

MINUTES
Charter Revision Commission Meeting
January 22, 2026 at 6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Chairman Javier Ley-Soto called the meeting to order at 6:38 pm.

The Town Clerk, Gina M. Inguanzo, called the roll.

Commission Member Hector Abad, Commission Member David Bennett, Commission Member Lynn Matos, Councilmember Juan Carlos Fernandez, Commission Member Marilyn Ruano, Vice Chairman Ramiro Inguanzo, and Chairman Javier Ley-Soto were all present.

In addition, Town Attorney Raul Gastesi, Deputy Town Attorney Lorenzo Cobiella, Attorney Mirelis Castilla, Esq., with the law firm Gastesi, Lopez, Mestre, & Cobiella PLLC, Town Clerk Gina M. Inguanzo and Deputy Town Clerk Alexis Martinez were present.

2. MOMENT OF SILENCE:

Deputy Town Attorney Lorenzo Cobiella led the prayer.

3. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Commission Member Lynn Matos.

4. ORDER OF BUSINESS:

Commission Member Bennett stated that he wanted to share with the Charter Revision Commission information that he found regarding the powers of the Town Manager, and that it was time certain. Commission Member Bennett then made a motion for that information to be added to the January 22nd agenda, for it to be added under Item 7 of the agenda, which is titled "Old Business" and for it to become Item 7b. The motion was seconded by Commission Member Fernandez for discussion. The Town Clerk called the roll and the motion to add Item 7b to the "Old Business" section of the agenda, passed 5-2; Commission Member Fernandez and Chairman Ley-Soto voted in opposition.

5. PUBLIC COMMENTS: (Vimeo) 27:05)

(Phonetic spelling of each speaker's name will be used throughout the minutes unless correct spelling is known.)

The Town Clerk, Gina M. Inguanzo, stated that public comments are welcomed and will be accepted in the following formats: in person, online and by dial-in by phone.

Councilmember Steven Herzberg came before the Charter Revision Commission to participate in Public Comments. He stated that the Charter Revision Commissions discussion should be focused on what the problems are and not looking for solutions that do not need a solution. He explained that the council-manager form of government works, and that he does not see a need to reduce the number of council seats from seven to five. He further explained that he sees no systematic government issue where the amount of council seats would need to be reduced.

Mr. Carlos Andres came before the Charter Revision Commission to participate in Public Comments. He stated that he would agree to either reducing the number of council seats to five or continuing with the seven seats. He stated that the council-manager form of government works should not be changed. He further stated that if a council member is absent, they should be required to state their reason for the absence to the Town Residents.

Councilmember Alex Sanchez came before the Charter Revision Commission to participate in Public Comments. He explained that there is no time sensitivity on Item 7b, because changes proposed will not become effective until the residents vote on it. He stated that he would recommend or Item 7b to be eliminated because it is not time sensitive. He stated that he would agree to either reducing the number of council seats to five or continuing with the seven seats. He thanked the Charter Revision Commission for their time and hard work and that they are working on the groundwork for the next 10 years.

The Town Clerk stated for the record that the Office of the Clerk received a written Public Comment from Ms. Ezperanza Reynolds and one from Mr. Abel Fernandez, which were both shared with the commission members vis email.

6. APPROVAL OF MINUTES:

Commission Member Abad made a motion to approve the minutes. The motion was seconded by Commission Member Fernandez and the motion passed unanimously.

7. OLD BUSINESS:

a. Town Attorney Legal Opinion on Town Charter Boundary Map

Chairman Ley-Soto introduced the Item 7a and stated that at the January 8th Charter Revision Commission meeting, a discussion regarding the Town Map, Figure 2 was held amongst the commission members, and they asked the Town Attorney to provide a legal opinion for the January 22nd Charter Revision meeting.

Deputy Town Attorney Cobiella stated that with regards to the boundary map, as long as no changes regarding meets and bounds take place, that as long as we are not augmenting or diminishing the Town Map, we can go ahead and update the Town Map on the Town Charter.

