

MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

Board of County Commissioners

*Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, FL 33128*

Thursday, November 3, 2011
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Christopher Agrippa, Division Chief
Clerk of the Board Division

Alan Eisenberg, Commission Reporter
(305) 375-2510



FINAL OFFICIAL

Members Present: Bruno Barreiro; Lynda Bell; Esteban L. Bovo, Jr.; Jose "Pepe" Diaz; Audrey M. Edmonson; Sally A. Heyman; Barbara J. Jordan; Joe A. Martinez; Jean Monestime; Dennis C. Moss; Rebeca Sosa; Javier D. Souto; Xavier L. Suarez

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: Alan Eisenberg, Commission Reporter
(305) 375-2510

1A ROLL CALL

Report: Chairman Martinez called the meeting to order at 10:28 a.m.

The following staff members were present: Mayor Carlos Gimenez; Deputy Mayor/County Manager Alina Hudak; Deputy Mayor Jack Osterholt; Director of Policy and Legislative Affairs Inson Kim; County Attorney Robert Cuevas; First Assistant County Attorney Abigail Price-Williams; Assistant County Attorneys Geri Bonzon-Keenan, Gerald Sanchez, Oren Rosenthal, Hugo Benitez, Jess McCarty, and Gerald Heffernan; Clerk of the Courts Harvey Ruvin; Clerk of the Board Division Chief Christopher Agrippa; and Deputy Clerks of the Board Doris Dickens and Alan Eisenberg.

1B MOMENT OF SILENCE

Report: The Board convened in a moment of silence, followed by the Pledge of Allegiance.

1C PLEDGE OF ALLEGIANCE

1D SPECIAL PRESENTATIONS

1D1

112147 Special Presentation Joe A. Martinez

PRESENTATION BY THE BEACON COUNCIL REGARDING *Deferred to December 6, 2011*
THE ONE COMMUNITY ONE GOAL INITIATIVE

1D2

112266 Commendation Dennis C. Moss,
Joe A. Martinez

COMMENDATION TO KATHY AND RON MEDFORD FOR *Presented*
OUTSTANDING VOLUNTEERISM AT ZOO MIAMI

FINAL OFFICIAL

1D3

112300 Resolution of Sympathy Esteban L. Bovo, Jr.

SYMPATHY RESOLUTION TO THE FAMILIES OF JULIAN SOLER AND KENNIA DURAN *Presented*

1D4

112301 Resolution of Sympathy Esteban L. Bovo, Jr.

SYMPATHY RESOLUTION TO LAS DAMAS DE BLANCO (LADIES IN WHITE), IN THE MEMORY OF LAURA INES POLLAN *Presented*

1D5

112302 Special Presentation

PRESENTATION BY THE ASIAN AFFAIRS ADVISORY BOARD (Office of Community Advocacy) *Presented*

Report: *Ms. Lisa Hu Barquist, Asian Affairs Advisory Board Chairwoman introduced Vice Chairman Ahmed Tavakoly and Executive Committee Members Barnaby Min and Shawn Khosravi, along with Honorary Board Member George Yap. She informed commission members that Executive Director Mohammad Shakir was not present today due to medical reasons. Ms. Barquist proceeded to present a video depicting the activities of the Advisory Board and the Friends of the Advisory Board, a 501(c) (3) not-for-profit organization created to support the Board's fundraising efforts.*

Chairman Martinez and Commissioners Moss, Sosa and Jordan commended the Board for the diversity of their accomplishments on behalf of the community.

1D6

112303 Special Presentation

PRESENTATION BY THE HISPANIC AFFAIRS ADVISORY BOARD (Office of Community Advocacy) *Presented*

Report: *Ms. Magali Abad, Hispanic Affairs Advisory Board Chairwoman noted Executive Director Maria Lazo was attending today's meeting; however, other Board Members were involved in community activities. She proceeded to present a report describing the activities of the Hispanic Affairs Advisory Board over the previous two years. Ms. Abad noted the Board met on the second Tuesday of each month at 6:00 p.m. with public hearings for one hour preceding each meeting. She invited commissioners and their staff to participate in these meeting. Ms. Abad noted the Hispanic population was the most rapidly growing population in the United States. She noted the Board partnered with many community agencies and organizations to deliver its services throughout the County and Board Member Jorge Iglesias hosted a radio program which provided information to the community on various topics, including voter registration, immigration, public housing, and health and education issues. Ms. Abad said a Board member travelled to Washington DC to advocate for immigrant rights, and other Board members participated in various conferences and workshops. She concluded by thanking members of the Commission for their support and noted the Advisory Board was committed to helping make Miami-Dade County a better place to live and to conduct business.*

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)**1F REPORTS OF OFFICIAL BOARDS**

1G MOTION TO SET THE AGENDA AND "PULL LIST"

Report: County Attorney Robert Cuevas noted in addition to the changes noted in Chairman Martinez' Memorandum entitled "Changes Sheet," that Commissioner Suarez asked to add Deferred Item 11A6 to the Pull List; Commissioner Diaz asked to co-sponsor Item(s) 11A7, 11A8; Commissioner Bell asked to co-sponsor Item(s) 11A3 and 11A11; Commissioner Jordan asked to be added as a pulling Commissioner to Item(s) 8K1 and 8K1 Supplement; Commissioner Diaz asked to add Item(s) 11A1 and 11A1 Supplement to the Pull List; and Commissioner Souto asked to be added as a pulling Commissioner to Item(s) 11A11; 11A12, 11A16, 11A19, 11A24, 11A25, 11A27, and 11A28;

In addition, County Attorney Cuevas noted the proposed Public Hearing Date should be changed to December 6, 2011 before the Board of County Commissioners for Item 4G, pursuant to Item 15B1.

Chairman Martinez clarified, for the record, that all Charter Amendment Items would be considered by the County Commission; therefore, commissioners did not need to request individually to be added to the Pull List.

County Attorney Cuevas advised that the items to be considered at today's (11/03) meeting, would be those items listed in the printed final agenda, with the additions, deferrals, withdrawals, and scrivener's errors noted in the Chairman's Memorandum entitled "Changes Sheet," and the aforementioned items. The Commission would approve all of those items by single vote, setting the agenda, except Presentation Item(s) 1D5 and 1D6 specially set by the Chairman's Order of the Day, ordinances on first reading, public hearings, advisory board appointment by ballot Item(s) 15D1 and 15D2, ordinances on second reading, and the following Pull list Items: 8F2, 8K1, 11A1, 11A2 and 11A2 Supplement, 11A7, 11A8, 11A9, 11A10, 11A12 through 11A35, and 11A36.

County Attorney Cuevas informed the Commission that in the absence of Commissioner Suarez, Item 11A6 would remain deferred pursuant to the Chairman's "Changes Sheet, and not added to the Pull List as requested by the Commissioner.

Commissioner Heyman asked to release Item 11A8 and her portion of Item 11A10.

Commissioner Moss asked to be listed as a co-sponsor to Items 11A3, 11A4, and 11A5; and to release his portion of Item 11A10.

Commissioner Jordan asked to release her portion of Item(s) 8K1 and 11A10; and to be listed as a co-sponsor to Item 11A10.

It was moved by Commissioner Sosa that the Chairman's Memorandum entitled "Changes Sheet," be approved with the additional changes noted by County Attorney Cuevas and County Commissioners. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 12-0; (Commissioner Suarez was absent).

Later in the meeting, County Attorney Cuevas noted Commissioner Suarez asked to be listed as a co-sponsor to Item 11A1.

1H OFFICE OF COMMISSION AUDITOR

1I OFFICE OF INTERGOVERNMENTAL AFFAIRS

2 MAYORAL ISSUES

2A MAYORAL VETOES

2B MAYORAL REPORTS

2B1

111780 Report

SEAPORT DEPARTMENT QUARTERLY REPORT OF EXECUTED JOINT PARTICIPATION AGREEMENTS AND SUPPLEMENTAL JOINT PARTICIPATION AGREEMENTS APPROVED APRIL 1 THROUGH JUNE 30, 2011 (Mayor)

Accepted
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

9/14/2011 6A

Report Received by the Economic Development & Social Services Committee

2C OTHER ISSUES

3 CONSENT ITEMS

4 ORDINANCES FOR FIRST READING

Report: .

4A

112089

Ordinance

Bruno A. Barreiro

ORDINANCE CREATING SECTION 2-286.2 OF THE CODE OF MIAMI-DADE COUNTY; FINDING THAT IT IS IN THE BEST INTEREST OF MIAMI-DADE COUNTY TO WAIVE COMPETITIVE PROCUREMENT OF GOODS AND SERVICES AT MIAMI INTERNATIONAL AIRPORT WERE NECESSARY TO AVOID DISRUPTIONS TO PASSENGERS OR AIRLINE OPERATIONS; DELEGATING TO THE COUNTY MAYOR OR MAYOR'S DESIGNEE THE AUTHORITY TO ADVERTISE, AWARD, AMEND, AND NEGOTIATE CONTRACTS FOR GOODS AND SERVICES AT MIAMI INTERNATIONAL AIRPORT, TO EXTEND CONTRACT DURATION, AND TO SETTLE CLAIMS, WITHOUT NEED FOR PRIOR BOARD APPROVAL; DELEGATING TO THE COUNTY MAYOR OR MAYOR'S DESIGNEE THE AUTHORITY TO ADVERTISE, AWARD, AMEND, AND NEGOTIATE CONTRACTS FOR CONSTRUCTION AND PROFESSIONAL SERVICES AT MIAMI INTERNATIONAL AIRPORT, TO EXTEND CONTRACT DURATION, TO EXECUTE CHANGE ORDERS, AND TO SETTLE CLAIMS, WITHOUT NEED FOR PRIOR BOARD APPROVAL; REQUIRING THE COUNTY MAYOR TO SPECIFY PROJECTED CAPITAL PROJECTS IN THE YEARLY BUDGET; SPECIFYING MAXIMUM DOLLAR LIMITS ON ANY CHANGE ORDERS EXECUTED WITHOUT PRIOR APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR RATIFICATION OF ALL ACTIONS; PROVIDING FOR THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE CHANGE ORDERS RELATED TO CONTRACTS CURRENTLY AWARDED RELATED TO THE REMAINING CONSTRUCTION AND DESIGN OF NORTH TERMINAL; ALLOWING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO AWARD LEASES WITH THE FEDERAL GOVERNMENT OF UP TO TEN YEARS IN TERM WITHOUT PRIOR APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR SEVERABILITY, PRIORITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: December 12,
2011*

Mover: Bruno A. Barreiro

Second: Sally A. Heyman

Vote: 11- 2

No: Souto, Martinez

FINAL OFFICIAL

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Internal Management and Fiscal Responsibility Committee on December 13, 2011.

Subsequently, at the November 15, 2011 meeting, the Board reconsidered Agenda Item 15B1 (Legislative File No. 112232), the report reflecting the public hearing dates for ordinances on first reading from the November 3rd, and changed the public hearing date for this proposed ordinance listed as December 13, 2011 Internal Management and Fiscal Responsibility Committee at 2:00 p.m. to the December 12, 2011 Regional Transportation Committee at 9:30 a.m.

4B

112086

Ordinance

Sally A. Heyman

ORDINANCE RELATING TO NAMING, RENAMING OR CODESIGNATION OF MIAMI-DADE COUNTY ROADS, FACILITIES OR PROPERTY; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AND RULE 9.02 OF THE BOARD OF COUNTY COMMISSIONERS RULES OF PROCEDURE; AUTHORIZING A COMMISSIONER TO BE PRIME SPONSOR OF A NAMING, RENAMING OR CODESIGNATION ITEM IN ANOTHER COMMISSION DISTRICT PROVIDED THE OTHER DISTRICT COMMISSIONER DOES NOT OBJECT TO THE ITEM; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

The motion that this Ordinance be Adopted on first reading failed.
Mover: Sally A. Heyman
Seconder: Barbara J. Jordan
Vote: 5- 8
No: Monestime, Edmonson, Sosa, Bell, Moss, Souto, Martinez, Diaz

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

4C

112244 Ordinance Barbara J. Jordan

ORDINANCE AMENDING CHAPTER 25A OF CODE OF MIAMI-DADE COUNTY REGARDING THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA TO DELETE THE FINANCIAL RECOVERY BOARD TRUST/MEDICAL SCHOOLS ANNUAL OPERATING AGREEMENT COMMITTEE, TO CREATE THE FINANCIAL RECOVERY BOARD'S UM ANNUAL OPERATING AGREEMENT COMMITTEE AND FIU ANNUAL OPERATING AGREEMENT COMMITTEE; DESCRIBING COMPOSITION OF SUCH COMMITTEES, PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: December 13, 2011
Mover: Barbara J. Jordan
Seconder: Xavier L. Suarez
Vote: 9- 4
No: Heyman, Sosa, Bell, Souto*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Public Safety and Healthcare Administration Committee on December 13, 2011.

4D

112258 Ordinance Joe A. Martinez

ORDINANCE RELATED TO ZONING AND PERTAINING TO TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND); AMENDING SECTIONS 33-284.47, 33-284.51 AND 33-284.53 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO DESIGN CRITERIA, LAND USE CATEGORIES, OWNERSHIP AND MAINTENANCE OF COMMON OPEN SPACE(S) AND CIVIC USE BUILDINGS, RESPECTIVELY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: November 15, 2011
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

The foregoing proposed ordinance was adopted on first reading and set for public hearing before the County Commission on November 15, 2011.

4E

112262 Ordinance Joe A. Martinez

ORDINANCE REGARDING RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO AUTHORITY TO SPONSOR OR PRESENT ITEMS ON COMMISSION AGENDA; PROVIDING THAT PRIVATE APPLICATIONS FOR AMENDMENT, MODIFICATION, ADDITION, OR CHANGE TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN ("CDMP") SHALL BE PLACED ON CDMP AGENDA UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: November 15, 2011
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

The foregoing proposed ordinance was adopted on first reading and set for public hearing before the County Commission on November 15, 2011.

4F

112270 Ordinance Joe A. Martinez

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR HOME IMPROVEMENT WAREHOUSES IN THE IU-1, INDUSTRIAL, LIGHT MANUFACTURING DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: November 15, 2011
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

The foregoing proposed ordinance was adopted on first reading and set for public hearing before the County Commission on November 15, 2011.

4G

112269 Ordinance Sen. Javier D. Souto

ORDINANCE GRANTING PETITION OF FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT TO CONTRACT ITS BOUNDARIES ESTABLISHED BY ORDINANCE NO. 06-135; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND EFFECTIVE DATE

*Adopted on first reading
Public Hearing: December 6, 2011
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

On November 3, 2011, the Board amended Agenda Item 15B1, the proposed public hearing dates submitted for approval to change the public hearing date originally set for this proposed ordinance from the December 14, 2011 Infrastructure and Land Use Committee meeting to the December 6, 2011 County Commission meeting.

4H

112234 Ordinance Clerk of the Board

ORDINANCE AMENDING ORDINANCE NO. 08-62 REGARDING THE OFFICE OF THE MIAMI-DADE COUNTY PROPERTY APPRAISER, PROVIDING AUTHORITY FOR THE PROPERTY APPRAISER TO ENTER INTO CONTRACTS UNDER SPECIFIED CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Office of Property Appraiser)

*Adopted on first reading
Public Hearing: December 13, 2011
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance.

The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Internal Management and Fiscal Responsibility Committee on December 13, 2011.

5 PUBLIC HEARINGS (Scheduled for 9:30 a.m.)

5A

111998 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS MIAMI INTERNATIONAL TRADEPORT MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works & Waste Management)

Adopted
Ordinance 11-82
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Chairman Martinez opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed ordinance. He closed the public hearing after no one appeared wishing to speak.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed ordinance as presented.

10/4/2011 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

10/4/2011 4A Adopted on first reading by the Board of County Commissioners

5A1

112004 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS MIAMI INTERNATIONAL TRADEPORT MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works & Waste Management)

Adopted
Resolution R-924-11
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams noted this foregoing proposed resolution was a corresponding resolution to Agenda Item 5A, Legislative File No. 111998.*

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as presented.

5B

112094 Resolution

RESOLUTION RESCINDING RESOLUTION NO. R-1458-04 REGARDING THE PLAT OF HOLLY POINTE, LOCATED IN THE SOUTHEAST 1/4 OF 27, TOWNSHIP 57 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 260 STREET, ON THE EAST BY SW 137 AVENUE, ON THE SOUTH BY SW 264 STREET, AND ON THE WEST BY SW 138 AVENUE) (Public Works & Waste Management)

*Adopted
Resolution R-925-11
Mover: Dennis C. Moss
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Chairman Martinez relinquished the Chair to Vice Chairwoman Edmonson.

Vice Chairwoman Edmonson opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed resolution. She closed the public hearing after no one appeared wishing to speak.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as presented.

5C

112186 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF MICHAEL BIBERMAN AND CONGREGATION OHEL ROCHEL, INC., D-23 157, LOCATED IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 52 SOUTH, RANGE 42 EAST (BOUNDED ON THE NORTH APPROXIMATELY 200 FEET SOUTH OF NE 177 STREET, ON THE EAST APPROXIMATELY 230 FEET WEST OF NE 7 AVENUE, ON THE SOUTH BY NE 176 STREET, AND ON THE WEST BY NE 6 AVENUE) (Public Works & Waste Management)

*Adopted
Resolution R-926-11
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Vice Chairwoman Edmonson opened the public hearing and called for persons wishing to appear before the Commission in connection with this proposed resolution. She closed the public hearing after no one appeared wishing to speak.

Hearing no questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as presented.

Chairman Martinez resumed the Chair.

6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

6A RESOLUTIONS

6B POLICY MATTERS FOR DISCUSSION BY THE BOARD

7 ORDINANCES SET FOR SECOND READING

8 DEPARTMENTAL ITEMS

8A (No items were submitted for these sections.)

**thru
8E**

8F INTERNAL SERVICES DEPARTMENT

8F1

112071 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR CERTAIN NON-COMPETITIVE CONTRACTS DESCRIBED IN THE ITEM, SUBJECT TO THE MONETARY LIMITATIONS SET FORTH THEREIN, AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES (Internal Services)

*Adopted
Resolution R-927-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez*

8F2

112296 Resolution Joe A. Martinez

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS (RFQ) FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN STATE GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN TALLAHASSEE, FL, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFQ NO. 801 (Internal Services)

Amended

Report: See Agenda Item 8F2 AMENDED, Legislative File No. 112350 for the Amended version.

10/18/2011

Staff directed to bring back by the Board of County Commissioners

FINAL OFFICIAL

8F2 AMENDED

112350

Resolution

Joe A. Martinez

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS (RFQ) FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN STATE GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN TALLAHASSEE, FL, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFQ NO. 801 (SEE ORIGINAL ITEM UNDER FILE NO. 112296) (Internal Services)

Adopted as amended

Resolution R-928-11

Mover: Lynda Bell

Seconder: Joe A. Martinez

Vote: 11- 2

No: Heyman, Suarez

Report: Assistant County Attorney Hugo Benitez read amendments to the foregoing proposed resolution into the record.

Chairman Martinez explained that the decrease in lobbyist expenses was proposed to reduce overall costs, noting that other municipal governments paid substantially less for their lobbyists. He questioned whether the County should continue paying more money or to obtain the best representation at a lower cost.

Commissioner Jordan offered a friendly amendment, which Chairman Martinez accepted, requiring that a list of subcontractors be provided by the prime contractor.

Commissioner Heyman noted she supported efficiencies and/or savings that would reduce contract costs; however, she expressed concern about the timing of this Request for Qualification (RFQ) as it would conflict with committee meetings in Tallahassee. She pointed out that at this time the County's lobbyists were focusing their efforts on protecting the Tunnel Project, gaming and other critical issues impacting the County, and they had already indicated that they would voluntarily reduce the amounts of their contracts. Commissioner Heyman noted the Commission did not have sufficient time to address these issues prior to the December 6, 2011 meeting and this discussion should take place in March after the conclusion of the legislative session.

Mayor Carlos Gimenez explained that Administration had spoken to both state and federal lobbyists and obtained reductions of \$50,000 and \$100,000 respectively.

It was moved by Commissioner Bell that the foregoing proposed resolution be adopted as amended with the following changes: 1) to remove the \$400,000 contract amount on handwritten page 1 and to insert the following language: "the amount of the award would be determined by Board of County Commissioners (BCC) at the time of award"; 2) to delete all references in the Request for Qualification (RFQ) that state "the BCC would select the firms for negotiations", and to replace it with the following language: "the BCC would select the firms for award"; 3) to add the following language to the RFP: "...to include a State proposed annual fee to provide all services requested therein and the fee shall include all costs including subcontractor fees, travel, and miscellaneous expenses since these costs would not be reimbursed separately by the County. The fee shall exclude any costs for work order assignments for optional services, which will be specifically identified and defined in the RFQ. This fee will not be part of the evaluation by the selection committee but will be presented to the BCC for the Board's determination of contract award"; and 4) to include a list of subcontractors in the prime contractor's application. This motion was seconded by Chairman Martinez, and upon being put to a vote, passed by a vote of 11-2; (Commissioners Heyman and Suarez voted "no").

8G **(No items were submitted for these sections.)**
thru
8J

8K **PORT OF MIAMI DEPARTMENT**

8K1

112268 **Resolution** **Rebeca Sosa**

RESOLUTION AUTHORIZING THE MAYOR OR HIS *Amended*
DESIGNEE TO APPLY TO THE U.S. FOREIGN-TRADE ZONES
BOARD FOR THE PURPOSE OF ESTABLISHING AND
ADMINISTERING A GENERAL-PURPOSE FOREIGN TRADE
ZONE [SEE ORIGINAL ITEM UNDER FILE NO. 111910] (Port
of Miami)

Report: (SEE AGENDA ITEM 8K1 AMENDED; LEGISLATIVE FILE NO. 112406.)

9/14/2011 3E AMENDED Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development & Social Services Committee

8K1 AMENDED

112406 **Resolution** **Rebeca Sosa**

RESOLUTION AUTHORIZING THE MAYOR OR HIS *Adopted as amended*
DESIGNEE TO APPLY TO THE U.S. FOREIGN-TRADE ZONES *Resolution R-929-11*
BOARD FOR THE PURPOSE OF ESTABLISHING AND *Mover: Rebeca Sosa*
ADMINISTERING A GENERAL-PURPOSE FOREIGN TRADE *Seconder: Esteban L. Bovo, Jr.*
ZONE [SEE ORIGINAL ITEM UNDER FILE NO. 112268] *Vote: 13- 0*
(Seaport)

Report: Assistant County Attorney Hugo Benitez read a proposed amendment to the foregoing proposed resolution into the record.

Hearing no further questions or comments, the foregoing proposed resolution was adopted as amended to insert a "Whereas Clause" after the first "Whereas Clause" on handwritten page 5 with the following language: "Whereas, this Board ultimately wishes to extend the benefits of the general purpose foreign trade zone to the entirety of Miami-Dade County."

8K1 SUPPLEMENT

112304 **Supplement**

SUPPLEMENTAL REPORT: GENERAL PURPOSE FOREIGN *Presented*
TRADE ZONE

9 ADDITIONAL DEPARTMENTAL ITEMS

10 AUTHORITIES, BOARDS, COUNCILS AND TRUSTS

10A1

112078 Resolution

RESOLUTION APPROVING ISSUANCE BY HOUSING FINANCE AUTHORITY OF MIAMI-DADE COUNTY (FLORIDA) OF ITS MULTIFAMILY MORTGAGE REVENUE BONDS (PALM LAKE APARTMENTS PROJECT) SERIES 2011A AND SUBORDINATE MULTIFAMILY MORTGAGE REVENUE BONDS (PALM LAKE APARTMENT PROJECT) SERIES 2011B, IN TOTAL AMOUNT NOT TO EXCEED \$18,400,000 IN ONE OR MORE SERIES FOR BENEFIT OF PALM LAKE RENOVATION LLLP, A FLORIDA LIMITED LIABILITY LIMITED PARTNERSHIP; AND APPROVING FORM AND EXECUTION AND DELIVERY BY AUTHORITY OF VARIOUS DOCUMENTS IN CONNECTION WITH ISSUANCE OF SUCH BONDS (Housing Finance Authority)

*Adopted**Resolution R-930-11**Mover: Rebeca Sosa**Seconder: Sally A. Heyman**Vote: 12- 0**Absent: Suarez***11 COUNTY COMMISSION****11A RESOLUTIONS**

FINAL OFFICIAL

11A1

112274

Resolution

**Bruno A. Barreiro,
Sally A. Heyman,
Xavier L. Suarez**

RESOLUTION SUPPORTING THE 2012 PROPOSED DRAFT
STATE LEGISLATIVE POSITION OF THE SOUTH FLORIDA
REGIONAL TRANSPORTATION AUTHORITY RELATED TO
PRIVATIZATION OF TRI-RAIL AND OTHER ASSOCIATED
CHANGES PROPOSED BY FDOT; OPPOSING FDOT
PROPOSALS RELATED TO THE SFRTA AND TRI-RAIL

Adopted

Resolution R-931-11

Mover: Bruno A. Barreiro

Seconder: Sally A. Heyman

Vote: 11- 0

Absent: Suarez, Diaz

Report: Commissioner Diaz noted this proposed resolution would prevent the Florida Department of Transportation (FDOT) from privatizing Tri-Rail. He questioned the State's intention, pointing out that a significant amount of taxpayer money had already been spent on the train system.

Commissioner Barreiro explained that legislation providing Governor Rick Scott with the ability to make appointments to the South Florida Regional Transportation Authority (SFRTA) existed. He indicated that the FDOT and the Florida East Coast Railway (FEC) were engaged in discussions which were not open to County government or to the public. Commissioner Barreiro said it was rumored that Tri-Rail would either be sold to the FEC or managed by the FEC and that the State rather than the County would exercise control over the rail system. He noted Tri-Rail received State and federal funding in addition to local taxpayer funding and that local revenues already received would not be reimbursed to the County. Commissioner Barreiro stressed the importance of Tri-Rail remaining a regional asset and controlled by the region. He said that the region needed to engage in an open dialogue about privatization and that this decision should not be imposed by the State.

Assistant County Attorney Jess McCarty clarified that private negotiations between the FDOT and the FEC were on-going and neither the SFRTA nor the local counties were represented in these discussions. In response to Commissioner Diaz' question pertaining to viable alternatives, Assistant County Attorney McCarty advised that these options were limited since the funding received from each of the three regional counties was required by State Statute; however, he indicated that the County Attorney would research any potential legal recourse.

Commissioner Barreiro noted Tri-Rail had some of the foremost experts in operating commuter rail systems and questioned the rationale for the State trying to impose, take-over, and control the rail system.

Commissioner Souto noted he concurred with Commissioner Barreiro's concern that the State was taking over control of the County's regional rail system and stressed the importance of developing alternative methods of transportation other than airplanes and cars.

Commissioner Suarez noted he shared Commissioner Souto's concern; however, he was unsure whether the adoption of this proposed resolution would have the consequence of curtailing the FEC's willingness to provide infrastructure improvements and provide an improved train system.

Commissioner Barreiro explained that Broward and Palm Beach Counties had already passed similar resolutions; that Tri-Rail was already substantially privatized; and that the County had repeatedly asked to be included in the discussions between the FDOT and the FEC. He noted it was now necessary to pass legislation urging the State legislature to stop this process or to include the County in the discussions. Commissioner Barreiro said the FEC could operate commuter rail on the County's tracks today and he encouraged them to do so. He explained that the State expressed no previous interest when the County double-tracked the old CSX lines for Tri-Rail; obtained federal funding; and constructed and improved the rail lines. Commissioner Barreiro pointed out that the State began showing interest once Tri-Rail's trains were operating smoothly and on schedule.

Commissioner Suarez noted the State of Florida's Secretary of Transportation voiced concern in a recent meeting that the public was opposed to the State's

plan and believed that the State wanted to privatize Tri-Rail. He said he believed everyone wanted a Tri-Rail which went through municipalities and population centers served by the FEC lines. Commissioner Suarez noted with its current 12-13,000 daily passengers, Tri-Rail was not a viable system and it would be hurt by competition with a revitalized FEC line. He inquired whether the resolution's intent was to urge the State to pay attention to the County's concerns or to oppose the implementation of a rail line along the FEC corridor.

Commissioner Barreiro responded that the regional plan was for a mass transit commuter rail along the FEC corridor. He noted he proposed a MetroRail expansion along the FEC corridor which connected the Miami International and Broward County Airports. Commissioner Barreiro explained that the resolution's intent was to ensure that the County was represented and conversations were in the best interest of this community and not just Tallahassee.

Commissioner Suarez excused himself from this discussion rather than to vote "No".

Chairman Martinez stated that he liked public/private partnerships; however he noted he was supportive of this resolution. He recalled that the State legislature forced a County referendum to add a \$2 license tag fee to support Tri-Rail, which was not approved. He said that the State proceeded to withdraw its funding and then imposed mandatory initial contributions of \$4.3 million each to Dade, Broward and Palm Beach Counties which has increased to \$5 million today. Chairman Martinez emphasized that the County needed to be involved in the discussions and the State needed to listen to local concerns since it had been forcing the County to pay these fees.

Commissioner Heyman noted the critical part was Section 2 of the proposed resolution which urged the State legislature to let the County remain at the table. She said the County should have a voice and the right to vote as regional representatives involved in the SFRTA and the South Florida Regional Planning Council.

Commissioner Moss inquired whether Broward and Palm Beach Counties were engaged in these discussions.

Commissioner Barreiro responded that Broward and Palm Beach Counties were not participating in these discussions and had adopted similar resolutions urging their inclusion.

Commissioner Moss said that it appeared this proposal would hopefully make it clear to the State legislature that all three counties should be engaged in the discussions.

Commissioner Souto noted the South Florida region had the population density needed for trains. He said he did not understand the State's opposition to their involvement in the discussions when these three counties represented a significant portion of the State's population. Commissioner Souto noted mobility was becoming a major issue in South Florida.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as presented.

11A2

112090 Resolution Audrey M. Edmonson

RESOLUTION DIRECTING THE COUNTY MAYOR TO NEGOTIATE CHANGE ORDER NO. 4 TO MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-7-05 WITH MIKE GOMEZ CONSTRUCTION CONSULTING, INC., EXTENDING THE CONTRACT TIME THROUGH DECEMBER 1, 2011; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SUCH CHANGE ORDER AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN, AND WAIVING FORMAL BID PROCEDURES AND PROVISIONS PURSUANT TO SECTION 2-8.1 MIAMI-DADE COUNTY CODE AND SECTION 5.03(D) OF THE MIAMI-DADE HOME RULE CHARTER, AND SECTION 255.20 FLORIDA STATUTES *Amended*

Report: *Commissioner Edmonson noted she was advised by the Aviation Department that the Miscellaneous Construction Contract Award No. MCC-7-05 would be presented to the County Commission at its November 15, 2011 meeting. She requested that the Contract be extended through January 30, 2012 due to additional time needed to implement this program once it was awarded.*

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as amended to extend the Miscellaneous Construction Contract No. MCC-7-05 through January 30, 2012.

It was moved by Commissioner Edmonson that the foregoing proposed resolution be adopted as amended to extend the Miscellaneous Construction Contract No. MCC-7-05 through January 30, 2012. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 12-0, (Commissioner Suarez was absent).

The amended version was assigned Resolution No. R-932-11.

10/18/2011 11A1 Deferred by the Board of County Commissioners

11A2 SUPPLEMENT

112307 Supplement

SUPPLEMENTAL INFORMATION TO RESOLUTION DIRECTING COUNTY MAYOR TO NEGOTIATE EXTENSION OF MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-7-05 BETWEEN MIAMI-DADE COUNTY AND MIKE GOMEZ CONSTRUCTION CONSULTING, INC *Presented*

FINAL OFFICIAL

11A3

112241 Resolution Sally A. Heyman,
Audrey M. Edmonson,
Barbara J. Jordan,
Lynda Bell,
Dennis C. Moss

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS SB 274, HB 419 OR SIMILAR LEGISLATION
REQUIRING DAYCARE VEHICLES USED TO TRANSPORT
CHILDREN TO INSTALL CHILD SAFETY ALARMS

Adopted
Resolution R-933-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

11A4

112239 Resolution Barbara J. Jordan,
Jean Monestime,
Dennis C. Moss

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS A STATEWIDE WAGE THEFT LAW MODELED AFTER
THE MIAMI-DADE COUNTY WAGE THEFT ORDINANCE

Adopted
Resolution R-934-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

11A5

112240 Resolution Barbara J. Jordan,
Jean Monestime,
Dennis C. Moss

RESOLUTION OPPOSING STATE LEGISLATION THAT
WOULD PREEMPT MIAMI-DADE COUNTY'S WAGE THEFT
ORDINANCE

Adopted
Resolution R-935-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

11A6

112290 Resolution Joe A. Martinez

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
AUTHORIZE TWO OR MORE DESTINATION RESORT
CASINOS IN MIAMI-DADE COUNTY WITH REVENUES
GENERATED TO BE USED TO REDUCE COUNTYWIDE
PROPERTY TAXES (SEE ORIGINAL ITEM UNDER FILE NO.
112029)

Deferred to no date certain

10/18/2011 11A6 AMENDED *Deferred by the Board of County Commissioners*

FINAL OFFICIAL

11A7

112259

Resolution

Joe A. Martinez,
Rebeca Sosa,
Barbara J. Jordan,
Sally A. Heyman,
Jose "Pepe" Diaz,
Esteban L. Bovo, Jr.,
Lynda Bell,
Audrey M. Edmonson,
Jean Monestime,
Dennis C. Moss

RESOLUTION SUPPORTING HJR 169 OR SIMILAR
LEGISLATION THAT WOULD PROPOSE A
CONSTITUTIONAL AMENDMENT TO PROVIDE COUNTIES
AND CITIES A LOCAL OPTION TO GRANT AN ADDITIONAL
HOMESTEAD EXEMPTION TO LOW INCOME SENIOR
CITIZENS IN THE AMOUNT OF THE ENTIRE ASSESSED
VALUE OF HOMESTEAD PROPERTY; SUPPORTING HB 357
WHICH IMPLEMENTS HJR 169 OR A SIMILAR JOINT
RESOLUTION UPON APPROVAL BY STATEWIDE VOTERS

Adopted

Resolution R-936-11

Mover: Joe A. Martinez

Seconder: Jose "Pepe" Diaz

Vote: 12- 0

Absent: Suarez

Report: *Commissioner Jordan questioned the number of residents who would be impacted by this proposed resolution and the effect on the County's General Fund.*

Budget Director Jennifer Glazer-Moon, Office of Management and Budget, responded that data was not available on the number of residents earning less than \$15,000; however, the fiscal impact across tax supported budgets, assuming 46,000 properties with senior citizen exemptions, would be under \$5 million dollars.

Commissioner Heyman noted she supported providing assistance to senior citizen homeowners and that she previously supported the Save Our Seniors legislation; however, she expressed concern that removing the entire assessed value of homestead property could have unintended consequences for the County.

Ms. Glazer-Moon explained that the maximum fiscal impact at \$5 million was marginal. She noted the Property Appraiser would need to begin obtaining financial information from senior citizens applying for this additional homestead exemption and then verify that the homeowner met the qualification requirements.

Commissioner Heyman expressed concern that the County was removing the layer of protection that senior citizens enjoyed by declaring a taxable value on property which they owned as this proposal removed the ability to assess property taxes for people earning under a certain amount.

Chairman Martinez pointed out that only a small number of senior citizens would qualify for the exemptions. He explained that in order to qualify, a senior citizen must have owned the property for at least 20 years; be at least 65 years of age; and have no more than a \$15,000 annual income. He stressed that he wished he could do more for the senior population.

Commissioner(s) Bell, Bovo, Edmonson, Diaz, Jordan, Monestime, and Moss asked to be listed as co-sponsors to this proposed legislation.

Commissioner Diaz noted assisting the elderly population was the right thing to do.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as presented.

FINAL OFFICIAL

11A8

112238

Resolution

Joe A. Martinez,
Barbara J. Jordan,
Jose "Pepe" Diaz,
Jean Monestime

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION PROHIBITING EMPLOYERS FROM USING CREDIT HISTORY IN DETERMINING WHETHER TO DENY EMPLOYMENT TO A JOB APPLICANT, DISCHARGE AN EMPLOYEE OR DECIDE COMPENSATION, EXCEPT WHERE CREDIT HISTORY IS JOB-RELATED; FURTHER URGING CONGRESS TO APPROVE H.R. 321, THE EQUAL EMPLOYMENT FOR ALL ACT, OR SIMILAR LEGISLATION

Adopted
Resolution R-937-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

11A9

112237

Resolution

Dennis C. Moss,
Barbara J. Jordan,
Lynda Bell,
Jose "Pepe" Diaz

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT WORKPLACE ANTI-BULLYING LEGISLATION

Adopted
Resolution R-938-11
Mover: Dennis C. Moss
Seconder: Audrey M. Edmonson
Vote: 12- 0
Absent: Suarez

Report: *Commissioner Moss explained that this foregoing proposed resolution urged the Florida legislature to enact workplace anti-bullying legislation and proceeded to read into the record the resolution in its entirety. Commissioner Moss noted that bullying was a problem in the workplace and that he would introduce future legislation to respond to bullying in this community.*

Commissioner Jordan questioned whether the current anti-bullying legislation for school districts included private schools, and if not, noted she would co-sponsor this legislation with Commissioner Moss when presented.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as presented.

