

ORDINANCE NO. 2023- 73

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.076, "MEMBERS," TO MODIFY MEMBERSHIP OF THE PARKS AND RECREATION ADVISORY BOARD BY PROVIDING FOR THE APPOINTMENT OF A MEMBER TO SERVE AT-LARGE AND PROVIDING FOR THE APPOINTMENT OF ALTERNATE MEMBERS; BY PROVIDING FOR APPOINTMENTS OF REGULAR VOTING MEMBERS TO THE BOARD BY THE MAYOR AND BY EACH CITY COMMISSIONER BEGINNING WITH THE NEXT MUNICIPAL ELECTION IN NOVEMBER OF 2024; PROVIDING FOR MODIFICATION OF TERMS OF CURRENT BOARD MEMBERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the current terms of alternate members of the Parks and Recreation Advisory Board have expired in July of 2023; and

WHEREAS, the City Commission desires to modify the membership of the Parks and Recreation Advisory Board to add a seventh at-large member; and

WHEREAS, the City Commission also desires to modify the appointment procedures to the Parks and Recreation Advisory Board to provide for an appointment of regular voting members to the Board by the Mayor and each City Commissioner; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 33.076 “Members,” of Chapter 33, “Boards and Commissions,” of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 33.076 MEMBERS.

(A) Membership of the Parks and Recreation Advisory Board shall be composed of men or women who are registered voters and real property owners in the City of Pompano Beach and shall consist of ~~six~~ seven members serving without pay. Any vacancies in such Board shall be filled by the City Commission, and where such vacancy occurs otherwise than by expiration of the term, the appointment filling such vacancy shall be for the unexpired term. ~~The City Manager, or a person designated by him, shall be an ex-officio seventh member of said Board and shall act as Executive Secretary thereof.~~

(B) ~~All~~ One regular voting members of the Parks and Recreation Advisory Board shall be appointed by the Mayor and by each City Commissioner to serve for a term which shall run concurrently with the term of the Mayor or City Commissioner who appointed them three years except the sixth member appointed after the effective date of Ord. 2005-35 may be initially appointed for a shorter term.

(C) The Mayor and City Commission shall appoint an at-large member and two (2) alternate members of the Parks and Recreation Advisory Board, who ~~are residents of the city~~ meet the membership requirements in subsection (A) above, to be designated as Alternate 1 and Alternate 2. The at-large member and ~~Each~~ alternate shall be appointed for a term of three years, said terms to run concurrently. At-large and ~~A~~alternate members shall be subject to removal for cause by the City Commission. At-large and ~~A~~alternate member vacancies shall be filled for the unexpired term of the member. Should a temporary absence or disqualification of any member of the Parks and Recreation Advisory Board occur, the Chairman of the Board shall have the right and authority to designate one of the alternate members to serve as a substitute member during the continuance of such absence or disqualification. The Chairman shall rotate such assignments between the alternate members to the extent that availability of alternate members allows. Regular members, the at-large member, and alternate members shall continue to serve until their successors are appointed.

(D) (1) Upon the effective date of Ordinance 2023-____, the Mayor and City Commission shall appoint an at-large member and two alternate members to initial terms to run concurrently and to expire following the induction of city officials from the municipal election in November of 2024, whereupon subsequent appointments shall be for the three year terms set forth in subsection (C) above.

(2) Upon the effective date of Ordinance 2023-____, board members whose terms were set to expire in 2024, prior to the municipal election in November of 2024, shall be extended until the induction of city officials from said election. The terms of board members set to expire in 2025 shall be reduced to expire as of the induction of city officials from the municipal election in November of 2024.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 4. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 12th day of September, 2023.

PASSED SECOND READING this 26th day of September, 2023.

DocuSigned by:
Rex Hardin
502CB780EB3F480...
REX HARDIN, MAYOR

ATTEST: DocuSigned by:
Kerwin Alfred
D1C913A8ED334CA...
KERVIN ALFRED, CITY CLERK

MEB/jrm
8/2/23
l:ord/ch33/2023-214



PARKS AND RECREATION ADVISORY BOARD

§ 33.075 ESTABLISHMENT.

Pursuant to the provisions of section [234](#) of the Charter, there is hereby established a Parks and Recreation Advisory Board.

('58 Code, § 33.01 (a)) (Ord. 66-60, passed 7-27-66)

Cross-reference:

Parks and Playgrounds, see [Chapter 98](#)

Recreation Department, see §§ [32.80](#) and 32.81

§ 33.076 MEMBERS.

(A) Membership of the Parks and Recreation Advisory Board shall be composed of men or women who are registered voters and real property owners in the city and shall consist of six members serving without pay. Any vacancies in the Board shall be filled by the City Commission, and where a vacancy occurs otherwise than by expiration of the term, the appointment filling the vacancy shall be for the unexpired term. The City Manager, or a person designated by him, shall be an ex officio seventh member of the Board and shall act as executive secretary thereof.

