



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners
Special Meeting

August 23, 2012
10:00 A.M.
Commission Chamber

Research Division

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305-375-4354

Miami-Dade County Board of County Commissioners

Special Meeting Agenda

August 23, 2012

Item Number(s)

TBD- Agenda not available at time of printing.

2012 Charter Review Task Force Final Report Recommendations and Corresponding Proposals
Charter Amendment Alternate Resolutions

Acknowledgements:

Bia Marsellos, Senior Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: Charter Review Task Force

Item Numbers: *TBD- Agenda not available at time of printing.*

Date of Analysis: August 20, 2012

Summary

On March 8, 2012, the Board of County Commissioners (BCC) adopted R-253-12 creating the Charter Review Task Force (CRTF). *Pursuant to the resolution, the BCC intends to forward any item approved by at least 2/3 of the membership of the CRTF for placement on the ballot at the next available countywide election; and will consider and may place any written recommendations forwarded by a simple majority of the CRTF on the General Election ballot that the BCC deems to be in the best interest of the residents of Miami-Dade County.*

The 2012 Charter Review Task Force Final Report includes 16 recommendations regarding the Miami-Dade County Home Rule Charter. Only four (4) of the recommendations were approved by 2/3 of the membership of the task force and twelve (12) recommendations were approved by a simple majority. Additionally, the Final Report provides for dissenting and concurring opinions from three (3) CRTF members pertaining to recommendations 4, 5, 15 & 16.

The CRTF Final Report Recommendation No. 2, regarding Term Limits, does not have an accompanying resolution as it concurs with R-254-12 which was adopted by the BCC on March 8, 2012 prior to the creation of the CRTF.

Therefore, the remaining 15 CRTF recommendations had 15 proposed resolutions placed on the July 17, 2012 BCC Agenda which were subsequently deferred to the August 23, 2012 BCC Special Meeting. Additionally, there are nine (9) alternate items on the August 23, 2012 agenda.

The four (4) CRTF recommendations approved by 2/3 were the following:

- CRTF Issue No. 4- Incorporation;
- CRTF Issue No. 7- Salary for Commissioners;
- CRTF Issue No. 15- Conflicting Outside Employment; and
- CRTF Issue No. 16- Mayoral Conflict of Interest in Procurement.

The CRTF convened for the first meeting on April 19, 2012, and held a total of 14 meetings, including six (6) public hearings and one (1) sunshine meeting, concluding with their last meeting on June 26, 2012. *According to the minutes, although the Task Force consisted of 20 members, there was typically an average of 12 members present at meetings. Two (2) members had not been appointed for several weeks following the first meeting.*

Provisions for the Creation of a Charter Review Task Force

Pursuant to Section 9.08 of the Charter: *at least once in every five (5) year period, the BCC will review the Charter and determine whether or not there is a need for revision. If the BCC determines that a revision is needed, the BCC is required to establish a procedure for the preparation of a proposed revision of the Charter. If the BCC approves such proposed revision, either with or without modification, it will present such proposed revision to the electorate in accordance with the provisions of Section 9.07(C) and (D) of the Charter.*

Pursuant to Section 9.07 of the Charter, Charter amendments may be proposed utilizing two different methods:

1. A resolution adopted by the BCC, or
2. Initiatory petitions by electors numbering not less than 10 percent of the total number of electors registered in Miami-Dade County at the time the petition is submitted.

Currently, elections on Charter amendments, either proposed by the BCC or by initiatory petitions, will be scheduled in conjunction with the next scheduled countywide general election.

Previously, Sections 9.07 (B) and (C) provided that elections would be held within 60 to 120 days of the date a certified petition was presented to the BCC; or within 60 to 120 days after the BCC adopted a resolution proposing any amendment.

However, at the January 31, 2012 countywide special election, the electors of Miami-Dade County voted in favor (57.95%) of the Charter amendments increasing the time allowed to circulate initiatory petitions from 60 to 120 days and to provide that elections to amend the Charter either through initiatory petitions or by BCC action be held in conjunction with the next scheduled countywide general election.

Furthermore, as stated in Section 9.09 of the Charter, the amended Charter will become effective 60 days after it is ratified by a majority of the qualified electors of the county voting on the Charter.

Previous Charter Review Task Force

On April 24, 2007, through R-462-07, the BCC created a CRTF consisting of 21 members.

The 2007 Task Force convened for the first meeting on July 9, 2007, and held a total of 20 meetings, including four (4) public hearings, concluding with their last meeting on January 23, 2008. According to the minutes, although the Task Force consisted of 21 members there was typically an average of 14 members present at meetings.

The Final Report, *including the 18 Task Force recommendations*, was presented to the BCC on January 29, 2008.

Of the 18 Final Recommendations presented to the BCC in the Final report, eight (8) recommendations were addressed in the following manner listed below and the remaining items were presented on the November 3, 2011 BCC agenda.

- **#3 Property Appraiser becomes elected position;** Adopted by the voters in the 2008 Presidential Preference Primary Election;
- **#4 Commission Salary, Term and Outside Employment;** was on the 2008 General Election ballot and on the January 2012 Presidential Primary Election but was not approved by the voters on both occasions;
- **#5 & #6 recommended maintaining the current Charter structure, therefore no BCC action was necessary;**
- **#9 Initiative petitions and Elections for Charter Amendments;** Adopted by the voters in the January 2012 Presidential Primary Election;
- **#11 Public Hearing for Initiative Petitions;** Adopted by the voters in the 2008 General Election;
- **#14 Clerk, instead of BCC, approve as to form Petition;** Adopted by the voters in the 2008 General Election; and
- **#16 CDMP/UDB issue;** was Pre-empted by subsequent State legislation.

However, at the November 3, 2011 BCC meeting, 14 resolutions were deferred, 10 resolutions were withdrawn and the following two (2) resolutions were **adopted as amended** by the BCC.