FINAL OFFICIAL

11A10

111538

Resolution

Rebeca Sosa,
Barbara J. Jordan

RESOLUTION OPPOSING THE IMPOSITION OF TOLLS TO ACCESS THE PORT OF MIAMI; DIRECTING THE MAYOR OR DESIGNEE TO BRING TO THE BOARD AN ALTERNATIVE FUNDING PLAN; DIRECTING THE MAYOR OR DESIGNEE TO IDENTIFY AN ALTERNATIVE FUNDING PLAN FOR THE PORT OF MIAMI TUNNEL THAT DOES NOT INCLUDE TOLLS

Adopted
Resolution R-939-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

9/14/2011 2C

Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee

11A11

112236

Resolution

Rebeca Sosa,
Jose "Pepe" Diaz,
Lynda Bell,
Dennis C. Moss

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION MAKING IT A THIRD-DEGREE FELONY TO RETRIEVE OR RETURN MORE THAN ONE ABSENTEE BALLOT FROM A NON-RELATIVE; ALTERNATIVELY URGING THE LEGISLATURE TO MAKE IT A THIRD DEGREE FELONY TO VIOLATE ANY LOCAL ELECTION LAW

Adopted
Resolution R-940-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

11A12

112132

Resolution

Bruno A. Barreiro

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COMMISSIONERS SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE SALARY PROVIDED BY STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY \$92,097); AND SHALL BE SUBJECT TO TERM LIMITS SO THAT NO PERSON WHO HAS SERVED THREE CONSECUTIVE FOUR-YEAR TERMS AS A COMMISSIONER SHALL BE ELIGIBLE TO QUALIFY AS A CANDIDATE FOR, NOR MAY BE ELECTED AS, COMMISSIONER FOR THE NEXT SUCCEEDING TERM EXCEPT THAT CURRENT COMMISSIONERS WHO WOULD BE TERM LIMITED IN 2012 OR 2014 SHALL BE ELIGIBLE TO QUALIFY FOR, AND BE ELECTED AS, A COMMISSIONER FOR ONE MORE TERM

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

10/26/2011 2A

Forwarded to the full BCC by the BCC Chairman as requested from the Infrastructure and Land Use Committee

11A13

112107 Resolution Esteban L. Bovo, Jr.

Withdrawn

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE HOME RULE CHARTER SHALL BE AMENDED TO SPECIFY THE EXCLUSIVE PROCESS, FORM, CONTENT, AND METHOD FOR CERTIFICATION OF CITIZEN INITIATIVE PETITIONS TO AMEND THE HOME RULE CHARTER, REPEAL ALL PROVISIONS IN CURRENT ORDINANCES AND RESOLUTIONS THAT REGULATE SUCH PETITIONS, AND PROHIBIT REGULATION OF SUCH PETITIONS BY THE BOARD

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

10/18/2011 14A1 4 Day Rule Invoked by the Board of County Commissioners

11A14

112108 Resolution Esteban L. Bovo, Jr.

Amended

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO INCREASE FROM 60 TO 120 DAYS THE TIME ALLOWED TO CIRCULATE INITIATORY PETITIONS, AND TO PROVIDE THAT ELECTIONS TO AMEND THE CHARTER, EITHER THROUGH INITIATORY PETITIONS OR BY BOARD ACTION, BE HELD IN CONJUNCTION WITH THE NEXT SCHEDULED GENERAL ELECTION RATHER THAN WITHIN 60 TO 120 DAYS, AS CURRENTLY REQUIRED

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A14 AMENDED, Legislative File No. 112108 for the Amended version.

10/18/2011 14A2 4 Day Rule Invoked by the Board of County Commissioners

FINAL OFFICIAL

11A14 AMENDED

112108

Resolution

Esteban L. Bovo, Jr.

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO INCREASE FROM 60 TO 120 DAYS THE TIME ALLOWED TO CIRCULATE INITIATORY PETITIONS, AND TO PROVIDE THAT ELECTIONS TO AMEND THE CHARTER, EITHER THROUGH INITIATORY PETITIONS OR BY BOARD ACTION, BE HELD IN CONJUNCTION WITH THE NEXT SCHEDULED GENERAL ELECTION RATHER THAN WITHIN 60 TO 120 DAYS, AS CURRENTLY REQUIRED

*Adopted as amended
Resolution R-941-11
Mover: Jose "Pepe" Diaz
Secunder: Rebeca Sosa
Vote: 12- 1
No: Jordan*

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

Chairman Martinez inquired whether the recall petition process could be addressed by ordinance.

Assistant County Attorney Rosenthal clarified that certain provisions of Chapter 12, Section 12-23 of the Code of Miami-Dade County could be changed to comply with the Charter Review Task Force members' recommendations; however, these changes would be made by ordinance and not included in the County Charter.

Chairman Martinez inquired whether the petition signature requirements were consistent with the requirements set forth by State Statute, pursuant to legislation previously proposed by Commissioner Diaz.

Assistant County Attorney Rosenthal answered that the ordinance to which Chairman Martinez referred was not adopted. He clarified that certain items needed to be addressed through Charter Amendment and not by ordinance, such as: 1) changing the time allowed to collect signatures from 60 to 120 days, 2) prohibiting future ordinances, and 3) changing the election date to the General Election. Repealing the provision of Section 12-23 requiring no more than one signature per page could be accomplished by ordinance, said Assistant County Attorney Rosenthal.

In response to Chairman Martinez' question about page and font size requirements for recall petitions, Assistant County Attorney Rosenthal noted a minimum 12 point font was required and no minimum page requirement existed.

Mayor Gimenez explained that recall petition requirements were being included in the County Charter to ensure that changes to those requirements could be made only by the voters and not by any future County Commission.

Commissioner Bovo noted many of his proposed resolutions dealt with recall petitions and he would defer those items which could be considered by ordinance. He proceeded to question whether these items could be included on the ballot in the event they were not approved by this commission.

Assistant County Attorney Rosenthal advised that items that were meant to be placed on the January 31, 2012 ballot were due by December 2, 2011; therefore, they could be included on a subsequent election ballot if the County Commission did not approve the ordinance(s).

Commissioner Bovo noted an Agenda item existed which combined several individual items and questioned whether that item could be considered by ordinance or whether it should be placed on the ballot.

Assistant County Attorney Rosenthal explained that Task Force Recommendation No. 9 (Agenda Item 11A14) could not be accomplished through an ordinance. He noted this proposed resolution would increase the time period allowed to collect signatures for proposed Charter amendments

and citizens' initiatives from 60 to 120 days and would place proposed Charter amendments on the General Election ballot only. He explained that the Task Force members recommended that the County Commission pass no laws regarding initiatory petitions that were not in the Charter and it would be inconsistent to pass the combined item and then to change the ordinance because the commission would not be able to change the ordinance.

Commissioner Bovo questioned whether Agenda Items 11A17 and 11A18 which both addressed Charter Review Task Force Recommendation No. 18 could be considered by ordinance.

Assistant County Attorney Rosenthal indicated that currently a Charter election is to be held within 60 to 120 days of the date a certified petition is presented to the County Commission. He explained that Recommendation No. 18 would change the time period so that the Charter election would be held in conjunction with the next scheduled General Election. He advised that the Commission could not pass an ordinance that would change the time allowed to have that election because it was already included in the Charter.

Commissioner Bovo noted he wanted to discuss Agenda Item 11A14 which would require a Charter Amendment to increase the number of days allowed to collect petition signatures from 60 to 120 days. He proceeded to question whether the two other Agenda items addressing Task Force Recommendation No. 18 could be combined or whether they should be considered separately by ordinance or Charter amendment.

Assistant County Attorney Rosenthal responded that many items included in Task Force Recommendation No. 18 could be accommodated by ordinance, with the exception of the change in election date. He noted Task Force Recommendation No. 9 would change the election date, thus allowing the remaining components of Recommendation No. 18 to be addressed by ordinance. He also noted Task Force Recommendation No. 12 prohibiting future changes to the Charter by the County Commission could not be addressed through an ordinance. County Attorney Cuevas and Assistant County Attorney Rosenthal advised that Commissioner Bovo could submit repeal items that he wanted to change at a later date.

Chairman Martinez suggested a discussion on the proposal to increase the number of days allowed to collect petition signatures from 60 to 120 days and questioned whether the General Election items could be combined.

Assistant County Attorney Rosenthal answered that Recommendation No. 9 already included both the change from 60 to 120 days as well as the change to the General Election date.

County Attorney Cuevas asked and Commissioner Bovo accepted an amendment to insert January 31, 2012 as the Special Election date.

Commissioner Diaz noted the existing ordinance was adopted in order to prevent fraud. He said the signature requirements were very clear requiring only one signature per page; as a result, individuals signing petitions were now in a better position to read and understand what they were signing, according to a conversation with Mr. Lester Sola, Elections Department Past Director. Commissioner Diaz noted the notary requirement was no longer an issue since clear and precise signatures were being submitted to the Elections Department. He asked the County Attorney to explain the State of Florida's verification requirements pertaining to the petitions gathering process.

Assistant County Attorney Rosenthal responded that the Supervisor of Elections for the State of Florida was paid ten cents per signature to review signatures.

Commissioner Diaz questioned the Task Force members' recommendation on the petition gathering process and signature requirements.

Assistant County Attorney Rosenthal read Task Force Recommendation No. 9 which proposed that the period to collect signatures for proposed Charter amendments and citizens' initiative be extended to 120 days and that proposed Charter amendments be placed on a General Election ballot.

In response to Commissioner Diaz' inquiry, Commissioner Bovo said that he supported placing Charter amendments on the General Election ballot.

Assistant County Attorney Rosenthal clarified for Commissioner Diaz that County Commission members amended a previous resolution to place Charter amendments on the General Election ballot; that the County Mayor executed his veto power over that approval; and that the Commission subsequently overruled the Mayor's veto.

Commissioner Diaz explained that the County Commission adhered to State guidelines for the petition gathering process and based upon police investigations and fraud prosecutions added additional conditions such as obtaining the signatures of each person gathering voters' signatures. He noted signature petitions were printed in three languages on a single page to ensure that they could easily be read, thus providing an additional layer of voter protection.

Pursuant to Commissioner Monestime's questions about the differences between the foregoing proposed resolution and the citizens' initiative which appeared on the 2011 election ballot, Assistant County Attorney Rosenthal responded that the previous ballot question read "shall the Charter be amended to provide that petitions for Charter amendments, initiatives, referendum and recall shall no longer require a sworn affidavit of a circulator and shall instead only require the name and address of a circulator." He explained that the proposed resolution would keep the previous conditions; however, it would also include 120 days to collect signatures and would place Charter amendments on a General Election rather than on an election held 60 to 120 days from setting of the election. Assistant County Attorney Rosenthal added that the previous ballot included recall in the language whereas this proposed resolution did not. He said the current proposal did not address the notary requirements which currently existed in the Charter, nor the provisions of Section 12-23 which required one signature per page.

Chairman Martinez noted he recently met with Mr. Lazaro Gonzalez, who initiated the initial petition drive to recall Mayor Carlos Alvarez, and was informed that 90 days was sufficient to gather signatures; however, 120 days could potentially lead to fraud. He said he believed that Mr. Gonzalez also met with Commissioners Barreiro, Diaz, Sosa, Souto, and Suarez and asked whether they had received a similar message.

The commissioners identified by Chairman Martinez confirmed that they received a similar message from Mr. Gonzalez.

Chairman Martinez questioned the rationale behind the Task Force members'

recommendation of allowing 120 days to gather signatures.

Assistant County Attorney Rosenthal answered that according to page 24 of the Task Force's Final Recommendations "The Task Force believes that by increasing the time frame for gathering signatures from 60 to 120 days, which is the standard for most of the peer jurisdictions reviewed, citizens would have greater access to the petition process."

Mayor Gimenez noted the Task Force came to the conclusion that 120 days appeared to be a reasonable amount of time to gather petitions.

Commissioner Bovo commented that 120 days would provide citizens who were not tied to deep pockets or special interests with sufficient time to gather signatures.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as amended.

Upon being put to a vote, the foregoing proposed resolution passed by a vote of 13-0.

The foregoing proposed resolution was adopted as amended to insert on handwritten page 3, Section 1, line 2 the date "January 31, 2012" as the Countywide Special Election date.

Commissioner Jordan subsequently requested that her vote be changed to a "No" vote, resulting in the proposed resolution passing by a vote of 12-0.

10/18/2011 14A2

4 Day Rule Invoked by the Board of County Commissioners

11A15

112109 Resolution Esteban L. Bovo, Jr.

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE THAT THE CERTIFICATION AND SIGNATURE GATHERING PROCEDURES FOR INITIATIVE PETITIONS FOR ORDINANCES ALSO GOVERN INITIATIVE PETITIONS TO AMEND THE HOME RULE CHARTER

Deferred to no date certain

Report: SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.

Assistant County Attorney Jess McCarty noted that a scrivener's error should be corrected on handwritten page 4, line 3 of the ballot question of the foregoing proposed resolution to change the spelling of the word "PROCEEDURES" to "PROCEDURES".

10/18/2011 14A3

4 Day Rule Invoked by the Board of County Commissioners

11A16

112110

Resolution

Esteban L. Bovo, Jr.

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR COMMUNITY ZONING APPEALS BOARDS TO DECIDE ZONING APPLICATIONS TO THE EXTENT ALLOWED BY LAW AND FOR APPEALS FROM SUCH DECISIONS TO BE DECIDED BY ZONING HEARING OFFICERS IN A PROCESS MODELED ON THE STATE OF FLORIDA'S ADMINISTRATIVE PROCEDURES ACT, SUBJECT TO LIMITED REVIEW BY THE BOARD OF COUNTY COMMISSIONERS

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

Assistant County Attorney Jess McCarty noted that a scrivener's error should be corrected on handwritten page 4, line 6 of ballot question of the foregoing proposed resolution to change the spelling of the word, "MODELLED" to "MODELED".

10/18/2011 14A4

4 Day Rule Invoked by the Board of County Commissioners

11A17

112111 Resolution Esteban L. Bovo, Jr.

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE HOME RULE CHARTER SHALL BE AMENDED TO: SPECIFY THE EXCLUSIVE PROCESS, FORM, CONTENT, AND METHOD FOR CERTIFICATION OF CITIZEN INITIATIVE, REFERENDUM, RECALL, AND CHARTER AMENDMENT PETITIONS, REPEAL ALL PROVISIONS IN CURRENT ORDINANCES AND RESOLUTIONS THAT REGULATE CITIZEN INITIATIVE, REFERENDUM, RECALL, AND CHARTER AMENDMENT PETITIONS, PROVIDE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL NOT ADOPT ANY RESOLUTION OR ORDINANCE THAT REGULATES SUCH PETITIONS AND PROVIDE THAT ELECTIONS ON CHARTER AMENDMENT PETITIONS SHALL ONLY TAKE PLACE AT GENERAL ELECTIONS

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item(s) 11A14 AMENDED, Legislative File No 112108 and 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

10/18/2011 14A5

4 Day Rule Invoked by the Board of County Commissioners

11A18

112112 Resolution Esteban L. Bovo, Jr.

Deferred to no date certain

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE THAT THE CHARTER SHALL EXCLUSIVELY GOVERN THE PROCEDURES FOR CITIZEN INITIATIVE, REFERENDUM, RECALL AND CHARTER AMENDMENT PETITIONS, THAT ALL CURRENT ORDINANCES AND RESOLUTIONS THEREON SHALL BE REPEALED AND THAT FUTURE ADOPTION OF ORDINANCES AND RESOLUTIONS REGULATING SUCH PETITIONS BE PROHIBITED

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A14 AMENDED, Legislative File No 112108 for additional comments relating to the foregoing proposed resolution.

10/18/2011 14A6 4 Day Rule Invoked by the Board of County Commissioners

11A19

112252 Resolution Esteban L. Bovo, Jr.

Deferred to no date certain

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO REQUIRE THE BOARD OF COUNTY COMMISSIONERS TO HOLD A PUBLIC HEARING ON ANY CITIZEN OR BOARD INITIATED CHANGE TO THE HOME RULE CHARTER ON THE DATE THE BOARD SETS THE ELECTION DATE ON THE PROPOSED CHARTER AMENDMENT

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

11A20

112265

Resolution

Jose "Pepe" Diaz

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO ESTABLISH THE OFFICE OF POLICE DIRECTOR AS AN ELECTED CHARTER OFFICIAL RESPONSIBLE FOR POLICE AND CORRECTIONS FUNCTIONS WHO HAS MORE INDEPENDENCE THAN CURRENT ADMINISTRATIVE DIRECTORS AND WHO MAY BE RECALLED BY VOTERS, INSTEAD OF THE MAYOR BEING RESPONSIBLE FOR PERFORMING SUCH FUNCTIONS THROUGH DEPARTMENT DIRECTORS THE MAYOR APPOINTS, SUBJECT TO DISAPPROVAL BY THE COMMISSION, AND SUSPENSION, REPRIMAND, REMOVAL OR DISCHARGE AT THE SOLE DISCRETION OF THE MAYOR

Deferred to no date certain

Report: SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.

Commissioner Diaz noted the Sheriff and Elections Supervisor positions throughout the State were elected positions, with the exception of Miami-Dade County and noted the voters should have the right to decide who holds these positions. He said that having an elected Sheriff would make the incumbent accountable and provide a balance of power. Commissioner Diaz indicated that he was sponsoring the following proposed resolutions: 1) an elected Police Director responsible for police and corrections functions; 2) an elected Police Director responsible for police functions; and 3) an elected Public Safety Director responsible for police, corrections, and fire and rescue functions. He also noted the Supervisor of Elections should be totally independent and not controlled by County Administration or any other elected officials.

Mayor Carlos Gimenez stated that some degree of separation and independence was necessary to eliminate the Mayor's excessive influence over the Police Department, as recommended by the Task Force. Mayor Gimenez noted the Task Force members recommended giving both the Mayor and the Commission some authority over the Police Department so that in the event the Commission believed the Mayor was overstepping his authority with the Police Department, or the Police Chief was doing the Mayor's bidding, the Commission could dismiss the Police Chief and the Mayor could only dismiss the Police Chief with the acquiescence of the Commission. He noted a firewall was needed between the Mayor and Police Chief so that the Mayor could not abuse his/her power over the Police Department; likewise a separation was needed between the Mayor and the Supervisor of Elections to maintain an adequate balance of power between the Mayor and the Commission's Chairperson.

Commissioner Diaz noted he was a Strong Mayor in the City of Sweetwater and he had the final decision-making authority over the Police Chief, even though he seldom exercised that authority. He noted he understood the separation of authority in that department; however, he questioned the separation of authority in the Elections Department.

Mayor Gimenez noted the Task Force members' recommendations were specific in terms of separations and what the Mayor's powers would be in relation to the Police Chief and the Supervisor of Elections if the recommendations were adopted by the Commission.

Chairman Martinez clarified that these powers were set forth in Task Force Recommendation No. 1. He pointed out that despite the provisions of that recommendation, the Police Chief or the Elections Supervisor would do whatever he/she was told to do by his/her boss.

Mayor Gimenez said that the Task Force recommended a clear separation of authority to be added to the Charter which went beyond hiring and firing.

County Attorney Robert Cuevas noted the provisions of the recommendation did not include budget, funding, and emergency management matters. He further noted the Police Director shall perform his/her duties independent of and without supervision from the Mayor or the Commission.

FINAL OFFICIAL

Commissioner Sosa noted Agenda Item 11A29 was the exact recommendation of the Task Force and should be considered to address these concerns. She also questioned whether Agenda Item 11A31 related to procurement issues could be accommodated by ordinance.

Chairman Martinez responded that he was currently working on appropriate legislation to present Agenda Item 11A31 as an ordinance.

Commissioner Sosa indicated that she wanted to co-sponsor Agenda Item 11A31 when it was presented as an ordinance.

Chairman Martinez clarified that he sponsored all Task Force recommendations that were not otherwise sponsored by a commissioner in order for all recommendations to be considered by the Commission. He noted that Task Force Recommendation No. 1 was for the Public Safety Director to remain an appointed position; however, included additional safeguards.

In response to Commissioner Sosa's inquiry as to whether each Task Force Recommendation would be addressed today, Chairman Martinez asked whether any of his colleagues wanted any other proposal(s) to appear on the January 2012 ballot, other than term limits and the petition initiative.

Commissioner Bovo asked whether drafted ordinances could be presented directly to the County Commission and waived from being heard by committee.

County Attorney Cuevas explained that the normal process was for ordinances to be presented to the County Commission for first reading; and assigned to committee once adopted. He noted an ordinance could be presented to the Commission for public hearing and second reading.

Chairman Martinez noted the item(s) would need to be waived by the Infrastructure and Land Use Committee (ILUC) Chairperson and the County Commission Chairperson to be placed on a Commission Agenda. He said he would sign the memorandum to waive the Board's Rules of Procedure to allow the proposed ordinances to be heard by the County Commission, rather than by committee.

Commissioner Edmonson noted, as the ILUC Chairperson, she would also sign the appropriate memorandum requesting that the Commission Chairperson waive the Board's Rules of Procedure.

County Attorney Cuevas noted the item(s) were needed by the Elections Department by December 2, 2011 in order to be placed on the January 31, 2012 ballot, in the event that the proposed ordinances were not approved by the Commission.

Chairman Martinez clarified that Commissioner Bovo did not want to lose the opportunity to place item(s) on the January 31, 2012 ballot. He, therefore, requested the County Attorney to ensure that appropriate ordinance legislation was expeditiously prepared.

County Attorney Cuevas indicated that Commissioner Bovo's request could not be accommodated since November 15, 2011 was the only scheduled County Commission meeting prior to the December 2, 2011 Elections Department deadline.

FINAL OFFICIAL

Chairman Martinez recommended that the County Attorney draft legislation and present that legislation for first reading on November 15, 2011 and for public hearing and second reading on December 2, 2011.

County Attorney Cuevas clarified that the next County Commission meeting was on December 6, 2011, and not December 2, 2011, and that a minimum of two meetings were needed to adopt an ordinance.

Commissioner Moss questioned whether the item(s) could be placed on the ballot as a Charter Amendment and then subsequently removed from the ballot if the proposed ordinance(s) was approved by the Commission.

Assistant County Attorney Oren Rosenthal deferred this question to the Elections Department due to the time required to print ballots.

Ms. Penelope Townsley, Supervisor of Elections, informed Commissioner Moss that December 2, 2011 was the final date to submit item(s) for the January 31, 2012 ballot.

Chairman Martinez suggested that the first reading be held at the November 15, 2011 County Commission meeting and that a Special Board of County Commissioners Meeting be held on November 30, 2011 immediately preceding or following the rescheduled Comprehensive Development Master Plan (CDMP) meeting to further consider these items.

County Attorney Cuevas noted he agreed that Chairman Martinez' proposed solution could be accommodated. He indicated that he would prepare the call and sufficient signatures would be required for the Special Meeting and that the call would be limited to only address specific issues.

Commissioner Sosa noted this was an important vote and certain commissioners had previously indicated they would not be present at the CDMP meeting. She questioned whether these item(s) could possibly be approved and placed on the ballot and then removed if approved at the Special Meeting.

County Attorney Cuevas responded that it would depend upon the deadline required by the Supervisor of Elections to print ballots.

Commissioner Sosa questioned whether there was sufficient time to exclude these item(s) from the January 31, 2012 ballot if they were approved by the County Commission on November 30, 2011.

Ms Townsley responded that the approved item(s) were needed by December 2, 2011 since ballots would be sent to press on December 3, 2011.

Commissioner Sosa said she preferred to consider these item(s) today to prevent any unforeseen circumstances later.

Assistant County Attorney Rosenthal advised that Agenda Item(s) 11A13 (Task Force Recommendation No. 18); 11A17 (Task Force Recommendations No's. 12, 13, & 18); and 11A19 (Task Force Recommendation No. 10) would be considered.

Chairman Martinez noted that adopting Agenda Item 11A17 and placing that Item on the ballot would be contrary to accomplishing the same result through an ordinance.

Commissioner Bovo asked Commissioner Sosa to clarify her thoughts pertaining to not considering these item(s) as an ordinance and placing them on the ballot.

Commissioner Sosa responded that it was her preference that the items presented at today's meeting be placed on the ballot.

Commissioner Bovo noted that there would be no need to consider these item(s) by ordinance later if placed on the ballot.

Commissioner Sosa reiterated her concern that a quorum might not be obtained at a November 30, 2011 meeting.

Commissioner Bovo said he would prefer that Agenda Items 11A13 and 11A19 be placed on the January 31, 2012 ballot and to consider Item 11A17 by ordinance. He noted he preferred the voters had the opportunity to voice their opinion on the first two items.

It was moved by Commissioner Bovo that the foregoing proposed resolutions (Agenda Items 11A13 and 11A19) be adopted. This motion was seconded by Commissioner Heyman.

Chairman Martinez urged Commission members to read Article 9.

In response to Chairman Martinez' question about Agenda Item 11A13, County Attorney Cuevas noted this Item provided exclusive requirements in the Charter pertaining to petition gathering and signatures and it repealed all existing ordinances and resolutions governing the process. He noted Ordinance 12-23 provided a form for the petition, the process for certification, and the process for disqualification of signatures.

Responding to Chairman Martinez' question about what Agenda Item 11A13 would change, Assistant County Attorney Rosenthal explained that it would eliminate the one signature per page requirement; eliminate the signature revocation process; remove the penalty for individuals who signed more than one petition or who signed the name of another individual; and remove the requirement that the voter's precinct number be included on the petition.

Commissioner Bovo noted he believed the Commission specifically addressed the petition and font size when it considered Agenda Item 11A14. He said that the intention of this proposal was to make it less cumbersome for people to initiate and sign petitions.

Chairman Martinez clarified that Agenda Item 11A14 only extended the number of days to gather signatures from 60 to 120 and required that Charter Amendments be placed on the ballot of the next General Election. He noted no other provisions were included in this item.

Chairman Martinez reiterated his previous recommendation that Agenda Item 11A13 be considered by ordinance at a Special Meeting to be held on November 30, 2011 so that the Commission could engage in further debate.

Commissioner Heyman withdrew her second on the foregoing proposed resolutions.

Commissioner Sosa inquired whether the proposed Charter Amendment

FINAL OFFICIAL

provided any punishment in connection with collecting signatures in violation of the law.

Assistant County Attorney Rosenthal responded that the proposed Amendment would repeal every provision included in Ordinance 12-23 and that only State of Florida law would apply.

This motion was subsequently seconded for discussion by Commissioner Sosa, who noted she did not want to promote absentee ballot fraud with her vote and that the issue should be resolved today.

Commissioner Diaz clarified that he supported the increased time frame to collect signatures from 60 to 120 days and for Charter reform to be presented at the General Election; however, the language contained within the foregoing proposed resolution would remove all exiting provisions designed to provide citizens with more information about what they were signing. He noted if the proposal under consideration encouraged fraud, he would not support it.

Commissioner Bovo read the language contained within the proposed resolution and questioned whether these provisions opened the door to fraud and deception by people collecting signatures.

Assistant County Attorney Rosenthal advised that passing the proposed Charter Amendment would remove portions of Ordinance 12-23 regarding signature revocation provisions, criminal penalties, and other regulations, as previously identified.

Commissioner Bovo withdrew the foregoing proposed resolutions.

Following the withdrawal, Chairman Martinez encouraged Commissioner Bovo to present a revised ordinance to the County Commission for further consideration.

Commissioner Diaz noted he would cooperate with Commissioner Bovo and suggested that a Sunshine Meeting be scheduled to discuss the issue.

Commissioner Souto referred to a previous instance where signatures were fraudulently obtained in the City of Hialeah.

County Attorney Cuevas explained that criminal charges were filed in 2006 or 2007 by the Miami-Dade County State Attorney and individuals were subsequently convicted for wrongful petition gathering practices.

Commissioner Souto noted the protections enacted by the County Commission were initiated in response to this case and encouraged the Commission to proceed cautiously in this sensitive matter.

County Attorney Cuevas noted for the record that many Charter Amendment Items before the Board today, for which committee review was waived, had not been acted upon. He questioned whether the Commission would take action on these items or whether they would be deferred to no date certain. County Attorney Cuevas reminded the Board that the deadline to place any item on the January 31, 2012 election ballot was December 2, 2011.

Chairman Martinez suggested that those Agenda Items be deferred to no date certain.

FINAL OFFICIAL

County Attorney Cuevas noted Commissioner Bell withdrew Agenda Items 11A34 Alternate No. 1 and 11A34 Alternate No. 2; and Commissioner Suarez withdrew Item 11A35;

Chairman Martinez noted Commissioner Bovo withdrew Agenda Item 11A13.

Chairman Martinez withdrew Agenda Items 11A29, 11A30, 11A31, 11A32, and 11A33.

Commissioner Heyman withdrew Agenda Items 11A25 and 11A26.

Commissioner Barreiro asked that Agenda Item 11A12 be deferred to no date certain.

Commissioner Suarez asked that Agenda Item 11A35 be changed from "withdrawn" to "deferred to no date certain".

Commissioner Monestime requested that Agenda Item No. 11A32 relating to incorporation be considered on November 16, 2011.

Chairman Martinez indicated that he had previously withdrawn this Item and suggested that it be considered by ordinance later.

County Attorney Cuevas noted all proposed Charter Amendment proposals were deferred to no date certain with the exception of those that were withdrawn.

Commissioner Bovo noted he had previously made two motions on Agenda Item 11A19 and asked for clarification on whether issues pertaining to the six public hearing requirements were already addressed by Commissioner Souto.

Chairman Martinez noted the proposal contained the language "public meetings"; however, this language needed to be changed through ordinance to read "public hearings."

County Attorney Cuevas explained that staff conducted a public meeting and that the proposal called for the County Commission to conduct a public hearing at the time the item was set for election. County Attorney Cuevas noted staff did not normally conduct public hearings and it would be a change for staff to conduct these hearings.

Chairman Martinez noted the public was required to speak at a public hearing, but not at a public meeting. He said that six public hearings were required to be scheduled throughout the County and questioned whether staff could be instructed to solicit public input at a public meeting.

County Attorney Cuevas confirmed that staff could obtain public input at public meetings, and noted, in that case, the Item would need to be amended.

Chairman Martinez asked County Attorney Cuevas to meet with Commissioner Bovo to craft proposed legislation requiring that the County Commission schedule public meetings to solicit public input and feedback on proposed changes to the Home Rule Charter.

11A21

112267 Resolution Jose "Pepe" Diaz

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO ESTABLISH THE OFFICE OF POLICE DIRECTOR AS AN ELECTED CHARTER OFFICIAL RESPONSIBLE FOR POLICE FUNCTIONS WHO HAS MORE INDEPENDENCE THAN CURRENT ADMINISTRATIVE DIRECTORS AND WHO MAY BE RECALLED BY VOTERS, INSTEAD OF THE MAYOR BEING RESPONSIBLE FOR PERFORMING SUCH FUNCTIONS THROUGH A POLICE DIRECTOR THE MAYOR APPOINTS, SUBJECT TO DISAPPROVAL BY THE COMMISSION, AND SUSPENSION, REPRIMAND, REMOVAL OR DISCHARGE AT THE SOLE DISCRETION OF THE MAYOR

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

11A22

112271 Resolution Jose "Pepe" Diaz

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [] 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO SHALL THE CHARTER BE AMENDED TO ESTABLISH THE OFFICE OF PUBLIC SAFETY DIRECTOR AS AN ELECTED CHARTER OFFICIAL RESPONSIBLE FOR POLICE, CORRECTIONS, FIRE AND RESCUE FUNCTIONS WHO HAS MORE INDEPENDENCE THAN CURRENT ADMINISTRATIVE DIRECTORS AND WHO MAY BE RECALLED BY VOTERS, INSTEAD OF THE MAYOR BEING RESPONSIBLE FOR PERFORMING SUCH FUNCTIONS THROUGH DEPARTMENT DIRECTORS THE MAYOR APPOINTS, SUBJECT TO DISAPPROVAL BY THE COMMISSION, AND SUSPENSION, REPRIMAND, REMOVAL OR DISCHARGE AT THE DISCRETION OF THE MAYOR

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

11A23

112275

Resolution

Jose "Pepe" Diaz

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], 2012 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO ESTABLISH THE OFFICE OF SUPERVISOR OF ELECTIONS AS AN ELECTED CHARTER OFFICIAL WHO HAS MORE INDEPENDENCE THAN THE CURRENT ADMINISTRATIVE DIRECTOR AND WHO MAY BE RECALLED BY VOTERS, INSTEAD OF THE MAYOR BEING RESPONSIBLE FOR PERFORMING THE FUNCTIONS OF THE SUPERVISOR OF ELECTIONS THROUGH AN ADMINISTRATIVE DIRECTOR WHO THE MAYOR APPOINTS, SUBJECT TO DISAPPROVAL BY THE COMMISSION, AND SUSPENSION, REPRIMAND, REMOVAL OR DISCHARGE AT THE DISCRETION OF THE MAYOR

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

11A24

112273

Resolution

Audrey M. Edmonson

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COMMISSIONERS NO LONGER RECEIVE THE \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE SALARY PROVIDED BY STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BY THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY \$92,097), USED BY OTHER FLORIDA COUNTIES, INCLUDING BROWARD COUNTY

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

11A25

112257 Resolution Sally A. Heyman

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO PROVIDE AS OF JANUARY 31, 2012, COMMISSIONERS: MAY SERVE NO MORE THAN THREE CONSECUTIVE FOUR YEAR TERMS, EXCEPT CURRENT COMMISSIONERS, AT THE EXPIRATION OF THEIR CURRENT TERM, MAY SERVE FOR TWO ADDITIONAL CONSECUTIVE FOUR YEAR TERMS; SHALL DEVOTE FULL TIME SERVICE AS COMMISSIONERS AND HOLD NO OTHER ADDITIONAL EMPLOYMENT WITH ENTITIES DOING BUSINESS WITH THE COUNTY AND RECEIVE ANNUAL SALARY INCREASES FROM \$6,000 TO STATE FORMULA SALARY (APPROXIMATELY \$92,097)

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item(s) 11A20, Legislative File No. 112265 and 11A34 AMENDED, Legislative File No. 112352 for additional comments relating to the foregoing proposed resolution.

11A26

112260 Resolution Sally A. Heyman

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT, UPON CREATION OF A CHARTER REVIEW TASK FORCE BY THE COUNTY COMMISSION, ANY TASK FORCE PROPOSALS TO REVISE OR AMEND THE CHARTER SHALL BE PLACED ON THE BALLOT FOR APPROVAL BY THE ELECTORATE, IF SUCH PROPOSAL IS APPROVED BY 2/3'S VOTE OF THE TASK FORCE

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

FINAL OFFICIAL

11A27

112156 Resolution Barbara J. Jordan

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL SERVE NO MORE THAN THREE CONSECUTIVE FOUR-YEAR TERMS IN OFFICE EXCLUDING TERMS OF SERVICE PRIOR TO 2012

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter and for additional comments made later in the meeting related to this Item.*

11A28

112157 Resolution Barbara J. Jordan

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT EACH COUNTY COMMISSIONER SHALL NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD AN ANNUAL SALARY OF \$75,000 AND ADJUSTED ANNUALLY

Deferred to no date certain

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

11A29

112192 Resolution Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO ESTABLISH THE OFFICE OF POLICE DIRECTOR AS A CHARTER OFFICE WITH ITS OWN DEPARTMENT WHO SHALL BE APPOINTED BY THE MAYOR FOR A SPECIFIED TERM SUBJECT TO DISAPPROVAL BY THE COMMISSION AND SUBJECT TO REMOVAL BY THE MAYOR WITH THE COMMISSION'S CONSENT, OR BY THE COMMISSION ITSELF UPON A SUPERMAJORITY VOTE, AND WHO SHALL HAVE MORE INDEPENDENCE THAN AN APPOINTED DIRECTOR CURRENTLY POSSESSES

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

11A30

112193 Resolution Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO ESTABLISH THE OFFICE OF SUPERVISOR OF ELECTIONS AS A CHARTER OFFICE WITH ITS OWN DEPARTMENT WHO SHALL BE APPOINTED BY THE MAYOR FOR A SPECIFIED TERM SUBJECT TO DISAPPROVAL BY THE COMMISSION AND SUBJECT TO REMOVAL BY THE MAYOR WITH THE COMMISSION'S CONSENT, OR BY THE COMMISSION ITSELF UPON A SUPERMAJORITY VOTE, AND WHO SHALL HAVE MORE INDEPENDENCE THAN AN APPOINTED DIRECTOR CURRENTLY POSSESSES

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

11A31

112194 Resolution Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [], FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE THAT BID PROTESTS ON CERTAIN COMPETITIVE PROCUREMENTS OF GOODS AND SERVICES SHALL BE HEARD BY HEARING OFFICERS IN A PROCESS MODELLED AFTER THE FLORIDA ADMINISTRATIVE PROCEDURES ACT AND THAT THE HEARING EXAMINER'S DECISION TO AWARD TO PARTICULAR VENDOR SHALL LIMIT THE COUNTY COMMISSION'S AUTHORITY TO AWARD THE CONTRACT TO ANOTHER VENDOR UNLESS THE COMMISSION DETERMINES SUCH DECISION IS AN ABUSE OF THE HEARING EXAMINER'S DISCRETION

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

11A32

112196 Resolution Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA TO BE HELD ON TUESDAY, [], FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE FOR CREATION OF A TASK FORCE TO DEVELOP A ONE-TIME PLAN PLACING ALL UNINCORPORATED AREAS OF THE COUNTY WITHIN CITIES, WHICH PLAN, AS MAY BE AMENDED BY SUPERMAJORITY VOTE OF THE COMMISSION, SHALL BE SUBMITTED TO THE ELECTORATE AT A GENERAL ELECTION IN 2014 FOR APPROVAL AND IF APPROVED, WILL EFFECTUATE THE ANNEXATIONS AND INCORPORATIONS IN SUCH PLAN

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

11A33

112197 Resolution Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON TUESDAY, [], FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE FOR THE CREATION AT LEAST ONCE EVERY 5 YEARS OF A 21-MEMBER CHARTER REVIEW TASK FORCE APPOINTED BY COUNTY COMMISSIONERS, THE MAYOR, EACH OF THE 4 LARGEST CITIES, AND THE LEAGUE OF CITIES TO CONSIDER PROPOSALS TO REVISE OR AMEND THE CHARTER AND TO REQUIRE PROPOSALS APPROVED BY A 2/3 MAJORITY OF THE TASK FORCE BE PLACED ON THE BALLOT FOR APPROVAL BY THE ELECTORATE

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

11A34

112113 Resolution Rebeca Sosa, Lynda Bell

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE SALARY PROVIDED BY STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY \$92,097); AND SHALL SERVE NO MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS IN OFFICE EXCLUDING TERMS OF SERVICE PRIOR TO 2012

Amended

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for the Amended version.

