ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 16 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "PUBLIC PLACES", ARTICLE II, ENTITLED "PUBLIC LIBRARY", SPECIFICALLY AT SECTION 16-17, BY AMENDING TERMS OF OFFICE TO ALLOW FOR THE TERMS OF LIBRARY BOARD MEMBERS TO BE COTERMINOUS WITH THE TERM OF THE APPOINTING COUNCILMEMBER; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Chapter 16 of the Code of Ordinances ("Code") of the City of North Miami ("City"), establishes the Library Board of the City with specified term dates for board members; and

WHEREAS, the City desires to place all terms of office for members of boards and commissions on the same schedule to provide for consistency and simplification of the election process; and

WHEREAS, the Code currently provides for appointed members to serve a fixed term, even after the term of the appointing councilmember has expired; and

WHEREAS, it is recommended that the terms of Library Board members be coterminous with that of the appointing elected official to streamline the term schedule and to allow newly elected city council members to make appointments to the boards and commissions.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Amendment to City of North Miami Code. The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 16 of the City of North Miami Code of Ordinances, entitled "Public Places", Article II, entitled "Public Library", specifically at section 16-17, by amending terms of office to allow for the terms of Library Board members to be coterminous with the term of the appointing councilmember, as follows:

CHAPTER 16. PUBLIC PLACES

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ARTICLE II. PUBLIC LIBRARY

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Sec. 16-17. Library board—Established; composition; appointment, term.

There is hereby created a library board for the North Miami Community Library also known as E. May Avil North Miami Public Library. Each member of the city council shall nominate one (1) member of the library board, which nomination shall be subject to approval of a majority of the city council. The five (5) members thus appointed by the city council shall be residents of the city. ~~The initial members of the board shall be appointed by the city council immediately upon adoption of these sections 16-17, 16-18. Each member so appointed shall hold office for a four-year term, except the member nominated by the mayor shall hold office for a two-year term.~~ The term of board members shall be coterminous with the appointing elected official's term of office. The city council may at any time remove a member from office and appoint a qualified person to serve out the unexpired term of any member so removed. Such action shall require three (3) positive votes. If any member fails to attend two (2) out of three (3) successive meetings without cause and without prior notice and approval of the chairman, the board shall declare the member's office vacant and the city council shall promptly fill such vacancy for the remainder of the term. The city council may reappoint the person removed provided there is at least a majority vote of the city council to do so. The board members shall serve without compensation. Members of the library board shall elect a chairperson, who shall be the presiding member; a vice-chairperson, who shall preside in the absence or disqualification of the chairperson; and shall appoint a secretary. Terms of all officers shall be for one (1) year, with eligibility for re-election. The library board shall give at least five (5) days notice of all meetings by posting such notice on the bulletin board of city hall.

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Section 2. **Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. **Severability.** 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 4. **Codification.** The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 5. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 8 day of April, 2014.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2014.

_____
LUCIE M. TONDREAU
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

_____
REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: MAYOR LUCIE M. TONDREAU

Moved by: _____

Seconded by: _____

Vote:

Mayor Lucie M. Tondreau	_____ (Yes)	_____ (No)
Vice Mayor Philippe Bien-Aime	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Carol Keys, Esq.	_____ (Yes)	_____ (No)
Councilperson Marie Erlande Steril	_____ (Yes)	_____ (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.