

ORDINANCE NO. 03-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEBARY, FLORIDA, AMENDING ARTICLE II OF CHAPTER 2 OF THE CODE OF ORDINANCES OF DEBARY TO DELETE SECTIONS 2-66 THROUGH 2-84 REGARDING THE PUBLIC SAFETY ADVISORY COMMITTEE, THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE, AND THE STREETScape ADVISORY COMMITTEE; PROVIDING FOR THE ELIMINATION OF THE PUBLIC SAFETY ADVISORY COMMITTEE, THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE, AND THE STREETScape ADVISORY COMMITTEE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES 94-32, 05-00, AND 11-04; PROVIDING SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of DeBary (the “City Council”) previously enacted Ordinance Nos.: 94-32, 05-00, and 11-04, which created the City of DeBary’s (the “City”) Public Safety Advisory Committee, Economic Development Advisory Committee, and Streetscape Advisory Committee (collectively the “Committees”); and

WHEREAS, the City Council has determined that significant City resources, time, and expenditures could be conserved in the event the Committees are eliminated and such elimination is otherwise in the best interest of the City; and

WHEREAS, the City desires to amend the City’s Code of Ordinances to eliminate the Committees and to repeal the above-referenced Ordinances that created the Committees.

IT IS HEREBY ORDAINED BY THE CITY OF DEBARY AS FOLLOWS:

SECTION I. Chapter 2, Article II, Sections 2-66 through 2-85 of the Code of Ordinances of the City of DeBary is hereby amended to read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

~~DIVISION 3. PUBLIC SAFETY ADVISORY COMMITTEE~~

~~Sec. 2-66. Created; duties.~~

~~(a) [Created.] A public safety advisory committee is hereby created by the city to assist the city in developing a range of policies and programs concerning public safety issues. The committee may explore and recommend to the city council ways and methods of strengthening citizen involvement in the planning and execution of public safety programs. These programs may include, but are not limited to, the current citizens on patrol program offered by the county~~

~~sheriff's office; the creation of a citywide neighborhood watch program and other issues related to safety including sidewalks and streetlights.~~

~~(b) [Purpose.] The committee shall make reports to the city council at least quarterly on the policies and programs to be considered. The committee is created solely for the purpose of making recommendations and advising the city council, and does not possess any authority to bind the city council to a course of action.~~

~~(c) Alternate member. The public safety advisory committee shall have one alternate member, in addition to the five regular members. The alternate shall be appointed by the city council and shall serve a term of two years. The alternate member shall reside within the city.~~

~~Sec. 2-67. Membership.~~

~~(a) The public safety advisory committee shall have five members appointed by the city council. Each city council member shall appoint one member.~~

~~(b) Each member shall reside within the city.~~

~~(c) Upon its organization, the committee may elect and reelect its own chairperson and otherwise provide for its internal organization and governance. All meetings will be conducted in accordance with Robert's Rules of Order.~~

~~Sec. 2-68. Terms of members.~~

~~(a) Each duly appointed member shall serve a two-year term on the public safety advisory committee.~~

~~(b) Each councilmember is authorized to appoint a new member to fill any vacancy of a member which that councilmember originally appointed.~~

~~Sec. 2-69. Notice of meetings.~~

~~The city clerk shall give due public notice of all meetings of the public safety advisory committee in accordance with the Charter and the laws of the state. The committee shall in all matters be governed by such laws, including specifically F.S. ch. 119, "Public Records Law" as to its minutes, correspondence and other documents, and F.S. § 286.011, "Government in the Sunshine Law" as to its meetings and communications.~~

~~Sec. 2-70. Reserved.~~

~~Secs. 2-71—2-75. Reserved.~~

~~DIVISION 4. ECONOMIC DEVELOPMENT ADVISORY COMMITTEE~~

~~Sec. 2-76. Purpose and intent.~~

~~(a) *Statement of intent.* The intent of the following division is to serve the best interests of the health, safety, prosperity and welfare of the citizens of DeBary.~~

