

**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:** September 10, 2008

**MINUTES**

**AGENDA ITEM 1- INTRODUCTIONS-Call to Order and Roll Call followed by introductions:** Chairperson Spiegel called the meeting to order at 7:03 pm and Mr. Odenz called the roll.

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**AGENDA ITEM 2 – APPROVAL OF MINUTES: August 27, 2008:** Board Members requested that the minutes be amended to reflect the following changes: (AGENDA Item #3) Chairperson Spiegel wanted the minutes to reflect that the members had a discussion not to make changes to include a forensic audit. Member Hilton stated that the verbiage to be deleted under section 16 in Miami Beach’s City Charter included “air pollution and unnecessary noise” and that Enumerated powers are under Article 4 section 21 and not Article 5 section 21. Chair person Spiegel wanted the minutes to reflect that she did not make the motion “to not indirectly do what we directly voted not to do, directly”. Motion was removed from minutes. (AGENDA Item #4) Chairperson Spiegel wanted the minutes to reflect that Term Limits (letter J) was not a serious Charter issue that item was removed. Chairperson Spiegel wanted the minutes to reflect that she suggested that the committee come up with the additional items to be addressed on the agenda. Motion was made to approve the minutes as amended. Motion passed.

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**AGENDA ITEM 3– REVIEW OF TOPICS (A-U):** Members had a philosophical discussion whether they would change Article 4 section 21 under the enumerated powers. . Member Hilton motioned to use the verbiage from the Miami Gardens Powers Part A only. Motion was approved by all members except Chairperson Spiegel, members Dean (not in attendance) and Falsey (not in attendance). Motion passed. Members discussed item (G) Board alternates. Vice Chair Gross motioned to allow up to two alternates for any board organized by this charter and shall be chosen in the same manner as members appointed. Chairperson Spiegel seconded the motion. (Members Dean and Falsey arrived). Members discussed this motion. Mrs. Bensinger explained the appointment process and the necessity of having alternates. Member Edwards voiced his concern regarding the eligibility of the alternates. The City manager, Kelvin Baker, explained that alternates enable the committees to continue their progress and keep things moving. Motion was approved by all members excluding member Edwards who opposed. Members discussed item (L) Number of Funds. Chairperson Spiegel motioned to amend that section of the Charter (section 62) to provide that the City shall establish funds as it is required by state and federal law and in order to conduct the order of business in the County/City. Vice Chair Gross seconded the motion. Members discussed the Elections section in the City charter. Mr. Odenz, the City Clerk requested that the Committee review the Elections section of the charter, page 12 Section 9, where it states 2<sup>nd</sup> Tuesday. Mr. Odenz recommended that it state the third Tuesday. On the third line under qualified electors (Duly registered with the supervisor of elections of the County) page 13 sub section three, will be effected by the run-off. Mr. Odenz recommended that it states 4<sup>th</sup> Tuesday in May. On the next paragraph he recommends to change the verbiage to “4<sup>th</sup> Tuesday in May” and also suggested that where it refers to declaration results that be changed to reflect the 4<sup>th</sup> Tuesday. Vice Chair Gross motioned that the Run off election be moved to the third Tuesday in May and make changes recommended by the clerk including the registration with the supervisor of elections of Miami Dade County. Chairperson Spiegel amended the motion to state that the Run off election will be held two weeks after the general election and that the appropriate changes in dates can be requested to enable the Clerk to certify elections in compliance with the County and State. Motion was seconded by Member Hilton. Members discussed this motion. Motion passed unanimously. Members discussed Item (I) Residency Requirements. Vice chair Gross motioned to recommend to Council that that the residency requirement be a minimum of two years consistent, before being qualified to run for public office. Motion was seconded by Member Finlay. Members discussed this motion. Motion was approved by all members excluding member Edwards. Members briefly discussed the Code of Ethics ordinance. Chairperson Spiegel made a motion to recommend no change since it is covered by the County code. Vice Chair Gross seconded that motion. All members approved the motion with the exception of member Hilton. Members discussed this item further. Chairperson Spiegel withdrew her motion and Vice chair Gross withdrew his second. Chairperson motioned to recommend that the committee amend section 30 verbiage of page 19 putting, this verbiage in its place (stated by Mrs. Bensinger) “City Government is to be governed by Miami Dade County Conflict of Interest and Code of Ethics ordinance as amended from time to time and by the State of Florida Ethics and Conflict of Interest provisions.” Members discussed this motion. Motion passed unanimously. Members Edwards requested to withdraw item (U) City Manager’s Contract. Members agreed and that item was removed. Members discussed I tem (P) Vacancies in City Council. Mr. Odenz stated that the verbiage in the Charter is out dated due to the changes of law and

