

## **Resolution No. 2642**

**A Resolution of the City Commission of the City of Sanford, Florida establishing an “adopt a park” program; providing for findings; providing for implementing administrative actions; providing for a savings provision; providing for conflicts; providing for severability and providing for an effective date.**

**Whereas,** the City Commission of the City of Sanford desires to establish an “Adopt A Park Program” for the benefit of the citizens of the City of Sanford; and

**Whereas,** one goal of the City Commission is to implement a litter reduction campaign designed to remove litter and debris from City parks and improve the quality of the environment within the City Limits of the City; and

**Whereas,** besides presenting a poor appearance and adversely affecting the reputation of the City and its desirability as a place to live, work and engage in business, litter and trash can cause traffic hazards and affect drainage; and

**Whereas,** with the amount of trash littered on the parks every day, volunteer involvement is becoming increasingly important and it is beneficial and wise for the City to establish a program enabling a partnership between volunteers, businesses and community organizations and the whereby all stakeholders and participant will work together in the efforts of litter control along City parks; and

**Whereas,** the Adopt A Park Program which is established by this Resolution is intended to be a way for residents, civic organizations, neighborhood groups and churches can provide a community service, demonstrate community pride, make a positive statement for a clean, attractive community and help the City keep down the costs of litter abatement; and

**Whereas,** it is the desire of the City Commission for the Program to prove itself as a highly effective way for citizens to demonstrate personal responsibility and to change attitudes regarding littering; and

**Whereas,** it is the desire of the City Commission to express itself, as a governmental entity, using governmental and not private speech, to provide for signage, when and where it deems appropriate, to recognize such groups as it deems to be positively contributing to the image of the City.

**Now, Therefore, Be It Resolved by the City Commission of the City of Sanford, Florida, as follows:**

**Section 1. Findings.**

(a). The foregoing recitals (whereas clauses) are incorporated herein by reference and adopted as legislative and administrative findings in support of the matters set forth in this Resolution and made a part hereof.

(b). The City of Sanford has complied with all requirements and procedures of Florida law in processing and advertising this Resolution.

(c). The citizens of the City of Sanford are encouraged to fully participate in the opportunities presented by the Adopt A Park Program established herein as well as ensuring that City parks are well maintained and litter free. Civic engagement and volunteerism throughout the City is encouraged and each citizen is urged to do their individual part in every respect to make the City a most beautiful abode and place to work and recreate.

(d). The matters set forth in the City Commission agenda materials relating to this Resolution are hereby adopted as additional findings of the City Commission and as a supplemental basis for the adoption of this Resolution.

**Section 2. Establishment Of City Of Sanford “Adopt A Park Program”.**

(a). The City Commission of the City of Sanford hereby establishes the City of Sanford’s “Adopt A Park Program”.

(b). Any local community organization, school group or business group, as well as individuals eighteen years of age or older, which are not identified with any cause, goal or philosophy which is adverse to the values of the City Commission, as the local governing body of the City, may adopt parks maintained by the City subject to approval of a Program Agreement, as prescribed in this Resolution, by the City. For the purposes of this Resolution, the usage of the word “group” or a plural usage of a term shall include an individual who is approved to adopt a City park under the Program. Groups may propose co-sponsor a segment of a City park; provided, however, that, upon approval of such proposal, the co-sponsors shall be jointly and severally responsible for Program compliance relative to all activities and obligations.

(c). Volunteers/applicants for participation in the City's Adopt A Park Program must provide to the City a completed Adopt A Park Agreement, in a form approved by the City Attorney, executed with binding authority by the proposed Program participant. The executed Agreement shall serve as the application for approval to work within the Program until approved and executed by the City. The agreement, upon approval and full execution by the City in accordance with its administrative processes and

procedures, must be on file with the City's Adopt A Park Program staff with all current details and information at any time when the group is conducting Program activities. The Agreement shall provide, at a minimum, the following which regard to the obligations of the group:

(1). A one-year commitment to conduct Program activities in a designated park in accordance with Program requirements.

(2). A commitment to pick up litter at least four times a year.

(3). A designated coordinator from the group for all Program activities. The group's coordinator shall advise the City in the event that the group no longer wishes to participate in the Program and with regard to all other significant matters relative to Program administration and implementation.

(4). An agreement to schedule the date and time of all Program activities through the City's Adopt A Park contact staff.

(5). For the use of litter bags that are issued to the group by the City and the appropriate disposal at a designated location or locations as prescribed by the City's Adopt A Park staff as part of each activity.

(6). For the appropriate use of safety equipment, if any, as implemented by the City's Adopt A Park staff.

(7). A prohibition from subcontracting or assigning its duties and responsibilities to any other person, group, organization or enterprise or associating its activities with any other person, group, organization or enterprise.

(8). An agreement to obey and abide by all laws and regulations relating to

safety and such other terms and conditions as may be required by the City's Adopt A Park Program Coordinator. In that the obligation for safety and security of the group's Program participants shall be the plenary obligation and responsibility of the group and not the City.

(9). An agreement that the group shall be responsible for prohibiting participants from either possessing or consuming alcoholic beverages or illicit drugs while on City property or working relating to City property and performing tasks associated with activities and ensuring that participants have not consumed any such beverage or used any such drugs for the eight hour immediately preceding the activities of the Group. Likewise, the agreement shall provide that the Group ensure that participants be fit to accomplish work and to not be under any medical care or taking any prescribed drugs that would debilitate them from safely engaging in activities.

(10). An agreement to accomplish such other actions as may be necessary to implement the Program and accomplish the obligations of the group with regard to such matters.

(11). Such other matters as determined to be necessary or desirable by the City staff implementing the Program.

### **Section 3. Implementing Administrative Actions.**

(a). The City Manager, or designee(s), shall implement the provisions of this Resolution and take any and all necessary administrative actions in order to ensure that the provisions of this Resolution are implemented to include, but not be limited to, all

matters set forth in this Resolution and coordination with City risk management personnel and consideration of their recommendations.

(b). The City Manager, or designee(s), shall have the power to adopt rules and policies in order to implement the provisions of this Resolution as well as the power to promulgate forms in conjunction with the City Attorney.

(c). The City Manager, or designee(s), may seek grant funding and other funding as may be available to support the Program adopted in this Resolution to include, but not be limited to, those business entities that are engaged in solid waste collection or recycling activities within the City as a result of a franchise or otherwise.

(d). The City Manager, or designee(s), shall ensure that all risk management issues are coordinated in the course of Program implementation.

(e). The City Manager, or designee(s), shall coordinate its activities with other governmental entities, bodies and programs to include, but not be limited to, the Mayor's Youth Council.

#### **Section 4. Savings.**

The prior actions of the City of Sanford relating to waste management and the collection of waste of all types and nature along the parks of the City, as well as related matters and activities, are hereby ratified and affirmed.

#### **Section 5. Conflicts.**

All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**Section 6. Severability.**

If any section or portions of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

**Section 7. Effective Date.**

This Resolution shall become effective immediately upon its passage and adoption.

**Passed and Adopted** this 9<sup>th</sup> day of January, 2017.

**City Commission of the City of  
Sanford, Florida  
Seminole County, Florida**

\_\_\_\_\_  
Jeff Triplett, Mayor

*Attest:*

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Cynthia Porter, City Clerk

Approved as to form and legality:

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William L. Colbert, Esquire  
City Attorney