

RESOLUTION NO. 07- 26

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; ESTABLISHING POLICY GUIDELINES FOR CONTINUATION OF EXISTING ORGANIZED USERS AND A METHOD OF APPLICATION FOR NEW ORGANIZED USERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village of Palmetto Bay owns and maintains over 130 acres of open green space for organized, passive and environmental uses; and

WHEREAS, the Village of Palmetto Bay as a local government has a definite and limited capacity to properly maintain and coordinate use of all its assets;

WHEREAS, the Village of Palmetto Bay wants to create a fair, reasonable and appropriate method of determining and providing for uses of its facilities;

WHEREAS, the Village of Palmetto Bay recognizes the rights of individual and passive users to have equal access to enjoyment of the parks.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The Village Manager is directed to create and return to the Council for approval a definite written policy to provide for the following:

1. A method by which all groups, organized, individual, small and large groups, including leagues have a realistic and equal potential for their fair use of the parks;
2. The capacity of the park system is determined so that no park is overused, parking is not strained, nor does that park become a nuisance to the neighborhood;
3. A requirement that use of park facilities by new organized users shall be determined by the village manager and reported to the Council with information that proves the use will not materially adversely affect the existing users or those reasonable foreseeable users;
4. No organized group shall be entitled to rent the facilities on an ongoing year-to-year basis or more than three times per year without the written approval by the Manager;
5. Preference shall be given to true non-profits and neighborhood groups; and
6. All organizations, including, but not limited to For-profit organizations or organizations that extend throughout the South Florida area shall be required to pay their fair share for services provided or an apportioned

share of the financial impact such use creates on the village's park land and park services. This provision does not apply to any activity that is sponsored or co-sponsored by the written approval of the Village Council by resolution at an open village council meeting.

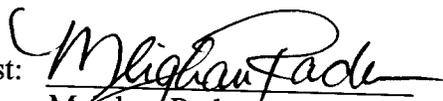
Section 2. The village manager shall advise the village council and residents of the level of park use. The village manager shall designate the appropriate staff to implement the village's park use policies. The Village Manager shall further report on a monthly and yearly basis to the Council concerning the following:

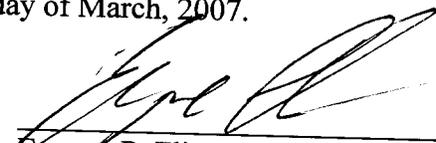
1. The names of the organized groups that are using each park;
2. The impact and costs associated with the uses;
3. What the groups contribute to defray the costs;
4. Those uses that impact other budgets, such as police and public works.

Section 3. The Village Manager shall be responsible for authorizing or denying any request to lease out park property to any group, which lease use includes more than a one time use of park services.

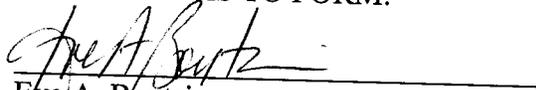
Section 4. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 5th day of March, 2007.

Attest: 
Meighan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member Shelley Stanczyk	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>