

Sec. 2-35. - Charter review advisory board.

(a)

Purpose. The Charter review advisory board shall study the Charter of the Village of Biscayne Park in its entirety and provide the village commission with a written report setting forth its recommendations as to any proposed amendments or revisions to the Village Charter.

(b)

Board membership.

(1)

The Charter review advisory board (hereinafter "advisory board" or "board") shall be composed of seven (7) persons. Each member of the village commission shall appoint one (1) member for up to a two-year term of service. The remaining two (2) members will be appointed by the village commission by a simple majority vote. Members shall be qualified electors of the village. The board shall commence its proceedings within forty-five (45) calendar days after appointment by the commission.

(2)

Upon the expiration of a board member's term, the village commission member making the original appointment, or the village commission member's successor in office shall appoint the board member to serve during the new board term. If, for any reason, an appointment should not be made to fill an expired term, the incumbent will continue to serve until his successor has been appointed.

(c)

Vacancies. In the event of the death, removal or resignation of a member, a successor shall be appointed to fill the unexpired term by the commission member making the original appointment. In the event the original commission member is no longer in office, his successor shall fill the unexpired term.

(d)

Duties and responsibilities. The board's duties and responsibilities shall be as follows:

(1)

The advisory board shall compose a written report and review and debate the report in time to enable it to present to the electorate at the village's next regularly scheduled election. The advisory board shall present the report to the village commission, and the village commission shall then adopt, amend, revise, delete, propose substituted items, or additional items for placement on the ballot.

(2)

If the advisory board determines that an amendment or revision is needed, it shall submit the same to the village commission no later than four (4) months prior to the deadline established by the elections department, so that the amendments or revisions, as approved by the village commission, can make the ballot of the next regularly scheduled election of the village. Alternative proposals may be submitted.

(3)

The advisory board shall be receptive to ideas and desires of the residents of the village as to the provisions contained in the Charter in order to enhance the provisions of the Charter and the quality of life in the village.

(4)

The advisory board shall enlist and encourage public support, the assistance of civic, technical, or other groups, and cooperation of other businesses or organizations in order to provide input into the provisions of the Charter.

(5)

In reviewing and recommending revisions, the advisory board shall adhere to the requirements of the provisions of section 6.03 of the Home Rule Charter of Miami-Dade County. Consistent with good practice, if conflicting amendments are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(6)

The advisory board shall review charters of other similar sized municipalities for trends and/or possible terms that would improve the village's Charter.

(e)

Advisory board reports. The chairperson or his/her designee shall present a quarterly report to the village commission, which shall be submitted in writing to the village clerk's office. All reports shall be approved by the advisory board prior to submission to the village clerk's office or presentation to the village commission. The quarterly report shall be part of the village commission official agenda, under board and advisory board reports. Complete inclusion of all minutes to date may be sufficient for presentation, or the advisory board chair or his/her designee may supplement the report through oral presentation to the public and village commission at the regular commission meeting.

(f)

Sunset. The advisory board shall sunset upon the issuance by the advisory board of the final report as it relates to recommended ballot questions, or at the end of an appointed term as voted on by the village commission.

(Ord. No. 2012-08, § 1, 9-11-12)