

**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:** WILLIAM DEAN, NORMAN EDWARDS, GLENN FINLAY, (VICE CHAIR) 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:** September 24, 2008

**MINUTES**

**AGENDA ITEM 1- INTRODUCTIONS-Call to Order and Roll Call followed by introductions:** Vice chair Gross called the meeting to order at 7:08 pm and Mr. Odenz called the roll.

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**AGENDA ITEM 2 – APPROVAL OF MINUTES: September 10, 2008:** Board Members requested that the minutes be amended to reflect the following changes: (AGENDA Item #2) Member Hilton’s motion to change Term Limits to be corrected to letter J not G. 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):** Vice Chair Gross brought up scheduling of the future meetings. Mr. Odenz advised the members that the Charter Review Committee has a 180 day term, in which additional time can be requested. Motion was made by member Falsey requesting an additional 30 days. Motion was seconded by member Dean. Motion passed. Member Falsey motioned for the next meeting to take place on October 15, 2008 and every week there after with October 29, 2008 being the date of the Public hearing. November 5, 2008 will be the last meeting. Motion was seconded by member Dean. Motion was amended to strike the words “every week” and reflect the Committee meeting dates as: October 15, 22, 29, and November 5, 2008. Motion passed unanimously. Members discussed Item M (City Staff issues). Mr. Baker offered to the members some new budget approaches. He spoke about Program budgeting, Traditional Accounting budgets, and Performance base budgeting. Mr. Baker went over several examples showing how each type of budgeting could allow the City to be more efficient. He stated that in Section 57 page 23 (Contents of estimates) it specifically requests the City to present a line item budget. Mr. Baker explained to the members that he wanted the City budget to have the ability to be more modern in the future. Vice chair Gross stated that that section does not prohibit having a program budget; the city has the ability to do both a line item budget and a program budget. Mr. Baker requested that some verbiage be placed in the Charter to allow for a more sophisticated form of budgeting. Members requested that Mr. Baker prepare the language he would like to see in the Charter for this section. Mr. Baker also spoke about the verbiage being out dated in several sections. Members moved forward to discuss item L (CIP Update) section 62.1(Maximum unbudgeted expenditure on single capital improvement). Motion was made by member Dean, spoken by Vice chair Gross, recommending modifying section 62.1 to change the limit of expenditures in excess of 2% of the current budget exclusive of the general fund for every one Capital Improvement for emergencies. Additionally, the City will be able to accept funds available from new revenues from external unbudgeted sources that must be expended prior to the next budget year. Motion was seconded by Vice chair Gross. Members discussed this motion. Member Hilton felt that 2% was too high. Members continued to discuss. The motion was called to vote. Member Finlay, Gross, and Dean approved this motion. Members Falsey, Edwards, and Hilton opposed this motion. Motion failed due to the percentage amount. Member Falsey motioned to change the amount to 1.5 %. Member Edwards seconded the motion. Motion passed. Mrs. Bensinger suggested that the board may want to address unbudgeted expenditures (non emergency). Motion was made by member Dean to change the amount referenced in this section to \$200,000.00. Motion was seconded by member Finlay. Members discussed this motion. Motion passed unanimously. Members moved forward to discuss item (O) Periodic Charter Reviews. Motion was made by Vice chair Gross to recommend that a Charter Review Committee be established every 10 years. Motion was seconded by member Finlay. Member Dean opposed. Motion passed. Members discussed item (P) Council Perks/Insurance packages. Vice chair Gross motioned to recommend including in the compensation section of the Charter that benefits that may be extended or voted upon the elected official by the Council may only be provided during their term of service. However, after their term of service expires they will have the option to opt into at their own expense any plan that is available to current Council members. Motion was seconded by member Falsey. Motion passed unanimously. Members discussed Council salaries. Members chose to not tackle this topic. Members discussed item (R) Petition Provisions. Mr. Odenz wanted it be noted that the City Clerk does not verify signatures, the County handles that. Member Edwards stated that some sort of notice be sent advising the public when the signatures are being verified. Mrs. Bensinger advised the members that verifying signatures and residency requirements are functions of the Elections Department in the County. Mr. Odenz noted that the City ordinance specifically states the requirements. Motion was made by member Edwards to recommend that the timeframe to collect signatures for a petition be 90 days on any citizens initiated petition. Motion failed for lack of second. Members agreed not take up this topic. Member Edwards wanted to speak about item (S) City Manager Contract. Mr. Edwards commented on Article VI. Section 32(Tenure) and Article VIII. Section 45 (Duties). Mr. Edwards stated that he believes that the, City Manager, and department heads, should be able to be removed without cause and that all classification should be at will. Members discussed this item. Motion was made by member Edwards to recommend that Article XIII. Section 75(Civil Service) in the charter be amended changing the City Manager and

Department Heads to at will employees. Motion was seconded by member Dean. Members discussed. It was unanimously approved.

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**AGENDA ITEM 4 – DISCUSSION AND DIRECTIVE GIVEN TO STAFF REGARDING TOPICS A-G:** Mrs. Bensinger passed out a draft of some of the recommendations discussed by the board. She went over the material and advised the board what the process will be. Mrs. Bensinger advised the board that she will be unable to attend the meetings on October 15, 2008 and October 22, 2008.

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**PUBLIC COMMENTS:** Resident Richard Reiss, 23 NW 169<sup>th</sup> street, offered his experience and opinion on the petition process. He had issues with signature verification and resident verification. Mr. Reese offered different petitions he brought up to the City in the past. Members asked Mr. Reese what he was proposing the Committee do to solve his issues with the petition process. Mr. Reese requested that certain rules be established by this board in regards to the current petition process. Mr. Reese questioned if the County over rule the City. Mrs. Bensinger advised Mr. Reese that the County provides the specific limits for Dade County.

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**AGENDA ITEM 5- ADJOURN:** Meeting adjourned at 9:47 pm.

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**FUTURE MEETINGS:**

October 15, 2008                      City Council Conference Room, 4<sup>th</sup> Floor, City Hall                      7:00 p.m.    Regular Meeting

**APPROVED BY:**

**Charter Review Committee**

APPROVED 10/15/2008

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