

Miami-Dade County Charter Review Task Force Meeting
Monday, October 30, 2017
Miami-Dade County
Commission Chambers
111 NW 1st Street
6:00 p.m.
Agenda

- Reasonable Opportunity for the Public to be Heard
- 1st ISSUE FOR CONSIDERATION: ***Procurement***.

DISCUSSION AND VOTE: On whether the Charter should be amended as relates to the ***procurement*** process, and if so, what those amendments should be?

Task Force Member Ferré's proffered amendment (see attached).

- 2nd ISSUE FOR CONSIDERATION: Whether the Charter should be amended as it relates to the ***County's Urban Development Boundary*** and, if so, what those amendments should be?

PRESENTATION:

- Five to ten-minute presentation by the County Attorney's Office as to the current Charter provisions relating to the Urban Development Boundary.
- Five to ten-minute presentation by Jerry Bell, Assistant Director for Planning in the Department of Regulatory and Economic Resources, relating to the Urban Development Boundary (see attached).

DISCUSSION AND VOTE:

On whether any of the foregoing Charter provisions should be amended.

- 3rd ISSUE FOR CONSIDERATION: Report from the County Attorney's Office as to the current provisions for handling elections during emergencies.

- 4th ISSUE FOR CONSIDERATION: Report from staff on efforts to advertise public hearing meetings.
- Approval of the Clerk's Summary of Minutes for the September 25 and October 16 Charter Review Task Force Meetings.
- Adjournment
- Upcoming issue for consideration for November 13th CRTF meeting:
Whether the Charter should be amended as relates to the citizen petition process for referendum and for initiative to pass or repeal ordinances or to amend the Charter.

PROPOSAL TO CREATE INDEPENDENT DEPARTMENT OF PROCUREMENT MANAGEMENT

Recommendation: The Charter should be amended as set forth below to create an independent department of procurement management. The director of such department will be appointed by the Mayor subject to the approval of a majority of the Commission and may be disciplined or terminated by the Mayor of a majority of the Commission. In the event the Mayor disciplines or terminates the director of the department of procurement management, the Commission may overturn such decision by a 2/3 vote of those members in office at the next regularly scheduled meeting. The department shall be responsible for the solicitation of all contracts in excess of one million dollars or such other amount as set by the Commission. The Board may approve the director's recommendation to award contracts or reject all bids by majority vote, but, if the Board desires to take any other action, a two-thirds vote shall be required.. The director of the department of procurement management shall also recommend all waivers of the competitive process to the Commission.

PROPOSED AMENDMENTS TO THE CHARTER

SECTION 2.02. - RESPONSIBILITIES OF THE MAYOR.

The Mayor shall serve as head of the county government with the following specific powers and responsibilities:

A. The Mayor shall be responsible for the management of all administrative departments of the County government>>, except the Department of Procurement Management,<< and for carrying out policies adopted by the Commission. The Mayor, or such other persons who may be designated by the Mayor, shall execute contracts and other instruments, and sign bonds and other evidences of indebtedness. The Mayor shall serve as the head of the County for emergency management purposes.

B. The Mayor shall have the right to attend and be heard at any regular or special open session meeting of the Commission, but not the right to vote at such meetings.

C. Unless otherwise provided by this Charter, the Mayor shall have the power to appoint all department directors of the administrative departments of the County. Appointment of these department directors>>, except for the director of the department of procurement management,<< shall become effective unless disapproved by a two-thirds majority of those Commissioners then in office at the Commission's next regularly scheduled meeting. >>The appointment of the director of the department of procurement management shall become effective upon approval of a majority of those Commissioners then in office.<< The Mayor shall also have the right to suspend, reprimand, remove, or discharge any administrative department director, with or without cause. >>The Commission shall also have the right to suspend, reprimand, remove, or discharge the director of the department of procurement management by majority vote of those Commissioners then in office and may overturn any decision of the Mayor to suspend, reprimand, remove, or discharge the director of the department of procurement management by a two-thirds majority of those Commissioners then in office at the Commission's next regularly scheduled meeting.<<

D. The Mayor shall within ten days of final adoption by the Commission, have veto authority over any legislative, quasi-judicial, zoning, master plan or land use decision of the Commission, including the budget or any particular component contained therein which was approved by the Commission; provided, however, that (1) if any revenue item is vetoed, an expenditure item in the same or greater dollar amount must also be vetoed and (2) the Mayor may not veto the selection of the chairperson or vice-chairperson of the commission, the enactment of commission committee rules, the formation of commission committees, or the appointment of members to commission committees. The Commission may at its next regularly scheduled meeting after the veto occurs, override that veto by a two-thirds vote of the Commissioners present.

E. The Mayor shall prepare and deliver a report on the state of the county to the people of the county between November 1 and January 31 annually. Such report shall be prepared after consultation with the Commissioners.

F. The Mayor shall prepare and deliver a budgetary address annually to the people of the county in March. Such address shall set forth the Mayor's funding priorities for the County.

* * *

SECTION 5.01. - DEPARTMENTS.

There shall be departments of finance, personnel, planning, >>procurement management<< law, and such other departments as may be established by administrative order of the Mayor. All administrative functions not otherwise specifically assigned to others by this Charter shall be performed under the supervision of the Mayor.

* * *

SECTION 5.03. - FINANCIAL ADMINISTRATION.

A. The department of finance shall be headed by a finance director appointed by the Mayor and the Clerk of the Circuit and County Courts. The finance director shall have charge of the financial affairs of the county

B. Between June 1 and July 15, the County Mayor should prepare a proposed budget containing a complete financial plan, including capital and operating budgets, for the ensuing fiscal year. The budget prepared and recommended by the Mayor, shall be presented by the Mayor or his or her designee to the Commission on or before the Board adopts tentative millage rates for the ensuing fiscal year. A summary of the budget shall be published and the Board shall hold hearings on and adopt a budget on or before the dates required by law.

C. No money shall be drawn from the county treasury nor shall any obligation for the expenditure of money be incurred except pursuant to appropriation and except that the Board may establish working capital, revolving, pension, or trust funds and may provide that expenditures from such funds can be made

without specific appropriation. The Board, by ordinance, may transfer any unencumbered appropriation balance, or any portion thereof, from one department, fund, or agency to another, subject to the provisions of ordinance. Any portion of the earnings or balance of the several funds, other than sinking funds for obligations not yet retired, may be transferred to the general funds of the county by the Board.

~~[[D. Contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. Formal sealed bids shall be secured for all such contracts and purchases when the transaction involves more than the minimum amount established by the Board of County Commissioners by ordinance. The transaction shall be evidenced by written contract submitted and approved by the Board. The Board, upon written recommendation of the Mayor, may by resolution adopted by two thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the county. Notwithstanding any other provision of the Charter to the contrary, in circumstances where the Mayor informs the Chairperson of the Board of County Commissioners in writing that he or she has a conflict of interest in the solicitation, evaluation, award, or recommendation of award of a contract, the Chairperson of the Board of County Commissioners and not the Mayor shall have all authority provided by this Charter or the Board to solicit, evaluate, award or recommend the award of such contract including, but not limited to, the authority to recommend a bid waiver in writing.]]~~

E. Any county official or employee of the county who has a special financial interest, direct or indirect, in any action by the Board shall make known that interest and shall refrain from voting upon or otherwise participating in such transaction. Willful violation of this Section shall constitute malfeasance in office, shall effect forfeiture of office or position, and render the transaction voidable by the Board.

F. Such officers and employees of the county as the Board may designate shall give bond in the amount and with the surety prescribed by the Board. The bond premiums shall be paid by the county.

G. At the end of each fiscal year the Board shall provide for an audit by an independent certified public accountant designated by the Board of the accounts and finances of the county for the fiscal year just completed.

H. The Budget Commission created by Chapter 21874, Laws of Florida, 1943, is hereby abolished, and Chapter 21874 shall no longer be of any effect.

>>SECTION 5.03.01 – PROCUREMENT MANAGEMENT.

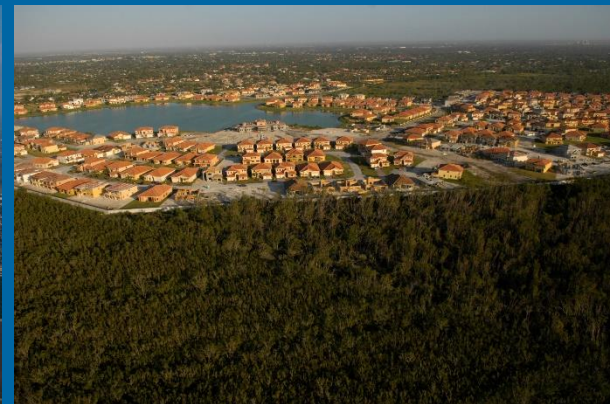
A. Contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. Formal sealed bids shall be secured for all such contracts and purchases when the transaction involves more than the minimum amount established by the Board by ordinance. The transaction shall be evidenced by written contract submitted and approved by the Board.

B. The department of procurement management shall be an independent administrative department under the direction of an appointed director. The department of procurement management shall be responsible for soliciting all contracts for public improvements and purchases of supplies, materials, and services, including professional, when the transaction involves more than one million dollars or such other minimum amount established by the Board by ordinance. The director of the department of procurement management shall recommend the award of competitively solicited contracts to the Board who may

approve such award or reject all proposals by a majority vote of those Board members present. A two-thirds vote of the Board members present shall be required to take any action other than rejection of all proposals or the recommended action of the director.

C. The Board, upon written recommendation of the director of the department of procurement management, may by resolution adopted by two-thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the county.

