

**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
CHARTER REVIEW TASK FORCE  
WORKSHOP AND PUBLIC HEARING**

Board of County Commissioners  
South Dade Government Center  
Conference Room 203  
10710 S.W. 211 Street  
Cutler Bay, Florida

August 22, 2007  
As Advertised

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Board of County Commissioners

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**CLERKS SUMMARY AND OFFICIAL MINUTES  
CHARTER REVIEW WORKSHOP & PUBLIC HEARING  
AUGUST 22, 2007**

The Charter Review Task Force convened in a workshop and public hearing on August 22, 2007, at 6:00 p.m. in the South Dade Government Center, Conference Room 203, 10710 S.W. 211<sup>th</sup> Street, Cutler Bay, Florida. The following members were present: Chairman Victor M. Diaz, Jr. and members Ms. Lynn Dannheiser; Mayor David Dermer; Carlos Diaz-Padron, former Mayor of the City of West Miami; Maurice Ferre, former Mayor of the City of Miami; Commissioner Carlos Gimenez; Mr. Murray Greenberg; Mr. John Hogan; Mr. Robert Holland; Mr. Francois Illas; Ms. Yvonne Soler-McKinley and Mr. Ignacio Vazquez; (Mr. Miguel De Grandy; Mayor Shirley Gibson; Mr. Robert A. Ginsburg; Mr. Larry Handfield; Ms. Elizabeth Hernandez; Mr. Richard Kuper; Raul L. Martinez, former Mayor of the City of Hialeah; Mr. H. T. Smith and Commissioner Souto were absent).

The following staff members were present: Assistant County Manager Susanne M. Torriente; Assistant County Attorney Cynthia Johnson-Stacks; Assistant to the County Manager Maggie Fernandez; and Deputy Clerks Kay Sullivan and Judy Marsh.

Chairman Diaz called the meeting to order at 6:15 p.m. He introduced himself and welcomed members of the audience to tonight's public hearing. Chairman Diaz noted this was the second public hearing being held to solicit public input on proposed changes to the Miami-Dade County Charter. He explained the Charter Review process and stated if upon completion of the process, the Commission decided to accept the Task Force's recommendations they would be placed on the ballot and ultimately, the voters of Miami-Dade County would decide whether any of the proposed changes should be adopted. Chairman Diaz noted the Charter could not be changed without the voters' consent and any legislation proposed by the County Commission had to be consistent with the Charter.

Chairman Diaz explained the structure and composition of the Charter Review Task Force. He noted future public hearings would be held in the County Commission Chamber of the Stephen P. Clark Center and residents would be able to view the proceedings on television and provide comments via telephone or email. Chairman Diaz advised public participation for the public hearing scheduled for August 28, 2007 would be made available via remote technology, from the Joseph Caleb Center and the West Dade Regional Library; and at the Miami Beach City Hall and Hialeah City Hall for the public hearing scheduled for August 30, 2007. He noted television screens would be linked to the County Commission Chamber and the public could make their comments from the regional locations or they could be bused to the County Commission Chamber.

Chairman Diaz advised meeting agendas, minutes and all documentation distributed or considered by the Task Force could be downloaded from the Task Force's link via the County's Website. He noted the public could also email their comments on the proposed Charter changes through the County's Website or at [charter@miamidade.gov](mailto:charter@miamidade.gov).

The Task Force members proceeded to introduce themselves.

Chairman Diaz requested the audience's input and suggestions on the following issues for study adopted by the Charter Review Task Force on August 1, 2007:

- Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being elected;
- Compensation for the Mayor and Board of County Commissioners (BCC);
- Term limits for BCC or other elected officials;
- BCC Composition;
- Initiative, Referendum, Petition and Recalls;
- Balance of Power between the Mayor and BCC (review of functions of Mayor vs. County Manager and powers of Commission Auditor);
- Procurement Reform;
- Lobbying Reform;
- Ethics Regulations;
- Municipalities and Unincorporated Municipal Service Area (UMSA) (creating/abolishing municipalities, separation of powers or responsibilities between the County and municipalities, and annexation/incorporation in an effort to eliminate UMSA);
- Public Records and
- Zoning and Urban Development Boundary (UDB) reform.

