

RESOLUTION NO. R2008-10

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ESTABLISHING A CHARTER REVIEW COMMITTEE, ASSIGNING ITS DUTIES AND DURATION, PROVIDING AUTHORITY FOR EXPENDITURES; PROVIDING FOR PUBLIC MEETINGS; PROVIDING FOR A METHOD OF PROVIDING LEGAL AND STAFF SUPPORT FOR THE COMMITTEE, AND PROVIDING FOR AN EFFECTIVE DATE AND A DATE FOR TERMINATION OF ACTIVITIES.

WHEREAS, the City Council of the City of North Miami Beach, Florida, deems it advisable that a study and review of the existing City Charter be conducted. The committee shall make a study of such portions of the city charter as shall be brought to its attention by the council, the city manager, or the city attorney as being ambiguous, unclear or not in the best interests of efficient economical operation of the city, and shall make recommendations for revisions of or amendments to the charter as may appear necessary to assure the people of North Miami Beach that the charter will be responsive to their interests and for the purpose of determining the advisability of amending any part or all of said Charter in accordance with the provisions of controlling legal authority; and

WHEREAS, it is appropriate to create a Charter Review Committee for the purpose of review and study of the existing Charter with said Charter Review Committee submitting a written report of its finding and recommendations to the City Council.

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of North Miami Beach, Florida:

SECTION 1: A Charter Review Committee is hereby created, consisting of seven (7) total members to be appointed by the City Council as follows:

(a) The Mayor and Council shall each select one responsible and independent member; and

(b) The Mayor and Council shall confirm that their appointments are willing to serve. The names of the confirmed appointments shall be furnished to the City Clerk for verification as to qualifications as a U.S. Citizen and resident of the City and qualification to function as a member of the Charter Review Committee.

SECTION 2: The Charter Review Committee shall review and study the existing City Charter and possible amendments or revisions thereto and make written recommendations to the City Council as to suggested amendment or revision of the City Charter. The Charter Review Committee shall function as a recommending body to the City Council.

SECTION 3: The written findings and recommendations of the Charter Review Committee shall be submitted to the City Council within one hundred and eighty (180) days, with the right to extend, if necessary, from the date of the Committee's initial meeting for consideration by the Council. The committee's responsibility shall be deemed completed upon submission of their recommendations.

SECTION 4: The City Council, upon receipt of the findings and recommendations of the Charter Review Committee, shall review same and determine whether the existing Charter should be amended or revised. The City Council may cause to be prepared such Ordinance or Ordinances as it may deem advisable to amend or revise the existing City Charter in the manner as provided by Chapter 166, Florida Statutes. To the maximum extent practicable, the Committee shall conform the proposals of the Committee to such subjects and matters as may be brought to the attention of the Committee by the City Council.

SECTION 5: The City Manager may from time-to-time exercise his authority to make expenditures for the Charter Review Committee in the performance of its duties as provided in this Resolution.

SECTION 6: Upon appointment of members to the Charter Review Committee, the City Council shall establish a time, date, and place for the first meeting of the Committee. At the initial organizational meeting, the City Attorney or his designee shall chair the meeting. At the next meeting of the Committee called pursuant to Section 7 hereof, the Committee shall select a Chairperson and Vice Chairperson. The Vice Chairperson shall assume the duties of the Chairperson in the absence of the Chairperson. Any vacancy created by the incapacity, resignation or otherwise of a Board member shall be filled at the next regular or special meeting of the City Council upon selection by the original appointing committee member. All appointments to the Charter Review Committee shall be recorded by the City Clerk.

SECTION 7: The Charter Review Committee shall after its first meeting with a quorum of the full membership schedule and hold an initial advertised public hearing to receive input from the general public concerning the advisability of amending the City Charter. After the Committee has completed its review and is preparing to submit its written recommendation to the City Council, the Committee shall hold a final public hearing to hear and entertain public comment relative to its proposed findings and recommendations. The Committee may modify its findings and recommendations after the second public hearing prior to its submission of written findings and recommendations to the City Council pursuant to Section 10 hereof.

SECTION 8: All meetings of the Charter Review Committee shall be noticed and open to the public. The public shall be encouraged to submit verbal and written comments to the Committee. The Committee shall have minutes of each meeting taken, which minutes shall be promptly recorded with the City Clerk and such records shall be open to public inspection. A majority of the Committee shall constitute a quorum.

SECTION 9: The City Manager, City Attorney and City Clerk are hereby directed to support the Charter Review Committee in its organization and in considering, formulating and making findings and recommendations.

SECTION 10: This Resolution shall become effective immediately upon its passage and adoption. Upon consideration and acceptance of the findings and recommendations of the Charter Review Committee by the City Council, the Committee shall be deemed disbanded and the Committee's existence shall terminate.

APPROVED AND ADOPTED by the City of North Miami Beach City Council at the

regular meeting assembled this 9TH day of MARCH, 2008.

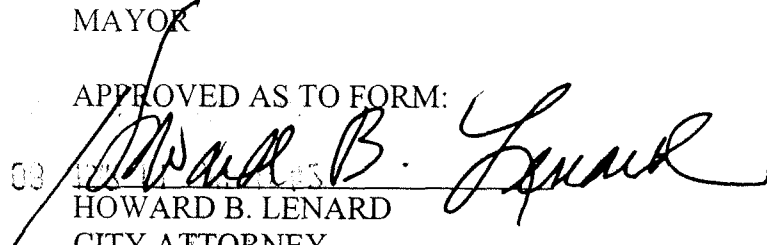
ATTEST:


SOLOMON ODENZ
CITY CLERK

(CITY SEAL)


RAYMOND F. MARIN
MAYOR

APPROVED AS TO FORM:


HOWARD B. LENARD
CITY ATTORNEY

SPONSORED BY: Mayor and City Council

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