D. Notwithstanding any other provision of the Charter to the contrary, in circumstances where the director of the department of procurement management informs the Chairperson of the Board of County Commissioners in writing that he or she has a conflict of interest in the solicitation, evaluation, award, or recommendation of award of a contract, the Chairperson of the Board of County Commissioners and not the director of the department of procurement management shall have all authority provided by this Charter or the Board to solicit, evaluate, award or recommend the award of such contract including, but not limited to, the authority to recommend a bid waiver in writing.<<



Urban Development Boundary Overview

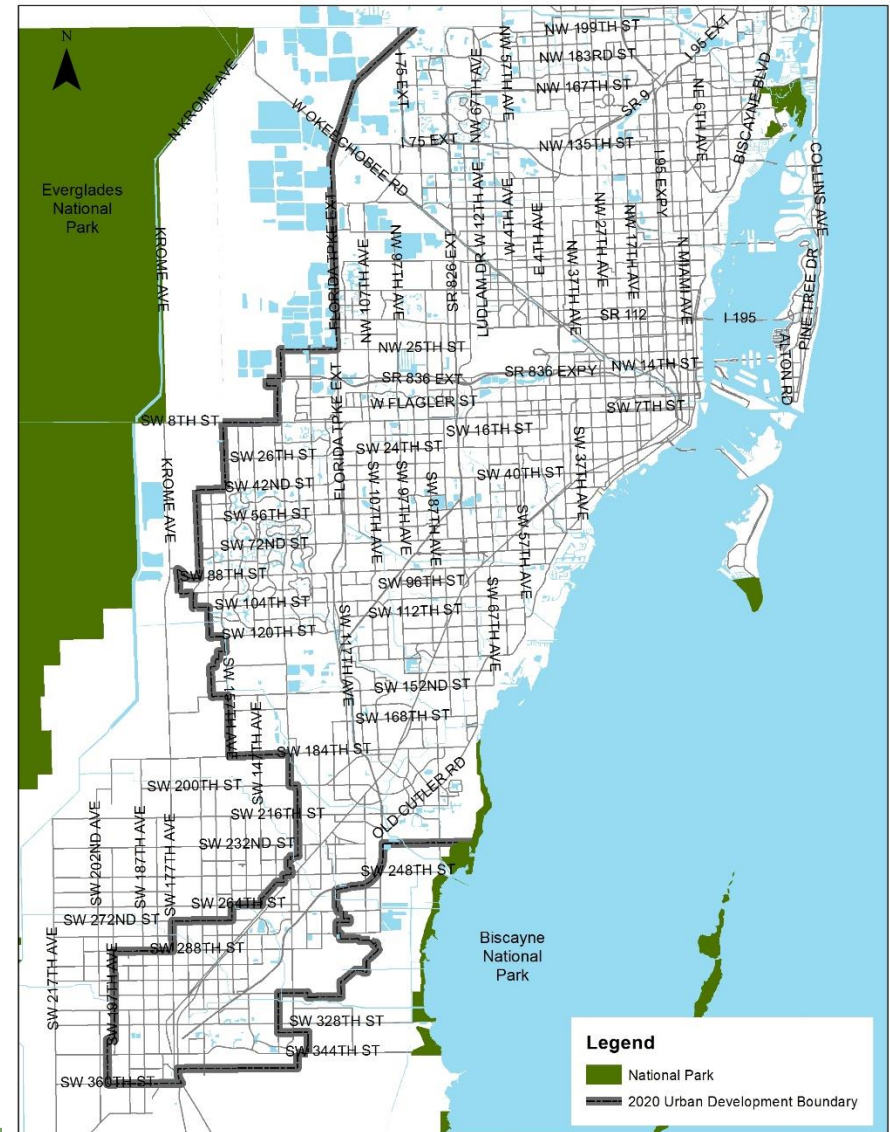
October 30, 2017

Jerry Bell, AICP
Assistant Director for Planning, RER



Urban Development Boundary (UDB)

- UDB separates the area where urban growth can occur from the area where it should not.
- UDB helps to protect agriculture, environmental land and areas designated for rockmining.
- BCC may authorize urban expansion if certain criteria are met (CDMP Policy LU-8H) and there is a demonstrated need for urban development beyond the UDB (CDMP Policy LU-8F).

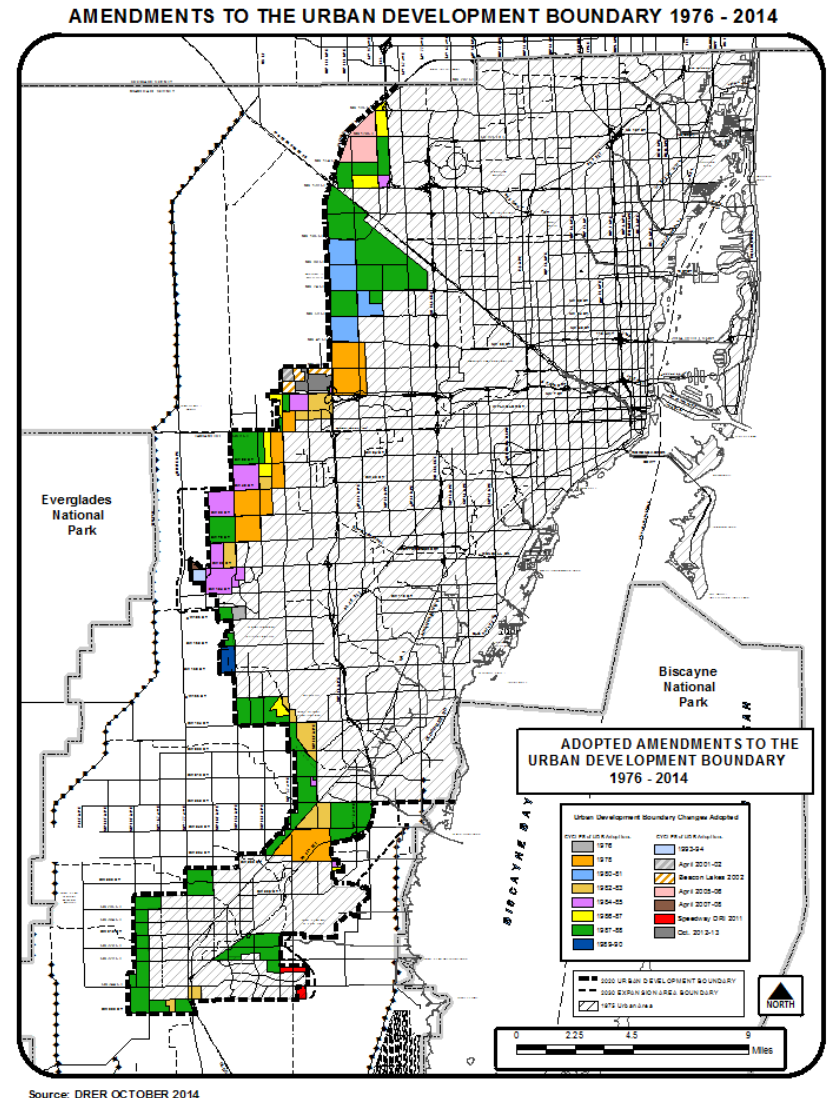


UDB Expansion Criteria

- **Policy LU-8F.** UDB should contain developable land to sustain countywide residential demand for 15-years beyond the EAR adoption. Land supply for commercial and industrial is assessed by Census geography based on the scale of the use.
- **Policy LU-8H.** Applications requesting expansion of the UDB must:
 - provide for non-residential needs of future residents;
 - have a min. density of ten (10) dwelling units per acre;
 - participate in the PDR/TDR programs;
 - have a min. intensity of 0.25 FAR;
 - provide buffering to adjacent agricultural lands;
 - promote bicycle and pedestrian accessibility;
 - not inhibit infill and redevelopment efforts within the UDB;
 - not leave intervening parcels outside of the UDB;
 - have a positive net fiscal impact to County.

UDB Amendments

- Applications to move the UDB are accepted every two years (May, odd numbered years)
- Supermajority (2/3) vote required
- May not create an enclave (surrounded >75% by land that is within the UDB)
- 3 UDB amendments approved in the last 10 years.

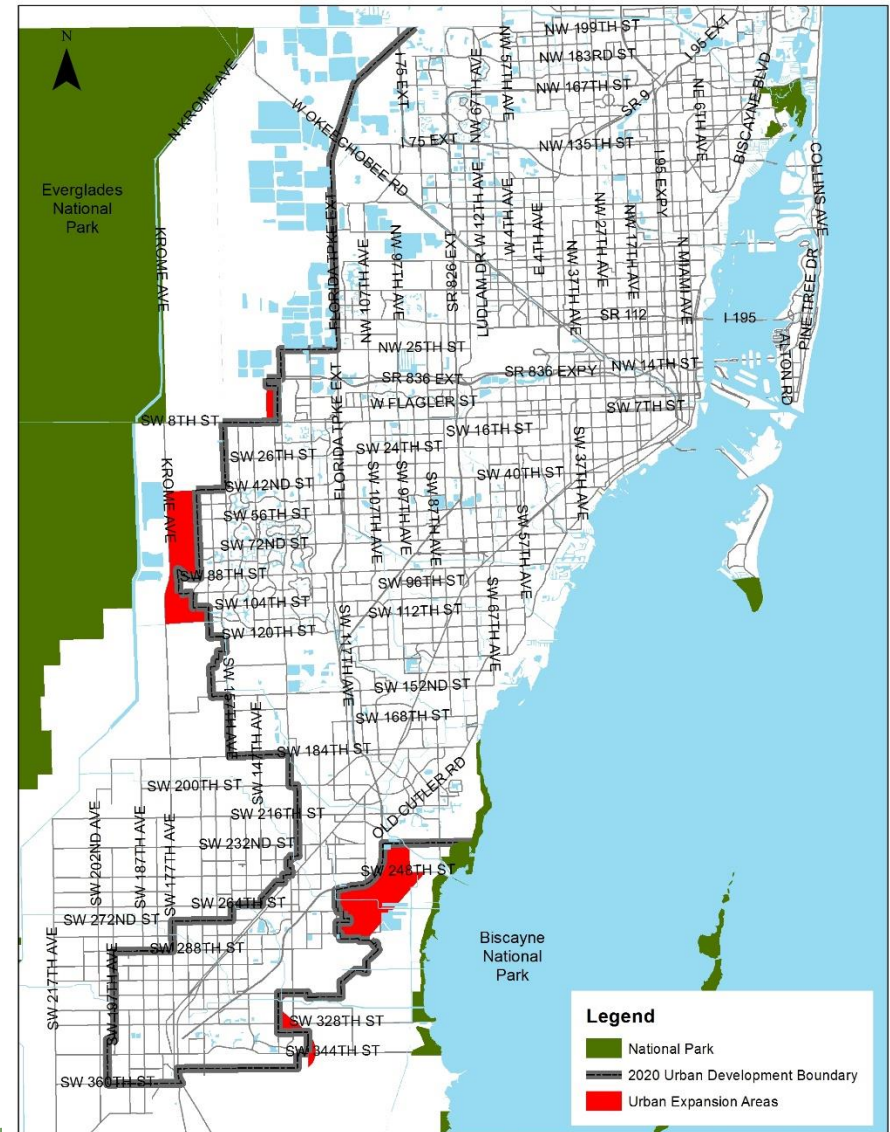


UDB Amendments

- In 2012, the supermajority vote requirement for UDB amendments was incorporated into the County's Home Rule Charter.
- Applications may be filed by any person/entity including the BCC.
- Amendment process takes approximately nine months to complete from application filing through BCC final action and includes up to 4 public hearings

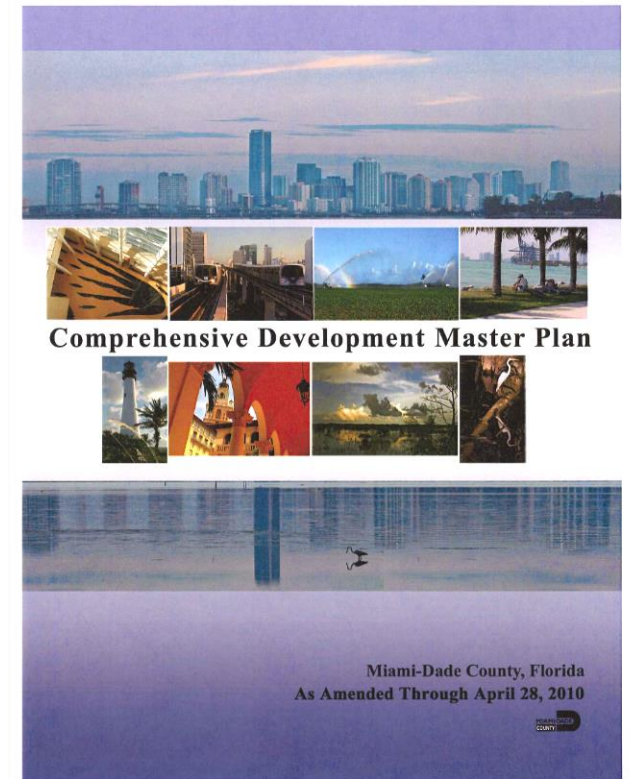
Urban Expansion Areas

- Currently four UEAs totaling $\pm 6,700$ acres.
- Land within the UEAs and contiguous to the UDB are given priority for inclusion (Policy LU-8G).
- The UEAs were first depicted in 1983 and have been modified only slightly since 1990.