(B) All members of the Parks and Recreation Advisory Board shall be appointed by the City Commission to serve three years, except the sixth member appointed after the effective date of Ord. 2005-35 may be initially appointed for a shorter term.

(C) The City Commission shall appoint two alternate members of the Parks and Recreation Advisory Board, who are residents of the city, to be designated as Alternate 1 and Alternate 2. Each alternate shall be appointed for a term of three years, the terms to run concurrently. Alternate members shall be subject to removal for cause by the City Commission. Alternate member vacancies shall be filled for the unexpired term of the member. Should a temporary absence or disqualification of any member of the Parks and Recreation Advisory Board occur, the Chairman of the Board shall have the right and authority to designate one of the alternate members to serve as a substitute member during the continuance of such absence or disqualification. The Chairman shall rotate such assignments between the alternate members to the extent that availability of alternate members allows.

('58 Code, § 33.01 (b) and (c)) (Ord. 66-60, passed 7-27-66; Am. Ord. 2001-60, passed 5-22-01; Am. Ord. 2005-35, passed 1-25-05)

§ 33.077 POWERS AND DUTIES.

(A) Immediately after their appointment, the Parks and Recreation Advisory Board shall meet and organize by electing from the membership a Chairman and a Secretary. The Board shall adopt rules and regulations for the conduct of its meetings, including the methods of calling a meeting. The Board shall keep minutes of its meetings and shall send copies of the minutes to the City Commission and the City Manager. It shall also make an annual report to the City

Commission and shall make other reports from time to time as may be requested by the City Commission or desired to be submitted by the Board.

(B) The Parks and Recreation Advisory Board shall study the public playgrounds and parks, playfields, indoor and outdoor recreation centers, and other recreation areas and facilities owned or controlled by the city and shall make its recommendations to the City Commission with respect to the operation and improvement thereof, as well as its recommendations as to the improvement of existing forms of recreation and cultural activity or the implementation of new forms of recreation and cultural activities which will employ the leisure time of the citizens of the city in a constructive and wholesome manner.

('58 Code, § 33.02) (Ord. 66-60, passed 7-27-66)

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS", OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.076, "MEMBERS", TO PROVIDE FOR AN ADDITIONAL MEMBER OF THE PARKS AND RECREATION ADVISORY BOARD AND ESTABLISHING A TERM OF OFFICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission established the Parks and Recreation Advisory Board consisting of five (5) members; and

WHEREAS, the City Commission now wishes to add an additional member to the Parks and Recreation Advisory Board and establish a term of office for member; and

WHEREAS, the City Charter has been amended to allow the City Commission to establish the number and term of office of members on advisory boards; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 33.076 "Members", of Chapter 33, "Boards and Commissions", of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 33.076 MEMBERS.

(A) Membership of the Parks and Recreation Advisory Board shall be composed of men or women who are registered voters and real property owners in the City of Pompano Beach and shall consist of ~~five (5)~~ six (6) members serving

without pay. Any vacancies in such Board shall be filled by the City Commission, and where such vacancy occurs otherwise than by expiration of the term, the appointment filling such vacancy shall be for the unexpired term. The City Manager, or a person designated by him, shall be an ex-officio ~~sixth~~ seventh member of said Board and shall act as Executive Secretary thereof.

(B) All members of the Parks and Recreation Advisory Board shall be appointed by the City Commission to ~~serve the following terms. Terms of the first members shall be as follows: one member to serve one year, two members to serve two years, and two members to serve three years~~ except the sixth member appointed after the effective date of this ordinance may be initially appointed for a shorter term. All members appointed in the future after the appointment of the original members shall be appointed to serve for a period of three years.

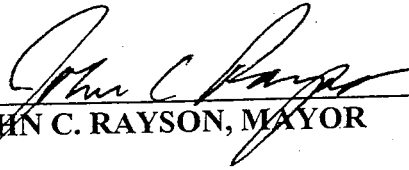
SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

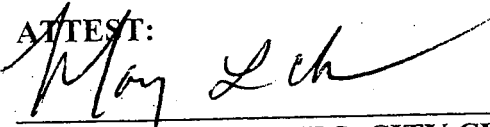
SECTION 4. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 11th day of January, 2005.

PASSED SECOND READING this 25th day of January, 2005.



JOHN C. RAYSON, MAYOR

ATTEST:


MARY L. CHAMBERS, CITY CLERK

GBL/jrm
12/14/04
l:ord/ch33/2005-96

Original 30

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS" OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.076, "MEMBERS", TO PROVIDE FOR ALTERNATE MEMBERS OF THE PARKS AND RECREATION ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission established the Parks and Recreation Advisory Board without the provision for alternate members; and

WHEREAS, the City Commission now wishes to add alternate membership to the Parks and Recreation Advisory Board; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That Section 33.076, "Members", of Chapter 33, "Boards and Commissions", of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 33.076 MEMBERS.

