

ORDINANCE NO. 2020-08

AN ORDINANCE OF CITY OF SOUTH DAYTONA, FLORIDA, AMENDING ARTICLE II, CHAPTER 10.5 (PARKS AND RECREATION) OF THE CODE OF ORDINANCES TO UPDATE THE PARKS, RECREATION, AND ADA ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Article III, Section 3.1, subsection A, of the Land Development Code, the City Council is empowered to establish, create, define, and eliminate Boards which would serve them in an advisory capacity concerning matters of land development, adjustments, appeals, or other general issues related to the operations and management of local government; and

WHEREAS, the City Council created the Parks, Recreation, and ADA Advisory Board to serve in an advisory capacity to the Council; and

WHEREAS, based upon the citizens willingness to serve on the Parks, Recreation, and ADA Advisory Board, two alternate positions are created.

WHEREAS, words which are underlined (underlined) in red are additions to the text and words with strike through (~~strike-through~~) the characters are deletions to the text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA:

Section 1. The City Council of the City of South Daytona hereby approves the amendments to Article II, Chapter 10.5 of the South Daytona Code of Ordinance, attached hereto marked as Exhibit "A".

Section 2. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 3. That this Ordinance shall become effective immediately upon its adoption.

PASSED upon first reading at a regular meeting of the City Council of the City of South Daytona held in the City of South Daytona, Florida, on the 28th day of July, 2020.

PASSED AND ADOPTED upon second and final reading at a regular meeting of the City Council of the City of South Daytona held in the City of South Daytona, Florida on the _____ day of _____, 2020.

SIGNED:

William C. Hall, Mayor

ATTEST:

James L. Gillis, Jr.
City Manager

“EXHIBIT A”

Chapter 10.5 - PARKS AND RECREATION

ARTICLE II. - PARKS, RECREATION, AND ADA ADVISORY BOARD

Sec. 10.5-16. - Organization.

- (a) There is hereby created the South Daytona Parks, Recreation, and ADA Advisory Board (herein referred to as the "board"). The board shall consist of five (5) members and two (2) alternate members who shall be residents of South Daytona and who shall be appointed by the city council. Board members may be appointed for successive terms without limitation.
- (b) The initial appointments to the board shall be as follows:
 - (1) Two (2) members appointed for a term of two (2) years each.
 - (2) Three (3) members appointed for a term of three (3) years each.
 - (3) Thereafter, all appointments shall be made for a term of three (3) years.
 - (4) Alternate members shall serve a term of one (1) year.
- (c) A member shall immediately forfeit appointment if (s)he:
 - (1) Lacks at any time during his/her term of appointment, any qualifications of the appointment as prescribed by Charter or law; or
 - (2) Violates any express prohibition of the Charter or law; or
 - (3) Is convicted of a felony, or misdemeanor involving moral turpitude; or
 - (4) Has unexcused absences for two (2) successive meetings; or three (3) unexcused absences within a twelve-month period; or requires more than three (3) excused absences within a twelve-month period.
- (d) Appointments to fill any vacancy on the board shall be for a remainder of the unexpired term of office. The members shall serve in accordance with the ordinances of the city. All board members serve at the pleasure of the city council and may be removed without cause.
- (e) The board members shall elect a chairperson. The presence of three (3) or more members shall constitute a quorum of the board. Members shall serve without compensation.

Sec. 10.5-17. - Meetings.

The board shall meet at a minimum at least once per quarter, but may meet more frequently if needed. Additional meetings shall be called at the request of the chairperson or at the request of three (3) board members. Minutes shall be kept of all meetings by the board and all meetings shall be open to the public. The city council shall provide clerical and administrative personnel as may be reasonably required by the board for the proper performance of its duties.

Sec. 10.5-17.1. - Attendance at board meetings.

- (a) Any board shall declare a member's office vacant, and the city council shall appoint the member as an alternate member so long as a vacancy is available and shall promptly fill the declared vacancy on the board upon the happening of one (1) of the following events:
 - (1) Any member having unexcused absences for two (2) successive meetings;
 - (2) Any member having three (3) unexcused absences within a twelve-month period; or
 - (3) Any member requiring more than three (3) excused absences within a twelve-month period.
- (b) The city manager must approve an absence before such absence may be considered excused. Qualified excuses shall be strictly construed to the following events:
 - (1) Illness of the board member, with proper medical documentation;
 - (2) Illness of a family member, with proper medical documentation; or
 - (3) Death of a family member.

Sec. 10.5-18. - Duties.

The parks, recreation, and ADA advisory board shall review and make recommendations to the city council with respect to the following:

- (a) Acquisition of land, whether by gift, dedication, devise, purchase, lease, condemnation or otherwise, for the purpose of making, enlarging and maintaining public parks and recreation areas and facilities.
- (b) Acquisition, construction, improvement, maintenance, care and replacement of facilities.
- (c) Regulation of parks, recreation areas and facilities.
- (d) Discuss issues related to disability and access with an emphasis on identifying barrier removal projects.
- (e) To review and make recommendations to the planning and appeals board and the city council with respect to matters of mutual interest when so requested by another board or the council.
- (f) Such other related matters as shall be determined by the city council by resolution.