UEA Task Force Overview

- Urban Expansion Area Task Force created on May 16, 2017 to provide recommendations related to the UEAs.
- Will inform the County's review and assessment of the CDMP ("Evaluation and Appraisal Report").
 - Required every 7 years by State law
 - Provides assessment of Major Issues
 - Reviews progress toward meeting goals, objectives and policies and identifies needed changes
 - Land Supply/Demand (Pop. Projections)



UEA Task Force Overview

- **Purpose:** Provide recommendations as part of the EAR update of the CDMP related to the following:
 - 1) Changes to the current boundaries of the Urban Expansion Areas;
 - 2) Creation of new Urban Expansion Areas; and
 - 3) Changes to the criteria that should be considered for applications requesting expansion of the UDB.
- Recommendations will become effective only if adopted as policy by the Board of County Commissioners.

UEA Task Force Membership

1000 Friends of Florida	Property Owners' Representative – Western UEA
Tropical Audubon Society	Community Council 11
Urban Environment League	Community Council 14
Nova Southeastern Shepard Broad Law Center	Community Council 15
Sierra Club	Florida Nursery Growers & Landscape Association
Agricultural Practices Advisory Board	Tropical Fruit Growers of South Florida
Redland Citizens Association	Dade County Farm Bureau
Rock mining representative	Latin American Business Association
Builders Association of South Florida	Biscayne National Park
Latin Builders Association	Everglades National Park
FL East Coast Chapter of Associated Builders and Contractors	Urban Land Institute (Southeast Florida/Caribbean Chapter)
Florida Home Builders Association	Friends of the Everglades
Homestead Air Reserve Base Representative	Miccosukee Tribe of Florida
Property Owners' Representative – Eastern UEA	

Miami-Dade County Department of Regulatory and Economic Resources, Planning Division

<http://www.miamidade.gov/planning/urban-expansion-area-task-force.asp>



2017 Charter Review Task Force Recommendations

Question	Proposed Amendment	Action Taken
Whether the Charter should be amended as relates to an elected County Mayor or a manager selected by the County Commission to head and manage the County?	No proposed amendments - keep the Charter language in its current form; make other revisions as necessary later; and allow future discussion of minor changes to the current system	Motion passed (6-3)
Whether the Charter should be amended as it relates to Commission compensation?	SECTION 1.06. – SALARY. Each County Commissioner shall receive a [[salary of \$6,000 per year]] >>yearly salary in accordance with general law applicable to non-charter counties which shall be << payable monthly and shall be entitled to be reimbursed for such reasonable and necessary expenses as may be approved by the Board.	Motion passed (6-2)
Whether the Charter should be amended as it relates to elections?	SECTION 3.03. NONPARTISAN ELECTIONS . All elections for Mayor, <u>Clerk of Courts</u> and the other members of the Board shall be nonpartisan and no ballot shall show the party designation of any candidate. No candidate shall be required to pay any party assessment or state the party of which he is a member or the manner in which he voted or will vote in any election.	Motion passed (unanimous)
Whether the Charter should be amended as it relates to term limits?	SECTION 3.01. – ELECTION AND COMMENCEMENT OF TERMS OF COUNTY COMMISSIONERS. >>E. Notwithstanding any other provision of this Charter, effective with the term of Commissioners scheduled to commence in 2012, no person shall be elected as Commissioner for more than two consecutive four year terms. No term of service as a Commissioner commencing prior to 2012 shall be considered a part of or counted toward the two term limit.<<	Motion passed (6-2)
Whether the Charter should be amended as relates to the Office of the Commission Auditor?	SECTION 9.10. COMMISSION AUDITOR <u>OFFICE OF BUDGET AND RESEARCH.</u> There is hereby created and established the Office of the Commission Auditor <u>office of budget and research (OBR)</u> . The Commission Auditor <u>OBR Director</u> , who shall be a certified public accountant, will be selected by the County Commission and shall report directly to the County Commission. The County Commission shall provide by ordinance for the specific functions and responsibilities of the Commission Auditor <u>OBR</u> , which shall include	Motion passed (6-2)

Question	Proposed Amendment	Action Taken
	but not be limited to providing the Commission with independent budgetary, audit, management, revenue forecasting, and fiscal analyses of commission policies, and county services and contracts.	

2017 Charter Review Task Force Failed Recommendations

Question	Proposed Amendment	Action Taken
Whether the Charter should be amended as it relates to Commission compensation?	<p>SECTION 1.06. <u>MAXIMUM SALARY AND RESTRICTIONS ON OUTSIDE EMPLOYMENT.</u></p> <p>Each County Commissioner shall <u>serve in a full-time capacity and shall not be entitled to any outside employment for compensation other than as outlined herein.</u> Each County Commissioner shall receive an <u>annual salary of \$6,000 that shall not exceed fifty percent (50%) of the annual allowable salary of the Mayor in the same year, per year</u> payable monthly and <u>each County Commissioner</u> shall be entitled to be reimbursed for such reasonable and necessary expenses as may be approved by the Board.</p>	Failed for lack of motion
	<p>SECTION 1.06. – SALARY.</p> <p>Each County Commissioner shall receive a salary of [\$6,000] >>\$50,000<< per year payable monthly and shall be entitled to be reimbursed for such reasonable and necessary expenses as may be approved by the Board.</p>	Motion failed (4-4)
Whether the Charter should be amended as it relates to the organization of the Commission?	<p>SECTION 1.08. – ORGANIZATION OF THE COMMISSION AND COMMISSION COMMITTEES</p> <p>The Mayor shall not be a member of the Commission. [[The Commission shall select the chairperson and vice-chairperson of the Commission.]] >>The Chairperson and Vice-Chairperson shall be elected for two-year terms by county-wide election held at the time of the state primary elections. <u>All commissioners elected within the proceeding two years shall automatically become candidates for such election. Commissioners shall be listed in order of commission district on the ballot. The commissioner receiving the highest votes shall become the Chairperson and the commissioner receiving the second-highest votes shall become the Vice-Chairperson. Should a tie result, the outcome shall be determined by lot. The term of the Chairperson and Vice-Chairperson shall commence on the second Tuesday next succeeding the date of the general election in November.<<</u> The Chairperson shall preside over commission meetings and perform such other duties set forth in the charter and ordinances of Miami-Dade County. The Vice-Chairperson shall perform the duties of the chairperson in the absence or incapacity of the Chairperson. Any member may be selected by the Commission to preside over commission meetings in the event of the absence of the Chairperson and the Vice-Chairperson.</p> <p>The >>Chairperson<<[[Commission]] may organize [[itself]] >>the Commission<< into standing committees, special committees, and ad hoc committees. Upon formation of any such committees, the [[Commission]] >>Chairperson<< may appoint its members [[or authorize the Chairperson to appoint committee members]]. Commission committees may conduct public hearings, as authorized by ordinance of the Commission. The Clerk of the Circuit Court or a deputy shall serve as clerk of the Commission. No action of the Commission shall be taken</p>	Motion failed (3-5)

Question	Proposed Amendment	Action Taken
	<p>except by a majority vote of those present at a meeting at which a majority of the Commissioners then in office is present. All meetings shall be public.</p> <p>>><u>A vacancy in the office of Chairperson shall be filled by the Vice-Chairperson and a vacancy in the office of Vice-Chairperson shall be filled by majority vote of the Commission to be held at the next regularly scheduled meeting.</u><<</p>	
Whether the Charter should be amended as it relates to the method of election for the County Commission?	<p>SECTION 3.01. – ELECTION AND COMMENCEMENT OF TERMS OF COUNTY COMMISSIONERS.</p> <p>A. The election of the Commissioners from even-numbered districts shall be held in 1994 and every four years thereafter and the election of Commissioners from odd-numbered districts shall be held in 1996 and every four years thereafter at the time of the state primary elections. >><u>A candidate must receive a majority of the votes cast to be elected. Effective with the election for County Commission in 2004, if no candidate receives a majority of the votes cast there will be a runoff election at the time of the general election following the state primary election between the two candidates receiving the highest number of votes. Should a tie result, the outcome shall be determined by lot.</u><<</p> <p>B. [[A candidate must receive a majority of the votes cast to be elected. Effective with the election for County Commission in 2004, if no candidate receives a majority of the votes cast there will be a runoff election at the time of the general election following the state primary election between the two candidates receiving the highest number of votes. Should a tie result, the outcome shall be determined by lot.]] >><u>At the time of the state primary election, Commissioners elected to a term commencing within the two years preceding the state primary election shall run in a countywide election for retention in office. Such Commissioners shall have their name appear on the ballot in order of Commission district as follows: "Shall County Commissioner [name] be retained in office?" and thereafter the words "Yes" and "No." If a majority of the qualified electors voting on such question vote for retention, the Commissioner shall be retained for the remainder of the term. If less than a majority of the qualified electors voting on such question vote for retention, an election shall be held within the Commissioner's district in conjunction with the state general election to fill the remainder of the term of office. Qualification dates shall be established by the Board of County Commissioners by ordinance. The Commissioner who failed to obtain a majority vote for retention shall be entitled to qualify as a candidate to fill the remainder of the term of office. The candidate receiving the highest vote total in such election shall fill the remainder of the term of office and shall take office on the second Tuesday next succeeding the state general election.</u><<</p> <p>Motion to add two at large members of the commission</p>	<p>Motion failed for lack of second</p> <p>Motion failed (4-4)</p>

**MIAMI-DADE CHARTER REVIEW TASK FORCE
CLERK'S SUMMARY AND OFFICIAL MEETING MINUTES
SEPTEMBER 25, 2017**

The Miami-Dade Charter Review Task Force (the Task Force) convened its fifth meeting on September 25, 2017, at the Miami-Dade County Stephen P. Clark Government Center, Commission Chambers, Second Floor, 111 N.W. 1st Street, Miami, FL 33128, at 6:10 p.m. Upon roll call, the following Task Force members were present: Chair Robert Cuevas, Ms. Alice Burch, Mr. Jeff P. H. Cazeau, Mr. Alfredo J. Gonzalez, and Mr. Marlon Hill. Mr. Maurice Ferre, Mr. Neisen Kasdin, and Mr. Eric Zichella arrived late. Vice Chair Maria Lievano-Cruz, Mr. George M. Burgess, Mr. Carlos Diaz-Padron, Mr. Luis E. Gonzalez, Mr. William H. Kerdyk Jr., and Mr. Mike Valdes-Fauli, were absent. The Commission District 10 seat remains vacant.

