

**CLERKS SUMMARY AND OFFICIAL MINUTES  
CHARTER REVIEW TASK FORCE MEETING  
AUGUST 1, 2007**

The Charter Review Task Force convened in a meeting on August 1, 2007, at 10:00 a.m. in the Main Auditorium, First Floor of the Miami-Dade Library, 101 West Flagler Street, Miami, Florida. The following members were present: Chairman Victor M. Diaz, Jr. and members Mr. Miguel De Grandy, Mayor David Dermer, Mr. Robert A. Ginsburg, Commissioner Carlos Gimenez, Mr. Murray Greenberg, Ms. Elizabeth Hernandez, Mr. John Hogan, Mr. Robert Holland, Mr. Francois Illas, Mr. Richard Kuper, Ms. Yvonne Soler-McKinley, Mr. Ignacio Vazquez; (Commissioner Souto was late) (Ms. Lynn Dannheiser, Carlos Diaz-Padron, former Mayor of the City of West Miami; Maurice Ferre, former Mayor of the City of Miami; Mayor Shirley Gibson; Mr. Larry Handfield; Raul L. Martinez, former Mayor of the City of Hialeah; and Mr. H. T. Smith were absent).

**1. Call to Order**

Chairman Diaz called the meeting to order at 10:16 a.m.

**2. Roll Call**

The following staff members were present: Assistant County Manager Susanne M. Torriente; Assistant County Attorney Joni Armstrong-Coffey; Assistant to the County Manager Maggie Fernandez; and Deputy Clerks Doris Dickens and Judy Marsh.

Chairman Diaz noted a quorum was present. He welcomed Task Force members, staff, and concerned citizens attending today's meeting.

**3. Approval of July 9, 2007 Meeting Minutes**

Chairman Diaz read the following corrections to the foregoing minutes as requested by Mr. Ferre:

- Page 2, third paragraph should reflect that Mayor Alvarez acknowledged the expertise of many members and recognized Task Force member Maurice Ferre as a former City of Miami Mayor, a former Miami-Dade County Commissioner, and a former state legislator;
- Page 10, paragraphs 4 and 5, should be clarified to reflect that the amended motion included both of the requested amendments;
- Page 11, paragraph 10, should be clarified to read: "It was moved by Mr. Ferre that a representative visit other metropolitan areas and spend time studying their best practices"
- Page 12, the motion should read as follows: "Upon Mr. DeGrandy's opposition to the Task Force considering this issue today, it was moved by Mr. Ferre that all

six issues not discussed from his July 5<sup>th</sup> memorandum be tabled until the next meeting.”

It was moved by Ms. Soler-McKinley that the July 9, 2007 Charter Review Task Force meeting minutes be approved as corrected. This motion was seconded by Mr. Illas and upon being put to a vote, passed unanimously by those members present.

#### **Approval of July 23, 2007 Meeting Minutes**

It was moved by Ms. Soler-McKinley that the July 23, 2007 Charter Review Task Force meeting minutes be approved. This motion was seconded by Mr. Illas and upon being put to a vote, passed unanimously by those members present.

#### **4. Reports**

Chairman Diaz expressed appreciation to Assistant County Manager Susanne Torriente and members of the County Manager’s Office; Assistant County Attorney Joni Armstrong-Coffey and members of the County Attorney’s Office; and members of the Clerk of the Board’s Office for their assistance.

#### **Report by County Attorney’s Office**

##### **Legal Opinion on Sheriff – Requested by Ignacio J. Vazquez**

Chairman Diaz noted the foregoing request initiated by Mr. Vazquez was approved at the July 23, 2007 Task Force meeting and the legal opinion was included in today’s agenda package.

Assistant County Attorney Joni-Armstrong noted she would entertain any questions as to whether the Office of Public Safety Director as currently structured in Miami-Dade County satisfied the constitutional Office of Sheriff, as defined in the State Constitution.

Chairman Diaz said today’s package included supplemental materials and pursuant to the process approved at the July 23<sup>rd</sup> Task Force meeting, the official agenda would be posted on the Charter Review Task Force’s Website and all members would be notified by email when the agenda was accessible for download. He noted only those materials generated by Task Force members or by staff that were not posted on the Website as a part of agenda packages would be distributed during Task Force meetings.

