

ORDINANCE NO. 2003-7

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION" OF THE VILLAGE CODE BY CREATING A NEW ARTICLE VIII "COMMUNITY CENTER ADVISORY BOARD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council desires to create a Community Center Advisory Board to provide recommendations to the Council regarding the Village's new Community Center; and

WHEREAS, the Community Center Committee recommended the creation of an advisory board; and

WHEREAS, the Village Council finds that the creation of a Community Center Advisory Board 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.** The above recitals are true and correct and incorporated herein by this reference.

Section 2. **Creation of Board.** Article VIII "Community Center Advisory Board" of Chapter II "Administration" of the Village Code is hereby created, to read as follows:

Article VIII. Community Center Advisory Board.

Sec. 2-150. Creation, composition, and qualifications.

- (a) There is hereby created and established the Village of Key Biscayne Community Center 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 the Charter, at section 2.02. Board members shall serve at the pleasure of the Council. Except for the initial Board, each member 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. Members of the Board shall serve without compensation and shall not be reimbursed for travel, mileage, or per diem expenses.

- (b) 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. 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. In appointing members of the Board, the following membership qualification guidelines shall be considered:
 - (1) demonstrated interest in Community recreation;
 - (2) demonstrated experience in one or more of the following areas: youth athletics, cultural programs and facilities, financial management, marketing, grants, senior services, and programming for youths and teens;
 - (3) evidence of a commitment to serve and act in the best interests of the citizens of the Village.
- (c) In the event that a member of the Board shall be absent from a duly-called meeting of the Board for three consecutive meetings or in the event that a member has three unexcused absences in a calendar year, then such member shall be subject to removal as a member of the Board by vote of two-thirds of the remaining members of the Board.
- (d) One member of the Village Council, appointed by the Mayor (subject to Council approval), the Village Manager or her designee and the Mayor of the Youth Council shall serve as ex-officio non-voting members of the Board.

Sec. 2-151. Term of office.

Except for the initial Board, members shall be appointed for a term of two years. No Board member shall serve more than four (4) consecutive terms on the Board. Nothing shall prohibit an individual from being reappointed to the Board after a hiatus of two years.

Sec. 2-152. Advisory Capacity.

The powers and duties of the Board shall be solely of an advisory nature to the Village Council and Village Manager.

Sec. 2-153. Rules of procedure.

- (a) The Board shall adopt rules of procedure not inconsistent with the ordinances of the Village and the laws of the State of Florida and shall utilize Robert's Rules of Order for the conduct of meetings of the Board. The Board may create additional rules for the conduct of its internal proceedings.
- (b) During the first meeting of the Board, the members shall elect one of their number to act as Chairman and may elect a Vice-Chairman.
- (c) Four members shall constitute a quorum for the transaction of 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. 2-154. Jurisdiction.

- (a) The jurisdiction of the Board shall be solely advisory. Action of the Board shall be in the form of a written recommendation to the Village Manager and Village Council. The following matters shall be within the advisory jurisdiction of the Board:
 - (1) Provide a forum for Village residents to discuss how the Community Center can best meet the needs and desires of Village residents.
 - (2) Provide recommendations regarding specific programs for children and adults at the Community Center.
 - (3) Provide recommendations for cultural programs at the Community Center.
 - (4) Provide recommendations for equipment at the Community Center.
 - (5) Provide recommendations for sources for funding such as fees, grants and corporate sponsors.
 - (6) Provide recommendations for marketing.
 - (7) Provide recommendations for expanding the Board's jurisdiction.

(8) Provide recommendations for financial performance.

(9) Any other matters assigned by the Village Council or Village Manager.

(b) The Board shall not have jurisdiction of any matters in the absence of an express assignment by the Village Council or Village Manager.

(c) The Board shall not have jurisdiction over or related to any matter concerning Village employees or any other Village-owned or operated facility.

Sec. 2-155. Standards of conduct for members.

All members of the Board shall be subject to the Standards of Conduct for Public Officers and Employees set by federal, state, county or other applicable law.

Section 3. **Severability.** Should any section or provision of this ordinance, or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder as a whole or part thereof, other than the part declared invalid.

Section 4. **Inclusion in the Code.** 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.** This ordinance shall become effective immediately upon adoption at second reading.

PASSED AND ADOPTED on first reading this 24th day of June, 2003.

PASSED AND ADOPTED on second reading this 26th day of August, 2003.

MAYOR ROBERT OLDAKOWSKI

ATTEST:

CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY

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