



MAY 24, 2011 BALLOT QUESTIONS - SUMMARY AND PROS AND CONS

FIRST BALLOT QUESTION:

Home Rule Charter Amendment Relating to Salaries, Service, and Term Limits of County Commissioners

Text: Shall the Charter be amended to provide that County Commissioners shall:

- Devote full-time service to the Office of County Commissioner and hold no other employment;
- No longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by state statutory formula, adjusted annually by the County's population (currently approximately \$92,097); and
- Serve no more than three consecutive four-year terms in office excluding all terms prior to 2012?

Impact of Amendment if approved by voters:

1. County Commissioners now serve part-time, and many have other employment. If the amendment is approved, they would be required to serve full-time and would not be allowed to have outside jobs.
2. County Commissioners now receive a salary of \$6,000 per year. If the amendment is approved, they would receive a salary based on state law, an amount of approximately \$92,097 per year. This amendment leaves unchanged the benefits that Commissioners receive in the form of insurance, car allowance, staff, etc. It also leaves unchanged the approximately \$850,000 that each Commissioner is now allowed to allocate to community programs as s/he sees fit.
3. At present there is no limit to how long County Commissioners can serve. If the amendment is approved, they could not serve longer than 3 consecutive four-year terms (12 years), but only terms in office after 2012 would be counted.

Arguments in Favor of Amendment:

1. Miami-Dade County is large and complex and should be overseen by full-time commissioners with no outside employment.
2. Miami-Dade County commissioners should be paid a substantial salary in order to fairly compensate them for their time and to attract competent people to these positions. Although generous, the staff and many of the perquisites that commissioners now receive are fairly standard additional benefits for elected officials.
3. The length of time that a county commissioner may serve should be limited to prevent cronyism, to allow new ideas and energy to enter county government and to discourage entrenchment of special interest

Arguments Against the Amendment:

1. If outside employment is prohibited, successful professionals will be discouraged from running for office.
2. The present salary has not prevented all 13 of the county commission seats from being filled.
3. Term limits would result in the county losing experienced commissioners who are performing well. If a commissioner is not performing well, the proper remedy is to not re-elect him/her.
4. Three 4-year terms is too long and will not accomplish the purpose. Terms already served before 2012 should also be counted.

SECOND BALLOT QUESTION

Home Rule Charter Amendment Prohibiting Lobbying by Elected County Charter Officer After Leaving Office

Text: Shall the Charter be amended to provide that elected County Charter Officers shall be prohibited from lobbying the County for compensation for a period of two (2) years after leaving office?

Impact of Amendment if approved by voters:

- County Commissioners who leave office would not be allowed to be paid to lobby the County until after they have been out of office for two years.

Arguments in Favor of Amendment:

- Preventing former county commissioners from being paid to lobby the county for a period of time after they leave office will help prevent cronyism and undue influence.

Arguments against the Amendment:

- A 2-year prohibition does not prevent the influence that arises from lobbying your colleagues; the length of time that a former county commissioner should be prohibited from lobbying the county should be much longer.

THIRD BALLOT QUESTION

Home Rule Charter Amendment Relating to Creation, Appointment and Power of Charter Review Task Force

Text: Shall the Charter be amended to provide for creation of a Charter Review Task Force who (sic) shall meet on presidential election years to propose Charter revisions; to prohibit elected County Charter Officer from serving as member of the task force; and to submit those revisions approved by two-thirds majority of the task force directly to the electorate on the same ballot as the presidential elections?

Impact of Amendment if approved by voters:

1. At present, the charter allows the County Commission to create a Charter Review Task Force every 5 years, but this it is not required to do so. This amendment would require a Charter Review Task Force every 4 years on presidential election years.
2. The amendment does not say whether the Charter Review Task Force would be elected or appointed, or who would appoint it. The amendment does not list the qualifications of members of the Charter Review Task Force, but would prohibit elected county officials from being part of it.
3. At present, if the Charter Review Task Force recommends proposed amendments to the charter, the County Commission can reject the recommendations and not place the proposed amendments on the ballot. This amendment would allow the Charter Review Task Force to place proposed amendments that are approved by a 2/3 majority of the Task Force directly on the ballot without obtaining the approval of the County Commission.