Agenda Item/ File No.	Title	Sponsor	Final Action
11A14 Amended Version 112349	<u>Amended Version</u> 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 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 [SEE ORIGINAL ITEM UNDER FILE NO. 112108] <i>Amended to insert January 31, 2012 as the Countywide Special Election date.</i>	Commissioner Bovo	Adopted as Amended R-941-11 <i>On January 31, 2012, the electorate of Miami-Dade County voted to amend the Home Rule Charter, increasing the time allowed to circulate initiatory petitions from 60 to 120 days.</i> Yes-57.95% No-42.05%
11A34 Amended Version 112352	<u>Amended Version</u> 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 <i>Amended to do the following:</i> 1) to insert the following language on handwritten page 4, line 2 of the ballot question "...as 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 2) to insert the 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..."	Commissioners Sosa and Bell	Adopted as Amended R-942-11 <i>On January 31, 2012, the Miami-Dade County electorate voted <u>not</u> to amend the Home Rule Charter regarding the question pertaining to the salaries and terms in office for the County Commission.</i> Yes- 45.90% No- 54.10%

Recent Miami-Dade County Charter Amendment Elections			
Election	Charter Amendment Question	Total Ballots Cast	Percent
1/31/12	Initiative Petitions and Elections for Charter Amendments	Yes- 88,194 No- 63,995	Yes- 57.95% No- 42.05%
1/31/12	Commission Salaries, Service and Term Limits	Yes- 70,918 No- 83,601	Yes- 45.90% No- 54.10%
5/24/11	Commission Salaries, Service and Term Limits	Yes- 52,950 No- 129,554	Yes- 29.01% No- 70.99%
5/24/11	Prohibiting Lobbying by Elected County Officer after Leaving Office	Yes- 87,107 No- 87,036	Yes- 50.02% No- 49.98%
5/24/11	Creation, Appointment and Power of the Charter review Task Force	Yes- 69,903 No- 106,297	Yes- 39.67% No- 60.33%
5/24/11	Establishing Independent Inspector General	Yes- 84,675 No- 92,957	Yes- 47.67% No- 52.33%
5/24/11	Powers of County Commission, County Mayor and County Manager	Yes- 64,339 No- 111,343	Yes- 36.62% No- 63.38%
5/24/11	Regarding Petitions	Yes- 50,751 No- 124,321	Yes- 28.99% No- 71.01%
11/2/10	County Commissioner and Administrative Staff Communications	Yes- 253,115 No- 149,298	Yes- 62.90% No- 37.10%
8/24/10	Eliminating the Office of County Manager	Yes-108,522 No- 77,646	Yes- 58.29% No- 41.71%
8/24/10	Abolish Municipalities of Twenty or Fewer Electors	Yes-114,270 No- 65,056	Yes- 63.72% No- 36.28%
8/24/10	Relating to Franchises	Yes- 57,227 No- 114,567	Yes- 33.31% No- 66.69%

Prior Election Results Regarding Salary Amendments			
Election	Charter Amendment Question	Total Ballots Cast	Percent
1/31/12	Devote full-time service to the office of 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 formula, adjusted annually (currently approximately \$92, 097); and Serve no more than two consecutive four-year terms in office excluding all terms of service prior to 2012?	Yes- 70,918 No- 83,601	Yes- 45.90% No- 54.10%
5/24/11	Devote full-time service to the office of 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?	Yes- 52,950 No- 129,554	Yes- 29.01% No- 70.99%
11/4/08	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?	Yes- 336,273 No- 357,515	Yes- 48% No- 52%
9/5/06	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?	Yes- 65,150 No- 90,424	Yes- 42% No- 58%
8/31/04	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?	Yes- 125,634 No- 131,162	Yes- 49% No- 51%
9/10/02	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)?	Yes- 121,997 No- 147,891	Yes- 45% No- 55%
5/8/90	Shall the Charter be revised to – Increase Commission salaries to statutory amount for non-charter county commissioners (currently approximately \$51,600)?	Yes- 22,867 No- 82,214	Yes- 22% No- 78%
3/11/80	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?	Yes- 68,029 No- 113,171	Yes- 38% No- 62%
3/9/76	Shall the Charter be amended to provide annual salaries for the Mayor	Yes- 43,706	Yes- 17%

	and County Commissioners, in accordance with State Law instead of \$6,000 per year?	No- 206,693	No- 83%
3/14/72	A Full Time Strong Mayor with a minimum salary of \$40,000, a Full Time Vice-Mayor with a salary of \$12,000, a Chairman of the Board of County Commissioners with a salary of \$14,000 and Commissioners with a Salary of \$10,000.	Yes-66,998 No- 144,274	Yes- 32% No- 68%
11/7/67	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?	Yes-17,034 No- 46,248	Yes- 36% No- 64%
11/5/63	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.	Yes- 47,010 No- 76,645	Yes- 38% No- 62%
10/17/61	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?	Yes- 97,170 No- 105,097	Yes- 48% No- 52%

Chart compiled from information provided by the Elections Department and election results found on the Election Department website.