Chairman Ley-Soto referred to his motion made during the January 8th Charter Revision Commission, which was to have the Town Map, Figure 1, be replaced with an updated Town Map, contingent to the legal opinion to be provided by the Town Attorneys. The Town Clerk read into the record the motion made by Chairman Ley-Soto during the January 8th Charter Revision Commission Meeting, and the Town Attorneys then stated that it was fine, that it was perfect, that the motion to update the Town Map had passed 7-0.

b. Town Manager Authority over the Selection of the Town Commander

Commission Member Bennett presented his item and referred to the documents he provided to the Town Clerk, for her to share with the Charter Revision Commission members via email. The documents were shared with the commission members as he had requested. Commission Member Bennett stated that according to the Town Charter, he understands that the Town Manager has the ability to make recommendations but does not have the power to appoint; he stated that in his opinion, the Sheriff's Department is the only one that can appoint. He explained that he wants to have a greater discussion at the next Charter Revision Commission meeting but the reason why he brought it up at the January 22nd Charter Revision Commission was because he's not sure the current methodology that was used to appoint the Town Commander was valid.

During discussion of this item, Chairman Ley-Soto stated that if Commission Member Bennett wants to address the powers that are associated with the Town Manager, that topic will be addressed at the next Charter Revision Commission meeting under Article 3, but if wants to discuss immediacy, or as to whether or not there's an issue with the current contract, Chairman Ley-Soto emphasized that in his opinion, that discussion is to be had with the Town Council and not with the Charter Revision Commission. Chairman Ley-Soto then asked Deputy Town Attorney Cobiella to opine on this matter.

As requested, Deputy Town Attorney Cobiella provided a brief explanation regarding the contract between the Town of Miami Lakes and the Miami-Dade County Sheriff Department. He then provided his legal opinion and stated that this discussion is not germane to the Charter Revision Commission. He mentioned Resolution 19-1938, approving the negotiations held between the two parties and he stated that the contract was assigned to the Sheriff's Office. After some explanation of Section 9.2 of the agreement, Deputy Town Attorney Cobiella stated that the Town Council, as the governing body, delegated to the Town Manager the power to decide who the Town Commander will be. Deputy Town Attorney Cobiella opined that this should not be added to the Town Charter because the Town does not have its own police department. He emphasized that it is not germane to the Charter Revision Commission.

Commission Member Bennett then stated that he only wants the Town Council and the Charter Revision Commission to have ample time to think this over and that he plans to

discuss this at the next Charter Revision Commission meeting. He stated he had no motion at this time.

8. ITEMS FOR DISCUSSION OR ACTION:

a. Participation of Town Council

Chairman Ley-Soto presented the item and stated that it came to his attention over the past weeks that some commission members had requested Town Manager Pidermann to not participate in the Charter Revision Commission meetings. To this effect, Chairman Ley-Soto stated that it would be a disserve not to have the Town Manager in these meetings because he's the one that oversees the day to day operations, he understands how this Town Charter affects his operations and that he would like him to be at these meetings in case the commission members have questions.

Chairman Ley-Soto then made a motion to have the Town Manager participate and be present at the meetings on behalf of the Town Council and assist the Charter Revision Commission and provide explanations. The motion was seconded by Commission Member Fernandez.

Discussion was held and Commission Members expressed their opinions and stated that the Town Manager should be present at these meetings to provide feedback, answer questions and have access to him and to other key staff members. It was stated that he has institutional knowledge and that having him would be beneficial to everyone. The motion passed unanimously.

b. Article II. Town Council

1. Section 2.1 Town Council

Councilmember JC Fernandez presented his proposed recommendation for Section 2.1 and mentioned that he worked in collaboration with Town Staff. He explained the recommendation was to change the number of councilmembers that the Town Council consist of. He stated that he was referring to the proposed recommendations, which were shared with the Commission Members via email, via the Town Clerk. Councilmember JC Fernandez spoke about the allowances and benefits that the councilmembers receive, which total around \$28,789.60. He then stated that he would like the Charter Revision Commission to consider changing the number of councilmembers from 7 to 5.

To this effect, Commission Member Fernandez made a motion to consider changing the number of councilmembers from 7 to 5; that is, the mayor and 4 At-Large councilmembers. The motion was seconded by Commission Member Abad. During the discussion of Section 2.1 of the Town Charter, Commission Member Fernandez added to his motion the following wording: "Effective with the Election of November 2030, the Council shall consist of the Mayor and four At-Large Councilmembers as described below".

During discussion and as a point of information, Chairman Ley-Soto stated for the record, that Town Manager Pidermann was attending the Charter Revision Commission

meeting on-line and that he was making himself available in case they had questions. The information was noted by the commission members.

The Charter Revision Commission members provided their opinions regarding having 7 members v. 5 members and regarding Districts Seats v. At-Large Seats. During discussion, Chairman Ley-Soto referred to a chart provided by the Office of The Town Clerk, regarding the 34 municipalities in South Florida and their number of elected officials and their population. He stated this information was shared with all the commission members so they can benefit from this type of comparison and assist with their discussions. He then mentioned that they need to redefine the word “councilmembers”, so it is consistent throughout the Town Charter.