County Commissioner Daniella Levine Cava was also present.

In addition to Task Force members, the following staff members were present: Assistant County Attorneys Oren Rosenthal and Mike Valdes; Ms. Nicole Tallman, Director of Policy and Legislation and Ms. Patricia Flor, Senior Policy Analyst, Office of the Mayor; and Mr. Alan Eisenberg, Deputy Clerk, Office of the Clerk of the Board.

Mr. Alan Eisenberg announced that notice was received from Vice Chair Maria Lievano-Cruz, Mr. George Burgess, Mr. Carlos Diaz-Padron, Mr. William H. Kerdyk, Jr., and Mr. Mike Valdes-Fauli that they would be absent from today's (9/25) meeting.

Assistant County Attorney Rosenthal advised Chair Cuevas that action could not be conducted on any agenda item without a quorum and the Board of County Commissioners Rules of Procedure required a waiting period of thirty (30) minutes before the meeting could be cancelled. He further advised Chair Cuevas that the Task Force could schedule another meeting date, if desired.

Discussion ensued amongst Task Force Members and the Assistant County Attorney about how to proceed in the absence of a quorum. It was decided that the Task Force would proceed with the citizen's presentations.

REASONABLE OPPORTUNITY FOR THE PUBLIC TO BE HEARD

Chair Robert Cuevas opened the reasonable opportunity for the public to be heard.

Ms. Maribel Balbin, 8346 Dundee Terrace, Miami, National Board Member, League of Women Voters, mentioned the Strong Mayor form of government and Article 8 relating to petition requirements needed to be addressed.

County Commissioner Daniella Levine Cava, 15360 SW 67 Court, Palmetto Bay, acknowledged Task Force members for their service. She mentioned that she and Board of County Commission

Chairman Esteban Bovo sponsored the legislation creating the Task Force. Commissioner Levine Cava commended her Task Force appointee, Mr. Robert Cuevas for agreeing to serve as its Chair. She said she was looking forward to public input, noting the League of Women Voters was an active participant throughout the process. Commissioner Levine Cava said she looked forward to the upcoming publically announced opportunities for public participation and that she would help promote those meetings once scheduled. She questioned whether the issues presented during the public process would be addressed by the Task Force, even though certain issues were already being considered. Commissioner Levine Cava expressed her support to the Task Force, noting the February deadline for the report was an aggressive timeline.

Mr. Alfredo Gonzalez commented that some items were already considered; however, the Task Force members were committed to revisiting items as necessary after the public process.

Mr. Maurice Ferre stated that he asked Chair Cuevas to schedule a joint meeting with the Broward County Charter Review Committee (BCCRC). He reported that BCCRC's findings can be placed directly on the ballot which was similar to the State of Florida Constitutional Review Committee process, noting it was a different process than used in Miami-Dade County. Mr. Ferre inquired whether Commissioner Levine Cava would sponsor legislation before the BCC changing the County Charter to allow future Charter Review Task Force recommendations to be placed directly on the ballot. He said he believed this would promote more public participation in the charter review process.

Commissioner Levine Cara stated that she reserved legislation to sponsor any items presented by the Task Force, noting she would follow through with this recommendation, if presented by the Task Force.

Ms. Susan Windmiller, 2103 Coral Way, Suite 200, Miami, President, League of Women Voters of Miami-Dade County appeared before the Task Force. She expressed support for the Strong County Manager form of government. Ms. Windmiller mentioned the citizen petition process needed to be reviewed. She pointed out that a provision needed to be added to Article 3 that would postpone a scheduled election until a declaration of natural disaster or emergency was lifted.

Mr. Maurice Ferre agreed that suspending voting following a disaster be discussed, noting staff should present recommendations to the Task Force with the League of Women Voters (League) assistance. He pointed out that the Task Force already voted against a Strong Manager form of government; however, suggested evaluating an alternative approach where an elected mayor appointed a manager who was then confirmed by the commission. Mr. Ferre noted this approach was used by Washington, DC; Philadelphia, PA; Newark, NJ; and elsewhere throughout the Country. He mentioned that the State of Florida Constitution says that all power of governance will be vested in the county commission, yet as a consequence what we really had was an elected manager and the League was requesting an appointed manager.

Ms. Windmiller disagreed with Mr. Ferre's suggestion, noting the BCC was the policy making body and the county manager was the professional who implemented policy. She said there was

currently no clear line as to who sets policy, who implements policy, who was responsible and who was accountable.

Chair Cuevas agreed that accountability was the key issue, noting the item could be revisited by the Task Force, if desired.

Mr. Neisen Kasdin commented that a Strong Mayor was more important than ever, given County's complexity.

There being no other persons wishing to address the Task Force, the reasonable opportunity to be heard was closed.

Following the reasonable opportunity to be heard, at 6:31 p.m., Chairman Cuevas noted business could not be conducted due to the lack of quorum.

Assistant County Attorney Oren Rosenthal indicated that Rule 5.04 provided that should no quorum attend within thirty (30) minutes after the hour appointed for the meeting, the chairperson or clerk may adjourn the meeting until another hour or day unless, by unanimous agreement, those members present select another time. The names of the members present and their action at such meeting shall be recorded in the meeting minutes by the clerk.

In response to Mr. Kasdin's question whether another Task Force member was in route to the meeting, Ms. Nicole Tallman reported that Mr. Eric Zichella would be here shortly.

Mr. Ferre expressed confusion over the procedure used for processing ideas and motions', noting a clear understanding was needed on how to address items presented to the Task Force.

Chair Cuevas said he brought up items presented by Task Force members with the most votes for discussion, with the exception of commissioner salaries. He noted any proposal relevant to the issues on the meeting agenda should be put on the agenda and considered.

Mr. Ferre stated that items should be presented at least four (4) days before the meeting in which the item was to be discussed.

Chair Cuevas said the meeting agenda would need to be distributed the Monday prior to the meeting to accommodate the 4-Day Rule requirements.

Mr. Alfredo Gonzalez concurred with Mr. Ferre that Task Force members should be present to advocate for their proposals; however, noted that public testimony could lead to subsequent motions.

Chair Cuevas pointed out that meeting agenda's would clearly present the upcoming items to be considered. He said that any member could invoke the 4-Day Rule on any item presented that was not on the published agenda, noting the item would not be considered until the following meeting.

Mr. Kasdin commented that the Task Force should be less formal and less procedural, to allow more discussion on substantive issues.

Ms. Alice Burch pointed out that many issues being discussed were closely intertwined, noting the difficulty in picking agenda items and not bringing up other areas of interest that related to the discussion.

Mr. Ferre suggested the Task Force waived the 4-Day Rule, with the understanding that a vote be withheld on new items until the beginning of the next Task Force meeting, in the event that anyone was uncomfortable with voting on that item. He said this would allow Task Force members to be present at the subsequent meeting if they wanted to be part of that decision process.

Mr. Jeff Cazeau stated that he would rather discuss substantive content rather than procedures.

Mr. Alfredo Gonzalez indicated that there was not a 4-Day Rule discussion on today's (9/25) meeting agenda and we should continue with the published agenda.

1st ISSUE FOR CONSIDERATION: Discussion and vote on whether the Charter should be amended as relates to the *budget process*, and if so, what those amendments should be?

There was no discussion about the budget process and no suggested changes to the process were made.

2nd ISSUE FOR CONSIDERATION: Discussion and vote on whether the Charter should be amended as relates to the *organization and function of the Finance Department*, and if so, what those amendments should be?

Mr. Eric Zichella stated for the record that the Finance Department should be organized under the direction and discretion of the County Commission, noting the Commission should formulate the County budget.

There was no further discussion about the budget process and no suggested changes to the process were made.

3rd ISSUE FOR CONSIDERATION: Discussion and vote on whether the Charter should be amended as relates to the *Office of the Commission Auditor*, and if so, what those amendments should be?

Mr. Alice Burch stated that the Commission Auditors (CA) Office was doing the best it could under the current circumstances, noting governmental offices usually exhibited strengths and weaknesses at various times. She said she believed the County Commission had the ability to deal with the CA Office to find the needed information to serve the public.

Mr. Eric Zichella said that his proposed amendment changing the CA Office name reflected current needs. He said it was not the intention that the CA Office only conducted audits, noting

there was a separate County Audit Department that could perform this function. Mr. Zichella mentioned that the CA Office was intended to provide information to the County Commission. He noted the requirement that the Director was a Certified Public Accountant (CPA) made it more difficult to find an individual who was best equipped to manage that office and that another individual holding such designation could be hired for the office, if necessary.

It was moved by Mr. Eric Zichella to amend Section 9.10 of the County Code changing the Office of the Commission Auditor's name to the Commission Office of Management and Research and eliminating the requirement that the Director be a Certified Public Accountant. This motion was seconded by Mr. Alfredo Gonzalez.

Mr. Gonzalez asked and Mr. Zichella accepted a friendly amendment that the new name be the Commission Office of Budget and Research, noting he did not envision much management activity occurring.

Mr. Ferre inquired whether the current CA Office responsibilities included audit functions and whether this change removed the audit responsibility.

Mr. Zichella indicated that the audit function remained a viable function if they choose to do so. He said the CA Office was primarily intended to provide research and information to the County Commission.

Mr. Ferre said there was confusion over a lack of government transparency and accountability. He noted usually in a government the size of Miami-Dade County, the legislative body legislates and an executive ran the operation; however, we had a hybrid form of government which was not clearly delineated. Mr. Ferre pointed out that the County Commission was looking to the executive to provide the investigative material to make decisions, noting this could be a conflict. He said more power needed to be given to the County Commission in order to strengthen the legislative branch. Mr. Ferre said it needed to be an entity that was not under supervision of the elected manager (Strong Mayor).

Mr. Gonzalez clarified that the original intent of the CA Office was to help the County Commission get more information. He said some changes could improve this office, noting more than audit functions were needed to assist the Commission get needed information.

Ms. Burch added that she believed the current advertisement for a CA did not require that person to have a CPA designation.

Assistant County Attorney Oren Rosenthal reported that the County Charter currently required the CA be a CPA, noting someone could not be hired without such designation. He said this requirement would be eliminated with the Mr. Zichella's proposal. Assistant County Attorney Rosenthal pointed out that the requirement to provide the Commission with independent budgetary, audit, management, revenue forecasting, and fiscal analyses of commission policies, county services and contracts did not change with the amendment.

Mr. Ferre commented that there was a difference between audit and research functions. He said a CPA was needed to conduct audits. Mr. Ferre pointed out the amendment changed the office's title but not the substance of what they did.

Chair Cuevas stated that it changed the requirement to be a CPA.

Hearing no further questions or comments, the Task Force proceeded to vote.