#### **Legal Opinion on Constitutional Officers and employees – at will or civil**

Chairman Diaz noted the foregoing legal opinion regarding at will employees was consistent with the oral opinion presented at the July 23, 2007 Task Force meeting.

**Report by County Manager's Office  
Proposed Sites for Public Hearings**

Chairman Diaz noted at the July 23, 2007 Task Force meeting, the appropriate number of public hearings was discussed as well as the locations for those hearings. He asked Assistant County Manager Susanne Torriente to provide an update on this effort.

Ms. Torriente noted a document identifying the proposed public hearing locations was included in today's agenda package, categorized by venue, address, telephone number and occupancy; including the North Dade Regional Library or the Caleb Center; the Miami Beach Convention Center or the Commission Chamber; the South Dade Government Center, and the Miami-Dade Fire Department Headquarters. She stated these meetings would be held at night.

Chairman Diaz noted he was hopeful the public hearings would be highly publicized throughout the County.

It was moved by Ms. Hernandez that the Task Force approve the proposed public hearing sites as follows: the Caleb Center, the City of Miami Beach Commission Chamber, the South Dade Government Center, and the Miami-Dade Fire Headquarters. This motion was seconded by Mr. Hogan.

Discussion ensued among the Task Force members regarding the foregoing motion.

Commissioner Gimenez expressed concern regarding the proposed meeting sites. He asked that he be provided with a breakdown of the population and where people lived.

Mr. Illas concurred with Commissioner Gimenez. He noted a site was not identified in this document in the Kendall and Westchester areas, where the bulk of the population existed. Additionally, Mr. Illas noted a site within the City of Miami was not reflected, and he felt that the proposed locations were too spread out and did not consider the makeup of the population.

Chairman Diaz emphasized the importance of Task Force members attending scheduled public hearings, and for enough members to be available to constitute a quorum. He called for amendment(s) to add additional sites.

Mr. De Grandy suggested all meetings be held in the County Commission Chamber as this was the seat of government.

Chairman Diaz said the Task Force's Website was operable and periodic reports would be provided on public comments received via the Website. He noted he felt the public was awaiting the results of today's (8/1) meeting on specific issues to be outlined by the Task Force for public input.

Mr. Ginsburg noted in the past only 10 to 15 people attended public hearings even on major bond issues and on ballot questions involving tax increases. He recommended that a total of four public hearings be scheduled initially and that this number be adjusted based on how many people attended the first hearing(s). He spoke in support of Mr. De Grandy's suggestion.

Chairman Diaz noted the County Commission resolution that created this Task Force required that public hearings be held, but did not specify the number of hearings.

It was moved by Commissioner Gimenez that the first public hearing be held in the County Commission Chamber, televised and publicly noticed. This motion was seconded by Mr. De Grandy.

Discussion ensued on the foregoing motion.

Commissioner Souto suggested a couple of meetings be held in the community to avoid any misunderstanding.

Commissioner Gimenez accepted Chairman Diaz' amendment to hold the first public hearing in the Miami-Dade County Commission Chamber versus the Miami-Dade Fire Headquarters; and that depending on the response to this televised public hearing, the Task Force would decide whether to schedule regional hearings.

Mayor Dermer said it was incumbent upon the Task Force members to schedule public hearings in the community. He noted this would instill goodwill and confidence in the process and would address the public's perception that the County did not care.

Mr. Greenberg suggested the public be allowed to email their comments from home during the public hearings.

Mr. Vazquez and Mr. Kuper concurred with Mayor Dermer's comments.

Chairman Diaz suggested the first public hearing be scheduled for August 15, 2007.

Commissioner Souto noted previously six public hearings were scheduled in the community for empowerment zone meetings and he did not wish to be criticized by residents.

Chairman Diaz noted the process should be opened to the public, and it was incumbent on the Task Force to frame meaningful, relevant questions, and to publicize the issues extensively in order to encourage public participation. He called for a vote on the pending motion that the Task Force schedule its first public hearing in the County Commission Chamber (Stephen P. Clark Government Center); that an interactive email process be used to enable public input from all sectors. Also that the Task Force schedule public hearings at the South Dade Government Center, City of Miami Beach Commission Chamber and the Caleb Center.