Prepared by: Bia Marsellos

2012 CRTF Final Recommendations and Corresponding Proposals

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION	2012 CRTF FINAL RECOMMENDATIONS	POSSIBLE BY ORDINANCE? ¹
10A1 121400	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO CLARIFY THE TITLES OF SUBSECTIONS, CORRECT AND UPDATE CROSS-REFERENCES BETWEEN PROVISIONS, AND DELETE REFERENCES TO OFFICES AND AGENCIES WHICH HAVE BEEN ABOLISHED	<u>TECHNICAL AMENDMENTS TO HOME RULE CHARTER</u> SHALL THE CHARTER BE AMENDED TO CLARIFY THE TITLES OF SUBSECTIONS, CORRECT AND UPDATE CROSS-REFERENCES BETWEEN PROVISIONS, AND DELETE REFERENCES TO OFFICES AND AGENCIES WHICH HAVE BEEN ABOLISHED?	Issue No. 1 – Technical Amendments That the Charter be amended to correct scrivener's errors and technical changes. (Motion Passed: 13-0)	No, recommendation requires change to Charter language.
R-254-12	<i>This resolution was adopted by the BCC on March 8, 2012 as Resolution R-254-12.</i> RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 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	<u>HOME RULE CHARTER AMENDMENT RELATING TO TERM LIMITS OF COUNTY COMMISSIONERS</u> SHALL THE CHARTER BE AMENDED TO PROVIDE THAT COUNTY COMMISSIONERS SHALL SERVE NO MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS IN OFFICE EXCLUDING TERMS OF SERVICE PRIOR TO 2012?	Issue No. 2- Term Limits That the Charter be amended to have term limits for County Commissioners of two consecutive four-year terms, commencing in November 2012, which concurs with Board Resolution No. R-254-12. (Motion Passed: 9-2)	No, recommendation requires change to Charter language.
10A2 121406	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 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 REQUIRE AN EXTRAORDINARY VOTE TO INCLUDE ADDITIONAL LAND WITHIN THE	<u>CHARTER AMENDMENT REQUIRING EXTRAORDINARY VOTE TO INCLUDE ADDITIONAL LAND WITHIN THE URBAN DEVELOPMENT BOUNDARY</u> SHALL THE CHARTER BE AMENDED TO REQUIRE A TWO-THIRDS VOTE OF COUNTY COMMISSIONERS THEN IN OFFICE TO INCLUDE ADDITIONAL LAND WITHIN THE URBAN DEVELOPMENT BOUNDARY	Issue No. 3 – Vote Requirement to Expand the Urban Development Boundary (UDB) That the Charter be amended to require a 2/3 vote of all Commissioners in office to expand the Urban Development Boundary. (Motion Passed: 11-0)	Yes, but already done. See Sec.2-116.1(3)(g) Miami-Dade County Code.

¹ CRTF Proposals by Ordinance Matrix Provided by the County Attorney's Office.

2012 CRTF Final Recommendations and Corresponding Proposals

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION	2012 CRTF FINAL RECOMMENDATIONS	POSSIBLE BY ORDINANCE? ¹
	URBAN DEVELOPMENT BOUNDARY	ESTABLISHED BY THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN?		
10A3 121409	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND HOME RULE CHARTER PROVISIONS PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES	<u>CHARTER AMENDMENT PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES</u> SHALL THE CHARTER BE AMENDED TO: • REQUIRE A SUPER MAJORITY, RATHER THAN A MAJORITY VOTE, AS ONE OF THE CONDITIONS FOR COUNTY COMMISSION APPROVAL OF CHANGES IN MUNICIPAL BOUNDARIES, • ESTABLISH ALTERNATIVE PROCEDURE FOR CREATION OF NEW MUNICIPALITIES IN UNINCORPORATED AREAS OF THE COUNTY BY PETITION WHICH CONSTRAINS OR LIMITS THE COUNTY COMMISSION'S ROLE AND ABILITY TO DISAPPROVE INCORPORATIONS, ELIMINATES PROVISIONS FOR PRE-AGREED CONDITIONS IN MUNICIPAL CHARTERS, AND IMPOSES RESTRICTIONS REGARDING URBAN DEVELOPMENT BOUNDARY?	Issue No. 4 – Incorporation That the Charter be amended to provide that changes in municipal boundaries require a 2/3 vote of the Board of County Commissioners; and that the Board no longer has the sole authority to create new municipalities and that Incorporation By Initiatory Petition, modeled after the initiatory petition for ordinances and Charter amendments be added to the Charter. (Motion Passed: 15-1) <i>Concurring Opinion of CRTF Member Don Slesnick provides several specific points relating to Issue #4 see pages 26-27 of the CRTF Final Report. "Clerk of Courts pointed out that the Supervisor of Elections would be the appropriate official to validate signatures contained in a petition. The Elections Dept. is the custodian of records used in the process not the Clerk's office."</i>	Partially, most provisions may be accomplished by ordinance but Charter requires Board to have ultimate control.
10A4 121391	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE CHARTER TO GRANT ADDITIONAL AUTHORITY FOR THE COMMISSION ON ETHICS TO ENFORCE THE CITIZENS' BILL OF RIGHTS	<u>CHARTER AMENDMENT REGARDING PENALTIES AND ENFORCEMENT OF CITIZENS' BILL OF RIGHTS</u> SHALL THE CHARTER BE AMENDED TO ELIMINATE THE PROVISION PROVIDING FOR FORFEITURE OF OFFICE IF A PUBLIC OFFICIAL OR EMPLOYEE WILLFULLY VIOLATES THE CITIZENS' BILL OF RIGHTS AND ALLOW, IN ADDITION TO SUIT IN CIRCUIT COURT, THE COMMISSION ON ETHICS AND PUBLIC TRUST TO ENFORCE THE CITIZENS' BILL OF RIGHTS WITH PENALTIES AUTHORIZED BY THE CODE EXCEPT WHERE SUCH VIOLATIONS PERTAIN	Issue No. 5 – Citizens' Bill of Rights That the Charter be amended so that, except in municipalities whose charters specifically provide that the Citizens' Bill of Rights shall be enforced in Circuit Court, the Commission on Ethics and the Public Trust may enforce the Citizens' Bill of Rights and impose any penalty authorized by the County Code. Penalties prohibited by a collective bargaining agreement may not be imposed. All citizens continue to have the ability to directly file suit in Circuit Court. (Motion Passed: 9-2) <i>Dissenting Opinions of CRTF Members Terry Murphy and Pamela Perry. See pages 28-29 of</i>	No, recommendation requires change to Charter language.