Chairman Ley-Soto then proffered an amendment to the main motion, to remove the second designation of (“Councilmembers”) in Section 2.1 of the Town Charter. The motion was seconded by Commission Member Fernandez. The motion passed unanimously.

The Town Clerk read the motion on the floor, which was: a motion to consider changing the number of councilmembers from 7 to 5; that is, the Mayor and 4 At-Large councilmembers and to include the wording “Effective with the election of November, 2030, the Council shall consist of the Mayor and four At-Large councilmembers.” The Town Clerk called the roll on the main motion, as amended, and the motion passed 4-3; Commission Member Abad, Commission Member Bennett and Commission Member Ruano voted in opposition.

Chairman Ley-Soto then mentioned that the word councilmembers need to be defined, for clarification purposes, because he understands it is unclear throughout the Town Charter. The Town Attorney agreed.

Chairman Ley-Soto then made a motion for the second sentence of Section 2.1 to be restructured the following way: “The Council shall consist of Six At-Large Councilmembers (“Councilmembers”) and the Mayor as described below”. Chairman Ley-Soto explained the term councilmembers are referring to simply the six At-Large councilmembers and then the mayor is separated from that definition.

Deputy Town Attorney Cobiella agreed with the motion and stated he would revise this language throughout the Town Charter and make proper changes for consistency purposes. The motion was seconded by Commission Member Abad. The motion passed unanimously.

2. Section 2.2 Mayor and Vice Mayor

Councilmember JC Fernandez presented his proposed recommendations: for Section 2.2 (a)(1) he stated he would like to remove the words “budget address”; for Section 2.2(a)(ii), he stated that he would like to clarify that committees shall not include councilmembers as voting members and for Section 2.2(a)(iv), stated that he would like for members of staff to be able to reach out to the county.

Commission Member Fernandez made a blanket motion to accept the changes proposed in Section 2.2(a), subject to discussions and amendments. The motion was seconded by Commission Member Ruano.

During discussion, Commission Member Fernandez made a motion to remove the words “and budget address” from Section 2.2(a)(i) and for it to read the following way: “The Mayor shall present State of the Town annually”. Commission Member Ruano seconded the motion and the motion passed 6-0; Vice Chairman Inguanzo was absent.

Regarding Section 2.2(a)(ii), Commission Member Fernandez made a motion to remove the words “as voting members”; he stated his motion reads the following way: “The Mayor may create, subject to Council approval, committees of the Council which shall not include members of the Council”. Commission Member Abad seconded the motion. Town Manager Pidermann explained the genesis of this recommendation, which is to mimic the language of the Special Rules of Order, which do not allow councilmembers to be part of the Town Committees. The motion passed unanimously.

Regarding Section 2.2(a)(iv), Chairman Ley-Soto made a motion for it to read the following way: “The Mayor shall be the official designated to represent the Town in all dealings with other governmental entities. This shall not preclude the Town Administration and staff from conducting day-to-day operations with other government entities.” Commission Member Fernandez seconded the motion. Deputy Town Attorney Cobiella then offered a recommendation and stated that he would use the words communicate and collaborate with other government entities, instead of conducting day-to-day operations.

Chairman Ley-Soto then made a motion to replace the words “conducting day-to-day operations” with “communicate and collaborate”. Commission Member Fernandez seconded the motion and the motion passed unanimously.

Chairman Ley-Soto called for a vote on the pending motion as amended, which now states: “The Mayor shall be the official designated to represent the Town in all dealings with other governmental entities. This shall not preclude the Town Administration and staff from communicating and collaborating with other government entities.” The motion passed unanimously.

Commission Member Fernandez then called for a vote on the main motion, as amended. Chairman Ley-Soto called the vote and the main motion, as amended, passed unanimously.

Councilmember JC Fernandez presented his proposed recommendation for Section 2.2(b). He explained that there are no council meetings during the month of December; therefore, choosing the Vice Mayor makes sense for it to happen during the January Council Meeting, for no special call meeting to take place. Discussion was held regarding the Vice Mayor position, and it was stated that sometimes it becomes too political.

To this effect, Commission Member Abad made a motion to amend Section 2.2(b), to add the following language to the end of said section: “to be eligible to serve as Vice Mayor, a councilmember must have served a minimum of one year in office. No councilmember appointed to fill a vacancy shall be eligible to serve as Vice-Mayor. A councilmember cannot be elected Vice Mayor for consecutive terms. Effective with the election to be held in November 2028, at the January Regular Council meeting each year the Council shall elect one of its members as Vice Mayor.” Commission Member Fernandez seconded the motion for discussion.

