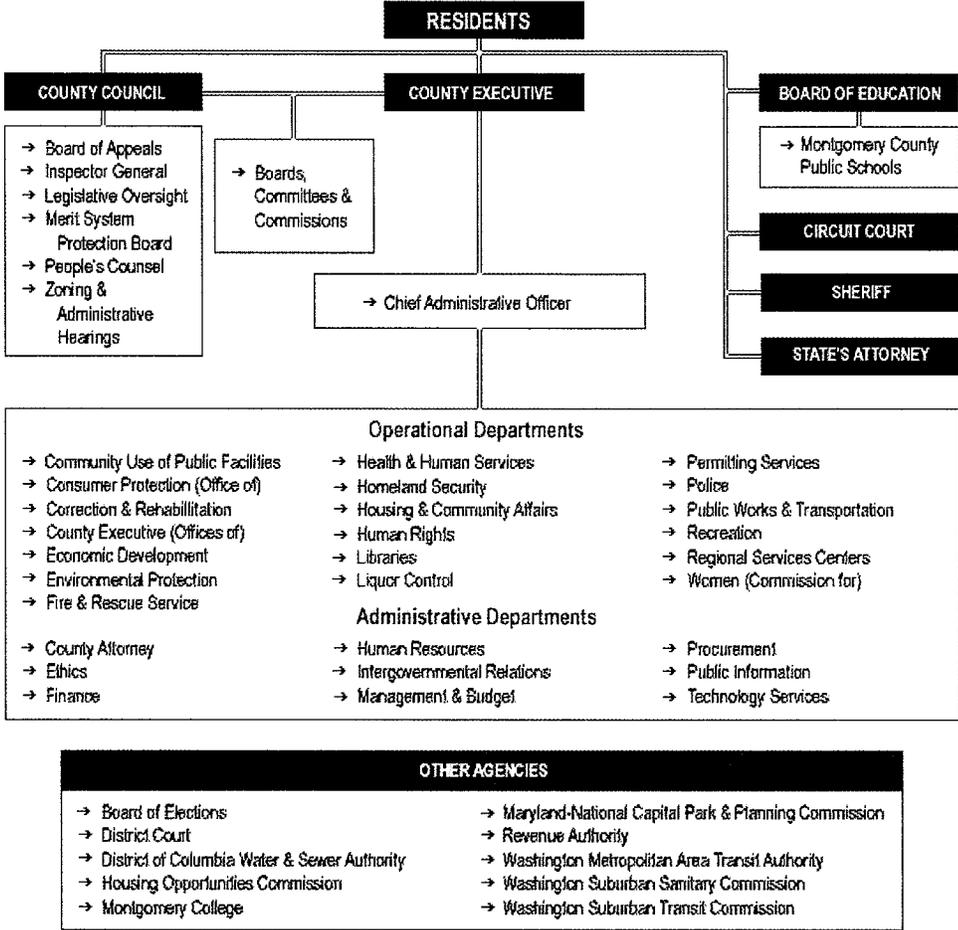


# ORGANIZATIONAL CHART CITY OF JACKSONVILLE, FLORIDA



# Montgomery County Government

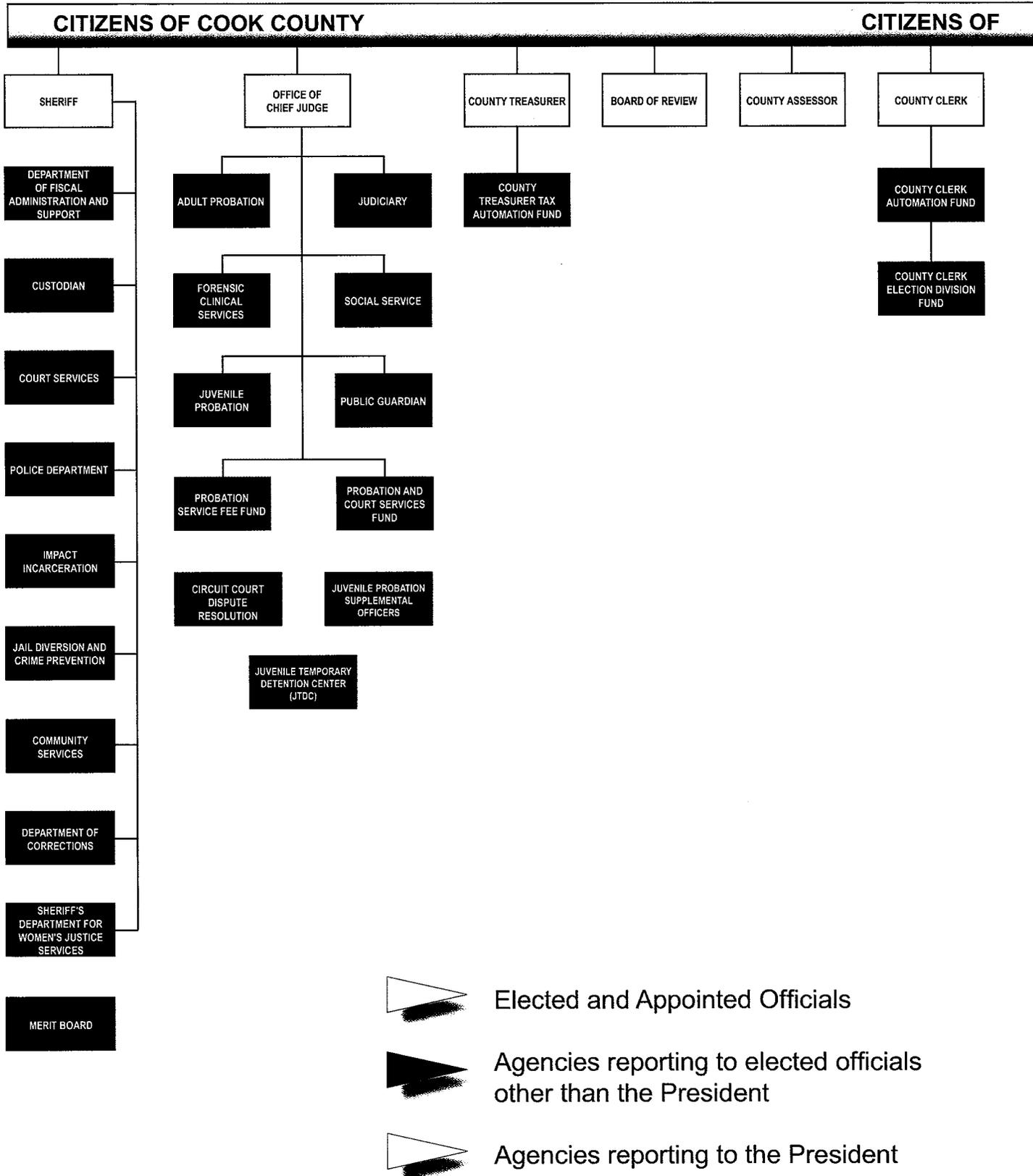
## Organizational Chart



