

**CITY OF NORTH MIAMI BEACH  
BOARDS AND COMMITTEES MEETING MINUTES**

**NAME OF COMMITTEE:** CHARTER REVIEW COMMITTEE (CRC)  
**NAME/TELEPHONE OF PERSON PREPARING SUMMARY:** Elisabeth Pierre (305) 948-2900  
**NAMES OF MEMBERS, STAFF, AND INVITED GUESTS PRESENT:**  
**BOARD MEMBERS:** BETH SPIEGEL (CHAIRPERSON), WILLIAM DEAN, NORMAN EDWARDS, GLENN FINLAY,  
JARRET GROSS, MARY HILTON, BARBARA FALSEY  
**STAFF:** CITY MANAGER KELVIN BAKER, CITY CLERK SOL ODENZ, ASST. CITY ATTORNEY MIRIAM BENSINGER  
**TYPE OF MEETING:** REGULAR **DATE:** August 27, 2008

**MINUTES**

**AGENDA ITEM 1- INTRODUCTIONS-Call to Order and Roll Call followed by introductions:** Chairperson Spiegel called the meeting to order at 7:02 pm and Mr. Odenz called the roll.

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**AGENDA ITEM 2 – APPROVAL OF MINUTES: August 13, 2008:** Board Members requested that the minutes be amended to reflect the following changes: (AGENDA Item #3) Member Hilton’s motion to change the City election date was seconded by Member Edwards. Remove “with the ability to” and replace with “had to” under Chairperson Spiegel’s motion to have four year staggered terms. Motion was made to approve the minutes as amended. Motion was unanimously approved.

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**AGENDA ITEM 3– REVIEW OF TOPICS (A-G):** Chairperson Spiegel gave the members copies of City Charters from the City of Miami Beach, City of Sunny Isles Beach, the Village of Pinecrest, and the Village of Palmetto Bay. Members discussed future meeting dates and also discussed adding additional topics to be reviewed. Members discussed item (D) Citizens Bill of Rights. Mr. Odenz advised the members that Mrs. Bensinger may not be present to this meeting and Mr. Odenz gave the members a handout of the County’s Citizens Bill of Rights provided by Mrs. Bensinger. Member Gross motioned that the Committee recommend to Council that a Citizen’s Bill of Rights be incorporated into the City of North Miami Beach’s Charter. The motion was seconded by Member Hilton. Members discussed this motion. Motioned was unanimously approved. Members discussed the Citizens Bill of Rights located in the Cities Charter given by Chairperson Spiegel. Members discussed the advantages and disadvantages of having a Remedy provision. Members Edwards and member Hilton proposed that the City invest in a forensic audit periodically in addition to the auditing process we currently have. Members voiced their opinion on the cost and the time factor. Members decided not to make these changes.

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\*\*\*\* \*\*\*\*\***ELEVEN MINUTE BREAK (7:42pm-7:53pm)**\*\*\*\*\*

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**AGENDA ITEM 3(CONTINUED) – REVIEW OF TOPICS (A-G):** Members spoke about items that they wanted to have added to the Citizens Bill of Rights. Chairperson Spiegel spoke about adding that Public Records shall be available on line. Members spoke about adding that the City would provide a quarterly budget report. Member Falsey motioned to add as a part of the City of North Miami Beach’s Charter, the Miami Dade County Charter Citizens Bill of Rights with appropriate corrections. Motion was seconded by Vice Chair Gross. Member Falsey withdrew her motion. Motion was made by Vice Chair Gross to recommend to Council that the City adopts the City of Miami Beach’s Citizens Bill of Rights into our City Charter with two amendments: (1) Removal of section 16(Non discrimination) and (2) removal of the verbiage under section 15(which policy shall include the abatement of air and water pollution and of excessive and unnecessary noise and non discrimination). Motion was seconded by member Dean. Motion was approved unanimously. Members went on to discuss topic (E) Philosophical discussion. Member Spiegel suggested that Article 4 section 21 under Enumerated Powers be revised. Members requested that the City’s Legal Department prepare some legal verbiage in regards to this. Member Edwards spoke about the City’s involvement with the CRA. Mr. Edwards suggested that the City not invest any property, monies, etc. into the CRA. Member Edwards said that there should be limitations on the City’s contributions, no loans should be drawn, no grants, no pledges, and no properties invested into the CRA. Chairperson Spiegel moved to not indirectly do what we directly voted not to do, directly. Motion was seconded by Member Gross. Members discussed this motion. Motion passed. Members Hilton and member Edwards opposed the motion. Members Falsey, Finlay, Dean, Vice-Chair Gross, and Chairperson Spiegel approved this motion.

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**AGENDA ITEM 4 – DISCUSSION AND DIRECTIVE GIVEN TO STAFF REGARDING TOPICS A-G:** Chairperson Spiegel and the Charter members suggested that these items be addressed: Budget amendments, residency requirements, number of funds, Board alternates, update capital improvement section, address May run-off election, vacancies in the office, ability to have periodic Charter Reviews, Perks & Insurance packages for Council, Conflict of Interest/Ethic, Provisions about petitions, City manager’s contract, and the additional issues previously submitted by city staff. Resident Mubarak Kazan requested to address the Committee.

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**PUBLIC COMMENTS:** Resident Mubarak Kazan Mr. Kazan voiced his opinion regarding the motion made to move the City election, Citizens Bill of Rights, removal of the noise nuisance policy, request for in-depth minutes placed on the internet, public

records request, the removal of section 16 regarding discrimination, Ethics Commission and Public trust, forensic audits, and also the replacement of a certain section in the Charter the was requested to be replaced with one paragraph.

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**AGENDA ITEM 5- ADJOURN:** Meeting adjourned at 9:28 pm.

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**FUTURE MEETINGS:**

**August 27, 2008**

**City Council Conference Room, 4<sup>th</sup> Floor, City Hall**

**7:00 p.m. Regular Meeting**

**APPROVED BY:**

**Charter Review Committee**

APPROVED 9/10/2008

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