Discussion amongst the Commission Members regarding whether the Vice Mayor position should be rotated every 6 months to give a chance to every councilmember, or if it should be placed in the ballot for residents to vote on every two years, was held.

During discussion, Chairman Ley-Soto proffered an amendment to the motion on the floor, which was to delete the first sentence of that motion that was added, and to keep the language which reads the following way: “Effective with the election to be held in November 2028, at the January Regular Council meeting, each year the Council shall elect one of its members as Vice Mayor”. The motion was seconded by Commission Member Ruano. The Town Clerk called the roll and the amendment to the main motion passed 4-3; Commission Member Abad, Commission Member Bennett, and Commission Member Fernandez voted in opposition.

Then, Chairman Ley-Soto called for a vote on the main motion, as amended, which was to amend Section 2.2(b), to include the following language: “Effective with the election to be held in November 2028, at the January Regular Council meeting each year the Council shall elect one of its members as Vice Mayor”. The motion passed 6-1; Commission Member Fernandez voted in opposition.

3. Section 2.3 Election and Term of Office

Councilmember JC Fernandez presented his proposed recommendation for Section 2.3(a). He explained he wanted to strike the first sentence of this section because it was obsolete language that pertains to the first election. To this matter, Commission Member Fernandez asked for the Town Attorney to come back with a list of items applicable to activities that the Town undertook shortly after incorporation and bring forth language in an item that removes them all, rather than doing it piece by piece. Deputy Town Attorney Cobiella agreed with the request and stated that he would do said analysis. Chairman Ley-Soto agreed and asked Deputy Town Attorney Cobiella to have this done and provide it to the Commission Members in advance so they can review.

Councilmember JC Fernandez then introduced the second part of his proposed recommendations, which refers to the part of the transition that would need to take place if the voters were to vote for the 5 seats instead of what the Town Charter currently states, which is 7 seats. Councilmember JC Fernandez then read the proposed language: “For the election to be held in November 2028, the Councilmember elected in Seat #5 shall only be elected to serve for a period of two (2) years, until 2030. In November 2030, Council Seat #5 shall be abolished”.

Chairman Ley-Soto then proffered the following motion: “for the election to be held in November 2028, Seat #5 shall be abolished”. This motion was seconded by Commission Member Ruano. Discussion was held and the commission members asked Deputy Town Attorney Cobiella to provide an opinion on how to handle the reduction of elected officials, to bring back proposed language to this effect so there is no ambiguity created in the Town Charter. Deputy Town Attorney Cobiella agreed to provide an opinion. The motion passed unanimously.

Regarding Section 2.3(b), Councilmember JC Fernandez read the following proposed recommendation: “For the election to be held in November 2030 there shall be no election for Council Seat #6 and the seat shall be abolished”. To this effect, Commission Member Fernandez made a motion to accept the proposed recommendation read into the record by Councilmember JC Fernandez and the motion was seconded by Commission Member Abad. The motion passed unanimously.

Regarding Section 2.3(c) *Seats*, Councilmember JC Fernandez read the following proposed recommendation: “Councilmembers shall serve in seats numbered 1-6

collectively “Seats”, until 2030. Effective in 2030, Councilmembers shall serve in seats numbered 1-4 collectively “Seats”. Individually each is a “Seat”. One Councilmember shall be elected to each Seat”. Commission Member Abad moved the motion, and it was seconded by Commission Member Bennett. The motion passed unanimously.

Regarding Section 2.3(d) *Council to be Elected At-Large*, Councilmember JC Fernandez read the following proposed recommendation: “All members of the Council shall be elected At-large”. Commissioner Fernandez moved the motion, and it was seconded by Commission Member Matos. There was no discussion and the motion passed 6-1; Commission Member Abad voted in opposition.

Regarding Section 2.3(e) *Term of Office*, Councilmember Fernandez read the following proposed recommendation: “No person shall serve as Mayor or as Councilmember for more than (2) consecutive four-year terms. Notwithstanding the above, if a person is elected as a Councilmember and serves full term, that person shall be eligible to be elected as Mayor”. Councilmember Fernandez stated that the rest of the section remains unchanged. The motion was moved by Commission Member Fernandez, and it was seconded by Vice Chairman Inguanzo for discussion.