10/18/2011 14A7

4 Day Rule Invoked by the Board of County Commissioners

FINAL OFFICIAL

11A34 AMENDED

112352

Resolution

**Rebeca Sosa,
Lynda Bell**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE SALARY PROVIDED BY STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY \$92,097); AND SHALL SERVE NO MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS IN OFFICE EXCLUDING TERMS OF SERVICE PRIOR TO 2012

Adopted as amended

Resolution R-942-11

Mover: Rebeca Sosa

Seconder: Lynda Bell

Vote: 10- 3

No: Jordan, Monestime, Heyman

Report: Commissioner Sosa noted several Charter Review Task Force members who were present could not remain until the County Commission reconvened at 2:00 p.m. She requested that those members provide their statements before the Board went into Executive Session.

Commissioner Sosa noted she agreed with the Charter Review Task Force's Final Recommendations and would abide by its recommendations; however, she questioned whether Issue 2 – Mayor and Board of County Commissioners Compensation and Issue 3 – Study of Term Limits, expressed the true intent of Task Force members. She asked Task Force members to indicate whether the proposed term limits would only apply to future service after the adoption of any Charter change, and not be retroactive.

Mr. George Luis Lopez, Charter Review Task Force Member, responded that the minutes properly reflected the Task Force's deliberations and were very well documented by the Clerk of the Board. He confirmed that the Task Force members' intent was quoted properly by Commissioner Sosa from the meeting minutes. Mr. Lopez said that the term limit issue would have a prospective application, if the County Commission put it before the voters. He noted he served on the Task Force to make recommendations to the County Commission and not to place issues directly before the voters.

Mr. Miguel A. De Grandy, Charter Review Task Force Member, noted he agreed with the statement Commissioner Sosa read from the minutes. He said he reviewed all Task Force minutes and did not find any mention of retroactive term limits. Mr. De Grandy said Charter review was about structural reform and by its nature was prospective. He noted a commissioner could be removed from office by either election or recall; therefore, this question need not be addressed by Charter reform. Mr. De Grandy said Charter reform was more appropriate to address issues relating to the structure and future of government.

Commissioner Sosa noted for the record that Mr. Carlos A. Diaz-Padron, who was her appointee to the Task Force, could not attend today's meeting due to the death of his father. She said he communicated to her that it was not his intention for term limits to be retroactive.

Ms. Elizabeth Hernandez, Charter Review Task Force Member, noted pursuant to page 18 of the Final Recommendations, the proposed term limits would only apply to future service after the adoption of any Charter change. She said many of the resolutions on today's agenda accurately reflected the specific language of this report. Ms. Hernandez reiterated that the Task Force was only a recommending body and respected the decisions that would be made by commissioners who were elected to serve and represent all County residents.

Mr. Murray Greenberg, Charter Review Task Force Member, confirmed to Commissioner Sosa that the minutes accurately reflected the vote of Task Force members. However, he noted a problem existed with the Task Force's structure since members were selected by the County Commission and as a result, the community believed its recommendations were being filtered through the Commission. Mr. Greenberg said that Task Force recommendations should be forwarded directly to the voters for true Charter reform to occur.

Mr. Greenberg explained that in addition to serving as a member of this Task Force, he was the County Attorney on every Task Force since 1980. He noted

FINAL OFFICIAL

this Task Force's deliberations from 2007 to 2008 were the best, most in-depth, and most serious that he had ever experienced; however, he stated that nine of the ten commissioners who were on the Commission at the time, and who still are on the Commission, ignored the Task Force's recommendations.

Mr. Greenberg noted Mr. Robert Ginsburg, Charter Review Task Force Member, could not be present today and asked him to forward the following comments: 1) salary proposals initiated by this County Commission were doomed and needed to be endorsed by an outside entity; 2) term limits should not be tied to salary increases; 3) another Charter Review Task Force was not necessary; 4) and Charter reform issues should be placed on the January ballot.

Commissioner Barreiro noted the Task Force unanimously recommended placing Charter Amendments on the General Election ballot. He questioned whether Mr. Greenberg was now recommending against that proposal.

Mr. Greenberg responded that a General Election generated a greater voter turnout; however, he noted he believed that issues needed to be presented sooner, based upon the perception that the County Commission was delaying the vote to ensure its members another term of office.

Commissioner Sosa noted changes in government were needed for future generations and should not be based upon personalities.

Ms. Yvonne Soler-McKinley, Charter Review Task Force Member, indicated that term limits were fully debated and the majority vote on this issue was presented to the County Commission. She noted she concurred with Mr. Greenberg that the Task Force members constituted a good cross representation of this community and that their recommendations should be presented to the voters.

Commissioner Diaz noted the County Commission established the Task Force to avoid being blamed for proposed Charter revisions. He questioned when the Task Force, which was established to be an advisory group, changed to a body whose recommendations were mandatory. Commissioner Diaz pointed out that the Commission already implemented many Task Force recommendations through ordinance, rather than by Charter revision.

Mr. Greenberg clarified that the Task Force was an advisory body in accordance with the resolution which created that committee. He noted he concurred with Mr. De Grandy that the electorate should consider all Task Force recommendations, because they would not pass through the political filter of the Commission. Mr. Greenberg indicated that many Task Force recommendations were ignored and not fully discussed by the County Commission. He pointed out that a number of recommendations would not have been considered had Mayor Gimenez, who also served on the Task Force, not put forward several proposals.

Chairman Martinez noted the Task Force's composition was the County Commission's fault. He said that the Task Force was not a good cross representation of the community as it primarily consisted of attorneys, elected or former elected officials.

Commissioner Moss noted the Task Force consisted of outstanding individuals who understood the process well. He said that the County Commission would decide which Task Force recommendations to place on the ballot.

Commissioner Moss indicated that some Task Force recommendations, which the Commission did not previously support, may need to be reexamined. He said that he did not believe it was necessary to convene another Task Force since the items currently under consideration were similar to those that were considered by the previous Task Force. He acknowledged that the public desired some change, and his suggestion would be for the Commission to use the Task Force recommendations as a starting point. Commissioner Moss proceeded to inquire about the Task Force's position on At-Large and Single Member Districts.

Mr. De Grandy responded that issues pertaining to At-Large and Single Member Districts received the Task Force members' most extensive debate and staff analysis. He noted staff reviewed the different models throughout the nation; the intricacies of the Voting Rights Act; and the issues surrounding polarized voting. Mr. De Grandy said the Task Force voted 14-1 to maintain the existing system after discussing legal issues, the law of unintended consequences, and the perception of money and politics. He pointed out that three of the mayoral candidates in the previous election raised over \$1 million whereas a Commission race raised only \$250,000 for a viable election. Mr. De Grandy said At-Large elections would create a system in which it would be difficult to seek office at the grassroots level as candidates would have to raise \$1 million to compete. He stressed that this would disqualify a large number of people who would otherwise be interested in participating in public service.

Mr. De Grandy expressed concern that the public sentiment was to implement the proposed Charter Review Task Force recommendations and then to deal with the Single Member District issue. He said that the Task Force recommended against implementing the Single Member District, but rather to maintain the current system which produced a government that was reflective of the ethnic and racial diversity of this community; and this recommendation should be considered as valid as the other recommendations.

Chairman Moss questioned Mr. De Grandy about term limits.

Mr. De Grandy responded that he did not believe in term limits; however, he noted sometimes issues needed to be considered from the public's point of view. He said he believed that voters should be given a reasonable compromise.

Mr. Lopez clarified that he, Mr. Greenberg, Mr. De Grandy, and Ms. Hernandez all clearly understood that Task Force members were to serve in an advisory capacity and that he would have declined the invitation to serve if the Task Force had the authority to place items directly on the ballot. He noted he concurred with Commissioner Diaz that some proposals were legislative and others administrative and did not have to be amended by the voters.

Mayor Gimenez noted he served on the Charter Review Task Force and he agreed that the intent was for the recommendations to be prospective. He said he believed that the Task Force members' recommendation on term limits and salaries would have been approved if placed on the ballot. Mayor Gimenez indicated that he changed his mind on many issues during the process as a result of the quality of deliberations. He recalled particularly a compelling argument presented by Task Force Member, Mr. H.T. Smith, about Single Member Districts that changed his mind.

Mayor Gimenez said that the Task Force was comprised of many bright individuals who deliberated in the best interest of the County. He noted he would not change his mind on some recommendations now that he was the Mayor, because he believed in those items then and continues to believe in them now. Mayor Gimenez indicated that some protections as well as separation of power from the Mayor were needed in appointed positions. He said that he was privileged to have participated on this Task Force noting it was composed of an extraordinary group of individuals.

Commissioner Heyman indicated that 12 of the 18 recommendations had already been addressed: two were recommended to be left alone (tax collector and Single Member District), one became State law, three were approved and another three were defeated by the voters, and four could be considered by ordinance. She noted she concurred with her colleagues that the County Commission should discuss the Charter issues and not convene a new Task Force. Commissioner Heyman noted, however, Task Force Member Ms. Lynn Dannheisser recommended a future Task Force should be convened to address issues related to the Strong Mayor and a potential vacancy in that office.

Commissioner Jordan expressed her desire that Task Force Members address the Task Force's recommendations and not individual member's opinions in today's afternoon discussion.

The Board of County Commissioners recessed into Executive Session in the Conference room on the second floor at 12:57 p.m. Following the Executive Session and recess, the Board of County Commissioners reconvened at 3:00 p.m.

Chairman Martinez noted both he and Commissioner Sosa requested the County Attorney provide a report summarizing the Charter Review Task Force's recommendations; the Commission's history in considering those items; whether a ballot question was presented to the voters, and if so, the results of that vote; and whether the recommendation could be adopted by ordinance and/or resolution. He noted he requested the County Attorney to prepare legislation for every ballot question whether proposed by a County Commissioner or by the Task Force, and that any question not specifically sponsored by a commissioner be placed on the Agenda under his name.

Chairman Martinez noted he believed that the voters were primarily interested in term limits; in a January 2012 election; and in reforms becoming effective after the November 2012 election. He questioned whether members of the Commission wanted to discuss all 23 proposed items or only those related to term limits.

Commissioner Jordan indicated that a January 2012 election would jeopardize the Democratic process with only a limited number of voters, mostly Republicans, going to the polls. She said that all ballot questions should be presented in the November 2012 General Election at which time both Democratic and Republican voters would be represented.

Chairman Martinez asked commissioners to indicate whether they supported term limits and whether they preferred Charter Questions to be placed on the January 2012 or the November 2012 General Election ballot.

Commissioner Jordan noted she was opposed to term limits but would support them, even though eight years was not sufficient to understand the

FINAL OFFICIAL

complexities of County government and to enact change.

Commissioner Suarez indicated that he supported eight-year term limits based upon the public sentiment. He said he supported placing Charter revisions on the January 2012 ballot for the following reasons: 1) the November 2012 ballot would contain many items and the Charter issues would not be a priority; 2) the consensus of the Commission would probably be for a January 2012 election; and 3) the media had commented the Commission was not acting expeditiously.

Commissioner Bell noted she supported eight-year term limits as evidenced by her co-sponsorship of Agenda Item 11A34, based upon her constituents' sentiment. She said she supported placing Charter revisions on the January 2012 ballot and it was the voters' responsibility to go to the polls, and not the Commission's responsibility to make them vote.

Commissioner Sosa noted this was the second time she sponsored legislation for a salary for commissioners, no outside employment and a two-term limit. She acknowledged Commissioner Bell for her co-sponsorship of this proposed resolution as recommended by the Task Force. Commissioner Sosa said the public wanted commissioners to serve only two terms, as did the President, State Senators and Congressional Representatives. She noted she believed the public was interested in change and that a January 2012 election would have a greater turnout of voters who were interested in the ballot questions.

Commissioner Souto noted he supported eight-year term limits and a January 2012 election.

Commissioner Diaz noted he respected his constituents' desire for term limits although he considered that four-year term limits were already in place. He also indicated that due to the low anticipated voter turnout, only a few items such as term limits, salary and perhaps the creation of a few departments should be placed on the ballot. Commissioner Diaz said other significant issues should be presented in November 2012 as public input was needed on these issues.

Commissioner Monestime expressed his support for eight-year term limits; however, he indicated that he did not support placing Charter questions on the January 2012 ballot since that election was primarily to select a Republican Presidential nominee and would confuse voters.

Commissioner Barreiro indicated that although the electorate wanted term limits, he had not seen any research which documented that term limits were the solution. He said he had previously proposed legislation for 12-year term limits with one additional four-year term for commissioners who had already served 12 years. Commissioner Barreiro noted he represented the entire County even though he was elected by a single District and a January 2012 election would disenfranchise voters. He said an issue of this magnitude should be presented in a General Election and should not prevent commissioners re-elected on August 14, 2012 from serving an additional term of office.

Commissioner Moss noted he was opposed to term limits; however, voters wanted change and he was prepared to support eight-year term limits. He indicated that he favored a November 2012 election even though the community sentiment was for a January 2012 election date. Commissioner Moss pointed out that a certain number of commissioners in office today

FINAL OFFICIAL

would receive another two terms with a January election; and that all commissioners would not be up for reelection at the same time.

Assistant County Attorney Oren Rosenthal clarified that pursuant to Task Force Recommendation No. 4, commissioners up for reelection in 2014 would be eligible for two additional terms of office after the expiration of their current term.

Commissioner Heyman said she had always considered the County Charter a sacred document for the foundation of government. She noted, according to media reports, the public was asking for the Charter questions to be placed on the January 31, 2012 ballot because they wanted to be heard and wanted to be heard now, although she believed commissioners listened to their constituents continually. Commissioner Heyman said there was insufficient time for public meetings to provide information about ballot questions before a January 2012 election. She noted she concurred with Commissioner Barreiro that ballot questions should be considered at the General Election as recommended by the Task Force to allow for maximum voter participation, public meetings and electorate education. Commissioner Heyman indicated that she opposed eight-year term limits noting cutting the tenure short would shortchange Miami-Dade County's voice at the regional, State, and federal levels. Commissioner Heyman noted she supported 12-year term limits so that commissioners could successfully work on issues which impacted the entire County.

Commissioner Bovo noted he supported the Task Force's recommendation for eight-year term limits. He said that he considered the election date a nonpartisan issue and that elections provided a fresh perspective on the public sentiment. Commissioner Bovo said he believed that placing Charter reform on the January 2012 ballot would not disenfranchise voters. He indicated that the community was disillusioned with the County Commission since they had the opportunity to place Charter issues on a previous General Election ballot but chose not to do it.

Commissioner Edmonson asked whether the Task Force recommended that Charter reform be considered in the General Election and that commissioners serve two, four-year terms of office.

County Attorney Cuevas confirmed that the Task Force recommended that proposed Charter Amendments be considered at a General Election and that commissioners serve two, four-year terms of office.

Commissioner Edmonson indicated that she supported the Task Force's recommendations. She said that commissioners were either voted in or out of office or recalled. Commissioner Edmonson noted the media and a few individuals were saying that the people were in favor of commissioners serving two four-year terms; however, this was not the sentiment from within her District. Commissioner Edmonson stated that she represented the entire County; that everyone deserved the opportunity to vote, whether Democratic, Republican, or Independent; and that one category should not have an advantage over another. Therefore, she said, she did not support a January 2012 election.

Chairman Martinez noted most commissioners seemed to favor either eight or 12-year term limits; however, they seemed to be evenly divided as to whether Charter questions should be considered in the January 2012 or the General election. He pointed out that Miami-Dade County was not a Democracy, but

an oligarchy ruled by the few who actually vote and by a small group of individuals such as the media and community/civic leaders. Chairman Martinez noted term limits/salaries and petition issues were the main items to be considered today and many proposed items were placed on the Agenda for discussion purposes, if so desired.

Chairman Martinez indicated that he would support eight-year term limits even though he did not agree with them. He said that County residents did not like the County Commission as a governing body but they approved of their individual District Commissioners based upon the good they did within those communities. Chairman Martinez expressed the belief that if an eight-year term limit was adopted it would be felt ten to 12 years later when people realized that only the bureaucrats and the lobbyists possessed institutional knowledge. He said he was informed that lobbyists commonly wrote legislation for State representatives and they would essentially be running County government in the future. He noted Miami-Dade County was larger than 77 countries and 19 states and he believed that twelve-year term limits were needed for commissioners to learn the intricacies of County government and effectively represent the community. Chairman Martinez noted he concurred with Commissioner Bell that it was the duty and responsibility of the electorate to vote on these issues. He expressed support for a January 2012 election to allow the eight-year term limits to go into effect prior to the November 2012 election. Chairman Martinez explained that Charter reform was a difficult and timely process and that many of the proposed reforms could be addressed administratively through ordinance, allowing the flexibility to make changes in the future as needed.

It was moved by Commissioner Sosa that the foregoing proposed resolution be adopted as amended to be consistent with the Task Force Recommendation No. 4; to include two, four-year term limits; no outside employment; and a salary based upon the State formula. This motion was seconded by Commissioner Bell.

Following the vote on the foregoing resolution, the Board engaged in the following additional discussion relating to the proposed Charter amendments.

Commissioner Suarez asked Assistant County Attorney Oren Rosenthal to provide an overview of all proposed Agenda Items pertaining to term limits.

Assistant County Attorney Rosenthal explained that four Agenda Items existed relating to term limits as follows: 1) Item 11A12, sponsored by Commissioner Barreiro, provided three consecutive, four-year terms and that current commissioners with term limits would receive one additional four-year term; 2) Item 11A25, sponsored by Commissioner Heyman, provided three consecutive, four-year terms and that current commissioners would receive two additional four-year terms. He noted Commissioner Heyman had requested that this item be amended to provide only one additional four-year term, similar to Commissioner Barreiro's proposal; 3) Item 11A27, sponsored by Commissioner Jordan, provided three consecutive, four-year terms moving forward, not counting terms already served, and would apply upon expiration of the current term; and 4) Item 11A34, sponsored by Commissioner Sosa and co-sponsored by Commissioner Bell, provided two consecutive four-year terms.

Assistant County Attorney Rosenthal read into the record proposed amendment(s) to the foregoing proposed ballot question: to insert the following language on handwritten page 4, line 1 of the ballot question "... as

FINAL OFFICIAL

of January 31, 2012” after “Shall the Charter be amended to provide that, ...”; and to remove from the second bullet point, line 4 the word “statutory” and from line 5 the language “by the County’s population”; and then proceeded to read the entire ballot question as amended into the record. He also noted a proposed amendment to insert the following language on handwritten page 7, at the beginning of line 1 and at the end of line 5 before the word “County” in Article-1, Section 1.06 of the Home Rule Charter, “Commencing January 31, 2012...”

Pursuant to Commissioner Diaz’ question as to whether two consecutive ballot questions could be presented to voters on a particular item, County Attorney Cuevas replied that the courts would rule that two questions would be confusing to the voters.

Responding to Chairman Martinez’ question as to what would happen in the event that both ballot questions passed, County Attorney Cuevas noted the item which received the most votes would prevail.

Commissioner Barreiro asked whether Commissioner Sosa would accept a friendly amendment that current commissioners would be permitted to serve one additional four-year term.

Commissioner Sosa responded that she sponsored the proposed resolution exactly as recommended by the Task Force and that the Commission should uphold the rules established by the electorate.

Commissioner Jordan questioned whether outside employment was restricted by other communities that provided commissioners with a salary based upon the State formula.

County Attorney Cuevas responded that he was informed by Assistant County Attorney Cynthia Johnson-Stacks that all Florida counties, other than Miami-Dade, provided commissioners with a salary based upon the State formula and that those counties did not restrict outside employment, pursuant to the results of a survey conducted by the Task Force.

Commissioner Jordan expressed concern that many commissioners currently in office and those considering holding office in the future would be precluded from outside employment. She said that \$91,000 was a decent salary; however, it was not adequate for many professionals and others interested in holding public office. Commissioner Jordan noted her constituents were not concerned about the salary issue and that Miami-Dade County should not be different from other communities that had adopted the wage ordinance based upon the opinion of a select few individuals.

Commissioner Heyman expressed her opposition to the proposed resolution as amended since voters opposed term limits as a method to remove commissioners from office. She also noted other counties established commissioners’ salaries based upon State formula and did not preclude commissioners from holding outside employment. Commissioner Heyman said that Miami-Dade residents clearly communicated that they were opposed to commissioners having conflicts of interests, but she pointed out that this did not preclude commissioners from holding legitimate jobs and practicing their profession. Commissioner Heyman noted the only eligible candidates for office under these criteria would be pensioned, senior citizens who did not require employment or other individuals who could not otherwise obtain employment.

FINAL OFFICIAL

Commissioner Monestime pointed out that he owned a business and did not support including a prohibition on outside employment in the proposed resolution. He asked the sponsor of this proposal to accept a friendly amendment to remove the language that required each County Commissioner to devote full-time service to the office of County Commissioner and hold no other employment.

Commissioner Sosa responded that her proposed resolution was based upon the Task Force members' recommendation. She reiterated that she wished to keep her motion as originally stated according to the public's sentiment with no outside employment; a salary based upon the State formula; and two, four-year term limits.

Mayor Carlos Gimenez explained that the Task Force voted 14-0 that while a \$6,000 annual salary for a County Commissioner may have been a decent salary in 1957, it was no longer appropriate to consider commission service as part-time employment. He said that the \$92,000 salary as determined by State formula was approximately twice the local average family income; that this salary would open the process up to more people willing to serve on the Commission; and that Task Force members believed that commissioners should devote 100 percent of their time to the office in return for this salary.

Commissioner Monestime noted he made a choice to serve the community when elected to the County Commission and his decision to seek public office was not based upon the salary. He said that although he fully supported the eight-year term limit, he could not support the proposed salary and prohibition on outside employment. Commissioner Monestime stressed that the salary earned by a commissioner outside his/her County responsibilities should not be anyone's concern, unless a conflict of interest existed.

County Attorney Cuevas clarified that the proposed resolution for commissioners to devote full-time service to that office and to hold no other employment would become effective immediately if approved on a January 31, 2012 ballot. He said in that case Commissioner Monestime's options would be either to resign from the Commission or to receive passive income from his business, rather than salary income.

Commissioner Bovo noted he concurred with Commissioners Heyman and Monestime; however, the Commission should vote for or against the Task Force members' recommendation. He expressed his opinion that commissioners held public office to provide a public service and to make a difference in the community, rather than to earn a salary.

Commissioner Bell said that she supported the proposed resolution in its present form as originally presented and unanimously recommended by the Task Force. She said she believed that the voters wanted their commissioners to dedicate full-time service in exchange for a salary and to hold no outside employment.

Commissioner Diaz noted firefighters, police and other County employees were not prohibited from holding second jobs. He questioned whether any other municipality, city, or State limited outside employment.

Commissioner Jordan answered that no other municipality, city, or State limited outside employment.

FINAL OFFICIAL

Commissioner Diaz noted Commissioner Monestime chose to serve the community knowing that the office provided a limited salary and benefits, even though he needed to continue providing for his family. He said the Task Force members specified that recommendations should not be placed on the ballot without obtaining public input.

Assistant County Attorney Rosenthal confirmed that the Task Force members recommended that public hearings be held on all proposed Charter amendments at the time the County Commission set the election date.

County Attorney Cuevas advised that six public meetings were required. He said that a difference existed between a public meeting and a public hearing, noting that the public had the right to appear, speak, and be heard at a public hearing.

Commissioner Diaz pointed out that the public was being removed from the Charter reform process; yet, the media was encouraging public input over the gambling issue. He noted he concurred with Commissioner Jordan that approximately 16 percent of registered voters would exercise the right to vote in the January 2012 election, whereas 50 to 60 percent of voters would vote in the General Election. Commissioner Diaz urged his fellow commissioners to think carefully about this issue before reaching a decision.

Commissioner Monestime clarified that this was not a personal issue and did not want to be the focus of this discussion. He indicated that he chose to serve the community and at the same time continue to maintain his business as other commissioners have done.

Commissioner Edmonson noted many of her colleagues maintained professional licenses which would now become inactive or which would not be renewed if they were unable to work the requisite number of hours for certification. She said the Task Force was an advisory body and its recommendations might not be in the best interest of the community when evaluating all related issues and their consequences. Commissioner Edmonson noted only retired and unemployed individuals would be able to seek public office once working professionals were disqualified. She said that the public needed to vet these issues and not rely on the media or a chosen few individuals for this information.

Chairman Martinez pointed out that Commissioners Sosa and Bell, co-sponsors of the proposed resolution, both said that they did not wish to amend their proposal because they wanted it to be consistent with the Task Force members' recommendations; however, he asked why Commissioners Sosa and Bell did not suggest that their proposal be placed on the General Election ballot as the Task Force members had recommended.

County Attorney Cuevas confirmed that one of the proposed Task Force members' recommendations was for Charter Amendments to be placed only on the General Election ballot which occurs in November every two years.

Commissioner Sosa said she was informed the Task Force members recommended that Charter Review questions be placed on the General Election ballot upon a 2/3 vote, so that Special Elections would not be held at the taxpayers' expense.

Assistant County Attorney Rosenthal clarified the Task Force members' recommendations as follows: that residents be given 120 days rather than 60

FINAL OFFICIAL

days to gather signatures for proposed Citizens' Initiative Petitions; and that proposed Charter Amendments must only be placed on a General Election ballot.

In response to Commissioner Sosa's comment that the recommendation would become effective upon voter approval, Chairman Martinez pointed out that Commissioners Sosa and Bell were inconsistent when they said they supported the Task Force members' recommendations and a January 2012 election date when the Task Force recommended Charter Amendments be considered at a General Election.

Assistant County Attorney Rosenthal further clarified that pursuant to Recommendation No. 9 on Page 22 of the Charter Review Task Force Executive Summary, which passed by a 14-0 vote, "The Home Rule Charter should be amended to provide that the time periods to collect signatures for proposed Charter amendments and citizens' initiatives be extended to 120 days and that proposed Charter amendments must only be placed on the ballot during a General Election."

In response to Chairman Martinez' request, Assistant County Attorney Rosenthal confirmed that the language applied to any Charter Amendment, which would be presented either by the County Commission or through citizens' initiatives.

Commissioner Bovo pointed out that the County Commission ignored the Task Force by not including any of their recommendations in either the 2008 or 2010 elections. He suggested that the Commission should vote on the 11 Task Force recommendations that were not previously considered by this body.

Chairman Martinez commented that the public wanted two-term limits and no outside employment; however, he reiterated that the proposal as presented was not a true reflection of the Task Force members' recommendation.

Commissioner Sosa asked County Attorney Cuevas for clarification as to whether once the question was placed on a ballot the recommendation would become law immediately upon a successful public vote. She also asked whether a rule existed requiring that Charter questions be presented to a public vote in a General Election.

County Attorney Cuevas responded that the law would go into effect upon certification of the election and that a rule did not exist which required that Charter questions be considered only in a General Election.

Commissioner Sosa commented that the foregoing proposed resolution was consistent with the Task Force members' recommendation since currently a rule did not exist which required that Charter questions be considered only in a General Election. She noted County employees were permitted to hold outside employment; however, they did not vote on issues affecting County government. Commissioner Sosa said the community believed that County Commissioners should be able to vote on all issues presented before that body, without conflict. She inquired whether Mayor Gimenez had scheduled a public meeting on Friday, November 4, 2011 to discuss Charter reform issues and whether additional meetings would be held, in accordance with previous legislation proposed by Commissioner Souto.

Mayor Gimenez indicated that a public meeting was held yesterday, Monday, November 2, 2011 and that the Administration did not have sufficient time to

FINAL OFFICIAL

hold the six required public meetings. He noted additional meetings would be scheduled in the future to keep the public informed about Charter issues.

Commissioner Sosa clarified that teachers were required to complete 120 credits every five years to renew their license and were not required to be in a classroom; and that many employers provided their employees a leave of absence thereby allowing them to return to their job at a later date. Commissioner Sosa noted she had previously presented this proposal in response to the public sentiment, and not her personal interest.

Commissioner Bell noted she believed the public was asking for the changes that were included in this proposed resolution. She said that it was disingenuous to say no public input was sought on the proposed Charter reform issues, noting discussions were held during her campaign for the District 8 Commission seat, during the mayoral election, and during Town Hall meetings recently held on other issues.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as amended.

11A34 ALTERNATE NO. 1

112312

Resolution

Lynda Bell

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE AS OF JANUARY 31, 2012, THAT EACH COUNTY COMMISSIONER SHALL: DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; AND NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE SALARY PROVIDED BY STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY \$92,097) (SEE ORIGINAL ITEM UNDER FILE NO. 112113)

Withdrawn

Report: SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

11A34 ALTERNATE NO. 2

112313

Resolution

Lynda Bell

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COUNTY COMMISSIONERS SHALL SERVE NO MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS IN OFFICE EXCLUDING TERMS OF SERVICE PRIOR TO 2012 (SEE ORIGINAL ITEM UNDER FILE NO. 112113)

Withdrawn

Report: *SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.*

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

11A35

112255

Resolution

Xavier L. Suarez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO DECREASE THE AMOUNT OF SIGNED INITIATORY PETITIONS REQUIRED TO CALL A SPECIAL ELECTION TO PROPOSE A CHARTER AMENDMENT FOR APPROVAL BY THE VOTERS FROM THE CURRENT TEN PERCENT OF THE TOTAL NUMBER OF REGISTERED ELECTORS IN THE COUNTY TO FIVE PERCENT OF THE TOTAL NUMBER OF REGISTERED VOTERS IN THE COUNTY

Deferred to no date certain

Report: SPECIAL NOTE: See Agenda Item 11A34 AMENDED, Legislative File No. 112352 for preliminary comments and discussion prior to the consideration of resolutions calling for a Countywide Special Election to amend the Home Rule Charter.

See Agenda Item 11A20, Legislative File No. 112265 for additional comments relating to the foregoing proposed resolution.

Commissioner Suarez noted a Charter revision vote would not be held until the General Election if a petition drive succeeded. He said that gathering 10 percent of qualified voters' signatures would require 137,500 signed petitions and that no candidate recently seeking a countywide election had received this number of votes. Commissioner Suarez proposed reducing the number of signed petitions required to call a Special Election from 10 percent of registered electors to five-percent.

It was moved by Commissioner Suarez that the foregoing proposed resolution be adopted as presented. This motion was seconded by Commissioner Diaz.

Chairman Martinez pointed out that low voter turnouts between eight and 15 percent were common and a further reduction to the number of required signatures to five-percent would not provide a sufficient voter sampling. He suggested that this item be discussed in a public forum before being placed on the ballot.

Commissioner Diaz noted this proposed resolution would reduce the number of signatures required to amend the Charter to five-percent of all registered voters. He said that he supported both lowering the number of signatures needed to amend the Charter and extending the time to collect signatures.

Chairman Martinez clarified that this proposed resolution was not just a question of recall and should be taken seriously as it would change the County's Home Rule Charter; and would determine how the County Commissioners governed into the future. He pointed out that once a five-percent requirement to amend the Charter was approved, any future change would require a 15 percent plus 1 vote for a future repeal.

Commissioner Diaz noted colleagues in Tallahassee were currently initiating efforts to gather petition signatures allowing them to make changes to the Miami-Dade County Charter by placing questions on the local ballot.

Responding to Commissioner Moss' question, Mayor Gimenez noted the Task Force members believed extending the time requirement was the right thing to do, but did not support lowering the ten percent signature requirement.

Commissioner Moss noted he did not support the foregoing proposed resolution.

Commissioner Sosa noted she concurred with Commissioner Moss that she would not support the proposed resolution. She pointed out that the Commission had established many rules and regulations in response to previous election problems which later needed to be rescinded. Commissioner Sosa said she supported the collection of signatures to place questions on the ballot; however, this could lead to additional Charter elections being held in the future without consideration of the costs associated with conducting those elections. She stressed that the Task Force members recommended increasing the number days to gather signatures to increase

FINAL OFFICIAL

participation in the process but not reducing the number of required signatures.

Commissioner Monestime questioned the number of signatures the State of Florida required to place a Constitutional Amendment on the ballot. He noted Commissioner Bovo made a valid argument that increasing the number of days to obtain ballot signatures allowed additional participation, especially for citizens who were not tied to deep pockets or special interests.

Commissioner Monestime expressed support for the proposed resolution, since lowering the threshold to five-percent would facilitate the process by requiring fewer signatures at a reduced expense.

Commissioner Bovo noted he concurred with Commissioner Monestime; however, he indicated that the commissioners wished to follow the Task Force members' recommendations to the extent possible. He stated that the item was presented with good intentions, and would probably receive his support at a future date; however, presently he could not support the foregoing proposed resolution.

The foregoing proposed resolution was withdrawn by Commissioners Suarez and Diaz.

FINAL OFFICIAL

11A36

112288

Resolution

**Joe A. Martinez,
Rebeca Sosa,
Barbara J. Jordan**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS SB 256, HB 291 OR SIMILAR LEGISLATION
IMPROVING SAFEGUARD FOR HIGH SCHOOL ATHLETES
WHO MAY HAVE SUFFERED CONCUSSIONS

*Adopted
Resolution R-943-11
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 13- 0*

Report: Chairman Martinez noted the National Football League and other leagues adopted guidelines for athletes suspected of sustaining concussions. He also noted the Florida Legislature filed legislation to provide improved safeguards for high school athletes. Chairman Martinez proceeded to introduce Mr. David Goldstein to further comment on this proposed resolution.

Mr. David Goldstein, a junior at Ransom Everglades School spoke in support of the foregoing proposed resolution, which urged the County Commission to support the passage of Senate Bill 256 and House Bill 291. He noted he suffered from three concussions and was personally aware of the pain and fear caused by these injuries. Mr. Goldstein explained that the proposed legislation would protect youth athletes at no cost to the County and that his project, Countywide Concussion Care, had raised over \$35,000 in the past years to spread concussion education and provide impact concussion testing throughout the County. He further indicated that Miami-Dade County was the only county providing concussion testing to all public schools that offered athletic programs, according to Dr. Gillian Hotz, University of Miami Neurophysiologist. Mr. Goldstein explained that this legislation provided rules and guidelines for school and youth athletics, including club sports and organized recreational athletics at parks and youth centers. He noted the legislation would mandate parental consent; educate parents, athletes, coaches, administrators and referees; remove athletes from play suspected of head trauma; and provide a recovery plan managed by medical professionals.

Chairman Martinez congratulated Mr. Goldstein and suggested that he establish a fundraiser for this project.

Mr. Goldstein indicated that he raised an initial \$8,000 at Ransom Everglades School and an additional \$27,000 through personal solicitations. He noted the initial \$35,000 would support impact testing for all public schools with athletic programs in the County for several years; however, more money would be needed in the future.

Commissioner Sosa noted the Commission already approved legislation on June 3, 2010 related to head injuries to youths participating in team sports at County parks and facilities. She commended Mr. Goldstein and his family and offered her support to any future efforts on behalf of this initiative.

Commissioner Diaz also commended Mr. Goldstein, stressing that awareness was needed to protect athletes and offered his support.

Commissioner Moss questioned the testing process.

Mr. Goldstein responded that impact tests measuring cognitive functions were developed by neuroscience physicians at the University of Pittsburg. He noted a base line test would be administered by Dr. Hotz on all student athletes and then compared to a subsequent test measuring reaction times that was administered after a suspected concussion.

Chairman Moss congratulated Mr. Goldstein, noting this project would help student athletes in the future.

