

Ordinance No. 410

AN ORDINANCE AMENDING AND ADDING TO ORDINANCE NO. 242, AS MAY HAVE BEEN PREVIOUSLY AMENDED, RELATING TO THE PLANNING AND ZONING BOARD MEMBERS IN THE LAND DEVELOPMENT REGULATIONS AND REPEALING ORDINANCE NO. 334 RELATING TO ALTERNATE PLANNING AND ZONING BOARD MEMBERS; ALL RELATING TO LAND DEVELOPMENT REGULATIONS, Article VII Administration, Appeals and Concurrency, Section 7.05.00 Boards, 7.05.01 Appointment and Terms; PROVIDING FOR DEFINITIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF MEXICO BEACH,
FLORIDA:

Section 1. Article VII Administration, Appeals and Concurrency, Section 7.05.01, pg. 168, of the Land Development Regulations is amended by adding the language set forth in italics and deleting the language marked with a strike-through, as follows:

7.05.01 Appointment And Terms

A. *Membership.* The Planning Board shall consist of five (5) members nominated by any member of the City Council and approved by a majority of the City Council. Each member shall be assigned to a Post Number and his or her term shall be served as set forth below. Each member shall live within the city limits and the City of Mexico Beach shall be each member's primary residence. Should a member move from the city limits or become unable to serve, his or her successor shall be appointed by the City Council for the remainder of the unexpired term. No elected official or holder of any other public office shall be eligible to serve on the Board.

B. *Term Of Office.* Except for the first appointments made at the Regular Meeting of the City Council in or about January 2002, which shall be made specifically for one or two-year terms, all members thereafter shall be appointed for two-year terms unless serving an unexpired term. Posts 2 and 4 shall serve initial two-year terms beginning on or about January 9, 2002 and ending two years thereafter on January 8, 2004. Thereafter, Posts 2 and 4 shall serve two-year terms. Posts 1, 3 and 5 shall serve initial one-year terms beginning on or about January 9, 2002 and ending one year thereafter on January 8, 2003. Thereafter, Posts 1, 3 and 5 shall serve two-year terms.

C. Term Limits. All Board members may serve for two (2) year terms and may be reappointed to successive terms without limitation.

D. Removal Of Members. Any Board member may be removed by the City Council for repeated failure to attend or participate in meetings or for any other good cause related to performance of duties.

E. Organization. The Board shall elect a presiding officer from among its members at its first meeting after January 8th each year, or as soon thereafter as is reasonably possible. The term of the presiding officer shall be for one year, unless such presiding officer shall resign, be removed, or otherwise become unable or ineligible to serve on the Board or as presiding officer. In such event, a new presiding officer shall be elected by the Board from among its members at the next Regular Board meeting. The presiding officer shall be eligible for reelection as presiding officer. The Board shall operate its meetings under Robert's Rules of Order, latest edition; however, failure to precisely follow the format of Robert's Rules of Order shall not invalidate any action taken at a Board meeting. Such rules may be modified upon approval of the City Council. All meetings of the Board shall be open to the public and all records of the Board shall be a public record as set forth in the Florida Sunshine Laws, including exceptions.

F. Meetings. The Board shall conduct its Regular Meetings on the first Tuesday of each month at a time set forth by the Board and noticed as required by state law. It is within the discretion of the Board to hold and call Special Meetings and Workshops as may be necessary to further conduct the business of the Board. All such meetings shall be called and noticed at least 24 hours in advance and as required by state law. The Board may adopt reasonable administrative rules and procedures and deadlines, subject to approval by a majority of the City Council, to better expedite the filing of planning and zoning documents.

G. Alternate Members. Alternate Planning Board members may be appointed by a majority vote of the City Council. Alternate members shall serve two-year terms and shall be eligible for reappointment. The alternate board members shall be appointed or reappointed at the January Regular Meeting of the City Council in all even-numbered years and their terms shall expire on January 8th of each even-numbered year. The alternate board members shall be assigned specifically as Alternate Post 1 and Alternate Post 2. Alternate board members may participate in all subject material discussed by the Board but shall be permitted to vote only in the absence of one or more regular members. In the absence of one regular member, only Alternate Post 1 may vote. In the absence of two or more regular members, then Alternate Posts 1 and 2 may vote. If Alternate Post 1 is absent from the meeting and is eligible to vote because of the absence of a regular member, Alternate Post 2 may vote in his or her place. The eligibility of alternate members to vote shall be reflected in the minutes of the meeting; however, failure

to reflect such action shall not invalidate any votes taken by the alternate board members.


Section 2. All ordinances, or parts of ordinances thereof, in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall take effect immediately upon passage.


INTRODUCED AT A Regular Meeting of the City Council on December 11, 2001, and adopted at a Regular Meeting of the City Council on January 8, 2002.

SIGNED THIS 8th day of January, 2002.

CITY OF MEXICO BEACH, FLORIDA


Kathy Kingsland, Mayor

ATTEST:


Henry Flack, City Clerk