Upon being put to a vote, the vote passed by a 6-2 vote of members present. Chair Cuevas and Mr. Ferre voted "No".

4th ISSUE FOR CONSIDERATION: Whether the Charter should be amended as relates to the procurement process?

- PRESENTATIONS:

- Five to ten minute presentation by the County Attorney's Office as to current Charter provisions and requirements of Florida Statutes relating to the procurement process .

Assistant County Attorney Oren Rosenthal stated that Miami-Dade County could differ from State of Florida legislation pursuant to the Home Rule Amendment and the County Charter in many aspects; however, this did not apply to the procurement process. He noted the County must comply with general procurement laws as well as judicial decisions. Assistant County Attorney Rosenthal said that the County's governing body must be the Board of County Commissioners (BCC). He pointed out that the courts interpreted the authority to adopt or reject contracts as governing body power, specifically in a Strong Mayor form of government. Assistant County Attorney Rosenthal said the power to approve contracts was a collateral power of the power to adopt budgets. He noted the power to contract could not be different from the power to budget because the budget was necessary to fund contracts.

Assistant County Attorney Rosenthal mentioned that the BCC could delegate those powers; however, it could not be taken away from them. On the other hand, he advised that the Charter could constrain the way the BCC exercised that power. Assistant County Attorney Rosenthal pointed out that the current Charter provided the Board's contracting powers in terms of Charter requirements. He noted Section 5.03 D of the Charter required competitive bid processes when practical and left it to the Board to determine practicability. Assistant County Attorney Rosenthal added that non-formal sealed bids were allowed under a pre-determined dollar amount; that the Board authorized contracts; that non-competitive bidding over a designated dollar amount was allowed following a written Mayoral recommendation and a 2/3 Board vote. He stated that a recent Charter amendment gave procurement authority to the BCC Chairperson when the Mayor indicated a conflict on a specific proposal.

Mr. Neisen Kasdin asked for more information on the court case requiring BCC approval of all contracts.

Assistant County Attorney Oren Rosenthal reported that *Citizens for Reform v. Citizens for Open Government* was the case where the 3rd District Court of Appeals (Court) analyzed whether the Strong Mayor Amendment was a constitutional amendment. He said the Charter Amendment transferred administrative powers from an appointed county manager to an elected county manager (Strong Manager). Assistant County Attorney Rosenthal advised Task Force members that pursuant to Section 125.01 of the Florida Statutes, if all powers rested with the BCC then they were still the County's governing body. He said that one of those powers was to adopt or reject contracts and because that power rested with the BCC after the Strong Mayor amendment, that amendment did not violate the Home Rule Amendment which made the BCC the governing body. Assistant County Attorney Rosenthal indicated that the Court ruled the Strong Mayor amendment constitutional because those powers were not transferred away from the governing body.

Assistant County Attorney Rosenthal advised Task Force members that the Board could delegate its power to a third party with certain predetermined limitations; however, the authority ultimately remained with the Board. He added that the Board always ratified contracts over a certain amount. Assistant County Attorney Rosenthal pointed out that any provision taking away authority from the governing body would likely run afoul of the Home Rule Amendment, noting the Board must either approve or reject contracts.

In response to Mr. Kasdin's question about making the procurement power independent of the Board, Assistant County Attorney Rosenthal said that the BCC as the governing body would need to be changed through a State of Florida Constitutional Amendment. He pointed out that although the ultimate procurement power remained with the Board, they could choose to delegate that power to a different administrative entity.

Mr. Kasdin commented that the BCC could control contract procurement through the budget process.

Assistant County Attorney Rosenthal discussed pooled contracts, noting the BCC would set a \$5 million budget to purchase items in no more than \$1 million increments per contract. He said the Board would then delegate authority to the Mayor to create independent contracts for those items. Assistant County Attorney Rosenthal advised that it would be difficult for the Task Force to amend the Charter requiring the Board to do this, noting the Board could no longer choose not to delegate the authority to the Mayor. He said the Board could continue to control the process but the ultimate authority must remain with the Board to decide whether they wanted to enter into a contract.

Ms. Alice Burch questioned whether there were any examples of how a charter change could give the counter balance being discussed.

Mr. Maurice Ferre stated that the State of Florida Constitution delegated an enormous amount of power to the County through the Home Rule Charter; however, indicated that there were currently elected State legislators trying to put forward a State Constitutional change limiting these powers. He said there were many people in the State who were angry we had powers that others did not, noting we did not need State approval for the BCC to do a lot of things. Mr. Ferre

indicated that unless you changed the State Constitution you could not make certain changes locally. He suggested the BCC delegated authority and established certain restrictions on themselves by ordinance, as an alternative. Mr. Ferre said that the ultimate power of governance remained with the BCC, not with the Mayor, noting Miami-Dade County did not really have a Mayor, but had an elected manager.

Chair Cuevas pointed out that the County delegated a great deal of power to the Metro Transit Authority (MTA) to operate and conduct its affairs and questioned the amount of authority the Board could give and remain the governing body while relinquishing some control over contracting. He said he believed the MTA could continue to run the bus operation as long as contracting was subject to continuing Board budgetary control.

Assistant County Attorney Rosenthal advised that a separate governmental entity was created with the authority to contract. He said that the MTA was created by ordinance, noting the ordinance could be taken away the same as contracting could be delegated down to a separate entity by ordinance or resolution. Assistant County Attorney Rosenthal stated the County Charter could not divest the BCC of their ability to approve contracts. He said State laws allowing a separate government that the County Commission did not have to be the governing body of was an issue as well as whether it was by ordinance or by charter. Assistant County Attorney Rosenthal indicated that the BCC could decide to delegate that power through ordinance, implementing order or resolution to a third party within the constraints of governmental delegation.

Chair Cuevas asked Assistant County Attorney Rosenthal to further evaluate whether there was any validity to this approach.

Mr. Kasdin pointed out that the Home Rule Charter or State Statutes might need some fundamental changes. He said he did not believe the contracting authority was specifically adjudicated. Mr. Kasdin stated that the BCC was governing the County if they were controlling the budget and administration was instructed to implement that budget once passed by the Board. He noted contracting was subsidiary to controlling the budget.

Mr. Ferre commented on previous efforts to create certain authorities within the County, noting this never happened because of the constitutional provision putting the authority in the County Commission. He said that the Miami-Dade County Expressway Authority (MDX) was created in 1994 through State legislation and was not under County jurisdiction. Mr. Ferre noted subsequent resolutions were passed by the County relating to MDX; however, that legislation was never clarified by the courts.

- Five to ten minute presentation by Namita Uppal, Chief Procurement Officer, of the Internal Services Department which will provide an overview of the current procurement process.

Ms. Namita Uppal, Chief Procurement Officer, provided an overview of the County's Procurement Management Services operation; including the County Executive Leadership Team, Internal Services Department, and Procurement Management Division Table of Organization, the

Division's Mission, Centralization & Decentralization Services, Capital Departments, the Mayor's Delegation of Authority, Acquisition Methods, Active Contracts, and Contract Award Authority (See Exhibit).

In response to Mr. Ferre's question regarding pooled contracts, Ms. Miriam Singer, Sr. Assistant Director, Internal Services Department Procurement Management reported that the County accessed other jurisdictions competitive contracts when it made business sense and was scope appropriate. She said the prequalification pools were County only pools and they were available to other jurisdictions. Ms. Singer indicated that other municipalities were not included but they could access the County's pools. She said that the County could access other jurisdictions pools when it made sense; however, they usually accessed our contracts because of their size. Ms. Singer added that the County could join other county's contracts or State authorities as long as the competitive process mirrored ours, the scope was consistent, and we conducted a due diligence process.

Mr. Ferre inquired about whether the County followed State or County law relating to unsolicited proposals, noting County law was stricter than State law.

Ms. Singer reported that there was County legislation which mirrored State legislation and there was minimal difference between them. She noted an unsolicited proposal may be submitted only for capital projects and if the County was interested there would be a solicitation for competition. Ms. Singer said the County would adhere to the County ordinance related to unsolicited proposals.

Assistant County Attorney Mike Valdes added that County procedure that was stricter than State procedure would prevail unless those provisions were waived.

- DISCUSSION AND VOTE:
 - On whether the Charter should be amended as relates to the procurement process, and if so, what those amendments should be.
 - Task Force Member Ferre's proffered Amendment.

Mr. Neisen Kasdin suggested that topic be deferred and considered at a subsequent meeting in order to receive the additional requested information.

Mr. Ferre agreed with the deferral request. He asked that the intent of his proposal be presented in the meantime in order to gain a better understanding of its content.

Mr. Marlon Hill inquired whether Ms. Singer was aware of any inefficiency in the procurement process that could be improved through the Charter revision process.

Ms. Singer mentioned that the delegation of authority was among the most recognized best practices in governmental procurement, noting the BCC placed a great deal of trust in the Administration to delegate and any increase in this authority was welcome. She said that in

terms of Charter relationship; the County was working diligently on an Enterprise Resource Planning (ERP) solution for countywide efficiencies.

Assistant County Attorney Rosenthal mentioned that Mr. Ferre's proposal was intended to create a more independent, professional procurement process within the Charter. He said an independent Procurement Management Director outside the general administrative authority of the County Mayor would be created, subject to BCC approval and subject to termination by the Mayor or the BCC by majority vote. Assistant County Attorney Rosenthal noted this would provide more administrative freedom from the general administrative branch and more BCC control. He indicated this would be an independent administrative department within the BCC and that the Procurement Department would make recommendations for all procurements within a dollar amount to be determined but tentatively set for anything over \$1 million. Assistant County Attorney Rosenthal said the recommendation would require a 2/3 Board vote of approval.

Mr. Ferre commented that the County negotiated \$5 billion worth of contracts annually. He cautioned that corruption was always associated with money, noting contracts and real estate were major sources of money. Mr. Ferre said that the County Attorney's office was asked to look at best practices and develop alternate recommendations to discuss. He noted this was something for the future and would not apply to any current elected County official.

In response to Mr. Kasdin's question whether this model was used elsewhere, Ms. Singer reported that she was not aware of it being used elsewhere, noting most procurement organizations reported to a key administrator or Strong Mayor.

Mr. Ferre added that this permitted the BCC to be involved in procurement and would make the current procedures stronger.

There was no further discussion on the procurement process and the item was deferred to the October 16, 2017 meeting.

APPROVAL OF THE CLERK'S SUMMARY OF MINUTES FOR THE AUGUST 14, 2017 AND AUGUST 28, 2017 CHARTER REVIEW TASK FORCE MEETINGS

It was moved by Mr. Eric Zichella that the meeting minutes from the August 14, 2017 and the August 28, 2017 Charter Review Task Force meetings be approved. This motion was seconded by Mr. Alfredo Gonzalez and upon being put to a vote, passed unanimously by all members present.

OTHER BUSINESS

Chair Cuevas stated that the deferred Procurement discussion would be considered at the October 16, 2017 Task Force meeting. He asked Task Force members to provide staff with any other discussion items or ideas to be added to the meeting agenda. Chair Cuevas said the Task Force members suggestions relating to the County Commissioner compensation, term limits and district/countywide elections would also be placed on the meeting agenda.