Chairman Diaz also requested the audience's input and suggestions on a motion adopted by the Task Force on August 15, 2007 relating to the following issues:

- Commissioners would receive a population-based salary provided by Florida's Statutory formula (approximately \$89,000);
- Commissioners' terms in office shall be limited to two, four-year terms;
- Commissioners would be prohibited from having outside employment; and
- 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, pension rights and privileges.

Chairman Diaz opened the meeting for public input and the following persons appeared before the Task Force:

Ms. Patricia Bonner Milone, 29365 SW 202 Avenue, Redland, expressed concerns regarding lobbyists and moving the Urban Development Boundary (UDB). She noted residents of any community should have the right to vote on decisions that directly impacted them and should be allowed to cast their vote in their own district. Ms. Bonner also noted her area was under-represented.

Chairman Diaz noted one of the issues under consideration was the possibility of including a requirement in the Charter that public referendum be required in order to move the UDB.

Ms. Soler-McKinley and Mayor Dermer directed questions to Ms. Milone.

Ms. Marilyn Rolfs, 24371 SW 123 Avenue, Princeton, suggested commissioners' salaries range between \$45,000 and \$50,000 and include benefits. She suggested 6-year term limits for commissioners and requested clarification on whether a commissioner who was no longer in office could qualify to run again.

In response to Mr. Diaz-Padron's inquiry, Ms. Rolfs noted she supported commissioners being prohibited from having outside employment.

Mr. Ken Holden, 23490 SW 152 Avenue, Redland, expressed opposition to commissioners having outside employment and serving on organizations which received County funding. He spoke in support of two, four-year term limits for commissioners and noted a substantial number of at-large commissioners were needed to represent the community. Mr. Holden also spoke in support of the current balance of power and the need for lobbying reform and ethics regulation. Mr. Holden said he felt the threshold for petition recalls was too high and the petition process should be done to enhance participation of those interested in that particular topic. Referring to the UDB, he noted the public should be allowed to vote on whether the UDB should be moved.

In response to Mr. Ferre's inquiry, Mr. Holden said he felt it would be a conflict for a commissioner to be an employee of any governmental agency or organization that received funding from that entity.

Responding to questions from Mr. Holland, Mr. Holden said any commissioner or County employee found guilty of breaching the public trust should lose their right to salary and pension benefits.

In response to questions from Ms. Dannheiser, Mr. Holden noted his support for the separation of powers or responsibilities between the County and municipalities.

Mr. David Lyons, 10310 SW 103 Court, President, Kendale Home Owners Association, spoke in support of the recommendation regarding commissioners' salaries; however, he noted benefits should be correctly added. He agreed with the recommendation that commissioners' terms in office should be limited to two, four-year terms and that outside employment should be prohibited. Mr. Lyons supported the recommendation regarding lobbyists and noted public disclosure of all lobbyists should be required. He commented on the UDB and the need for available drinking water in Miami-Dade County and spoke in opposition to removing the 25% threshold for signatures for incorporation petitions.

Mr. Ken Forbes, 25121 SW 120 Place, Princeton, agreed with recommendations 1, 3 and 4. He noted the existing composition of the County Commission should remain and he

did not believe at-large seats were necessary. Mr. Forbes spoke in support of procurement, lobbying and ethics reforms. He noted the Unincorporated Municipal Service Area (UMSA) needed to be eliminated and local communities should make decisions concerning their areas and the County Commission should be responsible for regional issues.

In response to Mr. Vazquez' inquiry, Mr. Forbes said he would prefer the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections be elected.

Mr. Forbes agreed with Ms. Soler-McKinley's inquiry regarding the possibility of the Dade League of Cities assisting municipalities develop into viable areas.

Mr. Phillip Murray, Jr., 13248 SW 256 Terrace, expressed concern regarding the impact of potential budget cuts on UMSA residents.