Commissioner Jordan commended Mr. Goldstein, noting he not only saw a problem but did something about it to help everyone.

FINAL OFFICIAL

Chairman Martinez acknowledged Mr. Goldstein, noting he had created a significant impact.

Assistant County Attorney Jess McCarty advised that a scrivener's error should be corrected on handwritten page 4, in the 5th Whereas Clause; and on handwritten page 5, in the Now, Therefore Clause in Section 2 of the foregoing proposed resolution should be corrected to change the name "Senator Anitere Florida" to "Senator Anitere Flores".

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as corrected.

11A37

112106	Resolution	Joe A. Martinez, Jose "Pepe" Diaz, Esteban L. Bovo, Jr., Sally A. Heyman, Barbara J. Jordan, Sen. Javier D. Souto, Dennis C. Moss
---------------	-------------------	--

RESOLUTION APPROVING THE 2011 BASIC AFFILIATION AGREEMENT BETWEEN THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA AND THE UNIVERSITY OF MIAMI

*Adopted
Resolution R-944-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez*

10/25/2011 2A

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Public Safety & Healthcare Admin Cmte

11A38

112210	Resolution	Audrey M. Edmonson
---------------	-------------------	---------------------------

RESOLUTION ALLOCATING FY 2011-12 DISTRICT 3 OFFICE BUDGET FUNDS

*Adopted
Resolution R-945-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez*

11A39

112221	Resolution	Joe A. Martinez
---------------	-------------------	------------------------

RESOLUTION RESCINDING PRIOR ALLOCATIONS FROM DISTRICT 11 DISCRETIONARY RESERVE FUNDS AND ALLOCATING UNEXPENDED DISTRICT 11 FY 2008-09 DISCRETIONARY RESERVE FUNDS

*Adopted
Resolution R-946-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez*

11 B ADDITIONAL BUDGET ALLOCATIONS

11B1

112370 Report

ALLOCATION OF (FY) 2011/12 DISTRICT OFFICE BUDGET FUNDS (DISTRICT 2)

Approved
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The following funding allocations were made from fiscal year (FY) 2011/12 District 2 Office Budget Funds as requested by Commissioner Monestime.*

\$1,000 to Catholic Legal Services
\$1,000 to Barnabas Community Ministries, Inc.
\$500 to Girls Receiving Abundant Blessings, Inc.

11B2

112371 Report

ALLOCATION OF (FY) 2008/09 DISCRETIONARY RESERVE FUNDS (DISTRICT 8)

Approved
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The following funding allocations were made from fiscal year (FY) 2011/12 District 8 Office Budget Funds as requested by Commissioner Bell.*

Up to \$3,000 to the Parks Foundation

For the record, Commissioner Bell made a retroactive allocation in the amount of \$289.75 from the District 8 Office Budget Funds, for the Family Movie Night Event on October 21, 2011.

For the record, Commissioner Bell made a retroactive allocation in the amount of up to \$250.00 from the District 8 Office Budget Funds, for the Halloween Trick or Treat Event at Cutler Ridge Park that took place on October 29, 2011.

11B3

112372 Report

ALLOCATION OF (FY) 2008/09 DISCRETIONARY RESERVE FUNDS (DISTRICT 9)

*Approved
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0*

Report: *The following funding allocations were made from fiscal year (FY) 2008/09 District 9 Discretionary Reserve Funds as requested by Commissioner Moss.*

*\$2,000 to KINAD, Inc., for program support
\$500 to CHI for their breast cancer walk
\$1,365 Ms. Gooze, Inc., for program support*

For the record, Commissioner Moss asked to rescind the allocation made on September 22, 2011, from (FY) 2010/11 Office Funds in the amount of \$2,000.00 to KINAD, Inc., for program support.

11B4

112373 Report

ALLOCATION OF (FY) 2011/12 DISTRICT OFFICE BUDGET FUNDS (DISTRICT 9)

*Approved
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0*

Report: *The following funding allocation was made from fiscal year (FY) 2011/12 District 9 Office Budget Funds as requested by Commissioner Moss.*

\$1,600 to La Prensa del Sur for the 31st Annual Celebration of the "Hispanic Heritage Constitution"

11B5

112374 Report

ALLOCATION OF (FY) 2011/12 DISTRICT OFFICE BUDGET FUNDS (DISTRICT 10)

*Approved
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0*

Report: *The following funding allocation was made from fiscal year (FY) 2011/12 District 10 Office Budget Funds as requested by Commissioner Souto.*

\$250 to Josefa Castano Kidney Foundation

12 ALLOCATION OF FY08/09 DISCRETIONARY RESERVE FUNDS D/9

13 COUNTY ATTORNEY

14 ITEMS SUBJECT TO 4-DAY RULE

15 **CLERK OF THE BOARD****15B** **REPORTS**

15B1

112232 **Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES
SUBMITTED FOR FIRST READING ON NOVEMBER 3, 2011
(Clerk of the Board)

Accepted as amended
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

Report: *The foregoing proposed report was amended to reschedule the public hearing date originally set for Agenda Item 4G (Legislative File No. 112269) from the Infrastructure and Land Use Committee meeting on December 14, 2011 to the Board of County Commission meeting on December 6, 2011 at 9:30 a.m.*

The foregoing proposed report was subsequently reconsidered at the November 15, 2011 County Commission meeting. At that meeting, the Board further amended this report to change the public hearing date originally set for Agenda Item 4A (Legislative File No. 112089) from the December 13, 2011 Internal Management and Fiscal Responsibility Committee at 2:00 p.m. to the December 12, 2011 Regional Transportation Committee at 9:30 a.m.

15B2

112233 **Report**

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE
BOARD
APRIL 11 2011 (SPECIAL MEETING OF THE BCC)
APRIL 27, 2011 (COMPREHENSIVE DEVELOPMENT
MASTER PLAN)
MAY 17, 2011 (REGULAR MEETING)
MAY 18, 2011 (COMPREHENSIVE DEVELOPMENT MASTER
PLAN)
JULY 14, 2011 (SPECIAL MEETING OF THE BCC) (Clerk of the
Board)

Approved
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Suarez

15C **COUNTY ADVISORY BOARD APPOINTMENTS**

15C1

112351 **Nomination**

APPOINTMENT OF DANIEL KAPLAN TO THE PLANNING
ADVISORY BOARD

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing reappointment by Chairman Martinez.*

15C2

112354 Nomination

APPOINTMENT OF ILEANA PETISCO TO COMMUNITY
COUNCIL 11 (SUB AREA 116)

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment by Chairman Martinez.*

15C3

112355 Nomination

APPOINTMENT OF DANIELA SALINAS TO THE MIAMI-
DADE YOUTH COMMISSION

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment by Commissioner Barreiro.*

15C4

112356 Nomination

APPOINTMENT OF ARIELLE DERIVAL TO THE MIAMI-
DADE YOUTH COMMISSION

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment by Commissioner Barreiro.*

15C5

112358 Nomination

APPOINTMENT OF CYNTHIA LARROQUE TO THE MIAMI-
DADE YOUTH COMMISSION

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment by Chairman Martinez.*

15C6

112359 Nomination

APPOINTMENT OF STEPHANIE PARDINAS TO THE MIAMI-
DADE YOUTH COMMISSION

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment by Chairman Martinez.*

15C7

112360 Nomination

APPOINTMENT OF ALEXA VERITE TO THE MIAMI-DADE
YOUTH COMMISSION

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing appointment by Chairman Martinez..*

15C8

112357 Nomination

REAPPOINTMENT OF JONATHAN BURGER TO THE MIAMI-
DADE YOUTH COMMISSION

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted, and the Clerk of the Board of County Commissioners received the appropriate memorandum for the foregoing reappointment by Commissioner Heyman.*

15C9

112450 Nomination

APPOINTMENT OF LIZ-MARIE ALVARADO TO THE
COMMISSION FOR WOMEN

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted the foregoing appointment by Commissioner Moss.*

15C10

112451 Nomination

APPOINTMENT OF JOHN DUBOIS TO THE
INTERNATIONAL TRADE ADVISORY BOARD

Appointed
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 13- 0

Report: *The Board of County Commissioners accepted the foregoing appointment by Commissioner Bell.*

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

15D1

112235 Nomination

BALLOT APPOINTMENT OF MEMBER TO THE LAND
ACQUISITION SELECTION COMMITTEE (LASC)
PATRICIA L. PHARES
AUDREY ORDENES (Clerk of the Board)

Appointed

Report: *Chairman Martinez announced that by ballot vote, the following person was appointed to the Land Acquisition Selection Committee:*

- Audrey Ordenes

15D2

112276 Nomination

BALLOT APPOINTMENTS TO THE PLANNING ADVISORY
BOARD (PAB)
WILLIAM RILEY (INCUMBENT)
GEORGE LINDEMANN (Clerk of the Board)

Appointed

Report: *Chairman Martinez announced that by ballot vote, the following person was appointed to the Planning Advisory Board:*

- William Riley

15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-KIND RESERVE FUNDS

15F1

112019**Ordinance****Joe A. Martinez**

ORDINANCE RELATING TO ZONING; MODIFYING NOTICE REQUIREMENTS AND PROCEDURES FOR APPLICATIONS TO EXTEND EXPIRATION DATES, BUILD OUT DATES, AND PHASING DEADLINES IN CERTAIN PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDERS AND RELATED ZONING ACTIONS; AMENDING SECTIONS 33-303.1, 33-309, 33-310, AND 33-311 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Public hearing and Second Reading Rescheduled

Report: Pursuant to County Attorney Robert Cuevas' request, it was moved by Commissioner Edmonson that Agenda Item 4C (112019) originally adopted on first reading on October 18, 2011 and scheduled for public hearing before the Infrastructure and Land Use Committee on November 9, 2011, be rescheduled for public hearing and seconding reading before the Board of County Commissioners on November 15, 2011. This motion was seconded by Commissioner Heyman and upon being put to a vote, passed by a vote of 7-0, (Commissioners Barreiro, Diaz, Jordan, Monestime, Moss, and Sosa were absent).

10/18/2011 4C

Adopted on first reading by the Board of County Commissioners

15F2

112362

Report

NON-AGENDA ITEM: COMPREHENSIVE DEVELOPMENT
MASTER PLAN HEARING

Report: Chairman Martinez noted the Sustainability, Planning, and Economic Enhancement Department requested that another Comprehensive Development Master Plan Hearing be added to the Board of County Commissioners' 2011 meeting calendar during the month of November.

It was moved by Commissioner Suarez that the Comprehensive Development Master Plan (CDMP) Transmittal Hearing be rescheduled for the April 2011 CDMP Amendment Cycle, which was originally scheduled for November 16, 2011 to November 30, 2011 at 2:00 p.m. This motion was seconded by Commissioner Bell.

Commissioner Heyman noted, according to the Rules of Procedure, a written notice signed by a majority of the members of the commission was required to schedule Special Meetings, and a commissioner must be able to attend that meeting if he/she signed that notice. She said that she would be unable to attend this proposed meeting and questioned whether the rule would also apply to a change of date for Special Meetings.

County Attorney Robert Cuevas advised that the rule did not apply to Commissioner Heyman's situation.

Commissioner Sosa questioned the rationale for rescheduling the CDMP meeting and whether any additional costs would be incurred to re-advertise the meeting.

Deputy Mayor Jack Osterholt explained that the CDMP meeting was cancelled and subsequently rescheduled to provide Administration additional time to obtain a sponsor for the amendment.

County Attorney Cuevas further clarified that the BCC adopted an amendment to allow private applications to come forward under the Mayor's sponsorship, but this would not be in effect for the November 16, 2011 CDMP meeting.

Chairman Martinez stated for the record that the District Commissioner did not support this Item and therefore did not want to sponsor it. He noted the ordinance for first reading stated that a private application could be heard by the County Commission to debate on the merits and the Department would provide a positive or negative recommendation; however, the Administration needed additional time to obtain a sponsor for the amendment.

Mr. Mark Woerner, Chief Metropolitan Planning, Department of Planning and Zoning, explained that the transmittal hearing for CDMP applications filed in the April cycle must occur during November. He informed Commission members that Senator Diaz de la Portilla had requested a change in meeting date to the last week in November due to a conflict with a scheduled committee meeting in Tallahassee.

County Attorney Cuevas clarified that State legislators were granted a hearing delay when representing a client pursuant to State law in the event of a conflict.

Commissioner Monestime stated that he was uncomfortable voting against an Item which he sponsored.

Mayor Carlos Gimenez explained that an applicant deserved to be heard even in the event that an item did not receive Commission sponsorship.

FINAL OFFICIAL

Chairman Martinez pointed out that the reason the Commission was changing the date of the meeting was not because the Administration needed additional time to obtain a sponsor for the amendment, but rather because Senator Diaz de la Portilla had requested a change in meeting date.

County Attorney Cuevas noted the Item would be presented for second reading by the County Commission on November 15, 2011 and if adopted would become effective on November 25, 2011.

Hearing no further questions or comments, the Commission proceeded to vote on the foregoing proposed resolution, and upon being put to a vote, passed by a vote of 13-0.

15F3

121513 Report

NON AGENDA ITEM: EXECUTIVE SESSION

Report: *Mayor Carlos Gimenez requested the County Commission convene an Executive Session during today's (11/03) meeting break, to discuss Collective Bargaining Unit contract negotiations.*

Chairman Martinez noted pursuant to a conversation with County Attorney Robert Cuevas, the Board's Rules of Procedure permitted it to recess into an Executive Session. He noted he would continue with today's agenda and would further discuss this matter later in the meeting.

Later in the meeting, Chairman Martinez noted he believed the remaining Agenda items with the exception of Charter Amendments would be completed by approximately 12:15 p.m. He said that Mayor Gimenez would update County Commission members on the status of contract negotiations and tough decisions that would be forthcoming. Following further discussion, Chairman Martinez noted Commission members would proceed to complete the balance of today's Agenda before they recessed into Executive Session, and would then reconvene at 2:00 p.m. to discuss the Charter Amendment items.

County Attorney Robert Cuevas clarified that the Commission should immediately go into Executive Session upon completion of the pending Agenda items. He stated that the Commission would recess until 2:00 p.m. upon completion of the Executive Session at which time it would reconvene to consider Charter Amendment proposals.

Later in the meeting, County Attorney Cuevas noted for the record that an Executive Session would be held pursuant to Chapter 447.605 to discuss the status of collective bargaining negotiations with the Mayor and his staff.

Chairman Martinez announced that the Mayor, County Commissioners, and County Attorney would participate in the Executive Session.

County Attorney Cuevas clarified that the State Statute allowed the Mayor's Collective Bargaining team members to attend this meeting pursuant to an Attorney General's opinion which authorized their participation.

The Board of County Commissioners recessed into Executive Session in the Conference room on the second floor at 12:57 p.m.

Following the Executive Session and recess, the Board of County Commissioners reconvened at 3:00 p.m.

15F4

121516 Report

NON AGENDA ITEM

Report: *Commissioner Monestime noted the recent passing away of Leroy Jones' son and offered condolences to the family.*

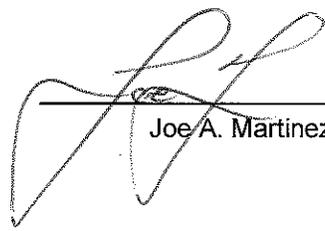
15F5

121517 Report

NON AGENDA ITEM

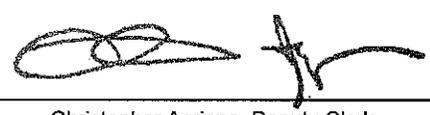
Report: *Commissioner Moss noted for the record that an agreement between Jackson Memorial Hospital and the University of Miami was recently passed by this Commission.*

19 **ADJOURNMENT**



Joe A. Martínez, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Christopher Agrippa, Deputy Clerk



REGULAR MEETING
Board of County Commissioners
November 3, 2011

Prepared by: Alan Eisenberg

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	11/03/2011	1G	Order of the Day
2	11/03/2011	1G	Pull List
3	11/03/2011	1G	Chairman Joe A. Martinez' Memorandum re: Changes Sheet
4	11/03/2011	1D5	Asian American Advisory Board Presentation
5	11/03/2011	11A12 - 11A35	Report re: Charter Review Force Recommendation Summary; Commission History: Current Sponsor; and Possible to Accomplish by Ordinance
6	11/03/2011	11A12 - 11A35	Charter Review Task Force Final Recommendations to the Board of County Commissioners, January 29, 2008
7	11/03/2011	11A35	The Miami Herald Article re: New rules protect student athletes from brain injuries
8	11/03/2011	11B1	District No. 2 Community Based Organization Allocations
9	11/03/2011	11B2	District No. 8 Community Based Organization Allocations
10	11/03/2011	11B3 & 11B4	District No. 9 Community Based Organization Rescission of previous Allocation and new Allocations
11	11/03/2011	11B5	District No. 10 Community Based Organization Allocation
12	11/03/2011	15C1	District No. 11 Appointment of Daniel Kaplan to the Planning Advisory Board
13	11/03/2011	15C2	District No. 11 Appointment of Ileana Petisco to the Community Council 11 (Sub Area 116)
14	11/03/2011	15C3	District No. 5 Appointment of Daniela Salinas to the Miami-Dade Youth Commission
15	11/03/2011	15C4	District No. 5 Appointment of Arielle Derival to the Miami-Dade Youth Commission

16	11/03/2011	15C5	District No. 11 Appointment of Cynthia Larroque to the Miami-Dade Youth Commission
18	11/04/2011	15C6	District No. 11 Appointment of Stephanie Pardinias to the Miami-Dade County Youth Commission
19	11/03/2011	15C7	District No. 11 Appointment of Alexa Verite to the Miami-Dade County Youth Commission
20	11/03/2011	15C8	District No. 4 Appointment of Jonathan Burger to the Miami-Dade Youth Commission
21	11/03/2011	15D1	Ballot Appointment of Audrey Ordenes to the Land Acquisition Selection Committee
22	11/03/2011	15D2	Ballot Appointment of William Riley to the Planning Advisory Board



MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

ORDER OF THE DAY

Thursday, November 3, 2011

9:30 a.m.

Special Presentations

1D2 – COMMENDATION TO KATHY AND RON MEDFORD FOR OUTSTANDING VOLUNTEERISM AT ZOO MIAMI (Moss, Martinez)

1D3 – SYMPATHY RESOLUTION TO THE FAMILIES OF JULIAN SOLER AND KENNIA DURAN (Bovo)

1D4 – SYMPATHY RESOLUTION TO LAS DAMAS DE BLANCO (LADIES IN WHITE), IN THE MEMORY OF LAURA INES POLLAN (Bovo)

Call to Order

Roll Call

Setting of Agenda

Special Presentations

1D5 – PRESENTATION BY THE ASIAN AFFAIRS ADVISORY BOARD (Office of Community Advocacy)

1D6 – PRESENTATION BY THE HISPANIC AFFAIRS ADVISORY BOARD (Office of Community Advocacy)

Immediately Following
Action Items

11A12 – 11A35 CHARTER REVIEW ITEMS

6:30 p.m.

Adjournment

RECEIVED
By the Clerk for the record.

NOV 03 2011

Item 16
Exhibit 1
Meeting 11/03/2011



MIAMI-DADE BOARD OF COUNTY COMMISSIONERS
Tuesday, October 18, 2011

PULL LIST

8F2	RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS (RFQ) FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN STATE GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN TALLAHASSEE, FL, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFQ NO. 801 (Internal Services) <i>Commissioner: Jordan, Martinez, Heyman</i>
8K1	RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY TO THE U.S. FOREIGN-TRADE ZONES BOARD FOR THE PURPOSE OF ESTABLISHING AND ADMINISTERING A GENERAL-PURPOSE FOREIGN TRADE ZONE [SEE ORIGINAL ITEM UNDER FILE NO. 111910] (Port of Miami) <i>Commissioner: Sosa</i>
11A2 & 11A2 Supp.	RESOLUTION DIRECTING THE COUNTY MAYOR TO NEGOTIATE CHANGE ORDER NO. 4 TO MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-7-05 WITH MIKE GOMEZ CONSTRUCTION CONSULTING, INC., EXTENDING THE CONTRACT TIME THROUGH DECEMBER 1, 2011; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SUCH CHANGE ORDER AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN, AND WAIVING FORMAL BID PROCEDURES AND PROVISIONS PURSUANT TO SECTION 2-8.1 MIAMI-DADE COUNTY CODE AND SECTION 5.03(D) OF THE MIAMI-DADE HOME RULE CHARTER, AND SECTION 255.20 FLORIDA STATUTES <i>Commissioner: Edmonson, Jordan</i>
11A3	RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 274, HB 419 OR SIMILAR LEGISLATION REQUIRING DAYCARE VEHICLES USED TO TRANSPORT CHILDREN TO INSTALL CHILD SAFETY ALARMS <i>Commissioner: Edmonson (Co-Sponsor), Jordan (Co-Sponsor)</i>
11A4	RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS A STATEWIDE WAGE THEFT LAW MODELED AFTER THE MIAMI-DADE COUNTY WAGE THEFT ORDINANCE <i>Commissioner: Monestime (Co-Sponsor)</i>
11A5	RESOLUTION OPPOSING STATE LEGISLATION THAT WOULD PREEMPT MIAMI-DADE COUNTY'S WAGE THEFT ORDINANCE <i>Commissioner: Monestime (Co-Sponsor)</i>
11A7	RESOLUTION SUPPORTING HJR 169 OR SIMILAR LEGISLATION THAT WOULD PROPOSE A CONSTITUTIONAL AMENDMENT TO PROVIDE COUNTIES AND CITIES A LOCAL OPTION TO GRANT AN ADDITIONAL HOMESTEAD EXEMPTION TO LOW INCOME SENIOR CITIZENS IN THE AMOUNT OF THE ENTIRE ASSESSED VALUE OF HOMESTEAD PROPERTY; SUPPORTING HB 357 WHICH IMPLEMENTS HJR 169 OR A SIMILAR JOINT RESOLUTION UPON APPROVAL BY STATEWIDE VOTERS <i>Commissioner: Jordan, Heyman</i>
11A8	RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION PROHIBITING EMPLOYERS FROM USING CREDIT HISTORY IN DETERMINING WHETHER TO DENY EMPLOYMENT TO A JOB APPLICANT, DISCHARGE AN EMPLOYEE OR DECIDE COMPENSATION, EXCEPT WHERE CREDIT HISTORY IS JOB-RELATED; FURTHER URGING CONGRESS TO APPROVE H.R. 321, THE EQUAL EMPLOYMENT FOR ALL ACT, OR SIMILAR LEGISLATION <i>Commissioner: Monestime (Co-Sponsor), Heyman</i>

RECEIVED
By the Clerk for the record.

NOV 03 2011

16

2

11/3/2011



MIAMI-DADE BOARD OF COUNTY COMMISSIONERS
Tuesday, October 18, 2011

PULL LIST

11A9	RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT WORKPLACE ANTI-BULLYING LEGISLATION <i>Commissioner: Moss, Jordan (Co-Sponsor)</i>
11A10	RESOLUTION OPPOSING THE IMPOSITION OF TOLLS TO ACCESS THE PORT OF MIAMI; DIRECTING THE MAYOR OR DESIGNEE TO BRING TO THE BOARD AN ALTERNATIVE FUNDING PLAN; DIRECTING THE MAYOR OR DESIGNEE TO IDENTIFY AN ALTERNATIVE FUNDING PLAN FOR THE PORT OF MIAMI TUNNEL THAT DOES NOT INCLUDE TOLLS <i>Commissioner: Moss, Jordan, Heyman</i>
11A11	RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION MAKING IT A THIRD-DEGREE FELONY TO RETRIEVE OR RETURN MORE THAN ONE ABSENTEE BALLOT FROM A NON-RELATIVE; ALTERNATIVELY URGING THE LEGISLATURE TO MAKE IT A THIRD DEGREE FELONY TO VIOLATE ANY LOCAL ELECTION LAW <i>Commissioner: Moss (Co-Sponsor)</i>
11A12- 11A35	ALL CHARTER REVIEW ITEMS <i>Commissioner:</i>
11A36	RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 256, HB 291 OR SIMILAR LEGISLATION IMPROVING SAFEGUARD FOR HIGH SCHOOL ATHLETES WHO MAY HAVE SUFFERED CONCUSSIONS <i>Commissioner: Martinez</i>
11A37	RESOLUTION APPROVING THE 2011 BASIC AFFILIATION AGREEMENT BETWEEN THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA AND THE UNIVERSITY OF MIAMI <i>Commissioner: Moss (Co-Sponsor)</i>

Office of the Chair



CHAIRMAN
JOE A. MARTINEZ

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

Memorandum

To: Honorable Vice Chairwoman Audrey M. Edmonson and
Members, Board of County Commissioners

From: Joe A. Martinez, Chairman 

Date: November 3, 2011

Re: Changes Sheet

Additions

11A2 SUPPLEMENT

112307 SUPPLEMENTAL INFORMATION TO RESOLUTION DIRECTING
COUNTY MAYOR TO NEGOTIATE EXTENSION OF MISCELLANEOUS
CONSTRUCTION CONTRACT NO. MCC-7-05 BETWEEN MIAMI-DADE
COUNTY AND MIKE GOMEZ CONSTRUCTION CONSULTING, INC

RECEIVED
By the Clerk for the Board

NOV 03 2011
Item 16
Page 3
Meeting 11/03/2011

November 3, 2011

Additions

11A34 ALTERNATE NO. 1

Lynda Bell

112312 RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE AS OF JANUARY 31, 2012, THAT EACH COUNTY COMMISSIONER SHALL: DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; AND NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE SALARY PROVIDED BY STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY \$92,097) (SEE ORIGINAL ITEM UNDER FILE NO. 112113)

11A34 ALTERNATE NO. 2

Lynda Bell

112313 RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COUNTY COMMISSIONERS SHALL SERVE NO MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS IN OFFICE EXCLUDING TERMS OF SERVICE PRIOR TO 2012 (SEE ORIGINAL ITEM UNDER FILE NO. 112113)

November 3, 2011

Deferrals

1D1

Joe A. Martinez

112147 PRESENTATION BY THE BEACON COUNCIL REGARDING THE ONE
COMMUNITY ONE GOAL INITIATIVE

*Note: The Prime Sponsor has requested deferral to the December 6 Board of
County Commissioners meeting.*

11A6

Joe A. Martinez

112290 RESOLUTION URGING THE FLORIDA LEGISLATURE TO AUTHORIZE
TWO OR MORE DESTINATION RESORT CASINOS IN MIAMI-DADE
COUNTY WITH REVENUES GENERATED TO BE USED TO REDUCE
COUNTYWIDE PROPERTY TAXES (SEE ORIGINAL ITEM UNDER FILE
NO. 112029)

Note: The Prime Sponsor has requested deferral to no date certain.

November 3, 2011

Scrivener's Errors

11A15

Esteban L. Bovo, Jr.

- 112109** RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE THAT THE CERTIFICATION AND SIGNATURE GATHERING PROCEDURES FOR INITIATIVE PETITIONS FOR ORDINANCES ALSO GOVERN INITIATIVE PETITIONS TO AMEND THE HOME RULE CHARTER

Note: On handwritten page 4 the first word of the 8th line from the top "PROCEEDURES" is replaced with the correctly spelled "Procedures".

11A16

Esteban L. Bovo, Jr.

- 112110** RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, JANUARY 31, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR COMMUNITY ZONING APPEALS BOARDS TO DECIDE ZONING APPLICATIONS TO THE EXTENT ALLOWED BY LAW AND FOR APPEALS FROM SUCH DECISIONS TO BE DECIDED BY ZONING HEARING OFFICERS IN A PROCESS MODELED ON THE STATE OF FLORIDA'S ADMINISTRATIVE PROCEDURES ACT, SUBJECT TO LIMITED REVIEW BY THE BOARD OF COUNTY COMMISSIONERS

Note: On handwritten page 4 the first word of the 13th line from the top "MODELLED" is replaced with the correctly spelled "MODELED".

November 3, 2011

Scrivener's Errors

11A36

Joe A. Martinez,
Rebeca Sosa

112288 RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 256,
HB 291 OR SIMILAR LEGISLATION IMPROVING SAFEGUARD FOR
HIGH SCHOOL ATHLETES WHO MAY HAVE SUFFERED
CONCUSSIONS

*Note: On handwritten page 4 (in the 5th Whereas) and handwritten page 5 (in
the Now, Therefore, Section 2) should read Senator Anitere Flores.*

**Note: UPON THE ADOPTION OF ANY SUBSTITUTE OR ALTERNATE AGENDA ITEM, THE
ACCOMPANYING SUBSTITUTES AND/OR ALTERNATES SHALL BE DEEMED WITHDRAWN.**

**PRESENTATION TO M-D CTY COMMISSIONERS ON 11/03/11
BY THE MIAMI-DADE COUNTY ASIAN AMERICAN ADVISORY BOARD ("AAAB")
Chairwoman Lisa Hu Barquist, Esq.**

Asia, the Continent

Asia is the largest and most populous continent in the world by a considerable margin. It covers 30% of the earth's land area with approximately 3.9 billion people (or 60% of the world's population). While one may typically think of Asian countries as China, Japan, Korea and the Philippines, Asia is much more expansive – Asia comprises of 44 countries and assorted islands and dependencies. Some of those countries include Afghanistan, Bangladesh, India, Kuwait, Iran, Iraq, Kazakhstan, Pakistan, Saudi Arabia, Sri Lanka, Syria, and Turkey.

Asia is the home of all of the world's major religions – Christianity, Islam, Buddhism, Hinduism and Judaism.

Given its size and diversity, Asia is more a cultural concept that incorporates diverse regions and peoples than a homogeneous one. Asia differs widely among and within its regions with regard to ethnic groups, cultures, environments, economics, historical ties and government systems.

By the year 2050, Asia is projected to produce more than half of the world's GDP, making it a powerhouse of the global economy.

According to Citigroup, nine out of eleven "global growth generator countries," that is, countries driven by income growth and population, come from Asia – they are Bangladesh, China, India, Indonesia, Iraq, Mongolia, the Philippines, Sri Lanka and Vietnam. Asia also has four main financial centers in the world – Tokyo, Hong Kong, Singapore and Shanghai. Additionally, due to the availability of a large pool of highly skilled English speaking workers, India and the Philippines have become call centers and business process outsourcing for many companies worldwide.

Asian Americans – the numbers

The number of U.S. residents in 2010 who said they were Asian or Asian in combination with one or more races was approximately 17.3 million (or 5.6% of the total population).

In Miami-Dade County, there are approximately 375,000 Asian Americans (or 1½% of 2.5 million residents).

The projected number of U.S. residents in 2050 who will identify themselves as Asians is expected to be 40.6 million (or 9% of the total population).

The Real Success of Asian Americans

The real success of Asian Americans is epitomized in their overall pursuit of excellence.

1. The median family income for Asian Americans in 2009 was the highest among all race groups.
2. Asian Americans make up a disproportionately large segment of student bodies in the most prominent colleges and universities.
 - 50% of Asians, 25 and older, have a bachelor's degree. This compares with 28% for all Americans 25 and older with a bachelor's degree.

RECEIVED
By the Clerk for the record.

NOV 03 2011
105
4
11/03/2011

3. 20% of Asians, 25 and older have an advanced degree (e.g., masters, Ph.D., M.D., and J.D.). This compares with 10% for all Americans 25 and older.
4. Asian Americans owned 1.5 million businesses in 2007, which is up 40% from 2002.
 - Receipts of Asian American owned business totaled \$507.6 billion in 2007, which was up 55% from 2002.
 - Asian American businesses employed 2.8 million people, and the average revenue per company was approximately \$338,000.00.
 - 49% of employed Asian Americans, 16 and older, work in management, professional and related occupations, such as financial managers, engineers, teachers and registered nurses.

Contributions by Asians and Asian Americans Locally, Nationally and Internationally

Asian Americans add to the cultural diversity of Miami-Dade County and many hold positions of prominence and power. For example:

Locally

Medhi Ghomeshi here in South Florida, and his team raised \$60 million in initial capital and another \$117 million in a second offering to open Great Florida Bank, which now has 14 branches throughout South Florida.

A.Parasuraman, at the University of Miami, is the world authority on services marketing. He holds the James W. McLamore Chair in Marketing.

Nationally

Fareed Zakaria -- hosts CNN's flagship foreign affairs show called GPS and is Editor at Large of TIME Magazine.

Muhtar Kent -- CEO of Coca Cola

Indra Nooyi -- CEO of Pepsico

Vikram Pandit -- CEO of Citigroup

Vinod Khosla -- Cofounder of Sun Microsystems and one of the most influential venture capitalists in Silicon Valley.

Amartya Sen -- Professor at Harvard University and winner of the 1998 Nobel Prize in Economics for his work on the Social Choice Theory, that is, how middlemen hoarding grain exacerbate famines in the world.

Internationally

Ban Ki-Moon -- Secretary General of the United Nations

The Asian Advisory Board and Friends of the Asian Advisory Board

The Miami-Dade County Asian American Advisory Board has had members ethnically representing over 20 countries in Asia, ranging from Afghanistan to Vietnam. The Asian

Advisory Board is composed of all volunteer, non-paid community service-oriented citizens. Our mission is to promote positive images of Asian Americans, to eliminate misconceptions about Asians, to bring together various Asian and non-Asian communities, to serve as a resource available to Asians, and to and support Asian American businesses and activities.

Our County's recognition, 12 years ago, in the significance of having an Asian Advisory Board is a testament to the vision and understanding of our elected leaders. Not only has the Asian Advisory Board served as enablers of interaction and dialogue between the Asian American community and our County leadership, but also it also has established community service initiatives to help the community.

Service to Those in Need

We are proud of the tremendous service provided by and the generosity of our board members to those less fortunate here in South Florida.

Our community service initiatives are: SAHARA, NUR and UHI Community Center.

(1) SAHARA is a domestic violence support network, which was created in collaboration with the Women's Fund of Miami.

(2) the NUR Center for Women and Children provides a safe home and food pantry for victims of domestic violence and abuse. Notably, the Asian Advisory Board's executive director Mohammad Shakir quietly and generously purchased the home for the NUR Center – out of his personal savings. The house is currently fully occupied primarily by non-Asians.

(3) UHI Community Center provides free medical care for anyone who comes through its doors, many of whom are not Asian. It is intentionally situated in one of the poorest districts in the County (District 17). 40 doctors and healthcare workers, as well as Asian Advisory Board members, volunteer their time to work at the Center. It is entirely privately funded by the Muslim community.

Promoting Asian Culture and Business in Miami-Dade County

The Asian Advisory Board's support, participation in and promotion of Asian cultural activities and trade seminars translates into dollars to our community. For example, vendors and professional performers at the festivals net \$500.00 to \$5,000.00 per day. The festivals also pay for rental of tents, chairs, tables, walkways, children's activities, park fees, insurance and other expenses – all of which contribute to business here in South Florida.

The two largest cultural festivals are the:

(1) Annual Chinese New Year Festival at Miami-Dade College Kendall Campus, which attracted 6,000 people last year to this one-day festival. (2) Asian Culture Festival in the Fruit and Spice Park in Homestead that attracted over 10,000 attendees last year.

(3) Other cultural events supported by the AAAB include the Turkish Festival held on Las Olas in Ft. Lauderdale, providing keynote speakers at various Asian Pacific Heritage Month Celebrations, Pakistan's Asadi Mela, and the two Dragon Boat Races.

Additionally, Shawn Khosravi of the Asian Advisory Board was the keynote speaker at the Citizenship Ceremony where 200 people from 28 different countries became naturalized citizens in May 2011.

Also, Lisa Hu Barquist chairwoman of the Asian Advisory Board was keynote speaker at Asian Heritage Month and also moderated a business seminar on Managing Business Opportunities and Challenges in China held at the Bankers Club which attracted over 200 attendees.

501(c)(3) and Website www.friendsofaaab.com

Two years ago, the Asian Advisory Board established *Friends*, a non-profit 501(c)(3) entity, to serve as the fiscal arm of the AAAB, which enabled the board to solicit donations and sponsorships. This resulted in our ability to fund and host two years of scholarship awards ceremonies — open and without charge to the public — where at each instance, \$25K in monies was awarded to Asian American college and graduate students. A commitment to community service, academic excellence and financial need are all criteria. Also, in recognition of the importance of supporting those members in our community who make extraordinary efforts to help others, we established Humanitarian Awards also accompanied by substantial cash awards. Last year, *Friends* recognized two well-deserving humanitarians here in our community.

The first was Somi Aly, founder of “No More Tears,” an organization assisting victims of domestic violence. Ms. Aly started this organization, as a grass roots effort out of her home and funded it out of her personal savings. Today, her organization has helped 146 survivors of domestic violence, all from different ethnic backgrounds.

