

ORDINANCE NO. 2015-3

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING ARTICLE XIX CHAPTER 2 OF THE VILLAGE CODE OF ORDINANCES AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO PURCHASE AGREEMENTS FOR THE ACQUISITION OF REAL PROPERTY SUBJECT TO VILLAGE COUNCIL APPROVAL; AUTHORIZING THE LAND ACQUISITION COMMITTEE TO RECOMMEND THAT THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO PURCHASE AGREEMENTS FOR THE ACQUISITION OF INTERESTS IN REAL PROPERTY CONDITIONED ON VILLAGE COUNCIL APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council wishes to provide for a more expeditious and efficient method and process for effectuating the acquisition of land for park, recreation and open space purposes; and

WHEREAS, the Village Council desires to utilize the Land Acquisition Committee (the "Committee"), among other resources to recommend land acquisition opportunities for such purposes, and to assist the Village Manager, in the Manager's discretion in prioritizing opportunities and negotiating and entering into conditional purchase agreements on long-term leases for park, recreation and open space purposes; and

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE 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 this reference.

Section 2. Village Code Amended. That Article XIX of Chapter 2 of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

Sec. 2-253. - Advisory Capacity; Standards of Conduct.

The powers and duties of the Committee shall be solely of an advisory nature to the Village Council and Village Manager. Accordingly, Committee members shall comply with the applicable requirements of the Code of Ethics for Public Officers and Employees as provided in Part III of Chapter 112, F.S. and any other standards of conduct set by federal, state, county, Village or other applicable law.

Sec. 2-255. - Jurisdiction.

- (a) The jurisdiction of the Committee shall be solely advisory. Final advisory action of the Committee shall be in the appropriate form, and written recommendations shall be provided to the Village Manager and the Village Council.
- (b) The jurisdiction of the Committee shall include studying, evaluating, and making recommendations to the Village Manager and the Village Council regarding the acquisition of land primarily for park and recreational purposes. In preparing its recommendations, the Committee shall consider the following matters:
 - (i) Review of the Village's previous efforts towards land acquisition including, but not limited to, the 2020 Vision Plan and 2007 Evaluation and Appraisal Report;
 - (ii) Examination of short and long term financing options, including the potential impact on the Village's debt cap;
 - (iii) Review of all available land acquisition options including the purchase or long term lease of small or large parcels as well as potential Interlocal agreements with other governmental agencies; and
 - (iv) Identification of potential current as well as future properties for acquisition.

Sec. 2-256. - Village Manager Authority

The Village Manager shall be vested with the authority to enter into purchase agreements for the acquisition of interests in real property (for park, recreation and open space purposes) where the acquisition is recommended by the Committee. Such agreements shall be conditioned on Village Council approval and ratification.

Section 3. **Effective Date.**

That this ordinance shall become effective immediately


upon adoption at second reading.

PASSED AND ADOPTED on first reading this 28th day of April, 2015.

PASSED AND ADOPTED on second reading this 9th day of June, 2015.


MAYOR MAYRA PEÑA LINDSAY

ATTEST:


CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


VILLAGE ATTORNEY



MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared M. ZALDIVAR, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review *l/k/a* Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

VILLAGE OF KEY BISCAYNE
MEETING FOR 6/9/2015

in the XXXX Court,
was published in said newspaper in the issues of

05/28/2015

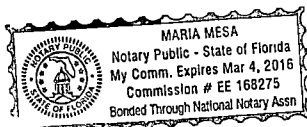
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

28 day of MAY, A.D. 2015

(SEAL)

M. ZALDIVAR personally known to me



VILLAGE OF KEY BISCAYNE

OFFICE OF THE VILLAGE CLERK

PUBLIC NOTICE

Notice is hereby given that the following ordinance will be considered on Second Reading by the Village Council of the Village of Key Biscayne at a meeting to be held on Tuesday, June 9, 2015 at 7 00 p m , in the Council Chamber, located at 560 Crandon Boulevard, Key Biscayne, Florida

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING ARTICLE XIX CHAPTER 2 OF THE VILLAGE CODE OF ORDINANCES AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO PURCHASE AGREEMENTS FOR THE ACQUISITION OF REAL PROPERTY SUBJECT TO VILLAGE COUNCIL APPROVAL; AUTHORIZING THE LAND ACQUISITION COMMITTEE TO RECOMMEND THAT THE VILLAGE MANAGER NEGOTIATE AND ENTER INTO PURCHASE AGREEMENTS FOR THE ACQUISITION OF INTERESTS IN REAL PROPERTY CONDITIONED ON VILLAGE COUNCIL APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinance may be inspected by the public at the Office of the Village Clerk. Interested parties may appear at the Public Hearing and be heard with respect to the proposed Ordinance. Any person wishing to address the Village Council on any item at this Public Hearing, is asked to register with the Village Clerk prior to that item being heard.

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149, telephone number (305) 365-5506, not later than two business days prior to such proceeding.

Should any person desire to appeal any decision of the Village Council with respect to any matter to be considered at this meeting, that person shall insure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F S 286 0105)

Comments of any interested party relative to this matter may be submitted in writing and or presented in person at the public hearing.

Conchita H Alvarez, MMC
Village Clerk

5/28

15-4-119/2444354M