



CHARTER REVIEW COMMITTEE MEETING

CITY OF NORTH MIAMI BEACH

City Hall, Conference Room, 4th Floor
17011 NE 19th Avenue, North Miami Beach, FL. 33162

Monday, April 4, 2016 6:00 PM

Charter Review Committee Members:

Charles Asarnow, Chair
Norman Edwards, Vice-chair
Chuck Cook
William Dean, Esq.
McKenzie Fleurimond
Bruce Lamberto
Larry Thompson

Appointed by:

Mayor George Vallejo
Councilman Anthony F. DeFillipo
Vice Mayor Beth E. Spiegel
Councilwoman Phyllis S. Smith
Councilman Frantz Pierre
Councilwoman Barbara Kramer
Councilwoman Marlen Martell

Staff:

Jose Smith, City Attorney
Sarah Johnston, Assistant City Attorney
Jean Olin, Outside Counsel
Pamela L. Latimore, City Clerk
Lynnetta Jackson, Deputy City Clerk

Charter Review Committee Meeting Minutes

Roll Call of the Committee Members

The meeting was called to order at 6:02pm. Present at the meeting were Chairman Charles Asarnow, Vice Chairman Norman Edwards, Chuck Cook, William Dean, McKenzie Fleurimond, Bruce Lamberto, and Larry Thompson. Deputy City Attorney Dotie Joseph, Assistant City Attorney Sarah Johnston, City Clerk Pamela L. Latimore, Deputy City Clerk Lynnetta Jackson, Outside Counsel Jean Olin, Esq., and Outside Labor Counsel David Miller were also present.

Pledge of Allegiance was led by the Charter Review Committee.

Approval of Meeting Minutes

Motion to approve the Minutes of March 9th, 2016 made by Mr. Thompson, seconded by Mr. Lamberto.

MOTION PASSED 7-0.

Civil Service Board

The Committee continued the discussion about the Civil Service Board that was introduced at the previous meeting. The City Attorney's Office, in conjunction with Outside Counsel Jean Olin and David Miller, presented recommendations based on the direction of the Committee.

The **proposed provision** is to retain the Civil Service Board in the City Charter and delete the Civil Service Board's powers to give examinations and promotions, to appoint or designate a Chief Examiner, and to issue subpoenas and enforce by contempt. The existing provisions of the Civil Service Board concerning "Creation", "Composition", and "Appeals" will remain in the Charter and the existing provisions of the Civil Service Board concerning "Director", "Duties", "Civil Service", "Classified Service", "Political Activity",

and “Pensions” will move from the Charter into the City Code with the identical language, which will allow for their amendment via ordinance instead of referendum.

Outside Labor Counsel Miller described the items that were proposed to be eliminated from the current City Charter and Outside Counsel Olin explained the voting and balloting process that will commence based on the approval of the recommendations by the Committee. The Committee discussed the possibility of having the Civil Service Board consist of 4 members appointed by the City Council and 3 members being employees, but decided to retain the current composition of 5 and 2, respectively. The Committee talked about the number of days that the Civil Service Board has to afford a hearing to an employee in order to appeal a disciplinary action.

Motion to amend the number of days that the Civil Service Board has to afford a hearing to an employee in order to appeal a disciplinary action from 15 days to 30 days made by Mr. Lamberto, seconded by Mr. Thompson.

MOTION PASSED 7-0.

The Committee discussed the language in the existing Charter concerning the Civil Service Board having the power to modify disciplinary decisions and impose punishment for violations by employees.

Motion to approve the proposed provision of the Civil Service Board with the amendment changing the time to hear an appeal from 15 days to 30 days in Sec. 79 “Appeals” made by Mr. Asarnow, seconded by Mr. Thompson.

MOTION PASSED 6-1 with Mr. Cook opposed.

****** see discussion after public comment – final recommendation is without the removal (and placement in the Code) of Sec. 81 “Pensions”.***

Upcoming Meetings

The Charter Review Committee Citizens Town Hall meeting will be on Wednesday, April 6th, 2016.

Mr. Asarnow said that the purpose of the meeting is to make sure everyone in the community has the opportunity to learn what the Committee has done over the past months. The meeting will start with a background on what caused the Committee to be instituted by the City Council and City staff will explain all the existing provisions that were discussed and the proposed changes. The meeting will also be opened for public comment. The Committee will then pass the recommendations to the Council to be voted on and the accepted provisions will be voted on by the residents of North Miami Beach in the November 2016 election.

The final meeting of the Charter Review Committee is tentatively scheduled for Wednesday, April 13th, 2016.

The meeting was opened for **PUBLIC COMMENT**.

The following individuals commented on the existing sections in the City Charter involving the Civil Service Board and inquired about the proposed provision and modifications.

1. North Miami Beach employee Janice Coakley
2. North Miami Beach employee Antonio Ortega
3. North Miami Beach employee Lori Helton
4. North Miami Beach employee Marva Simmonds
5. North Miami Beach resident Mubarak Kazan
6. Former North Miami Beach employee Melissa Winchester
7. North Miami Beach employee Lorenzo Hall
8. North Miami Beach employee Nehemi Vincent

The meeting was closed for **PUBLIC COMMENT**.

Motion to reconsider the previous vote on the proposed provision of the Civil Service Board made by Mr. Dean, seconded by Mr. Cook.

MOTION PASSED 7-0.

Motion to approve the proposed provision of the Civil Service Board (as stated above) and retain Section 81 on “Pensions” in the existing City Charter made by Mr. Dean, seconded by Mr. Fleurimond.

MOTION PASSED 6-1 with Mr. Edwards opposed.

The meeting was adjourned at 7:33pm.