The second humanitarian award recipient was Estanley Baptiste. At the age of 14, he left Haiti at the urging of his grandmother who wanted him to go to America so “he could make something of himself.” In Haiti he was a top student who tutored others and worked as a tailor to earn money after his grandmother suffered a stroke. His mother died when he was 6 and his estranged father was in the United States. Estanley, then 14 years old, arrived in Miami with nothing: no luggage, no possessions, and no ability to speak the English language. His father who lived here South Florida did not want him. So, he moved in with an uncle in Liberty City who barely knew him. Two years later, his uncle uprooted and left Estanley on his own. To find employment, Estanley walked up and down N.W. 7th Avenue applying for work at every business he passed. Ultimately, he was hired at a local grocery store doing whatever they asked him to do. Since the age of 16, he has worked at night to support himself while during the day he attended high school (and now Miami-Dade College).

When he finished working at 10:30 in the evening at the local supermarket and walked the 1-mile back to his modest apartment, he studied English until 2 in the morning. “I kept telling myself that sleep was a waste of time,” Estanley explained. As a senior in high school, Estanley, who taught himself English became the *first Edison Senior High School student (in Liberty City) to win the prestigious Silver Knight Award in English*. He also graduated with honors from high school.

Despite his busy work and school schedule, Estanley always tutors and helps his fellow students with their studies, both in high school and college. He did the same when he was a top student in Haiti.

Friends also established, with the generous assistance of Compusource, an IT company owned by board member Adam Tavakoly, a beautiful and informational website, www.friendsofaaab.com. Our website is updated regularly and provides information about the many Asian activities and issues impacting Asian Americans. Also, when you on the website, click on one of the flags – each flag represents a country and most of the flags have a summary of that particular country.

We encourage you to financially support our non-profit fiscal arm, *Friends* of the Asian Advisory Board. We are active. We are engaged. We are productive and passionate about what we do to make this wonderful Miami-Dade County a better place to live. It takes a village to make this place better for all of us. We need and urge you to come join us. Our monthly board meetings are always held on the second Tuesday of each month, starting at 6 pm, at Government Center, Stephen P. Clark Building, 8th Floor Rear Conference Room.

Task Force Recommendation No. 1: Independent Public Safety Director

CRTF Vote: Motion passed: 10-5

Recommendation Summary:

“The Public Safety Director should remain an appointed position. However, the Task Force recommended that the electors of Miami-Dade County be asked whether they wish to amend the Home Rule Charter to provide that: the Public Safety Director (i.e. Sheriff, Police Chief) shall be appointed by the Mayor for a period of four (4) years, at the expiration of each term subject to re-appointment; that the appointment can be vetoed by a super majority (two-thirds) vote of the County Commission; that the Public Safety Director could be removed by the Mayor subject to the consent of a simple majority vote of the County Commission; or by the County Commission subject to a super majority (two-thirds) vote. Once appointed, that person shall carry out the functions of the office independent of the Mayor and County Commission except for funding and budgeting matters.”

Commission History: This recommendation was considered by the BCC as Special Item 18 at the Board’s July 18, 2008 special meeting (Item No. 073379). A motion to approve this item failed at a voice vote.

Current Sponsor: Chairman Martinez.

Possible to Accomplish by Ordinance: No.

RECEIVED
By the Clerk for the Board.

NOV 03 2011
Item 11A12 - 11A35
Exhibit 5
Meeting 11/03/2011

Task Force Recommendation No. 2: Independent Supervisor of Elections

CRTF Vote: Motion passed: 10-5

Recommendation Summary:

“The Supervisor of Elections should remain an appointed position. However, the Task Force recommended that the electors of Miami-Dade County be asked whether they wish to amend the Home Rule Charter to provide that: the Supervisor of Elections shall be appointed by the Mayor for a period of four (4) years, at the expiration of each term subject to re-appointment; that the appointment can be vetoed by a super majority (two-thirds) vote of the County Commission; that the Supervisor of Elections could be removed by the Mayor subject to the consent of a simple majority vote of the County Commission; or by the County Commission subject to a super majority (two-thirds) vote. Once appointed, that person shall carry out the functions of the office independent of the Mayor and County Commission except for funding and budgeting matters.”

Commission History: This recommendation was considered by the BCC as Special Item 19 at the Board’s July 18, 2008 special meeting (Item No. 073376). A motion to approve this item failed at a voice vote.

Current Sponsor: Chairman Martinez.

Possible to Accomplish by Ordinance: No.

Task Force Recommendation No. 3: Elected Property Appraiser (**ADOPTED**)

CRTF Vote: Motion passed: 12-4

Recommendation Summary:

“The position of Property Appraiser become an elected position.”

Commission History: This recommendation was placed on the ballot by R-1242-07 (Item No. 073012) adopted at the November 6, 2007 BCC Meeting. The election was called for the 2008 Presidential Preference Primary Election on January 29, 2008.

Ballot Question Presented:

**Home Rule Charter Amendment Changing Property Appraiser from
an Appointed to an Elected Office**

Shall the Charter be amended to provide for the transfer of the duties of the County Property Appraiser from a person appointed and supervised by the Mayor to a person elected and subject to recall by the voters?

Vote: **Yes – 280,552 (76.80%)**
 No – 84742 (23.205%)
 Turnout 400,167 (36.93%)

Task Force Recommendation No. 4: Term Limits, Salary, Outside Employment

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The Task Force recommends that the electors of Miami-Dade County be asked whether they wish to amend the Home Rule Charter to provide that County Commissioners shall receive a population based salary provided by Florida’s Statutory formula (approximately \$91,995); Commissioner’s terms in office shall be limited to two, four-year terms; and Commissioners shall be prohibited from having outside employment.”

Commission History: This recommendation was considered by the BCC as Special Item 1 at the Board’s July 18, 2008 special meeting (Item No. 073310). The item was amended to remove the term limits and the amended item (Item No. 082265) was adopted as R-873-08. The election was called for the 2008 General Election on November 4, 2008 and the Charter amendment was not approved as indicated below. Recommendation No. 4 was re-introduced in its original form by Commissioner Sosa at the October 18, 2011 BCC meeting. It was 4-day ruled to November 3, 2011. A more detailed history of term limit, salary and outside employment proposed Charter amendments and the accompanying votes is attached hereto.

Ballot Question Presented:

Home Rule Charter Amendment Relating to Salaries and Service of County Commissioners

Shall the Charter be amended to provide that County Commissioners shall:

- Devote full-time service to the office of Commissioner and hold no other employment; and
- No longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by state statutory formula, adjusted annually by the county’s population (currently approximately \$91,995), used by other Florida counties, including Broward County?

Vote: Yes – 336,273 (48.47%)
No – 357,515 (51.53%)
Turnout 872,260 (70.05%)

Current Sponsor: Commissioner Sosa (Co-sponsor Commissioner Bell).

Possible to Accomplish by Ordinance: No.

**Task Force Recommendation No. 5:
Tax Collector – (NO CHANGE RECOMMENDED)**

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The Tax Collector remains as an appointed position.”

Commission History: No action necessary as the CRTF recommended maintaining the current Charter treatment of the tax collector.

**Task Force Recommendation No. 6:
Commission Single Member Districts –
(NO CHANGE RECOMMENDED)**

CRTF Vote: Motion passed: 14-1

Recommendation Summary:

“The manner in which the Board of County Commissioners is currently comprised shall remain as is, with 13 single-member Commission Districts.”

Commission History: No action necessary as the CRTF recommended maintaining the current Charter treatment of the single member districts.

Task Force Recommendation No. 7: Countywide Incorporation

CRTF Vote: Motion passed: 9-5

Recommendation Summary:

“The County Commission appoint an independent Task Force 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 that such plan be placed on the ballot for all citizens to vote on at a general election in 2010.”

Commission History: This recommendation was considered by the BCC as Special Item 16 at the Board’s July 18, 2008 special meeting (Item No. 080969). It was withdrawn at the request of its sponsor.

Current Sponsor: Chairman Martinez.

Possible to Accomplish by Ordinance: No.

Task Force Recommendation No. 8: Charter Review Task Force

CRTF Vote: Motion passed: 9-5

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to empower future Charter Review Task Forces to place proposed Charter amendments directly on the ballot, if the proposed Charter amendment is approved by a two-thirds vote of the Task Force members present; and to provide that the appointment process for future Task Force members be the same as contained in Sections 1 and 2 of the resolution creating the current Charter Review Task Force, with the exception that the provision allowing Commissioners to appoint themselves to the Task Force be deleted.”

Commission History: This recommendation was considered by the BCC as Special Item 6 at the Board’s July 18, 2008 special meeting (Item No. 080948). A straw vote was taken on approval of this item and the straw vote failed. As a result no action was taken on Special Item 6.

Current Sponsor: Chairman Martinez.

Possible to Accomplish by Ordinance: No.

Task Force Recommendation No. 9: Increase Petition Time from 60 to 120 Days

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that the time period to collect signatures for proposed Charter amendments and citizens’ initiatives be extended to 120 days and that proposed Charter amendments must only be placed on the ballot during a general election.”

Commission History: This recommendation was considered by the BCC as Special Item 7 at the Board’s July 18, 2008 special meeting (Item No. 080966). A vote taken on a motion to approve failed.

Current Sponsor: Chairman Martinez.

Possible to Accomplish by Ordinance: No.

Task Force Recommendation No. 10: Public Hearings On Proposed Charter Amendments

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to require the County Commission to hold a public hearing on any citizen initiated changes to the Home Rule Charter on the date the County Commission sets the election date on the proposed Charter amendment. A public hearing shall also be required for any Charter amendment initiated by the County Commission.”

Commission History: This recommendation was considered by the BCC as Special Item 8 at the Board’s July 18, 2008 special meeting (Item No. 080970). The resolution was withdrawn by its sponsor.

Current Sponsor: Commissioner Bovo.

Possible to Accomplish by Ordinance: Yes.

Task Force Recommendation No. 11: Public Hearings on Initiative Petitions (ADOPTED)

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The electors of Miami-Dade County be asked whether of the Home Rule Charter should be amended to provide that the County Commission hold a public hearing on the proposed initiative at the time a citizen initiative petition is presented to the County Commission for possible passage or repeal of an ordinance.”

Commission History: This recommendation was considered by the BCC as Special Item 9 at the Board’s July 18, 2008 special meeting (Item No. 082266). The item was adopted as R-874-08. The election was called for the 2008 General Election on November 4, 2008 and was approved by the voters as indicated below.

Ballot Question Presented:

Home Rule Charter Amendment on Ordinance Initiative Petitions Requiring Clerk Form Approval and Public Hearings

Shall the Charter be amended to provide that the Clerk, not the Board, shall approve initiative petitions proposing passage or repeal of an ordinance as to form and require the County Commission to hold a public hearing on any such petition at the next County Commission meeting subsequent to the Clerk’s approval of the petition?

Vote: **Yes – 330,919 (50.94%)**
 No – 318,731 (49.06%)

 Turnout 872,260 (70.05%)

Task Force Recommendation No. 12: Prohibit Ordinances Regulating Petitions

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that the County Commission shall adopt no resolutions or ordinances regulating the citizen petition procedures as defined in the Home Rule Charter.”

Commission History: This recommendation was considered by the BCC as Special Item 11 at the Board’s July 18, 2008 special meeting (Item No. 081974) as a combined item along with Charter Review Task Force recommendations 13 and 18. A vote taken on a motion to approve failed.

Current Sponsor: Commissioner Bovo.

Possible to Accomplish by Ordinance: No.

Task Force Recommendation No. 13: Charter Amendment Petition Process

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to reflect that the certification and petition gathering provisions contained in Article 8 of the Home Rule Charter should also govern citizen initiative petition procedures to amend the Home Rule Charter.”

Commission History: This recommendation was considered by the BCC as Special Item 11 at the Board’s July 18, 2008 special meeting (Item No. 081974) as a combined item along with Charter Review Task Force recommendations 12 and 18. A vote taken on a motion to approve failed.

Current Sponsor: Commissioner Bovo.

Possible to Accomplish by Ordinance: No.

Task Force Recommendation No. 14: Clerk Approves Petitions on Amendments (**ADOPTED**)

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that the Clerk of the Court, rather than the County Commission, approve as to form any citizen initiative petition.”

Commission History: This recommendation was considered by the BCC as Special Item 14 at the Board’s July 18, 2008 special meeting (Item No. 080968). The item was adopted as R-875-08. The election was called for the 2008 General Election on November 4, 2008. The Charter amendment was approved by the voters as indicated below.

Ballot Question Presented:

Charter Amendment Relating to Approval as to Form of Initiative Petitions

Shall the Charter be amended to provide that the Clerk of the Circuit Court, rather than the Board of County Commissioners, approve citizen initiative petitions as to form?

Vote: **Yes – 331,594 (50.74%)**
 No – 321,933 (49.26%)

 Turnout 872,260 (70.05%)

Task Force Recommendation No. 15: Bid Protests

CRTF Vote: Motion passed: 8-6

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that bid protests shall be heard by hearing officers charged with making final determinations based on findings of facts and conclusions of law; that the appeal process shall be governed by the rules of procedure set forth in State of Florida’s Administrative Procedure Act; and that the findings of the hearing officer would be final, subject to appeal by a disappointed bidder to the County Commission solely on an abuse of discretion standard.”

Commission History: This recommendation was not previously placed on an agenda.

Current Sponsor: Chairman Martinez.

Possible to Accomplish by Ordinance: Yes.

**Task Force Recommendation No. 16:
UDB Referendum – (PRE-EMPTED BY
SUBSEQUENT STATE LEGISLATION)**

CRTF Vote: Motion passed: 9-5

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that any Comprehensive Development Master Plan application requesting that the Urban Development Boundary (UDB) line be moved must be approved by a vote of at least $\frac{3}{4}$'s of the County Commissioners then in office; that every five years an independent body shall be constituted to conduct a comprehensive and holistic study as to where the UDB line should be drawn; and that if a change in the location of the UDB line is recommended by such independent body and such change in location is approved by a simple majority vote of County Commissioners present, such recommendations must be submitted for approval by the electorate in the form of a referendum.”

Commission History: This recommendation was considered by the BCC as Special Item 14 at the Board's July 18, 2008 special meeting (Item No. 080963). A vote taken on a motion to approve failed.

Current Sponsor: None. Recommendation pre-empted by state law change passed after 2008 prohibiting recommended referendum.

Possible to Accomplish by Ordinance: No.

Task Force Recommendation No. 17: Community Council Appeals

CRTF Vote: Motion passed: 14-0

Recommendation Summary:

“The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that all zoning applications, including variances and setbacks, be heard first by the Community Councils with any appeals from those decisions being heard by hearing officers charged with making final determinations based on findings of fact and conclusions of law, that the appeal process shall be governed by the rules of procedure set forth in the State of Florida’s Administrative Procedure Act and that the findings of the hearing officer would be final subject to appeal to the County Commission solely on an abuse of discretion standard.”

Commission History: This recommendation was not previously placed on an agenda.

Current Sponsor: Commissioner Bovo.

Possible to Accomplish by Ordinance: Yes.

Task Force Recommendation No. 18: Charter Regulation of Petition Processes

CRTF Vote: Motion passed: 17-0

Recommendation Summary:

“That the electors of Miami-Dade County be asked whether Section 9.07 of the Home Rule Charter shall be amended in the following manner:

A. Amendments to this Charter may be proposed by a resolution adopted by the Board of County Commissioners or by petition of electors numbering not less than ten percent of the total number of electors registered in Dade County at the time the petition is submitted, together with proposed ballot language, to the Clerk of the Circuit Court, who shall without delay approve as to form a petition for circulation in one or several copies as the proposer may desire. ~~[[Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance]].~~

B. Amendments to this Charter ~~[[may be]]~~ proposed by initiatory petitions of electors >>shall be governed exclusively by the following procedure:

1. The person proposing the amendment shall submit to the Clerk a proposed petition, in the form specified in section (2) below, and proposed ballot language, including a title. The Clerk shall without delay approve as to form a petition for circulation in one or several copies as the proposer may desire.

2. The petition shall be printed in 14-point font and contain the following information: (a) the title and text of the proposed amendment, printed in English, Spanish and Creole; (b) a statement in each petition circulator's own handwriting, setting forth his or her own name, both in printed and signature form; (c) the residence address of the circulator; (d) dates between which all the signatures on each individual petition were obtained; and (e) a sworn statement that the circulator personally circulated the petition and witnessed each signature as it was being written.

3. Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance.

4. ~~T~~he Board of County Commissioners shall call an election to be held within 60-120 days of the date that a certified petition is presented to the County Commission. Such election shall be called in conjunction ~~[[a countywide]]~~ >>with the next scheduled general<< election>>.<< ~~[[however, if no countywide election is scheduled to occur within 60-120 days or presentation, a special election on the position shall be called.]]~~

C. Amendments to this Charter may be proposed by the Board of County Commissioners at any time. Elections on charter amendments proposed by the Board shall be held not less than 60 nor more than 120 days after the Board adopts a resolution proposing any amendment.

D. The result of all elections on Charter amendments shall be determined by a majority of the electors voting on the proposed amendment.

>>E. All current ordinances and resolutions regulating initiative petitions shall be repealed.<<

Commission History: This recommendation was considered by the BCC as Special Item 11 at the Board's July 18, 2008 special meeting (Item No. 081974) as a combined item along with Charter Review Task Force recommendations 12 and 13. A vote taken on a motion to approve failed.

Current Sponsor: Commissioner Bovo.

Possible to Accomplish by Ordinance: No.

ATTACHMENT:
PRIOR COMMISSION TERM LIMIT, SALARY, AND EMPLOYMENT BALLOT
QUESTIONS AND RESULTS

<u>DATE</u>	<u>CHARTER AMENDMENT</u>	<u>RESULTS</u>	
10/17/61 Second Primary Special Dade County Election	Shall the Home Rule Charter of Government for Dade County, Florida, be amended by adoption of an amended Charter, which limits and redefines the powers of the County Commission, reduces the number of County Commissioners to five, fixes Commissioner's salaries at \$15,000 per annum, ...provides such revised Charter shall become effective immediately upon adoption, prescribes method by which such revised Charter may be abolished and contains other provisions as set forth in the initiatory petitions on file with Clerk of the County Commission?	For: 97,170 Against: <u>105,097</u> Total: 202,267	48% 52%
11/5/63 General Election Special Dade County Election	Charter Amendment No. 6 Amendment to Section 1.06 of The Home Rule Charter to provide a salary of \$15,000 for the Mayor and a salary of \$10,000 for other County Commissioners effective only upon the election of a Mayor and eight County Commissioners.	For: 47,010 Against: <u>76,645</u> Total: 123,655	38% 62%
	Charter Amendment No. 11 Amendment to the Home Rule Charter to provide a salary of \$17,500 for the Chairman and a salary of \$15,000 for all other County Commissioners.	For: 10,411 Against: <u>81,651</u> Total: 92,062	11% 89%
11/07/67 General Election Special Dade County Election	Whether Section 1.06 of the Home Rule Charter shall be amended to provide that after June 10, 1968, each member of the Board of County Commissioners shall receive, in addition to the \$6,000 annual salary, \$50 for each day's attendance at official board meetings, such per diem payments not to exceed \$9,000 annually for each member of the Commission?	For: 17,034 Against: <u>46,248</u> Total: 63,282	36% 64%
3/14/72 Presidential Preference Primary Special Dade County Election	Whether the Dade County Charter shall be revised in order to provide among other things for (a) a Full Time Strong Mayor elected in the county at large with a minimum salary of \$40,000... (b)...an initial fourteen (14) member County Commission...salaried initially at \$10,000 per annum each...(c) a Full Time Vice-Mayor with a minimum salary of \$12,000 per annum; (e) a Chairman of the Board of County Commissioners salaried at \$14,000 per annum; ...?	For: 66,998 Against: <u>144,274</u> Total: 211,272	32% 68%
3/9/76 Presidential Preference Primary Special Dade County	Charter Amendment No. 3 Shall the Charter be amended to provide for annual salaries for the Mayor and County Commissioners, in accordance with State Law instead of \$6,000 per year?	For: 43,706 Against: <u>206,693</u> Total: 250,399	17% 83%

Election		
<u>DATE</u>	<u>CHARTER AMENDMENT</u>	<u>RESULTS</u>
3/11/80 Presidential Preference Primary Special Dade County Election	Shall Section 1.06 of the Home Rule Charter be amended to provide that the Mayor and County Commissioners receive a salary of \$12,000 per year instead of the current \$6,000 per year?	For: 68,029 38% Against: <u>113,171</u> 62% Total: 181,200
5/8/90 Special Dade County Election	Shall the Charter be revised to ... – Increase Commission salaries to statutory amount for non-charter county commissioners (currently approximately \$51,600)...?	For: 22,867 22% Against: <u>82,214</u> 78% Total: 105,081
9/1/02 Primary Election Special Miami-Dade County Election	Shall the Charter be amended so that county commissioners no longer receive the \$6,000 annual salary established in 1957, and they commence receiving as of the effective date of this amendment, the salary provided by a state formula based on population used by other Florida counties, including Broward County (currently approximately \$80,500)?	For: 121,997 45% Against: <u>147,891</u> 55% Total: 269,888
8/31/04 Primary Election Special Miami-Dade County Election	Miami-Dade Home Rule Charter Amendments Relating to Salaries and Terms of County Commissioners <ul style="list-style-type: none"> - In an effort to encourage more persons who are dedicated to good government to run for office, shall County Commissioners no longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by a State statutory formula based on population used by other Florida counties, including Broward County (currently approximately \$84,213), and - Commencing with the election of County Commissioners in 2006, shall Commissioners be limited to four consecutive four-year terms? 	For: 125,634 49% Against: <u>131,162</u> 51% Total: 256,796
9/5/06 Primary Election Special Miami-Dade County Election	Miami-Dade Home Rule Charter Amendment Relating to Salary of County Commissioners Shall the Charter be amended to provide that County Commissioners no longer receive the \$6,000 annual salary established in 1957, but shall receive instead the population based salary provided by State statutory formula (currently approximately \$88,919) and used by other Florida counties, including Broward County?	For: 65,150 42% Against: <u>90,424</u> 58% Total: 155,574

<p>11/4/08 General Election Special Miami-Dade County Election</p>	<p>Home Rule Charter Amendment Relating to Salaries and Service of County Commissioners</p> <p>Shall the Charter be amended to provide that county Commissioners shall:</p> <ul style="list-style-type: none"> • Devote full-time service to the office of Commissioner and hold no other employment; and • No longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by state statutory formula, adjusted annually by the county's population (currently approximately \$91,995), used by other Florida counties, including Broward County? 	<p>For: 336,273 48% Against: <u>357,515</u> 52% Total: 693,788</p>
<p>05/24/11 Special Miami-Dade County Election</p>	<p>Home Rule Charter Amendment Relating to Salaries, Service, and Term Limits of County Commissioners</p> <p>Shall the Charter be amended to provide that County Commissioners shall:</p> <ul style="list-style-type: none"> • Devote full-time service to the Office of County Commissioner and hold no other employment; • No longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by state statutory formula, adjusted annually by the County's population (currently approximately \$92,097); and • Serve no more than three consecutive four-year terms in office excluding all terms prior to 2012? 	<p>For: 52,950 29% Against: <u>129,554</u> 71% 182,504</p>

Memorandum



Date: January 29, 2008

To: Honorable Chairman Bruno A. Barriero,
Board of County Commissioners

From: Victor M. Diaz, Jr., Chairman
Charter Review Task Force *Victor M. Diaz*
(SM)

Subject: Charter Review Task Force - Final Report

Attached for consideration of the Board of County Commissioners is the Final Report of the Charter Review Task Force. I am honored to have been appointed by you Chairman of the Charter Review Task Force, and am fortunate to have been given the opportunity to work, dialogue and debate alongside dedicated public servants and distinguished community leaders, who have devoted years of service to Miami-Dade County. This collaborative and collegial process truly has exceeded my expectations.

I want to thank my fellow Task Force members for dedicating their extremely valuable time to this important process. It is my personal hope that the Board will seriously consider and debate the Task Force's Final recommendations and place them before the voters of Miami-Dade County for their consideration.

This work could not have been performed without the professional support of staff from the County Executive Office, County Attorney's Office and Clerk of the Board. Specifically, we would like to mention and thank County Manager George M. Burgess, Assistant County Manager Susanne M. Torriente, and Assistant to the County Manager Maggie Fernandez; Assistant County Attorneys Joni Armstrong-Coffey, Cynthia Johnson-Stacks, Wifredo Ferrer, and Monica Rizo; Office of Strategic Business Management Director Jennifer Glazer-Moon and Assistant Vivian Duyos; and the Clerk of Courts Harvey Ruvín and Clerk of the Board Division Director, Kay Sullivan and Senior Commission Clerk Doris Dickens.

In addition, we also thank Mayor Alvarez, the Mayor's Office of Communications and the Mayor's Policy Analysis staff. Finally, I wish to thank the County's Office of Strategic Business Management, and Planning and Elections departments for their detailed, timely and comprehensive research provided to the Task Force as we deliberated issues that will affect our community for years to come, and the County's Government Information Center and the Assistants to the County Manager for their support of our several public hearings and workshops.

Thank you for considering the final recommendations of the Charter Review Task Force and for your service on behalf of our community.

C: Honorable Carlos Alvarez, Mayor
Honorable Vice Chairwoman Barbara J. Jordan and Members,
Board of County Commissioners
Honorable Harvey Ruvín, Clerk of the Circuit and County Courts
Members of the Charter Review Task Force
George M. Burgess, County Manager
Robert Cuevas, County Attorney
Denis Morales, Mayor's Chief of Staff
Assistant County Managers
Department Directors

Charter Review Task Force

Final Recommendations to the
Board of County Commissioners

January 29, 2008

www.miamidade.gov/charterreview

RECEIVED
By the Clerk for the Board of County Commissioners

NOV 03 2011

Item 11A12 - 11A35

Number 6

Meeting 11/03/2011

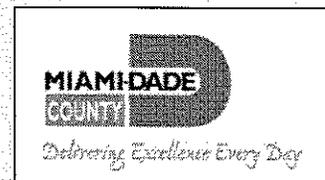


Table of Contents

<u><i>Section</i></u>	<u><i>Page Number</i></u>
Executive Summary	1-4
Introduction	5
Background	6
Public Input Process	7
• Charter Website	7-8
• Input from the Community	8-9
• Workshops & Public Hearings	9
• Media Outreach	9-10
Issues for Study	11-12
Research	13
Task Force Recommendations	14
• Issue 1: Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being elected	14-17
• Issue 2 & 3: Mayor & Board Compensation and Term Limits	18-19
• Issue 4: Board Composition	19-20
• Issue 5: Municipalities & Unincorporated Municipal Service Area Services	20-21
• Issue 6: Initiative, Referendum, Petition & Recalls	21-24
• Issue 7: Balance of Power between the Mayor & Board	24-26
Conclusion	27
Dissenting Opinions	28
Appendix	29
• Members & Staff	

Executive Summary

The Miami-Dade Charter Review Task Force (CRTF) has accomplished its charge, and adopted its eighteen (18) **final** recommendations regarding the Miami-Dade County Home Rule Charter. This Final Report describes the process of the Task Force deliberations, summarizes factual investigations and provides a brief synopsis of the rationale for the **final** recommendations. Following the conclusion of this report, dissenting opinions are provided.

October 31, 2007 Final Recommendations

In its October 31, 2007 Initial Report, the Task Force made the following recommendations:

1. The **Public Safety Director** should remain an appointed position. However, the Task Force recommended that the electors of Miami-Dade County be asked whether they wish to amend the Home Rule Charter to provide that: the **Public Safety Director** (i.e. Sheriff, Police Chief) shall be appointed by the Mayor for a period of four (4) years, at the expiration of each term subject to re-appointment; that the appointment can be vetoed by a super majority (two-thirds) vote of the County Commission; that the Public Safety Director could be removed by the Mayor subject to the consent of a simple majority vote of the County Commission; or by the County Commission subject to a super majority (two-thirds) vote. Once appointed, that person shall carry out the functions of the office independent of the Mayor and County Commission except for funding and budgeting matters. (Motion passed: 10-5)
2. The **Supervisor of Elections** should remain an appointed position. However, the Task Force recommended that the electors of Miami-Dade County be asked whether they wish to amend the Home Rule Charter to provide that: the **Supervisor of Elections** shall be appointed by the Mayor for a period of four (4) years, at the expiration of each term subject to re-appointment; that the appointment can be vetoed by a super majority (two-thirds) vote of the County Commission; that the Supervisor of Elections could be removed by the Mayor subject to the consent of a simple majority vote of the County Commission; or by the County Commission subject to a super majority (two-thirds) vote. Once appointed, that person shall carry out the functions of the office independent of the Mayor and County Commission except for funding and budgeting matters. (Motion passed: 10-5)
3. The position of **Property Appraiser** become an elected position. (Motion passed: 12-4)
4. The Task Force recommends that the electors of Miami-Dade County be asked whether they wish to amend the Home Rule Charter to provide that County Commissioners shall receive a population based salary provided by Florida's Statutory formula (approximately \$91,995); Commissioner's terms in office shall be limited to two, four-year terms; and Commissioners shall be prohibited from having outside employment. (Motion passed: 14-0)

The Task Force further recommends that the Home Rule Charter not be amended with respect to the following issues:

5. The **Tax Collector** remain as an appointed position. (Motion passed unanimously: 14-0)
6. The manner in which the Board of County Commissioners is currently comprised shall remain as is, with 13 single-member Commission Districts. (Motion passed: 14-1)

January 29, 2008 Final Recommendations

Since the release of its Initial Report, the Task Force continued its work, and on January 17, 2008 adopted the following additional **final** recommendations. The Task Force further recommends that:

7. The County Commission appoint an independent Task Force 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 that such plan be placed on the ballot for all citizens to vote on at a general election in 2010. (Motion passed: 9-5)
8. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to empower future Charter Review Task Forces to place proposed Charter amendments directly on the ballot, if the proposed Charter amendment is approved by a two-thirds vote of the Task Force members present; and to provide that the appointment process for future Task Force members be the same as contained in Sections 1 and 2 of the resolution creating the current Charter Review Task Force, with the exception that the provision allowing Commissioners to appoint themselves to the Task Force be deleted. (Motion passed: 9-5)
9. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that the time period to collect signatures for proposed Charter amendments and citizens' initiatives be extended to 120 days and that proposed Charter amendments must only be placed on the ballot during a general election. (Motion passed: 14-0)
10. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to require the County Commission to hold a public hearing on any citizen initiated changes to the Home Rule Charter on the date the County Commission sets the election date on the proposed Charter amendment. A public hearing shall also be required for any Charter amendment initiated by the County Commission. (Motion passed: 14-0)
11. The electors of Miami-Dade County be asked whether of the Home Rule Charter should be amended to provide that the County Commission hold a public hearing on the proposed initiative at the time a citizen initiative petition is presented to the County Commission for possible passage or repeal of an ordinance. (Motion passed: 14-0)
12. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that the County Commission shall adopt no resolutions or ordinances regulating the citizen petition procedures as defined in the Home Rule Charter. (Motion passed: 14-0)
13. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to reflect that the certification and petition gathering provisions contained in Article 8 of the Home Rule Charter should also govern citizen initiative petition procedures to amend the Home Rule Charter. (Motion passed: 14-0)
14. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that the Clerk of the Court, rather than the County Commission, approve as to form any citizen initiative petition. (Motion passed: 14-0)

15. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that bid protests shall be heard by hearing officers charged with making final determinations based on findings of facts and conclusions of law; that the appeal process shall be governed by the rules of procedure set forth in State of Florida's Administrative Procedure Act; and that the findings of the hearing officer would be final, subject to appeal by a disappointed bidder to the County Commission solely on an abuse of discretion standard. (Motion passed: 8-6)
16. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that any Comprehensive Development Master Plan application requesting that the Urban Development Boundary (UDB) line be moved must be approved by a vote of at least $\frac{3}{4}$'s of the County Commissioners then in office; that every five years an independent body shall be constituted to conduct a comprehensive and holistic study as to where the UDB line should be drawn; and that if a change in the location of the UDB line is recommended by such independent body and such change in location is approved by a simple majority vote of County Commissioners present, such recommendations must be submitted for approval by the electorate in the form of a referendum. (Motion passed: 9-5)
17. The electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that all zoning applications, including variances and setbacks, be heard first by the Community Councils with any appeals from those decisions being heard by hearing officers charged with making final determinations based on findings of fact and conclusions of law, that the appeal process shall be governed by the rules of procedure set forth in the State of Florida's Administrative Procedure Act and that the findings of the hearing officer would be final subject to appeal to the County Commission solely on an abuse of discretion standard. (Motion passed: 14-0)
18. That the electors of Miami-Dade County be asked whether Section 9.07 of the Home Rule Charter shall be amended in the following manner (Motion passed: 17-0):
- A. Amendments to this Charter may be proposed by a resolution adopted by the Board of County Commissioners or by petition of electors numbering not less than ten percent of the total number of electors registered in Dade County at the time the petition is submitted to the Clerk. ~~Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance.~~
 - B. Amendments to this Charter ~~may be~~ proposed by initiatory petitions of electors shall be governed by the following procedure:
 1. The person proposing the amendment shall submit to the Clerk a proposed petition, in the form specified in section (2) below, and proposed ballot language, including a title. The Clerk shall without delay approve as to form a petition for circulation in one or several copies as the proposer may desire.
 2. The petition shall be printed in 14-point font and contain the following information: (a) the title and text of the proposed amendment, printed in English, Spanish and Creole; (b) a statement in each petition circulator's own handwriting, setting forth his or her own name, both in printed and signature form; (c) the residence address of the circulator; (d) dates between which all the signatures on each individual petition were obtained; and (e) a sworn statement that the circulator personally

circulated the petition and witnessed each signature as it was being written.

3. Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance.
 4. The Board of County Commissioners shall call an election to be held within 60-120 days of the date that a certified petition is presented to the County Commission. Such election shall be called in conjunction a countywide with the next scheduled general election, ~~however, if no countywide election is scheduled to occur within 60-120 days or presentation, a special election on the position shall be called.~~
- C. Amendments to this Charter may be proposed by the Board of County Commissioners at any time. Elections on charter amendments proposed by the Board shall be held not less than 60 nor more than 120 days after the Board adopts a resolution proposing any amendment.
- D. The result of all elections on charter amendments shall be determined by a majority of the electors voting on the proposed amendment.
- E. All current ordinances and resolutions regulating initiative petitions shall be repealed.

Official minutes of all CRTF meetings and public hearings are available at www.miamidade.gov/charterreview .

Introduction

The Miami-Dade County Home Rule Charter was adopted in 1957, essentially becoming the "constitution" for Miami-Dade County. Last year the County celebrated the 50th anniversary of the Charter's adoption. This grant of state constitutional authority to the electors of Miami-Dade County is perhaps the greatest legislative achievement of the last half-century for this County's residents. The Home Rule Charter grants the voters of Miami-Dade County very broad powers to determine for themselves the form of self-government in order to provide for responsive, representative and efficient local government. The responsible and zealous defense and exercise of this unprecedented grant of Home Rule authority is a primary responsibility of this County's residents and elected officials.

The recommendations contained in this Final Report represent the considered judgment of varying majorities of the members of the Task Force for necessary changes to the structure of County government. They are the product of the most open, inclusive and public Charter review process in the history of Miami-Dade County. They reflect the strong public sentiment in favor of structural reform in County government. While not comprehensive or exhaustive by any means, our recommendations offer meaningful and important changes which can contribute to more effective, responsive and transparent metropolitan government.

We strongly urge the Board of County Commissioners to consider and debate each of these recommendations and to place them before the voters of Miami-Dade County for their due consideration.

Background

In order to ensure that our Home Rule Charter is responsive to the changing needs of our community and is constantly reviewed in the light of past-performance, the Charter requires that the Board of County Commissioners (Board) review the Charter at least once every five years to determine whether or not it requires revision.

On April 24, 2007, per County Board Resolution No. R-462-07, Miami-Dade County's Charter Review Task Force was created in order to review the County's Home Rule Charter and submit recommendations to the Board setting forth any proposed amendments to the Charter. This Task Force consists of 21 members (Appendix); 13 members are the Board or their designees, one member is the Mayor or his designee, four members are selected by the four largest cities in Miami-Dade County and three are selected by the League of Cities to represent the smaller cities in the County.

In conducting its review, the Board directed the Task Force to:

- Study the Final Report of the Charter Review Task Force dated July 10, 2001;
- Invite knowledgeable members of the community to appear and make recommendations;
- Conduct public hearings at various stages in the review process; and
- Provide a final report to the Board by October 31, 2007.

The Board also directed the Task Force, per Resolution R-504-07, to review and make recommendations as to whether the Home Rule Charter should be amended to change the positions of Property Appraiser, Tax Collector, Sheriff and Supervisor of Elections to elected positions.

The Task Force convened its first meeting on July 9, 2007, and has met at least every two weeks thereafter. At its July 23, 2007 meeting, the Task Force voted to request, and the Board subsequently approved, a 90-day extension to the original reporting deadline in order to accommodate a complete review and suggested amendments or revisions of the Home Rule Charter. County Resolution No. R-462-07 was amended so that the Task Force could present an Initial Report on October 31, 2007, with any recommendations finalized by that date, and a Final Report on or before January 29, 2008.

