

RESOLUTION NO. 2022-32448

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING THE CITY OF MIAMI BEACH AD HOC CHARTER REVIEW AND REVISION BOARD; PRESCRIBING ITS DUTIES, AND PROVIDING FOR THE MANNER OF ITS APPOINTMENT AND THE TERMS OF OFFICE OF ITS MEMBERS.**

**WHEREAS**, pursuant to Miami Beach City Charter Section 8.91, the "Charter shall be reviewed ten (10) years from November 3, 1993 and each tenth year thereafter"; and

**WHEREAS**, periodic review of the City Charter is in the public interest to ensure the City Charter reflects the organization, powers and essential functions of City government desired by the City's voters; and

**WHEREAS**, the next required Charter review is scheduled to take place in 2023; however, nothing in the Charter precludes the City Commission from initiating Charter review at an earlier date; and

**WHEREAS**, a review of the City's Charter has previously been accomplished by the creation and appointment of an Ad Hoc Advisory Charter Review and Revision Board ("Ad Hoc Board") to be composed of seven members appointed by the Mayor and City Commission; and

**WHEREAS**, with the recent passing of Commissioner Mark Samuelian, the need to review the Charter provisions governing vacancy by reasons other than resignation underscores the importance of Charter review; and

**WHEREAS**, there are currently multiple proposals by several Commissioners on how to address City Commission vacancies, and creation of the Ad Hoc Board is necessary to provide the Committee sufficient time to thoughtfully deliberate and make recommendations to the Mayor and City Commission; and

**WHEREAS**, as such, the Mayor and City Commission desire to initiate the Charter Review process immediately, and to convene the Committee as soon as reasonably possible in order to give the Committee sufficient time to thoroughly vet and deliberate all proposals regarding filling City Commission vacancies and review and make recommendations with regard to other provisions of the City Charter; and


**WHEREAS**, it is also vital that appointments to the Ad Hoc Charter Review and Revision Board be made as soon as possible, since time is of the essence for the adequate review and consideration of Charter amendments, and for preparing proposed Charter ballot questions for the November 2022 election; and


**WHEREAS**, if this Resolution is adopted, the appointments shall be made at the September, 2022 City Commission meeting, with the Board to be composed of 7 direct appointments by the Mayor and individual City Commissioners.

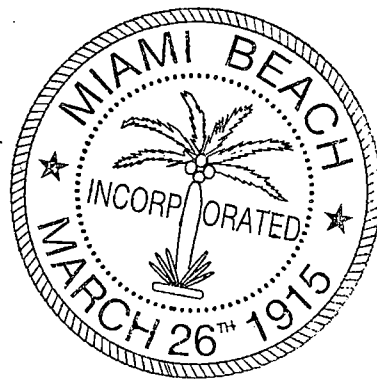
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby create the City of Miami Beach Ad Hoc Charter Review and Revision Board; prescribe its duties, and provide for the manner of its appointment and the terms of office of its members.

PASSED and ADOPTED this 19 day December, 2022


ATTEST:

  
12/21/2022  
Rafael E. Granado, City Clerk

  
Dan Gelber, Mayor



APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
City Attorney PAZ      12-21-22  
Date

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Commissioner Alex Fernandez  
DATE: December 14, 2022

SUBJECT: DISCUSS/TAKE ACTION: AMEND RESOLUTION NO. 2022-32234, AD HOC CHARTER REVIEW.

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### **ANALYSIS**

On July 20, 2022, I sponsored, and the City Commission unanimously approved, the creation of the Ad Hoc Charter Review and Revision Board, an advisory board which meets every ten (10) years to review the City Charter and make recommendations on proposed changes to the Charter.

The Resolution establishing the Charter Review Board provides for a 7-member board, with each member of the City Commission making a direct appointment to the Board, with the exception of the Group II Commission seat, which would be an at-large appointment because the seat was vacant at the time.

The at-large appointment remains pending as of the date of this memorandum. Accordingly, now that Commissioner Laura Dominguez has been duly elected to fill the Group II seat, I propose amending the Resolution to allow Commissioner Dominguez to make a direct appointment to the Charter Review Task Force, in the same manner afforded to every other member of the City Commission.

### **SUPPORTING SURVEY DATA**

N/A

### **FINANCIAL INFORMATION**

N/A

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?**

No

**Does this item utilize G.O. Bond Funds?**

No

### **Legislative Tracking**

Commissioner Alex Fernandez

### **ATTACHMENTS:**

#### **Description**

□ Resolution No. 2022-32234

**RESOLUTION NO. 2022-32234**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING THE CITY OF MIAMI BEACH AD HOC CHARTER REVIEW AND REVISION BOARD; AND PROVIDING FOR THE MANNER OF ITS APPOINTMENT AND THE TERMS OF OFFICE OF ITS MEMBERS.**

**WHEREAS**, pursuant to City Charter Section 8.01, the "Charter shall be reviewed ten (10) years from November 3, 1993 and each tenth year thereafter"; and

**WHEREAS**, periodic review of the City Charter is in the public interest to ensure the City Charter reflects the organization, powers and essential functions of City government desired by the City's voters, and necessary for effective governance of the City; and

**WHEREAS**, the next required Charter review is scheduled to take place in 2023; however, nothing in the Charter precludes the City Commission from initiating Charter review at an earlier date; and

**WHEREAS**, a review of the City's Charter has previously been accomplished by the creation and appointment of an Ad Hoc Advisory Charter Review and Revision Board ("Ad Hoc Board") to be composed of seven members appointed by the Mayor and City Commission; and

**WHEREAS**, with the recent passing of Commissioner Mark Samuelian, the need to review the Charter provisions governing vacancy by reasons other than resignation underscores the importance of Charter review; and

**WHEREAS**, the creation of the Ad Hoc Board at the earliest possible date is necessary to provide the Committee sufficient time to thoughtfully deliberate and make recommendations to the Mayor and City Commission; and

**WHEREAS**, as such, the Mayor and City Commission desire to initiate the Charter Review process immediately, and to convene the Committee as soon as reasonably possible in order to give the Committee sufficient time to thoroughly vet and deliberate all proposals regarding filling City Commission vacancies and review and make recommendations with regard to other provisions of the City Charter; and


**WHEREAS**, it is also vital that appointments to the Ad Hoc Charter Review and Revision Board be made as soon as possible, since time is of the essence for the adequate review and consideration of Charter amendments; and

**WHEREAS**, if this Resolution is adopted, it is anticipated that the appointments shall be made at the September, 2022 City Commission meeting, with the Board to be composed of 7 direct appointments by the Mayor and individual City Commissioners (and if the existing vacancy on the City Commission is not filled at the time the City Commission makes the foregoing appointments, the Group II appointment shall be an at-large appointment made by the Mayor and City Commission as a whole).


NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby create the City of Miami Beach Ad Hoc Charter Review and Revision Board; and provide for the manner of its appointment and the terms of office of its members.

PASSED and ADOPTED this 20 day July, 2022

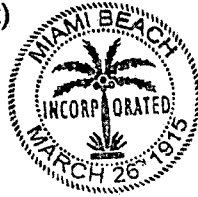
ATTEST:

  
\_\_\_\_\_  
Rafael E. Granado, City Clerk


JUL 25 2022

  
\_\_\_\_\_  
Dan Gelber, Mayor

(Sponsored by Alex J. Fernandez)



APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
FA City Attorney

7-12-22  
Date