(A) Membership of the Parks and Recreation Advisory Board shall be composed of men or women who are registered voters and real property owners in the city of Pompano Beach and shall consist of five (5) members serving without pay. Any vacancies in such Board shall be filled by the City Commission, and where such

vacancy occurs otherwise than by expiration of the term, the appointment filling such vacancy shall be for the unexpired term. The City Manager, or a person designated by him, shall be an ex-officio sixth member of said Board and shall act as Executive Secretary thereof.

(B) All members of the Parks and Recreation Advisory Board shall be appointed by the City Commission to serve the following terms. Terms of the first members shall be as follows: one member to serve one year, two members to serve two years, and two members to serve three years. All members appointed in the future after the appointment of the original members shall be appointed to serve for a period of three years.

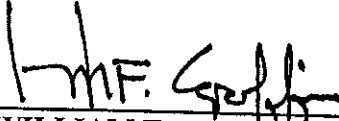
(C) The City Commission shall appoint two (2) alternate members of the Parks and Recreation Advisory Board, who are residents of the City, to be designated as Alternate 1 and Alternate 2. Each alternate shall be appointed for a term of three (3) years, said terms to run concurrently. Alternate members shall be subject to removal for cause by the City Commission. Alternate member vacancies shall be filled for the unexpired term of the member. Should a temporary absence or disqualification of any member of the Parks and Recreation Advisory Board occur, the Chairman of the Board shall have the right and authority to designate one of the alternate members to serve as a substitute member during the continuance of such absence or disqualification. The Chairman shall rotate such assignments between the alternate members to the extent that availability of alternate members allows.

SECTION 2: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3: This Ordinance shall become effective upon passage.

PASSED FIRST READING this 8TH day of MAY, 2001.

PASSED SECOND READING this 22ND day of MAY, 2001.



WILLIAM F. GRIFFIN, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

GBL/jrm
3/16/01
I:ord/ch33/2001-226

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE CREATING A PARKS AND RECREATION
ADVISORY BOARD, PRESCRIBING TERMS OF OFFICE OF
ITS MEMBERS AND THEIR POWERS AND DUTIES; PRO-
VIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES
IN CONFLICT; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: Establishment: Pursuant to the provisions of Section 234 of the Charter of the City of Pompano Beach, Florida, there is hereby established a Parks and Recreation Advisory Board.

SECTION 2: Membership: Membership of this Board shall be composed of men or women who are registered voters and real property owners in the City of Pompano Beach and shall consist of five (5) members serving without pay. Any vacancies in such Board shall be filled by the City Commission, and where such vacancy occurs otherwise than by expiration of the term, the appointment filling such vacancy shall be for the unexpired term. The City Manager, or a person designated by him, shall be an ex-officio sixth member of said Board and shall act as Executive Secretary thereof.

SECTION 3: Term: All members of the Parks and Recreation Advisory Board shall be appointed by the City Commission to serve the following terms:

(1) Terms of the first members shall be as follows:

One member to serve one (1) year,
Two members to serve two (2) years,
Two members to serve three (3) years.

(2) All members appointed in the future after the appointment of the original members shall be appointed to serve for a period of three (3) years.

SECTION 4: Powers and Duties:

(1) Immediately after their appointment, the Board shall meet and organize by electing from the membership a Chairman and a Secretary. The Board shall adopt rules and regulations for the conduct of its meetings, including the methods of calling a meeting. The Board shall keep Minutes of its meetings and shall send copies of said Minutes to the City Commission and the City Manager. It shall also make an annual report to the City Commission and shall make such other reports from time to time as may be requested by the City Commission or desired to be submitted by said Board.

(2) The Parks and Recreation Board shall study the public playgrounds and parks, playfields, indoor and outdoor recreation centers and other recreation areas and facilities owned or controlled by the City and shall make its recommendations to the City Commission with respect to the operation and improvement thereof, as well as its recommendations as to the improvement of existing forms of recreation and cultural activity or the implementation of new forms of recreation and cultural activities which will employ the leisure time of the citizens of the City of Pompano Beach in a constructive and wholesome manner.

SECTION 5: Should any section or provision of this ordinance or any portion thereof, or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or any part hereof, other than the part declared to be invalid.

SECTION 6: All ordinances or parts of ordinances in

conflict herewith be and the same are hereby repealed.

PASSED FIRST READING this 27th day of June, 1966.

PASSED SECOND READING this 27th day of July, 1966.

Stewart R. Kester
STEWART R. KESTER, Mayor

ATTEST:

Paul Nunneker
PAUL NUNNEKER, City Clerk