

The Miami Herald

Posted on Mon, Jul. 16, 2012

16 ways to leave the county

The Miami Herald Editorial
HeraldEd@MiamiHerald.com

After a whirlwind of meetings this summer, Miami-Dade County's charter review task force has delivered 16 recommendations to county commissioners to put before the voters in November.

Some proposals, like removing the individual-notarization requirement from voter petitions and requiring term limits for commissioners, are on target.

Others proposals, like a pay raise for commissioners, now earning a 1950s-era salary of \$6,000 a year, to the county's median income, about \$45,000 a year, are intriguing.

Yet others, like a last-minute change to exempt certain cities — Miami, Miami Beach, North Miami, North Miami Beach, Pinecrest, South Miami and Sunny Isles Beach — from a new measure that would put some teeth into the county's laws on transparency-in-government, make a mockery of the charter's Citizens' Bill of Rights.

This latest charter-review process seems to have been hijacked by pro-municipality proponents without adequate review of the consequences to good governance and transparency. The most explosive proposal — a fast-as-lightning incorporation measure — would leave taxpayers in any new proposed city without a clue as to any minimum population size requirement or the cost of new government services. Worse yet, the incorporation proposal, as drafted, could wreck the county's bond rating and potentially leave county taxpayers in a lurch, without safeguards to cover payments pledged on projects from sewer systems to performing arts centers.

When commissioners consider this latest task force report on Tuesday, they should pass key reforms that voters have been clamoring for, like term limits (and a ban on commissioners working for any entity that does business with the county) and scrap the incorporation measure.

No doubt the task force majority's zeal for incorporation was a reaction to the years of county stalling and outright hostility toward frustrated county residents wanting to start their own cities in hopes of getting better services. But the proposal, led by current or former mayors of various new cities, including Pinecrest and Doral, leaves too many questions unanswered for voters. For instance:

- Why isn't the fiscal note (the cost of providing services to a new city) required before commissioners, and, particularly, voters decide on any incorporation?
- Why drop the number of signatures required to present an incorporation proposal to the county commission to 10 percent of voters of a potential new city? That sets up an uneven

playing field for people wanting to be annexed into existing cities, because that requirement remains at 25 percent of voters signing annexation petitions.

- What size city? As it stands under the incorporation proposal there's no minimum population requirement to create a new city.

Under the proposed rules, the commission "may only reject the petition upon the determination that the proposed incorporation will not have contiguous boundaries or will leave an unincorporated enclave area within its boundaries." That essentially turns the county commission into a rubber stamp for new cities without considering commissioners' duty to protect county taxpayers. Right now, new cities like Miami Gardens have agreements with the county to pay their share for such services as fire, libraries and other projects, but the new rules have no such common-sense requirements.

The task force also tried to set some rules for who's in charge if a mayor is recalled or can't finish his term. It taps the clerk of courts to serve as interim mayor if the county commission chair or vice chair are unable (or unwilling, if they want to run for that office) to step in. Wrong call. That sets up all sorts of conflicts for the clerk of courts, who also is being asked by this task force to step in to decide county contract bid waivers if the mayor has a conflict. Whoa. The clerk already acts as a hearing examiner on bid protests. He can't do both.

Another knuckle-headed proposal would strip the mayor of his veto power on budget items if it's part of an impasse in collective bargaining. That's not in keeping with the "strong mayor" government that voters approved.

Commissioners should step back from this precipice of shortsighted recommendations and focus on what most voters have been rallying for: Imposing a limit of eight years (two consecutive terms) on commissioners, easing the petition requirements and requiring that all county residents, whether they live within city boundaries or not, have the right to take their complaints on rule-breaking to the ethics commission.

Those are the building blocks of good governance. Let's start there.