

ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 2-10, "ADVISORY BOARDS" OF CHAPTER 2, "ADMINISTRATION," ARTICLE I "IN GENERAL" OF THE VILLAGE CODE OF ORDINANCES TO PROVIDE FOR BOARD MEMBERSHIP AND TERM LIMITS; RENAMING EXISTING COMMITTEES TO BOARDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council desires to standardize provisions relating to board membership and term limits for all Village boards created pursuant to Section 2-10, "Advisory Boards" of the Village Code of Ordinances (the "Code"); and

WHEREAS, the Village Council further desires to rename all existing committees, created pursuant to Section 2-10 of the Code, as boards; and

WHEREAS, the Village Council finds that adoption of this Ordinance is in the best interest and welfare of the Village and its residents.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:<sup>1</sup>

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

**Section 2.** **Amending Section 2-10 of the Village Code.** That Section 2-10, "Advisory Boards" of the Code of Key Biscayne, Florida is hereby amended to read as follows:

**Chapter 2 - Administration**

**Article I. In General**

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<sup>1</sup> Coding: ~~Strikethrough~~ words are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with **highlighted** ~~double strikethrough~~ and double underline.

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**Sec. 2-10. – Advisory boards.**

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(d) The ordinance which establishes the specific board shall provide for the number and qualification of board members, the procedure for nominating board members, the length of term of office of board members, rules of procedure for the board, and the duties and responsibilities of the board, and such other matters determined to be appropriate by the Village Council. Notwithstanding the foregoing, in no event shall: (i) the membership of any board exceed seven (7) members; and (ii) board members be appointed for a term of office greater than two (2) years. However, board members may be reappointed to additional terms of office by the Mayor, subject to Village Council approval. The membership requirement shall apply retroactively to all boards, with the exception of the 2040 Strategic Vision Plan Board. After the expiration of terms for the initial members of the 2040 Strategic Vision Plan Board, the board shall consist of no more than seven (7) members.

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**Section 3. Renaming of Committees.** That the Village Council hereby renames all advisory boards that are named “committees,” established pursuant to Section 2-10 of the Village Code, as “boards.”

**Section 4. Codification.** 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 Village’s Code of Ordinances, with the exception of Section 3, and 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.** **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 6.** **Conflicts.** That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 7.** **Effective Date.** That this Ordinance shall become effective immediately upon adoption at second reading.

**PASSED** on first reading on the 9<sup>th</sup> day of April, 2019.

**PASSED AND ADOPTED** on second reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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MICHAEL W. DAVEY  
MAYOR

ATTEST:

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JENNIFER MEDINA, CMC  
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

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VILLAGE ATTORNEY