2012 CRTF Final Recommendations and Corresponding Proposals

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION	2012 CRTF FINAL RECOMMENDATIONS	POSSIBLE BY ORDINANCE? ¹
		TO MUNICIPALITIES WHOSE MUNICIPAL CHARTER PROVIDES FOR ENFORCEMENT OF THIS ARTICLE ONLY IN COURT?	<i>the CRTF Final Report. Murphy objected to an amendment that was approved in the closing minutes of the Final Meeting before quorum was lost. Encourages BCC to forward the original proposal to electorate. The amendment introduced an exception that would effectively deny the citizens within the boundaries of most cities access to the alternative remedy. Perry does not believe that persons residing in certain municipalities should be excluded from seeking enforcement in the Ethics Commission.</i>	
10A5 121403	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 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 THE MAYOR SHALL BE RESPONSIBLE FOR THE MANAGEMENT OF THE COUNTY'S INTERGOVERNMENTAL AFFAIRS FUNCTIONS AT THE FEDERAL, STATE, REGIONAL AND LOCAL LEVELS AND FOR CARRYING OUT THE POLICIES ADOPTED BY THE BOARD RELATED THERETO	<u>CHARTER AMENDMENT RELATING TO RESPONSIBILITY FOR COUNTY INTERGOVERNMENTAL AFFAIRS</u> SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE MAYOR SHALL BE RESPONSIBLE FOR THE MANAGEMENT OF THE COUNTY'S INTERGOVERNMENTAL AFFAIRS FUNCTIONS AT THE FEDERAL, STATE, REGIONAL AND LOCAL LEVELS AND FOR CARRYING OUT THE POLICIES ADOPTED BY THE BOARD RELATED THERETO?	Issue No. 6 – Responsibilities of the Mayor (Intergovernmental Affairs) That the Charter be amended to add responsibility for intergovernmental affairs to the Responsibilities of the Mayor. (Motion Passed: 11-0)	Yes.
10A6 121407	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND HOME RULE CHARTER PROVISIONS PERTAINING TO SALARIES OF COUNTY COMMISSIONERS	<u>CHARTER AMENDMENT PERTAINING TO SALARIES OF COUNTY COMMISSIONERS</u> SHALL THE CHARTER BE AMENDED TO PROVIDE THAT BEGINNING NOVEMBER 22, 2016, COUNTY COMMISSIONERS SHALL EACH RECEIVE AN ANNUAL SALARY EQUAL TO MEDIAN INCOME FOR FAMILIES WITHIN THE COUNTY IN ACCORDANCE WITH THE MOST RECENT ONE YEAR ESTIMATE AS CALCULATED AND ADJUSTED ANNUALLY BY THE U.S. CENSUS BUREAU (2010 MEDIAN	Issue No. 7 – Salary for Commissioners That the Charter be amended to set the salary for Commissioners at the median income in Miami-Dade County, computed annually, to commence November 22, 2016. (Motion Passed: 14-0)	No, recommendation requires change to Charter language.

2012 CRTF Final Recommendations and Corresponding Proposals

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION	2012 CRTF FINAL RECOMMENDATIONS	POSSIBLE BY ORDINANCE? ¹
		INCOME IS \$46,126.00), INSTEAD OF THEIR EXISTING \$6,000.00 ANNUAL SALARY?		
10A7 121404	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO REMOVE THE MAYORAL AUTHORITY TO VETO THE BOARD OF COUNTY COMMISSIONER'S RESOLUTION OF A COLLECTIVE BARGAINING AGREEMENT IMPASSE	<u>CHARTER AMENDMENT REMOVING MAYORAL AUTHORITY TO VETO ITEMS RESOLVING COLLECTIVE BARGAINING IMPASSES</u> SHALL THE CHARTER BE AMENDED TO REMOVE THE MAYORAL AUTHORITY TO VETO THE BOARD OF COUNTY COMMISSIONER'S RESOLUTION OF A COLLECTIVE BARGAINING AGREEMENT IMPASSE?	Issue No. 8 – Veto Power of the Mayor That the Charter be amended to add any item resolving collective bargaining agreement impasse to those items the Mayor does not have the authority to veto. (Motion Passed: 7-5)	No, recommendation requires change to Charter language.
10A8 121401	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO EXTEND THE TIME TO CONDUCT AN ELECTION TO FILL A MAYORAL OR COMMISSIONER VACANCY, TO PROVIDE A TIMEFRAME FOR QUALIFICATION AND ANY NECESSARY RUNOFF AND TO TEMPORARILY TRANSFER, DURING A MAYORAL VACANCY, CERTAIN MAYORAL POWERS	<u>CHARTER AMENDMENT RELATED TO OPTION FOR FILLING MAYORAL OR COUNTY COMMISSIONER VACANCY BY ELECTION</u> SHALL THE CHARTER BE AMENDED TO: * EXTEND THE TIME TO CONDUCT AN ELECTION TO FILL A MAYORAL OR COMMISSIONER VACANCY FROM 45 TO 90 DAYS FROM THE DECISION TO CALL SUCH ELECTION AND PROVIDE A TIMEFRAME FOR QUALIFICATION AND ANY NECESSARY RUNOFF; * TEMPORARILY TRANSFER, DURING A MAYORAL VACANCY, CERTAIN MAYORAL POWERS TO THE COMMISSION CHAIRPERSON, VICE CHAIRPERSON OR CLERK OF THE CIRCUIT COURT	Issue No. 9 – Mayoral Vacancy The Charter should be amended to increase to 90 days an election to fill a vacancy for Mayor or member of the Board with a 10 day qualification period, and that upon a vacancy in the Office of the Mayor, the powers vested in the Charter in the Office of the Mayor to head the County for emergency management purposes, to hire department directors, and to recommend waivers of competitive bidding shall be temporarily vested in the Chairperson of the County Commission as supplementary powers. If the Chair relinquishes such powers, they shall then be vested with the Vice-Chair. If the Vice-Chair relinquishes such powers, they shall then be vested in the Clerk of the Courts. If the Board calls an election to fill the vacancy in the Office of Mayor, the person exercising the powers of the Mayor cannot qualify as a candidate for that office. (Motion Passed: 12-0)	Partially, Board may delegate all non-Charter delegated authority to another person for the period of the vacancy.
10A9 121408	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE	<u>CHARTER AMENDMENT REGARDING COUNTY FRANCHISE FEE AND UTILITY TAX REVENUES</u>	Issue No. 10 – Franchise and Utility Taxes That the Charter be amended to require that upon annexation or incorporation of areas of the County, the franchise fees and utility taxes	Yes.