Mr. Jaime Reyes, 9750 SW 215 Lane, Cutler Bay, spoke in opposition to the Tax Collector, Property Appraiser and Supervisor of Elections being elected positions; however, he noted election of the Sheriff should be studied. He recommended the functions of the Inspector General's Office be included in the Charter to make it more independent and the Office of the Commission Auditor be eliminated. Mr. Reyes recommended the following language regarding lobbyists be included in the Charter: "no person or friend who directly or through a member of the person's immediate family or through a political action committee or through any other person who makes a contribution to a candidate who is elected mayor or commissioner, shall be permitted to lobby on behalf of another elected official, employed, or appointed board or community member for a period of two to four years and it was at the discretion, following the swearing-in of the subject official." He recommended commissioners' salaries be bifurcated from the other issues and asked the Task Force to study countywide and district-wide districts utilizing Geographical Information System (GIS) mapping. Mr. Reyes recommended UMSA be incorporated.

Chairman Diaz noted information regarding district issues would be posted on the Task Force's Website by Friday (8/24).

Ms. Pat Wade, 20925 SW 187 Avenue, Redland, said the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections should not be elected. She noted the sum total of commissioners' salaries including benefits should be placed on the ballot and concurred with the recommendation that commissioners' terms in office should be limited to two, four-year terms. Ms. Wade spoke in support of more at-large positions with at least five at-large positions along with meaningful public campaign financing; no restrictions on petitions and a 2% requirement for petitions to place initiative referendum recalls on the ballot. She recommended that a Citizens Bill of Rights with enforcement powers be included in the Charter; and those communities wishing to incorporate be allowed to vote for incorporation and boundaries be drawn by people who lived in the community. Ms. Wade noted the UDB was an unproductive waste of time.

In response to Commissioner Gimenez' inquiry, Ms. Wade said she was opposed to placing the constitutional offices of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections to a vote.

Responding to Mr. Vazquez, Ms. Wade said the UDB was a monumental public relations issue and she was not sure there would be a similar campaign for the constitutional offices.

In response to Mr. Holland's inquiries, Ms. Wade said restrictions should be placed on candidates who received contributions from large companies. Regarding a petition process for candidates, she noted this was an interesting concept which she had not considered.

Mr. Eduardo Wolmers, 9370 Dominican Drive, encouraged the Task Force members to hold future meetings in the community. He spoke in support of the petition process for incorporations and eliminating the Municipal Advisory Committee (MAC) process. Mr. Wolmers also expressed support for the 25% threshold for incorporation petitions and noted the ballot question on incorporations should simply require a yes or no response. He agreed with the recommendation that commissioners' salaries be increased but noted benefits should be reduced and commissioners' terms in office should be limited to two, four-year terms. Mr. Wolmers spoke in support of commissioners being prohibited from having outside employment and noted commissioners and employees convicted of any crime involving a breach of public trust should be removed from office.

Mr. John Wade, 20925 SW 187 Avenue, Redland, noted constitutional officers (Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections) should be appointed based on a sound resume and knowledge. He spoke in support of term limits and countywide elections for commissioners. Mr. Wade spoke in opposition to the 25% requirement of signatures for referendum initiatives and recommended this amount not exceed 10%; and noted the requirement for one signature per page being notarized was burdensome. He recommended full disclosure by every lobbyist who lobbied an elected official or department directors with notice of how much they were paid and how often they lobbied commissioners, mayor or department directors, and noted all family members should be subject to the ethics rule. Mr. Wade said communities wishing to incorporate should be given the right to vote and a countywide election should be held regarding the UDB. He noted growth should be limited in Miami-Dade County and suggested studies be conducted to determine whether the infrastructure could support additional growth.

Mr. Joseph Segor, 12815 SW 112 Court, spoke in opposition to incorporations. He agreed with the 25% threshold for petitions and noted there should be protection against gerrymandering and protection with regard to boundaries. Mr. Segor suggested there be a limited number of elected positions and suggested the Task Force consider agriculture as part of its deliberations.

Mr. Segor responded to Mr. Holland's inquiry regarding lowering the petition threshold and increasing the threshold requirement for voter turnout.

Chairman Diaz noted Ms. Elisa Torina, 11347 SW 246 Terrace, chose not to speak but wanted the Task Force to know that she was in support of term limits for commissioners not exceeding eight years. He noted Ms. Torina also wanted the Task Force to look at relaxing the rules recently issued restricting freedom of speech.

