

MINUTES

CHARTER REVISION COMMISSION  
VILLAGE OF KEY BISCAIYNE, FLORIDA

MONDAY, MARCH 12, 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.

Chairman Davey made a motion to approve the minutes of the February 27, 2012 Charter Revision Commission Meeting. The motion was seconded by Vice Chairman Broucek and approved by a unanimous vote.

The Commission reviewed the following sections of the Charter:

**Section 3.07. Expenditure of Village Funds.** Chairman Davey made a motion to add the word “leasing” to (b) as follows: (i) the acquisition, construction, renovation, lease, or improvement of public buildings or facilities; (ii) purchase or lease of land. The motion was seconded by Member Briscoe and approved by a 4-1 voice vote. The vote was as follows: Members, Auchter, Briscoe, Vice Chairman Broucek and Chairman Davey voting Yes. Member Fried voting No.

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**Section 4.01. Council Meeting Procedure.** Chairman Davey made a motion to strike resolutions from (c) as follows: Voting on ordinances ~~and resolutions~~ shall be by roll call.....The motion was seconded by Member Briscoe and unanimously approved.

**Section 4.14. Special Assessments.** Member Auchter made a motion to include a notice in procedure provision. The motion was seconded by Member Briscoe and unanimously approved.

Councilmember Jim Taintor, 355 Harbor Drive addressed the Commission.

**Section 4.15. Approval by Vote of Electors Required for Amendments to Land Development Regulations.**

There was extensive discussion from the Commission, but no action was taken.

Councilmember Taintor addressed the Commission.

**Section 5.02. Initiative and referendum.** There was extensive discussion from the Commission. The Attorney will look into this subject as it relates to the recent amendment to the County Home Rule Charter.

**Section 6.02. Procedure to amend.** This Section will be brought back to the next meeting for further discussion.

**Section 7.06. Charter revision.** Chairman Davey made a motion to amend this Section to review the Charter every 10 years instead of every 5 years. The motion was seconded by Member Auchter and approved by a 3-2 roll call vote. The vote was as follows: Members Auchter, Briscoe and Chairman Davey voting Yes. Member Fried and Vice Chairman Broucek voting No.

Chairman Davey addressed the Commission regarding a requirement of supermajority vote for items that will be submitted to the voters, adopted by the previous Charter Commission.

Chairman Davey made a motion to amend the Charter to require a supermajority vote of the Commission in order to approve amendments that will be submitted to the voters. The motion was seconded by Vice Chairman Broucek and approved by a 3-2 roll call vote. The vote was as follows: Member Fried, Vice Chairman Broucek and Chairman Davey voting Yes. Members Auchter and Briscoe voting No.

**Article VIII. Transition Provisions.**

The Attorney addressed the Council regarding this Section and will look into the elimination of this

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Section administratively.

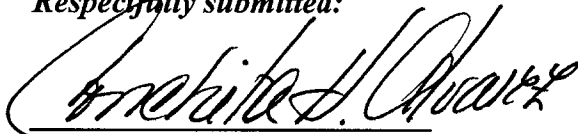
Councilmember Taintor addressed the Council regarding Section 2.05 of the Charter.

It was the consensus of Council to bring back Section 2.05 for further discussion.

The next meeting of the Commission will be on Monday, March 19, 2012 at 7:00 p.m. to review and approve all proposed amendments.

The meeting was adjourned at 7:30 p.m.

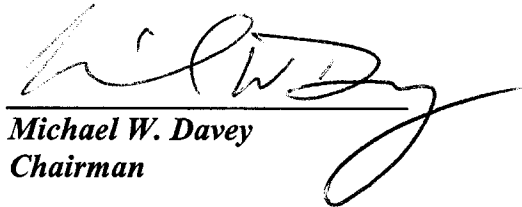
Respectfully submitted:



*Conchita H. Alvarez, MMC*  
Village Clerk



Approved by the Commission  
this 19th day of March, 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.**