



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

December 19, 2017

Department of State
Administrative Code & Register
500 S Bronough Street
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is an electronic copy of Ordinance No. 025-2017, amending Section 22-127(e), establishment of advisory board, in order to remove the time when Duck Key Security District Advisory Board meetings are to be held to allow flexibility for holding advisory board meetings; providing for severability; providing for repeal of all Ordinances inconsistent herewith; and providing for an effective date.

The Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on December 13, 2017. Should you have any questions, please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of
the Circuit Court & Comptroller &
ex-officio to the Monroe County
Board of County Commissioners

by: Pamela G. Hancock, D.C.

cc: County Administrator
County Attorney
BOCC
OMB
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040
305-294-4641

MARATHON
3117 Overseas Highway
Marathon, Florida 33050
305-289-6027

PLANTATION KEY
88820 Overseas Highway
Plantation Key, Florida 33070
305-852-7145

PK/ROTH BUILDING
50 High Point Road
Plantation Key, Florida 33070
305-852-7145

ORDINANCE NO. 025 - 2017

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 22-127(e), ESTABLISHMENT OF ADVISORY BOARD, IN ORDER TO REMOVE THE TIME WHEN DUCK KEY SECURITY DISTRICT ADVISORY BOARD MEETINGS ARE TO BE HELD TO ALLOW FLEXIBILITY FOR HOLDING ADVISORY BOARD MEETINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 6, 1992 the Board of County Commissioners (BOCC) enacted *Ordinance No. 005-1992*, which created the Duck Key Security District and established the Duck Key Security Advisory Board (DKSAB); and

WHEREAS, Monroe County Code Sec. 22-127(e), *Establishment of advisory board*, provides in part that Advisory Board meetings "shall be held every other month on the first Tuesday of that month at 8:00 a.m.; and

WHEREAS, in order to allow flexibility on the time that DKSDAB meetings may be held, this ordinance will remove the 8:00 a.m. time provided in the code;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

SECTION 1: Section 22-127(e) shall be amended to read as follows:

Establishment of advisory board. An advisory board is hereby established for the Duck Key Security District. The advisory board shall be composed of seven members who shall be owners of real property located in the district or residents thereof. The members of the advisory board shall be appointed by the governing body. The Monroe County Sheriff's Office shall appoint one ex-officio member to the advisory board. The advisory board shall perform such duties as may be prescribed by the governing body and this section and shall submit within the time period specified by the governing body or this section as applicable a report on the district's proposed activities and a proposed budget to accomplish the district's objectives. In formulating a plan for law enforcement services, the advisory board shall consult with the appropriate staff of the County of Monroe or the Sheriff of Monroe County, to assist in the preparation of the district's plan for such services. All meetings of the advisory board shall be open to the public.

The advisory board members shall be appointed for staggered terms of three years. The initial appointment shall be three members for a one-year term; two members for a two-year term and two members for a three-year term. Vacancies shall be filled for the unexpired portion of a term

in the same manner as the initial appointment is made. Each member shall hold office until his successor is appointed and qualified unless the member ceases to be qualified or is removed from office. All members shall serve at the pleasure of the board of county commissioners, except for the ex-officio member appointed by the sheriff. Upon appointment and qualification each year the members shall organize by electing from their membership a chairman, vice-chairman and a secretary. The advisory board shall recommend, with the approval of a majority of a quorum of the board members, and the board of county commissioners may approve, the actions of the Duck Key Security District. The powers of the board of county commissioners shall include but not be limited to:

- (1) Enter into contracts and agreements;
- (2) Have exclusive control of funds legally available to it, subject to limitations imposed by law or by this section or by any agreement validly entered into by it;
- (3) Cooperate and contract with other governmental agencies or other public bodies;
- (4) Contract with the county or private agencies for increased levels of law enforcement protection, including additional personnel;
- (5) Make and collect non ad valorem assessments to finance the law enforcement services authorized in this section;
- (6) Exercise all lawful powers incidental to the effective and expedient exercise of the forgoing powers.

Term of office and term limits: The term of advisory board members shall be for three years. Members shall be limited to serve three consecutive terms. The three-year term limit shall be prospectively applied from the effective date of this section. The term of the chairman, vice-chairman, and secretary shall be for two years and shall be limited to serve two consecutive terms for a total of four consecutive years.

Advisory board meetings: Meetings shall be held every other month on the first Tuesday of that month.

Attendance: All members of the Duck Key Security Advisory Board shall attend two-thirds of all meetings of the board. If a board member is unable to be present for at least two-thirds of the board meetings in any given year, they will be asked to submit their resignation to the board for consideration to accept or not accept their resignation.

SECTION 2: SEVERABILITY. If any portion of this ordinance is for any reason held invalid or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

SECTION 3: CONFLICT WITH OTHER ORDINANCES. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

SECTION 4: TRANSMITTAL AND EFFECTIVE DATE. This Ordinance shall be filed with the Department of state and shall be effective as provided in section 125.66(2), Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 13th day of December, 2017.

