

ORDINANCE NO. 22-21

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES ENTITLED "ADMINISTRATION" BY CREATING ARTICLE V. DIVISION 12. ENTITLED "PARKS AND RECREATION ADVISORY BOARD", by ADDING SECTIONS 2-610 THROUGH 2-613 IN ORDER TO ESTABLISH THE BOARD; PROVIDING FOR ITS CREATION, COMPOSITION AND TERMS, MEETINGS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS the City Commission desires to ensure the viability and permanency of the Parks and Recreation Advisory Committee by moving it from establishment by resolution to inclusion in the Code of Ordinances; and

WHEREAS, the City of Key West owns and operates a number of public parks and recreational facilities, and jointly operates and/or maintains additional facilities and public spaces in cooperation with the Monroe County School District, and Monroe County; and

WHEREAS the City recognizes that the parks and recreation facilities of Key West provide important opportunities for citizens of all ages to enjoy nature, master athletic skills and improve their physical and mental health through exercise, competition, education and quiet enjoyment; and

WHEREAS members of the public can bring unique and vital insight into possibilities and practical use of all of Key West's open space and recreational facilities; and

WHEREAS the City Commission desires to establish a parks and recreation advisory board that will make recommendations to the City Commission for ongoing improvements and to ensure the highest and best use of recreational facilities throughout the City of Key West; and

WHEREAS, the City Commission finds that the establishment of such a committee will serve to promote the health, safety and welfare of the citizens of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That section 2-610 is hereby added to the Code of Ordinances as follows:

Chapter 2 Administration

Article V. Committees, Boards and Commissions

Division 12. Parks and Recreation Advisory Board

**Sec. 2-610. The Key West Parks and Recreation
Advisory Board.**

There is hereby established in the Key West Code of Ordinances the Key West Parks and Recreation Advisory Board.

Section 2: That section 2-611 is hereby added to the Code of Ordinances as follows:

Sec. 2-611. Composition; term; compensation.

(a) There is hereby created a Key West Parks and Recreation Advisory Board, consisting of seven members. The mayor and each city commissioner shall appoint one member of the Parks and Recreation Advisory Board, which appointment shall not be subject to approval by the city commission. The members shall have a business, employment or be involved in one or more sports or environmental organizations located in Key West and reside in the Lower Keys from Key West to Big Pine Key. There may also be non-voting ex-officio members of the Board appointed by the organized sports leagues in the City, the Monroe County School District and the United States Navy.

(b) The term of each Parks and Recreation Board member shall run parallel to that of the appointing city commission member. The Parks and Recreation Board member's term shall end at the conclusion of the city commission member's term; a reelected commission member may reappoint a Parks and Recreation Board member.

(c) The members of the Board shall serve without pay.

Section 3: That section 2-612 is hereby added to the Code of Ordinances as follows:

Sec. 2-612. Duties.

(a) The mission and duties of the Board are as follows:

The mission of the Board shall be to promote the rehabilitation, conservation, development and best use of parks and recreation land and facilities within the jurisdiction of the City of Key West.

(b) The Advisory Board shall:

(1) Advise the City Commission on projects and uses for the park facilities which are consistent with the land development regulations, and any applicable conveyance documents.

(2) Explore funding sources to offset any potential taxpayer burdens.

(3) Study the feasibility of proposed projects and the viability of future projects.

(4) Facilitate productive communication and elicit opinions from all interested individuals and entities.

(5) Ensure parks and recreational facilities are accessible and equitable by promoting communication and collaboration among all parties.

Section 4: That section 2-613 is hereby added to the Code of Ordinances as follows:

Sec. 2-613. Organization.

(a) The Board shall be subject to City Code of Ordinances Section 2 - "Uniform Procedures for Advisory Boards."

(b) At least once per quarter, the Board shall transmit recommendations to the city commission via a written report.

Section 5: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 6: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 7: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

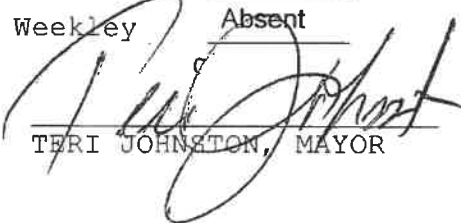
Read and passed on first reading at a regular meeting held this 7th day of July, 2022.

Read and passed on final reading at a regular meeting held this 2nd day of August, 2022.


Authenticated by the presiding officer and Clerk of the Commission on 3rd day of August, 2022.

Filed with the Clerk August 3, 2022.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Absent</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Absent</u>
Commissioner Jimmy Weekley	<u>Absent</u>


TERI JOHNSTON, MAYOR

ATTEST:


GHERYL SMITH, CITY CLERK

KERI O'BRIEN, DEPUTY CITY CLERK

RESOLUTION NO. 18-324

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF KEY WEST, FLORIDA,
ESTABLISHING THE "KEY WEST PARKS AND
RECREATION ADVISORY BOARD"; PROVIDING
FOR ITS COMPOSITION, STAFFING AND DUTIES;
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the City of Key West owns and operates a number of public parks and recreational facilities, and jointly operates and/or maintains additional facilities and public spaces in cooperation with the Monroe County School District, and Monroe County; and

WHEREAS, the City recognizes that the parks and recreation facilities of Key West provide important opportunities for citizens of all ages to enjoy nature, master athletic skills and improve their physical and mental health through exercise, competition, education and quiet enjoyment; and

WHEREAS, members of the public can bring unique and vital insight into possibilities and practical use of all of Key West's open space and recreational facilities; and

WHEREAS, the City Commission desires to establish a parks and recreation advisory board that will make recommendations to the City Commission for ongoing improvements and to ensure the highest and best use of recreational facilities throughout the City of Key West; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: Creation; Membership; Term. There is hereby created a Key West Parks and Recreation Advisory Board, consisting of seven members. The mayor and each city commissioner shall appoint one member of the Parks and Recreation Advisory Board, which appointment shall not be subject to approval by the city commission. The term of each Parks and Recreation Board member shall run parallel to that of the appointing city commission member. The Parks and Recreation Board member's term shall end at the conclusion of the city commission member's term; a reelected commission member may reappoint a Parks and Recreation Board member.