Mr. Eric Zichella stated that County Commissioners should get paid more than \$6,000; however, expressed concern as to how to present this to the voters in a favorable manner, considering previous failed attempts to increase their salaries. He suggested capping salaries at 50 percent or some other agreeable percentage of the Mayor's salary as an option.

Chair Cuevas indicated that County Commissioners performed an enormous amount of work, noting he could not believe that the public would not accept the need to increase their salaries.

Mr. Neisen Kasdin commented that people believed County Commissioners were bad politicians and should not be rewarded. He said it was a disincentive for people with good motives to go into government and being paid some reasonable compensation for them to run for office might be an incentive.

Mr. Maurice Ferre mentioned this issue had been on the ballot numerous times. He asked staff to provide information on previous ballot language and the voting history related to County Commissioner salaries at the next meeting.

Chair Cuevas said that the County Commission needed to be behind this issue; to show the community the extent of what they did for the community; and to promote it amongst their constituents.

Mr. Ferre said they needed to make the case for the future rather than for themselves.

Ms. Alice Burch stated that the amendment being considered on procurement shuts the public off, noting a simpler approach was needed. She said that public meetings needed to engage the public and sell the idea of a better Charter for them. Ms. Burch noted everything coming out of the Task Force needed to be presented in a simplified manner so that the public would understand why it was being recommended.

Mr. Marlon Hill pointed out that he did not like concept of selling the idea to the public, but would rather communicate it. He asked staff about the status of the communications plan which he submitted, noting it was not included in the meeting package.

Ms. Nicole Tallman said that she shared his proposal with Task Force members and recalled that Chair Cuevas commented on that proposal at the last meeting. She advised Task Force members that information was being disseminated on Facebook and Twitter; however, nothing was currently being done in regards to sharing information through a newsletter or infographics.

Chair Cuevas commented that sometimes simplifying issues left out important aspects.

Mr. Hill indicated that we needed to explain why Charter changes were needed.

Chair Cuevas said the item sponsors would be responsible to provide those explanations.

Mr. Hill stated that the communications needed to be consistent over time for people to start embracing the why before they went to the polls.

Mr. Ferre said that the Task Force was only making recommendations; that the Board of County Commissioners approved those recommendations; and that they previously approved only a very small number of those recommendations.

Mr. Zichella mentioned he did not think it was the Task Force's responsibility to set up a communications plan, to sell, or to explain items to the voters. He pointed out the Task Force was charged to create language that was clear, concise and simple enough for the voters to understand. Mr. Zichella noted others should be involved in campaigning for or against the proposals.

Mr. Jeff Cazeau indicated that the Task Force had the duty to get the information out to the public; however, should not advocate for one position over the other. He said that he understood the rationale not to wait until the last moment to disseminate information, yet it was the public's responsibility to listen to these meetings and understand what was being considered.

Ms. Burch commented on the need for Strong Mayor qualifications, noting this issue needed to be revisited.

Mr. Alfredo Gonzalez inquired about the timeline for scheduling public outreach meetings.

Chair Cuevas responded that he was looking for public meetings to begin in November or December, 2017.

Mr. Gonzalez requested that the dates be considered at the next Task Force meeting.

In response to Chair Cuevas' request about the availability of public facilities throughout the County, Ms. Nicole Tallman reported that she already had this information.

ADJOURNMENT

There being no further business, the Charter Review Task Force meeting was adjourned at 8:13 p.m.

**MIAMI-DADE CHARTER REVIEW TASK FORCE
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The Miami-Dade Charter Review Task Force (the Task Force) convened its sixth meeting on October 16, 2017, at the Miami-Dade County Stephen P. Clark Government Center, Commission Chambers, Second Floor, 111 N.W. First Street, Miami, FL 33128, at 6:20 p.m. Upon roll call, the following Task Force members were present: Chairman Robert Cuevas, Vice Chairwoman Maria Lievano-Cruz, Mr. Jeff P. H. Cazeau, Ms. Alice Burch, Mr. Carlos Diaz-Padron, Mr. Alfredo J. Gonzalez, Mr. Marlon Hill, and Mr. Eric Zichella (Mr. George Burgess, Mr. Maurice Ferre, Mr. Luis E. Gonzalez, Mr. Neisen Kasdin, Mr. William H. Kerdyk Jr., and Mr. Mike Valdes-Fauli were absent.) The Commission District 10 seat remained vacant.

In addition to Task Force members, the following staff members were also present: Assistant County Attorneys Oren Rosenthal and Monica Rizo; Ms. Nicole Tallman, Director of Policy and Legislation, and Ms. Patricia Flor, Senior Policy Analyst, Office of the Mayor; Mr. Christopher A. Agrippa, Director, and Ms. Flora Real, Deputy Clerk, Office of the Clerk of the Board.

Following roll call, Chairman Cuevas called the meeting to order and led the Pledge of Allegiance.

REASONABLE OPPORTUNITY FOR THE PUBLIC TO BE HEARD

Chairman Robert Cuevas opened the reasonable opportunity for the public to be heard, and the following persons appeared before the Task Force to express their opinions:

1. Ms. Susan Windmiller, 2103 Coral Way, Miami, Florida, presented proposed amendments to the Charter relating to the current form of government for the Task Force's consideration, noting the League of Women Voters recommended a council/manager form of government which called for an executive Mayor with an appointed manager
2. Ms. Maribel Balbin, 8346 Dundee Terrace, Miami Lakes, Florida, spoke on the issue of initiative petition asking that the legal sufficiency be verified prior to the collection of signatures, expressed support for deleting the Certified Public Account (CPA) certification requirement for the Commission Auditor position, and allowing the Task Force's Charter amendment recommendations to be placed on the ballot without Board approval
3. Mr. Wilfredo Fleites, 8401 SW 97 Road, Miami, Florida, spoke on Article 1, Section 1.05(C) relating to forfeiture of office of county elected and appointed officials and

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employees and asked that the Charter be changed to allow County employees to run for office

4. Mr. Nelson Rodriguez, 6601 Main Street, Miami Lakes, Firefighter for the City of Coral Gables, spoke on Article 1, Section 1.05(C) relating to forfeiture of office of county elected and appointed officials and employees and asked that the Charter be changed to allow employees to run for office
5. Commissioner Juan Blanes, City of West Miami, 5801 SW 11 Street, West Miami, Florida, former firefighter for the City of Miami, spoke on Article 1, Section 1.05(C) relating to forfeiture of office of county elected and appointed officials and employees and asked that the Charter be changed to allow first responders, especially firefighters, to run for office outside of the municipal area of employment
6. Ms. Margarita Fernandez, 3620 SW 21 Street, Miami, Florida, spoke on the issue of absenteeism as it related to the members of this Task Force, advocated for a Charter amendment for an increase in the salary of commissioners, and asked the petition initiative process be made easier and all County employees be allowed to run for office, and expressed support for deleting the Certified Public Account (CPA) certification requirement for the Commission Auditor position

Pursuant to Mr. Diaz-Padron's question, Mr. Fleites responded the employees of the City of Coral Gables were not allowed to run for office within the employee's area of employment.

Pursuant to Mr. Diaz-Padron's question, Mr. Fleites responded Miami-Dade County was the only county with that restriction based on his research.

Upon hearing no other member of the public wishing to speak, Chairman Cuevas concluded the reasonable opportunity for the public to be heard and proceeded to consider the first issue for consideration.

FIRST ISSUE FOR CONSIDERATION: *PROCUREMENT*

Report from the County Attorney's Office on the County Commission's previous delegation of contracting authority, and the extent to which the constitutional requirement that the County Commission be the governing body of the County constrains the amending of the Charter to eliminate the Commission's ability to select the entity with whom the County contracts.

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Pursuant to the Chair's previous request to review a prior opinion rendered relating to taking away the procurement authority from the County Commission, Assistant County Attorney Oren Rosenthal advised he had revisited all of those issues again; and he had agreed with his previous opinion. He explained that the Miami-Dade County Home Rule Charter provided, in most instances, the County with more power than other counties in dealing with *in congress* provisions of Florida law and permissions under Florida law and the Constitution. He explained that, under the Miami-Dade County Charter, the governing body cannot be changed from the County Commission. Consequently the Board had to have all of the powers of the governing body. He further explained that it did not mean that by either ordinance or resolution, subsequent to that, the Board cannot further delegate those powers down under their supervision; and he suggested that the Task Force could consider, within the procurement context, require that the Board delegate or have provisions to change the voting requirements for procurement items. He noted that the procurement power cannot be taken away and be given to another entity other than the Board of County Commissioners by Charter because courts had held that the power of procurement were the function of a governing body. Therefore, the Task Force could consider having many of the decisions leading to that decision delegated to another party, but the final authority for the award of contracts had to vest within the Board of County Commissioners.

DISCUSSION AND VOTE:

On whether the Charter should be amended as it related to the procurement process, and if so, what those amendments should be?

- **Task Force Member Ferre's proffered amendment (see attached)**

Chairman Cuevas asked for a motion to consider Mr. Ferre's proffered amendment relating on to procurement management and creating an independent department of procurement.

It was moved by Mr. Alfredo Gonzalez that Mr. Ferre's proposed amendment be tabled unless the Task Force members determined that it should be voted on without giving him the opportunity to present it. This motion by seconded by Ms. Burch, and the floor was opened for discussion.

Mr. Diaz-Padron asked Ms. Nicole Tallman to provide the Task Force members with a copy of the report prepared by the Procurement Reform Task Force created by the Board of County Commissioners to make procurement recommendations to them.

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Assistant County Attorney Rosenthal explained the difference between tabling an item and deferring it.

It was moved by Chairman Cuevas that Mr. Ferre's proffered amendment be rejected. This motion was seconded by Mr. Diaz-Padron, and the floor was opened for discussion.

Mr. Zichella advised that he agreed with them both on the substance of the item, but he did not wish to preclude a discussion on this issue.

Assistant County Attorney Rosenthal responded affirmatively to Mr. Zichella's question regarding whether an item could be brought back for discussion after having been tabled.

It was moved by Mr. Gonzalez that the Task Force members defer Mr. Ferre's proffered amendment relating to procurement management until the next Task Force meeting. This motion was seconded by Ms. Burch; and upon being put to a vote, the motion was passed by a vote of 8-0. (Messrs. Burgess, Ferre, Gonzalez, Kasdin, Kerdyk Jr., and Valdes-Fauli were absent.)

Assistant County Attorney Rosenthal noted this was the second deferred for this proposed amendment, and the third deferral would result in the item being tabled.