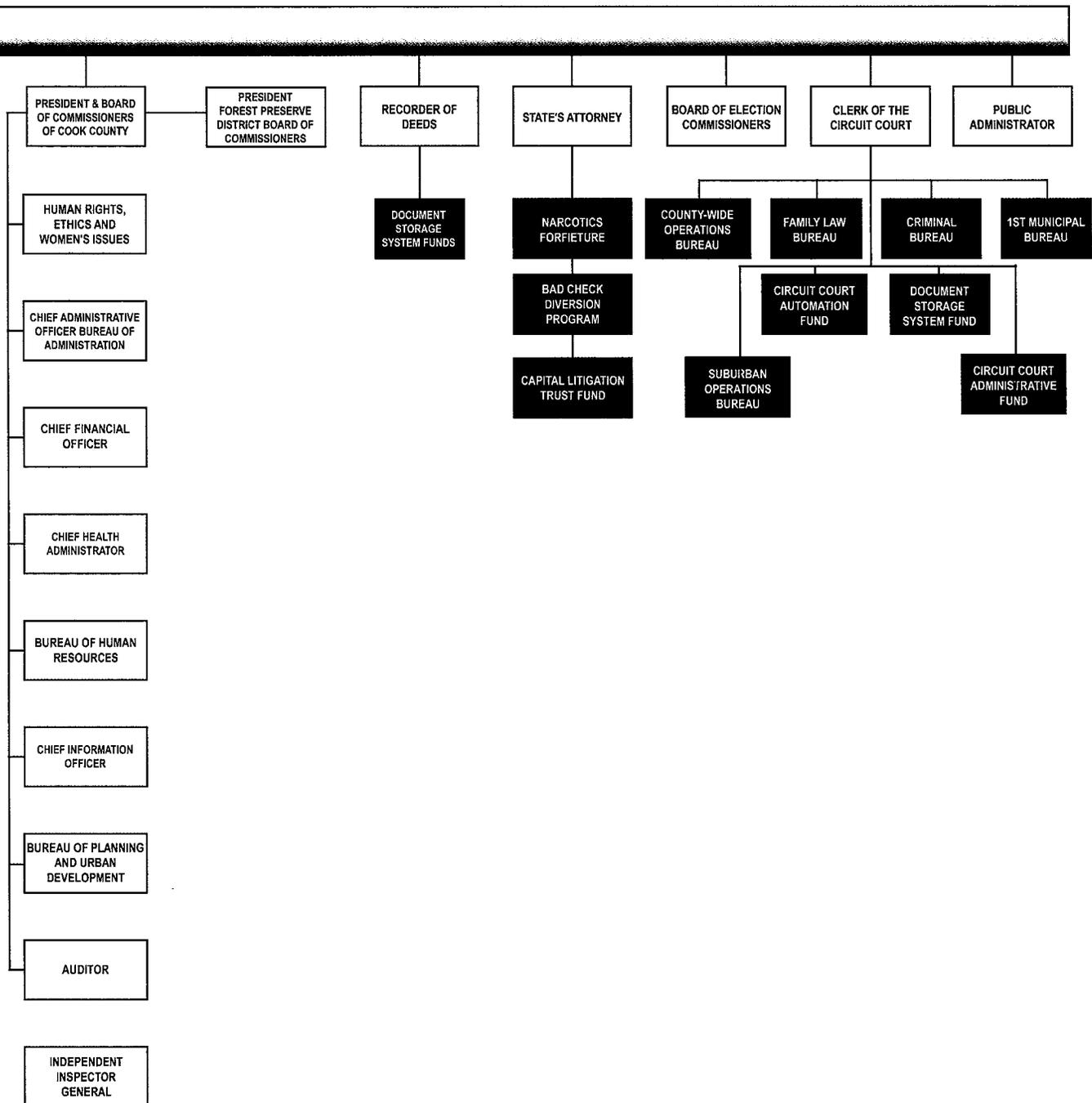
For the most updated information and organizational chart, please visit the Montgomery County web site: [www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)



