

ORDINANCE NO. 40-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, BY AMENDING SECTION 32.41, "COMPOSITION; TERMS; APPOINTMENT", TO AMEND PROCEDURE FOR APPOINTING MEMBERS OF THE BOARD AND TO CLARIFY TERM OF COMMITTEE MEMBERS; AMENDING SECTION 32.42, "ORGANIZATION", TO AMEND MAXIMUM HOURS WORKED TO BE CONSISTENT WITH CITY POLICY AND TO AMEND TO ALLOW MONTHLY MEETINGS TO BE ON AN "AS-NEEDED" BASIS, PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Commission created the Kids and Cops Committee to develop programs meant to strengthen the relationship between the local youth of Delray Beach and the members of the Delray Beach Police Department;

WHEREAS, the City Commission desires to make changes based on information provided by current board members in order to strengthen the purposes and mission of the Committee; and

WHEREAS, the City Commission desires to update and clarify the composition, terms, appointment, and organization of the Kids and Cops Committee; and

WHEREAS, the City Commission deems approval of this Ordinance to serve a public purpose and is in the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 32, "Departments, Boards and Commission", Section 32.41, "Composition; Terms; Appointment," of the Code of Ordinances of the City of Delray Beach, Florida, be and the same is hereby amended to read as follows:

Sec. 32.41. - COMPOSITION; TERMS; APPOINTMENT.

(A) The Kids and Cops Committee shall consist of a membership to be selected as follows:

- (1) A representative from the Parks and Recreation Department as designated by the Director of Parks and Recreation;
- (2) ~~Representatives, not to exceed three (3), of the Delray Beach Police Department, as designated by the Chief of Police~~ Two representatives from the Delray Beach Police Department shall be designated by the Chief of Police;
- (3) ~~A representative from schools serving Delray Beach residents, as may be designated by the respective school principals~~ Two (2) at-large representatives shall be appointed by the City Commission. Preference should be given to employees of elementary or middle schools that serve the residents of Delray Beach. Two (2) members shall be appointed for a term of two years.
- (4) ~~A citizen-at-large representative. The citizen-at-large representative may be designated by a community civic organization interested in the enhancement of the program or may be designated by the City Commission;~~
- (5) ~~Three (3) at-large representatives appointed by the City Commission. The City Commission may appoint other members if a vacancy exists in any category and the City Clerk provides notice to the City Commission that despite reasonable efforts to have the appointments filled as provided within the ordinance the City Clerk has been unable [to] secure the appointments.~~

~~(B) The members of the Kids and Cops Committee shall serve two (2) two-year terms. The current members of the Committee shall continue to serve out their terms as previously set forth and ratified by the City Commission. However, A term shall consist of two years or the completion of an unexpired term and the subsequent two years. Members of the Kids and Cops Committee shall be limited to two (2) two-year terms, unless additional two-year terms are authorized by a majority vote of the City Commission.~~

(C) If a vacancy should occur on the Kids and Cops Committee, the vacancy shall be filled by selection by the person who selects members for each group, and the said selection shall serve for the unexpired term of the member position which was vacant.

(D) The City Commission shall have the authority to approve and ratify all selections to membership on the Kids and Cops Committee, and the City Commission shall have the authority to remove any member of the Kids and Cops Committee from said position whenever a majority of the City Commission votes for such a removal.

Section 2. That Chapter 32, "Departments, Boards and Commission", Section 32.42, "Organization," of the Code of Ordinances of the City of Delray Beach, Florida, be and the same is hereby amended to read as follows:

Sec. 32.42. - ORGANIZATION

(A) Staffing for program activities will consist of volunteer Police officers numbering no more than ten (10) officers during any one time. Assignments will be made in conjunction with individual interests and endorsed by the Kids and Cops Committee. These officers will serve as role models, instructors and counselors to the youth representative involved in the program.

(B) Officers will be selected through a process established by the Chief of Police or his designee. Compensation will be in the form of compensatory time at the rate of one and one-half hours for each hour worked with a maximum ~~of five (5) hours per week for any officer~~ consistent with City policies. Hours worked in a shift will be considered work related time.

(C) Recruitment of participants for the program will be done by the Kids and Cops Committee in conjunction with recommendations from the Police Department. Possible resources will include referral from churches, schools, the Parks and Recreation Department, and citizens.

Section 3. That Chapter 32, "Departments, Boards and Commission", Section 32.44, "Meetings; Reports," of the Code of Ordinances of the City of Delray Beach, Florida, be and the same is hereby amended to read as follows:

The Kids and Cops Committee shall hold meetings on a ~~regular~~ monthly, as needed basis ~~at least once~~, which meetings shall be open to the public, minutes shall be kept of all such meetings, and any special meeting, with copies of said minutes, and any other reports, to be transmitted to the City Commission and the City Manager of the City of Delray Beach.

Section 4. That should any section or provision of this ordinance or any portion thereof, 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 part thereof other than the part declared to be invalid.

Section 5. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 6. That this ordinance shall become effective upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the ____ day of _____ 2019.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

First Reading_____

Second Reading_____

Approved as to Form and Legal Sufficiency:

Lynn D. Gelin, City Attorney