ORDINANCE NO. 2006-

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA CREATING AN ADVISORY BOARD TO BE KNOWN AS THE PUBLIC SAFETY COMMITTEE; PROVIDING, AMONG OTHER THINGS, THE NUMBER AND QUALIFICATIONS OF BOARD MEMBERS, RULES OF PROCEDURE AND THE DUTIES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council desires to create a Public Safety Committee (the "Board") to provide recommendations to the Village Council, on the adoption of a public health and safety plan as described herein; and

WHEREAS, the Village Council finds that the creation of the Board, as an Advisory Board of the Village, is in the best interest of the Village and its residents.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** That the above stated recitals are hereby confirmed and adopted.

Section 2. **Creation of Board.** That Article XIII "Public Safety Committee" of Chapter 2 "Administration" of the Village Code is hereby created, to read as follows:

Article XII. Public Safety Committee.

Sec. 2-206. Creation, composition, qualifications and term.

(a) In accordance with Village Code Section 2-10, there is hereby created and established the Village of Key Biscayne Public Safety Committee (the "Board"). The Board shall be composed of 17 members appointed by the Mayor, with the approval of the Village Council, as provided by Village Charter Section 2.02. Board members shall serve at the pleasure of the Village Council. Each member shall be appointed for an indefinite term of up to two (2) years. The term of office shall sooner expire on completion of the work of the Board. Members of the Board shall serve without compensation and shall not be reimbursed for travel, mileage, or per diem expenses.

(b) The backgrounds and qualifications for the members of the Board shall be as follows:

(i) All members of the Board, except the Chief of Police, Fire Chief, and Director of Recreation, shall be residents of the Village; and

(ii) If possible, the committee should be composed of members with qualifications as follows:

a. 1 pediatrician
b. 1 internist or other physician
c. 1 social worker
d. 2 school principals
e. 1 elementary school teacher
f. 1 middle or high school teacher
g. 1 nurse
h. 1 parent of middle or high school age children
i. 1 parent of elementary school children
j. 2 senior citizens
k. The Chief of Police
l. The Fire Chief
m. The Director of Recreation
n. 1 representative of the community houses of worship.
o. 1 Youth Council representative

A Board member who ceases to reside within the Village Limits during his or her term of service shall be deemed to have resigned as of the date of his or her change of residence from the Village, if residency is required.

(c) The Village Council shall designate one of the Board members as Chairman.

(d) In the event of the resignation or removal of any member of the Board, the Mayor shall appoint a person to fill the vacancy on the Board for the unexpired portion of the term of the member vacating such office, subject to approval of the Village Council.

Sec. 2-201. Advisory capacity.

(a) The powers and duties of the Board shall be solely advisory in nature.

(b) The Board shall act in accordance with Village Code Section 2-10.

Sec. 2-202. Rules of procedure.

(a) The Board may adopt rules of procedure as authorized by Village Code Section 2-10(k). In the absence of adoption of such rules of procedure, the fundamental parliamentary procedures of Roberts Rules of Order shall apply subject to the provisions of Village Code Section 2-10.

(b) During the first meeting of the Board, the members shall elect one of their members to act as Vice-Chairman and a Secretary.

(c) A majority of the members shall constitute a quorum for the transaction of the business of the Board. Official action shall be taken by the Board only upon the concurring vote of a majority of the members present at an official meeting of the Board.

Sec. 2-203. Jurisdiction, duties.

The jurisdiction of the Board shall be solely advisory. Final actions of the Board shall be in the appropriate form and written recommendations shall be provided to the Village Council. The following matters shall be within the advisory jurisdiction of the Board:

(1) Research and evaluate the most significant health and safety issues within the Village, through methods that include public participation and forums.

(2) Based upon the work in item (1) above, prepare and submit a comprehensive public health and safety plan for Village Council consideration including identifying funding sources and grants in furtherance of the plan.

(3) Any other related matters assigned to the Board by the Village Council.

Sec. 2-204. Standards of conduct for members.

All members of the Board shall be subject to the standards of conduct for public officers and employees as set by federal, state, county, Village or other applicable law.

Sec. 2-205. Dissolution of board.

The Board shall be dissolved upon completion of the work of the Board as reflected by the presentation to the Council of a final report from the Board or from the Village Manager indicating that the work of the Board is complete.

Section 3. **Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. **Inclusion in the Code.** That it is the intention of the Village Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Village of Key Biscayne; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. **Effective Date.** That this ordinance shall become effective immediately upon adoption at second reading.

PASSED AND ADOPTED on first reading this ____ day of October, 2006.

PASSED AND ADOPTED on second reading this ____ day of November, 2006.

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MAYOR ROBERT OLDAKOWSKI

ATTEST:

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CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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VILLAGE ATTORNEY

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