2012 CRTF Final Recommendations and Corresponding Proposals

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION	2012 CRTF FINAL RECOMMENDATIONS	POSSIBLE BY ORDINANCE? ¹
	ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER REGARDING COUNTY FRANCHISE FEE AND UTILITY TAX REVENUES	SHALL THE CHARTER BE AMENDED TO REQUIRE CERTAIN COUNTY FRANCHISE FEE AND UTILITY TAX REVENUES FROM AREAS SUBSEQUENTLY ANNEXED OR INCORPORATED INTO A MUNICIPALITY BE PAID TO THE MUNICIPALITY AND PROVIDE THAT ANY SUCH MUNICIPALITY SHALL HAVE THE EXCLUSIVE RIGHT TO NEGOTIATE A NEW ELECTRIC FRANCHISE WITHIN ITS MUNICIPAL BOUNDARIES WHEN THE CURRENT COUNTY ELECTRIC FRANCHISE AGREEMENT EXPIRES?	generated within those areas shall first be used to pay the areas' annual pro-rata share of debt service payments secured by those fees and taxes with the balance to the paid to the municipality for municipal purposes and to provide that upon the expiration of the electric franchise agreement currently in place, the newly created municipality or municipality that has annexed unincorporated areas shall have sole authority to negotiate and enter into a new electric franchise agreement. (Motion Passed: 11-0)	
10A10 121397	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER REGARDING PETITION AND RECALL PROCESS REFORM	<u>CHARTER AMENDMENT REGARDING PETITION AND RECALL PROCESS REFORM</u> SHALL THE CHARTER BE AMENDED TO: * ELIMINATE THE REQUIREMENT THAT CIRCULATORS OF AN INITIATIVE, REFERENDUM OR RECALL PETITION MUST ATTACH A SWORN AFFIDAVIT STATING THE NUMBER OF SIGNATURE AND THE FACT THAT EACH SIGNER WAS MADE IN THE PRESENCE OF THE CIRCULATOR OF THE PETITION; AND * REQUIRE THAT RECALL PETITIONS SHALL STATE THE CAUSE FOR RECALL IN NO MORE THAN 25 WORDS?	Issue No. 11– Petition Process That the Charter be amended to eliminate the notarization requirement on petition forms and to provide that a recall petition state the cause for recall. (Motion Passed: 8-3)	No, recommendation requires change to Charter language.
10A11 121395	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO INCREASE THE PERIOD OF TIME THAT THE BOARD MAY NOT AMEND OR REPEAL AN ORDINANCE ADOPTED BY THE ELECTORATE	<u>CHARTER AMENDMENT INCREASING TIME BOARD MAY NOT AMEND OR REPEAL ORDINANCE ADOPTED BY THE ELECTORATE</u> SHALL THE CHARTER BE AMENDED TO INCREASE THE PERIOD OF TIME THAT THE BOARD MAY NOT AMEND OR REPEAL AN ORDINANCE ADOPTED BY THE ELECTORATE THROUGH INITIATORY PROCEEDINGS FROM ONE YEAR TO THREE YEARS?	Issue No. 12 – Ordinances Adopted Via Initiative Process That the Charter be amended to extend from one year to three years the time during which an ordinance adopted via the initiative process shall not be amended or repealed. (Motion Passed: 11-0)	No, recommendation requires change to Charter language.