Mayor David Rice	<u>Yes</u>
Mayor Pro Tem Sylvia Murphy	<u>Yes</u>
Commissioner Danny Kolhage	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner Heather Carruthers	<u>Yes</u>



(SEAL)
Attest: KEVIN MADOK, Clerk

By: *Kevin Madok*
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

By: *D. Rice*
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Christine Limbert-Barrows
CHRISTINE LIMBERT-BARROWS
ASSISTANT COUNTY ATTORNEY
DATE: 10/25/17

FILED FOR RECORD

2017 DEC 19 PM 12:06

CLERK CIR. CT.
MONROE COUNTY, FL

NOTICE OF INTENTION TO
CONSIDER ADOPTION OF
COUNTY ORDINANCE

RECEIVED

DEC - 1 2017

NOTICE IS HEREBY GIVEN
TO WHOM IT MAY CONCERN
that on December 13, 2017 at
3:00 P.M., or as soon
thereafter as may be heard, in
the Murray E. Nelson
Government Center, 102050
Overseas Highway, Mile
Marker 102, Key Largo,
Monroe County, Florida, the
Board of County
Commissioners of Monroe
County, Florida, intends to
consider the adoption of the
following County ordinance:

AN ORDINANCE OF THE
MONROE COUNTY BOARD
OF COUNTY
COMMISSIONERS
AMENDING SECTION 22-
127(e), ESTABLISHMENT OF
ADVISORY BOARD, IN
ORDER TO REMOVE THE
TIME WHEN DUCK KEY
SECURITY DISTRICT
ADVISORY BOARD
MEETINGS ARE TO BE HELD
TO ALLOW FLEXIBILITY FOR
HOLDING ADVISORY BOARD
MEETINGS; PROVIDING FOR
SEVERABILITY; PROVIDING
FOR REPEAL OF ALL
ORDINANCES
INCONSISTENT HERewith;
AND PROVIDING FOR AN
EFFECTIVE DATE.

Pursuant to Section 286.0105,
Florida Statutes, notice is given
that if a person decides to
appeal any decision made by
the Board with respect to any
matter considered at such
hearings or meetings, he will
need a record of the
proceedings, and that, for such
purpose, he may need to
ensure that a verbatim record of
the proceedings is made, which
record includes the testimony
and evidence upon which the
appeal is to be based.

ADA ASSISTANCE: If you are a
person with a disability who
needs special accommodations,
in order to participate in this
proceeding, please contact the
County Administrator's Office,
by phoning (305) 292-4441,
between the hours of 8:30 a.m.
- 5:00 p.m., no later than five (5)
calendar days prior to the
scheduled meeting; if you are
hearing or voice impaired, call
"711".

Dated at Key West, Florida, this
14th day of November, 2017.

KEVIN MADOK, Clerk of the
Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Monroe
County, Florida

November 18, 2017
Key West Citizen

KEY WEST
ZEN
paper, Est. 1876
ns, LLC

STATE OF FLORIDA
COUNTY OF MONROE

MONROE COUNTY ATTORNEY

Before the undersigned authority personally appeared Paul Clarin, who on
oath says that he is Publisher of the Key West Citizen, a daily newspaper
published in Key West, in Monroe County, Florida; that the attached copy of
advertisement, being a legal notice in the matter of

Notice of Intent to Adopt
Ordinance - Duck Key Security Meetings

was published in said newspaper in the issue(s) of

November 18, 2017

Affiant further says that the Key West Citizen is a newspaper published in
Key West, in said Monroe County, Florida and that the said newspaper has
heretofore been continuously published in said Monroe County, Florida every
day, and has been entered as second-class mail matter at the post office in Key
West, in said Monroe County, Florida, for a period of 1 year next preceding
the first publication of the attached copy of advertisement; and affiant further
says that he 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.

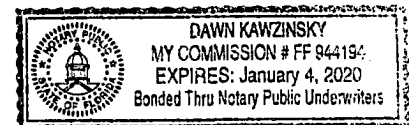

Signature of Affiant

Sworn and subscribed before me this 18 day of November, 2017

Notary Public:



Dawn Kawzinsky
Expires: 1/4/2020



Notary Seal

Personally Known x Produced Identification _____
Type of Identification Produced _____

FLORIDA KEYS
KEYNOTER

Published Twice Weekly
Marathon, Monroe County, Florida

PROOF OF PUBLICATION

**STATE OF FLORIDA
COUNTY OF MONROE**

Before the undersigned authority personally appeared **RICHARD TAMBORRINO** who on oath, says that he is **PUBLISHER** of the **FLORIDA KEYS KEYNOTER**, a twice weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

November 22, 2017.

