

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AMENDING INDIAN RIVER COUNTY CODE CHAPTER 103, SECTION 103.22 “APPOINTMENT TO THE CHILDREN’S SERVICES ADVISORY COMMITTEE”

WHEREAS, Chapter 103 of the Indian River Code has been adopted to govern the Commissions and Boards established by the Indian River County Commission; and

WHEREAS, Chapter 103, Section 22 governs membership and procedures of the Children’s Services Committee and the Board desires to provide for more uniform procedures and more effectively execute the duties of the Committee; and

WHEREAS, the Board desires to make the Commissioner appointee the Chair and a non-voting member in order to provide stability and direction to the Children’s Services Advisory Committee; and

WHEREAS, it is necessary to add an additional member to balance the Committee; and

WHEREAS, the Children’s Services Advisory Committee voted in agreement with this amendment of the Code on December 10, 2024;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA THAT:

Section 1. Enactment Authority.

Article VIII, section 1 of the Florida Constitution and chapter 125, Florida Statutes vest broad home rule powers in counties to enact ordinances, not inconsistent with general or special law, for the purpose of protecting the public health, safety and welfare of the residents of the county. The Indian River County Board of County Commissioners specifically determines that the enactment of this ordinance is necessary to protect the health, safety and welfare of the residents of Indian River County.

Section 2. Code Amendments.

Indian River County Code Chapter 103, Section 103.22, Appointment to the children's services advisory committee, is hereby amended to read as follows:

- (1) The membership of the children's services advisory committee shall consist of fifteen (15) voting members who must be residents of Indian River County as follows:

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- a) A County Commissioner, who shall be a non-voting member;
- a) ~~b) Six (6) Seven (7)~~ ex-officio voting members. Those members shall be:
1. ~~County commissioner;~~
 2. 1. Judge living in Indian River designated by chief judge;
 3. ~~2.~~ Superintendent of schools, or his or her designee;
 4. 3. Department of children and families, circuit 19 community development administrator;
 5. ~~4.~~ Department of health county health department administrator;
 6. 5. Law enforcement officer;
 7. 6. Representative from the Indian River County Hospital District.
- c) ~~b)~~ Five (5) voting members from the community appointed by the board of county commissioners. Each commissioner shall appoint one (1) member to represent his/her district, which individuals shall have some form of expertise in the arena of children's services, such as a physician, licensed mental health professional, child advocate or someone with business experience.
- d) ~~e)~~ Three (3) Two (2) at-large voting members shall be appointed by the board of county commissioners.
- e) ~~d)~~ One (1) voting member, appointed by the board of county commissioners, who is an accountant, certified financial officer, certified financial planner or has significant financial experience.
- (2) Reserved.
- (3) The members appointed by the board of county commissioners shall have been residents of Indian River County for at least twenty-four (24) months prior to nomination. Such members shall be appointed for four-year terms, except that the length of the terms of the initial appointees shall be adjusted to stagger the terms. No at-large member shall serve for more than two (2) consecutive four-year terms.
- (4) Reserved.
- (5) Except as set forth above, no ~~NB~~ designee of principals will be allowed for any member of the children's services advisory committee.
- (6) Reserved.
- (7) Officers: The Chair shall be the Indian River County Commissioner assigned to the Children's Services Advisory Committee. Other Officers will include ~~Officers will include a chair, appointed by the board of county commissioners~~ Vice Chair, and standing sub-committee chairs. Officers excluding the chair will be elected by the majority vote of the children's services advisory committee members each January and will assume the duties of their office on the regular meeting on the second

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Monday of the next meeting each year. The term as an officer, other than a county commissioner, will be for one (1) year, but officers may succeed themselves.

- (8) Except in the event of a conflict between with this chapter, the children's services advisory committee shall be subject to the provisions of Chapter 103 of the Indian River County Code of Ordinances.

Section 3. Severability and Conflict

If any section, sentence, paragraph, phrase, or word of this ordinance is held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance not having been held by a court of competent jurisdiction to be unconstitutional, inoperative or void, which shall remain in full force and effect. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Codification.

The amended language contained in Section 1 of this ordinance shall be codified in Section 103.22 of The Code of Indian River County. Additional codification, renumbering, or relettering of this ordinance is left to the discretion of Municipal Code Corporation.

Section 5. Effective Date.

A certified copy of this ordinance, as enacted, shall be filed by the Clerk with the Office of the Secretary of State of the State of Florida within ten days after enactment, and this ordinance shall take effect upon filing with the Secretary of State.

This ordinance was advertised in the *Indian River Press Journal* on the 2nd day of January, 2025, for a public hearing to be held on the 28th day of January, 2025, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

Chairman Joseph E. Flescher	_____
Vice Chairman Deryl Loar	_____
Commissioner Susan Adams	_____
Commissioner Joseph H. Earman	_____
Commissioner Laura Moss	_____

CODING: Words in ~~strike-through~~ format are deletions to existing text; words in underlined format are additions to existing text.

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The Chairman thereupon declared the ordinance duly passed and adopted this _____ day of January, 2025.

Attest: Ryan Butler , Clerk and
Comptroller

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Joseph E. Flescher, Chairman

Approved as to form and
legal sufficiency:

By _____
Christopher A. Hicks, Assistant County Attorney

Effective Date: This ordinance was filed with the Department of State and becomes effective on the _____ day of _____, 2025.