2012 CRTF Final Recommendations and Corresponding Proposals

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION	2012 CRTF FINAL RECOMMENDATIONS	POSSIBLE BY ORDINANCE? ¹
10A12 121405	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO TRANSFER CERTAIN POWERS AND FUNCTIONS OF THE PREVIOUSLY ABOLISHED OFFICE OF SHERIFF FROM THE MAYOR TO THE DIRECTOR OF THE MIAMI-DADE POLICE DEPARTMENT	<u>CHARTER AMENDMENT REGARDING THE POWERS AND FUNCTIONS OF THE OFFICE OF SHERIFF</u> SHALL THE CHARTER BE AMENDED TO TRANSFER CERTAIN POWERS AND FUNCTIONS OF THE PREVIOUSLY ABOLISHED OFFICE OF SHERIFF FROM THE MAYOR TO THE DIRECTOR OF THE MIAMI-DADE POLICE DEPARTMENT WHO CONTINUES TO BE MANAGED BY THE MAYOR, APPOINTED BY THE MAYOR SUBJECT TO DISAPPROVAL BY A TWO-THIRDS VOTE OF THE BOARD OF COUNTY COMMISSIONERS AND SUBJECT TO SUSPENSION, REPRIMAND, REMOVAL OR DISCHARGE BY THE MAYOR THE SAME AS ANY OTHER ADMINISTRATIVE DEPARTMENT DIRECTOR?	Issue No. 13 – Transfer of Functions of the Office of Sheriff That the Charter be amended to transfer the functions of the Office of Sheriff, excluding those functions which pertain to corrections and County jails, from the Mayor to the Director of Miami-Dade Police Department. (Motion Passed: 10-1)	No, recommendation requires change to Charter language.
10A13 121396	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO CREATE A CHARTER REVIEW TASK FORCE	<u>CHARTER AMENDMENT RELATING TO CHARTER REVIEW TASK FORCE</u> SHALL THE CHARTER BE AMENDED TO MANDATE CONVENING, COMMENCING JUNE 1, 2013, A CHARTER REVIEW TASK FORCE AT LEAST ONCE EVERY EIGHT YEARS TO RECOMMEND AMENDMENTS TO THE CHARTER AND TO REQUIRE RECOMMENDATIONS APPROVED BY A 2/3 MAJORITY OF THE TASK FORCE BE PLACED ON THE GENERAL ELECTION BALLOT FOR APPROVAL BY THE ELECTORATE?	Issue No. 14 – Charter Review Task Force That the Charter be amended to provide that a Charter Review Task Force shall meet every eight (8) years and recommend changes to the Charter for the General Election, with any recommendation approved by a 2/3 majority of the Task Force members being placed directly on the ballot by the Board. (Motion Passed: 12-0)	Partially, CRTF may be established by Ordinance but provision to place items directly on ballot requires Charter change.
10A14 121399	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROHIBIT	CHARTER AMENDMENT PROHIBITING COMMISSIONER RELATIONSHIPS WITH FIRMS DOING BUSINESS WITH THE COUNTY SHALL THE CHARTER BE AMENDED TO PROVIDE THAT, COMMENCING NOVEMBER 16, 2016: * ANY COMMISSIONER FOUND TO HAVE AN	Issue No. 15 – Conflicting Outside Employment That the Charter be amended to provide that Commissioners may not take, or hold office, if they are employed by any entity that does business with the County or any entity or agency controlled by the County; and that no entity may bid for or be awarded a County contract if a member of the Commissioners'	Partially, immediate family contracting prohibition may be done by Ordinance. Board member

2012 CRTF Final Recommendations and Corresponding Proposals

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION	2012 CRTF FINAL RECOMMENDATIONS	POSSIBLE BY ORDINANCE? ¹
	COMMISSIONER RELATIONSHIPS WITH FIRMS DOING BUSINESS WITH THE COUNTY	OWNERSHIP INTEREST IN, OR RECEIVE ANYTHING OF VALUE FROM EMPLOYMENT BY OR CONSULTING FOR ANY FIRMS DOING BUSINESS WITH THE COUNTY SHALL FORFEIT OFFICE; * NO FIRM WHOSE OWNER, DIRECTOR, BOARD MEMBER, OR CONSULTANT OR SUBCONTRACTOR IS AN IMMEDIATE FAMILY MEMBER OF A COMMISSIONER MAY BID OR BE AWARDED COUNTY CONTRACTS?	immediate family is an owner, director, board member, or consultant of the entity or a subcontractor of the entity or has any financial relationship with the entity or a subcontractor of the entity. (Motion Passed: 16-0) <i>Concurring Opinion of CRTF Member Pamela Perry respectfully submits that the Property Appraiser and Mayor should be included in this provision as well. See pages 29-30 of the CRTF Final report.</i>	forfeiture of office requires Charter change.
10A15 121398	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY: THE QUESTION OF WHETHER TO PROVIDE THAT THE MAYOR NOT PARTICIPATE IN COUNTY PROCUREMENTS WHEN THE MAYOR HAS A CONFLICT OF INTEREST	<u>CHARTER AMENDMENT REGARDING MAYORAL CONFLICTS IN COUNTY PROCUREMENT</u> SHALL THE CHARTER BE AMENDED TO PROVIDE THAT WHEN THE COUNTY MAYOR DECLARES A CONFLICT OF INTEREST IN A PARTICULAR PROCUREMENT OF A COUNTY CONTRACT, THE CLERK OF THE CIRCUIT COURT SHALL EXERCISE ALL AUTHORITY PROVIDED BY THE CHARTER OR THE COUNTY COMMISSION TO THE MAYOR WITH REGARD TO SUCH PROCUREMENT INCLUDING THE AUTHORITY TO RECOMMEND A BID WAIVER?	Issue No. 16 – Mayoral Conflict of Interest in Procurement That the Charter be amended to provide that in circumstances where the Mayor, in writing, informs the Clerk of the Courts that he or she has a conflict of interest in the solicitation, evaluation, award or recommendation of award of a contract, that the Clerk of the Courts, and not the Mayor, shall have all authority provided by the Board or Charter in those instances including the authority to recommend a bid waiver. (Motion Passed: 16-0) <i>Concurring Opinion of CRTF Member Don Slesnick provides several specific points relating to Issue #16 see pages 26-27 of the CRTF Final Report. “The Clerk’s strong disagreement with the proposal was not voiced to CRTF until the meeting after the vote was taken. Due to lack of time the CRTF did not move to reconsider the item.”</i>	Partially, delegated authority may be transferred by Ordinance in the case of conflict. Charter powers may not.

