

ORDINANCE NO. 10-4911

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE SARASOTA CITY CODE, CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS AND COMMITTEES; BY ADDING THERETO A NEW DIVISION TO BE ENTITLED "CHARTER REVIEW COMMITTEES" SETTING FORTH THE PROCEDURE FOR APPOINTMENT OF CHARTER REVIEW COMMITTEES AND THE QUALIFICATIONS FOR MEMBERSHIP ON A CHARTER REVIEW COMMITTEE AS REQUIRED BY THE CITY CHARTER; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at a referendum held on November 6, 2007, City of Sarasota voters approved a proposed amendment to Article IV, Section 15(b) of the City Charter regarding the appointment of Charter Review Committees; and,

WHEREAS, prior to the November 6, 2007 referendum, Article IV, Section 15(b) of the Charter stated that "the City Commission shall appoint a charter review committee to review the (City) charter at its discretion, but in no event shall such appointment be less than once in a ten year period of time" from the date of adoption of the Charter; and,

WHEREAS, at the November 6, 2007 referendum, City voters approved an amendment to this section providing that the City Commission has the authority to appoint a charter review committee "from time to time in its discretion to review all or specifically designated provisions" of the City Charter; but requiring that the City Commission appoint a charter review committee having unlimited authority to review the entire Charter at least once during every ten year period following the effective date of the charter amendment; and,

WHEREAS, said charter amendment became effective on December 7, 2007; and,

WHEREAS, said charter amendment further required the City Commission to adopt an ordinance setting forth the procedure for the appointment of all Charter Review Committee members and also providing for any qualifications for appointment to a Charter Review Committee; and,

WHEREAS, on February 1, 2010 the City Commission discussed the above referenced City Charter requirement and directed the City Attorney to prepare an ordinance establishing a procedure for appointment of Charter Review Committees and setting forth qualifications for appointment to a Charter Review Committee; and,

WHEREAS, this ordinance was prepared in accordance with the February 1, 2010 City Commission directive; and,

WHEREAS, nothing in this ordinance shall be construed to require the immediate appointment of a Charter Review Committee; however, upon adoption of this ordinance, the City Commission may, in its discretion, decide to appoint a Charter Review Committee.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

Section 1. The Code of the City of Sarasota; Chapter 2, Administration; Article IV, Boards and Committees; is hereby amended by the addition thereto of a new Division, to be numbered Division 4.5 and entitled Charter Review Committees, consisting of new sections 2-301 through 2-305, which shall provide as follows:

"Sec. 2-301. Appointment of Charter Review Committees.

In accordance with the City Charter, the City Commission may, by Resolution, create and appoint a Charter Review Committee to review all or specifically designated provisions of the Charter of the City of Sarasota.

Sec. 2-302. Number of members; procedure for appointment.

A Charter Review Committee shall consist of ten (10) members. Each City Commissioner shall appoint two (2) persons to serve on the Charter Review Committee. Prior to adoption of the Resolution creating the Charter Review Committee, each City Commissioner shall submit the names of

his or her two individual appointees to the City Auditor and Clerk. The Resolution creating the Charter Review Committee shall identify the members of the Charter Review Committee by name and shall further identify the City Commissioner who appointed each member.

Sec. 2-303. Qualifications for appointment.

Members of a Charter Review Committee created in accordance with this Article shall be registered voters in the City of Sarasota at the time of appointment.

Sec. 2-304. Duties and duration of the committee.

The Resolution appointing the Charter Review Committee shall state whether the Charter Review Committee is to be given the authority to review the entire City Charter or whether the authority of the Committee shall be limited to the review of specified provisions of the City Charter. In addition, the Resolution appointing the Charter Review Committee shall set forth and describe specific matters or issues, if any, on which the City Commission desires a recommendation from the Charter Review Committee. The Resolution appointing the Charter Review Committee shall specify the period of time for the Charter Review Committee to complete its assigned tasks. Upon the request of the Chair of the Charter Review Committee, this period of time may be extended by majority vote of the City Commission.

Sec. 2-305. Officers and consultants.

A Charter Review Committee appointed in accordance with this Article, shall select two of its members to serve as

Chair and as Vice Chair, respectively. The City Manager, City Auditor and Clerk and City Attorney shall furnish the Charter Review Committee such advice or information as within the purview of their respective offices."

Section 2. This ordinance shall take effect immediately upon second reading.

PASSED on first reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 15th day of March, 2010.

PASSED on second reading and finally adopted this 5th day of April, 2010.

CITY OF SARASOTA, FLORIDA


Richard Clapp, Mayor

ATTEST


Pamela M. Nadall
City Auditor & Clerk

Yes Mayor Clapp
Yes Vice Mayor Kirschner
Yes Commissioner Atkins
Yes Commissioner Atwell
Yes Commissioner Turner