~~(b) *Statement of purpose.* The city council shall identify, evaluate, and recognize economic development opportunities within the city limits of DeBary which are in the best interests of the health, safety, prosperity and welfare of the citizens of DeBary. The city council shall give distinct, easily understood instructions so that the committee shall have proper guidance in fulfilling their mission.~~

~~Sec. 2-77.— Establishment; membership.~~

~~(a) *Established.* The economic development advisory committee is hereby established.~~

~~(b) *Membership.*~~

~~(1) The economic development advisory committee shall have eight members, seven regular members and one alternate member. Each city council member shall appoint one member. The remaining three members, one of whom shall be designated an alternate, shall be appointed by the city council at large. The council, at its discretion, may designate one of the three at large members as the alternate or it may direct the Committee to select the alternate from among the three at large members.~~

~~(2) Each member shall reside within the city.~~

~~(3) Each member shall be appointed or reappointed at the February regularly scheduled city council meeting of each calendar year. There shall be no fixed term; instead, each member shall serve at the pleasure of the city council.~~

~~When a position becomes vacant, the city council member who originally made that appointment shall appoint a member to fill that vacancy for the duration of the vacated term. If the vacancy is in one of the at large positions, the replacement will be appointed by the city council at large.~~

~~(4) Reserved.~~

~~(5) An individual who misses three consecutive, regularly scheduled meetings within a 12-month period of the committee, shall be deemed to have resigned from that committee and is not eligible for reappointment to that or any other committee for at least one year. In that event, the city clerk shall notify the individual that his position will be declared vacant by the council at the next regularly scheduled council meeting. In addition, the council may terminate the appointment of any committee member for cause including, but not limited to, excessive absences and conflicts of interest, upon giving notice and an opportunity for the member to be heard. The council shall take any and all actions it deems appropriate in its sole discretion.~~

~~(c) *Officers.* The member[s] of the committee shall annually, at the first regularly scheduled meeting following appointment by the city council, elect a chair and vice chair from among the members and may create and fill other offices as the committee deems necessary. The alternate may not serve as chair or vice chair. If the city council directs the committee to select the alternate member from among the three at large members, the committee shall do so before electing the chair and vice chair.~~

~~(d) *Staffing.* The city manager shall appoint a city employee to serve as secretary and recorder of all committee records.~~

~~(e) *Compensation.* Members shall not be compensated. Members desiring reimbursement for expenditures expected to be incurred while carrying out committee business must first obtain approval of the expenditures from the city manager.~~

~~(f) *Funding.* The city council shall appropriate funds, as it deems necessary, to permit the economic development advisory committee to perform its prescribed functions.~~

~~(g) *Required meetings.* The committee shall meet monthly. Minutes of each meeting shall be kept. Meetings will be conducted according to Roberts Rules of Order.~~

~~Sec. 2-78.— General functions, powers and duties.~~

~~(a) *Generally.* It shall be the general responsibility of the economic development advisory committee to take appropriate action to ensure that the economic development opportunities identified by the city council are implemented.~~

~~(b) *Specifically.* It shall be the specific responsibility of the economic development advisory committee to:~~

~~(1) Develop and recommend to the city council, programs to stimulate economic development, to participate in the adoption of existing codes, ordinances, procedures, and programs to reflect economic development policies and goals.~~

~~(2) Explore funding of grant sources for economic development activities.~~

~~(3) Cooperate with agencies of city, county, regional, state and federal governments in planning proposed and future projects to reflect economic development concerns and policies.~~

~~(4) Advise property owners and local governmental agencies concerning beautification efforts and the assistance of existing businesses within the city.~~

~~(5) All other items which may be suggested by the city council.~~

~~Sec. 2-79.— Repeal.~~

~~The provisions of this division shall be repealed on April 5, 2004.~~

~~Secs. 2-80—2-82. Reserved.~~

~~DIVISION 5.—STREETSCAPE ADVISORY COMMITTEE~~

~~Sec. 2-83.—General provisions.~~

~~(a) [Established.] The streetscape advisory committee is hereby established.~~

~~(b) Membership.~~

~~(1) The streetscape advisory committee shall have six members, five regular members and one alternate member. Each city council member shall appoint one member. The alternate member shall be appointed by the city council at large.~~