In its October 31, 2007 Initial Report, the Task Force made six final recommendations regarding several of the 15 issues identified for critical study and deliberation. This Final Report includes 12 additional final recommendations for Board consideration. The Task Force believes that these proposals, if adopted, would promote better government for the residents of Miami-Dade County. Like all solutions to complex issues, no proposal is immune from criticism or perfect in every way. These proposals are the product of careful study, vigorous debate and – most importantly – the balancing of many competing considerations. The Task Force also believes that by placing these amendments or Charter revisions before the electors of Miami-Dade County, the Board will provide the electorate an opportunity to enhance the efficiency and responsiveness of County government and allow the people of Miami-Dade County – to whom Home Rule authority was given – the opportunity to have the final say on what, if any, changes they would like to see in the manner in which these aspects of County government are currently organized.

Public Input in Charter Review Process

As directed by the Board, this Charter Review process has provided for a high degree of public participation. Without question, the degree of public participation in this Charter Review process has been significantly greater than at any time in the recent past. Task Force members and County staff have been committed to identifying new and creative means of providing meaningful public information and education, as well as access to the Charter Review process. Internet technology and the use of televised public hearings, supplemented with inter-active technology – allowing viewers to e-mail or call in questions or comments – opened access to this process to many more people than ever before and helped test a new option for future County public outreach efforts. The success of these new initiatives in public awareness and participation allowed the Task Force to receive much more extensive public input than expected based on historical precedents.

Charter Website

The Charter Review Task Force website (www.miamidade.gov/charterreview) was launched on July 12, 2007. The comprehensive website includes valuable information such as historical charter information, previous task force reports, research performed by staff and benchmarking information. Also posted on the website are all meeting agendas and minutes, as well as the record of statements from the four public hearings held, and information on the Task Force membership. Most importantly, the website provided a vehicle to encourage public input and comment on all matters under consideration. At any point in this process, the public was able to send comments to the Task Force through this website or via e-mail at charter@miamidade.gov. All comments received were provided to Task Force members for their review and consideration. As of January 23, 2008, **121** substantive comments were received by e-mail. And most significantly, **nearly 9,000 persons visited the Charter Review website**, an unprecedented degree of public feedback and interest in this Charter Review process.

Upon the release of the Task Force's initial recommendations, visitors were given the opportunity to complete an informal survey regarding these proposals. The following results were collected from December 14, 2007 through January 23, 2008. Although 46 persons participated in the survey, they may not have responded to every question.

Would you support Recommendation #1 regarding the appointment of the Public Safety Director?

	No. of Votes	Percent
yes	15	40.5
no	22	59.5
Total	37	100.0

Would you support Recommendation #2 regarding the appointment of the Supervisor of Elections?

	No. of Votes	Percent
yes	15	40.5
no	22	59.5
Total	37	100.0

**Would you support Recommendation #3 regarding
the Property Appraiser becoming an elected position?**

	No. of Votes	Percent
yes	22	59.5
no	15	40.5
Total	37	100.0

**Would you support Recommendation #4 regarding
County Commission term limits and salaries?**

	No. of Votes	Percent
yes	28	71.8
no	11	28.2
Total	39	100.0

**Do you agree that the Home Rule Charter should NOT be amended with
regards to the appointment of the Tax Collector?**

	No. of Votes	Percent
yes	20	54.1
no	17	45.9
Total	37	100.0

**Do you agree that the Home Rule Charter should NOT be amended with
regards to its current 13 single-member Commission Districts?**

	No. of Votes	Percent
yes	20	57.1
no	15	42.9
Total	35	100.0

**Would you support Recommendation #5 regarding
Countywide incorporation?**

	No. of Votes	Percent
yes	26	59.1
no	18	40.9
Total	44	100.0

Input from Knowledgeable Members of the Community

In response to the Board's explicit direction, the Charter Review Task Force invited input from many knowledgeable members of the community, as well as from outside Miami-Dade County. Specifically, the Task Force solicited input from the Miami-Dade County Mayor, Board members and Manager; all municipal Mayors and their respective Commission/Board/Council members; and Managers, Attorneys and Clerks. In addition, the Task Force sought input and feedback from many notable current or former public officials including the Miami-Dade State Attorney, former County Mayor Alex Penelas, former County Manager Merritt Stierheim, Inspector General Chris Mazzella, Commission on Ethics Director Robert Meyers, and attorneys: Dan Paul, Esq., Gene Sterns Esq., Parker Thompson, Esq., and Osvaldo Soto, Esq.

Comments were also invited from various community and civic organizations, including the Miami-Dade League of Cities, Greater Miami Chamber of Commerce, the Miami Business Forum, the National Association of Counties and the International City/County Management Association. Comments from government scholars, including Professor Tony

Alfieri from the University of Miami, and Professor Christopher Warren and Professor Dario Moreno from Florida International University, were also solicited. Finally, the Task Force invited live testimony from the elected sheriffs, property appraisers, and supervisor of elections from Broward, Duval and Hillsborough counties and the tax collectors from Duval and Hillsborough counties. Responses received are posted on the Charter website, www.miamidade.gov/charterreview.

Workshops & Public Hearings

During this process, the Task Force held five public hearings. The first public hearing and workshop was held on August 14, 2007 in the Miami-Dade Commission Chambers. This first public hearing was televised on countywide cable and allowed viewers to interact with the Task Force via phone or by e-mail. In light of the overwhelmingly positive public feedback and high degree of participation at that interactive and televised public hearing, the Task Force approved a change in format for future regional public hearings. The intended objective of this change in format was to take advantage of technological advances, while still providing regional access to the Task Force workshops and public hearings.

In order to expand the opportunity for public comment and participation, the workshops and public hearings on August 28 and 30, 2007 were held at the Miami-Dade Commission Chambers, while allowing participation from remote regional locations, at the Joseph Caleb Center and West Dade Regional Library on August 28 and at Cities of Hialeah and Miami Beach on August 30. This combined approach allowed residents to participate in person at the Commission Chambers or from the remote locations, view live on Cable TV or on the internet, and provide comments via e-mail or phone.

In addition, on August 22, 2007, a Charter Review Task Force workshop and public hearing was successfully held at the South Dade Government Center in the form of a traditional town hall meeting. Prior to issuing this Final Report, the Task Force conducted a final interactive workshop and public hearing on January 16, 2008 at the Miami-Dade Commission Chambers.

Over 285 people attended these five workshops and additional public comments were received during the workshops via e-mail and phone.

Media Outreach

From the onset, the Charter Review Task Force implemented a very comprehensive outreach and plan to ensure media coverage and encourage public participation in deliberations. The plan included interaction and outreach to radio, print, TV, internet and other outlets. In addition, per the direction of the Task Force, staff created an e-mail group and distributed all information regarding Task Force meetings to all County boards for their dissemination, using them as a vehicle for getting the word out about Task Force efforts.

As part of this effort, the Task Force received coverage in the following media outlets:

- *The Miami Herald*
- *The Miami Herald, Neighbors*
- *El Nuevo Herald*
- *South Florida CEO Magazine*
- *Daily Business Review*
- *Diario las Americas*
- *WLRN, 91.3 FM*
- *WMBM, 1490 AM*

- *Radio RCH (FM/AM and online)*
- *ABC, Ch. 10*
- *Univision, Ch. 23*
- *Miami-Dade TV (and online)*
- *City of Miami TV (and online)*
- *City of Miami Beach TV (and online)*
- *Watchdog Report*
- *Sayfie Review*
- *Eye on Miami Blog*
- *"What's New" Miami-Dade electronic employee weekly news brief*

In addition to media outreach, the Chairman or representatives of the Task Force have appeared, or agreed to appear, before various community and civic organizations to discuss the Charter Review process and recommendations, including:

- *The Miami Herald Editorial Board*
- *The Miami Business Forum*
- *The Greater Miami Chamber of Commerce Executive Board and General Membership meetings*
- *The Miami-Dade League of Cities*

Issues for Task Force Study

One of the first assignments tackled by the Task Force was to try to identify a preliminary list of issues for study and deliberation which could serve to organize the work of the Task Force. In order to compile this list of priorities, the Task Force requested input from each member of the Board, the Mayor, the County Manager, the Office of the County Attorney and a long list of knowledgeable persons and organizations identified by members of the Charter Review Task Force. In addition, each member of the Task Force was requested to provide their own list of issues for consideration and further study.

The result of this canvassing process was a wide array of issues, many of which easily could be grouped into related categories. After grouping related suggestions and recommendations, the Task Force devoted several of these meetings to prioritize these issues. First priority was given to those issues referred to the Task Force for specific consideration by the Board. The remaining issues were ranked in order of priority based on the number of individuals who identified each issue as a matter for Task Force consideration.

Following the completion of the public hearings, the list of issues was reviewed and re-prioritized in order to reflect public input and comment. On August 1, 2007, the Task Force voted to adopt 12 issues of study during this Charter Review process. The list was modified by the Task Force at its September 5, 2007 meeting to include three additional issues as listed below.

1. Study of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being elected
2. Study of Mayor and Board of County Commissioners (Board) compensation
3. Study of Term Limits - Board or other elected officials
4. Study of Board Composition
5. Study of Municipalities and Unincorporated Municipal Service Area (UMSA) Services (Creating and Abolishing Municipalities, Separation of Powers or Responsibilities between the County and Municipalities, and Annexation or Incorporation in Effort to Eliminate UMSA)
6. Study of Initiative, Referendum, Petition and Recalls
7. Study of the Balance of Power between the Mayor and Board (Functions of Mayor vs. County Manager and Powers of Commission Auditor)
8. Study of Procurement Reform
9. Study of Lobbying Reform
10. Study of Ethics Regulations
11. Study of Public Records
12. Study of Zoning and Urban Development Boundary (UDB) reform

13. Study of the Delineation of Powers and Checks and Balances of the Ethics Commission and the Office of the Inspector General for Inclusion in the Charter
14. Study of Any Changes to the Form of County Government be Required to be Placed on the Ballot during a General Election
15. 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

Due to the intensity of dialogue and debate of these serious matters, the Task Force could not address this entire, rather ambitious list. Therefore, at its November 28, 2007 meeting, the Task Force reprioritized the remaining issues for study by the January, 29 2008 deadline as follows:

1. Study of Balance of Power - Mayor & the Board
 - Review Functions of Mayor vs. County Manager
 - Review Powers of Commission Auditor
2. Study of Any Changes to the Form of County Government be Required to be Placed on the Ballot during a General Election
3. Study of Lobbying Reform
4. Study of Ethics Regulations
5. Study of Procurement Reform
6. Study of Zoning and Urban Development Boundary (UDB) reform
7. Study of the Delineation of Powers and Checks and Balances of the Ethics Commission and the Office of the Inspector General for Inclusion in the Charter
8. 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
9. Study of Public Records

Recognizing the time constraints, on December 12, 2007 the Task Force agreed that for its remaining meetings in January 2008, it would focus on studying several areas of inquiry regarding the balance of power between the Mayor and Board, including a review of the functions of Mayor vs. County Manager, the respective role of the Mayor and Board in procurement, budget development and policy analysis, and the powers of the Commission Auditor. For this discussion, Task Force members requested substantive comments or proposals from the Miami-Dade County Mayor, Chairman and Board members. Mayor Carlos Alvarez provided the Task Force with his input on January 8, 2008. Again, all comments received are posted on our website, www.miamidade.gov/charterreview.

Research

In arriving at the Task Force's recommendations, extensive resource materials were collected and evaluated by County staff and provided to the Task Force. It would be impossible to summarize all of the extensive factual material considered by the Task Force in arriving at these recommendations. However, it is important to note the great amount of factual and resource materials which informed the discussions. All of these resource materials are available to the Board and to the public on the Charter Review website. Please visit www.miamidade.gov/charterreview.

Since the beginning of this process, at the request of the Task Force, research was performed by staff regarding best practices in municipal and county governance. Initial benchmarking research regarding the form of government, board composition and whether constitutional officers are elected or appointed for a sample of large Florida counties and selected counties nationwide were provided to Task Force members. Charters for a majority of the sampled counties are also available on the Charter Review website.

Additionally, staff identified a number of organizations that research local government issues and provided links to their sites on the Charter Review website. Specifically, the research section includes links to the National League of Cities and the National Civic Organization, which both include information on charter revisions and model charters. Other links and resources include:

- American Government and Public Policy Internet Resources-Institute of Governmental Studies Library, University of California at Berkeley
- American Society for Public Administration
- Florida Association of Counties
- Florida League of Cities
- Governing Magazine
- Government Innovators Network at Harvard University
- International City/County Management Association (ICMA)
- International Institute of Municipal Clerks
- National Association of Counties (NACo)
- National Civic League - Nonprofit organization dedicated to strengthening citizen democracy in communities
- National League of Cities (NLC)
- State and Local Government on the Net
- State and local government Internet directory provided by HelloMetro
- State Links-Provided by Council of State Governments
- State Web pages available on the Internet
- U.S. Conference of Mayors
- USA.gov Local Governments - Local government links from the U.S. government's official Web portal

Task Force Recommendations

Throughout this process, the Task Force has made preliminary recommendations for public input and comment, and voted on final recommendations prior to its October 31, 2007 and January 29, 2008 reporting deadlines. Detailed below are the Task Force's **final** recommendations to the Board of County Commissioners.

Issue One - Study of the Sheriff, Tax Collector, Property Appraiser and Supervisor of Elections being elected

Summary of Issue and Research

In order to gather information for this discussion, the Task Force invited comment from:

- The current Miami-Dade County office holders, through a presentation from the County Manager
- The elected Broward County counterparts for the Supervisor of Elections and Property Appraiser

Additionally, staff provided the Task Force with informational research and data including:

- Information grid containing arguments for appointing versus electing each position
- Public safety agency functions data grid for selected Florida counties
- A non-inclusive, random survey of news clips both pro and con relative to election and appointment of county officials, accompanied by a complete package of the referenced articles
- And, articles or studies on:
 - Elected office of the Sheriff
 - Merger of Miami-Dade Police Department and Department of Corrections
 - Elections Officials, and
 - General Interest

At the request of the Task Force, additional staff research was provided including:

- County Attorney Legal Opinions:
 - Official Vested with the Constitutional Powers of the County Sheriff
 - Charter Amendment Protecting the Existing Civil Service Rights of Employees of Elected Sheriff
- Information on the Public Outreach Efforts of the Tax Collector, Property Appraiser, Sheriff and Supervisor of Elections
- Information regarding the Broward and Miami-Dade Counties Tax Collector, Property Appraiser, Sheriff and Supervisor of Elections. Specifically, the names and years of service of those currently serving in those elected positions in Broward County and appointed positions in Miami-Dade County, as well as their predecessors
- The minimum qualifications and job description for the Miami-Dade County Tax Collector, Property Appraiser, Sheriff and Supervisor of Elections

PUBLIC SAFETY DIRECTOR (I.E. SHERIFF, POLICE CHIEF)

Factors

In arriving at its recommendations regarding the position of Public Safety Director, the Task Force considered and debated the following issues:

- The desire to maintain the highest degree of professionalism and competence in the position of Public Safety Director
- Public concern for the independence of the Public Safety Director in conducting criminal and internal ethics investigations
- The recent public vote in favor of a Strong Mayor and how this public vote could be implemented while maintaining the dual goals of professionalism and independence
- The desire to promote greater checks and balances on the exercise of mayoral authority over the Public Safety Director by providing a greater advisory role for the Board
- The concern for the dilution of diversity gains by reverting to a purely elective position
- The costs of running a countywide election and the possible effects of campaign fundraising on the public's perception of the independence and professionalism of investigations conducted by the Public Safety Director

Recommendation

1. The Task Force recommends that the **Public Safety Director** should remain an appointed position. However, in order to promote greater autonomy while in office, to minimize the potential for political interference, and in order to give to the Board of County Commissioners a greater role in the selection/retention of the **Public Safety Director**, the Task Force recommends that the electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that: That the **Public Safety Director** (i.e. Sheriff, Police Chief) shall be appointed by the Mayor for a period of four (4) years, at the expiration of each term subject to re-appointment; that the appointment can be vetoed by a super majority (two-thirds) vote of the County Commission; that the Public Safety Director could be removed by the Mayor subject to the consent of a simple majority vote of the County Commission; or by the County Commission subject to a super majority (two-thirds) vote. Once appointed, that person shall carry out the functions of the office independent of the Mayor and County Commission except for funding and budgeting matters. (Motion passed: 10-5)

Reasons/Justifications

The Task Force's recommendation maintains the current appointive process in a significantly modified form. In order to address concerns regarding the independence of future Public Safety Directors, the Task Force recommended new checks and balances on the Strong Mayor's power to appoint and remove the Public Safety Director. The Charter already provides for the Task Force's recommendation that the Board should have the right to veto any future appointments by a supermajority vote. The Task Force, however, is also recommending that the power of the Mayor to remove a Public Safety Director would now require the consent of a simple majority of the Board and that the Board would have a new and independent right to remove the Public Safety Director in those extreme circumstances where two-thirds of the Board felt it necessary. The four year reappointment requirement further strengthens this advise and consent role of the Board. Finally, and most importantly, the recommendations of the Task Force emphasize the desire to have the Public Safety Director exercise his/her functions without interference from any elected official. The approach recommended by the Task Force, although not identical, is similar to that used by Federal Law Enforcement Agencies.

In addition, it is significant to note that the possible negative impact of diversity gains by reverting to countywide elections influenced many members of the Task Force in recommending the modified appointment process.

SUPERVISOR OF ELECTIONS

Factors

In arriving at its recommendations regarding the position of Supervisor of Elections, the Task Force considered and debated the following issues:

- The desire to maintain the highest degree of professionalism and competence in the position of Supervisor of Elections
- Public concern for the independence of the Supervisor of Elections in conducting federal, state, county and municipal elections
- The recent public vote in favor of a Strong Mayor and how this public vote could be implemented while maintaining the dual goals of professionalism and independence
- The desire to promote greater checks and balances on the exercise of mayoral authority over the Supervisor of Elections by providing a greater advisory role for the Board
- The concern for the dilution of diversity gains by reverting to a purely elective position
- The costs of running a countywide election and the possible effects of campaign fundraising on the public perception of the independence and professionalism of the Supervisor of Elections

Recommendation

2. The Task Force recommends that the **Supervisor of Elections** should remain an appointed position. However, in order to promote greater autonomy while in office, to minimize the potential for political interference and in order to give to the Board of County Commissioners a greater role in the selection/retention of the **Supervisor of Elections**, the Task Force recommends that the electors of Miami-Dade County be asked whether the Home Rule Charter should be amended to provide that: That the **Supervisor of Elections** shall be appointed by the Mayor for a period of four (4) years, at the expiration of each term subject to re-appointment; that the appointment can be vetoed by a super majority (two-thirds) vote of the County Commission; that the Supervisor of Elections could be removed by the Mayor subject to the consent of a simple majority vote of the County Commission; or by the County Commission subject to a super majority (two-thirds) vote. Once appointed, that person shall carry out the functions of the office independent of the Mayor and County Commission except for funding and budgeting matters. (Motion passed: 10-5)

Reasons/Justifications

The same rationale described above that informed the Task Force's recommendation regarding the position of Public Safety Director guided the Task Force's final recommendation with respect to the Supervisor of Elections. In addition, the prospect of politicizing the Supervisor of Elections, who plays such an essential role in maintaining the integrity of the election process by requiring countywide election, greatly influenced the deliberations of the Task Force.

PROPERTY APPRAISER

Factors

In arriving at its recommendations, the Task Force considered and debated the following issues:

- The Board's resolution calling for a special election on whether the Home Rule Charter should be amended to provide for an elected Property Appraiser, which was considered by the Board for final approval at its November 6, 2007 meeting
- The public's desire for tax reform
- The desire to educate the public regarding issues related to property values, assessments and taxes

- The level of discretion the Property Appraiser could exercise when assessing property, and any constraints set by the Constitution and general laws of Florida
- The desire to maintain the highest degree of professionalism and competence in the position, and the current minimum qualifications for the position
- The cost of running a County-wide election and the effect of campaign financing on the potential candidates for office
- The expense involved in running an independent Property Appraiser's Office

Recommendation

3. The Task Force recommends that the position of **Property Appraiser** become an elected position. (Motion passed: 12-4)

Reasons/Justifications

Recognizing the strong public interest and sentiment regarding property tax valuations and the role they play in setting the property tax burden for the residents of Miami-Dade County, the Task Force recommends that the Property Appraiser become an elected position. In recommending an elective process for this position, versus others that we recommended remain appointive, the Task Force noted three distinguishing important factors. First, the Task Force noted the apparent need for public education regarding the manner in which property taxes are calculated and levied, and how an election campaign could assist in promoting public awareness and education on these issues. Second, within the controlling State statutes there is acknowledged discretion in the Office of Property Appraiser in interpreting valuation criteria. The manner in which this discretion is exercised seemed a sufficient policy-making function to warrant direct election and elector accountability. Finally, the direct and immediate impact of property taxes on the ability of homeowners in Miami-Dade County to maintain homeownership and on the economic viability of small businesses justifies direct and substantial accountability to the public via election.

TAX COLLECTOR

Factors

In arriving at our recommendation, the Task Force considered and debated the following issues:

- The Tax Collector operates in a highly regulated environment, carrying out a myriad of largely administrative duties as set forth by the Constitution and general laws of Florida
- That the Tax Collector was not a department head and reported to the Finance Director, an appointed position
- The desire to maintain the highest degree of professionalism and competence in the position of the Tax Collector
- The concern for the delusion of diversity gains by reverting to an elected position

Recommendation

4. The Task Force recommends that the **Tax Collector** remain as an appointed position. (Motion passed: 14-0)

Reasons/Justifications

The Task Force recommends against the Tax Collector becoming an elected position for many of the same reasons noted above, and most importantly, because the Tax Collector, if elected, would be the only elected official reporting to an appointive officer (Finance Director and/or County Manager). In addition, deliberate review of the restrictions placed by State law on the exercise of the powers of the Tax Collector convinced the Task Force that there was little, if any, policy-making discretion in this position that required altering the current appointed process or would justify converting the position into an elected position.

**Issue 2 – Mayor and Board of
County Commissioners Compensation &
Issue 3 - Study of Term Limits - Board or other elected officials**

Summary of Issue and Research

These two issues were deliberated together by the Task Force. In order to gather information for this discussion, staff provided the Task Force with informational research and data including:

- Comparison of salaries and other benefits, length of term and term limitations, and limitations on outside employment for elected executive and commissioners for Florida counties and selected national counties

The following information was also provided to the Task Force by one of its members for consideration:

- Notes on a Charter Amendment: County Commission Salaries by Task Force Member Robert A. Ginsburg

Factors

In arriving at its recommendations, the Task Force considered and debated the following issues:

- A strong sentiment that the current structure under-compensates the members of the Board for what is essentially a full-time job
- A desire to eliminate the perception of conflicts of interest created by the need for outside employment
- An awareness that previous attempts at the ballot to raise BCC salaries have failed
- A belief that public support for a salary increase may require linkages to other issues, i.e. term limits and ethics regulations
- The advantages and disadvantages of term limits
- Favorable public reaction at public hearings to the Task Force's preliminary recommendation

Recommendation

5. The Task Force recommends that Commissioners should receive a population-based salary provided by Florida's statutory formula (approximately \$91,995); Commissioners' terms in office should be limited to two, four-year terms; and Commissioners should be prohibited from having outside employment. (Motion passed: 14-0)

Reasons/Justifications

The Task Force acknowledges the full-time demands of managing a \$7.3 billion budget, which directly impacts the lives of over 2.3 million people. The Task Force strongly suggests that there is a need to convert the Office of County Commissioner into a full-time job with appropriate compensation. In recommending incorporating into the Charter the state statutory standards for compensating County Commissioners, the Task Force noted the successful use of these compensation standards in other counties in Florida. The Task Force recognizes that the imposition of term limits restrictions and the prohibition on outside employment place significant new restrictions on the Office of County Commissioner. However, the Task Force believes that there is strong public sentiment that any salary increase for County Commissioners should be accompanied by some countervailing restrictions on the other prerogatives of this office. In recognition of this public sentiment, the Task Force recommends the introduction of two, four-year term limits and a ban on outside employment. The proposed term limits would only apply for future service after the adoption of any Charter change. The restriction on outside employment is consistent with the desire to acknowledge the full-time demands of the Office of County Commissioner and to address public perception regarding the effect of outside employment on decisions made by the Board, notwithstanding conflict of interest rules.

If adopted by the electors of Miami-Dade County, the Task Force believes that this transformation of the Office of County Commissioner would be a significant step towards more effective, ethical and transparent government.

Issue 4 - Board of County Commissioners Composition

Summary of Issue and Research

In order to gather information for this discussion, the Task Force received a presentation from:

- Amy Horton-Tavera from the Office of Strategic Business Management who made a presentation on the models of legislative representation including majority rule and proportional presentation

Additionally, staff provided the Task Force with informational research and data including:

- Research on Models of Legislative Representation
- Article – “How Proportional Representation Elections Work”
- County Map by Commission Districts as of 1992
- Current County Map by Commission Districts
- Registered Voter information by Commission District
- Population Data by Commission Districts for 1990, 2000, 2005 (estimated) and 2010 (projection)

At the request of Task Force, additional staff research was provided to include:

- Information regarding persons of Haitian Ancestry or Ethnic Origin in Miami-Dade County who were counted in the US Census 2000
- Three Case Studies on Proposed At-Large Districts which included maps and 2000 and 2005 population figures:
 - Case Study 1 proposed four at-large districts
 - Case Study 2 proposed six at-large districts
 - Case Study 3 proposed five at-large districts

The following information was also provided to the Task Force by one of its members for consideration:

- Position Paper by Task Force Member Maurice Ferré – “Need for Change – Add At Large County Commissioners”
- Presentation by Task Force Member Miguel De Grandy regarding total expenditures for winning candidates of the most recent County general elections (2004 Mayoral and 2006 Commission elections)

Factors

In arriving at its recommendation, the Task Force considered and debated the following issues:

- The success of the current district election system in securing a diverse and geographically representative Board
- The complexity of alternative voting systems (i.e. proportional and preferential voting), and the ability of the electorate to understand and accept unusual and unfamiliar voting formats
- The viability of implementing alternative voting systems in a diverse community such as Miami-Dade County
- The lack of any strong precedent for the use of alternative voting systems in a community as large or diverse as Miami-Dade County
- A deliberate review and due consideration of Federal and Constitutional law governing voting rights

- The size and composition of potential at-large districts and the concern that this could possibly create a two-tier class structure of commissioners as well as dilute minority representation.

Recommendation

6. The Task Force recommends that the composition of the Board of County Commissioners be kept as it is currently, with 13 single-member Commission Districts. (Motion passed: 14-1)

Reasons/Justifications

In arriving at its final recommendation to retain the current system of election, the Task Force felt that the success of the current system in securing a diverse and geographically representative Board strongly militated against any change. In addition, although appealing in theory, the practical and logistical difficulties of implementing alternative voting systems in a community as diverse as Miami-Dade County led to the rejection of these alternative proposals. Finally, although public criticism of the parochial tendencies of the current system are of concern, the Task Force felt that these issues could be better addressed through other mechanisms of Charter reform, including but not limited to, the study of the current process for municipal incorporation and annexation. Consequently, after concluding its deliberations on the manner by which the Board members are elected, the Task Force voted to accelerate Issue No. 5 (Study of Municipalities and Unincorporated Municipal Service Areas) in order to continue the general discussion of how to promote more regional forces for the Board and redirect the burden of delivering some municipal services to local governments.

Issue 5 - Study of Municipalities and Unincorporated Municipal Service Area (UMSA) Services (Creating and Abolishing Municipalities, Separation of Powers or Responsibilities between the County and Municipalities, and Annexation or Incorporation in Effort to Eliminate UMSA)

Summary of Issue and Research

In order to gather information for this discussion, the Task Force received a presentation from:

- Jennifer Glazer-Moon, Director from the Office of Strategic Business Management, who made a presentation on Miami-Dade and Broward Counties Incorporation/Annexation

Additionally, staff provided the Task Force with informational research and data including:

- Materials related to incorporation/annexations, including a brief history and current status in Miami-Dade County
- Information related to Broward County's incorporation process
- Population statistics for UMSA and Miami-Dade municipalities
- Proposed Millage rates table for UMSA and Miami-Dade municipalities
- Map of Miami-Dade County with municipal boundaries
- Map of Broward County with municipal boundaries
- Previous Miami-Dade ballot questions & results regarding UMSA Incorporation/Annexation

The following information was also provided to the Task Force by one of its members for consideration:

- Position Paper by Task Force Member Lynn M. Dannheisser – "Study of Incorporation and Unincorporated Municipal Service Area (UMSA)"

At the request of several Task Force members, a Charter Review Task Force workshop was held on November 15, 2007 to discuss the issue of municipal incorporation and annexation. The workshop was held for discussion purposes only.

Factors

In arriving at its recommendation, the Task Force considered and debated the following issues:

- The desire to prioritize the focus of County government on pressing regional issues
- Strongly expressed public frustration with the current incorporation/annexation stalemate
- The current disenfranchisement of UMSA voters with regards to the creation or annexation of municipalities
- The problems/challenges presented by allowing piecemeal incorporation of new municipalities
- The ideal relationship between County government and Miami-Dade municipalities
- The current map of Miami-Dade County with municipal boundaries, including unincorporated pockets within municipalities
- Donor vs. recipient communities in Miami-Dade County
- The potential impacts of incorporating all of Miami-Dade County, including political influence, improved services and property taxes
- Current activities of Municipal Advisory Committees (MACs)

Recommendation

7. The Task Force recommends that the County Commission appoint an independent task force 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 that such plan be placed on the ballot for all citizens to vote on at a general election in 2010. (Motion passed: 9-5)

Reasons/Justifications

In arriving at its final recommendations, the Task Force felt that the overall effectiveness of County government would improve by prioritizing the focus of the County Commission on pressing regional issues, with municipalities providing local services. The creation of this independent body and their public vetting process would lead to a much needed public debate as to what services/issues truly need/should be the focus of a metropolitan county government and what issues/services are best addressed through local/municipal government. In addition, the Task Force believes that requiring that an independent body draw any new, proposed municipal boundaries in a comprehensive and holistic fashion will result in more fair and equitable municipal boundaries in a fully incorporated Miami-Dade County. All Miami-Dade County voters would have the opportunity to decide on any proposed plan in 2010. The Task Force felt it was important that all residents, including those currently residing in municipalities, as well as unincorporated areas, have an opportunity to vote on such a comprehensive plan, since all County residents would be impacted.

Issue 6 - Study of Initiative, Referendum, Petition and Recalls

Summary of Issue and Research

In order to gather information for this discussion, the Task Force received a presentation from:

- Amy Horton-Tavera and Ray Scher from the Office of Strategic Business Management who made a presentation – “Direct Democracy: Initiative and Recall”
- County Attorney’s Office Legal Opinion regarding Task Force Member De Grandy’s proposal to provide 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 (Oral Report)

Additionally, staff provided the Task Force with informational research and data including:

- General research regarding the use of initiatives and recalls in the United States
- Information regarding the history and major pros and cons of these processes, as well as specific strategies used by communities to improve them
- Detailed findings regarding provisions for initiative and recall in seven Florida counties and 13 large counties nationwide
- Proposed revisions to Section 9.07 to the Miami-Dade Home Rule Charter by Stephen F. Rosenthal, Esq.

Factors

In arriving at its recommendations, the Task Force considered and debated the following issues:

- The strong and compelling need to maintain and strengthen a citizen's right to petition his/her government for reform or change the focus of a metropolitan county government
- Current Charter requirements for initiatory petitions
- Format of initiatory citizens petitions, specifically that of the Strong Mayor initiative
- The potential chilling effect of requirements and regulations surrounding the initiatory petition process on the ability of citizens to access this process
- The relatively short time frame for gathering signatures in Miami-Dade County compared to peer jurisdictions
- The importance of promoting high voter turnout for Charter amendment questions
- The desirability of having a public hearing on petition initiatives before the signature gathering process begins, in order to promote greater public awareness of the merits of the proposed initiative
- The current process for reviewing and certifying petitions and the potential conflict of interest it may create for the Board and/or the County Attorney
- Whether or not the Board should have the authority to amend petition, initiative and recall processes set forth in the Charter
- The desirability of a simple process that can be easily followed, timely and not vulnerable to legal challenges
- A need to memorialize these sacred petitioners rights in the County's "constitution"

Recommendations

That the electors of Miami-Dade County be asked whether:

8. The Home Rule Charter should be amended to provide that the time period to collect signatures for proposed Charter amendments and citizens' initiatives be expanded to 120 days and that proposed Charter amendments must only be placed on the ballot during a general election. (Motion passed: 14-0)
9. The Home Rule Charter should be amended to require the County Commission to hold a public hearing on any citizen initiated changes to the Home Rule Charter on the date the County Commission sets the election date on the proposed Charter amendment. A public hearing shall also be required for any Charter amendment initiated by the County Commission. (Motion passed: 14-0)
10. The Home Rule Charter should be amended to provide that the County Commission hold a public hearing on the proposed initiative at the time a citizen initiative petition is presented to the County Commission for possible passage or repeal of an ordinance. (Motion passed: 14-0)
11. The Home Rule Charter should be amended to provide that the County Commission shall adopt no resolutions or ordinances regulating the citizen petition procedures as defined in the Home Rule Charter. (Motion passed: 14-0)

12. The Home Rule Charter should be amended to reflect that the certification and petition gathering provisions contained in Article 8 shall also govern citizen initiative petition procedures to amend the Home Rule Charter. (Motion passed: 14-0)
13. The Home Rule Charter shall be amended to provide that the Clerk of the Court, rather than the County Commission, approve as to form any citizen initiative petition. (Motion passed: 14-0)
14. That the electors of Miami-Dade County be asked whether Section 9.07 of the Home Rule Charter shall be amended in the following manner (Motion passed: 17-0):
 - A. Amendments to this Charter may be proposed by a resolution adopted by the Board of County Commissioners or by petition of electors numbering not less than ten percent of the total number of electors registered in Dade County at the time the petition is submitted to the Clerk. ~~Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance.~~
 - B. Amendments to this Charter ~~may be proposed by initiatory petitions of electors~~ shall be governed by the following procedure:
 1. The person proposing the amendment shall submit to the Clerk a proposed petition, in the form specified in section (2) below, and proposed ballot language, including a title. The Clerk shall without delay approve as to form a petition for circulation in one or several copies as the proposer may desire.
 2. The petition shall be printed in 14-point font and contain the following information: (a) the title and text of the proposed amendment, printed in English, Spanish and Creole; (b) a statement in each petition circulator's own handwriting, setting forth his or her own name, both in printed and signature form; (c) the residence address of the circulator; (d) dates between which all the signatures on each individual petition were obtained; and (e) a sworn statement that the circulator personally circulated the petition and witnessed each signature as it was being written.
 3. Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance.
 4. The Board of County Commissioners shall call an election to be held within 60-120 days of the date that a certified petition is presented to the County Commission. Such election shall be called in conjunction a countywide with the next scheduled general election, ~~however, if no countywide election is scheduled to occur within 60-120 days or presentation, a special election on the position shall be called.~~
 - C. Amendments to this Charter may be proposed by the Board of County Commissioners at any time. Elections on charter amendments proposed by the Board shall be held not less than 60 nor more than 120 days after the Board adopts a resolution proposing any amendment.

D. The result of all elections on Charter amendments shall be determined by a majority of the electors voting on the proposed amendment.

E. All current ordinances and resolutions regulating initiative petitions shall be repealed.

Reasons/Justifications

This issue created much debate and deliberation among Task Force members which centered around making the process for citizens to petition County government for change or reform be more streamlined and clear. In arriving at its final recommendations, the Task Force felt there was a compelling need to strengthen and clearly define the process for citizen initiatives relating to County ordinances or proposed Charter reform. The Task Force believes that by increasing the time frame for gathering signatures from 60 to 120 days, which is the standard for most of the peer jurisdictions reviewed, citizens would have greater access to the petition process. Additionally, voter input into the County's basic form of government would be maximized by presenting Charter amendments to the voters solely during a general election. In order to protect the process by which the County's "constitution" is amended and to ensure that this process is governed exclusively by the people, the Task Force felt that the Board should be prohibited from adopting any legislation related to citizen initiative petitions, without seeking voter approval in the form of a proposed Charter change. The Task Force felt that the voters themselves needed to determine the process and limitations to change their "constitution." The recommendation related to the Clerk of the Courts certifying petitions would also streamline and depoliticize the process, and eliminate the potential awkwardness of the Board placing an item on a ballot which a member may not necessarily support.

Issue 7 - Study of Balance of Power - Mayor & the Board (Review Functions of Mayor vs. County Manager & the Review Powers of Commission Auditor)

Summary of Issue and Research

At its December 20, 2007 meeting, the Task Force agreed that for its remaining meetings in January 2008, it would focus on studying several areas of inquiry regarding the balance of power between the Mayor and Board, including a review of the functions of Mayor vs. County Manager, the respective role of the Mayor and Board in procurement, budget development and policy analysis, and the powers of the Commission Auditor.

In order to gather information for this discussion, the Task Force received a presentation from:

- County Manager George M. Burgess

Additionally, staff provided the Task Force with informational research and data including:

- Informational grid for benchmarked jurisdictions with Strong Mayor forms of government which includes the powers and duties of the elected Chief Executive Officer (CEO), Chief Administrative Officer and commission, as stated in their respective charters – or for non-charter counties, the county code. Also noted were the powers of the CEO and commission with respect to appointment and dismissal of department directors and the powers and duties of the council auditor or independently elected comptroller.

