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M E M O R A N D U M

DATE: February 21, 2023

TO: Mayor Pachota and City Council Members

CC: Ed Lavallee, City Manager
Kelly Michaels, City Clerk
James Clinch, Assistant City Manager

FROM: Kelly M. Fernandez, City Attorney

SUBJECT: City Advisory Boards

At this year's strategic planning meeting, City Council directed the Charter Officers to meet with Mayor Pachota to discuss the functionality of current City Boards and whether any adjustments were warranted. On February 13, 2023, myself, Mayor Pachota, Ed Lavallee, Kelly Michaels, and James Clinch met. Based on comments from Council and that discussion, the following is being proposed:

1. Dissolve the Code Enforcement Board and have the existing code enforcement Special Magistrate hear all code enforcement cases and appeals of citations.

Rationale: The Special Magistrate position has been in effect for nearly two years and is functioning well. When created, the Special Magistrate position was primarily intended to hear appeals of

Lakewood Ranch
6853 Energy Court
Lakewood Ranch, Florida 34240

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236 Pedro Street
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citations, but also has concurrent jurisdiction with the Code Enforcement Board to hear typical code enforcement cases. The vast majority of code violation cases are resolved before there is a need for a public hearing, resulting in few meetings of the Board over the past few years. Many local governments have transitioned from having a code enforcement board to a special magistrate as the proceedings are judicial in nature and are handled well and efficiently by a qualified licensed attorney.

2. Consolidate the Environmental Advisory Board, Parks and Recreation Advisory Board, and Public Art Advisory Board into a Citizen Advisory Board, with meetings called on an as needed basis.

Rationale: The advisory boards are designed to serve Council. While each Board has its own stated functions and responsibilities, there has not been a sufficient or consistent on-going need by Council for work product from any of these three Boards resulting in member uncertainty about their role, turnover, vacancies, canceled meetings or light agendas, and the generation of special projects by the Boards themselves. In addition, there has been some confusion and concern about multiple layers of government approvals for certain items such as the donation of art or park equipment. Transitioning these advisory boards into a more generic role that meets only on an as-needed basis will enable citizens to be more meaningfully engaged and Council to have pertinent citizen input on matters of importance. This streamlining would meet Strategic Planning Goal Number 2: Provide Efficient, Responsive Government with High Quality Services.

3. Investigate codifying the duties for administrative review of permanent installations on City property into City staff responsibilities. This would include proposals for public art, donations to City Parks, or any other permanent element proposed on public property.

Rationale: It may be beneficial and efficient to have a City employee(s) oversee or handle these types of requests as municipal employees perform these functions successfully in other jurisdictions. The process would involve a technical review by qualified City staff, who could solicit outside input as needed, prior to bringing them forward for City Council approval.

4. Continue to form task forces or work groups for specific items requiring specialized expertise or representation.

Rationale: The City has successfully used task forces and work groups to review utility rates, solid waste and recycling rates, and the need for a northeast park, to name a few. In concert with a standing Citizen Advisory Board, continuing to use work groups and task forces will enable further citizen and stakeholder engagement on specified, time-sensitive issues.

Requested Action: Should Council be in favor of these recommendations, I respectfully request that a motion be passed directing staff to proceed with implementing them, including the drafting of any necessary City Code amendments.