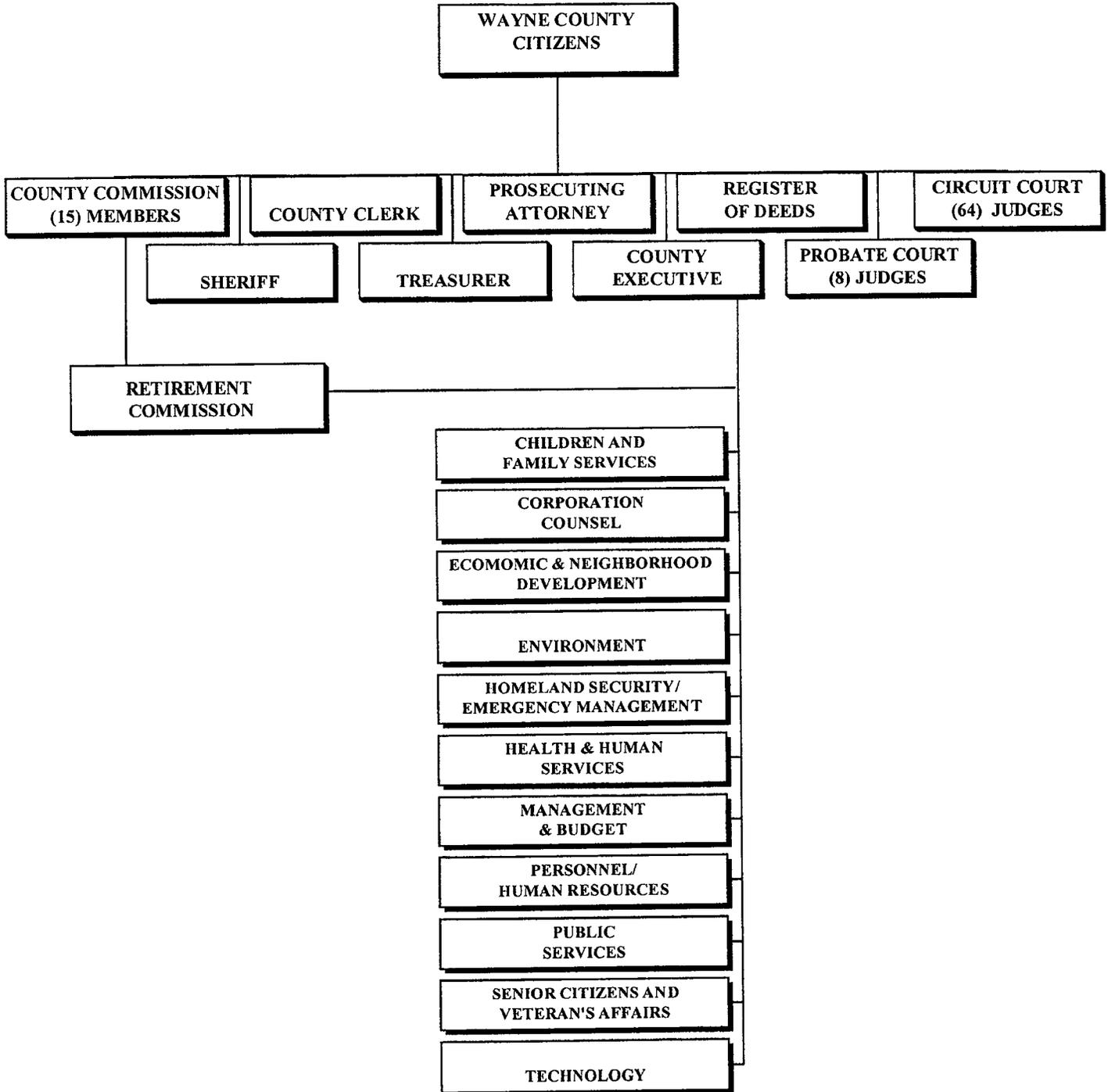
# 2008 COOK COUNTY OR



# GANIZATIONAL CHART

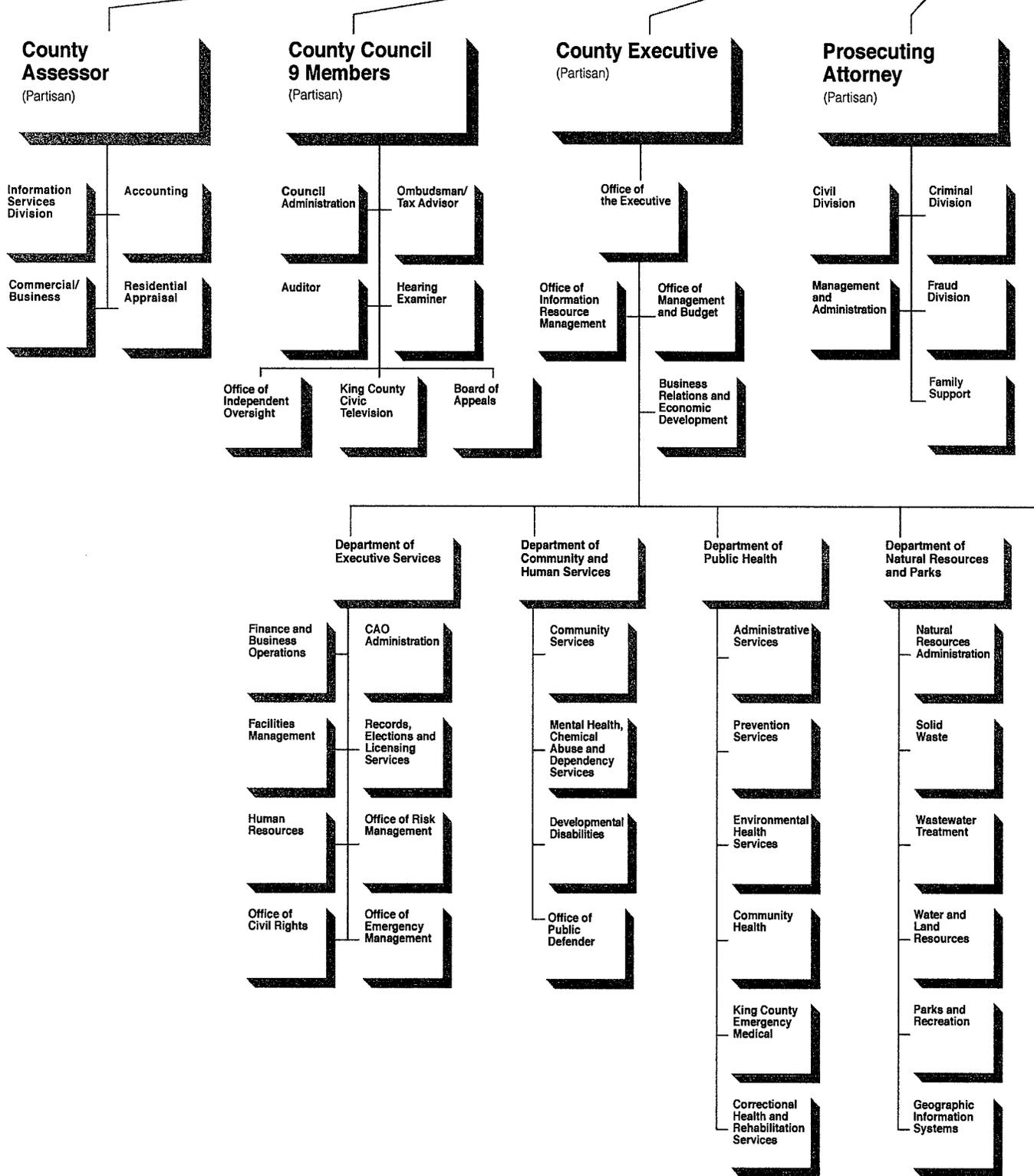


# WAYNE COUNTY, MICHIGAN ORGANIZATION CHART

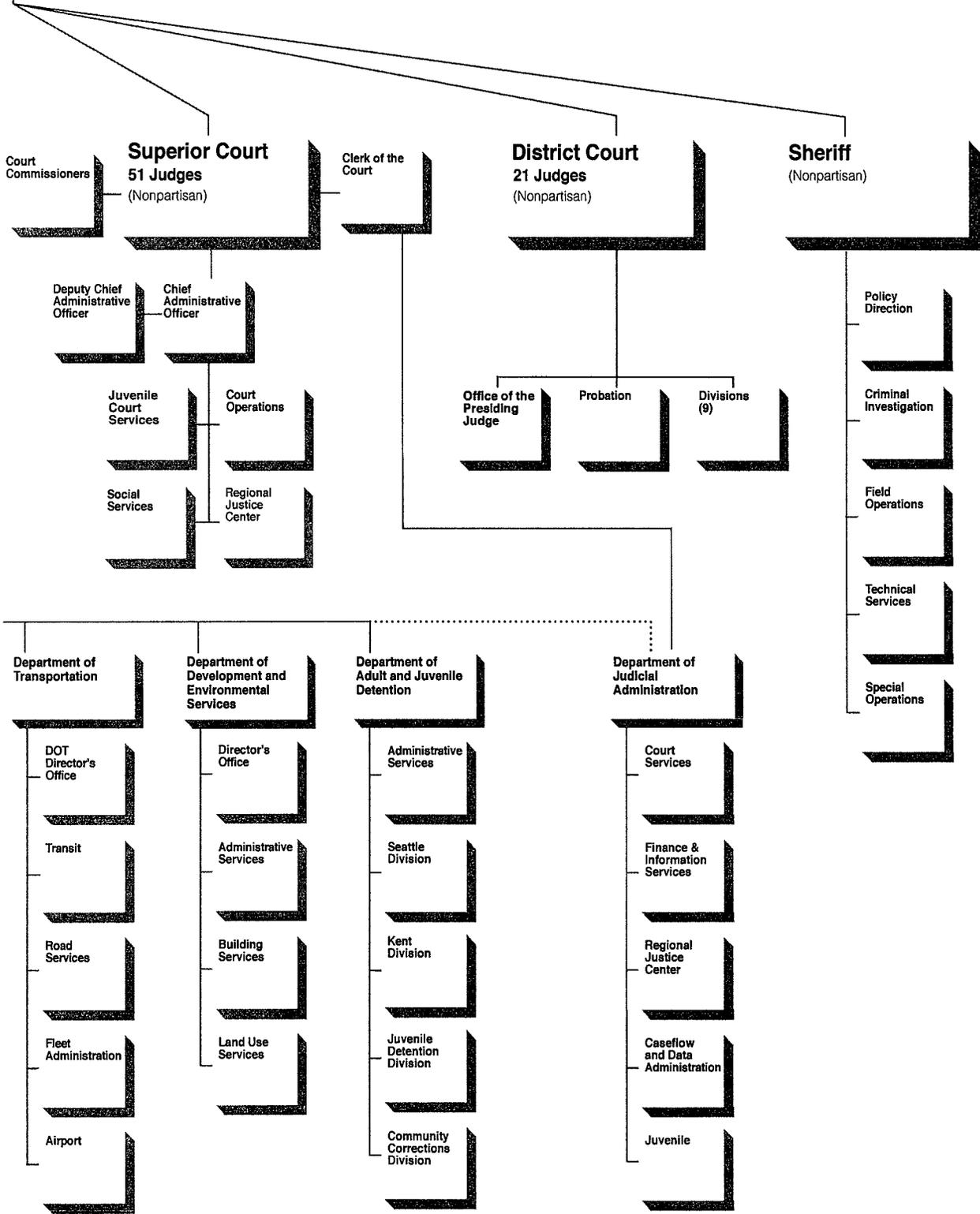


TOTAL NUMBER OF POSITIONS: 5,566

# The Electorate

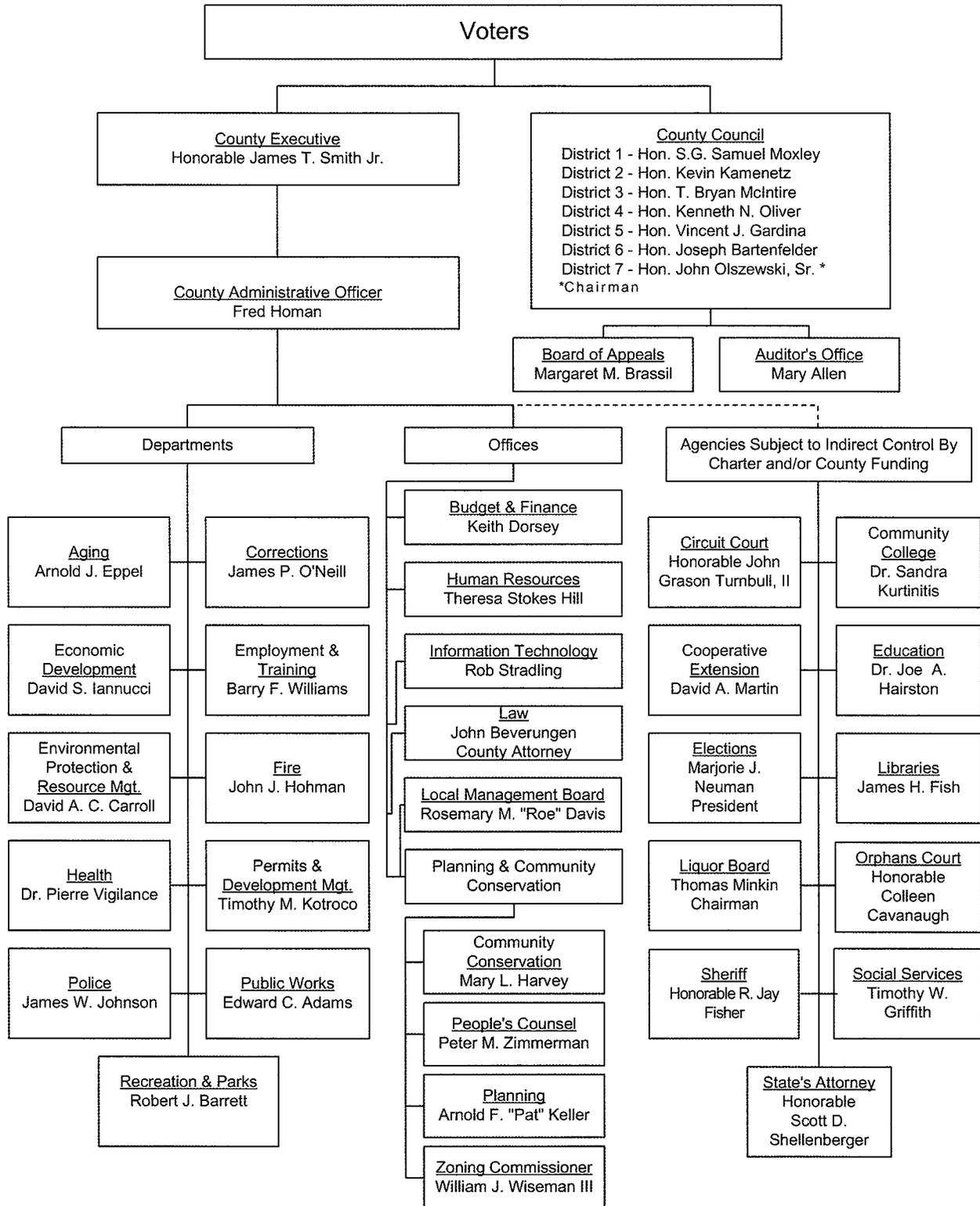


of King County



Legend  
 ..... Dual Reporting  
 — Single Reporting

# Baltimore County, Maryland County Government Organization Chart



**CITY OF