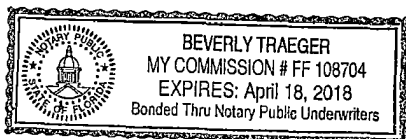
Affiant further says that the said FLORIDA KEYS KEYNOTER is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, twice each week (on Wednesday and Saturday) and has been entered as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he 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(s) and that The Florida Keys Keynoter is in full compliance with Chapter 50 of the Florida State Statutes on legal and Official Advertisements.

Richard Tamborrino
Richard Tamborrino, Publisher

Sworn to and subscribed before me this

25 Day of November, 2017

Beverly Traeger
Notary
(SEAL)



Ad# 0003392155

**NOTICE OF INTENTION TO
CONSIDER ADOPTION OF
COUNTY ORDINANCE**

NOTICE IS HEREBY GIVEN
TO WHOM IT MAY CONCERN
that on December 13, 2017 at
3:00 P.M., or as soon there-
after as may be heard, in the
Murray E. Nelson Govern-
ment Center, 102050 Over-
seas Highway, Mile Marker
102, Key Largo, Monroe
County, Florida, the Board of
County Commissioners of
Monroe County, Florida, in-
tends to consider the adoption

of the following County
ordinance:

**AN ORDINANCE OF THE
MONROE COUNTY BOARD
OF COUNTY COMMISSION-
ERS AMENDING SECTION
22-127(e), ESTABLISHMENT
OF ADVISORY BOARD, IN
ORDER TO REMOVE THE
TIME WHEN DUCK KEY
SECURITY DISTRICT ADVI-
SORY BOARD MEETINGS
ARE TO BE HELD TO
ALLOW FLEXIBILITY FOR
HOLDING ADVISORY
BOARD MEETINGS; PRO-
VIDING FOR SEVERABILITY;
PROVIDING FOR REPEAL
OF ALL ORDINANCES IN-
CONSISTENT HERewith;
AND PROVIDING FOR AN
EFFECTIVE DATE.**

Pursuant to Section 286.0105,
Florida Statutes, notice is giv-
en that if a person decides to
appeal any decision made by
the Board with respect to any
matter considered at such
hearings or meetings, he will
need a record of the proceed-
ings, and that, for such pur-
pose, he may need to ensure
that a verbatim record of the
proceedings is made, which
record includes the testimony
and evidence upon which the
appeal is to be based.

ADA ASSISTANCE: If you
are a person with a disability
who needs special accom-
modations in order to partici-
pate in this proceeding,
please contact the County
Administrator's Office, by
phoning (305) 292-4441, be-
tween the hours of 8:30 a.m.
- 5:00 p.m., no later than five
(5) calendar days prior to the
scheduled meeting; if you
are hearing or voice im-
paired, call "711".

Dated at Key West, Florida,
this 14th day of
November, 2017.

KEVIN MADOK, Clerk of the
Circuit Court (SEAL) and ex
officio Clerk of the Board of
County Commissioners of
Monroe County, Florida

Published November 22, 2017
Florida Keys Keynoter

RECEIVED

DEC - 1 2017

MONROE COUNTY ATTORNEY

THE REPORTER

Published Weekly
Tavernier, Monroe County, Florida

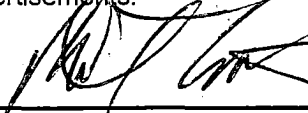
PROOF OF PUBLICATION

STATE OF FLORIDA COUNTY OF MONROE

Before the undersigned authority personally appeared **RICHARD TAMBORRINO** who on oath, says that he is **PUBLISHER** of **THE REPORTER**, a weekly newspaper published in Tavernier, in Monroe County, Florida; that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

November 25, 2017

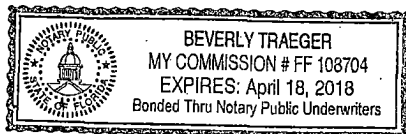
Affiant further says that the said **THE REPORTER** is a newspaper published at Tavernier, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, each week (on Friday) and has been entered as a second class mail matter at the post office in Tavernier, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he 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(s) and that **THE REPORTER** is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.


Richard Tamborrino, Publisher

Sworn to and subscribed before me this

25 Day of November, 2017


Notary
(SEAL)



Ad# 0003392178

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on December 13, 2017 at 3:00 P.M., or as soon thereafter as may be heard, in the Murray E. Nelson Government Center, 102050 Overseas Highway, Mile Marker 102, Key Largo, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 22-127(e), ESTABLISHMENT OF ADVISORY BOARD, IN ORDER TO REMOVE THE TIME WHEN DUCK KEY SECURITY DISTRICT ADVISORY BOARD MEETINGS ARE TO BE HELD TO ALLOW FLEXIBILITY FOR HOLDING ADVISORY BOARD MEETINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

Dated at Key West, Florida, this 14th day of November, 2017.

KEVIN MADOK, Clerk of the Circuit Court (SEAL) and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida

Published November 25, 2017
The Reporter

RECEIVED

DEC - 1 2017

MONROE COUNTY ATTORNEY