During discussion, Commission Member Abad made an amendment to the motion and stated that the two (2) consecutive four-year terms should be in a lifetime. Chairman Ley-Soto recommended, for clarification purposes, it might be easier to say two (2) four-year terms and remove the word consecutive. Commission Member Abad accepted the friendly amendment from Chairman Ley-Soto. The motion made by Commission Member Abad now read: “No person shall serve as Mayor or as Councilmember for more than two (2) four-year terms”. The motion was seconded by Commission Member Bennett. No discussion was held and the amendment to the motion passed 6-1; Commission Member Ruano voted in opposition.

Chairman Ley-Soto restated the main motion as amended, which reads: “No person shall serve as Mayor or as Councilmember for more than (2) four-year terms. Notwithstanding the above, if a person is elected as a Councilmember and serves full term, that person shall be eligible to be elected as Mayor.”

Vice Chairman Inguanzo then questioned the meaning of the following section: “Notwithstanding the above, if a person is elected as a Councilmember and serves full term, that person shall be eligible to be elected as Mayor”. Vice Chairman Inguanzo asked Deputy Town Attorney Cobiella whether that section precludes a councilmember that serves less than a full term to be eligible to run for mayor.

After further discussion amongst the commission members, Chairman Ley-Soto then made an amendment to the main motion, to read the following way: “Notwithstanding the above, any terms served as a councilmember or mayor shall not impact the term limitations for the other position”. Commission Member Ruano seconded the motion for discussion. The Town Clerk called the roll and the amendment to the motion failed 3-4; Commission Member Abad, Commission Member Bennett, Commission Member Fernandez, and Vice Chairman Inguanzo voted in opposition.

During discussion, Vice Chairman Inguanzo then asked if Deputy Town Attorney Cobiella could draft language capturing the sentiment of the commission members, which is for councilmembers to be eligible to serve two (2) four-year terms and a mayor to serve two (2) full terms and he asked for the word “full term” to be defined. Deputy Town Attorney Cobiella agreed that he would explain what “term limits” means.

Commission Member Fernandez also asked Deputy Town Attorney Cobiella to research and bring language regarding term limits and whether they apply retroactively and Commission Member Bennett asked about the Resign to Run Clause and terms. Chairman Ley-Soto agreed that there's a lot of questions on this aspect and asked Deputy Town Attorney Cobiella to draft some proposed language for the next meeting, delineating how the terms will be defined and/or applied in determining term limitations. Commission Member Bennett made a motion for the Town Attorney to draft language for our review, to make sure that the intention of what we were doing is codified in the language. The motion was seconded by Commission Member Ruano and Vice Chairman Inguanzo, simultaneously. The motion passed unanimously.

4. Selection 2.4 Qualifications

Chairman Ley-Soto proposed language to amend Section 2.4. Chairman read the following sentence: "A person may not be a candidate for Council and Mayor in the same election". Chairman Ley-Soto then made a motion to replace the word Council for councilmember. The motion was seconded by Commission Member Fernandez and the motion passed unanimously.

5. Selection 2.5 Vacancies; Forfeiture of Office; Filling of Vacancies

Chairman Ley-Soto made a motion to rewrite Section 2.5(a), and for it to read the following way: "The Office of a Councilmember or Mayor shall become vacant upon his/her death, resignation, suspension, or removal from office in any manner authorized by law or as otherwise provided for by law, or by forfeiture of his or her office". The motion was seconded by Vice Chairman Inguanzo.

Chairman Ley-Soto proposed to eliminate the word disability from that section because it's a very general term that is not defined anywhere else. He explained that it's not removing the disability but rather focusing on what is already provided by Florida Statute and incorporating that into the Town Charter.

Commission Member Bennett then asked for some language to be added regarding if the councilmember or mayor is unable to fulfill the duties of the office he holds. Deputy Town Attorney Cobiella opined that Florida Statute covers the different sections that automatically remove someone from office and advised that we need to be careful not to add too much language and not create conflict with what already is in Florida Statute.

On this matter, Commission Member Fernandez then made an amendment to the motion, to add the word "applicable" before law, for it to read: "otherwise provided by applicable law". The motion was seconded by Commission Member Bennett and the motion passed unanimously. Chairman Ley-Soto called the main motion and the main motion, as amended, passed unanimously.

Regarding Section 2.5 (b)(i) *Forfeiture by disqualification*, Chairman Ley-Soto made a motion to replace the word Councilmember with a member of the council, so it covers both councilmembers and the mayor. Commission Member Fernandez seconded the motion and the motion passed 6-0; Commission Member Abad was absent.