The members shall reside in the city of Key West or shall have a business, employment or be involved in one or more sports or environmental organizations located in Key West, and reside in the Lower Keys from Key West to Big Pine Key. There may also be non-voting ex-officio members of the Board appointed by the organized sports leagues in the City, the Monroe County School District and the United States Navy.

Section 2: Mission and Duties. The mission of the Board shall be to promote the rehabilitation, conservation, development and best use of parks and recreation land and facilities within the jurisdiction of the City of Key West.

The Advisory Board shall:

- A. Advise the City Commission on projects and uses for the park facilities which are consistent with the land development regulations, and any applicable conveyance documents.
- B. Explore funding sources to offset any potential taxpayer burdens.
- C. Study the feasibility of proposed projects and the viability of future projects.
- D. Facilitate productive communication and elicit opinions from all interested individuals and entities.

Section 3: The Board shall operate in accordance with the Florida Sunshine Law and the Florida Public Records Law. The Board shall appoint a chairperson and vice-chairperson and establish a schedule of its public meetings. Except as modified herein, the Board shall operate in accordance with City Code of Ordinances Chapter 2, Article V., Division 2 - "Uniform Procedures for Advisory Boards." The City Manager and City Attorney shall provide staff support to the Board on an as needed basis. The Board shall issue written recommendations to the City Commission at least a quarterly basis.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 16th day of October, 2018.

Authenticated by the Presiding Officer and Clerk of the Commission on 17th day of October, 2018.


Filed with the Clerk on October 17, 2018.

Mayor Craig Cates	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK

DIVISION 2. - UNIFORM PROCEDURES FOR ADVISORY BOARDS

Sec. 2-281. - Application.

Except as otherwise provided in this Code and in the land development regulations and excepting the city commission, this division shall be designated as the uniform procedures for the city's advisory boards, including those boards designated as commissions.

(Code 1986, § 11.01)

Sec. 2-282. - Appointment; tenure.

All persons who desire to serve on an advisory board shall be city residents, except as provided in section 46-62 of this Code or as otherwise provided by law. All such persons shall submit a resume to the city commission as part of their application. All advisory board members serve at the pleasure of the city commission and may be removed by majority vote of its full membership, notwithstanding that they were appointed for a specific term. No member derives any property rights in his appointed position.

(Code 1986, § 11.08; Ord. No. 03-20, § 1, 8-5-2003)

Sec. 2-283. - Officers.

From among its members the advisory board shall elect a chairperson and such other officers as it deems necessary.

(Code 1986, § 11.02)

Sec. 2-284. - Quorum; procedures.

The next whole number of members above 50 percent of the advisory board members shall constitute a quorum. Each advisory board shall adopt procedures for the conduct of its meetings.

(Code 1986, § 11.05)

Sec. 2-285. - Regular meetings.

The advisory board shall convene on a regularly scheduled basis at least once each month, and notice of such meeting shall be published in a newspaper of general circulation in the city at least five days in advance thereof. At any special or regular meeting the advisory board may set a future meeting date.

(Code 1986, § 11.03)

Sec. 2-286. - Absences.

If a member of an advisory board is absent from three consecutive regular meetings or is absent from more than one-half of the regularly scheduled meetings during any six-month period, without prior approval of the chairperson, the advisory board shall declare the member's office vacant. The advisory board shall certify the vacancy to the city commission. The chairperson shall give approval for absence for reasons of personal illness, family illness and death in the family, and may approve an absence for such other reason as the chairperson deems reasonable.

(Code 1986, § 11.09)

Sec. 2-287. - Special meetings.

Special meetings of an advisory board may be called by the chairperson or by written notice of three voting members. Reasonable notice of a special meeting shall be conspicuously posted; notice of a special meeting shall be published in a newspaper of general circulation in the city in all instances when time allows.

(Code 1986, § 11.04)

Sec. 2-288. - Open meetings.

Minutes shall be kept of all meetings of an advisory board. All such meetings shall be open to the public, and an agenda for each meeting shall be available to the public at city hall 48 hours in advance thereof; provided, however, that agendas for special meetings shall be available to the public either 48 hours before the special meeting or as soon before the meeting as practicable.

(Code 1986, § 11.06)

State Law reference— Open meetings law, F.S. § 286.011.

Sec. 2-289. - Conflict of interest.

- (a) All advisory board members are subject to the conflict of interest provisions of F.S. ch. 112. Board members with an actual conflict of interest in a particular agenda item shall not vote or in any way participate in the item. Accordingly, when a board member who has declared a conflict of interest is either the applicant or a representative of the applicant of the particular agenda item, that board member must remove himself from the dais during the discussion of the item.
- (b) Advisory board members shall refrain from using their official positions as board members to solicit or obtain business for personal remuneration. No board member shall use information not available to the general public and gained because of his official position for his personal gain or benefit or for the personal gain or benefit of any other person or business entity.
- (c) When considering an appointment or reappointment to an advisory board, the city commission shall consider the applicant's record of conflicts of interest.

(Code 1986, § 11.07)

State Law reference— Conflicts of interest, F.S. § 112.311 et seq.

Secs. 2-290—2-315. - Reserved.