

PROPOSED ORDINANCE NO. 2022-12

ORDINANCE NO. 2000

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 32, OF THE CITY CODE OF ORDINANCES, ENTITLED "DEPARTMENTS, BOARDS, AND COMMISSIONS," PROVIDING FOR THE CREATION OF THE YOUTH ADVISORY BOARD BY SPECIFICALLY CREATING A NEW §§32.196 AND 32.197; PROVIDING THE CITY OF PEMBROKE PINES SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pembroke Pines ("City") desires to create a Youth Advisory Board to advise the City Commission on issues affecting youth in the greater Pembroke Pines community; and,

WHEREAS, the Youth Advisory Board will provide a venue for youth to engage with the City Commission and learn about local governance, leadership, and civics; and,

WHEREAS, the City Commission hereby finds it is in the best interest of the citizens and residents of the City to amend the City's Code of Ordinances to establish a Youth Advisory Board; and,

WHEREAS, the City Commission recognizes and embraces the precepts, rules, guidelines and legal requirements of the Florida Constitution, at Article 1, Section 24, also known as the Sunshine Amendment to the Florida Constitution, and in Chapter 286, F.S also known as the Florida Sunshine Law; and

WHEREAS, it is the intention and purpose of the City Commission to provide training, assistance and learning opportunities for each member of this Board in the same manner as otherwise provided to all other City advisory groups and bodies; and

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WHEREAS, the City Commission finds and determines that the citizens and residents of this City, and their better health, safety and welfare will be better served by the creation and implementation of this Board;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA:

SECTION 1: That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

SECTION 2: Chapter 32 of the City Code of Ordinances, entitled "Departments, Boards, and Committees" is hereby amended to create the "Youth Advisory Board" as follows:

§32.196 CREATION OF THE YOUTH ADVISORY BOARD

- (A) **Creation.** There is hereby created and established the City of Pembroke Pines Youth Advisory Board ("Board"). Unless otherwise expressly provided for herein, the requirements of City Code of Ordinances §§32.001-32.011, shall apply to the Board.
- (B) **Appointments.** It is the intention and purpose of this Ordinance that the school principals of (1) Franklin Academy, (2) West Broward High School, (3) Somerset Academy, (4) Flanagan High School and (5) Pines Charter High School shall each appoint no less than three (3) students, as outlined herein to the Board of the Youth Advisory Board, for a total membership of this Board to be comprised of fifteen (15) members. A majority of the members appointed to the Board shall constitute a quorum.
- (C) **Eligibility.** In making appointments to this Board, consideration shall be given to seeking student members who reside in the city. All Board members must currently reside in the City, be enrolled in grades ten (10) through twelve (12), and be no less than fourteen (14) years old. All Board members must maintain at least a 2.5 GPA. All members must be recommended by the principal of their respective school and approved by the City Manager to serve on the Board.

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- (D) Term. The selection of Board members shall take place at the start of each school year during the month of August. Notwithstanding the requirements of City Code of Ordinances §32.005, the term of appointment for Board members shall continue for a period of up to three (3) years. The term of appointment for Board members shall conclude during the month of May. Members of the Board shall be removed by the City Manager for missing three (3) consecutive Board meetings, and may be removed by the City Manager, in his/her sole discretion.
- (E) Community service hours. Members of the Board may be eligible to receive official credit for school and community service hours for their participation with the Board if permitted by the overseeing authority.
- (F) Frequency of meetings. The Board shall meet one (1) time each month during the school year, or more frequently if desired by the Board.
- (G) Scholarship. Any Board member serving on the Board for two (2) or more years shall, at graduation, be eligible for a City scholarship of up to \$1,000.

§32.197 YOUTH ADVISORY BOARD POWERS AND DUTIES

- (A) The powers and duties of the Youth Advisory Board shall be advisory in nature to the City Commission, but solely by and through the professional staff of the Recreation & Cultural Arts Department, and the City's Administration. The duties of the Board shall include but not be limited to the following:
1. Identifying, researching, and analyzing issues impacting youth in the community;
 2. Advising the City Commission on matters impacting youth residing in and attending schools within the city;
 3. Recommending social, educational, cultural and recreational activities for youth within the city, and to assist with implementing those activities; and,
 4. Assisting with any other matters assigned to the Board by the City Manager.
 5. Organizing or performing services or functions approved and directed by the City Manager.

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(B) **Service Events.** Board members shall participate in various events held by the city which give back to the community.

SECTION 4: SEVERABILITY. If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid, unconstitutional or unenforceable, such invalidity shall not affect other provisions or applications of this Ordinance that can be given affect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5: CONFLICT. All ordinances or parts of ordinances or resolutions of the City Commission, in conflict with this Ordinance are hereby repealed to the extent such conflict, and are superseded and replaced in their entirety by this Ordinance.

SECTION 6: CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include and publish the provisions of this Ordinance. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 7: EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS 7th DAY OF September, 2022.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS 16th DAY OF November, 2022.

