

PROPOSED
ORDINANCE NO. 06-19

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 6-2-1 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PARKS AND RECREATION BOARD - ESTABLISHMENT; COMPOSITION; COMPENSATION; TERMS OF OFFICE; VACANCIES AND REMOVAL; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 6-2-1 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 6-2-1. - Establishment; composition; compensation; terms of office; vacancies and removal.

There is hereby established a parks and recreation board of the city. This board shall consist of ~~nine (9)~~ seven (7) persons serving without pay who shall be appointed by ~~the~~ the direct appointment by each council member of a representative who either resides or is a property owner within his or her district and shall be ratified by the council. Effective March 2019, the Council members of Districts 3,5,6 and 7 shall nominate a member to the parks and recreation board, subject to ratification by the council. Upon the expiration of the current term of the remaining three (3) members of the board, the Council members from Districts 1,2 and 4 shall make appointments, respectively, subject to Council ratification. The term of office shall be for three (3) years in staggered terms or until ~~their~~ a successors are is appointed and qualified ratified by Council. Vacancies ~~in~~ on the board occurring otherwise than by expiration of term shall be filled for the remaining term of the board member by appointment from the council ~~member from which the vacancy occurs making an appointment for the unexpired term.~~ member of the district from which the vacancy occurs, subject to Council ratification.

It is the expressed intent of this city to recognize the importance of balance in the appointment of minority and nonminority persons to membership on the parks and recreation board and to promote that balance through the provisions of this section.

For purposes of this Code Section, "minority person" means:

- (a) An African American; that is, a person having origins in any of the racial groups of the African Diaspora.
- (b) A Hispanic American; that is, a person of Spanish or Portuguese culture with origins in Spain, Portugal, Mexico, South America, Central America, or the Caribbean, regardless of race.

- (c) An Asian American; that is, a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands, including the Hawaiian Islands prior to 1778.
- (d) A Native American; that is, a person who has origins in any of the Indian Tribes of North America prior to 1835.
- (e) An American woman.

In addition, the city recognizes the importance of including persons with physical disabilities on this board. Furthermore, it is recognized that the parks and recreation board plays a vital role in shaping public policy for the city, and the selection of the best-qualified candidates is the paramount obligation.

In appointing members to the parks and recreation board, the council should select, from among the best-qualified persons, those persons whose appointment would ensure that the membership of the board accurately reflects the proportion that minority persons represent in the population of the city as a whole, unless the law regulating such appointment requires otherwise, or minority persons cannot be recruited. If the size of the board precludes an accurate representation of minority persons, appointments should be made which conform to the requirements of this section insofar as possible.

Each board member serves at the pleasure of city council and may be removed at any time with reasonable cause or by recommendation by the parks and recreation board. Any board member missing three (3) consecutive board meetings or five (5) board meetings over the course of a calendar year shall forfeit their membership on the board. Absences may be excused by the chair.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____

President of City Council

Attest:

City Clerk