

**CITY OF MARCO ISLAND
ORDINANCE NO. 99-11**

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF BOARDS, COMMITTEES, AND COMMISSIONS; PROVIDING FOR QUALIFICATIONS AND APPOINTMENTS OF MEMBERS; PROVIDING FOR MEETINGS, QUORUM, MINUTES, AND ATTENDANCE REQUIREMENTS; PROVIDING FOR THE REMOVAL OF BOARD, COMMITTEE, OR COMMISSION MEMBERS; PROVIDING PROCEDURES FOR APPOINTMENT AND FILLING OF VACANCIES; PROVIDING TERMS OF OFFICE; PROVIDING RULES OF PROCEDURE; PROVIDING FOR ESTABLISHMENT AND DISSOLUTION OF BOARDS, COMMITTEES, OR COMMISSIONS; PROVIDING FOR INCORPORATION, CONFLICT, AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 1.01 of the Marco Island City Charter empowers the City to adopt, amend, or repeal such ordinances, resolutions, and codes as may be required for the good governing of the City; and

WHEREAS, City Council desires to establish procedures for the establishment of Boards, Committees, and Commissions, the qualification of members, the terms of office, and the conduct of meetings.

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

Sec. 1. Establishment of Boards, Committees, and Commissions.

Boards, Committees, or Commissions may be established by ordinance or resolution at the discretion of City Council. An ordinance or resolution establishing a Board, Committee, Authority, or Commission shall also describe the duties and the qualifications of its members.

Sec. 2. Qualifications and Appointments of Members.

In addition to qualifications, which may be specified for membership by state statutes, charter, ordinance, or resolution, a person appointed to a Board, Committee, or Commission shall be a resident of the City, and shall be a registered elector.

Sec. 3. Meetings, Quorum, Minutes, and Attendance Requirements.

(a) Regular Meetings. Meetings shall be scheduled in accordance with the ordinance or resolution authorizing the establishment of the Board, Committee, or Commission. Public Notice of the meeting shall be provided in accordance with procedures adopted for City Council meetings. Meetings may be called by the Committee Chairman or by the City Manager or his designee.

(b) Quorum. A majority of all members appointed to the Board, Committee, or Commission shall constitute a quorum for the transaction of business unless otherwise required by the ordinance or resolution authorizing the establishment of a particular Board, Committee, or Commission.

(c) Minutes. A written record of the proceedings of the Board, Committee, or Commission 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) Attendance. Absence from three (3) consecutive meetings of a Board, Committee, or Commission shall automatically operate to vacate the seat of a member unless such absence is excused by the Board, Committee, or Commission by motion duly passed and recorded in the official minutes.

Sec. 4. Removal of Board, Committee, or Commission Members.

Unless otherwise precluded by state statutes, ordinance, or resolution, any member of a Board, Committee, or Commission shall serve at the pleasure of City Council and may be removed by City Council with or without cause.

Sec. 5. Procedure for Appointment and Filling Vacancies.

Except as otherwise provided by state statutes, ordinance, or resolution, appointments to a Board, Committee, or Commission shall be filled by the City Council in accordance with the following procedure:

(a) 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) Unless otherwise regulated by state statutes, ordinance, or resolution, the composition of each Board, Committee, or Commission shall consist of seven (7)

members. Each City Council member shall reserve the right to recommend the appointment of one (1) member to the Board, Committee, or Commission. City Council may accept or reject the recommendation offered by the Council member.

(c) If a vacancy occurs on the Board, Committee, or Commission during the term of the Council member recommending the appointment of the individual to the seat now vacated, that Council member shall have the right to recommend a replacement to fill the vacancy to complete the unexpired term. City Council may accept or reject the recommendation.

Sec. 6. Terms of Office.

Unless otherwise regulated by state statutes, ordinance, or resolution, the terms of members appointed to a Board, Committee, or Commission shall be for four years. The members shall serve staggered terms and the terms shall expire thirty (30) days after the term of office of the appointing City Council members. If City Council does not name a replacement prior to or at expiration of a term of office, the member shall continue to serve until a replacement is named.

Sec. 7. Rules of Procedure.

Unless otherwise regulated by state statutes, ordinance, or resolution, the City Manager shall prepare standard Rules of Procedure for the conduct of meetings. Such Rules of Procedure shall be followed by each appointed Board, Committee, or Commission.

Sec. 8. Establishment and Dissolution

Unless otherwise regulated by state statutes, ordinance, or resolution, City Council may establish and dissolve a City Board, Committee, or Commission.

Sec. 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 re-lettered 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 Laws and Ordinances of Collier County, Florida, all Collier County Ordinances or parts of ordinances and all Collier County Resolutions or parts of resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.

(c) In the event this Ordinance conflicts with any other Ordinance of the City of Marco Island or other applicable law, the more restrictive shall apply. If any

phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

Sec. 10. Effective Date.

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

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 21st day of June, 1999.

Attest:

CITY OF MARCO ISLAND, FLORIDA

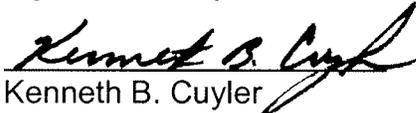


A. William Moss
City Manager/City Clerk

BY: 

David E. Brandt, Chairman

Approved as to form and
legal sufficiency:



Kenneth B. Cuyler
City Attorney

Naples Daily News
Naples, FL 34102

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57890360 SECOND READING & PUB

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 06/11

AD SPACE: 54.000 INCH
FILED ON: 06/11/99

SECOND READING &
PUBLIC HEARING &
ORDINANCE
CITY OF
MARCO ISLAND

The City Council of Marco Island, meeting in regular session at 6:00 p.m., on June 21, 1999, at the Marco Island YMCA, 101 Sandhill Street, Marco Island, Florida will consider:

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF BOARDS, COMMITTEES, AND COMMISSIONS; PROVIDING FOR QUALIFICATIONS AND APPOINTMENTS OF MEMBERS; PROVIDING FOR MEETINGS, QUORUM, MINUTES, AND ATTENDANCE REQUIREMENTS; PROVIDING FOR THE REMOVAL OF BOARD, COMMITTEE, OR COMMISSION MEMBERS; PROVIDING PROCEDURES FOR APPOINTMENT AND FILLING OF VACANCIES; PROVIDING TERMS OF OFFICE; PROVIDING RULES OF PROCEDURE; PROVIDING FOR ESTABLISHMENT AND DISSOLUTION OF BOARDS, COMMITTEES, OR COMMISSIONS; PROVIDING FOR INCORPORATION, CONFLICT, AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Members of the Public are invited to make oral or written comments in regards to this Ordinance.
June 11 No. 1429409

Signature of Affiant _____

Sworn to and Subscribed before me this 15 day of June 1999

Personally known by me _____



Joyce E. Blazier
MY COMMISSION # CC702521 EXPIRES
April 10, 2002
BONDED THRU TROY FAIN INSURANCE, INC.