Charter Amendment Alternate Resolutions

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION
10A3 ALT 1 121486 Commissioner Bell	THE QUESTION OF WHETHER TO AMEND HOME RULE CHARTER PROVISIONS PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES	<u>CHARTER AMENDMENT PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES</u> SHALL THE CHARTER BE AMENDED TO: • >>REQUIRE THE COUNTY COMMISSION TO CONSIDER THE BENEFITS OF ANY PROPOSED ANNEXATION OF COMMERCIAL AREAS, WHEN APPROVING OR AUTHORIZING AN ANNEXATION<< [[REQUIRE A SUPER MAJORITY, RATHER THAN A MAJORITY VOTE, AS ONE OF THE CONDITIONS FOR COUNTY COMMISSION APPROVAL OF CHANGES IN MUNICIPAL BOUNDARIES,]] • ESTABLISH ALTERNATIVE PROCEDURE FOR CREATION OF NEW MUNICIPALITIES IN UNINCORPORATED AREAS OF THE COUNTY BY PETITION [[WHICH CONSTRAINS OR LIMITS THE COUNTY COMMISSION'S ROLE AND ABILITY TO DISAPPROVE INCORPORATIONS, ELIMINATES PROVISIONS FOR PRE-AGREED CONDITIONS IN MUNICIPAL CHARTERS, AND IMPOSES RESTRICTIONS REGARDING URBAN DEVELOPMENT BOUNDARY]] >>WHICH PROVIDES FOR CERTAIN CONDITIONS FOR CREATION OF NEW MUNICIPALITIES AND A SINGLE ELECTION TO APPROVE THE CREATION OF A NEW MUNICIPALITY AND APPROVE ITS CHARTER, INSTEAD OF TWO ELECTIONS FOR THESE PURPOSES<<
10A3 ALT 2 121473 Commissioner Heyman	THE QUESTION OF WHETHER TO AMEND HOME RULE CHARTER PROVISIONS PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES	<u>CHARTER AMENDMENT PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES</u> SHALL THE CHARTER BE AMENDED TO: • REQUIRE A SUPER MAJORITY, RATHER THAN A MAJORITY VOTE, AS ONE OF THE CONDITIONS FOR COUNTY COMMISSION APPROVAL OF CHANGES IN MUNICIPAL BOUNDARIES, • ESTABLISH ALTERNATIVE PROCEDURE FOR CREATION OF NEW MUNICIPALITIES IN UNINCORPORATED AREAS OF THE COUNTY BY PETITION WHICH CONSTRAINS OR LIMITS THE COUNTY COMMISSION'S ROLE AND ABILITY TO DISAPPROVE INCORPORATIONS, ELIMINATES PROVISIONS FOR PRE-AGREED CONDITIONS IN MUNICIPAL CHARTERS, AND IMPOSES RESTRICTIONS REGARDING URBAN DEVELOPMENT BOUNDARY?
10A3 ALT 3 121487 Commissioner Diaz	THE QUESTION OF WHETHER TO AMEND HOME RULE CHARTER PROVISIONS PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES	[[CHARTER AMENDMENT PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES SHALL THE CHARTER BE AMENDED TO: • REQUIRE A SUPER MAJORITY, RATHER THAN A MAJORITY VOTE, AS ONE OF THE CONDITIONS FOR COUNTY COMMISSION APPROVAL OF CHANGES IN MUNICIPAL BOUNDARIES, • ESTABLISH ALTERNATIVE PROCEDURE FOR CREATION OF NEW MUNICIPALITIES IN UNINCORPORATED AREAS OF THE COUNTY BY PETITION WHICH CONSTRAINS OR LIMITS THE COUNTY COMMISSION'S ROLE AND ABILITY TO DISAPPROVE INCORPORATIONS, ELIMINATES PROVISIONS FOR PRE-AGREED CONDITIONS IN MUNICIPAL CHARTERS, AND IMPOSES RESTRICTIONS REGARDING URBAN DEVELOPMENT BOUNDARY?]] <u>>> CHARTER AMENDMENT PROVIDING PROCEDURE FOR PLACING ALL REMAINING UNINCORPORATED AREAS OF THE COUNTY WITHIN CITIES</u> SHALL THE CHARTER BE AMENDED 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

Charter Amendment Alternate Resolutions

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION
		SUPERMAJORITY VOTE OF THE COUNTY COMMISSION, SHALL BE SUBMITTED TO THE ELECTORATE AT A GENERAL ELECTION IN 2016 FOR APPROVAL AND IF APPROVED, WILL EFFECTUATE THE ANNEXATIONS AND INCORPORATIONS IN SUCH PLAN?<<
10A4 ALT 121475 Commissioner Heyman	THE QUESTION OF WHETHER TO AMEND THE CHARTER TO GRANT ADDITIONAL AUTHORITY FOR THE COMMISSION ON ETHICS TO ENFORCE THE CITIZENS' BILL OF RIGHTS	<u>CHARTER AMENDMENT REGARDING PENALTIES AND ENFORCEMENT OF CITIZENS' BILL OF RIGHTS</u> SHALL THE CHARTER BE AMENDED TO ELIMINATE THE PROVISION PROVIDING FOR FORFEITURE OF OFFICE IF A PUBLIC OFFICIAL OR EMPLOYEE WILLFULLY VIOLATES THE CITIZENS' BILL OF RIGHTS AND ALLOW, IN ADDITION TO SUIT IN CIRCUIT COURT, THE COMMISSION ON ETHICS AND PUBLIC TRUST TO ENFORCE THE CITIZENS' BILL OF RIGHTS WITH PENALTIES AUTHORIZED BY THE CODE [[EXCEPT WHERE SUCH VIOLATIONS PERTAIN TO MUNICIPALITIES WHOSE MUNICIPAL CHARTER PROVIDES FOR ENFORCEMENT OF THIS ARTICLE ONLY IN COURT]] ?
10A8 ALT 1 121471 Commissioner Heyman	THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO EXTEND THE TIME TO CONDUCT AN ELECTION TO FILL A MAYORAL OR COMMISSIONER VACANCY, TO PROVIDE A TIMEFRAME FOR QUALIFICATION AND ANY NECESSARY RUNOFF AND TO TEMPORARILY TRANSFER, DURING A MAYORAL VACANCY, CERTAIN MAYORAL POWERS	<u>CHARTER AMENDMENT RELATED TO OPTION FOR FILLING MAYORAL OR COUNTY COMMISSIONER VACANCY BY ELECTION</u> SHALL THE CHARTER BE AMENDED TO: * EXTEND THE TIME TO CONDUCT AN ELECTION TO FILL A MAYORAL OR COMMISSIONER VACANCY FROM 45 TO 90 DAYS FROM THE DECISION TO CALL SUCH ELECTION AND PROVIDE A TIMEFRAME FOR QUALIFICATION AND ANY NECESSARY RUNOFF; * TEMPORARILY TRANSFER, DURING A MAYORAL VACANCY, CERTAIN MAYORAL POWERS TO THE COMMISSION CHAIRPERSON >>OR<< VICE CHAIRPERSON [[OR CLERK OF THE CIRCUIT COURT]]
10A8 ALT 2 121498 Commissioner Heyman	THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO EXTEND THE TIME TO CONDUCT AN ELECTION TO FILL A MAYORAL OR COMMISSIONER VACANCY, TO PROVIDE A TIMEFRAME FOR QUALIFICATION AND ANY NECESSARY RUNOFF AND TO TEMPORARILY TRANSFER, DURING A MAYORAL VACANCY, CERTAIN MAYORAL POWERS	<u>CHARTER AMENDMENT RELATED TO OPTION FOR FILLING MAYORAL OR COUNTY COMMISSIONER VACANCY BY ELECTION</u> SHALL THE CHARTER BE AMENDED TO: * EXTEND THE TIME TO CONDUCT AN ELECTION TO FILL A MAYORAL OR COMMISSIONER VACANCY FROM 45 TO 90 DAYS FROM THE DECISION TO CALL SUCH ELECTION AND PROVIDE A TIMEFRAME FOR QUALIFICATION AND ANY NECESSARY RUNOFF; * TEMPORARILY TRANSFER, DURING A MAYORAL VACANCY, CERTAIN MAYORAL POWERS TO THE COMMISSION CHAIRPERSON VICE CHAIRPERSON [[OR CLERK OF THE CIRCUIT COURT]] >>OR COMMISSIONER CHOSEN BY THE BOARD<<
10A13	THE QUESTION OF WHETHER TO	<u>CHARTER AMENDMENT</u>