Mr. Frank Weiss, 10925 SW 119 Avenue, recommended the Charter be revised to guarantee the rights of citizens to vote on incorporation and that the percentage required from registered voters to prepare the petition drive for incorporation be consistent with the Florida Statutes' requirement of ten percent. He requested that an automatic vote occur once the process for studying municipal incorporation had been followed and verified. Mr. Weiss said annexations should be explored by existing cities but should not be at the expense of the incorporation areas. He suggested the proposed commission salaries not be included in the Charter. Mr. Weiss spoke in support of two, four-year term limits for commissioners and noted the UDB line should be held.

Mr. McHenry Hamilton, 7860 SW 86 Street, spoke in opposition to election of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections. He suggested the Clerk of the County Courts and the State Attorney's Office be studied to determine whether these offices could be appointed positions. Mr. Hamilton said overall he was opposed to term limits but supported term limits for county commissioners. He noted single member districts had not worked and countywide districts were needed. Mr. Hamilton said lobbyists should be held accountable, there should be no back-ended lobbying fees and stiff penalties imposed, including jail time for violating the law. He noted the Ethics Commission should be segregated from the County including funding and UMMA residents should have the right to propose boundaries. Mr. Hamilton said the restrictions that certain municipal revenues would remain with the County in perpetuity should be abolished. He recommended that an UMMA fund be established and that those unincorporated areas have financial statements which would be audited every year; and the County be prohibited from using any of the unincorporated funds from the unincorporated area's taxes for any other reason than to provide municipal services in the unincorporated area.

Mr. Brad Brown, 11266 SW 166 Terrace, spoke in support of the interactive Charter Review process. He suggested the Task Force consider proportional voting which he noted provided an opportunity to vote countywide and vote for particular interest groups; and that an Independent Review Panel be established by new municipalities or that a procedure be established in which complaints would be reviewed by the County's IRP.

In response to Mr. Ferre's inquiry, Mr. Brown noted Cambridge, Massachusetts was the largest major community within the United States that utilized proportional voting.

Chairman Diaz noted the Task Force would be receiving information on proportional voting from the Center on Voting and Democracy.

Ms. Carla Savola, 7410 SW 82 Court, spoke in support of the Sheriff being elected and the Tax Collector, Property Appraiser and Supervisor of Elections being appointed. She expressed support for the proposed \$89,000 for commissioners' salaries and noted the threshold requirement for incorporations should remain the same. Ms. Savola said Community Council appeals in UMSA should be made to the courts and not to the County Commission and she suggested a budget be established for Community Councils. She also suggested the Park and Recreation Department's proposed park plan be placed before the voters. Ms. Savola noted it should be illegal for elected officials to lobby another elected official of another private company.

Chairman Diaz noted the proposal regarding commissioners' salary did not limit the commissioners' ability to derive income from investments but prohibited outside employment.

Mr. Barry J. White, 10001 SW 129 Terrace, spoke in support of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being appointed. He also expressed support for compensation and term limits for commissioners, and noted at-large members were needed. Mr. White noted he felt the petition process was unlawful and the Metropolitan Planning Organization process was politicized and should be reviewed. He spoke in support of additional restrictions and disclosure requirements for lobbyists and noted the Ethics Commission should be totally independent. Mr. White said incorporation should originate from the people and expressed support for a referendum for the UDB. He emphasized the need for urban infill.

Mayor Dermer and Commissioner Gimenez directed questions to Mr. White regarding the 25% threshold for incorporations and commissioners salaries respectively.

Chairman Diaz noted Broward County's Charter Review Task Force had the power to place proposed Charter changes directly onto the ballot without going to the County Commission. He noted members of the audience could provide comments on whether this process should be the same in Miami-Dade County, via emails.

Mr. Jesus Herrera, 11380 SW 181 Street, suggested the mayor's salary be lowered. He spoke in support of the proposed recommendation that any commissioner who was convicted of any crime involving a breach of public trust shall be subject to forfeiture of his/her public earned salary, pension rights and privileges and suggested this recommendation apply to all Miami-Dade County employees. He noted the Property Appraiser should be elected.

Ms. Bev Gerald, 14271 SW 74 Court, Palmetto Bay, spoke in support of citizens having the right to vote on incorporations. She expressed support for all of the issues adopted by the Task Force for study and the proposed recommendation for term limits for commissioners. Ms. Gerald expressed concern regarding the recommendation that commissioners be prohibited from having outside employment.

