

ORDINANCE NO. 17-

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 2-270 “BOARD TERMS” OF THE TOWN CODE OF ORDINANCES RELATING TO TOWN ADVISORY BOARD MEMBER SERVICE LIMITS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 3.9 of the Town Charter provides that the Town Council may establish Town advisory boards or committees (“boards”) as well as procedures and regulations governing such boards; and

WHEREAS, the Town Council adopted Ordinance 10-08, as amended by Ordinance 11-08, as amended by Ordinance 13-01, providing for such rules and procedures (the “Advisory Board Ordinance”); and

WHEREAS, the Town Council desires to amend Section 2-270 within the Town Code of Ordinances in order to provide for an eight (8) year service limit and provide that a one (1) year separation from service from a board be required before the board member is eligible for service to that same board again.

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

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY AS FOLLOWS:

Section 1. Findings. The foregoing “Whereas” clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Amending Code of Ordinances Section 2-270. The Town Council of the Town of Cutler Bay hereby amends Section 2-270 as follows:

Sec. 2-270. - Board terms and service limits.

- (1) When establishing a board, the town council shall establish a definitive term and goal for the board. The board shall be automatically dissolved upon the expiration of the term or upon delivery of the board's final report to the town council, whichever occurs first. In its sole discretion the town council may extend the term of the board.
- (2) Members appointed to Town boards shall serve for not more than eight (8) consecutive years on any one board. The eight (8) year term of service limit shall begin January 18, 2017. A one (1) year separation from service from a board is required before the board member is eligible for service to that board again.

Section 3. Severability. If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Conflict. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. Inclusion in the Code. It is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the Town of Cutler Bay; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this 15th day of February, 2017.

PASSED AND ADOPTED on second reading this — day of _____, 2017.

PEGGY R. BELL
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Interim Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

First Reading

Moved By: Council Member Coriat

Seconded By: Council Member Mixon

Second Reading

Moved By: _____

Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____