NEWARK ORGANIZATION CHART**

**MUNICIPAL COUNCIL**

**MAYOR**

**CITY CLERK**

**BUSINESS ADMINISTRATOR**

**MAYOR'S OFFICE AND AGENCIES**

- MAYOR'S OFFICE
- MUNICIPAL COURT
- AFFIRMATIVE ACTION
- MAYOR'S OFFICE OF EMPLOYMENT AND TRAINING

**OTHER INSTITUTIONS**

- NEWARK PUBLIC LIBRARY
- NEWARK MUSEUM
- NEWARK PARKING AUTHORITY
- NEWARK WATERSHED CORPORATION

**LAW**

- OFFICE OF THE CORPORATION COUNSEL

**OFFICE OF THE BUSINESS ADMINISTRATOR**

- BUSINESS ADMINISTRATOR'S OFFICE
- OFFICE OF MANAGEMENT AND BUDGET
- PERSONNEL
- CENTRAL PURCHASE
- OFFICE SERVICES
- OFFICE OF EMERGENCY MANAGEMENT

**FINANCE**

- DIRECTOR'S OFFICE
- ACCOUNTS AND CONTROL
- REVENUE COLLECTIONS
- TREASURY
- EMPLOYEES' RETIREMENT SYSTEM
- OFFICE OF TAX ABATEMENT AND SPECIAL TAXES
- ASSESSMENTS

**POLICE**

- DIRECTOR'S OFFICE
- TAXICAB COMMISSION
- ALCOHOLIC BEVERAGE CONTROL

**FIRE**

- DIRECTOR'S OFFICE

**ENGINEERING**

- DIRECTOR'S OFFICE
- TRAFFIC AND SIGNALS
- MOTORS
- PUBLIC BUILDINGS

**HEALTH AND HUMAN SERVICES**

- DIRECTOR'S OFFICE
- MEDICAL CARE SERVICES
- ENVIRONMENTAL HEALTH
- WELFARE
- SOCIAL SERVICES
- HEALTH PLANNING
- SURVEILLANCE AND PREVENTION

**ECONOMIC AND HOUSING DEVELOPMENT**

- DIRECTOR'S OFFICE
- PROPERTY MANAGEMENT
- CITY PLANNING
- HOUSING ASSISTANCE
- ECONOMIC DEVELOPMENT
- OFFICE OF BOARDS AND COMMISSIONS
- CENTRAL PLANNING BOARD
- BOARD OF ADJUSTMENT
- RENT CONTROL BOARD