Arguments in Favor of Amendment:

1. Requiring a regular review of the Miami-Dade County Charter by a Charter Review Task Force will help ensure that the Charter is working to meet the needs of county residents.
2. Allowing the Charter Review Task Force to place items directly on the ballot will prevent the County Commission from interfering with the right of voters to decide important charter issues.

Arguments Against the Amendment:

1. A review of the Miami-Dade Charter every 4 years may not be necessary and will waste public resources.
2. Since the amendment does not say who will appoint the Charter Review Task Force, the County Commission will appoint and will therefore control the Task Force.
3. The County Commission are our elected representatives and as the people's representatives, they should be tasked to recommend or reject recommendations of the Charter Review Task Force.

FOURTH BALLOT QUESTION

Home Rule Charter Amendment Establishing Independent Inspector General

Text: Shall the Charter be amended to create the office of Inspector General who shall be independent and shall, at a minimum, be empowered to perform investigations, audits, reviews and oversight of County contracts, programs, projects, abuse, waste and mismanagement as well as County funded contracts, programs and projects and provide Inspector General services to other governmental entities with such office's appointment, term powers, duties and responsibilities to be further established by ordinance?

Impact of Amendment if approved by voters

- At present, the Office of the Inspector General is created by ordinance. This amendment would make the Office of the Inspector General part of the Miami-Dade County Charter.

Arguments in Favor of Amendment:

- If the Office of the Inspector General is listed in the Miami-Dade County Charter, the County Commission will not be able to do away with the Office. Designation in the Charter increases the independence of the Office.

Arguments Against the Amendment:

- Putting the Office of the Inspector General in the County Charter will not fully protect him/her because the County Commission will have appointing authority and will also control the funds for the office.

FIFTH BALLOT QUESTION

Charter Amendment Pertaining to Powers of County Commission, County Mayor and County Manager

Text: Shall the Charter be amended to undo the “Strong Mayor” form of government approved by the voters in 2007 by returning the powers and responsibilities of administering County government from a “Strong Mayor” to an appointed County Manager who may be removed by the Commission or the Mayor with Commission approval?

Impact of Amendment if approved by voters

- At present, the county mayor is responsible for appointing directors of county departments and overseeing the management of all county departments. This amendment would restore the position of an appointed county manager to oversee the departments. The county manager could be removed either by the Commission or by the Mayor with Commission approval.
- This amendment does not specify the powers that the mayor would retain if the amendment is approved by the voters, except that the mayor would have the power to remove the county manager with commission approval.

Arguments in Favor of Amendment:

1. The present “Strong Mayor” position has too much unchecked power because s/he can hire or fire at will without answering to the County Commission.
2. A professional county manager is essential to good management of Miami-Dade County’s large, complex government.
3. The amendment would balance the power of the mayor and the power of the county commission by allowing the mayor to appoint or remove the county manager while requiring the consent of the county commission.

Arguments Against the Amendment:

1. The voters decided to do away with the County Manager position in 2007.
2. It is better to have an elected person, the Mayor, responsible for the administration of the county.
3. By giving the county commission approval power over the hiring and removal of the county manager, the amendment would restore the power of the county commission over the administration of county government which the voters removed in 2007.

SIXTH BALLOT QUESTION

Home Rule Charter Amendment Regarding Petitions

Text: Shall the Charter be amended to provide that petitions for charter amendment, initiative, referendum and recall shall no longer require a sworn affidavit of a circulator and shall instead only require the name and address of a circulator?

Impact of Amendment if approved by voters:

- At present, the County Charter requires that the person circulating a petition for initiative or for recall must attach a sworn affidavit stating the number of signers and the fact that each signature was made in the presence of the circulator. This amendment would remove this requirement and require only that the circulator give his/her name and address.
- Since 2007, the County Commission has also required by ordinance that petitions only contain one petitioner’s signature per page. This amendment leaves that requirement unchanged.

Arguments in Favor of the Amendment:

- The requirement of a notarized statement is too cumbersome, and prevents citizens from exercising their right to petition the government.
- It is not necessary for the amendment to do away with the requirement that only one petitioner signature can appear per page. This can be changed by the County Commission.

Arguments Against the Amendment:

- Having the circulator of a petition sign a statement that each signature was made in the presence of the circulator helps ensure that the signatures are not fraudulent. Simply giving name and address is not a sufficient safeguard.
- The County Commission should have included a provision in the charter amendment doing away with the ordinance requirement that only one petitioner signature should appear per page.



ABOUT THE LEAGUE

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