Councilmember JC Fernandez presented his proposed recommendation for Section 2.5(b)(ii) *Forfeiture by Absence and* stated that recommendation is to clarify what an

absence is. To this effect, the proposed language to be added is “An absence shall be defined as being absent for more than twenty-five (25%) of the official Council meeting agenda items”. Commission Member Fernandez made a motion to move it for discussion. The motion was seconded by Commission Member Bennett.

During discussion, Deputy Town Attorney Cobiella answered questions posed and he stated that the Town Charter should not be that prescriptive and he suggested that language can be adopted but instructing that the definition of what constitutes 25% should be adopted by ordinance. Commission Member Fernandez then asked what constitutes “good cause”.

During discussion, Chairman Ley-Soto made a motion to amend and add language to the end of the sentence of the original motion and add the following phrase: “the council shall prescribe by ordinance, how to define 25%”. The motion was seconded by Vice Chairman Inguanzo for discussion. After discussion, the Town Clerk called the roll and the motion passed 4-3; Commission Member Bennett, Commission Member Fernandez, and Commission Member Ruano voted in opposition.

Chairman Ley-Soto restated the main motion, as amended, as follows “An absence shall be defined as being absent for more than twenty-five (25%) of the official council meeting agenda items and the Council shall prescribe by ordinance, how to define 25%.” Chairman Ley-Soto stated that the Town Charter would define what absences shall be and explained that it would give the discretion to the Council to determine what is going to be the 25%. After some discussion, the Town Clerk called the roll and the main motion, as amended, failed 1-6; Commission Member Abad, Commission Member Bennett, Commission Member Fernandez, Commission Member Ruano, Vice Chairman Inguanzo, and Chairman Ley-Soto voted in opposition.

Chairman Ley-Soto then made a motion to replace the word councilmember in Section 2.5(b)(ii) and for it to be replaced with the phrase members of the council. Chairman Ley-Soto stated that the word councilmembers appears twice in Section 2.5(b)(ii). The motion was seconded by Commission Member Fernandez and the motion passed unanimously.

Commission Member Ruano made a motion to remove the phrase “in the discretion of the remaining Councilmembers”, found in the first sentence of Section 2.5(b)(ii). The motion was seconded by Commission Member Fernandez. Commission Member Ruano explained that it should be Town administration who should be doing record keeping and although she does not know what mechanism to do, she emphasized that councilmembers should not be monitoring this. Deputy Town Attorney Cobiella explained that by eliminating the phrase “in the discretion of the remaining Councilmembers” it meant that you are making it by operation of law. He explained that if you are absent three times without good cause, you have automatically forfeited your position. He also recommended that good cause needs to be established and defined by Ordinance. After discussion, the motion passed 6-1; Vice Chairman Inguanzo voted in opposition.

Regarding Section 2.5(b)(iii) *Procedures*, Councilmember JC Fernandez provided his recommendations, to add the following language: “remaining members of the” Council by resolution to this section”. Commission Member Fernandez made a motion to this effect and Commission Member Abad seconded the motion. The motion passed unanimously.

Regarding Section 2.5(b)(iii), Chairman Ley-Soto made a motion to replace the word “councilmembers” with “members of the council”. The motion was seconded by Commission Member Abad. Chairman Ley-Soto explained that the word councilmembers are used eight times in section 2.5(b)(iii) and that it needs to be replaced with “members of the council” and via his motion, he gave direction to Deputy Town Attorney Cobiella to read the section and review it and to make the appropriate changes. Commission Member Abad seconded the motion.

Commission Member Fernandez asked Deputy Town Attorney Cobiella if he could review the entire Town Charter and make all those changes and disambiguate every time the word councilmember is used throughout the Town Charter, for Deputy Town Attorney Cobiella to determine if it needs to be replaced, and for him to come back to us with all the places in the Town Charter where that distinction needs to be made. Deputy Town Attorney Cobiella agreed.

Commission Member Fernandez then made an amendment to the motion, to direct the Town Attorney to do by interlineation and change it throughout the entire document and provide the commission members with a copy of his recommendations. The amended motion was seconded by Vice Chairman Inguanzo, and it passed unanimously. The main motion, as amended, passed unanimously.