Chairman Diaz noted the foregoing motion did not preclude that at the end of four meetings, the Task Force may decide to engage in additional meetings. He reminded the members that the Charter Review process had to be concluded by October 31, 2007 and the meetings would be held in August and early September.

Pursuant to Commissioner Gimenez' suggestion regarding telephone input, Chairman Diaz noted the motion also included all available technology.

Upon being put to a vote, the foregoing motion passed unanimously by those members present.

It was moved by Mr. Ginsburg that the public hearings be advertised as "workshops." This motion was seconded by Mr. Illas, and upon being put to a vote, passed unanimously by those members present.

In response to Mr. De Grandy's suggestion that the next meeting be held at a central location and to have all three sites open for public participation via technology, Chairman Diaz said this suggestion would be studied.

#### **Public Information and Outreach & Charter Review Website**

Chairman Diaz said he did not believe the Task Force had received the degree of public outreach and input on the Charter Review Task Force process to raise public awareness. He noted this was an opportunity to engage in constructive reform of County government. Chairman Diaz said he felt the media was waiting for something newsworthy so they could report on specific issues and this would encourage public input. He requested input on whether the August 15, 2007 and September 5<sup>th</sup> Charter Review meetings should substitute as two of the four public hearings or whether the Task Force members wanted to add four additional workshop dates.

Commissioner Gimenez said that as a member of the County Commission, he would prefer to have the Task Force's report by its due date with no extension.

It was moved by Commissioner Gimenez that the Task Force add four workshops as the public hearing dates and continue with its regular meetings as scheduled. This motion was seconded by Mr. Ginsburg.

Mr. De Grandy suggested the Task Force identify issues and hold public hearings, but defer any deliberation, pending the completion of the public participation process; that once the public participation was completed, the Task Force reconvene as the Charter Review Task Force and deliberate the issues.

Mr. Ginsburg said he was prepared to hear the issues, to debate amendments to the Charter and vote on those amendments. He noted he did not feel the Task Force should wait until the public hearing process was completed to start voting on the issues. Chairman Diaz noted he would like to hear from the public.

Commissioner Gimenez said the County Commission process was to vote on an ordinance on first reading and then allow public input. He noted he felt the best way to obtain public input was to identify the issues and Task Force members could always modify their views. Additionally, Commissioner Gimenez noted workshops could be scheduled on any day of the week.

Ms. Soler-McKinley suggested the public hearings be scheduled close together within one week in order to obtain public input as quickly as possible. She noted she supported the proposal to add workshops to the Task Force's existing schedule.

Mayor Dermer noted he concurred with Mr. De Grandy that the Task Force should refrain from voting on charter amendments until the public hearing process was completed.

Upon being put to a vote, the motion to add four workshops to the current meeting schedule passed by a vote of 13-1, (Mr. De Grandy voted "no") (Ms. Dannheiser, Mr. Diaz-Padron, Mr. Ferre, Mayor Gibson, Mr. Handfield, Mr. Martinez and Mr. Smith were absent).

Chairman Diaz provided an update on the Charter Review Website. He said in the first 17 days of operation, a total of 3,909 people viewed the Website. Chairman Diaz noted emails were also received from the public.

Referring to the workshop dates, Chairman Diaz noted he would schedule the workshop dates in conjunction with staff.

**Report by Chairman Diaz  
Community Relations Board Resolution**

Chairman Diaz read, into the record, a resolution adopted by the Community Relations Board (CRB) requesting that the CRB work with the Task Force to convene community forums with the purpose of sharing information and collecting citizen input; and if the Task Force declined the CRB's request, the CRB should independently convene community forums for this purpose.

Chairman Diaz asked whether the Task Force members wanted to accept the CRB's request to hold joint workshops with the Charter Review Task Force or whether they felt the CRB should hold its own workshops.

Mr. De Grandy said he felt the Task Force should decline the CRB's request. He noted the CRB was welcome to hold workshops and report the outcome to the CRTF; however, he felt it would establish a precedent and this Task Force could potentially receive similar requests by many other organizations.

It was moved by Mr. De Grandy that the Task Force decline the CRB's request to hold joint workshops (public hearing process). This motion was seconded by Ms. Illas.

Mr. Holland noted he supported the CRB's request, in that he felt this Task Force should welcome the CRB and any other organization wishing to serve as an outreach component to this Task Force and assist in efforts to encourage the public participation. He suggested Task Force members develop the pros and cons and clearly define the issues.