SECOND ISSUE FOR CONSIDERATION:

Whether the current Charter provisions relating to the following aspects of the County Commission should be amended:

- a. Commissioner compensation**
- b. Structure and organization of the County Commission**
 - i. number of commissioners**
 - ii. method of election by district, at-large, or some combination**
 - iii. alternate ways of fostering countywide perspective**
- c. Term limits**

PRESENTATION:

Assistant County Attorney Oren Rosenthal advised that, under the Florida Constitution and Home Rule Amendment, was one area where Miami-Dade County Charter could take precedence and pre-empt State law to the contrary. He stated that, particularly the Constitution, provided that the Charter shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms, and compensation of the Commission, and method of election. He noted this essentially gave

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the Charter the ability to create the commission as this Charter, residents, and electors of Miami-Dade County saw fit. He stated that the only real restriction on this was not a State constitutional or law one but a federal restriction. He explained a court case called Meek versus Metropolitan Dade County, which challenged the then nine (9) at-large member composition of the County Commission, and he also explained the outcome of that court case and summary judgement.

Assistant County Attorney Rosenthal advised that, if this Task Force wished to change or proposed to change the composition of the County Commission, they would have to go back to that court, who imposed the injunction before the Task Force had the ability to amend the Charter in that manner due to the issues from Section 2 of the Voting Rights Act and other related constitutional issues. He stated that, he believed, the demographics of Miami-Dade County had changed; and it gave rise to a claim that the trial court's opinion in the Eleventh Judicial Circuit should be changed. He noted that, since the County was under an injunction and the current system was pursuant to court order, the Task Force needed to first request approval from the trial court for that change. He advised this Task Force could revisit any issues like compensation or term limits.

Pursuant to Vice Chairwoman Lievano-Cruz' question, Assistant County Attorney Rosenthal advised that a motion to amend the final judgment had to be made to be able to go before the trial court to ask that the case be reopened and present what the Board wished to do; but the Board would have to first adopt what it intended to do. He stated that the effectiveness of that adoption would be stayed until it was approved by the courts; and it would then be placed on the ballot.

Discussion ensued among the Task Force members and Assistant County Attorney Rosenthal regarding the process to have the trial court revisits the issue of the County Commission's composition, the legal process to have the current injunction amended, and to have approved a new government structure to be voted on by the electorate.

Mr. Cuevas relinquished the chair to Vice Chairwoman Lievano-Cruz.

Chairman Cuevas advised that his proposed Charter amendment for commissioners' salary was to increase salaries from \$6,000 to \$50,000; and he explained his proposal. He noted that the salary figure established at the beginning of Metro was double the median household income at that time, and the current median household income was approximately \$59,000.

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Mr. Zichella noted County staff had provided the language of ballot questions that had been previously presented before the voters, and the most successful ballot question language included an explanation for the reason for increasing compensation. He stated this Task Force should consider what language to recommend to the County Commission for their consideration.

Mr. Zichella pointed out that, in the past, ballot questions stipulating a specific salary compensation figure had failed to pass, and he recommended that the compensation figure should be eliminated. He noted that his salary compensation proposal was to have compensation limited up to fifty percent (50%) of the Mayor's salary in the same year and prohibited employment outside of the County, and he explained his proposal.

Pursuant to Mr. Zichella's question, Assistant County Attorney Rosenthal advised the County Mayor's salary was accomplished by budget by the Board of County Commissioners.

Pursuant to Mr. Zichella's question, Assistant County Attorney Rosenthal advised the salary compensation figure should be published because there was a line of cases that would argue it would be misleading not do so.

Mr. Cazeau advised he believed the \$50,000 salary compensation was too low, but he agreed with the recommendation of limiting compensation up to fifty percent (50%) of the Mayor's salary. He also expressed objection to prohibiting employment outside of the County due to business ownership, and the public's issues relating to county commissioners ethic problem were directly related to salary compensation. Therefore, the proposal to increase salary compensation was a good recommendation.

Ms. Burch commented on how the language of ballot questions should be drafted, noting that she believed the language on salary compensation should be similar to the language presented before the voters in 2004. She noted that the County should encourage more persons who were interested in running good government to run for office.

Pursuant to Mr. Gonzalez' inquiry, Assistant County Attorney Rosenthal advised that it had been the County Attorney's Office position for a number of years, consistent with the developments that had happened relating to ballot questions language, to have the salary compensation figure stipulated in the ballot question. He stated that, typically, the language of the ballot question should be drafted in a manner that would prevent an accusation of hiding the true purpose and true information from the public because the public needed to be placed on notice.

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Mr. Gonzalez expressed his support for an increase in salary compensation, and he recommended it should be based on the Florida State formula.

Mr. Hill advised that, he believed, stipulating the compensation figure in the ballot question was not as important as explaining to the voters the reason for the change and its importance for good governance. He noted the language that should be considered was the language that should be used to explain to the voters the need for the change for better governance.

Mr. Diaz-Padron commented that the salary compensation issue had been placed on the ballot several times, and the proposal had failed every time. He explained that anyone in this County had the right to run for office, and the current Board was not comprised by millionaires. He expressed his opposition to review the issue of salary compensation, and he recommended that the Task Force not recommend a Charter amendment on this issue.

Vice Chairwoman Lievano-Cruz expressed her support for recommending that the salary compensation be increased based on the Florida State formula, and she explained the reasons she believed that proposal had failed in the past. She advised that she did not wish to limit outside employment. She explained voters needed to be explained the necessity for this change, and community groups should be used for this purpose.

Assistant County Attorney Rosenthal noted that using the Florida State formula for salary compensation would yield a salary compensation of \$99,997 for Fiscal Year 2017-18.

Discussion ensued among the Task Force members and Assistant County Attorney Rosenthal regarding the size of the County's budget.

Pursuant to Mr. Zichella's question relating to the number of proposals that could be forwarded to the Board on this issue, Assistant County Attorney Rosenthal advised there was no limitation as to the number of proposals this Task Force could make to the Board even if contradictory; but only one proposal could be placed on the ballot for clarity sake.

Discussion ensued among the Task Force members and Assistant County Attorney Rosenthal regarding how to forward several recommendations on the same issue to the Board for their consideration.

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Mr. Zichella advised that a key point to distinguish on the issue of employment was ownership versus other sources of revenues, and he commented on the issue of what constituted misleading.

Mr. Cuevas urged the Task Force members to vote favorably on his proposal, and he explained his position. He also explained that the recommendation to increase salary compensation needed to be campaigned.

Discussion ensued among the Task Force members regarding how to present before the voters the ballot question regarding whether the commissioners salary compensation should be increased.

Upon conclusion of the foregoing discussion, it was moved by Mr. Cuevas that the Task Force members forward to the Board his proposal relating to commissioners salary compensation. This motion was seconded by Mr. Zichella; and upon being put to a vote, the motion failed by a roll call tie vote of 4-4 (Messrs. Cazeau, Diaz-Padron, and Gonzalez and Vice Chairwoman Lievano-Cruz voted no); (Ms. Burch, Messrs. Hill, Zichella and Mr. Cuevas voted yes); and (Messrs. Burgess, Ferre, Gonzalez, Kasdin, Kerdyk Jr., and Valdes-Fauli were absent.)

Chairman Cuevas resumed the chair.

It was moved by Vice Chairwoman Lievano-Cruz that the Task Force members propose to the County Commission to present to the voters a Charter ballot question to increase the commissioners' salary compensation to the State of Florida defined formula as followed by every county in the State of Florida. This motion was seconded by Mr. Cazeau, and the floor was opened for discussion.

Pursuant to Vice Chairwoman Lievano-Cruz' question, Assistant County Attorney Rosenthal advised it would be beyond the general scope of this Task Force to set forth ballot language.

Discussion ensued among the Task Force members regarding the guidelines of the 2004 ballot question language relating to outside employment.

Vice Chairwoman Lievano-Cruz reiterated her motion was to follow the State of Florida defined formula as followed by every county within the State of Florida including a clear explanation in the ballot question for the need of the salary increase similar to the language used in 2004.

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Discussion ensued among the Task Force members regarding the language of the Vice Chair's motion and how this recommendation could be accomplished.

Chairman Cuevas offered an amendment to the Vice Chair's motion to instruct the County Attorney to prepare the appropriate Charter amendment language for the next Task Force meeting to vote on it.

Vice Chairwoman Lievano-Cruz accepted the amendment proffered by the Chair.

Discussion ensued among the Task Force members and Assistant County Attorney Rosenthal regarding how the final recommendations would be accomplished and the process to have the Task Force's final recommendations forwarded to the Board in a final report.

After the conclusion of the foregoing discussion, the Task Force members determined to only give general direction and not to accept the Chair's amendment.

Vice Chairwoman Lievano-Cruz advised that her motion would remain as she proposed it.

Assistant County Attorney Rosenthal stated that the motion would be to recommend to the Board of County Commissioners that the Charter be amended to change the salary from the current salary to the State formula.

Upon concluding the foregoing discussion, the motion was put to a roll call vote and passed by a vote of 6-2 (Messrs. Diaz-Padron and Hill voted no). (Messrs. Burgess, Ferre, Gonzalez, Kasdin, Kerdyk Jr., and Valdes-Fauli were absent.)

Mr. Zichella advised he would like to have the language of the proposed Charter amendment drafted for the Task Force's review.

Assistant County Attorney Rosenthal advised he would draft the proposed Charter amendment language for inclusion in the Task Force's next meeting agenda.

Chairman Cuevas advised he would like to present two other proposals relating to the structure and organization of the County Commission, and he explained the rationale for his proposals to change the Charter. He explained that his first proposal was to have commissioners elected for four-year terms from district elections and halfway through their terms a commissioner would have to stand for retention from a countywide election much

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like an appellate judge was required to do; and if not retained, a countywide election could be held whereby anyone could run for office to inject some type of countywide perspective. He advised his second proposal related to how the Board selected its Chair and Vice Chair, and his proposal was to inject the voters countywide into that process to elect the Chair and Vice Chair for a two-year term.

Mr. Diaz-Padron expressed his opposition to the proposal because countywide elections were the cause the electorate have filed suit in federal court.

Discussion ensued among the Task Force members regarding the issue of countywide elections.

Mr. Hill noted the County had not changed sufficiently demographically to require the abandonment of the injunction, and the entire injunction would have to be dismantled to accomplish accountability. He advised that he would to hear public input prior to attempting to make that change from single member districts.

Mr. Gonzalez advised that, he believed, district elections had diversified the composition of the County Commission and was representative of the community. He pointed out that this proposal would mostly likely be challenged in court. He also pointed out the cost to campaign to run for office every two years; therefore, he opposed the Chair's proposal for countywide elections.

Following a discussion between Mr. Zichella and Chairman Cuevas regarding the retention election and its impact on term limits, Mr. Zichella advised that, he felt, unfair to place an elected official in a position where they would lack the resources to communicate to the electorate their platform; and he pointed out it would very expensive to run a campaign countywide. Therefore, he opposed the proposals.

Ms. Burch expressed her opposition to the proposal relating the requirement of holding a retention election due to the distraction from doing their work. She advised that she liked the School Board's rotational system to select their Chair and Vice Chair.

Mr. Cazeau concurred with Mr. Diaz-Padron's comments, noting he did not believe it would hold up in court. He also commented that numerous black judges were not reelected after being appointed to the bench, noting judges were commonly voted by name only. Mr. Cazeau said he did not want the County Commissioners to go through that same process and was opposed to the proposal. He also said he did not see any need to change the method of selecting a Commission Chairperson.

