

CITY OF MARCO ISLAND
RESOLUTION NO. 98- 9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND
ESTABLISHING A PROCEDURE FOR RECONSIDERATION OF CITY COUNCIL
DECISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is occasionally necessary or appropriate to reconsider an agenda item or matter voted upon by the City Council; and

WHEREAS, the City Council has determined that the adoption of a procedure for reconsideration of City Council decisions is in the best interests of the City;

NOW, THEREFORE, it is hereby resolved by the Council of the City of Marco Island, Florida:

SECTION 1: The following reconsideration procedure is hereby adopted:

Process

- A. During the meeting at which the matter has been voted on, City Council may re-open the matter by simple majority vote and reconsider their decision provided, however, that any matter requiring a quasi-judicial hearing that has been voted upon must be reconsidered in accordance with the provisions of Section B below. The motion to re-open the matter must be made by a Council Member voting in the majority.
- B. After adjournment of the meeting at which the matter was voted upon, reconsideration must be in accordance with the following:
- 1) Except as provided in the City Charter, only City Council Members may request reconsideration of a matter or agenda item which has been voted on by City Council.
 - 2) Any City Council Member who voted with the majority may request reconsideration. Where the matter resulted in a tie vote, any City Council Member who cast a vote may request reconsideration.
 - 3) A request for reconsideration shall be transmitted in writing to the Chairman no later than seventy-two (72) hours prior to the next regularly scheduled City Council meeting after the item was voted on.
 - 4) The City Council will first discuss whether to reconsider the item. A majority vote in favor of reconsideration will place the item on the next regularly scheduled City Council agenda or, if the agenda item requires specific advertised notice, on the next agenda after such advertising requirements are met. Failure to receive a majority vote will halt the reconsideration process.

- 5) All parties who registered to speak or who can be identified as having submitted written materials at the first hearing, shall be notified by the City Clerk of the date of reconsideration.

SECTION 2. General Rules

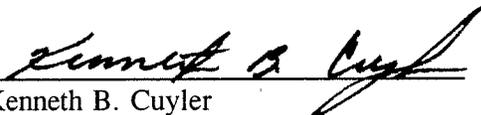
- A. A matter can be reconsidered only one time by City Council. After that, any matter or any issues subsumed by it shall require new agenda submittal, including but not limited to, a new petition if otherwise permitted by law, including filing fees, advisory board hearings, where appropriate, and City Council action.
- B. The policy contained herein shall constitute the full and complete procedures for reconsideration of a matter by the City Council.

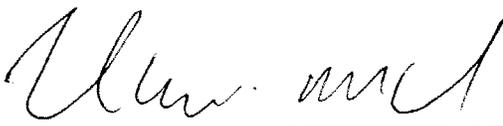
SECTION 3. This resolution shall take effect immediately upon adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 23 day of February, 1998.


Harry Cowin, Chairman

Approved as to form and
legal sufficiency:


Kenneth B. Cuyler
Interim City Attorney


Charles McCool
Interim City Manager