



Jenny Johnson-Sardella

Chair

David Goehl

Vice Chair

Dale Blanton

Ramon Irizarri

Dan Keys

Brian McNoldy

Vicki Smith-Bilt

MINUTES

Charter Review Advisory Board

Ed Burke Recreation Center - 11400 NE 9th Court

Biscayne Park, FL 33161

Thursday, January 8, 2015 at 7:00pm

1 Call to Order

Village Clerk Maria Camara called the meeting to order at 7:01pm.

2 Roll Call

Jenny Johnson-Sardella - absent

David Goehl - present

Dale Blanton -present

Ramon Irizarri - present

Dan Keys - present

Brian McNoldy - present

Vicki Smith-Bilt - present

Present from staff:

Village Clerk Maria C. Camara and Village Attorney John Hearn

3 Approval of Minutes

Dan Keys makes a motion to approve the minutes of December 11, 2014, as presented. It is seconded by Ray Irizarri. Motion passes 6/0.

4 Presentations

Village Attorney John Hearn provides the Board with a presentation on Sunshine Law and Public Records Law. Attorney Hearn proposes not to attend all meetings for cost savings. Will definitely attend when the Board finalizes their proposed changes.

5 Public Comments Related to Agenda Items

< None >

Commission, Administration and residents provided an opportunity to provide the Board with areas of the Charter to review:

Mayor David Coviello: Does not see something of great importance to change and not worth the cost of an election. Per information provided by the Clerk, a stand alone election cost is approximately \$17,365; piggy back with a general election \$3,776; mail ballot special election \$8,660. Manager's recommendation of change to the code is good and should proceed with the change through an ordinance.

Clerk Camara relayed a message from **Vice Mayor Fred Jonas** who was not in attendance. He has no specific items to review and that the Board should review the entire charter.

Commissioner Bob Anderson: Charter is nine years old. Not a bad charter. Costs money to progress on this. There are other issues and items that the Village needs to come up with funds for. But if you do go forward, consider that every candidate runs at large. Consider seats for candidates to run for.

Commissioner Roxana Ross: Charter is working very well. Would be ok with if no changes are made. But consider the following:

> Article II, Section 2.02 referencing the duties of the Mayor, language appears left over from pre-Manager form of government as it relates to execution of contracts and in regards to service of process.

> Using the 8th Edition of the Model City Charter from the National Civic League, Mayor should not have administrative duties.

> Article II, Section 2.05 Vacancies: Where it references removal, include 'suspension or removal'.

> Article III, Section 3.01 (B): Regarding Village Manager, there is good language in the Model City Charter. Important to include education and experience.

> Article III, Section 3.02: Where it references the Village Attorney, recommend using the Model City Charter where it states a legal officer treated as a regular department head. There are three (3) options: Appointed by City Manager; or appointed by City Manager but subject to confirmation by the City Council; or appointed by the City Council only. Could strengthen the language about day to day operations.

> Article IV, Section 4.01: On Commission Meeting Procedures, should update that the Manager should have the ability to call Special Meeting, and not just limited to the Mayor or four members of the commission.

> Article IV, Section 4.05: On Annual Budget, Model City Charter provides information on how to formalize the budget process to include a capital improvement plan. Review the language regarding contingencies.

> Article V: Consider what the Model City Charter provides.

> Elections in general, specificity on the number of days, consider requirements of the County Supervisor of Elections and schedule accordingly.

> Article VII, Section 7.07: On No Discrimination, add age as a protected category.

> Recommend not doing term limits. Model City Charter does not restrict.

> Recommend not changing how the Mayor is selected. Currently works well.

Commissioner Barbara Watts: Look at adding term of office and term limits and see what other cities are doing. Suggest 8-9 years. Look to get new energy and new voices.

> In regards to Article VI, Section 6.02 Procedure to Amend, and Article VII, Section 7.04 Charitable Contributions, currently states a majority decision. Consider a 4/5 requirement.

> Also review language on clerks records.

Manager Heidi Shafran: Looked at other city charters and cities that have recently made charter changes.

> Section 1.02 - Form of Government: An opportunity for this section to be more explanatory on the relationship, but no necessarily changing the relationship.

> Section 4.01 - Commission Meeting Procedure: Look at facilitating the process for scheduling special meetings or rescheduling a meeting.

> Section 2.03 - Term Limits: Important to look at, not necessarily recommending a change, but due to size of our Village. Also consider a time out of office. Clean up the language if an elected official after leaving office looks to become an employee, or through a contractual basis.

> Section 3.05 - Vacancies: Consider the expense of a stand alone election if a vacancy were to occur. Consider changing the language from six (6) months to twelve (12) months left in the term before requiring the election. Would allow for proper budgeting as well.

> Clean up the language that if appointed, that it also requires the same requirements. Currently it is silent.

> Section 4.03: Actions requiring an ordinance - review the actions listed and consider those that can be done through a less expensive action such as a Resolution.

> Section 7.07 No discrimination: Consider 'age' to be added; and 'gender identity'.

No item is critical that has to be done. But if there is an opportunity, to consider.

Resident input:

Harvey Bilt: Any items we can change/pass by ordinance or resolution should be done as opposed through a charter amendment.

Barbara Kuhl: Based on what was presented, no major problems. Very expensive to tweak. The way it is functions. Leave as is. Against term limits. There is a natural turnover. Mayor rotation is good. Bit mistake to connect Attorney to the Manager. This is our system of checks and balances.

Dan Keys makes a motion to adjourn and it is seconded by Dale Blanton. Motion passes 6/0.

The meeting was adjourned at 8:15:pm

Board approved on _____.

Attest:

Jenny Johnson-Sardella, Chair

Maria C. Camara, Village Clerk