

**RESOLUTION NO. 2019-95**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ARTICLE VI, SECTION 6.2 OF THE VILLAGE CHARTER, CHARTER REVISIONS; PROVIDING A DATE BY WHICH THE VILLAGE COUNCIL SHALL APPOINT MEMBERS TO THE CHARTER REVISION COMMISSION; AND PROVIDING AN EFFECTIVE DATE. (*Sponsored by Councilmember Patrick Fiore*)**

**WHEREAS**, the Village Charter, Section 6.2 provides that at the first regular meeting in December 2015, and thereafter every fifth year, the Council shall appoint and fund a Charter Revision Commission (the “Commission”); and

**WHEREAS**, the Village Charter does not prohibit earlier appointments in order to ensure achievement of the commission’s objectives; and

**WHEREAS**, the Commission shall consist of five electors, including one from each of the three Residential Areas in the Village; and

**WHEREAS**, the Mayor and, Vice Mayor shall make an at-large appointment and each Council District Person (“Councilmember”) shall make an appointment from their respective Districts; and

**WHEREAS**, the Mayor shall appoint one person to the Commission who is the Vice-Mayor or Councilmember who is serving a second consecutive term, who shall serve as a non-voting Commission member. In the event a second term Vice Mayor or Councilmember is not serving, the Mayor may appoint a sitting Vice Mayor or Councilmember. The Mayor shall not be eligible for appointment to the Commission; and

**WHEREAS**, the Village Charter states that if the Commission determines an amendment or revision is needed, it shall submit same to the Council for consideration at the next regularly scheduled election by a deadline to be established by the Miami Dade Elections Department; and

41           **WHEREAS**, the next regularly scheduled election for the Village of  
42 Palmetto Bay will be held in November of 2020; and

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44           **WHEREAS**, the Commission shall commence its proceedings  
45 within 45 calendar days after appointment by the Council.

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47           **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND**  
48 **VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY,**  
49 **FLORIDA, AS FOLLOWS:**

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51           **Section 1.** The above recitals are true and correct and are  
52 incorporated herein by this reference.

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54           **Section 2.** The Village Council finds that allowing additional time  
55 for the Charter Revision Commission to commence its review of the  
56 Charter is beneficial to the Charter Revision Commission.

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58           **Section 3.** The Village Council shall submit the name of their  
59 appointments to the Village Clerk no later than August 30, 2019. After  
60 August 30, 2019, the Village Clerk shall prepare a Resolution for the  
61 regularly scheduled Council Meeting of September 9, 2019, in which the  
62 Village Council shall follow Article VI, Section 6.2(B) that dictates that  
63 five appointments must be made by each of the members of the Council  
64 from their respective residential district and one at large appointment by  
65 the Mayor and by the Vice Mayor, for a total of five members. In addition,  
66 the Mayor shall appoint one person to the Commission who is the Vice  
67 Mayor or Councilmember who is serving a second consecutive term,  
68 who shall serve as a non-voting Commission member.

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70           **Section 4.** Upon the Charter Revision Commission beginning  
71 their proceedings, the Village Manager is directed to take appropriate  
72 action to insure that all meetings of the Charter Revision Commission are  
73 televised and live-streamed.

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75           **Section 5.** This Resolution shall become effective upon adoption.

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77           **PASSED AND ADOPTED** this 1<sup>st</sup> day of July 2019.

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Attest:

DocuSigned by:  
*Missy Arocha*  
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Missy Arocha  
Village Clerk

DocuSigned by:  
*Karyn Cunningham*  
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Karyn Cunningham  
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

DocuSigned by:  
*Dexter W. Lehtinen*  
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Dexter W. Lehtinen  
Village Attorney

**FINAL VOTE AT ADOPTION:**

- Council Member Patrick Fiore YES
- Council Member David Singer YES
- Council Member Marsha Matson YES
- Vice-Mayor John DuBois YES
- Mayor Karyn Cunningham YES