

ORDINANCE 62 – 21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPE CORAL DELETING CITY OF CAPE CORAL CODE OF ORDINANCES CHAPTER 12 ½, PARKS AND RECREATION, ARTICLE II, ADVISORY BOARD; CREATING AND ESTABLISHING THE PARKS AND RECREATION ADVISORY BOARD; AMENDING THE CITY OF CAPE CORAL CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS AND COMMISSIONS, CREATING DIVISION 15, PARKS AND RECREATION ADVISORY BOARD; PROVIDING PURPOSE AND CREATION; POWERS AND DUTIES; MEMBERSHIP AND APPOINTMENT, TERM, AND VACANCIES AND FORFEITURE OF OFFICE; MEETINGS, PROCEDURES, RECORDS AND QUORUM; COMPENSATION; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cape Coral wishes to establish an advisory board for the purpose of making policy recommendations related to the parks and recreation system of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AS FOLLOWS:

Section 1. The Code of Ordinances of the City of Cape Coral, Chapter 12 ½, Parks and Recreation, Article II, Advisory Board, is hereby deleted.

Section 2. The Code of Ordinances of the City of Cape Coral, Chapter 2, Administration, Article V, Boards and Commissions, is hereby amended to create Division 15, Parks and Recreation Advisory Board, and to read as follows:

DIVISION 15. PARKS AND RECREATION ADVISORY BOARD

Sec. 2-120.56. Purpose and Creation

In order to serve the Cape Coral City Council in an advisory capacity on matters concerning Cape Coral parks, the City of Cape Coral Parks and Recreation Advisory Board is created to make recommendations and furnish input and helpful information to the City Council to assist them in their policy making as it pertains to the City's parks. The Board shall make nonbinding policy recommendations specifically related to the parks and recreation system of the City.

Sec. 2-120.57. Powers and Duties

A. Powers and Duties. The powers and duties of the City of Cape Coral Parks and Recreation Advisory Board shall include the following:

1. Advise and give recommendations to the City Council on matters pertaining to the parks and recreation system of the City;
2. Assist the City Council in the definitions of goals and objectives for the parks and recreation system of the City;
3. Carry out specific programs for areas of research as may be assigned by the City Council;
4. Support the development of a broad variety of programs, areas, facilities, and services, and through effective planning meet the needs and demands of the City by utilizing the total resources of the City;
5. Assist the City in informing and educating the general public about the importance of and need for parks and recreation programs, facilities, and services;
6. Evaluate the City parks and recreation programs, facilities, and services periodically to ensure that its objectives and goals are being achieved;
7. Recommend and support the establishment of such rules and regulations as may be necessary from time to time pertinent to the operation, efficient management, maintenance, and scheduling of parks and recreational facilities within the City;

8. Advise the City Council on tourism industry and recreation promotion issues, develop programs to attract quality tourism and recreation activities to the City, and assist in implementation of those programs;
9. Review and make recommendations regarding applications for naming and renaming parks, recreational facilities, and other recreational assets owned and operated by the City.
10. Review and advise City Council regarding any matters referred to it by City Council.

Sec. 2-120.58. Membership and Appointment, Term, and Vacancies and Forfeiture of Office