Regarding Section 2.5 (c)(i) *Filling of Vacancies*, Councilmember JC Fernandez read the entire section and the proposed recommendation. He read the following language: “If less than six months remain in the unexpired term, the vacancy shall be filled by a nomination of the Mayor. The nomination of the Mayor shall be made within 30 calendar days following the occurrence of the vacancy and shall be subject to confirmation by the Council. The confirmation vote of the Mayor’s nomination shall be conducted at the next regular Council meeting following the nomination, unless a majority of the Council votes to hold a Special meeting of the Council prior to the next regular Council meeting. If the Mayor fails to nominate a person within 30 calendar days following the occurrence of the vacancy, any member of the Council may nominate a person for consideration at the next Regular or Special Council meeting, following the expiration of the 30-calendar day nomination period. If a nominee is not confirmed by the Council, the vacancy shall remain unfilled until the next regularly scheduled election”. Commission Member Fernandez made a motion to move it, and it was seconded by Commission Member Abad.

During discussion, Commission Member Ruano made an amendment to the motion, to add the following language: “within 30 days of the vacancy”. Her proposed language would be: “If less than six months remain in the unexpired term, the vacancy shall be filled by a nomination of the Mayor. The nomination of the Mayor shall be made within 30 calendar days following the occurrence of the vacancy and shall be subject to confirmation by the Council within 30 days of the vacancy”. Vice Chairman Inguanzo seconded the motion for discussion. After discussion, Commission Member Ruano made a motion to withdraw, and Commission Member Fernandez seconded the motion. All were in favor; the motion was withdrawn unanimously.

The Town Clerk asked for a moment of personal privilege, and she respectfully provided some recommendations regarding Section 2.5(c)i and 2.5(c)ii, to be considered by the commission members. The Town Clerk read the following language: “The nomination by the mayor shall be made within 30 calendar day following the occurrence of the vacancy and shall be subject to confirmation by the Council, via email to the Town Clerk, or something to that effect. The Town Clerk emphasized that said nomination

should be communicated to the Town Clerk. After reading her recommendation, Commission Member Abad made a motion to move her recommendations, and the motion was seconded by Commission Member Fernandez.

Chairman Ley-Soto asked for a more precise motion and discussion was held. Chairman Ley-Soto then restated the proposed motion to read the following way: "The nomination by the Mayor, which shall be communicated to the Town Clerk by email, shall be made within 30 calendar days following the occurrence of the vacancy, and shall be subject to confirmation by the Council". Commission Member Abad accepted the friendly amendment by Chairman Ley-Soto, which was seconded by Vice Chairman Inguanzo for discussion.

During discussion, Commission Member Bennett made an amendment to the motion for the nomination to be sent to the Town Clerk via an official email, and the motion was seconded by Commission Member Ruano. The amendment to the motion passed unanimously. Then, Commission Member Fernandez made an amendment to the motion to remove the word "email" and instead include "formal written communication", and this motion was seconded by Vice Chairman Inguanzo. After further discussion, the motion passed unanimously.

Chairman Ley-Soto then restated the motion, as amended, as follows: "The nomination by the Mayor, which shall be communicated to the Town Clerk by formal written communication, shall be made within 30 calendar days following the occurrence of the vacancy, and shall be subject to confirmation by the Council". No further discussion was held and the amended motion passed unanimously. The main motion, as amended, passed unanimously.

Regarding Section 2.5 (c)(ii), Councilmember JC Fernandez read his proposed recommendations. Commission Member Fernandez then made a motion that read the following way: "If six months or more remain in the unexpired term, the vacancy should be filled by a special election, to be scheduled at the first possible date available by the Miami-Dade County Department of Elections". The motion was seconded by Commission Member Ruano.

During discussion, Commission Member Abad made a strike all amendment to the main motion and stated that in the event of the vote for a nominee to fill a vacancy resulted in a tie, the nominee should be considered confirmed. The motion was seconded by Vice Chairman Inguanzo for discussion. The Town Clerk called the roll and the amendment to the motion failed 1-6; Commission Member Bennett, Commission Member Fernandez, Commission Member Matos, Commission Member Ruano, Vice-Chairman Inguanzo, and Chairman Ley-Soto voted in opposition.

Commission Member Fernandez made a motion to defer the discussion of Section 2.5(c)ii until said time that we all have time to ruminate. The motion was seconded by Vice Chairman Inguanzo. Then, Commission Member Bennett made a motion to defer said discussion to be held on February 12th, and the motion was seconded by Commission Member Fernandez. The motion to defer until February 12th passed unanimously.

Chairman Ley-Soto called the vote to defer the discussion of the pending motion regarding Section 2.5(c)(ii) to the February 12 Commission meeting. The motion to defer passed unanimously. Chairman Ley-Soto requested the Town Clerk to add this item to the February 12 Commission meeting agenda.

