

CITY ATTORNEY'S PROPOSED BALLOT MEASURES¹

I. Proposed measures related to Charter Review Committee recommendations:

➤ **Repeal of Existing City Charter and Adoption of New City Charter.**

Shall the North Miami Beach City Charter be repealed and replaced by a new Charter reflecting municipal home rule powers granted by Florida's Constitution and Statutes, incorporating non-substantive stylistic changes, deleting obsolete/redundant language otherwise addressed by State law, restructuring City's Codebook by moving Charter-designated City Departments and Canvassing Board provisions into City Code, while retaining "Boundary" description", "Citizen's Bill of Rights", "Form of Government", and "Initiative/Referendum"?

Yes _____

No _____

➤ **Citizens' Bill of Rights: Councilmember's Duty to Vote.**

Shall the City Charter's "Citizens' Bill of Rights" be amended to include a requirement that Councilmembers shall make best efforts to vote unless they are prohibited from voting due to mandatory recusal?

Yes _____

No _____

➤ **Reducing Number of Regular City Council Meetings.**

Shall the City Charter be amended to reduce the number of regular City Council meetings from twice monthly to no less than 11 per year, with schedule and number of meetings to be established by City Resolution?

Yes _____

No _____

➤ **Absenteeism in Councilmember's Office.**

The City Charter provides for automatic vacancy in office if a Councilmember fails to attend Council meetings for 120 days. Shall the Charter be amended prospectively (excluding a Councilmember's absenteeism occurring prior to this Charter change) to provide that:

- the 120 days shall be "consecutive"; and
- instead of automatic vacancy due to absenteeism, establish instead a due process hearing determination of "good cause" prior to any Councilmember's forfeiture of office.

Yes _____

No _____

➤ **City Manager, City Attorney and City Clerk.**

Shall the City Charter be amended to clarify and further define existing powers and duties of the City Manager, City Attorney and City Clerk, and to specifically:

- grant City Council authority to retain a law firm to serve as City's Attorney instead of in-house City Attorney; and
- delete provisions establishing City Manager's qualifications and tenure/provisional hiring?

Yes _____

No _____

¹ The City Council is advised to discuss as well the order in which its approved ballot measures shall appear on the Special Election ballot.

➤ **Civil Service Charter Provisions.**

Shall the City Charter be amended to:

- change timing of Civil Service Board's hearing on employee's request for appeal from 15 to 30 days after such request, and repeal Board's powers to give examinations and promotions, appoint/designate a "Chief Examiner", and issue subpoenas/enforce by contempt; and
- move Charter provisions concerning "Civil Service", "Classified Service", and "Political Activity" from the Charter into the City Code, allowing amendments by ordinance instead of referendum.

Yes _____

No _____

➤ **Change of City's General Election Date and Delete Runoff Election.**

Shall the City Charter be amended to change City's General Election date from May of odd-numbered years to November of even-numbered years (commencing with City's General Election in 2018), change candidate qualifying dates to correspond to November elections, provide a one-time limited extension of terms of incumbent Council members to implement this change in election date, and delete Runoff Election?

Yes _____

No _____

II. Proposed measures unrelated to Charter Review Committee:

➤ **City Council's Acceptance of Election Returns and Scheduling of Election to Fill Council Vacancy.**

Shall the City Charter be amended to:

- change timing of the City Council's acceptance of election returns from Election night to the second business day following the certification of final election returns; and
- change time by which the City Council must schedule an election to fill a vacancy on the Council from 35-60 to 35-90 days after such vacancy occurs?

Yes _____

No _____

➤ **Amending City Council Member's Term Limit Provisions.**

The City Charter establishes a four-year term of office for members of the City Council, with a term limit of eight consecutive years, not including time served for filling a vacancy on the Council. Shall the Charter be amended to establish that service by a Council member (including by filling vacancy) in excess of 50% of a term shall constitute a full "term"?

Yes _____

No _____