Ms. Deborah Lamb, 13441 SW 100 Court, spoke in support of the Sheriff, Tax Collector, Property Appraiser, Supervisor of Elections, the County Manager and the Ethics Commission being elected positions. She expressed support for the proposed recommendation regarding commissioner(s) convicted of a crime involving a breach of public trust and noted this should also apply to County employees. Ms. Lamb recommended an itemized budget and any recaptured or refunded funds from bond issues be used to the benefit of that portion of the County for which the funds were originally earmarked. She suggested police services be billed to new municipalities and payments made in a manner that could be verified by any interested citizen; representatives from all boards, committees and trusts should have representation of County residence on these boards equal to the population ratios of the areas to be studied, and all appointments should be made from people within the areas; Community Council members should be given the same deference as elected officials from cities, given budgets and should be paid; and 50% plus one signatures should be collected for incorporation petitions.

Ms. Joy Cooper, 9365 Nassau Drive, Cutler Bay, noted the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections should be advertised nationwide and the best qualified candidate appointed.

Ms. Lana Floyd, 2178 SW 111 Avenue, spoke in support of the proposed recommendation regarding commissioners' salaries, term limits and commissioners who were convicted of any crime. She noted Charter changes should go directly to the voters. Ms. Floyd said Community Council and County Commission members should not be able to vote on issues if they received campaign donations from the same lobbyists or developers. She noted residents in her area should be given an opportunity to decide governance of the area. Ms. Floyd said the Supervisor of Elections should be elected and the Sheriff, Tax Collector and Property Appraiser should be appointed. She noted the Ethics Commission and the Independent Review Panel should be given greater power or eliminated.

In response to Chairman Diaz' inquiry, Ms. Floyd said she felt at-large elections would dilute African-American representation on the County Commission.

Mr. Curtis Lawrence, 17451 SW 109 Avenue, Chairperson, Redland Community Council, appeared before the Task Force on his own behalf. He noted the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections should remain as appointed positions and he expressed support for the proposed recommendation for commissioners' salaries and ethics regulations. Mr. Lawrence said term limits were not the answer but rather campaign finance reform. He spoke in support of the 25% threshold requirement for incorporation petitions.

Members of the Task Force directed questions to Mr. Lawrence.

Mr. Martin Lampkin, 10235 SW 172 Street, said Community Councils appeals should be made to the courts. He noted all positions should be elected and suggested the initiative

petition process for single-member districts be simplified and the 25% threshold for creating Municipal Advisory Committees be retained. Mr. Lampkin suggested a Citizens Charter Review Committee be formed to study the petition process and the annexation process should include the business corridor. He noted if commissioners' salaries were increased, they should be prohibited from doing business with the County and required to attend more meetings.

Mr. Frank J. Cobo, 14410 SW 74 Street, Secretary, West Kendall Federation of Home Owners, appeared before the Task Force on his own behalf. He noted the County needed an independent inspector general. Mr. Cobo suggested 12-year term limits for commissioners and noted he did not believe the public would vote for increased salaries for commissioners. He indicated he was not in support of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being elected and noted Community Council issues should go to the County Commission. Mr. Cobo suggested candidates be required to obtain a certain amount of signatures to run for office.

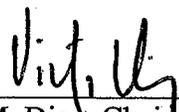
In response to Mr. Cobo's inquiry, Commissioner Gimenez noted approximately \$800,000 was allocated for operation of each Commission District office and \$300,000 for Discretionary Funds which could be allocated to 501(3)(c) organizations.

Chairman Diaz expressed appreciation to members of the audience for attending and participating in tonight's public hearing. He asked the audience to remain engaged as the Charter review process moved forward and to raise public awareness within the community.

Chairman Diaz announced the next Task Force workshops and public hearings were scheduled for August 28, 2007 and August 30, 2007 at 6:00 p.m. respectively in the County Commission Chamber. He noted the public would be able to view the proceedings on August 28<sup>th</sup> via remote technology from the Joseph Caleb Center and the West Dade Regional Public Library and from the City of Miami Beach Commission Chamber and the City of Hialeah Council Chamber on August 30<sup>th</sup>.

### **Adjournment**

There being no further business to come before the Task Force, the meeting adjourned at 10:03 p.m.

  
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Victor M. Diaz, Chairman  
Charter Review Task Force