Regarding Section 2.5(c)(iii) Councilmember JC Fernandez read his proposed recommendation: “The Council shall appoint a new Vice Mayor once the vacant Councilmember seat is filled”. Commission Member Fernandez moved the recommendation provided by Councilmember JC Fernandez and the motion was seconded by Commission Member Bennett for discussion. After some discussion amongst the commission members and explanation provided by Town Manager Pidermann, the motion passed 5-2; Commission Member Bennett and Vice Chairman Inguanzo voted in opposition.

Commission Member Bennett made a motion to adopt as it is written on the Town Charter, Section 2.5(c)iv, Section 2.5(c)v, Section 2.5(c)vi, Section 2.5(c)vii. The motion was seconded by Commission Member Abad. After some brief discussion, Commission Member Bennett withdrew his motion and Commission Member Abad seconded the motion. The motion to withdraw passed unanimously.

Chairman Ley-Soto stated that regarding Section 2.5(c)iv, the commission members need to revise language of this section as to what’s going to happen after November 2030. He emphasized that this section needs to be revised in the future.

Regarding Section 2.5(c)v, Chairman Ley-Soto made a motion to replace the language with the following proposed language: “persons nominated to fill a vacancy shall meet the qualifications specified in this Article”. Commission Member Fernandez seconded the motion and the motion passed unanimously.

Regarding Section 2.5(c)vi and Section 2.5(c)vii, Chairman Ley-Soto stated that these two sections will be deferred until proposed language on section number 2 is drafted. No vote was taken because no action was taken.

Regarding Section 2.5(c)viii, Councilmember JC Fernandez read his proposed recommendation to add the following phrase: “subject to the coordination with and approval of the Miami-Dade County Department of Elections.” Commission Member Fernandez made a motion to adopt the recommendation, and the motion was seconded by Commission Member Abad. The motion passed unanimously.

Chairman Ley-Soto then made a motion to strike the word disability from the first sentence, to delete the word Councilmembers and replace with “members of the council” and to remove the word requirements and replace with all qualifications for candidates provided for this Article. The motion was seconded by Commission Member Abad and the motion passed unanimously.

Commission Member Fernandez spoke about Florida Resign to Run law. He explained the genesis of this item and deferred to Deputy Town Attorney Cobiella to draft the exact language. He then stated that in the event the Town Clerk is notified of a future dated resignation to comply with Florida’s Resign to Run Law, that the position to be opened gets placed on the next regular election ballot. He then made a motion for a new section to be added to the Town Charter within Section 2.5, regarding this matter. Vice Chairman Inguanzo seconded the motion for discussion and alluded that state law must be reviewed, that there might be a conflict. Deputy Town Attorney Cobiella stated that there might be a conflict and that he will research this and provide an opinion. Chairman Ley-Soto also mentioned that this will be discussed taking into consideration Section 2.5(c). The motion passed unanimously.

6. Section 2.6 Compensation; Reimbursement for Expenses

During discussion of Section 2.6, Commission Member Fernandez made a motion to add language to Section 2.6, to give the council discretion to forego the COLA. The motion was seconded by Vice Chairman Inguanzo. Chairman Ley-Soto restated the motion as follows: “The councilmembers shall have the discretion to forego or to waive the COLA requirement”. The motion passed 6-0; Commission Member Ruano was absent. Town Manager Pidermann shared as point of information, that the current monthly amount is \$844.00. To this effect, Chairman Ley-Soto made a motion to update Section 2.6(a), to move \$400 per month and replace with \$844 per month, so that the section reflects what the current amount is. Vice Chairman Inguanzo seconded the motion.

Town Manager Pidermann then advised that said amount might change in October, because this number will get another CPI, so the \$844 will be adjusted one more time. After discussion, Chairman Ley-Soto made a motion to withdraw his motion with the purpose of bringing this back and make a calculation as to what the \$844 will be after October, so that when it gets approved, it will be fixed. Commission Member Bennett seconded the motion, and it was approved unanimously.

7. Section 2.7 Recall

During discussion of this section, Deputy Town Attorney Cobiella stated that he would research what is the percentage required to initiate a recall in Miami-Dade County. No motions were made.

9. ADJOURNMENT:

Chairman Ley-Soto emphasized that input from residents, commission members are welcomed and if they have any proposal or drafts to be shared in advance.

There being no further business to come before the Charter Revision Commission, the meeting was adjourned at 11:34 pm.

Approved this 12th of February 2026.

Javier Ley-Soto, Chairman

Attest:

Gina M. Inguanzo, Town Clerk