~~(2) Each member shall reside within the city.~~

~~(3) Each member shall be appointed or reappointed at the February regularly scheduled city council meeting of each calendar year. There shall be no fixed term; instead, each member shall serve at the pleasure of the city council.~~

~~(4) When a position becomes vacant, the city council member who originally made that appointment shall appoint a member to fill that vacancy for the duration of the vacated term. If the vacancy is one of the at-large position, the replacement will be appointed by the city council at large.~~

~~(5) An individual who misses three consecutive, regularly scheduled meetings within a 12-month period of the committee, shall be deemed to have resigned from that committee and is not eligible for reappointment to that or any other committee for at least one year. In that event, the city clerk shall notify the individual that the council at the next regularly scheduled council meeting will declare his position vacant. In addition, the council may terminate the appointment of any committee member for cause including, but not limited to, excessive absences and conflicts of interest, upon giving notice and an opportunity for the member to be heard. The council shall take any and all actions it deems appropriate in its sole discretion.~~

~~(c) Officers. The members of the committee shall, annually, at the first regularly scheduled meeting, following appointment by the city council, elect a chair and vice chair from among the members and may create and fill other offices as the committee deems necessary. The alternate may not serve as chair or vice chair.~~

~~(d) Staffing. The city manager shall appoint a city employee to serve as secretary and recorder of all committee records.~~

~~(e) *Compensation.* Members shall not be compensated. Members desiring reimbursement for expenditures expected to be incurred while carrying out committee business must first obtain approval of the expenditures from the city manager.~~

~~(f) *Funding.* The city council shall appropriate funds, as it deems necessary, to permit the streetscape advisory committee to perform its prescribed functions.~~

~~(g) *Required meetings.* The committee shall meet monthly. Minutes of each meeting shall be kept. Meetings will be conducted according to Robert's Rules of Order.~~

~~Sec. 2-84. General functions, powers and duties. Modified~~

~~(a) *Generally.* It shall be the general responsibility of the streetscape advisory committee to take appropriate action to ensure that the streetscape beautification programs identified by the city council are implemented.~~

~~(b) *Specifically.* It shall be the specific responsibility of the streetscape advisory committee to:~~

~~(1) Develop and recommend to the city council programs to aesthetically improve the U.S. Highway 17-92 Enterprise Rd. corridors.~~

~~(2) Explore funding of grant sources for beautification activities.~~

~~(3) Advise property owners and local government agencies concerning beautification efforts where applicable.~~

~~(4) All other items, which may be suggested by the city council.~~

Secs. ~~2-66-2-85.~~ – Reserved.

SECTION II. REPEAL. All ordinances and parts of ordinances in conflict with the terms of this Ordinance, including but not limited to, Ordinance Nos.: 94-32, 05-00, and 11-04, are hereby repealed upon the effective date of this Ordinance, and none of the provisions of such repealed ordinances or parts of ordinances shall have any further force and effect.

SECTION III. SEVERABILITY. If any section or portion of a section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of a section of this Ordinance.

SECTION IV. CONFLICTS. This Ordinance shall control over any ordinances or parts of ordinances in conflict herewith.

SECTION V. CODIFICATION. It is the intention of the City Council of the City of DeBary, Florida, and it is hereby ordained that Section I of this Ordinance shall become and be made a part of the Code of Ordinances of the City of DeBary, Florida.

SECTION VI. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED on first reading the ___ day of _____, 2015.

PASSED AND ADOPTED on the second and final reading the ___ day of _____, 2015.

**CITY COUNCIL
CITY OF DEBARY, FLORIDA**

Clint Johnson, Mayor

ATTEST:

Dan Parrott, City Clerk