

ORDINANCE NO. 2019-4

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:¹

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

¹ 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.

Sec. 2-10. – Advisory boards.

(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.

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 9th day of April, 2019.

PASSED AND ADOPTED on second reading on the 30th day of April, 2019.

ATTEST:

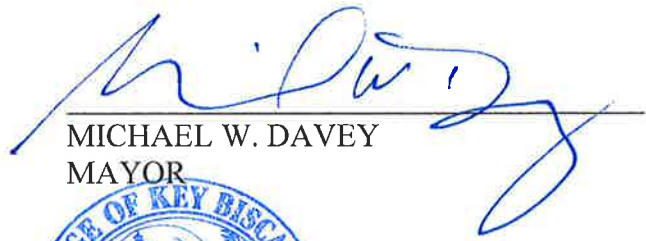



JENNIFER MEDINA, CMC
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:



VILLAGE ATTORNEY



MICHAEL W. DAVEY
MAYOR


MIAMI DAILY BUSINESS REVIEW

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

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

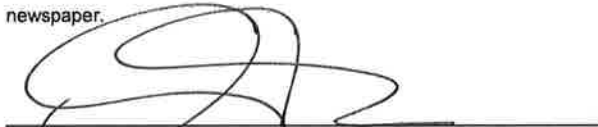
Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida;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

VILLAGE OF KEY BISCAYNE - AN ORDINANCE - AMENDING SECTION 2-10, "ADVISORY BOARDS" OF CHAPTER 2, ETC. - APR. 30, 2019

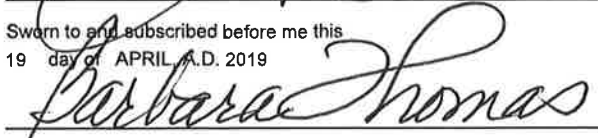
in the XXXX Court,
was published in said newspaper in the issues of

04/19/2019

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 or 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.

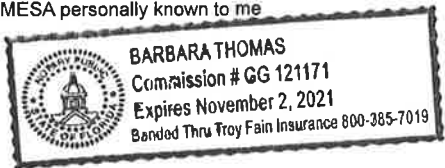


Sworn to and subscribed before me this
19 day of APRIL, A.D. 2019



(SEAL)

MARIA MESA 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, April 30, 2018 at 6:00 p.m., in the Council Chamber, located at 560 Crandon Boulevard, Key Biscayne, Florida:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA ("VILLAGE"), 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 SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; 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 Ordinances. 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.

Jennifer Medina, CMC
Village Clerk

4/19

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