

ORDINANCE NO. 04 - 20

AN ORDINANCE TO CREATE AN ARTS ADVISORY COMMITTEE FOR THE CITY OF MARCO ISLAND, FLORIDA; PROVIDING A PURPOSE; PROVIDING FOR QUALIFICATION OF MEMBERS, APPOINTMENT AND REMOVAL, TERM OF OFFICE, MEETINGS, ATTENDANCE, AND RULES OF PROCEDURE; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marco Island has been granted broad home rule powers under Article VIII, Section 2 (b), of the Florida State Constitution, and Section 166.021, Florida Statutes; and

WHEREAS, the City Council recognizes the importance of artistic and cultural expression as a means of enhancing the quality of life for individuals who live, work, and visit the City of Marco Island; and

WHEREAS, the City Council desires to enhance the City's character and identity, to contribute to economic development and tourism, to add beauty and accessibility to public spaces, and to expand the education, experience, and participation of citizens through the recognition and support of diverse artistic and cultural programs; and

WHEREAS, it is in the interest of the City of Marco Island to create an Arts Advisory Committee to recommend to the City Council policies and programs that help expand artistic and cultural opportunities for the public to enjoy and take part in.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, AS FOLLOWS:

Section 1. Purpose.

The purpose of the Arts Advisory Committee is to enhance the City's character and identity, contribute to economic development, tourism, and quality of life, to add value to public places, and to broaden experiences for citizens through the promotion of artistic and cultural activities. The Committee shall advise the City Council on: public places that should be considered for artwork; the appropriateness of artwork to be located within a public place; the criteria to accept donated art; the support and promotion of visual arts, theater, dance, film, music, literature, and other cultural activities and events. Such policies may include recommendations for the funding of artwork in private and public places, cultural events within the community, and the promotion and coordination of cultural activities with private organizations, other governmental entities, and other City boards and advisory committees.

Section 2. Qualifications of Members.

(a) The Arts Advisory Committee shall consist of seven members. At least five members shall be residents of the City and shall be registered electors. All members shall serve without compensation.

(b) Members shall be selected based upon their knowledge, experience, and/or appreciation for visual arts, theater, dance, film, music, literature, and other cultural subjects.

(c) In addition to the seven members, City Council may appoint ex-officio members, including members or representatives of other organizations whose purpose is to advance culture within Collier County.

Section 3. Appointment of Members, Vacancies.

Appointments to the Arts Advisory Committee shall be filled by the City Council in accordance with the following procedures:

(a) The City Council may direct the City Manager to advertise a vacancy and seek resumes from interested members of the public willing to accept appointment.

(b) The Arts Advisory Committee shall consist of seven members. Members of the Committee shall be determined by a majority vote of City Council.

(c) If a vacancy occurs on the Arts Advisory Committee, City Council may appoint another individual to fill the vacancy to complete the unexpired term.

(d) The City Council may delegate the appointment of the Arts Advisory Committee to the City Manager.

Section 4. Term of Members.

(a) The term of members of the Arts Advisory Committee shall be two (2) years. The term of office shall expire on the first day of June of even numbered years.

(b) If a reappointment or replacement is not made prior to or at the expiration of the term of office, the member shall continue to serve until a reappointment or replacement is named.

Section 5. Removal of Members.

(a) Members of the Arts Advisory Committee shall serve at the pleasure of the City Council and may be removed by the City Council with or without cause.

Section 6. Meetings; Attendance Requirements.

(a) Meetings shall be scheduled at least twelve (12) times per year. Public notice of the meetings shall be provided in accordance with procedures adopted for City Council meetings. Meetings may be called by the Committee chair or by the City Manager or his designee.

(b) A majority of all member appointed to the Arts Advisory Committee shall constitute a quorum for the transaction of business.

(c) A written record of the proceedings of the Arts Advisory Committee shall be kept, showing its action on each question considered. Such record shall be filed with the City Clerk and shall be open to public inspection.

(d) Absence from thirty percent (30%) of the meetings held by the Arts Advisory Committee within any twelve-month period, which period shall be considered to be the twelve-month period immediately prior to and including the day of the last absence, shall automatically operate to vacate the seat of the member.

Section 7. Rules of Procedure.

The City Manager shall prepare standard Rules of Procedure for the conduct of meetings. Such Rules of Procedure shall be followed by the Arts Advisory Committee.

Section 8. Authority of Council Regarding Establishment and Dissolution.

The City Council may dissolve the Arts Advisory Committee.

Section 9. Incorporation, Conflict and Severability.

(a) It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or other appropriate word.

(b) All sections or parts of sections of the Code of Ordinances of the City of Marco Island, all ordinances or parts of ordinances, all resolutions or parts of resolutions, in conflict herewith, be and the same are hereby repealed to the extent of the conflict.

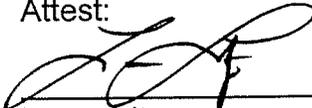
(c) If any word, phrase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional or invalid by a court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of the Ordinance.

Section 10. Effective Date.

This ordinance shall take effect immediately upon adoption by the Marco Island City Council.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 1st day of November 2004.

Attest:



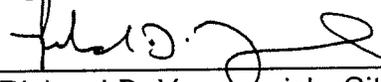
Laura Litzan
City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: 

Terri DiSciullo
Council Chairwoman

Approved as to form and
legal sufficiency:



Richard D. Yovanovich, City Attorney