Charter Amendment Alternate Resolutions

ITEM NO. FILE NO.	TITLE	BALLOT QUESTION
ALT 121476 Commissioner Heyman	AMEND THE HOME RULE CHARTER TO CREATE A CHARTER REVIEW TASK FORCE	<u>RELATING TO CHARTER REVIEW TASK FORCE</u> SHALL THE CHARTER BE AMENDED TO MANDATE CONVENING, COMMENCING JUNE 1, {{2013}} >>2015<<, A CHARTER REVIEW TASK FORCE AT LEAST ONCE EVERY EIGHT YEARS TO RECOMMEND AMENDMENTS TO THE CHARTER AND TO REQUIRE RECOMMENDATIONS APPROVED BY A 2/3 MAJORITY OF THE TASK FORCE BE PLACED ON THE GENERAL ELECTION BALLOT FOR APPROVAL BY THE ELECTORATE?
10A14 ALT 121483 Commissioner Bell	THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROHIBIT RELATIONSHIPS WITH FIRMS DOING BUSINESS WITH THE COUNTY	<u>CHARTER AMENDMENT PROHIBITING >>CERTAIN MUNICIPAL AND COUNTY OFFICIAL'S << {{COMMISSIONER}} RELATIONSHIPS WITH FIRMS DOING BUSINESS WITH {{THE}} COUNTY</u> SHALL THE CHARTER BE AMENDED TO PROVIDE THAT, COMMENCING NOVEMBER 16, 2016>> AND AS DEFINED BY ORDINANCE <<: • ANY >>COUNTY OR MUNICIPAL MAYOR, << COMMISSIONER >>OR PROPERTY APPRAISER<< FOUND TO HAVE {{AN}} >>A SIGNIFICANT<< OWNERSHIP INTEREST IN, OR {{RECEIVE ANYTHING OF VALUE FROM EMPLOYMENT BY OR CONSULTING}} >>IS EMPLOYED BY OR CONSULTS<< FOR ANY FIRM{{S}} DOING BUSINESS WITH {{THE COUNTY}}>>SUCH GOVERNMENT<< SHALL FORFEIT OFFICE; • NO FIRM {{WHOSE OWNER, DIRECTOR, BOARD MEMBER, OR CONSULTANT OR SUBCONTRACTOR IS}} >>HAVING CERTAIN RELATIONSHIPS WITH<< {{AN IMMEDIATE FAMILY MEMBER OF}} A >>COUNTY OR MUNICIPAL<< COMMISSIONER>>, MAYOR OR PROPERTY APPRAISER'S IMMEDIATE FAMILY<< MAY {{BID OR BE AWARDED}} >>SEEK OR OBTAIN<< {{COUNTY}}>>SUCH GOVERNMENT'S<< CONTRACTS?
10A15 ALT 121472 Commissioner Heyman	THE QUESTION OF WHETHER TO PROVIDE THAT THE MAYOR NOT PARTICIPATE IN COUNTY PROCUREMENTS WHEN THE MAYOR HAS A CONFLICT OF INTEREST	<u>CHARTER AMENDMENT REGARDING MAYORAL CONFLICTS IN COUNTY PROCUREMENT</u> SHALL THE CHARTER BE AMENDED TO PROVIDE THAT WHEN THE COUNTY MAYOR DECLARES A CONFLICT OF INTEREST IN A PARTICULAR PROCUREMENT OF A COUNTY CONTRACT, THE {{CLERK OF THE CIRCUIT COURT}} >>CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS<< SHALL EXERCISE ALL AUTHORITY PROVIDED BY THE CHARTER OR THE COUNTY COMMISSION TO THE MAYOR WITH REGARD TO SUCH PROCUREMENT INCLUDING THE AUTHORITY TO RECOMMEND A BID WAIVER?