



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: September 10, 2008

SUBJECT: **REPORT OF THE SPECIAL NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE MEETING HELD ON MONDAY, JULY 14, 2008.**

A meeting of the Neighborhoods/Community Affairs Committee was held on Monday, July 14, 2008 at 3:00 pm in the City Manager's Large Conference Room, 4th Floor, City Hall. Commissioners in attendance: Mayor Matti Herrera Bower, Commissioners Edward L. Tobin, Jonah Wolfson, Jerry Libbin, Richard L. Steinberg, and Saul Gross. City staff in attendance: Jorge M. Gonzalez, City Manager; Robert Middaugh, Assistant City Manager; Jose Smith, City Attorney; Jean Olin, Special Counsel City Attorney's Office; Robert Parcher, City Clerk; Dolores Mejia, Special Project Administrator; John Heffernan; A. C. Weinstein, Anthony Broad, Marlene Taylor, Enid Rodriguez and Anne Swanson of the Mayor and Commissioner's Office; and Randi MacBride, Neighborhood Services Department.

1. DISCUSSION REGARDING PROPOSED CHANGE TO THE CHARTER TO REQUIRE ELECTIONS FOR ANY OPEN SEAT ON THE COMMISSION THAT WOULD RESULT IN A MINIMUM OF NINE (9) MONTHS OF UNEXPIRED TERM FOLLOWING THE ELECTION.

Commissioner Libbin asked to discuss the two items on this agenda together. He distributed and reviewed a "Pool of Candidates" Proposed Charter Amendment chronology (Attachment A). He stated that the issue of eliminating group seats had been recommended for discussion two times and he wanted to make sure it received the proper discussion. He added that he believes that going to "pool" elections will eliminate some of the negative campaigning, that more positive campaigning is likely, and that there is an inherent advantage to incumbents in group elections.

With regard to the issue of filling a vacant seat on the City Commission, Commissioner Libbin stated that he believes the concept of appointing a commissioner to a vacated seat was intended for a short period; less than one year. He would like to see the charter reworded to have an appointment for an empty seat until such time that an election can take place with an already scheduled city or general election. He added that he does not think that there will be answers today, however, he would ultimately ask that if it is agreed that there are things that need to be done that this committee agree to reconvene a Charter Review Committee.

- Mr. David Custin spoke.
- Mr. Frank Del Vecchio spoke.
- Mr. David Kelsey spoke.

Commissioner Libbin made a motion to put on the ballot in November, 2008 to change the wording in the Charter from "shall" appoint to "may" appoint and allow the letter of resignation

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to be the time when a vacancy has occurred so that a decision can be made to elect or appoint for an open seat. There was no second; motion failed.

ACTION: The committee took no action. Motion failed.

2. DISCUSSION REGARDING A CHARTER AMENDMENT THAT WOULD MODIFY OUR ELECTION PROCESS, SO AS TO ELIMINATE THE GROUP SEATS AND HAVE CANDIDATES ALL RUN AT LARGE TO BE DONE EITHER WITH, OR WITHOUT A RUNOFF.

Discussion occurred together with Item #1. Please refer to item above.

Commissioner Libbin made a motion to ask the Mayor to convene a Charter Review Committee, at her convenience, to look at the concept of "pool elections," among other items that have been raised. There was no second; motion failed.

ACTION: The committee took no action. Motion failed.



JMG/HMF/rfm

“Pool of Candidates” Proposed Charter Amendment: Chronology

- November 7, 1995: City of Miami Beach General Election -- Mayor Seymour Gelber re-elected for third term.
- January 3, 1996: Mayor Gelber requests City Attorney to draft proposed Charter Amendment allowing for elections of Commissioners in a pool as opposed to group seats.
- January 31, 1996: Mayor Gelber gives his State of City address announcing his intent to propose election reform regarding term limits, pool elections, and Mayor/Commissioner’s salary increases.
- February 7, 1996: Pursuant to Mayor Gelber’s request, the proposed election reform matters are placed on City Commission agenda for discussion. Matters deferred to March 20th City Commission meeting.
- March 20, 1996: Mayor and City Commission adopt Resolution reconvening City’s Charter Review and Revision Board to consider the following proposed Charter Amendments:
 1. Deleting references to City Commission group number and electing Commissioners from a pool of candidates;
 2. Providing for term limits of Mayor and City Commissioners;
 3. Providing for increases in annual salaries of each City Commissioner from \$6,000.00 to \$12,000.00 and annual salary increase of Mayor from \$10,000.00 to \$20,000.00.
- May 8, 1996: Charter Review Board discusses the subject charter reform issues and passes Resolution calling for City Commission public hearing to determine citizen’s position on these matters.
- June 19, 1996: City Commission adopts recommendation of Charter Review Board and calls July 17, 1996 public hearing on proposed measures.
- July 17, 1996: City Commission agenda item re: “pool of candidates” is withdrawn. Commission passes Resolution placing on November 5, 1996 ballot proposed Charter amendments increasing salaries of elected officials and establishing term limits.
- November 5, 1996: City of Miami Beach Special Election -- City Voter’s approve Charter Amendments increasing salaries of elected officials and establishing term limits.
- July 18, 2001: City Commission, pursuant to Mayor Neisen Kasdin’s request, refers to Community Affairs Committee issue regarding electing candidates via pool.
- November 20, 2001: Community Affairs meeting – “pool” item deleted from agenda.
- November 28, 2001: City Commission meeting -- report of November 20, 2001 Community Affairs meeting received. No further discussion on “pool” issue.



MIAMI BEACH

NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE

JULY 14, 2008

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