



Meeting Date: August 18, 2016

Agenda Item: 11-A

Report to Town Council

Topic: Ordinance 2016-03, reducing the membership requirement for the Code Enforcement Board from seven members to five members, and also moving the member currently in seat #6 to Seat #4.

Recommended Motion:

1 - Approval of the first reading of Ordinance 2016-01; and

2 - Approval of moving Code Enforcement Board member John Michel from Seat #6 to Seat #4 with a term expiration of December 31, 2018 (which is one year longer than his current).

Summary: Pursuant to the direction of the Town Council at their January 21, 2016 meeting, this ordinance has been prepared to reduce the membership composition of the Code Enforcement Board from seven members to five members. The number of board alternate positions will remain at two.

The board currently has five actual members and no alternates, so there is no change to the actual member composition with this amendment. However there will be a need to move one member from one Seat assignment into another.

The reduction in membership requirement will reduce the number of members needed for a quorum from four to three, following second reading / adoption of this ordinance.

Requested by: Town Council



MEMORANDUM

TOWN OF PONCE INLET, TOWN MANAGER DEPARTMENT

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Jeaneen Witt, Town Manager

Through: Kim Cherbano, Deputy Clerk

From: Peg Hunt, Town Board Secretary

Date: July 27, 2016

Subject: Ordinance reducing the membership requirement for the Code Enforcement Board.

MEETING DATE: August 18, 2016

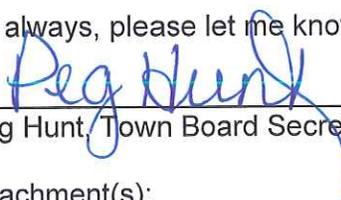
The Code Enforcement Board currently has five regular members and a total of four vacancies: two regular members and two alternates are vacant. There are no pending applicants for this board.

An ordinance has been prepared for Council consideration in accordance with previous direction via Resolution 2016-03 for the reduction of the board membership requirements, via attrition, from seven members to five members on the Town's current seven member boards.

In addition, staff requests a motion to move John Michel from seat #6 to seat #4, in preparation for the elimination of seats 6 and 7.

The Board's By-Laws will be amended to reflect this membership requirement change upon final adoption of the proposed ordinance.

As always, please let me know if you have any questions and thank you for your consideration.



Peg Hunt, Town Board Secretary

July 27, 2016

Date

Attachment(s):

1. CEB Roster – revised 7/25/16
2. Resolution 2016-03

/ph



TOWN OF PONCE INLET
CODE ENFORCEMENT BOARD
MEMBERSHIP ROSTER

Name & Address	Phone #'s	Year Appointed	Term Length	Term Expires
Seat #1				
Jim Hinson 4745 S. Atlantic Ave #405 E-mail: mlhinson@aol.com	760-5448	12/2009	3 years	12/31/2018
Seat #2				
Joe Villanella, Chair 46 Jana Drive E-mail: jjvillane@ymail.com	788-4617 973-441-7602 (cell)	10/2010	3 years	12/31/2016
Seat #3				
Peter Finch, V-Chair 106 Rains Drive E-mail: vstarpete@yahoo.com	492-7899 973-570-8281 (cell)	8/2012	3 years	12/31/2017
Seat #4				
<i>Vacant</i>			3 years	12/31/2018
Seat #5				
Judy DiCarlo 32 Caribbean Way E-mail: jjkorky@me.com	386-304-1211 508-788-0988	7/2014	3 years	12/31/2016
Seat #6				
John Michel 4321 S. Peninsula Drive E-mail: paulfishbeach5@aol.com	609-287-2770	10/2012	3 years	12/31/2017
Seat #7				
<i>Vacant</i>			3 years	12/31/2017
<u>ALTERNATES*:</u>				
#1 – Vacant			1 year	12/31/annually
#2 – Vacant			1 year	12/31/annually

**Per Resolution 2016-03: reduced from 7-members to 5-members through attrition.*

Support staff:

Aref Joulani, Director; Planning & Development Dept.
David Hooker, Code Enforcement Officer
Peg Hunt, Town Board Secretary