CITY OF PEMBROKE PINES, FLORIDA

By: [Signature]

MAYOR FRANK C. ORTIS

ATTEST:

[Signature]
MARLENE GRAHAM, CITY CLERK

ORTIS Aye

GOOD Aye

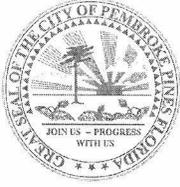
APPROVED AS TO FORM:

CASTILLO Aye

[Signature]
OFFICE OF THE CITY ATTORNEY

SCHWARTZ Aye

SIPLE Aye



City of Pembroke Pines, FL

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Agenda Request Form

Agenda Number: 12.

File ID: 2022-12

Type: Ordinance

Status: Passed

Version: 5

**Agenda
Section:**

In Control: City Commission

File Created: 05/07/2022

Short Title: Proposed Ordinance 2022-12: Youth Advisory Board

Final Action: 11/16/2022

Title: MOTION TO PASS PROPOSED ORDINANCE 2022-12 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE 2022-12 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 32, OF THE CITY CODE OF ORDINANCES, ENTITLED "DEPARTMENTS, BOARDS, AND COMMISSIONS," PROVIDING FOR THE CREATION OF THE YOUTH ADVISORY BOARD BY SPECIFICALLY CREATING A NEW §§32.196 AND 32.197; PROVIDING THE CITY OF PEMBROKE PINES SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

***Agenda Date:** 11/16/2022

Enactment Date: 11/16/2022

Agenda Number: 12.

Enactment Number: 2000

Internal Notes:

Attachments: 1. Proposed Ordinance 2022-12.pdf, 2. Updated Youth Advisory Council application form 11-8-2022.pdf, 3. Commissioner Siple Agenda Item for 6-1-2022- Youth Adv Council.pdf, 4. Memo from S Goren -Youth Adv Bd dated 08302022.pdf, 5. FLOC Youth Adv Council Article.pdf

Indexes:

1 City Commission 09/07/2022 pass on First Reading Pass

Action Text: A motion was made by Commissioner Siple, seconded by Mayor Ortis, to pass Proposed Ordinance 2022-12 on First Reading. The motion carried as amended by the following vote:

Aye: - 5 Mayor Ortis, Vice Mayor Schwartz, Commissioner Castillo,
Commissioner Siple, and Good Jr.

Nay: - 0

1 City Commission 09/07/2022 adopt amended language Pass

Action Text: A motion was made by Commissioner Castillo, seconded by Commissioner Good Jr., to amend the motion to show Sunshine Law statute violation language on the board application form for full disclosure to parents of minors serving on the Youth Council. Commissioner Castillo asked that the amended application be provided at the second reading of Proposed Ordinance 2022-12. The form would require that parents sign to indicate their understanding of the Sunshine Law and its possible impacts if there is a violation.

The motion carried by the following vote:

Aye: - 5 Mayor Ortis, Vice Mayor Schwartz, Commissioner Castillo,
Commissioner Siple, and Good Jr.
Nay: - 0

3 City Commission 10/19/2022

5 City Commission 11/16/2022 adopt on Second and Final Reading Pass

Action Text: A motion was made by Commissioner Siple, seconded by Vice Mayor Schwartz, to adopt Proposed Ordinance 2022-12 on Second and Final Reading. The motion carried by the following vote:
Aye: - 5 Mayor Ortis, Vice Mayor Schwartz, Commissioner Siple, Commissioner Good Jr., and Commissioner Castillo
Nay: - 0

SUMMARY EXPLANATION AND BACKGROUND:

1. On June 1, 2022, Commissioner Siple introduced an item for discussion and possible action to direct City Administration to work on guidelines and an ordinance to bring back to Commission for consideration to establish a Pembroke Pines Youth Council made up of local Pembroke Pines high school students that will rotate on an annual basis in line with the school year with the goal of having our youth learn about leadership in government, engage in the business of our city and provide input and recommendations to the City Commission with oversight and guidance from City Administration.
2. The City Commission of the City of Pembroke Pines desires to create a Youth Advisory Board to advise the City commission on issues affecting youth in the greater Pembroke Pines community. Pursuant to the request made by the City Commission at the City Commission meeting held on June 1, 2022, the City Attorney's Office prepared a brief overview regarding the application of Section 286.011, F.S. (the "Sunshine Law") to youth advisory boards. (Exhibit 4).
3. Any City advisory board, council, or commission that makes recommendations to the City Commission or otherwise participates in final decision-making process by the City Commission will be subject to the requirements and penalties of the Sunshine Law.
4. The Sunshine Law is applicable to all functions of covered boards and commissions, whether formal or informal, which relate to the official actions and duties of the City

Commission. As currently proposed, a youth advisory board that reports to and advises the City Commission would be subject to the Sunshine Law.

5. On September 7, 2022, the City Commission approved the ordinance on first reading following an amendment to show Sunshine State Law violation language on the youth council application for full disclosure to parents of minors serving on the Youth Council.

6. Request the City Commission approve the ordinance on second and final reading to establish a Youth Advisory Board.

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None
- b) **Amount budgeted for this item in Account No:** Not Applicable
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable
- d) **5 year projection of the operational cost of the project** Not Applicable
- e) **Detail of additional staff requirements:** Not Applicable

FEASIBILITY REVIEW:

A feasibility review is required for the award, renewal and/or expiration of all function sourcing contracts. This analysis is to determine the financial effectiveness of function sourcing services.

a) **Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor Conducted for this service?** Not Applicable

b) **If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service?** Not Applicable