

MINUTES

CHARTER REVISION COMMISSION  
VILLAGE OF KEY BISCAYNE, FLORIDA

MONDAY, FEBRUARY 13, 2012

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

The meeting was called to order by the Chairman at 6:00 p.m. Present were Commissioners Paul Auchter, Edward Briscoe, Mortimer Fried, Vice Chairman Martha F. Broucek and Chairman Michael W. Davey. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Chad Friedman.

The Chairman led the Pledge of Allegiance.

The Clerk announced that the meeting was properly noticed.

Chairman Davey made a motion to approve the minutes of the January 31, 2012 Charter Revision Commission meeting. The motion was seconded by Member Broucek and unanimously approved.

It was the consensus of the Commission that there is no need to make motions on Sections of the Charter where no changes are proposed.

**Section 1.01.** *Corporate existence.* No discussion.

**Section 1.02.** *Form of government.* No discussion.

**Section 1.03.** *Corporate boundary/MAP.* No discussion.

**Section 1.04. Powers.** No discussion.

**Section 1.05. Construction.** No discussion.

**Section 1.06. Capitalization.** No discussion.

**Section 2.01. Village Council.** No discussion.

**Section 2.02. (a) Mayor.** No discussion.

**Section 2.02. (b) Vice Mayor.** No discussion.

**Section 2.03. Election and term of office.** Commissioner Briscoe made a motion to change the term for Councilmembers from a four year term to a two year term. The motion was seconded by Chairman Davey and failed by a 1-4 roll call vote. The vote was as follows: Commissioner Briscoe voting Yes. Commissioners Auchter, Broucek, Fried and Chairman Davey voting No.

**Section 2.04. Qualifications.** No discussion.

**Section 2.05. Vacancies, forfeiture of office, filling of vacancies.** No discussion.

**Section 2.05. Forfeiture of office. (b)(ii) Forfeiture by absence.** The Commissioners discussed clarifying this provision, but no changes were proposed for this section.

**Section 2.06. Recall.** The Commissioners discussed the possibility of changing the minimum number of electors required to initiate a recall petition. The Attorney addressed the Commission stating that the Florida Statutes address this process.

**Section 2.07. No compensation; reimbursement for expenses.** Commissioner Fried made a motion to amend this section in order to compensate the Mayor with \$150 per meeting and Councilmembers with \$100 per meeting. The motion died for lack of a second.

**Section 3.01. Village Manager.** No discussion.

**Section 3.02. Appointment; removal; compensation.** No discussion.

**Section 3.03. Powers and duties of the Village Manager.** No discussion.

**Section 3.04. Village Clerk.** No discussion.

**Section 3.05. Village Attorney.** No discussion.

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**Section 3.06.** *Village code of administrative regulations.* No discussion.

**Section 3.07.** *Expenditure of Village funds.* The Attorney addressed the Council regarding this Section.

Chairman Davey made a motion to amend this Section to include leasing. The motion was seconded by Commissioner Briscoe and unanimously approved.

It was the consensus of the Commission to bring this section back for more in depth discussion.

**Section 3.08.** *Competitive bid requirement.* No discussion.

**Section 3.09.** *Removal of Council Appointees.* No discussion.

**Section 4.01.** *Council meeting procedure.* Councilmember Broucek made a motion to provide that resolutions be approved by voice vote instead of a roll call vote. The motion was seconded by Commissioner Briscoe and unanimously approved.

It was the consensus of the Commission to bring this Section 4.01 (c) back for more in depth discussion.

**Section 4.02.** *Prohibitions.* No discussion.

**Section 4.03.** *Action requiring an ordinance.* No discussion.

**Section 4.04.** *Emergency ordinances.* No discussion.

**Section 4.05.** *Annual budget adoption.* No discussion.

**Section 4.06.** *Fiscal year.* No discussion.

**Section 4.07.** *Appropriation amendments during the fiscal year.* No discussion.

**Section 4.08.** *Authentication, recording and disposition of ordinances, resolutions and charter amendments.* No discussion.

**Section 4.09.** *Tax levy.* No discussion.

**Section 4.10.** *Borrowing.* There was discussion from the Commissioners, but no changes were proposed.

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**Section 4.11. Revenue sharing.** No discussion.

**Section 4.12. Village boards and agencies.** No discussion.

**Section 4.13. Village Code, Ordinances and Resolutions.** No discussion.

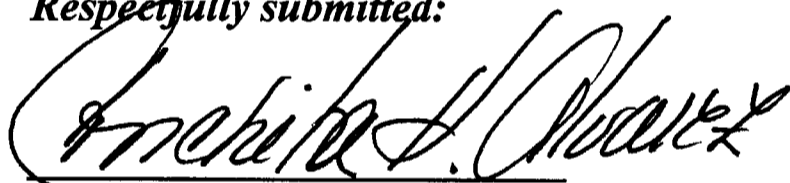
**Section 4.14. Special Assessments.** Commissioner Auchter made a motion to bring this section back for more in depth discussion. The motion was seconded by Chairman Davey and unanimously approved.

**Section 4.15. Approval by Vote of Electors Required for Amendments to Land Development Regulations.** Commissioner Auchter made a motion to bring this section back for more in depth discussion. The motion was seconded by Chairman Davey and unanimously approved.

The next meeting of the Charter Revision Commission will be on Monday, February 27, 2012 at 6:00 p.m. in the Council Chamber.

The meeting was adjourned at 7:10 p.m.

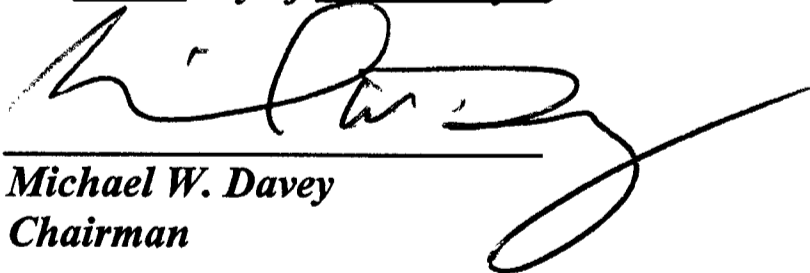
*Respectfully submitted:*



**Conchita H. Alvarez, MMC**  
**Village Clerk**



*Approved by the Commission*  
*this 27th day of February, 2012:*



**Michael W. Davey**  
**Chairman**

**IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CHARTER REVIEW COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**