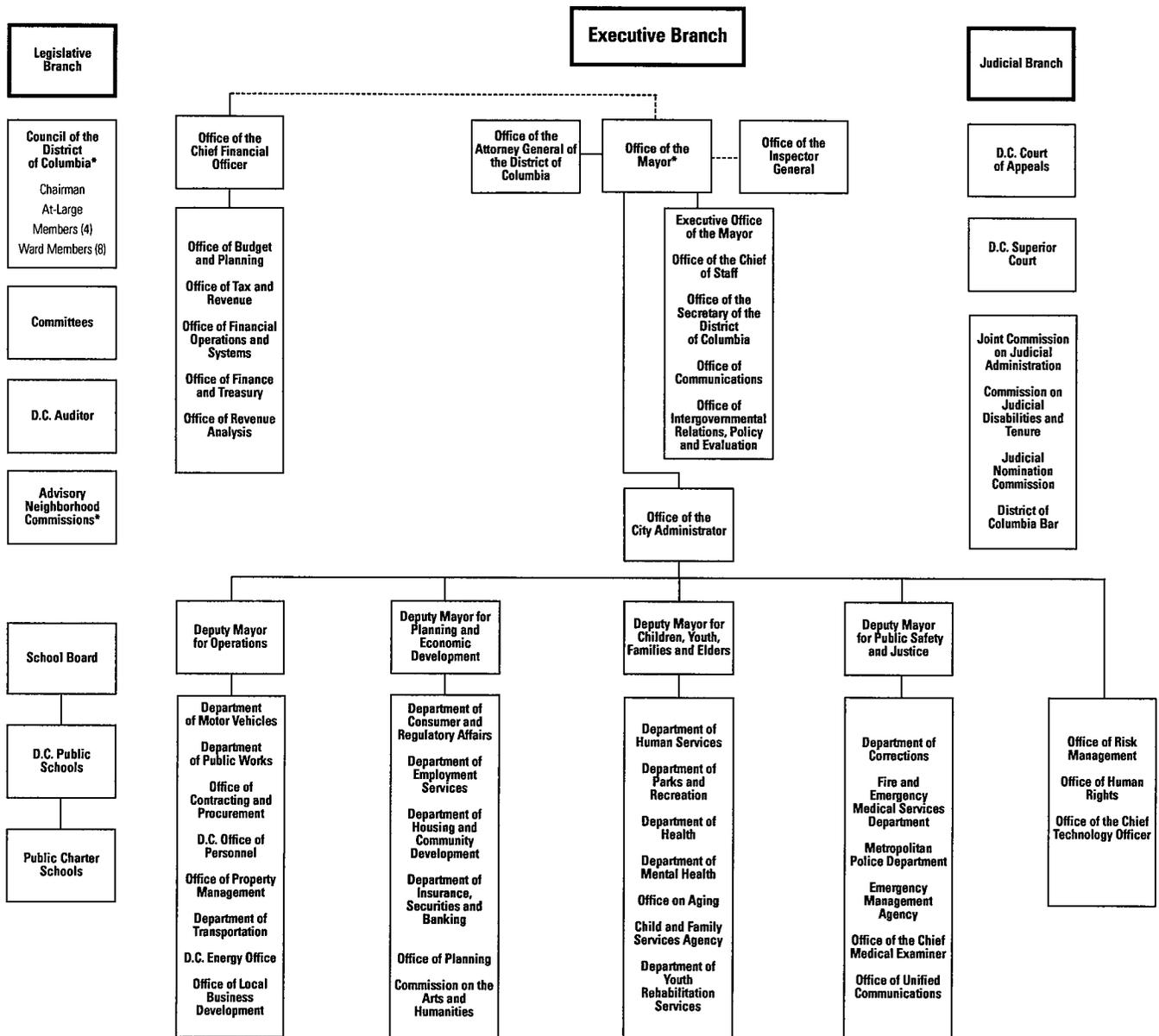
**NEIGHBORHOOD AND RECREATIONAL SERVICES**

- DIRECTOR'S OFFICE
- INSPECTIONS AND ENFORCEMENT
- SANITATION
- PARKS AND GROUNDS
- RECREATIONAL AND CULTURAL AFFAIRS
- DEMOLITION

**WATER AND SEWER UTILITIES**

- DIRECTOR'S OFFICE
- BILLING AND CUSTOMER SERVICE
- WATER SUPPLY
- SEWER SUPPLY

# Government of the District of Columbia



## Independent Agencies

- Water and Sewer Authority
- District of Columbia Retirement Board
- Office of Employee Appeals
- Public Employee Relations Board
- Washington Convention Center Authority
- Housing Finance Agency
- Public Defenders Services
- Pretrial Services Agency
- D.C. Lottery and Charitable Games Control Board
- Board of Library Trustees
- University of the District of Columbia Board of Trustees
- D.C. Sports and Entertainment Commission
- Office of the People's Counsel
- D. C. Housing Authority

## Charter Independent Agencies

- Zoning Commission
- D.C. Public Schools
- Public Charter Schools
- Public Service Commission
- Board of Elections and Ethics

## Regional Bodies

- Metropolitan Washington Council of Governments
- National Capital Planning Commission
- Washington Metropolitan Area Transit Authority
- Washington Metropolitan Area Transit Commission
- Washington Metropolitan Airports Authority

\* Elected officials