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Mr. Zichella stated that placing every commissioner on the ballot would test which one had the greatest intensity of support within their districts, noting it would measure who was identified as chair and vice-chair. He said that he was not certain whether someone should be chair during their entire term in office; however, he believed it was a good idea.

Vice Chairwoman Lievano-Cruz indicated that there was a need for Countywide at-large representation at the Commission level, noting Commissioners needed to focus beyond their district and this impacted moving forward with countywide issues such as transportation.

In response to Vice Chairwoman Lievano-Cruz' comments on Duval County, Assistant County Oren Rosenthal reported that they had a consolidated municipal and county government.

Vice Chairwoman Lievano-Cruz added that Hillsborough, Manatee, Pinellas, Volusia and Leon Counties had a mix of at-large and single member districts. She said she was not opposed to pursuing such a change to the structure locally by adding two additional Countywide Commission seats in addition to the thirteen district seats. Vice Chair Lievano-Cruz commented that the previous attempt was to create three larger commission districts and not at-large seats.

Assistant County Attorney Rosenthal reported there was a weak legislative mayor that was at-large countywide and the court had the same concern with the financial capacity of minority communities to run countywide.

Vice Chairwoman Lievano-Cruz said there needed to be countywide representation, noting she liked the Chair and Vice Chair recommendation.

Mr. Cazeau said that creating two at-large seats was giving the majority two more seats, noting this was not creating greater representation.

Ms. Burch stated that adding two at-large seats would create an unruly number of members on the Commission.

Vice Chairwoman Lievano-Cruz noted Duval County had nineteen (19) commissioners.

Mr. Diaz-Padron said adding additional seats would dilute the power of the Commission. He indicated that the County was enormous and having district commission seats allowed people to get closer to government which would not happen with two at-large seats, unless you were very influential.

Mr. Gonzalez indicated that there were benefits to at-large commission seats, noting fifteen seats would not be unruly and could bring a broader perspective to the commission. He said

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there was more of a diversity of people running for commission seats now than in 1992. Mr. Gonzalez stated the Commission needed a broader perspective.

Chairman Cuevas noted he supported having a broader countywide perspective; however, cautioned that adding district seats would present legal issues. He said that he supported countywide seats where all candidates needed to campaign across all communities, noting there were now black commissioners campaigning in black districts and Hispanic commissioners campaigning in Hispanic districts. Chair Cuevas said running and considering a broader perspective would be more representative of the community as a whole.

Vice Chairwoman Lievano-Cruz commented that commissioners may not want to get involved in countywide issues, noting they should want to get involved. She said having two at-large seats would bring an additional countywide perspective.

It was moved by Chairman Cuevas that commissioners be elected for a four-year term. There was no second to this motion.

It was subsequently moved by Chairman Cuevas that the Commission Chair and Vice Chair be elected by countywide election for two-year terms. This motion was seconded by Mr. Eric Zichella. Upon being put to a vote, the vote failed by a 3-5 vote (Ms. Burch and Messrs. Cazeau, Diaz-Padron, Gonzalez and Hill voted "No"). (Messrs. Burgess, Ferre, Gonzalez, Kasdin, Kerdyk Jr., and Valdes-Fauli were absent.)

Mr. Zichella suggested that Section 3.03 of the County Charter be changed from all elections for Mayor and other members of the Board being non-partisan.

It was moved by Mr. Zichella that "all elections for Mayor, Clerk of the Courts, Property Appraiser and other members of the Board shall be non-partisan".

Assistant County Attorney Rosenthal pointed out that the Property Appraiser provisions in Article 5 already specified that the seat was non-partisan; however, the Clerk of the Courts was not.

Mr. Zichella subsequently amended his motion to read "all elections for Mayor, Clerk of the Courts and other members of the Board shall be non-partisan. This motion was seconded by Mr. Diaz-Padron, and upon being put to a vote, the motion passed unanimously by all members present.

It was moved by Vice Chairwoman Lievano-Cruz to add two at-large seats to the County Commission. This motion was seconded by Chairman Cuevas, and upon being put to a vote,

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the motion the motion failed by a 4-4 vote (Ms. Burch and Messrs. Cazeau, Diaz-Padron, and Hill voted "No"). (Messrs. Burgess, Ferre, Gonzalez, Kasdin, Kerdyk Jr., and Valdes-Fauli were absent.)

Chairman Cuevas discussed abolishing term limits for County Commissioners, noting he should be able to vote for someone he believed was a good commissioner regardless of having already served for eight years. He said it took quite some time for a new commissioner to get a sense of County government and maximize their effectiveness.

It was moved by Chairman Cuevas to abolish term limits for the County Commission. This motion was seconded by Vice Chairwoman Lievano Cruz.

Mr. Cazeau stated he accepted term limits but would support letting the voters decide on this question.

Ms. Burch said she was not in favor of term limits, noting commissioners should be allowed to remain in office if that was the will of the voters.

Mr. Gonzalez indicated that term limits were an artificial barrier, noting someone doing a good job should not have to leave office and be replaced every eight years. He supported placing the item on the ballot to allow the voters to decide about term limits.

Mr. Hill commented that he thought the voters already decided on term limits.

Mr. Diaz-Padron concurred with Mr. Hill that the voters recently decided to place term limits on the County Commissioners, noting he was opposed to the motion.

Vice Chairwoman Lievano-Cruz stated that incumbent commissioners had lost their seat following the implementation of term limits. She said that a commissioner should have the right to run again and the voters the right to elect them again if they were doing a good job. Ms. Lievano-Cruz said county government was complicated and it took more than eight years to figure it out.

Upon putting the motion to a vote, the motion to abolish term limits passed by a 6-2 vote (Messrs. Diaz-Padron and Marlon Hill voted "No"). (Messrs. Burgess, Ferre, Gonzalez, Kasdin, Kerdyk Jr., and Valdes-Fauli were absent.)

Following the vote, Mr. Zichella noted the Firefighters addressed concerns earlier in the meeting about their ability to run for office and questioned whether anyone wanted to discuss this concern.

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In response to Vice Chairwoman Lievano-Cruz request for information about the rationale restricting any County employee against running for office, Assistant County Attorney Rosenthal indicated that there was a resign to run law, pursuant to State Statute.

Chairman Cuevas requested clarification that no County employee could qualify for elected office without going on leave, according to County Charter.

Assistant County Attorney Rosenthal said that County employees automatically took a leave of absence upon qualifying for office and forfeited their position if elected.

Mr. Gonzalez asked for clarification whether County employees could run for office in other municipalities outside County government while maintaining their employment status.

Assistant County Attorney Rosenthal noted he understood County employees could run for federal, State or municipal office; however, not for County office.

Mr. Zichella commented that someone should be allowed to run for office if it did not interfere with their duty as a County employee. He further commented that County employees should also be allowed to run for a seat on the County Commission if wanting to perform public service. Mr. Zichella said County employees should be protected against retribution when running for office.

Chairman Cuevas commented that he believed the policy preventing County employees from running for public office was a good public policy.

Mr. Diaz-Padron stated that a County employee could make a decision impacting his/her own pay if elected to office; however, otherwise questioned the conflict.

Chairman Cuevas said that he did not believe public employees working for the County should run for public office regardless of their position.

Mr. Zichella suggested that the individuals who proposed this provision provide him with suggested wording and he would present it to the Task Force for a vote.

Vice Chairwoman Lievano Cruz asked Administration to provide the Task Force with a report whether any other jurisdiction within the State with a similar restriction, and if possible the history of the rationale for that restriction.

Mr. Diaz-Padron asked for the distinction of running for office in the municipality which you worked as opposed to another jurisdiction to be added to the previously requested report. He noted the debate would be whether to relax the standards and to what extent those standards should be relaxed.

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THIRD ISSUE FOR CONSIDERATION:

Report from the County Attorney's Office as to the current provisions for handling elections during emergencies.

Chairman Cuevas recommended deferring this item to the October 30, 2017 Task Force meeting.

FOURTH ISSUE FOR CONSIDERATION:

Scheduling of regional, public hearings of the Task Force in the months of November and December so that members of the public may appear and make recommendations to the Task Force regarding amendment or revision of the Charter.

In response to Mr. Hill's question about promoting the proposed public hearings, Ms. Nicole Tallman reported that meetings would be advertised through press releases and on-line.

Mr. Zichella announced that a certain number of public meetings were required to discuss suggested proposals. He said that a final Task Force meeting would be needed for Task Force members to discuss the issues amongst themselves rather than this taking place at the public hearings

Mr. Gonzalez stated that he believed the intent of the public hearings was to obtain input from the community on the Task Force's suggested proposals as well as to hear from the public their concerns. He said that the Task Force would need to meet again to evaluate the public input and determine whether any further action was needed before finalizing the report.

Assistant County Attorney Rosenthal indicated that there would not be another public hearing after the final report was presented. He said that the Task Force's preliminary ideas would be presented to the public for input and then the Task Force would determine whether they wanted to change existing proposals or add other items before submitting the report to the Board of County Commissioners.

Chairman Cuevas suggested that the Urban Development Boundary and the Citizen Initiative Petition Process discussions be held at the October 30, 2017 Task Force meeting.

Mr. Zichella requested that the Task Force considered the Citizen Initiative Petition Process item at a subsequent meeting, noting he would be out-of-town and wanted to be present to share his personal experience when that item was discussed.

Chairman Cuevas commented that the item would not be considered by the Task Force until late December or early January, if deferred.

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Mr. Diaz-Padron suggested reserving a specific amount of time at community meetings for Task Force member discussion.

Assistant County Attorney Rosenthal stated that the public meetings could be held without a quorum of Task Force members. He added that Task Force members could conduct work at those meetings; however, a quorum would be needed. Assistant County Attorney Rosenthal said that meetings should be publically noticed to receive public input as well as for other possible Task Force action.

Following discussion, it was determined that the Citizen Initiative Petition Process would be considered at the November 13, 2017 public meeting, if a quorum of Task Force members were present.

Discussion ensued among Task Force Members on the proposed public participation meeting dates.

It was moved by Mr. Diaz-Padron to adopt the proposed public hearing meeting dates as follows:

- November 13, 2017 South Dade Cultural Arts Center
- November 28, 2017 Doral City Hall
- December 4, 2017 North Dade Regional Library
- December 11, 2017 Stephen P. Clark Commission Chambers

Mr. Hill stressed the importance and Mr. Diaz-Padron confirmed the need to go beyond the usual notification process to advertise public hearings more extensively and promote more participation in those meetings.

Vice Chairwoman Lievano-Cruz questioned whether meetings should be held during daytime hours to promote additional participation.

Mr. Diaz-Padron mentioned that the previous Task Force held daytime meetings downtown and evening meetings were held in the community.

MINUTES

Approval of the Clerk's Summary of Minutes for the September 25, 2017 Charter Review Task Force Meeting

Due to the lack of quorum, the approval of meeting minutes was deferred to the October 30, 2017 Task Force meeting.

ADJOURNMENT

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There being no further business to come before the Miami-Dade County Charter Review Task Force, the meeting was adjourned at 8:56 p.m.