At the request of Task Force, additional staff research was provided to include:

- The revised informational grid to include the cities of Los Angeles, Chicago, New York, Philadelphia, Atlanta and Houston
- Powers and Structure of Broward County's Charter Review Commission (Charter of Broward County Charter - Article VI – Sections 6.01 and 6.02)

- Information compiled by the County Attorney's Office related to the structure and powers of the Florida Budget and Taxation Reform Commission and the Florida Constitution Revision Commission, as well as information on state law related to or that may govern citizen petitions
- Informational grid regarding the functions and authority of procurement, zoning and legislative analysis for benchmarked jurisdictions
- Informational grid regarding budget review process for benchmarked jurisdictions

Factors

In arriving at its recommendations, the Task Force considered and debated the following issues:

- The current County bid protest procedures for procurement, and related processes in peer jurisdictions and the State of Florida
- The importance of the Urban Development Boundary (UDB) to the quality of life in Miami-Dade County; the rights of citizens to control key land use decisions vs. the need for Board discretion in some cases
- The current "arbitrariness" of some portions of the UDB line and the need for a more comprehensive review of the process
- The County's current zoning appeals process, and related processes in peer jurisdictions, including Orange County
- Whether zoning issues should be handled by referendum or by local government action
- Ownership of the budget process in a Strong Mayor form of government
- That in all peer jurisdictions reviewed, budget preparation and administration are under the purview of the administration
- Current efforts on the part of the Board to strengthen the role of the Commission Auditor in the County's budget process
- Strengthening the role of a Charter Review Task Force and empowering the public in amending their "constitution"
- That the State of Florida and Broward County have given the authority to their "constitution" revision bodies to place questions directly on the ballot
- The checks and balances that exist when empowering a charter review body to place questions directly on the ballot

Recommendations

That the electors of Miami-Dade County be asked whether the Home Rule Charter shall be amended to provide:

15. That County bid protests should be heard by hearing officers charged with making final determinations based on findings of facts and conclusions of law; that the appeal process be governed by the rules of procedure set forth in the State of Florida's Administrative Procedure Act relating to the review of administrative action; and that the findings of the hearing officer would be final, subject to appeal by a disappointed bidder to the County Commission solely on an abuse of discretion standard. (Motion passed: 8-6)
16. That any Comprehensive Development Master Plan application requesting that the Urban Development Boundary (UDB) line be moved must be approved by a vote of at least $\frac{3}{4}$'s of the County Commissioners then in office; that every five years an independent body be constituted to conduct a comprehensive and holistic study as to where the UDB line should be drawn; and that if a change in the location of the UDB line is recommended by such independent body and such change in location is approved by a simple majority vote of County Commissioners present, such recommendations must be submitted for approval by the electorate in the form of a referendum. (Motion passed: 9-5)

17. That all zoning applications, including variances and setbacks, be heard first by the Community Councils with any appeals from those decisions being heard by hearing officers charged with making final determinations based on findings of fact and conclusions of law; that the appeal process be governed by the rules of procedure set forth in the State of Florida's Administrative Procedure Act relating to the review of administrative action, and that the findings of the hearing officer be final, subject to appeal to the County Commission solely on an abuse of discretion standard. (Motion passed: 14-0)

Reasons/Justifications

In arriving at its final recommendation regarding bid protest procedures, the Task Force was interested in depoliticizing the current bid protest process by replacing it with a proven system of hearing masters used effectively in other parts of the State or used by state government. These non-partial hearing masters make findings of facts and decisions of law. Appeals to the County Commission would require proof of abuse of discretion by the hearing officer – a high and well-defined threshold, legal requirement. The Task Force also felt that this reform would, to the greatest extent possible, eliminate lobbying and political influence in the bid protest process and free up the Board to be more pro-active in its policy making function and in setting rules for bid processes at the front end.

Regarding the Urban Development Boundary (UDB), in arriving at its final recommendations the Task Force felt it was important to make it more difficult to move the UDB both on a case by case and in a more comprehensive fashion. In line with other recommendations contained in this report that call for an independent body to review matters, the Task Force recommends that the UDB be comprehensively and holistically reviewed every five years by professionals in urban planning and policy. This should promote more rational decision making regarding the exact location of the UDB and make the UDB more difficult to move. This process also mirrors the five year review of the Home Rule Charter.

Additional Recommendation (Not issue specific)

18. That the electors of Miami-Dade County be asked whether Section 9.08 of the Home Rule Charter shall be amended to empower future Charter Review Task Forces to place proposed Charter amendments directly on the ballot, solely if the proposed amendment is approved by a two-thirds vote of the Task Force members present; and to provide that the appointment process for future Task Force members be the same as contained in Sections 1 and 2 of the resolution creating the current Charter Review Task Force, with the exception that the provision allowing Commissioners to appoint themselves to the Task Force, be deleted. (Motion passed: 9-5)

Reasons/Justifications

In arriving at its final recommendation, the Task Force felt that in order to make the work of future Charter Review Task Forces more meaningful, as well as to empower and elevate the input and participation of the public in this process, it was important to allow future groups to place certain proposed amendments directly on the ballot. The rationale is that in some instances there are aspects of reform that may not be popular or widely accepted by governing officials. Research indicated that other governments, like Broward County and the State of Florida, provide this authority/power to comparable charter/constitutional review committees. The suggestion of a super-majority voting requirement in order to place proposed reforms directly on the ballot will ensure that this power is exercised solely with respect to proposed reforms that derive from strong consensus. The Board will still retain a strong role in Charter reform through its power to appoint the majority of future Task Force members and its sole authority to consider Task Force recommendations that lack super-majority support.

Conclusion

While much was accomplished by the Task Force, there always remains work ahead. The process of good government is never ending, and it requires the attention and participation from everyone in the community. The members of the Charter Review Task Force appreciate the opportunity to serve and engage in this debate. The members hope this report will promote a vigorous and much-needed dialogue within our community on ways to improve County government. Complacency is the enemy of good government. The Task Force is acutely aware of its role as an advisory body to the Board, and has worked diligently to arrive at the best advice that can offer the Board and the community regarding how best to achieve a more ethical, representative and responsive County government. The Task Force is grateful for the opportunity to serve the Miami-Dade community and the Board. These recommendations are respectfully submitted for the Board's consideration.

This work could not have been performed without the professional support of staff from the County Executive Office, County Attorney's Office and Clerk of the Board. Specifically, the Task Force recognizes County Manager George M. Burgess, Assistant County Manager Susanne M. Torriente, and Assistant to the County Manager Maggie Fernandez; Assistant County Attorneys Joni Armstrong-Coffey, Cynthia Johnson-Stacks, Wifredo Ferrer, and Monica Rizo; Office of Strategic Business Management Director Jennifer Glazer-Moon and assistant Vivian Duyos; and the Clerk of Courts Honorable Harvey Ruvlin, Clerk of the Board Kay Sullivan, and staff Diane Collins, Doris Dickens, Nelson Diaz, Judy Marsh, Scott Rappleye, Jovel Shaw, Mary Smith-York, Akira Spann, Alicia Stephenson and Jill Thornton.

In addition, we also thank staff from the Mayor's Office of Communications and Policy Analysis including Marie Bertot and Tracie Auguste, County Attorney's Office, Government Information Center, Office of Strategic Business Management including Ray Scher, Amy Horton-Tavera, Paul Mauriello, John Murphey, Nadia Rodriguez and Cara Tuzeo, Planning Department and Elections Department for their detailed, timely and comprehensive research provided to the Task Force and the Assistants to the County Manager for their support of the public hearings and workshops.

Finally, this process is only successful when the public participates and makes it their own. The Task Force appreciates public interest in this work and comments via e-mail and at workshops. Good government relies on public interest and participation.

Dissenting Opinions

Dissenting opinions from Task Force members are included in this section:

- Maurice Ferré - October 31, 2007
- Ignacio Jesus Vazquez - November 1, 2007
- Maurice Ferré - January 28, 2008

TO: Victor Diaz Jr., Esq.
Chair
Charter Review Task Force 2007

DATE: October 31, 2007

TROUGH: Susanne M. Torriente,
Assistant County Manager

RE: Dissenting Opinion: CRTF
Initial Recommendation to the
Board of County Commissioners,
October 31, 2007 (By Executive
Summary number).

FROM: Maurice A. Ferré
Member
Charter Review Task Force 2007

1. **Public Safety Director:** I oppose the proposal. By creating another hybrid, the MDC Charter would be establishing another amorphous political entity. Although better than an elected Sheriff, the proposed system would create a separate bureaucracy that for four years would be semi autonomous and not properly accountable. The persons that need to be held accountable are the Manager and his/her boss, the Mayor, who is elected every four years and is maxed out at eight years.

I would support a system (like Philadelphia and Washington, D.C.), where the Mayor appoints the Manager and the Manager appoints most or all of the Department Heads (on his/her own) and then apply the checks and balance conditions described in this section to the appointed Manager. We are placing restrictions and conditions on the wrong person. Restrict the Mayors powers, not increase the powers of lower professional administrators, without proper accountability and chain of command. Not good public policy.

2. **Supervisor of Elections:** I oppose this recommendation for the same reasons as (1) above.
3. **Property Appraiser:** I oppose the election of the Property Appraiser for the same reasons expressed in (2) and (3) above. In addition, it is giving taxpayers false hope, that if elected the Property Appraiser will somehow reduce taxes or not raise taxes, when in fact, the elected or appointed Property Appraiser has to follow the Florida Constitution and State Law.
4. **County Commissioners:** I support these issues, except that I would have added a change of date for County Elections to coincide with General Election dates. There is little argument that there would be a greater turnout in County elections if they coincided with Federal Elections in November, rather than the current dates in September.

5. Lastly, I oppose this recommendation. I repeat my memorandums of July regarding the composition (and style) of our Home Rule local legislative body, the Board of County Commissioners.

Board of County Commissioners

Governance BOCC

We are no longer a Council/Manager form of government. Yet, the Miami-Dade County (MDC) HOME RULE in the Florida Constitution creates serious restrictions in reforms of both governance and ethics issues in MCD. On January 23, 2007 the electors of MDC opted for a Strong Mayor format, after the Appellate Court unanimously ruled it legal. What we currently have is a hybrid form of local government. Home Rule permits very broad and very extensive powers to MDC. Many of those powers have never been used.

Public opinion is demanding reforms in governance. The CRTF, and more importantly, the BOCC needs to react to the crises County government is currently in as witnessed by the Miami Herald's weekly headlines and the subsequent States Attorney and Federal current investigations.

Under the "consent of the governed" percept, MDC needs to find a better balance of powers between the executive and the legislative branches in MDC. Broadly, that requires, a completely new relationship, always under Home Rule. MDC should become the central, regional government on major local regional issues. The Board of County Commissioners (BOCC) should be structured and function as it were a municipal assembly (Jacksonville, San Francisco, Atlanta, New York City, Chicago and many others.) That is, the BOCC, even under Home Rule, should only handle legislative matters and not be involved directly in administrative matters, other than setting the rules and the all important overview functions.

The Commission is and will remain the governing body of MDC, under the Home Rule provisions of the Florida Constitution.

BOCC size and Structure

The BOCC should be expanded to 19 commissioners, like Jacksonville; 13 from districts; 6 elected at large, with 2 years residency requirements from 6 equal, at large areas, reconfigured every 10 years, after the census. Six at large commissioners would guarantee representation to the major ethnic/racial groups and thus pass judicial muster.

The at large seat holders would chair six standing committees to be designated, as to jurisdiction, by the elected chair. All 19 BOCC members would each have one vote to elect a chair every two years. No chairperson can serve as chair for more than four years total, consecutively or broken into two, two year terms. The chair will

designate all members of the six standing committees. No member will serve consecutively more than four years in any committee.

BOCC 5 Years Budget Freeze

The budget of the BOCC shall be frozen to the amount of the previously approved budget before this proposed Charter BOCC expansion, for a period of five (5) years, except for an annual CRP adjustment, unless an emergency is declared by 3/4 of the BOCC. After five years the BOCC will revert back to the regular yearly budget adoption method.

November 1, 2007

Mr. Victor M. Diaz, Jr., Chairman
Miami-Dade Charter Review Task Force

Esteemed Chairman Diaz:

Please accept for inclusion in the Task Force's report to the Miami-Dade County Board of County Commissioners (BCC), this member's dissenting opinion. Through Resolution NO. R-504-07, the BCC directed the 2007 Miami-Dade County Charter Review Task Force (CRTF), as specifically noted therein, to review and issue recommendations to the BCC concerning amendments to the Miami-Dade County Charter, providing for the election of the County Property Appraiser, Tax Collector, Sheriff and Supervisor of Elections. As addressed more fully below, this report is provided in an effort to contrast differences with the majority's recommendations. Positions this member opines, are in fundamental opposition to the majority of the BCC's original intent.

After months of lively debates and intense discussions, this member believes the majority has departed from its entrusted mission, pertaining to the particular charge from the BCC, as enunciated in the cited resolution. Rather, the CRTF's majority focus from inception has been upon cobbling hybrid recommendations, antithetical to the BCC's explicit direction. As an ardent supporter of the right of County voters to elect their Florida Constitutional Officers, and as a strict interpretist of the BCC's "direction," one is disheartened by the course the CRTF has taken. From the onset, the majority has expressed an unequivocal opposition to the prospect of Miami-Dade County voters reclaiming their right to elect their Constitutional Officers. In furtherance of their opposition, the majority will present a hodgepodge of hybrid proposals, which for all intents and purposes mirror the regime presently at work. As proposed, the majority's recommended hybrids differ little from the current appointment system that is utterly subservient to the strong mayor. With one exception, and that is the Property Appraiser, where the majority has reluctantly yielded to the public clamor for accountability from this critical pillar of government.

Given Miami-Dade County's current strong mayor form of governance, reinstating the elected Constitutional Officers is essential for accountable and transparent governance. Under the current regime, the strong mayor is now equipped with the de facto power to select, appoint, promote and dismiss all exempt county service executives. Absent elected Constitutional Officers, the current framework leaves a single actor manipulating all levers of the executive branch of county government. As one who reveres the right of citizens to elect their public servants, it forebodes that one person, whoever that might be, has so much power over those who have a virtual monopoly over how the lives of Miami-Dade Countians are regulated!

Alas, absent the "firewall" the professional manager model once provided and served Miami-Dade County residents so well since its inception, the strong mayor appointment system is ripe for political patronage and cronyism. Doubtless no system is perfect, so long as fallible human

beings are involved; still when one person is the sole authority as to who serves in departmental exempt roles, the prospect for feudalism is exacerbated.

Throughout our discussions, several among the majority have argued, as part of their opposition to the elected model, that "unqualified" candidates will seek the elected Constitutional Offices. Perhaps, but not successfully! This member has an unwavering faith in the collective acumen of our fellow voters and their ability to discern the "unqualified" from among the aspiring candidates who really have the credentials to effectively serve us in the respective Constitutional Offices sought. The fact is the campaign process will force aspirants to publicly disclose their professional experiences and qualifications; buttressed by cogent platforms designed to illustrate why each is best qualified to serve constituency in the aspired elected Constitutional Office. Moreover, the argument that taxpayers are somehow better served by the bureaucratic model is refuted by some of the current actors now at the helm of County Government. For example; in the case of public safety, the current system now designates an appointed bureaucrat, an assistant county manager, as ubber manager of this critical public service. Question, what are this person's qualifications in terms of the public safety disciplines under this bureaucrat's sphere of influence?

From a service recipient's perspective, the question posed speaks volumes as to the plain fact that Miami-Dade County residents and visitors would greatly benefit from the prospect of electing individuals with life experiences in the arena for which they aspire to serve as elected Constitutional Officers. Moreover, as elected officials, Constitutional Officers must effectuate the people's mandate to lead. Additionally, and as it pertains solely to the Sheriff, the incumbent will be in a position of "elected" authority to provide an effective unity of command, which in light of Miami-Dade County's vastness, critical infrastructures and enormous population, requires clear leadership in times of overlapped responsibilities. At no time in our nation's history has the need for clear division of labor and precise unity of command in public safety been more in demand. We live in ominous times, where the specter of foreign or domestic terrorism is a constant threat, as the 9-11 Commission made clear when pronouncing its Unity of Effort Doctrine. The elected sheriff must transcend the current boundaries of the police department, as well as the general mind-set pervading the other autonomous public safety fiefdoms serving Miami-Dade County. Instead, the elected sheriff should provide a unified; holistic service doctrine; a service tenet that has yet to evolve under the strong mayor's bureaucratic model.

The specter that aspiring Constitutional Office candidates will be unduly influenced by the sordid process of seeking campaign funds was an additional foil posited by the majority. This argument is without merit. As Miami-Dade citizens have become aware by recent arrests, appointed public officials from law enforcement and local government are not immune from the lure of corruption.

Rather, while the elected model does share the human trappings for venality, it is armed with the antiseptic of the democratic process to purge officials who abuse the public's trust. Moreover, our local history makes it perfectly plain that honorable men and women have long been able to serve in elected offices in the roles of State Attorney, County, Circuit Judges, Florida Attorney General and other State of Florida Judicial Officers who must stand for election, re-election or retention. Additionally, the majority has clamored that electing our Constitutional Officers

would diminish minority ascension to positions of prominence. As a lifelong public servant, I could not disagree more. The fact is that if aspiring candidates desire to win and retain an elected post in a county as diverse as Miami-Dade, it behooves them to surround themselves with people that are not only competent, but more importantly, reflect the county's ethnic and racial diversity.

As the CRTF grappled with such issues as annexation and incorporation, this member wondered whether the majority considered why so many communities have decided to secede from Miami-Dade County; choosing incorporation, double taxation and impact fees for themselves? Moreover, once incorporated, why these communities as soon as they can, immediately seek to form their own police agencies, discarding the county's contracted police services? The answer is quite simple: prompt and effective services, tailored to the communities expressed needs, not the vision of the strong mayor's appointed bureaucrat. An elected sheriff, unlike the mayor's bureaucrat, must endeavor to satisfy constituency requirements by engaging in proactive and creative management if the incumbent is to remain a viable candidate.

When this member embarked on this challenging venture, the fact that bureaucratic interests would desire that bureaucrats control Miami-Dade's destiny did not surprise. What did was the majority's proclivity to adamantly deny Miami-Dade County voters the right to control the levers of democracy! A posture this member finds disheartening; odious actually, that the majority deems Miami-Dade County voters incapable of deciding whether they should retain the appointed bureaucratic system; one solely subservient to the strong mayor or the freedom to elect Constitutional Officers accountable to them – Miami-Dade County's taxpayers and registered voters.

Alas, simplicity often proves to be a most elusive goal! The sole and most salient question the BCC directed the CRTF to consider was whether or not the citizens of Miami-Dade County are better served by appointed bureaucrats or elected Constitutional Officers? It was that simple, yes or no! As a Miami-Dade County registered voter and taxpayer, this member urges the BCC to ignore the majority's recommendation vis-à-vis the elected Constitutional Officers. BCC members should allow constituents to make that decision by placing that question on the most appropriate ballot; preferably on the November 4, 2008 general election. This historic election date should give the electorate ample time to examine the question and consequently cast an intelligent vote.

In closing it is only fitting for this member to convey the most sincere appreciation to the Honorable Joe A. Martinez for entrusting this humble, retired public servant with the opportunity to once again serve my fellow citizens.

Ignacio Jesus Vázquez, Retired
Miami-Dade Police Department
1972 - 2003

TO: Victor Diaz Jr., Esq.
Chair
Charter Review Task Force 2007

DATE: January 28, 2008

RE: Dissenting Opinion: CRTF Final
Recommendations to the Board of
County Commissioners, January 28,
2008

FROM: Maurice A. Ferré
Member
Charter Review Task Force 2007

Firstly, this dissenting opinion does not include my October 31, 2007 dissent, which is already a part of the record. I have not changed my opinion in the past three months.

Secondly, I wish to publicly recognized the outstanding work of our Chair, Victor Diaz Jr., Esq., of all the members of the Charter Review Task Force of 2007, the staff and the clerk's office, all who did work of excellence, never before done as well in the past 50 years since the adoption of the 1957 Miami Dade County Home Rule Charter.

Thirdly, I would like to reemphasize the universal importance in our current governance predicament, of the all important American template of separation of powers (between the Legislative and Administrative branch), checks and balances, limitations of powers, transparency and accountability.

Legislative powers in our County government should be limited to four functions:

- 1.) Create our local laws (legislate),
- 2.) Approve the County budget,
- 3.) *Oversight* of department and budget functions and
- 4.) Override the Mayor's veto.

This implies no *administrative* functions or powers for the Board of County Commissioners (BCC). The BCC can put all qualifications and restrictions needed in bid documents, but should not be involved in the final selection. This logic of Jeffersonian government should also apply to zoning changes and establishing changing the UDB line.

Corruption in Miami Dade County (MDC) follows the money. We need to: better account for, oversee, disclose and administer the billions of dollars that flow through Miami Dade County annually.

It is imperative that MDC's government concern itself more with the large regional functions of governance and let smaller and more immediate governments (cities) serve and administer traditional municipal services. For example, the cities should pick up garbage and waste, but MDC should dispose of the same. City police should answer all 911 police calls, but MDC should handle crime labs, civil disturbances, organized crime, homicides and other Type I crimes, gangs, SWAT teams, interagency relations and all complex police matters everywhere in Miami Dade County. MDC should be dedicated to exclusively "big ticket" items: airports, seaports, ground transportation, water and sewer, waste disposal, hospitals and health and other major areas.

The rendering of all municipal services by local government would require a realigning of the tax structure to insure basic municipal services to all citizens. This "fairness" tax method is in use in some major American urban areas, like Minneapolis/Saint Paul, Minnesota.

Although the CRTF 2007 did not review or recommend in the above areas, it did make substantial headway in many important subjects.

Of the issues outlined by the CRTF for study we did not have time to delve into the third, fourth and seventh priorities established by vote of the CRTF on November 28, 2007.

Lobbying reform is the second most important task left undone (the first is at large representation on the BCC). The issue of at large representation is important by itself; the need in polyglot, cosmopolitan Miami Dade County for a Commission less insular and more regional in view. But even more important, is to get away from the now defunct council/manager government format. With now a Strong Mayor in MCD, and the dysfunctional 13 commissioners elected by districts (for 16 years now), it is time for the 2.5 million people of MDC be served by a full time local legislative body. This can only come about with a BCC of at least 17 to 19 members. Only then would a committee structure work, (essential in modern legislative bodies). By establishing a true checks and balance system between the Mayor and the BCC, the people of MDC would be best served.

Had we gone into lobbying reform at the CRTF 2007, I would have strongly supported the following:

- 1.) Full public disclosure of all forms and quantities of payments to registered lobbyist affecting Miami-Dade County.
- 2.) No indirect payment to lobbyist of any kind.
- 3.) No success or contingency fee payments to lobbyist; no percent participation of clients business, direct or indirect; no participation of any deals, currently or promised in the future.
- 4.) Strict rules regulating lobbyists who work for Miami-Dade County from presenting third party issues before staff or the Board of County Commissioners.
- 5.) Prohibition of citizens who serve in Miami-Dade County appointed boards from lobbying staff or the Board of County Commissioners.
- 6.) Prohibition of being a Miami Dade county lobbyist if you represent any other like local government in Florida, either another county or a major city competing with Miami-Dade County for funds.
- 7.) Lobbyist who represents other clients against Miami-Dade County cannot represent Miami-Dade County in other matters for a five-year period.
- 8.) Prohibition of anyone who does business with or for Miami-Dade County to raise funds for any serving or aspiring County politician or any PAC involved in a County election, directly or indirectly, for a one year period before or after that persons election. This should include vendors, professional services, including lobbyists.
- 9.) Strict definition as to who is a lobbyist; to avoid hiding behind professional status, such as; engineer, lawyer, doctor, owner's representative, etc.

Until we control finances (money: political donations, lobbyist reforms, procurement and zoning reform) and have a true legislative body in function, MDC will continue to have one scandal after another.

It is my hope that future CRTF force can address these essential issues.

Appendix

Charter Review Task Force Appointments

Member

Mayor Carlos Alvarez
District 5 – Chairman Bruno A. Barreiro

District 1 – Vice Chairwoman Barbara J. Jordan
District 2 - Dorrin D. Rolle
District 3 - Audrey Edmonson
District 4 - Sally A. Heyman
District 6 - Rebeca Sosa
District 7 - Carlos A. Gimenez
District 8 - Katy Sorenson
District 9 - Dennis C. Moss
District 10 - Javier D. Souto
District 11 - Joe A. Martinez
District 12 - José "Pepe" Diaz
District 13 - Natacha Seijas
City of Miami
City of Hialeah
City of Miami Gardens
City of Miami Beach
Miami-Dade League of Cities
Miami-Dade League of Cities
Miami-Dade League of Cities

Appointment

Maurice Ferré
Victor M. Diaz, Jr.,
Task Force Chairman
Robert W. Holland, Esq.
Larry R. Handfield, Esq.
H.T. Smith
John M. Hogan
Carlos A. Diaz-Padron, Esq.
Commissioner Carlos A. Gimenez
Lynn M. Dannheisser, Esq.
Murray A. Greenberg
Jorge Luis Lopez, Esq.
Ignacio Jesus Vazquez
Robert A. Ginsburg
Miguel A. De Grandy
François Illas
Raul L. Martinez
Mayor Shirley Gibson
David Dermer
Yvonne Soler-McKinley
Elizabeth Hernandez
Richard Kuper, Esq.

Charter Review Task Force Staff

County Attorney's Office: Cynthia Johnson-Stacks, Assistant County Attorney
Joni Armstrong-Coffey, Assistant County Attorney
Wifredo Ferre, Assistant County Attorney
Monica Rizo, Assistant County Attorney

County Executive Office: Susanne M. Torriente, Assistant County Manager
Maggie Fernandez, Assistant to the County Manager
Jennifer Glazer-Moon, Office of Strategic Business Management
Vivian Duyos, Office of Strategic Business Management

Clerk of the Board: Kay Sullivan, Clerk of the Board
Doris Dickens, Senior Commission Clerk



Delivering Excellence Every Day

Miami-Dade County, Florida

Carlos Alvarez, *Mayor*

Board of County Commissioners

Bruno A. Barreiro, *Chairperson*

Barbara J. Jordan, *Vice-Chairwoman*

Barbara J. Jordan	<i>District 1</i>
Dorin D. Rolle	<i>District 2</i>
Audrey Edmonson	<i>District 3</i>
Sally A. Heyman	<i>District 4</i>
Bruno A. Barreiro	<i>District 5</i>
Rebeca Sosa	<i>District 6</i>
Carlos A. Gimenez	<i>District 7</i>
Katy Sorenson	<i>District 8</i>
Dennis C. Moss	<i>District 9</i>
Sen. Javier D. Souto	<i>District 10</i>
Joe A. Martinez	<i>District 11</i>
José "Pepe" Diaz	<i>District 12</i>
Natacha Seijas	<i>District 13</i>

Harvey Ruvín, *Clerk of the Circuit and County Courts*

George M. Burgess, *County Manager*

Robert Cuevas, *County Attorney*

RECEIVED
By the Clerk for the record.

The Miami Herald

Posted on Tue, Aug. 16, 2011

NOV 03 2011

Item: 11A35
 Edition: 7
 Meeting: 11/03/2011

New rules protect student athletes from brain injuries

By Lola Duffort
lduffort@MiamiHerald.com

Impact of concussion on an athlete's brain

Concussion - a blow to the head that causes a temporary loss of consciousness or a temporary change in mental state and can cause debilitating memory loss, chronic headaches and clinical depression.

What happens:

Forces twist and break the long, slender "axons" of brain cells.



Fluid surrounding brain helps to protect blood vessels and nerves from damage.



Impact can be almost 100 times the force of gravity.

Outer blood vessels break

Shock wave pushes brain against skull on opposite side

Source: American College of Sports Medicine, Denver Post. Photo: University of Health Care Center for the Study of Injured Athletes.



Miami

High school senior Michael Espinel, a defensive player for Belen Jesuit Preparatory's football team, has suffered three concussions in two seasons.

In November 2009, Belen was practicing for the state championship semi-finals. Michael received a blow to the head during a drill, momentarily numbing half of his body.

"I felt like I was in a dark room, with a light shining in my face. My head hurt so badly," said Espinel, then a sophomore.

He returned to the practice field anyway, and five minutes later he collapsed, unconscious.

Two pivotal new measures being rolled out in South Florida are intended to prevent scenarios like that.

The Florida High School Athletics Association (FHSAA), which governs high school sports throughout the state, is implementing new guidelines to keep athletes suspected of sustaining a concussion from returning to the field without a doctor's OK.

In addition, high school students who play on interscholastic teams in Miami-Dade and Broward counties will take a baseline cognitive test in the pre-season to determine the extent of a concussion and monitor their recovery should they suffer a head injury.

Both changes are aimed at keeping injured players off the field until fully recovered, helping to prevent the cumulative effects of multiple concussions.

"Injuries on the brain, especially the ones that go untreated at a young age, have a much greater impact on society than we've been previously willing to admit," said Dr. Kester Nedd, director of Neurological Rehabilitation at the University of Miami's Sports Medicine Center.

"Beyond headaches and dizziness, any traumatic brain injury can potentially affect personality and interpersonal relationships."

One such long-term consequence is Chronic Traumatic Encephalopathy (CTE), a degenerative brain disease, according to Dr. Ann McKee, head neuropathologist of a brain bank at the Bedford Veterans Administration Medical Center in Massachusetts.

"Multiple injuries on top of previously untreated injuries – that's where the danger builds up," McKee said.

Assessing a concussion's severity and determining proper treatment can be difficult. When a kid takes a bump to the head, finer cognitive functions such as memory are usually the first to go and the last to come back, Nedd said.

The test being phased in for Miami-Dade high school athletes — called Immediate Post-Concussion Assessment and Cognitive Testing (ImPACT) — takes 30 minutes and is administered online. Test takers perform a series of tasks that measure cognitive functions such as memory recall, attention span, non-verbal problem solving and reaction time.

Once an athlete is suspected of suffering a concussion, an ImPACT retest is administered, and scores are compared. Along with a neurological exam, the results can aid a doctor in determining whether an athlete is fit to return to the playing field.

Nedd and his colleague Dr. Gillian Hotz, who run The Miami Project to Cure Paralysis Concussion Clinic at the University of Miami, have been pushing for years to have high school athletes tested.

The cost to individual schools — estimated at \$600 annually — had stood in the way, but David Goldstein, an incoming junior at Ransom Everglades School in Coconut Grove, helped change that.

Goldstein, a soccer player, suffered his third concussion in four years in January 2010 in a head-to-head collision during district finals. He stayed in the game — and spent the next three months with incapacitating headaches and a loss of balance.

"After the hit, I finished the game and practiced the next day. Even me, who had had two concussions already, I wasn't properly educated. I thought maybe I had a cold. It wasn't until I collapsed from pain after practice the next day that I realized something was wrong," Goldstein said.

After seeing several doctors and being told he could never again play soccer, Goldstein was referred to Hotz and Nedd. They put him on the road to rehabilitation after discovering that he had suffered inner ear damage.

They also introduced him to ImPACT testing, which Goldstein brought to the attention of the athletic director at his school, Claude Grubair.

Ransom adopted ImPACT testing for its athletes, and Goldstein decided to bring baseline testing to Miami-Dade public schools. He founded the Countywide Concussion Care project, which has raised \$35,000.

The money has gone to the KiDZ Neuroscience Center at the Miami Project to Cure Paralysis at the University of Miami's Sports Medicine Center, where Hotz has purchased tests in bulk for schools to administer.

Hotz and Nedd will also be responsible for clearing all athletes to play post-injury.

"I will not clear a kid over the Internet; they'll have to come in. ImPACT will help, but we need to see them," said Hotz.

All Miami-Dade high school athletes eligible to play spring football were tested in May, and testing is being expanded to volleyball players, soccer, wrestling, basketball, softball and lacrosse. About 2,800 students have been tested so far.

"We eventually want to expand to other sports, but crunch time right now is focused on contact sports," said Cheryl Golden, instructional supervisor for Miami-Dade Schools.

Broward County schools are implementing mandatory ImPACT testing for high school football players countywide next year.

"This was an automatic call for me with concussions and return to play being such a hot button issue," said Damian Huttenhoff, director of Athletics and Activities for Broward schools.

A University of Pittsburgh grant is paying for a year's worth of tests, and injured athletes will be followed by doctors at Nova Southeastern University. Once the grant runs out, the county will pay for ImPACT.

With an estimated 15,000 athletes in Broward, Huttenhoff said, the county can't yet guarantee that testing will be available to athletes in all contact sports, but "the ultimate goal is to have 100 percent tested."

In addition to requiring that players with suspected head injuries be taken off the field immediately and not returned without medical clearance, the FHSAA is requiring that all coaches receive additional concussion management and recognition training.

"We need smarter parents, coaches and athletes," said Valerie Breen, director of the Brain Injury Association of Florida. "Long-term change is going to require a change in the sports culture."

For its part, Belen, a private school, began baseline testing of its football players this summer. For some time, the school has offered all previously concussed players helmets designed to protect against concussive hits.

Once he is cleared by Dr. Nedd, Espinel plans to finish out the season with his team. But he's decided against trying to play college ball.



11B1

MEMORANDUM
BOARD OF COUNTY COMMISSIONERS

TO: Christopher Agrippa
Clerk of the Board

DATE: November 3, 2011

FROM: Jean Monestime
Commissioner, District 2

A handwritten signature in black ink, appearing to read "Jean Monestime", is written over the "FROM" field.

SUBJECT: Allocations from
District 2 Office Funds

I am allocating from District 2 office funds:

\$ 1,000.00	Catholic Legal Services
\$ 1,000.00	Barnabas Community Ministries, Inc.
\$ 500.00	Girls Receiving Abundant Blessings, Inc.

RECEIVED
By the Clerk of the Board

Item 11B1
Exhibit 8
Meeting 11/03/2011



11B2

MEMORANDUM

OFFICE OF COMMISSIONER LYNDA BELL

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, DISTRICT 8

Downtown Office

111 NW 1st Street, Suite 220

Miami, FL 33128

Ph: (305) 375-5218 Fax (305) 372-6073

District Office

14707 S. Dixie Hwy., Suite 101

Palmetto Bay, FL 33176

Ph: (305) 378-6677 Fax (305) 253-7495

Date: November 3, 2011

To: Christopher Agrippa, Division Chief
Clerk of the Board

From: Commissioner Lynda Bell *Lynda Bell*
Miami-Dade County Board of County Commissioners, District 8

Re: Allocation from District 8 Office Budget (Parks Foundation)

I would like to make an allocation from my District 8 office budget of up to \$3000.00 for the Parks Foundation.

If you have any questions, please contact my Chief of Staff, Eddie Borrego, at (305)375-5218.

Thank you for your assistance,

LB/mel

- C: The Honorable Carlos Gimenez, Mayor
- Jennifer Glazer-Moon, OSBM Director
- Charles Anderson, Commission Auditor
- Robert A. Cuevas, County Attorney
- Vivian Gonzalez-Cao, OSBM, Business Analyst
- Miriam Rivero, Support Staff Office Manager

RECEIVED
Clerk for
11B2
9
11/03/2011



MEMORANDUM

OFFICE OF COMMISSIONER LYNDA BELL

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, DISTRICT 8

Downtown Office

111 NW 1st Street, Suite 220

Miami, FL 33128

Ph: (305) 375-5218 Fax (305) 372-6073

District Office

14707 S. Dixie Hwy., Suite 101

Palmetto Bay, FL 33176

Ph: (305) 378-6677 Fax (305) 253-7495

Date: November 3, 2011

To: Christopher Agrippa, Division Chief
Clerk of the Board

From: Commissioner Lynda Bell *Lynda Bell*
Miami-Dade County Board of County Commissioners, District 8

Re: Allocation from District 8 Office Budget (Family Movie Night)

I would like to make a retroactive allocation from my District 8 office budget of 289.75 for the Family Movie Night Event on October 21, 2011.

If you have any questions, please contact my Chief of Staff, Eddie Borrego, at (305)375-5218.

Thank you for your assistance,

LB/mel

C: The Honorable Carlos Gimenez, Mayor
Jennifer Glazer-Moon, OSBM Director
Charles Anderson, Commission Auditor
Robert A. Cuevas, County Attorney
Vivian Gonzalez-Cao, OSBM, Business Analyst
Miriam Rivero, Support Staff Office Manager

RECEIVED
Clerk for the

1162

9
11/03/2011



MEMORANDUM

OFFICE OF COMMISSIONER LYNDA BELL

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, DISTRICT 8

Downtown Office

111 NW 1st Street, Suite 220

Miami, FL 33128

Ph: (305) 375-5218 Fax (305) 372-6073

District Office

14707 S. Dixie Hwy., Suite 101

Palmetto Bay, FL 33176

Ph: (305) 378-6677 Fax (305) 253-7495

Date: November 3, 2011

To: Christopher Agrippa, Division Chief
Clerk of the Board

From: Commissioner Lynda Bell *Lynda Bell*
Miami-Dade County Board of County Commissioners, District 8

Re: Allocation from District 8 Office Budget Halloween Track or Treat

I would like to make a retroactive allocation from my District 8 office budget of up to \$250.00 for the Halloween Track or Treat event at Cutler Ridge Park that took place on October 29, 2011.