RESOLUTION 2016-03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA; REDUCING THE NUMBER OF MEMBERS ON THE PLANNING BOARD AND CODE ENFORCEMENT BOARD; ESTABLISHING A PROCESS FOR THE TRANSITION FROM SEVEN-MEMBER PLANNING BOARD AND CODE ENFORCEMENT BOARD TO FIVE-MEMBER PLANNING AND CODE ENFORCEMENT BOARD; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Ponce Inlet adopted Resolution 2015-01 as the procedure for the appointment of Board members; and

WHEREAS, the Town Council has found that public interest in occupying seats on the Planning Board and Code Enforcement Board has waned in recent years;

WHEREAS, the Town Council has determined that modifications to the composition of the Planning Board and Code Enforcement Board are necessary to maximize participation on those boards; and

WHEREAS, the Town Council has determined that a phasing-out of available seats on the Planning Board and Code Enforcement Board is the best method for reducing the membership of the respective boards from seven (7) to five (5).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The procedure for reducing membership on the Town's Planning Board and Code Enforcement Board shall be as follows:

1. Nothing in this Resolution shall disturb the current composition or membership of the Planning Board or Code Enforcement Board.
2. When a member of the Planning Board or Code Enforcement Board resigns or is removed from their respective board, no new member, including the ascension of alternate members of the boards, shall be appointed by the City Council until and unless membership drops below five (5) members.
3. The Planning Board and Code Enforcement Board shall each at all times maintain two (2) alternate members.



4. Once the composition of the Planning Board and Code Enforcement Board is reduced to five (5) members each, appointment to the respective boards shall be governed by the provisions of Resolution 2015-01.

Section 2. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision in such holding shall not affect the validity of the remaining portions or applications hereof.

Section 3. Conflicting Resolutions.

All Resolutions or parts thereof in conflict herewith or contrary hereto are hereby repealed to the extent of such conflict.

Section 4. Effective Date

This Resolution shall take effect immediately upon its adoption.

It was moved by Vice-Mayor Hoss and seconded by Councilmember Perrone that said Resolution be adopted. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Smith, Seat #1	Yes
Councilmember Perrone, Seat #2	Yes
Vice-Mayor Hoss, Seat #3	Yes
Councilmember Milano, Seat #4	Yes
Councilmember Paritsky, Seat #5	Yes

Passed this 18th day of February, 2016.



ATTEST:



Jeaneen Witt, CMC
Town Manager/Town Clerk

Town of Ponce Inlet, Florida



Gary L. Smith, Mayor

34 members on this board: terms for seats one and four shall expire in December 2018, terms for
35 seats two and five shall expire in December 2016, and the term for seat three shall expire in
36 December 2017. Alternate members shall be appointed to an annual term ending in December of
37 each year.

38 ***

39 **SECTION 2. SEVERABILITY**

40 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
41 unconstitutional by any court of competent jurisdiction, that holding in no way affects the
42 remaining portions of this Ordinance.

43 **SECTION 3. CONFLICTING ORDINANCES**

44 All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

45 **SECTION 4. EFFECTIVE DATE**

46 This Ordinance shall become effective upon adoption.

47 It was moved by _____ and seconded by _____
48 that said Ordinance be passed on first reading. A roll call vote of the Town Council on said
49 motion resulted as follows:

50	Mayor Smith, Seat #1	_____
51	Councilmember Milano, Seat #2	_____
52	Vice-Mayor Hoss, Seat #3	_____
53	Councilmember Perrone, Seat #4	_____
54	Councilmember Paritsky, Seat #5	_____

55 Passed upon first reading this ___th day of _____, 2016.

56 It was moved by _____ and seconded by _____
57 that said Ordinance be passed on second reading. A roll call vote of the Town Council on said
58 motion resulted as follows:

59	Mayor Smith, Seat #1	_____
60	Councilmember Milano, Seat #2	_____
61	Vice-Mayor Hoss, Seat #3	_____

62 Councilmember Perrone, Seat #4 _____

63 Councilmember Paritsky, Seat #5 _____

64 Passed and Adopted upon second reading this ___th day of _____, 2016.

65 Town of Ponce Inlet, Florida

66

67 _____

68 Gary L. Smith, Mayor

69 ATTEST:

70

71 _____

72 Jeaneen Witt, CMC

73 Town Manager/Town Clerk