Upon being put to a vote, the foregoing motion that the Task Force decline the CRB's invitation to hold joint workshops, passed by a unanimous vote of those members present.

It was moved by Mr. Holland that the Task Force welcome the participation of the CRB and all major organizations in Miami-Dade County wishing to assist the Task Force in educating and encouraging people to attend the public hearings. This motion was seconded by Ms. Soler-McKinley.

Commissioner Gimenez suggested the chairpersons of all Miami-Dade County Advisory Boards be invited to participate in the workshops (public hearing process) via email and that these individuals also be invited to encourage the public to attend.

Mr. Holland accepted Commissioner Gimenez' amendment that the chairpersons of all Miami-Dade County boards be invited to participate in the workshops via email. He noted; however, that emails should also be sent to other organizations; including the League of Cities, all municipalities, SALAD, the NAACP, the Wilkie Ferguson, Jr. Bar Association, and the Florida Association for Women Voters.

Commissioner Gimenez, Mr. Greenberg, Mr. Vazquez and Mr. Illas spoke against Mr. Holland's proposal.

Mr. Holland and Ms. Soler-McKinley accepted Mr. De Grandy's friendly amendment that the invitations be sent to the Chairpersons of all County Advisory Boards and that other organization(s) could request to be added to the email list.

Ms. Hernandez asked that each Task Force member be provided with email defining the mission and time and place of workshops.

Chairman Diaz noted at the July 23<sup>rd</sup> meeting, the Task Force voted to ask potential invitees for written comments on substantive issues following the prioritization of issues. He questioned whether Mr. Holland would accept a friendly amendment to his motion to provide that letters to invitees include the dates and locations of the public hearings and that the invitees be encouraged to speak at the public hearings and to encourage others to speak as well.

Mr. Holland noted Chairman Diaz' proposed amendment was acceptable.

Chairman Diaz clarified the motion was as follows: that County Advisory Board Chairpersons be notified of the public hearings and invited to assist in public outreach efforts; that individuals listed on the Task Force members' list of invitees be notified and

invited to attend; that requests from any organization(s) wishing to be added to the list be granted; and that additional organizations be added by individual Task Force members.

Upon being put to a vote, the motion made by Mr. Holland and seconded by Ms. Soler-McKinley, as amended, passed by a unanimous vote of those members present.

### **Request for Time Extension**

### **Follow-up Information Requested on Broward & Miami-Dade regarding four positions in question**

Chairman Diaz noted a comparative report regarding the Broward County Property Appraiser, Sheriff and Supervisor of Elections as elected officials versus the Miami-Dade County Tax Collector, Property Appraiser, Sheriff (Police Department Director) and Supervisor of Elections as appointed officers was included in today's agenda package.

### **5. Task Force Prioritization of Charter Review Issues**

- Review of Mayor's List of Issues**
- Review of Board Chairman's List of Issues**
- Review of Task Force Member Issues**

Chairman Diaz said he was hopeful that the Task Force members were prepared to identify one or more of the issues listed on the chart entitled "Issues Identified as of July 23, 2007 CRTF Meeting" for public debate in addition to the issue the County Commission referred to the Task Force to study. He noted the Community Relations Board (CRB) sent a resolution indicating three issues for the Task Force's consideration, including the study of compensation of the Mayor and the Board of County Commissioners (BCC). Chairman Diaz said he was hopeful that the Task Force members had an opportunity to review the memorandum from Mayor Carlos Alvarez identifying issues he felt this Task Force should study, which included term limits for commissioners and other elected officials. Chairman Diaz noted many different permutations existed in the way these issues were proposed; however, for purposes of identifying the issues, he would group them by subject matter and not by specific proposals. He noted the study of BCC composition was also included in the CRB's resolution and the Mayor's memorandum and that the Mayor's memorandum included the study of lobbying reform.

Chairman Diaz read the issues identified and the number of proponents. He suggested the Task Force consider the issues in descending order based on those receiving the largest number of nominations, as potential subject matters for discussion and a vote. Chairman Diaz said pursuant to the County Commission's request, the Task Force would be considering whether the sheriff, Tax Collector, Property Appraiser and Supervisor of Elections should be elected versus appointed.

The Task Force members then proceeded to vote on the following subject matters for their consideration:

