



Delivering Excellence Every Day

Charter Review Task Force Meeting

Wednesday, October 3, 2007

10:00 am

Stephen P. Clark Government Center

111 NW 1st Street

18th Floor – Conference Rooms 18-3 & 18-4

FINAL AGENDA

1. Call to Order
2. Roll Call
3. Minutes and Reports of Statements
 - A. Approval of September 19, 2007 meeting minutes (attached)
4. Reports
 - A. Updated List of Issues
 - B. Status of Extension of Time & Other Board Resolutions (attached)
 - C. Initial Report to Board – Due on October 31, 2007
 - D. Public Input/E-mails & Media
5. New 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
 1. Incorporation/Annexation Presentation – Office of Strategic Business Management
 2. Redistricting by Independent Bodies – County Attorney's Office
6. Old Business
 - A. Election of Property Appraiser
7. Adjournment – Next meeting on October 17, 2007, 10:00 am
SPCC Conference Rooms 18-3 & 4

**Charter Review Task Force
October 3, 2007**

FINAL 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

**CLERK'S SUMMARY AND OFFICIAL MINUTES
CHARTER REVIEW TASK FORCE MEETING
SEPTEMBER 19, 2007**

The Charter Review Task Force convened in a meeting on September 19, 2007, at 10:00 a.m. in the Vizcaya Village "Garage", 3250 South Miami Avenue (Museum of Science Parking Lot), Miami, Florida. The following members were present: Chairman Victor M. Diaz and members Mr. Miguel De Grandy; Commissioner Carlos A. Gimenez; Mr. Robert A. Ginsburg; Mr. Murray A. Greenberg; Mr. Larry Handfield; Ms. Elizabeth Hernandez; Mr. John Hogan; Mr. Robert Holland; Mr. Richard Kuper; Mr. H. T. Smith; and Mr. Ignacio Vazquez (Ms. Lynn Dannheiser, City of Miami Beach Mayor David Dermer, City of Miami Gardens Mayor Shirley Gibson, Mr. Francois Illas, Raul L. Martinez, former Mayor of the City of Hialeah, and Ms. Yvonne Soler-McKinley, were late) (Carlos Diaz-Padron, former Mayor of the City of West Miami; and Maurice Ferre, former Mayor of the City of Miami, were absent).

1. Call to Order

The meeting was called to order by Chairman Diaz at 10:05 a.m. which was followed by the roll call.

Chairman Diaz noted Senator Souto had resigned and Jorge Luis Lopez had been appointed in his stead.

2. Roll Call

The following staff members were present: Assistant County Attorneys Joni Armstrong-Coffey, Robert Duval, and Oren Rosenthal; Assistant County Manager Susanne M. Torriente; Assistant to the County Manager Maggie Fernandez; and Ms. Vivian Duyos, Office of Strategic Business Management.

3. Minutes and Reports of Statements

A. Approval of August 29, 2007 meeting minutes

Mr. Greenberg clarified the motion he made at the meeting of August 29, 2007 and asked that the minutes be corrected to reflect the motion as: "It was moved by Mr. Murray Greenberg that not until after all, if any, positions are recommended for election, shall it be determined what conditions, if any, should be placed on those positions." There being no objection, it was moved by Mr. Vasquez that the August 29, 2007 minutes be approved as corrected. This motion was seconded by Mr. Kuper and, upon being put to a vote, passed by a vote of 13-0 (Ms. Dannheiser, Mayor Dermer, Mayor Gibson, Mr. Illas, Mayor Martinez, Ms. Soler-McKinley, Mayor Diaz-Padron, and Mayor Ferre were absent).

B. Approval of September 5, 2007 meeting minutes

It was moved by Ms. Hernandez that the September 5, 2007 minutes be approved. This motion was seconded by Mr. Smith and upon being put to a vote, passed by a vote of 13-0 (Ms. Dannheiser, Mayor Dermer, Mayor Gibson, Mr. Illas, Mayor Martinez, Ms. Soler-McKinley, Mayor Diaz-Padron, and Mayor Ferre were absent).

C. August 22, 2007 Workshop & Public Hearing Report of Statements
No one responded to Chairman Diaz's invitation for comments.

D. August 28, 2007 Workshop & Public Hearing Report of Statements
No one responded to Chairman Diaz's invitation for comments.

E. August 30, 2007 Workshop & Public Hearing Report of Statements
No one responded to Chairman Diaz's invitation for comments.

4. Old Business

Chairman Diaz noted Mayor Ferre had submitted a request to attend the next two Task Force meetings via telephone, and that the County Attorney's Office had advised against this procedure.

It was moved by Mr. Smith that, upon the advice of the County Attorney's Office, Mayor Ferre's request respectfully be denied. This motion was seconded by Mr. Handfield and upon being put to a vote, passed by a vote of 13-0 (Ms. Dannheiser, Mayor Dermer, Mayor Gibson, Mr. Illas, Mayor Martinez, Ms. Soler-McKinley, Mayor Diaz-Padron, and Mayor Ferre were absent).

A. Discussion of Issue 4 – Study of Board of County Commissioners Composition (additional attachments and revised 2005 Tables for Case Study Nos. 2 & 3)

Chairman Diaz noted that included in today's (9/19) meeting packages were case studies of at-large districts. He opened the floor for discussion.

Mr. De Grandy spoke in opposition to changing the current composition of the County Commission and addressed the issues of judging whether parochialism was good or bad, the law of unintended consequences, and violation of the voting rights act. He noted that the tension on the Board of County Commissioners (BCC) between advocates of parochial and regional issues was a healthy balance. Mr. De Grandy also noted that the unintended consequences of changing to a countywide format, whether hybrid or total, was to exclude many qualified candidates from running. Lastly, he noted that in this community, with the polarized voting patterns that existed, district elections were the appropriate election mechanism. A hybrid system, Mr. De Grandy said, he believed would have the effect of diluting existing minority strength and violate the Voting Rights Act in this community.

Mr. Greenberg noted that this Task Force would not make the decision on the subject, but would make a recommendation to the BCC.

Mr. Ginsburg noted he had placed a proposal in today's packages which combined the district election system and the merit-retention type of system that preceded the district election system. He expressed support for the pending motion, but noted if the motion failed, he would like for his proposal to be discussed and he would be prepared to make a motion accordingly.

Discussion ensued regarding Mr. De Grandy's comments; Mr. Ginsburg's proposal; minority representation; diversity along ethnic and racial lines; merit-retention; at-large, district, and hybrid systems; problems involving deference to a district commissioner on the BCC; review of Article VI of the County's charter; proportional representation; incorporating the Unincorporated Municipal Services Area (UMSA); annexation and incorporation as a solution to current problems; and redistricting and creating access districts as solutions to problems with minority representation.

Following this discussion, Chairman Diaz noted he did not think this Task Force had reached a consensus that the at-large district system should be adopted, but that the group consensus was to retain the current system and move toward incorporation. He suggested that a separate vote be taken on Mr. Ginsburg's proposal.

It was moved by Mr. De Grandy that the Task Force recommend to the County Commission that the current system of electing commissioners by districts be retained. This motion was seconded by Mr. Vasquez.

Mr. Greenberg offered friendly amendments to the pending motion regarding countywide incorporation, addressing the powers of the BCC by revisiting the Charter, and creating an independent body to redraw the districts.

Mr. De Grandy noted he could not accept the amendments at this time.

The Task Force proceeded to vote upon the pending motion, which passed by a vote of 17 to 1 (Mr. Greenberg voted "No") (Mayor Diaz-Padron, Mayor Ferre, and Mayor Martinez were absent).

Following discussion on Mr. Ginsburg's proposal, whether a model for incorporating UMSA existed, and whether or not this Task Force should recommend countywide incorporation, Chairman Diaz asked the county attorneys to submit a report on models from other communities illustrating independent bodies that guided the redistricting process and a potential independent body in this community. He invited any Task Force member who wished to submit a proposal illustrating a potential independent redistricting body to do so, noting the report and proposals had to be submitted before Thursday September 27, 2007.

B. Discussion of Issue 5-Study of Initiative, Referendum, Petition & Recall

Chairman Diaz noted that this agenda item was deferred.

5. New Business

A. List of Issues for Study-Updated

It was moved by Mr. Greenberg that the Task Force add to its List of Issues for Study, whether or not an independent body should be in charge of the redistricting process. This motion was seconded by Mayor Gibson and upon being put to a vote, passed by a vote of 18-0 (Mayor Diaz-Padron, Mayor Ferre and Mayor Martinez were absent).

It was moved by Ms. Dannheiser that the Task Force add to its List of Issues for Study, Annexation/Incorporation in an effort to eliminate the Unincorporated Municipal Service Area (UMSA). Commissioner Gimenez seconded this motion and upon being put to a vote passed by a vote of 18-0 (Mayor Diaz-Padron, Mayor Ferre and Mayor Martinez were absent).

6. Reports

A. Extension of Time-Board and League Resolutions

Chairman Diaz noted the Task Force requested an extension until January 29, 2008 in order to complete its final report. He noted this request, in the form of a proposed resolution, would be submitted to the BCC for consideration. He noted the resolution called for an interim report by the original due date of October 31, 2007.

Chairman Diaz noted that today's package contained a resolution adopted by the League of Cities encouraging the BCC to grant the extension and emphasized that it was important for Task Force members to communicate with their appointing commissioners regarding any other resolutions or opinions related to the request for extension of time. He then opened the floor for discussion.

Chairman Diaz noted that based on discussions and a vote at the September 5, 2007 meeting, this Task Force was divided on the issue of whether the Property Appraiser position should be an elected or appointed position. The Task Force's preliminary recommendation could be that the Task Force was split on the issue, he noted. However, he added, if any Task Force member desired further discussion, he would place this issue on the next Task Force meeting agenda. Chairman Diaz added that Task Force members should communicate to the BCC their views on this issue, possibly in their final recommendations.

Following discussion on procedures regarding preliminary votes and interim recommendations, Chairman Diaz noted these procedures should be discussed at the next meeting or the first meeting in October.

B. Public Input/E-mails & Media

Not presented

7. Adjournment

There being no further business to come before the Task Force, the meeting was adjourned at 12:39 p.m.

Victor M. Diaz, Chairman
Charter Review Task Force

4-B



**Miami-Dade Legislative Item
File Number: 072593**

Print this page

File Number: 072593	File Type: Resolution	Status: In Committee
Version: 0	Reference:	Control: Governmental Operations and Environment Committee
File Name: ADD HAITIAN MEMBER TO CHARTER REVIEW TASK FORCE		Introduced: 8/30/2007
Requester: NONE	Cost:	Final Action:
Agenda Date: 11/6/2007		Agenda Item Number: 11A

Notes:

Title: RESOLUTION AMENDING RESOLUTION NO. R-462-07 TO EXPAND THE SIZE OF THE CHARTER REVIEW TASK FORCE TO 22 MEMBERS AND TO ADD KAREN ANDRE AS A REPRESENTATIVE OF MIAMI-DADE COUNTY'S HAITIAN-AMERICAN COMMUNITY ON THE CHARTER REVIEW TASK FORCE

Indexes: TASK FORCE
CHARTER REVIEW **Sponsors:** Audrey M. Edmonson

Sunset Provision: No**Effective Date:****Expiration Date:****Registered Lobbyist:** None Listed**LEGISLATIVE HISTORY**

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
County Attorney	9/12/2007		Assigned	Governmental Operations and Environment Committee		10/12/2007	
County Attorney	8/30/2007		Assigned	Monica Rizo	8/30/2007		

LEGISLATIVE TEXT**TITLE**

RESOLUTION AMENDING RESOLUTION NO. R-462-07 TO EXPAND THE SIZE OF THE CHARTER REVIEW TASK FORCE TO 22 MEMBERS AND TO ADD KAREN ANDRE AS A REPRESENTATIVE OF MIAMI-DADE COUNTY'S HAITIAN-AMERICAN COMMUNITY ON THE CHARTER REVIEW TASK FORCE

BODY

WHEREAS, the Charter Review Task Force was created on April 24, 2007, pursuant to Resolution No. R-462-07, and was to consist of 21 members; and
 WHEREAS, no current member of the Charter Review Task Force is Haitian-American; and
 WHEREAS, the Charter Review Task Force has been conducting its meetings and public hearings, during which time there have been repeated requests to add a representative of the Haitian-American community as a member of the Charter Review Task Force; and
 WHEREAS, this community is an integral part of Miami-Dade County and should have direct input into the Charter Review process; and
 WHEREAS, Karen Andre is a Haitian-American resident of Miami-Dade County who is intimately familiar, and works closely, with Miami-Dade County's Haitian-American community,
 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:
 Section 1. This Board amends Resolution No. R-462-07 to expand the size of the Charter Review Task Force to 22 members and to add Karen Andre as a representative of Miami-Dade County's Haitian-American Community in the Charter Review process.
 Section 2. Karen Andre shall commence her participation as a member of the Charter Review Task Force immediately after the effective date of this resolution.

Fernandez, Margarita (CMO)

From: Jean Lafortune [hagc2020@yahoo.com]
Sent: Tuesday, October 02, 2007 11:18 AM
To: Fernandez, Margarita (CMO)
Cc: Moore, Shania (COC); Marleine Bastien; hagc2020@yahoo.com; gepsie metellus; muslima lewis; Kandrejustice@yahoo.com; steveforester@aol.com; brad brown
Subject: Re: PLease distribute to all Charter Review Task Force members for consideration -Hard copy to be forwarded under different cover

The Haitian-American Grassroots Coalition Fair Representation Project
Proposal to the Miami-Dade County Charter Review Task Force

The Haitian American Grassroots Coalition (HAGC) consists of 15 organizations dedicated to securing justice for the Haitian community. Its Fair Representation Project is designed to promote representation and inclusion of Haitian-Americans in elected and policy-making decisions at the local, state, and federal levels. It reflects the community's concern about inadequate allocations of federal, state, and local resources due to significant census undercounts in areas with high concentrations of Haitians. Fair and direct representation is our right as American citizens.

The Fair Representation Project seeks to accomplish the goals of the Haitian-American community through a fair electoral process. Since the object of districting is to establish fair and effective representation for all citizens, single-member districts have been highly regarded as an effective method of achieving minority electoral success. Researchers have thoroughly documented the significant increase in minorities elected to office after the 1990s redistricting, due to the increase in majority-minority districts. In *Meek vs. Metro-Dade County Commission* (1993), the federal court ordered the implementation of a single-member commission district formula to increase fairness in the electoral process and allow minorities to elect candidates of choice.

HAGC proposes that the Miami-Dade County Charter Review Task-Force recommend an increase in the number of single-member districts in the County Commission to insure fair representation for all minority groups.

Miami-Dade elections continue to produce government that fails to fully reflect the diversity of its citizens. In particular, our county commission continues to under-represent various minorities. Today, Haitian-American presence is not reflected in local government despite our growing numbers as more and more Haitians become U.S. citizens.

The Haitian American Grassroots Coalition (HAGC) embraces and adheres to traditional redistricting principles. We believe that a fair redistricting plan that increases the number of single-member districts and complies with the Voting Rights Act will be a positive step toward inclusion and will increase the opportunity for Haitian Americans to elect a candidate of their choice. We need a plan that creates a more inclusive county government reflective of our diversity, one that would make Miami-Dade County Commission elections fairer, provide voters with more meaningful choices, and produce a government more truly representative of the public.

