

**ORDINANCE NO. 2008-**

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER II, "ADMINISTRATION", ARTICLE XV "YOUTH ATHLETICS ADVISORY BOARD", SECTION 2-220 "CREATION, COMPOSITION, AND QUALIFICATIONS" OF THE CODE OF KEY BISCAYNE, FLORIDA BY MODIFYING THE COMPOSITION OF THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Ordinance 2008-1, the Village Council created a Youth Athletics Advisory Board (the "Board") to provide recommendations to the Village Council and Village Manager regarding the Village of Key Biscayne's (the "Village") youth athletics program; and

**WHEREAS**, the Village Council wishes to alter the membership of the Board by removing, as ex-officio appointees, the Village Council member and Village Manager.

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

**Section 1. Recitals.** That the above recitals are true and correct and incorporated herein by reference.

**Section 2. Village Code Amended.** That Section 2-220 of the Village Code of the Village of Key Biscayne is hereby amended as follows:<sup>1</sup>

**Chapter II, Administration.**

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**Article XV. Youth Athletics Advisory Board.**

**Sec. 2-220. Creation, composition, and qualifications.**

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<sup>1</sup> Additions are indicated by underlining; Deletions are indicated by ~~strikethrough~~.

- (a) In accordance with Section 2-10 of the Village Code, there is hereby created and established the Village of Key Biscayne Youth Athletics Advisory Board (the "Board"). The Board shall be composed of seven (7) members appointed by the Mayor, with the approval of the Council, as provided by Village Charter Section 2.02.
- (b) Four (4) members of the Board shall be appointed from a list of seven (7) nominees which are recommended by the Key Biscayne Athletic Club, Inc. Three (3) members of the Board shall consist of other qualified persons who express an interest in serving on the Board and have experience in youth sports programs. In the event that the Key Biscayne Athletic Club Inc. fails to provide nominations within 90 days of a written request from the Village for such nominations, all seven (7) members shall be selected based upon an interest in serving the Board and experience in youth sports programs.
- (c) All Board members shall serve at the pleasure of the Village Council as provided by Village Code Section 2-10.
- (d) Except for the initial Board, each member of the Board shall be appointed to a term of two (2) years. For the initial Board, four (4) members shall be appointed for a term of two (2) years and three (3) members shall be appointed for a term of one (1) year, as determined by the Mayor with the approval of the Village Council.
- (e) Members of the Board shall serve without compensation and shall not be reimbursed for travel, mileage, or per diem expenses.
- (f) Each member of the Board shall be a full time resident of the Village who has continuously resided within the Village for the twelve-month period immediately prior to the appointment, and shall not be an employee of the Village. Any member who ceases to reside within the Village Limits during his or her term of office shall be deemed to have resigned as of the date of his or her change of residence from the Village.
- (g) 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.
- (h) In appointing members of the Board, the following additional membership qualification guidelines shall be considered:

- (1) demonstrated interest in youth athletics;
  - (2) evidence of a commitment to serve and act in the best interests of the citizens of the Village.
- (i) ~~One member of the Village Council, appointed by the Mayor (subject to Council approval), and the Village Manager or his designee shall serve as ex-officio, non-voting members of the Board.~~

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**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 be 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 27th day of May, 2008.

PASSED AND ADOPTED on second reading this \_\_\_day of \_\_\_\_\_, 2008.

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MAYOR ROBERT L. VERNON

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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