



CITY OF WEST MIAMI MINUTES

CHARTER REVIEW BOARD MEETING

WEDNESDAY, SEPTEMBER 15TH, 2021

5:30 PM

COMMISSION CHAMBERS
901 S.W. 62ND AVENUE
WEST MIAMI, FLORIDA

1. **PLEDGE OF ALLEGIANCE.** Member Ivan Chavez, Jr. led the Pledge of Allegiance.
2. **ROLL CALL.** The Mayor called the meeting to order at 5:45 PM Present were Mayor Rhonda A. Rodriguez, Vice-Mayor Eric Diaz-Padron, Commissioner Candida Blanca and Commissioner Luciano L. Suarez. Commissioner Blanes joined the meeting at 6:12 PM.

Board Members:

Lenny Caravia – Member. Present
Ivan Chavez, Sr. – Member. Present
Ivan Chavez, Jr. – Member. Present
Christian Diaz - Alternate Member. Arrived at 5:48 PM
Natalie Milian – Member. Present
Eduardo H. Muhiña – Member. Excused
Martin Torres - Alternate Member. Arrived at 6:35 PM

Also present were City Attorney Jose A. Villalobos, City Manager Yolanda Aguilar and City Clerk Annery Gonzalez.

3. **CITIZEN PRESENTATIONS.** No presentations.
4. **APPROVAL OF MINUTES OF SEPTEMBER 8TH, 2021 CHARTER REVIEW BOARD MEETING.** The City Clerk requested deferral of this item. All were in favor.
5. **NEW BUSINESS:**
 - A. **Opening Remarks by the Mayor.** The Mayor gave the opening remarks.
 - B. **Revisit issues discussed at Charter Review Board meeting of September 8th, 2021 meeting.** The Mayor provided the highlights of the Charter sections reviewed at the last meeting.
 - C. **Sections of Charter for review:**

ARTICLE I. - CREATION AND POWERS

§ 1.01- — **Creation and powers.** Completed 9/8/2021. No changes.

§ 1.02- — **Construction.** Completed 9/8/2021. No changes.



CITY OF WEST MIAMI
CHARTER REVIEW BOARD MEETING
MINUTES
WEDNESDAY, SEPTEMBER 15TH, 2021

ARTICLE II. - CORPORATE LIMITS

§ 2.01- — **Description of corporate limits.** Completed 9/8/2021. No changes.

ARTICLE III. - LEGISLATIVE

§ 3.01 - — **City Commission; powers, compositions.** Completed 9/8/2021. No changes.

§ 3.02 - — **Qualifications.** This item had been left pending for discussion at the 9/8/2021 meeting.

- (a) **Any elector who has been a City resident for two (2) years preceding the qualifying date for an election may qualify for candidacy of Mayor or City Commissioner.** A discussion ensued in regards to residency requirements. Member Ivan Chavez, Sr. motioned in favor of lowering the residency requirement to one (1) year preceding the qualifying date. The motion was seconded by Member Lenny Caravia.

The vote was as follows:

| | |
|---------------------------------|---------------|
| Mayor Rhonda A. Rodriguez | <u>Y</u> |
| Vice-Mayor Eric Diaz-Padron | <u>Y</u> |
| Commissioner Candida Blanca | <u>N</u> |
| Commissioner Juan M. Blanes | <u>Absent</u> |
| Commissioner Luciano L. Suarez | <u>Y</u> |
| Member Lenny Caravia | <u>Y</u> |
| Member Ivan Chavez, Sr. | <u>Y</u> |
| Member Ivan Chavez, Jr. | <u>Y</u> |
| Alternate Member Christian Diaz | <u>Y</u> |
| Member Natalie Milian | <u>Y</u> |
| Member Eduardo H. Muhiña | <u>Absent</u> |
| Alternate Member Martin Torres | <u>Absent</u> |

The City Attorney was instructed to include the question on the ballot, therefore, Section 3.02(a) of the City Charter, if approved by the electorate at the April 12th, 2022 West Miami Elections, would read as follows:

NOTE: *Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored, underlined and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.*



CITY OF WEST MIAMI
CHARTER REVIEW BOARD MEETING
MINUTES
WEDNESDAY, SEPTEMBER 15TH, 2021

- (a) Any elector who has been a City resident for ~~two (2) years~~ one (1) year preceding the qualifying date for an election may qualify for candidacy of Mayor or City Commissioner.
- (b) **The City Clerk acting as supervisor of elections of the City shall be empowered as the qualifying agent for City elections.** Completed. No changes.

§ 3.03 - — Election; separate groups; offices; and terms. Discussed.
Completed. No changes.

§ 3.04 - — Compensation and expenses.

Members of the Council shall receive compensation in the amount of twenty dollars (\$20.00) per meeting, on attendance, until such is changed by the Council in accordance with the provisions of this Charter. Members of Council may be excused with compensation for not more than two (2) meetings during each year of the member's term of office. Members of Council shall not receive compensation for attendance at not more than thirty (30) meetings during any fiscal year. This section was discussed and left pending for further discussion at next meeting.

