

**Charlotte County Board Of County Commissioners
Agenda Item Summary**

Item Number: E- 1

1 DEPARTMENT MAKING REQUEST

County Attorney

2 MEETING DATE

12/9/2014 9:00:00 AM

3 REQUESTED MOTION/ACTION

Adopt a Resolution authorizing the Marine Advisory Committee to amend the language of the bylaws by adding Punta Gorda Boaters Alliance, Inc. to the Appendix - Membership of Committee list of marine-oriented organization members of the Committee.

4 AGENDA

5 IS THIS ITEM BUDGETED (IF APPLICABLE) -

Budget Action

No action needed.

Financial Impact Summary Statement

No impact.

Detailed Analysis Attached -

Budget Officer-

6 BACKGROUND (Why is this Action Necessary, and What Action will be accomplished)

The Marine Advisory Committee seeks approval from the Board of County Commissioners to add the *Punta Gorda Boaters Alliance, Inc.* to the Appendix - Membership of Committee list of marine-oriented organization members of the Committee. Attached for the Board's consideration is a Resolution authorizing the change, and also the updated By-Laws.

ATTACHMENTS:

Name:	Description:	Type:
<input type="checkbox"/> MAC_Bylaw_RES_2014.pdf	Resolution	Backup Material
<input type="checkbox"/> MAC_Bylaw_2014_Exhibit_A.pdf	Exhibit A (By-Laws)	Backup Material

R E S O L U T I O N
NUMBER 2014 -

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING RESOLUTION 2014-097; PROVIDING FOR REVISED BYLAWS FOR THE MARINE ADVISORY COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners ("Board") created the Marine Advisory Committee by Resolution 97-1260A0 on November 25, 1997; and

WHEREAS, the Board repealed Resolution 97-1260A0 on February 13, 2001 by Resolution 2001-026; and

WHEREAS, Resolution 2001-026 re-established the Marine Advisory Committee and provided new bylaws therein; and

WHEREAS, the Board has since approved revisions to the bylaws of the Marine Advisory Committee by Resolutions 2011-002, 2012-054, and 2014-097; and

WHEREAS, the Board and the Marine Advisory Committee removed the Charlotte County Chapter of the Coastal Conservation Association Florida from the Appendix - Membership of Committee list of marine-oriented organization members of the Committee pursuant to the dissolution of the organization the organizational member resigning from the Committee; and

WHEREAS, the Board and the Marine Advisory Committee now desire to amend the language of the bylaws by adding Punta Gorda Boaters Alliance, Inc. to the Appendix - Membership of Committee list of marine-oriented organization members of the Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, THAT:

Section 1. The aforementioned Recitals are hereby incorporated herein and made a part of this Resolution.

Section 2. The Bylaws of the Charlotte County Marine Advisory Committee, attached hereto, and incorporated herein, as Exhibit A, are hereby amended by adding Punta Gorda Boaters Alliance, Inc. to the list of marine-oriented organization members of the Committee.

Section 3. The Bylaws attached to Resolution 2014-097 are hereby replaced and substituted by the bylaws attached hereto as Exhibit A.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this ____ day of _____, 2014.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By _____
Kenneth W. Doherty, Chairman

ATTEST:
Barbara T. Scott, Clerk of Circuit
Court and ex-officio Clerk to the
Board of County Commissioners

By _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By _____
Janette S. Knowlton, County Attorney

LR14-3116_____

EXHIBIT “A”

BYLAWS

CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE

ARTICLE I - ORGANIZATION

Section 1.01 NAME

The name of the organization shall be CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE (hereinafter referred to as “the Committee”).

Section 1.02 ORGANIZATION

The Committee shall be a volunteer organization as authorized by the Board of County Commissioners of Charlotte County, Florida, pursuant to Resolution 2001-026, approved on February 13, 2001.

Section 1.03 OBJECTIVES

The objectives shall be to act in an advisory capacity to the Board of County Commissioners of Charlotte County on marine-related matters.

ARTICLE II - MEMBERSHIP

Section 2.01 MEMBERSHIP

Membership on the Committee shall be voluntary and composed as indicated in this article. A potential member of the Committee must be recommended for appointment by the Committee and be appointed by the Board of County Commissioners in order to become a member. Any member must attend at least seventy percent (70%) of all regularly scheduled meetings of the Committee within a fiscal year to retain membership.

Membership on the Committee shall be composed of fifteen (15) members representing marine oriented organizations within Charlotte County (organizational representatives), one (1) member representing the City of Punta Gorda (City representative) who shall be recommended for appointment by the City Council of the City of Punta Gorda, five (5) members at large (Members at Large) with preference given to representatives from the following groups: 1) fishing guides or bait and tackle store operators; 2) commercial fishing industry (including clamming industry); 3) marina operation industry; 4) personal watercraft industry; 5) marine sales industry; and 6) scuba diving industry, and honorary at large members (honorary members).