**Additional**

**Materials**

**Fernandez, Margarita (CEO)**

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**From:** Citizen\_Email  
**Sent:** Tuesday, November 20, 2007 11:03 AM  
**To:** Charter (CMO)  
**Subject:** Charter Review Task Force

**Charter Review Comment Form**

**Name: H Eugene Wine**

**Street Address: 7940 SW 124 St.**

**City: Pinecrest**

**State: FL**

**Zip: 33156**

**Comment: ANOTHER CHARTER AMENDMENT In order to prevent the unseemly spectacle of lobbying and influence-peddling, the commission should be allowed to submit a proposal for a desired governmental function, without naming any vendor. The manager should put the proposal out to bid, accepting the low bid, providing that the manager believes the low bidder will be able perform properly. The proposal, as any other commission proposal, will then go to the mayor, who will accept or veto it.**



WWW.PASTORSIMONGRAVES.COM

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## CURING MIAMI OF GRAFT IS AS EASY AS 1,2,3:

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1. Erect a dunking stool in Bayfront Park
2. Dunk sticky-handed politicians into Biscayne Bay in front of a paying audience
3. Send them off to prison



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**TREAT ELECTED THIEVES LIKE THE TERRORISTS THEY ARE!  
SIGN PASTOR GRAVES' PETITION TODAY!**