The Council may determine the annual salary of Council members by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of the Council members elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months, and such ordinance is approved by the majority of the electors who voted in such election. The Council, by resolution, may authorize a One Hundred Dollar (\$100.00) per month non-accountable expense account for each councilman and the Mayor. This section was discussed. No changes proposed.

The Council may, at a regularly called meeting and by a four-fifths ($\frac{4}{5}$) affirmative vote, approve additional expenses for Council members for travel and/or per diem expenses within the State of Florida, provided, however, such travel and per diem expenses are for the direct benefit and/or direct city business. It is not the intent hereby to permit payment of expenses and/or per diem expenses for travel for attendance at seminars, conventions, dinners, for lobbying purposes or for other such uses. Expenses for travel and/or per diem expenses shall be limited to that as is provided for within the Statutes of the State of Florida. This section was discussed. No changes proposed.

§ 3.05 - — Vacancies; forfeiture of office; filling of vacancies. Completed.
No changes.

§ 3.06 - — Procedure. Briefly discussed. Pending for further discussion at the 10/6/2021 meeting.

§ 3.07 - — Initiative and Referendum. Vice-Mayor Diaz-Padron requested deferral of this Section at the 10/6/2021 since he might not be able to attend said meeting. All were in favor.



CITY OF WEST MIAMI
CHARTER REVIEW BOARD MEETING
MINUTES
WEDNESDAY, SEPTEMBER 15TH, 2021

§ 3.08 - — **Mayor; Vice Mayor.** No action taken.

ARTICLE IV. - ADMINISTRATIVE

§ 4.01 - — **City Manager.** No action taken.

§ 4.02 - — **Appointment; removal; compensation.** No action taken.

§ 4.03 - — **Acting City Manager.** No action taken.

§ 4.04 - — **Powers and duties of the City Manager.** No action taken.

§ 4.05 - — **City Clerk.** No action taken.

§ 4.06 - — **City Attorney; City Engineer.** No action taken.

ARTICLE V. - FINANCE AND TAXATION

§ 5.01- — **Fiscal year.** No action taken.

§ 5.02- — **Submission of annual budget by the Manager.** No action taken.

§ 5.03- — **Contents of the Manager's budget message.** No action taken.

§ 5.04- — **Public hearing as to the budget; notice.** No action taken.

§ 5.05- — **Budget hearing.** No action taken.

§ 5.06- — **Same-Revision of budget.** No action taken.

§ 5.07- — **Final adoption of budget.** No action taken.

§ 5.08- — **Appropriation of items contained in budget.** No action taken.

§ 5.09- — **Levy of taxes as required by the budget; failure to adopt ordinance.** No action taken.

§ 5.10- — **Transfer of funds between departments.** No action taken.

§ 5.11- — **Emergency appropriations.** No action taken.

§ 5.12- — **Authority of the Council to borrow money in cases of emergencies.** No action taken.

§ 5.13- — **General obligation bonds; limitation.** No action taken.

§ 5.14- — **Expenditures limited by the budget.** No action taken.

§ 5.15- — **Independent audit.** No action taken.

ARTICLE VI. - QUALIFICATIONS AND ELECTIONS

§ 6.01 - — **Nonpartisan elections.** No action taken.

§ 6.02 - — **Qualifications.** No action taken.

§ 6.03 - — **Form of ballots.** No action taken.



CITY OF WEST MIAMI
CHARTER REVIEW BOARD MEETING
MINUTES
WEDNESDAY, SEPTEMBER 15TH, 2021

§ 6.04 - — Recall. No action taken.

§ 6.05 - — Amendment of Charter. No action taken.

ARTICLE VII. - GENERAL PROVISIONS

§ 7.01 - — Validation of prior official acts. No action taken.

§ 7.02 - — Separability clause. No action taken.

§ 7.03 - — Authority to establish lien for nonpayment of service charges. No action taken.

§ 7.04 - — Authority of City to declare nuisances and require abatement thereof. No action taken.

§ 7.05 - — Prohibition against hiring former Council members. No action taken.

§ 7.06 - — Charter Review Board. No action taken.

§ 7.07 - — Payment of judgments, or fines against officials, Board Members or employees. No action taken.

ARTICLE VIII. - TRANSITION SCHEDULE

§ 8.01 - — Continuation of former Charter provisions. No action taken.

§ 8.02 - — Ordinances preserved. No action taken.

§ 8.03 - — Rights of officers and employees. No action taken.

§ 8.04 - — Pending matters. No action taken.

§ 8.05 - — Deletion of obsolete schedule items. No action taken.

§ 8.06 - — Effective date. No action taken.

§ 8.07 - — [Conflict.] No action taken.

6. **GOOD OF THE ORDER.** None.

7. **ADJOURNMENT.** There being no further business before the Charter Review Board the meeting was declared adjourned at 7:00 PM.

RESPECTFULLY SUBMITTED BY:

ANNERY GONZALEZ, MMC
CITY CLERK

APPROVED: 10/6/2021 Regular Commission Meeting