Each organizational representative shall represent one of the marine oriented organizations listed in the appendix. No organization shall have more than one representative on the Committee. Each organization must be a marine oriented organization which holds regularly scheduled meetings and has a membership of at least twenty-five (25) persons. Term lengths for organizational representatives shall be determined by the Board of County Commissioners.

Members at Large shall serve for three (3) year terms following appointment. However, the initial terms of the Members at Large shall be staggered so that there is one (1) retiring and one (1) newly elected Member at Large each year. The term of a newly appointed Member at Large shall begin on January 1 following the appointment. A retiring Member at Large shall be eligible for re-appointment. Honorary members shall be excluded from attendance requirements. In addition, honorary members are not included in quorum determinations and do not have voting rights.

ARTICLE III - OFFICERS/ELECTIONS

Section 3.01 OFFICERS

The officers of the Committee shall consist of:

Chair
Vice Chair
Secretary

with terms of one (1) year, beginning January 1, following their elections. Said officers shall also form the Executive Committee.

Section 3.02 ELECTIONS

Elections shall be held annually for the selection of officers and Members-at-Large at the first regular or special meeting occurring after the first day of December of each year.

Vacancies may be filled by an election held at any regular or special meeting.

Section 3.03 DUTIES OF CHAIR

The Chair shall preside at all meetings. The Chair shall be the official spokesperson for the Committee. The Chair shall execute all written instruments in the name of the Committee. The Chair shall monitor and take appropriate action regarding attendance of members of the Committee.

The Chair shall appoint subcommittees, prepare budget recommendations, prepare goals and objectives, and perform other duties as needed to carry out the Committee's objectives.

Section 3.04 DUTIES OF VICE CHAIR

The Vice Chair shall assist the Chair and, in the Chair's absence, act in the Chair's stead.

Section 3.05 DUTIES OF SECRETARY

The Secretary shall maintain a file of minutes of all Committee meetings. Minutes are to be taken by a Recording Secretary provided by the County.

The Secretary shall serve as supervisor of elections, ascertaining that all nominations and voting procedures are in order.

Section 3.06 DUTIES OF THE EXECUTIVE COMMITTEE

The Executive Committee shall meet monthly, approximately one week before each regular meeting of the whole Committee, to review accumulated matters, both old and new and to prepare the agenda for the forthcoming meeting. Nothing shall prevent members of the Committee from raising new agenda items during regular Committee meetings. All meetings of the Executive Committee shall be in accordance with Article IV of these Bylaws, the minutes of which shall be prepared and signed by the Secretary and presented to Committee as a whole for review and approval. A quorum of two members is necessary to take any action and all actions must be made by majority vote; however, in the instance that a quorum is unavailable the Chair shall prepare the agenda.

ARTICLE IV - MEETINGS

Section 4.01 MEETINGS

Meetings shall be held monthly on a date approved by the membership. Special meetings may be called by the Chair, or by petition of at least three (3) members when circumstances warrant. The Committee may dispense with any meeting by majority vote.

Section 4.02 QUORUM

Business requiring action by the Committee may only be conducted at a regular or special meeting at which a quorum is present. A quorum shall consist of eleven (11) or more members.

Section 4.03 VOTING

Any action taken by the Committee must be approved by a majority of those present and voting, except for Bylaws and Bylaws amendments; see ARTICLE V, Section 5.01.

Section 4.04 CONDUCT OF MEETINGS

All meetings shall be conducted in accordance with Section 286.011, Florida Statutes, the Florida Sunshine Law. All meetings shall also be conducted in accordance with Robert's Rules of Order, insofar as they do not conflict with these Bylaws.

ARTICLE V - BYLAWS

Section 5.01 BYLAWS

Bylaws, and amendments thereto, must be distributed to all members approximately thirty (30) days before being presented for approval at a regular meeting. Approval must be by two thirds of the members present and voting, with a minimum of eleven (11) members present, and then submitted to the Board of County Commissioners for its approval.

APPENDIX - MEMBERSHIP OF COMMITTEE

City of Punta Gorda

5 Members at Large with preference given to representatives of the following groups:

- 1) fishing guides or bait and tackle store operators;
- 2) commercial fishing industry (including clamming industry);
- 3) marina operation industry;
- 4) personal watercraft industry;
- 5) marine sales industry; and
- 6) scuba diving industry.

MARINE ORIENTED ORGANIZATIONS WITH REPRESENTATIVES:

Harbour Heights Yacht Club

Charlotte Harbor Yacht Club

Isles Yacht Club

South Gulf Cove Yacht Club

Burnt Store Isles Boat Club

Punta Gorda Sports Fishing Club

Peace River Power Squadron, Inc.

Pirate Harbor Yacht Club

Port Charlotte Yacht Club

Punta Gorda Boat Club

Punta Gorda Sailing Club

U.S. Coast Guard Auxiliary, Flotilla 98, Charlotte Harbor

U.S. Coast Guard Auxiliary, Flotilla 99, Rotonda West

U.S. Coast Guard Auxiliary, Flotilla 87, Englewood

Punta Gorda Boaters Alliance, Inc.

and such other marine-oriented organizations as this Committee or the Board of County Commissioners may consider appropriate.