If you have any questions, please contact my Chief of Staff, Eddie Borrego, at (305)375-5218.

Thank you for your assistance,

LB/mel

C: The Honorable Carlos Gimenez, Mayor
Jennifer Glazer-Moon, OSBM Director
Charles Anderson, Commission Auditor
Robert A. Cuevas, County Attorney
Vivian Gonzalez-Cao, OSBM, Business Analyst
Miriam Rivero, Support Staff Office Manager

Lynda Bell
Clerk of the Board

Date 11/03
Page 9
Month 11/03/2011



11B3

Memorandum

Commissioner Dennis C. Moss
District 9

Stephen P. Clark Center ♦ 111 NW 1st Street, Suite 320 ♦ Miami, Florida ♦ 33128
Telephone: 305.375.4832 ♦ Facsimile: 305.372.6011 ♦ E-mail: District9@miamidade.gov

Date: November 3, 2011

To: Christopher Agrippa, Clerk of the Board
Vivian Gonzalez-Cao, Budget Analyst

From: Commissioner Dennis C. Moss, District 9
Miami-Dade County Board of County Commissioners

Re: Allocation - November 3rd, 2011 BCC

A) I would like to rescind the following allocations made on September 22nd, 2011 from my FY 10-11 office funds;

1 \$ 2,000.00 KINAD, Inc., for program support

Total \$ 2,000.00

11B3

B) I would like to allocate from my FY 08-09 Discretionary Reserve Funds to the following organizations;

1 \$ 2,000.00 KINAD Inc., for program support

2 \$ 500.00 CHI for their breast cancer walk

3 \$ 1,365.00 Ms. Gooze Inc. for program support

Total \$ 3,865.00

C) And finally, I would allocate \$1,600.00 from my FY11-12 office funds to "La Prensa del Sur" for the 31st Annual Celebration of the "The Hispanic Heritage Constitution"

11B4

RECEIVED
Clerk of the Board

11B3 + 11B4
10
11/03/2011

11B5

11/3/11

~~DBP~~

JOSEFA CARMINO KEANEY FOUNDATION

Kidney

JON

\$ 250 =

From Office Funds

DANA TRUST

Comm. Dist. 10

11B5

11/03/2011

15C1



CLERK OF THE BOARD

2011 NOV -4 AM 10:45

CLERK, CIRCUIT & COUNTY CT.
MIAMI-DADE COUNTY, FLA.

BOARD OF COUNTY COMMISSIONERS ADVISORY BOARD APPOINTMENT FORM

PLEASE PRINT OR TYPE:

NAME OF BOARD:	Planning Advisory Board
DATE OF APPOINTMENT:	9/1/2011
APPOINTEE'S FULL NAME:	Daniel Kaplan
APPOINTEE'S ADDRESS:	20900 NE 30 AVE STE. 600 AVENTURA, FL 33180
APPOINTEE'S HOME NUMBER:	()-
APPOINTEE'S BUSINESS PHONE:	(305)-930 1314
APPOINTEE'S FAX NUMBER:	()-
APPOINTEE'S E-MAIL ADDRESS:	
APPOINTEE'S RESUME ATTACHED:	YES _____ NO <input checked="" type="checkbox"/>
	TO BE SUBMITTED _____ RE-APPOINTMENT <input checked="" type="checkbox"/>

PLEASE SIGN AND RETURN THIS FORM TO THE CLERK OF THE BOARD

COMMISSIONERS SIGNATURE:	
DISTRICT NUMBER:	11

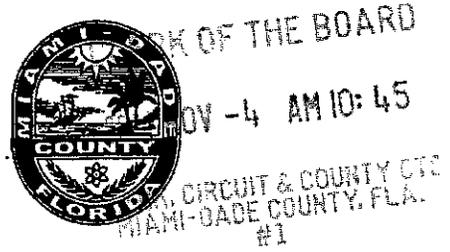
RECEIVED
NOV 3 2011

WHITE COPY TO CLERK OF THE BOARD / YELLOW COPY FOR YOUR RECORDS

15C1
12

11/03/2011

1502

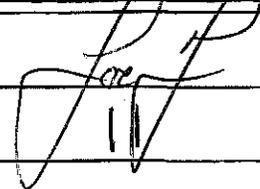


BOARD OF COUNTY COMMISSIONERS ADVISORY BOARD APPOINTMENT FORM

PLEASE PRINT OR TYPE:

NAME OF BOARD:	community council 11 sub area 11b
DATE OF APPOINTMENT:	NOV 3, 2011
APPOINTEE'S FULL NAME:	Ileana Petisco
APPOINTEE'S ADDRESS:	14590 SW 179 Ave miami, FL
APPOINTEE'S HOME NUMBER:	(305)-600 6090
APPOINTEE'S BUSINESS PHONE:	()-
APPOINTEE'S FAX NUMBER:	()-
APPOINTEE'S E-MAIL ADDRESS:	ILEPETISCO@aol.com
APPOINTEE'S RESUME ATTACHED:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
TO BE SUBMITTED _____ RE-APPOINTMENT _____	

PLEASE SIGN AND RETURN THIS FORM TO THE CLERK OF THE BOARD

COMMISSIONERS SIGNATURE:	
DISTRICT NUMBER:	11

By the Clerk of the Board
 Item 1502
 Room 13
 Meeting 11/03/2011

Ileana Petisco, RN
14590 SW 179 Ave.
Miami, FL
ilepetisco@aol.com
Cell# (305)600-6090

Education

2009 – 2010 University of Miami Coral Gables, FL
Bachelor of Science in Nursing

2001 – 2007 Florida International University Miami, FL
Bachelor of Arts in Sociology and Anthropology

1996 – 2001 Miami-Dade Community College Miami, FL
Associate in Arts Degree

1992 Hialeah High School Hialeah, FL
High School Diploma, Graduated with High Honors

Honors/Awards

Member of Sigma Theta Tau, International Nursing Honor Society

Professional Experience

8/2010 – present University of Miami Miami, FL
Title: Compliance Officer

- Conducts regular audit visits of human subject research protocols to ensure compliance with regulatory standards.
- Advises appropriate institutional officials of deficiencies found at audit visits and recommends necessary actions, with follow up to ensure that needed corrective and preventive actions have been taken.
- Prepares reports of investigations/inquiries for internal and/or external use.
- Prepares and presents educational programs to groups and individuals in the university research communities on appropriate research conduct and regulations compliance.
- Monitors new legislation or changes in regulations that might affect the University's compliance in conducting research, recommending changes to administrative policies and procedures, as appropriate.
- Interacts with appropriate persons/agencies to resolve research-related compliance problems.
- Investigates and/or conducts inquiries of laboratories and research protocols.
- Creates and maintains print and web-based policy procedures manuals intended to assist University researchers in maintaining compliance with research standards and guidelines; updates as regulations change.
- Prepares annual reports of activities, summarizing efforts taken and changes to be implemented at both University and departmental levels.

2/2004 – 5/2009 Miami VA Hospital Miami, FL
Title: Clinical Research Coordinator

Duties:

- Initiated submission of regulatory documents to VA-IRB and R&D Committee and sponsor.
- Screened patients to determine study eligibility by reviewing patient medical information.

- Interviewed study subjects and took down their medical histories.
- Accessed patient medical information while maintaining patient confidentiality.
- Provided education regarding study activities to patient, relatives and Medical Center staff as necessary per protocol.
- Obtained informed consent from research subjects and insured patient was appropriately informed of the consent process.
- Educated patients and study staff in the appropriate use of study medication, including storage and possible side effects.
- Notified the PI of any adverse drug reactions for reporting to the IRB and completed Adverse Event forms and other pertinent study documentation.
- Demonstrated proficiency with VISTA/CPRS (computerized patient records system) by scheduling subjects, documenting clinical and research progress notes, initiating study orders and study consults.
- Reported program findings and statistical data at a local and national level.
- Ensured research protocols, procedures and proper study compliance was achieved and maintained.

4/2002 – 9/2004

University of Michigan

Ann Arbor, MI

Title: Research Study Field Supervisor

Duties:

- Supervised and coordinated a research team in a study funded by the National Institute of Mental Health and carried out by The University of Michigan, which focused on mental health conditions within the US Asian and Latino populations.
- Worked closely with research staff in order to effectively recruit and follow-up with study participants.
- Observed and evaluated cases within my region and made study recommendations according to study guidelines.
- Monitored sites' protocol adherence and ensured regulatory compliance.
- Provided general troubleshooting and on going training to my staff and documented their progress.
- Responsible for keeping accurate records of confidential data gathered, made sure informed consents were completed and study guidelines were being followed.
- Conducted quality control within my specific region.
- Served as liaison within my assigned region.
- Attended research study trainings, met with national supervisors and principal investigators and presented regional study findings and general reports at senior staff meetings.

4/2003 – 8/2003

Battelle Research Corp

St. Louis, MO

Title: Clinical Research Field Supervisor

Duties:

- Managed the daily operation, including patient screening, proper study explanation and completion of informed consent, baseline interviewing, scheduling and follow-up, of a pilot study funded by The National Eye Institute, The University of Miami and The Bascom Palmer Eye Institute.
- Provided initial, as well as ongoing staff training.
- Evaluated research staff and provided technical support.
- Maintained study documentation and records.
- Ensured study compliance and project protocols were properly adhered to.
- Responsible for internal QA/QC of all study data.

1/2003 – 1/2004

Westat Research Corp.

Rockville, MD

Title: Research Study Field Supervisor

Duties:

- Supervised the daily operation of field interviewers and the overall regional production performance in New York and Florida.
- Traveled to the different cities and boroughs within my areas to provide initial and ongoing study training, offer technical support, evaluate staff, and carry out general guidance as necessary within my region.
- Worked closely with study staff and supervisors to set research goals and ensure study guidelines were being followed.
- Completed study reports and presented them at national staff meetings.

9/1994 – 6/1996

Florida State University

Tallahassee, FL

Title: Research Study Team Leader

Duties:

- Recruited, screened, interviewed and followed up with patient/participants for a clinical trials study on women's health in the Miami Area.
- Conducted education on HIV risk and prevention.
- Responsible for maintaining good rapport with subjects, and community representatives, which provided participant's private health information.
- Reviewed health records and other pertinent information in order to complete study instruments.
- Successfully completed and maintained participant informed consents and other confidential documentation.
- Reported and disseminated study findings and outcomes to my supervisor and the study's principal investigator.

Community Work

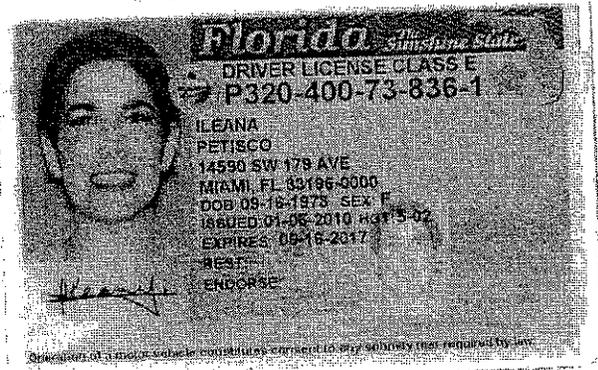
- Volunteered for 3 years at the Children's Home Society of Florida located at 800 NW 15 St. in Miami
- Neighborhood watch and community organizer for the Alexandria Community within Lakes of the Meadows
- 2004 Presidential Campaign poll worker volunteer at precinct 757

Other Qualifications and Skills

- Medication Errors, HIV/AIDS, Domestic Violence and CPR certified.
- Proficient in all Windows 98, Windows 2000 and Windows XP and Vista applications.
- Extensive Knowledge of SPSS, Access, Excel, Microsoft Works and Word, PowerPoint, email software, as well as Internet and Intranet support systems.
- Bilingual, Fluent in English and Spanish.

References

- Daniel Robbin – Miami VA, VISN 8 Coordinator (305) 541-5864 ext.136
- Dr. Jeanne Segal, Nursing Supervisor/ Instructor (305) 298-9233



Voter ID Card
 Miami-Dade County, FL
 Tarjeta de identificación del elector
 Condado de Miami-Dade, FL
 Identifikasyon Kat Votà
 Konte Miami-Dade, FL

Issued
 Emitida
 Enprimà
09/30/04

01960846
PETISCO, ILEANA
14590 SW 179TH AVE
MIAMI FL 33196

X: *Ileana Petisco*
 Signature of voter / Firma del elector / Sinyat Votà

Registration No. Núm. de inscripción Núm. Enskripsyon	Identification Data Datos de identificación Ente. Identifikasyon	Precinct No. Núm. del recinto Núm. Biwo Vot
01960846	FH 09/16/73	790
Registration Date Fecha de inscripción Dat Enskripsyon	Party Affiliation Afilación partidista Parti Polítik	
05/06/97	REP	
Polling Place / Centro de votación / Lokal Biwo Vot		
SO RENDALL COMM CHURCH		
16650 SW 147 AVE		

Constance A. Kaplan
 Supervisor of Elections
 Supervisora de Elecciones/Sipavizè Eleksyon

You are eligible to vote for the representatives from the districts listed below. / Ud. es elegible para votar por los representantes de los distritos enumerados abajo. / W elijib pou w vote pou reprezantan ki nan distri ki eleri anba la yo.

Congress Congreso Kongrè	State Senate Senado Estatal Senad Estata	State House Cámara Estatal Lachamín Estata
025	034	120
County Commission Comisión del Condado Komisyon Konte	School Board Junta escolar Asamble Edifikasyon	Community Council Consejo comunitario Konsay Kominote
09	07	011
Municipal / Municipal / Minisipal UN		



1503

Clerk of the Board
111 NW First Street, Suite #17-202 | Miami, Florida 33128
Telephone: 305-375-5127
Fax: 305-375-2484
E-mail: clerkbcc@miamidade.gov

CLERK OF THE BOARD

2011 NOV - 4 AM 10:45

COUNTY ADVISORY BOARD NOMINATION/APPOINTMENT FORM

Please Type or Print

PART I – NOMINATION	
Please complete and sign Part I of this form and submit to the Clerk of the Board. Submittal of this form will initiate a Florida criminal history check of the nominee as required by Ord. 09-95.	
NAME OF BOARD:	Miami-Dade Youth Commission
NOMINEE INFORMATION:	Check (✓) One: New appointment _____ Re-appointment <input checked="" type="checkbox"/> _____
DATE OF NOMINATION:	November 3rd, 2011
NOMINEE'S FULL NAME:	Daniela Salinas
ADDRESS: (City, State, Zip)	540 Brickell Key Drive, #1800 Miami, FL 33131
HOME PHONE: 305 808 7397	BUSINESS PHONE:
FAX:	CELLULAR PHONE:
E-MAIL ADDRESS:	
RESUME ATTACHED:	Yes _____ No <input checked="" type="checkbox"/> _____ To Be Submitted _____
COMMISSIONER SIGNATURE: 	DISTRICT NUMBER: 5
APPOINTMENT PROCESS (To Be Completed by the Clerk of the Board) Individual Appointment _____ *Individual Appointment Ratified by the BCC _____	
PART II – APPOINTMENT	
Please complete and sign Part II of this form following review of the Florida criminal history check and return to the Clerk of the Board for processing.	
I have reviewed the Florida criminal history check performed by the Office of Inspector General on the above noted nominee and request that the following action be taken:	
Check (✓) One: PROCEED WITH APPOINTMENT* _____ RECEIVED By the Clerk of the Board. WITHDRAW NOMINATION _____	
COMMISSIONER SIGNATURE:	Item <u>1503</u> Date <u>11/03/2011</u> Meeting <u>11/03/2011</u>
DATE OF APPOINTMENT:	

*Note: Appointments that require ratification by the BCC will be placed on the next available BCC agenda under County Advisory Board Appointments.

WHITE COPY TO THE CLERK OF THE BOARD / YELLOW COPY FOR YOUR RECORDS





CLERK OF THE BOARD

1504
Clerk of the Board
111 NW First Street, Suite #17-202 | Miami, Florida 33128
Telephone: 305-375-5127
Fax: 305-375-2484
E-mail: clerkbcc@miamidade.gov

2011 NOV -4 AM 10:45

COUNTY ADVISORY BOARD NOMINATION/APPOINTMENT FORM

#1 Please Type or Print

PART I - NOMINATION

Please complete and sign Part I of this form and submit to the Clerk of the Board. Submittal of this form will initiate a Florida criminal history check of the nominee as required by Ord. 09-95.

NAME OF BOARD:	Miami-Dade Youth Commission	
NOMINEE INFORMATION:	Check (✓) One: New appointment _____ Re-appointment <u>X</u> _____	
DATE OF NOMINATION:	November 3rd, 2011	
NOMINEE'S FULL NAME:	Arielle Derival	
ADDRESS: (City, State, Zip)	980 NW 180 Terrace Miami, FL 33169	
HOME PHONE:	786-368-3432	BUSINESS PHONE:
FAX:		CELLULAR PHONE:
E-MAIL ADDRESS:		
RESUME ATTACHED:	Yes _____ No <u>X</u> _____ To Be Submitted _____	
COMMISSIONER SIGNATURE:		DISTRICT NUMBER: 5

APPOINTMENT PROCESS

(To Be Completed by the Clerk of the Board)

Individual Appointment _____

*Individual Appointment Ratified by the BCC _____

PART II - APPOINTMENT

Please complete and sign Part II of this form following review of the Florida criminal history check and return to the Clerk of the Board for processing.

I have reviewed the Florida criminal history check performed by the Office of Inspector General on the above noted nominee and request that the following action be taken:

Check (✓) One: PROCEED WITH APPOINTMENT* _____
WITHDRAW NOMINATION _____

RECEIVED
By the Clerk for the record.

COMMISSIONER SIGNATURE:	
DATE OF APPOINTMENT:	Meeting <u>11/03/2011</u>

*Note: Appointments that require ratification by the BCC will be placed on the next available BCC agenda under County Advisory Board Appointments.

WHITE COPY TO THE CLERK OF THE BOARD / YELLOW COPY FOR YOUR RECORDS





1505

CLERK OF THE BOARD

2011 NOV -4 AM 10:44

CLERK, CIRCUIT & COUNTY SCS
MIAMI-DADE COUNTY, FLA.
#1

BOARD OF COUNTY COMMISSIONERS ADVISORY BOARD APPOINTMENT FORM

PLEASE PRINT OR TYPE:

NAME OF BOARD:	mami dade youth commission
DATE OF APPOINTMENT:	NOV 3, 2011
APPOINTEE'S FULL NAME:	Cynthia Larroque
APPOINTEE'S ADDRESS:	13304 NW 2 TERR MIAMI, FL 33182
APPOINTEE'S HOME NUMBER:	(305) - 480 2741
APPOINTEE'S BUSINESS PHONE:	(786) - 797 3710
APPOINTEE'S FAX NUMBER:	() -
APPOINTEE'S E-MAIL ADDRESS:	
APPOINTEE'S RESUME ATTACHED:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	TO BE SUBMITTED _____ RE-APPOINTMENT _____

PLEASE SIGN AND RETURN THIS FORM TO THE CLERK OF THE BOARD

COMMISSIONERS SIGNATURE:	
DISTRICT NUMBER:	#11

WHITE COPY TO CLERK OF THE BOARD / YELLOW COPY FOR YOUR RECORDS

1505
16
11/03/2011



"Delivering Excellence Every Day"

Miami-Dade County Youth Commission

Date: 09/16/2011

(For School Year 2011-2012)

Full Name: Cynthia Larroque

Date of Birth: 10/19/1995 Age: 15 Sex Female

Mailing Address: 13364 NW 2nd terrace Miami Florida
33182

Home Phone Number: (305) 480-2741 / Cell Phone Number: (786) 797-3710

E-mail Address: CynthiaL1019@hotmail.com

School: G. Holmes Braddock Grade: 10th

Counselor: Shelly Pawle Telephone: _____

Extra-curricular Activities (Athletic, School or Community Oriented, etc.) (Use back of page if necessary)

Cambridge Global Studies Liaison, Spanish Honor Society, Amnesty International Club, and Youth Against Domestic Violence non-profit organization.

High School Grade Point Average: 3.625 Spawle

I am interested in serving my community as a Youth Commission and, if selected, I will abide by all of the rules and regulations set forth by the Youth Commission, and the Miami-Dade Board of County Commission.

Student's Signature: [Signature] Date: 09/16/2011

I support and give permission to my son/daughter to serve as a Miami-Dade County Youth Commissioner and will assist him/her in this endeavor.

Parent/Guardian Name (Print): Violeta Larroque

Parent/Guardian Signature: [Signature]

Parent/Guardian Phone Numbers: (Home): (305) 480-2741 (Cell): (786) 488-2251

1506



CLERK OF THE BOARD

2011 NOV -4 AM 10:45

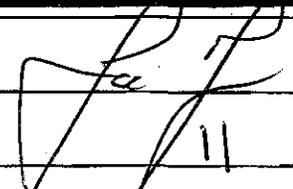
CLERK, CIRCUIT & COUNTY OF MIAMI-DADE COUNTY, FLA.

BOARD OF COUNTY COMMISSIONERS ADVISORY BOARD APPOINTMENT FORM

PLEASE PRINT OR TYPE: NON VOTING

NAME OF BOARD:	miami dade youth commission
DATE OF APPOINTMENT:	NOV 3, 2011
APPOINTEE'S FULL NAME:	Stephanie Pardiñas
APPOINTEE'S ADDRESS:	13425 SW 122 AVE miam, FL 33186
APPOINTEE'S HOME NUMBER:	(784)- 473 6954
APPOINTEE'S BUSINESS PHONE:	()-
APPOINTEE'S FAX NUMBER:	()-
APPOINTEE'S E-MAIL ADDRESS:	
APPOINTEE'S RESUME ATTACHED:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	TO BE SUBMITTED _____ RE-APPOINTMENT _____

PLEASE SIGN AND RETURN THIS FORM TO THE CLERK OF THE BOARD

COMMISSIONERS SIGNATURE:		RECEIVED By the Clerk for the record.
DISTRICT NUMBER:	11	

WHITE COPY TO CLERK OF THE BOARD / YELLOW COPY FOR YOUR RECORDS

Item: 1506
 Date: 11/03/2011

Resume:

Stephanie Belen Pardinias Liuzzi

G. Holmes Braddock Senior High School

Cambridge Global Studies Academy

Resume

Stephanie Belen Pardinaz Liuzzi

Date of Birth: January 16, 1996

Address: 13425 SW 122 AVE, Miami, FL 33186

School I.D: 8192601

School Information

G. Holmes Braddock Senior High School:

9th Grade (2010) 10th Grade (2011)

Magnet Program- Cambridge Global Studies Academy

Activities- Member of Clubs and Honor Societies (9th and 10th grade)

- Member of Cambridge Class Liaisons
- Member of Women of Tomorrow Scholarship Program
- Spanish National Honor Society (Officer Position: Treasurer)
- Science National Honor Society
- Math National Honor Society (Mu Alpha Theta)
- SECME Club
- Amnesty International
- Choreographed and performed in the Hispanic Heritage Luncheon
- Completed 192 Community Hours at Happy Memories Learning Center

Achievements- 5 on the AP Spanish Language Exam (9th Grade)

- Took AP World History (9th Grade)
- I am taking AICE Spanish (10th Grade)
- Honors classes throughout 9th and 10th grade.

Arvida Middle School:

6th – 8th Grade (2007 -2010)

Program- Advanced and Honor Classes

Activities- Hispanic Heritage (6th, 7th, and 8th grade)

Science Fair- 1st Place Winner (7th grade)

Dance- Performances and Choreographer of many dances and Captain of many as well (6th, 7th, 8th)

Office Aid- (8th grade)

Extra- Curricular Activities- Peace Day Assembly, Choreographer of dance, Presented a Speech against racism, violence, and drugs.

Achievements- Principal Honor Roll (6th, 7th, and 8th grade)

Was a member of the National Junior Honor Society (7th and 8th grade)

Awards- For receiving Principals Honor Roll throughout the whole year

Was awarded for having the highest GPA in the National Junior Honor Society

Received an award for having the highest grade in: Math, Civics, Spanish for Spanish Speakers 1(7th grade) Math, English, History, and Spanish for Spanish Speakers 2(8th grade)

Received diplomas from all my classes for showing great attitude and behavior in class and always having an "A".

Claude Pepper Elementary:

Pre-k – 5th Grade (2000-2007)

Program- EFL (Extended Foreign Language Magnet Program)

Activities- Debates, Poem Competitions, Dance and Chorus

Achievements- 1st Place Winner in Spanish Poem Competitions three years in a row

1st Place Winner in the Science Fair two years in a row

Excellence Certificate for the best representation of a lawyer and being the
winner of a case



1507

CLERK OF THE BOARD

2011 NOV -4 AM 10:45

CLERK, CIRCUIT & COUNTY OF
MIAMI-DADE COUNTY, FLA.
#1

BOARD OF COUNTY COMMISSIONERS ADVISORY BOARD APPOINTMENT FORM

PLEASE PRINT OR TYPE:

NAME OF BOARD:	Miami Dade Youth Commission
DATE OF APPOINTMENT:	NOV. 3, 2011
APPOINTEE'S FULL NAME:	Alexa Verite
APPOINTEE'S ADDRESS:	9930 SW 138 ST
APPOINTEE'S HOME NUMBER:	(305) - 772 4410
APPOINTEE'S BUSINESS PHONE:	(786) - 306 7143
APPOINTEE'S FAX NUMBER:	() -
APPOINTEE'S E-MAIL ADDRESS:	thejaguar9@hotmail.com
APPOINTEE'S RESUME ATTACHED:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
TO BE SUBMITTED _____ RE-APPOINTMENT _____	

PLEASE SIGN AND RETURN THIS FORM TO THE CLERK OF THE BOARD

COMMISSIONERS SIGNATURE:		By the Clerk for the Board
DISTRICT NUMBER:		

WHITE COPY TO CLERK OF THE BOARD / YELLOW COPY FOR YOUR RECORDS

1507
19
11/03/2011



"Delivering Excellence Every Day"

Miami-Dade County Youth Commission

Date: 10-15-11

(For School Year 2011-2012)

Full Name: Alexa Cecilia Verité

Date of Birth: 04-15-94 Age: 17 Sex Female

Mailing Address: 9930 sw 138 st

Home Phone Number: 305 772 4410 Cell Phone Number: 786 306 7143

E-mail Address: thejaguar9@hotmail.com

School: Archbishop Colman Carroll Grade: 12

Counselor: Telephone:

Extra-curricular Activities (Athletic, School or Community Oriented, etc.) (Use back of page if necessary)

Cancer Society Program, Art Club, Key Club, Homecoming Committee, journalism, Shake-a-leg, Middle-school: Academic olympics, Acting camp,

High School Grade Point Average: 3.0

I am interested in serving my community as a Youth Commission and, if selected, I will abide by all of the rules and regulations set forth by the Youth Commission, and the Miami-Dade Board of County Commission.

Student's Signature: Alexa Verité Date: 10-15-11

I support and give permission to my son/daughter to serve as a Miami-Dade County Youth Commissioner and will assist him/her in this endeavor.

Parent/Guardian Name (Print): Cecilia Urrego

Parent/Guardian Signature: C Urrego

Parent/Guardian Phone Numbers: (Home): (Cell): 305 772-4410 786 303-3132



15C8

CLERK OF THE BOARD

2011 NOV -4 AM 10:45

CLERK, CIRCUIT & COUNTY CLERK
MIAMI-DADE COUNTY, FLA.

BOARD OF COUNTY COMMISSIONERS ADVISORY BOARD APPOINTMENT FORM

PLEASE PRINT OR TYPE:

NAME OF BOARD:	Jonathan Burger
DATE OF APPOINTMENT:	2/15/11 - reappointed 11/3/11
APPOINTEE'S FULL NAME:	Juvenile Youth Commission
APPOINTEE'S ADDRESS:	820 Lakeview Drive Miami Beach, FL 33140
APPOINTEE'S HOME NUMBER:	(305)-865-3611
APPOINTEE'S BUSINESS PHONE:	()- N/A
APPOINTEE'S FAX NUMBER:	()- N/A
APPOINTEE'S E-MAIL ADDRESS:	jb22burger@yahoo.com
APPOINTEE'S RESUME ATTACHED:	YES _____ NO <input checked="" type="checkbox"/>
TO BE SUBMITTED _____ RE-APPOINTMENT <input checked="" type="checkbox"/>	

PLEASE SIGN AND RETURN THIS FORM TO THE CLERK OF THE BOARD

COMMISSIONERS SIGNATURE:	
DISTRICT NUMBER:	4

By the Clerk for the record.

Item 15C8
Meeting 11/03/2011

Clerk Copy

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County , Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE

APPOINTMENT TO FILL ONE (1) VACANCIES

Commissioners/Districts	Patricia L. Phares	Audrey Ordenes
Barbara J. Jordan (District 1)	X	
Jean Monestime (District 2)		X
Audrey Edmonson (District 3)		X
Sally A. Heyman (District 4)		X
Bruno A. Barreiro (District 5)		X
Rebecca Sosa (District 6)		X
Xavier L. Suarez (District 7)		X
Lynda Bell (District 8)		X
Dennis C. Moss (District 9)	X	
Sen. Javier D. Souto (District 10)		X
Joe A. Martinez (District 11)		X
Jose "Pepe" Diaz (District 12)		X
Esteban Bovo (District 13)	X	
Results	3	10

RECEIVED
By the Clerk for the record.

Item 15D1
Exhibit 21
Meeting 11/03/2011

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input checked="" type="checkbox"/>
Audrey Ordenes	<input type="checkbox"/>

Commissioner

Barbara J. Gordon

(Please sign ballot)

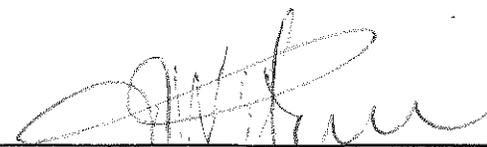
Commission District Number

1

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner 
(Please sign ballot)

Commission District Number 2

HARVEY RUBIN
Clerk of the Circuit and County Courts,
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

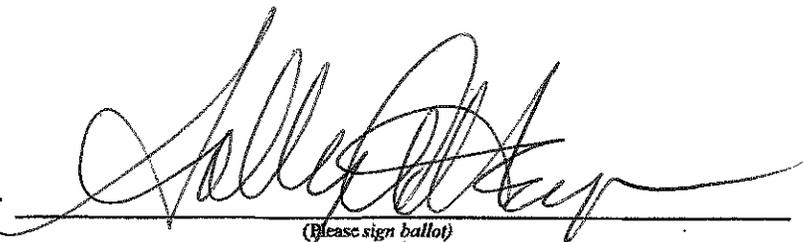
LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner *Audrey Ordenes*
(Please sign ballot)
Commission District Number 3

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner 
(Please sign ballot)
Commission District Number 4

HARVEY RUSIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner _____



(Please sign ballot)

Commission District Number _____

X 5

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner 
(Please sign ballot)

Commission District Number 76

HARVEY RUVIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-8126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner _____



(Please sign ballot)

Commission District Number _____

7

HARRY ROVIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 37-202
Miami, FL 33128
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input checked="" type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner _____ *Linda Beel* _____
(Please sign ballot)
Commission District Number _____ *8* _____

HARVEY RUBIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input checked="" type="checkbox"/>
Audrey Ordenes	<input type="checkbox"/>

Commissioner Dem C. Mas
(Please sign ballot)

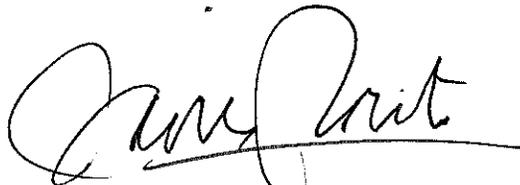
Commission District Number 9

HARVEY RUAIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>



Commissioner _____

(Please sign ballot)

Commission District Number _____

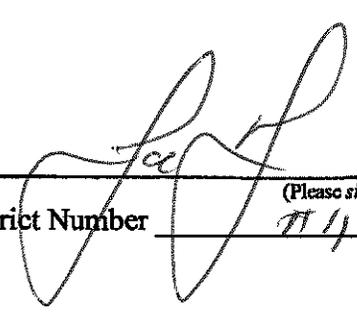
HARVEY ROVIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner _____



(Please sign ballot)

Commission District Number _____

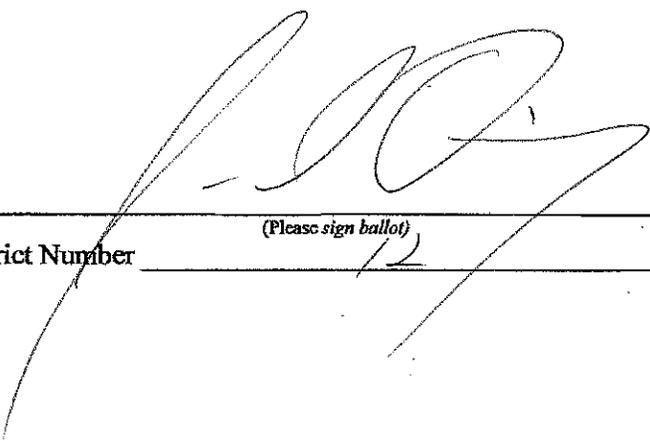
111

HARVEY RUBIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33126
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input type="checkbox"/>
Audrey Ordenes	<input checked="" type="checkbox"/>

Commissioner  Jose Pepe Diaz
(Please sign ballot)
Commission District Number 12

HARVEY RUBIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-5126

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

LAND ACQUISITION SELECTION COMMITTEE	
Patricia L. Phares	<input checked="" type="checkbox"/>
Audrey Ordenes	<input type="checkbox"/>

Commissioner _____ *[Signature]* BOVO
(Please sign ballot)
Commission District Number 13

HARVEY ROVIN
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
111 NW 1st Street, Suite 17-202
Miami, FL 33128
305-375-5126

*Clerk's
copy*

TALLY

ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

APPOINTMENT TO FILL ONE (1) VACANCY

Commissioners/Districts	William Riley (Incumbent)	George Lindemann
Barbara J. Jordan (District 1)	X	
Jean Monestime (District 2)	X	
Audrey Edmonson (District 3)	X	
Sally A. Heyman (District 4)	X	
Bruno A. Barreiro (District 5)		X
Rebecca Sosa (District 6)	X	
Xavier L. Suarez (District 7)		X
Lynda Bell (District 8)	X	
Dennis C. Moss (District 9)	X	
Sen. Javier D. Souto (District 10)	X	
Joe A. Martinez (District 11)	X	
Jose "Pepe" Diaz (District 12)	X	
Esteban Bovo (District 13)		X
Results	10	3

RECEIVED
By the Clerk for the record.

1502
22
11/23/2011

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner Barbara J. Jordan
(Please sign ballot)

Commission District Number 1

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner _____
(Please sign ballot)

Commission District Number _____

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner *Judrey Z. Emerson*
(Please sign ballot)

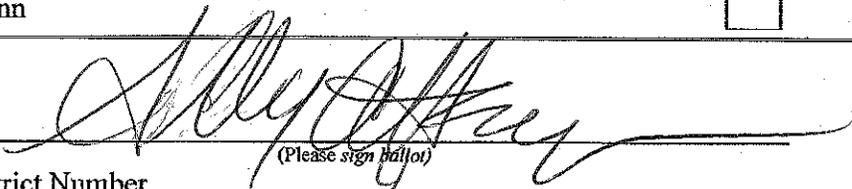
Commission District Number 3

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner 
(Please sign ballot)

Commission District Number _____

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input type="checkbox"/>
George Lindemann	<input checked="" type="checkbox"/>

Commissioner Bob Dorn
(Please sign ballot)
Commission District Number #5

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)

William Riley (Incumbent)

George Lindemann

Commissioner



(Please sign ballot)

Commission District Number

7

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner *Rebecca As*
(Please sign ballot)

Commission District Number 76

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner _____ Lynnda Boel
(Please sign ballot)

Commission District Number _____ 8

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner Dem C. Manz
(Please sign ballot)

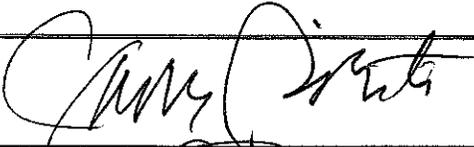
Commission District Number 9

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner 
Commission District Number 10 (Please sign ballot)

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner Joe F
(Please sign ballot)
Commission District Number 11

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input checked="" type="checkbox"/>
George Lindemann	<input type="checkbox"/>

Commissioner Jose Pepe Diaz
(Please sign ballot)

Commission District Number 12

COUNTY ADVISORY BOARD BALLOT
Miami-Dade County, Florida

November 3, 2011

PLANNING ADVISORY BOARD

Vote for One (1)	
William Riley (Incumbent)	<input type="checkbox"/>
George Lindemann	<input checked="" type="checkbox"/>

Commissioner _____ *Bovo*

(Please sign ballot)

Commission District Number 13