- A. Membership and appointment. The City of Cape Coral Parks and Recreation Advisory Board shall have five (5) regular members and two (2) alternate members, appointed by majority vote of the City Council; one member from the Golf Course Advisory Board, appointed by the Golf Course Advisory Board; and one (1) student member from the Youth Council, appointed by the Youth Council. The Golf Course Advisory Board and Youth Council members shall vote and participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. When substituting for an absent member, the alternate member may vote and participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. When not substituting for an absent member, the alternate member shall not vote on any matter before the Advisory Board, but may participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. Alternate members shall substitute for absent members on a rotating basis. The members shall be residents of the City of Cape Coral. If practicable, the composition of the Board shall reflect a broad cross-section of all residents of the City of Cape Coral. The City Council shall consider factors such as the following in making appointments to the Board:
1. Geographic diversity of applicants;
 2. Experience in any of the following fields: Fitness, health, athletics, recreation, parks, special event planning, landscape architecture, biology, climate change, education, environmental conservation and protection, environmental science, forestry, gardening, geology, horticulture, sustainability, or urban planning;
 3. Current or prior engagement in one or more parks and recreation activity, such as community athletic leagues, community recreation programs, park programs, special events, or volunteer activities;
 4. Expressed interest in recreation, athletics, fitness, parks, and special events with an articulated understanding of the value of those activities;
 5. Alternatively, demonstration of a strong and sincere commitment to the intent set forth in this division or possession of an outstanding reputation for civic activity and interest, integrity, and responsibility.
- B. Term. The initial board shall consist of three members who shall serve for a term of one year, two members who shall serve for a period of two years, one alternate who shall serve for a period of one year, and one alternate who shall serve for a period of two years. Thereafter members other than the Golf Course Advisory Board and Youth Council members shall serve for a period of three years from the date of their appointment, with a possible reappointment not to exceed two consecutive terms. The Golf Course Advisory Board and Youth Council members shall be appointed for a single one-year term, without the possibility of reappointment.
- C. Vacancies and forfeiture of office. Any vacancy on the Board shall be filled for the unexpired portion of the term in the same manner as the original appointment. Board members shall be subject to the forfeiture of office provisions of § 2-58 of the Cape Coral Code of Ordinances.
- D. The City Council shall appoint a City Council member to serve as a liaison between the City Council and the Advisory Board.

Sec. 2-120.59. Meetings, Procedures, Records, and Quorum

- A. Meetings. The City of Cape Coral Parks and Recreation Advisory Board shall hold meetings on a regular quarterly basis. Special meetings may be called by the chairperson when deemed imperative. Meetings may be cancelled by the chairperson in the absence of business. Notice of the date, time, and location and the agenda for all meetings of the Board shall be provided to the City Clerk in a timely manner prior to the meeting for inclusion in the notice of public meetings in order to comply with Sunshine Law regulations.
- B. Procedures. The City of Cape Coral Parks and Recreation Advisory Board shall elect a chairperson and vice-chairperson from among its members to serve for a term of one year. The chairperson shall preside at all meetings and exercise all the usual rights, duties, and prerogatives of chairperson. The vice-chairperson shall perform the duties of the chairperson in the absence or disability of the chairperson. Robert's Rules of Order shall guide all meetings of the Board.
- C. Records. The City Clerk shall keep minutes and records of all meetings of the City of Cape Coral Parks and Recreation Advisory Board, and all meetings shall be open to the public.
- D. Quorum. The presence of a majority of the members of the City of Cape Coral Parks and Recreation Advisory Board shall constitute a quorum for the transaction of business. The presence of the Golf Course Advisory Board and Youth Council members shall not count towards the constitution of a quorum.

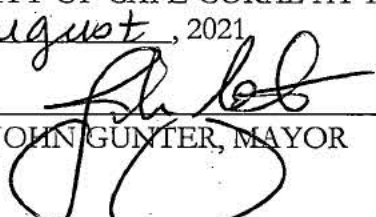
Sec. 2-120.60. Compensation

The members of the City of Cape Coral Parks and Recreation Advisory Board shall serve without compensation, but may be reimbursed for travel, mileage, and per diem expenses as may be authorized by City Council.

Section 2. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

Section 3. Effective Date. This ordinance shall take effect immediately upon its adoption by the Cape Coral City Council.

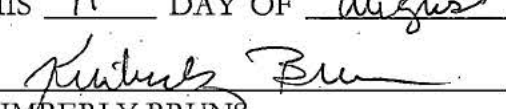
ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR COUNCIL SESSION THIS 4th DAY OF August, 2021.


JOHN GUNTER, MAYOR


VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER	<u>Aye</u>	NELSON	<u>Aye</u>
TATE	<u>Aye</u>	WELSH	<u>Aye</u>
SHEPPARD	<u>Aye</u>	WILLIAMS	<u>Absent</u>
HAYDEN	<u>Aye</u>	COSDEN	<u>Aye</u>

ATTESTED TO AND FILED IN MY OFFICE THIS 11th DAY OF August, 2021.


KIMBERLY BRUNS
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY
Ord\ Parks & Recreation Advisory Board