

RESOLUTION NO. 06-10

A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING RESOLUTION 06-04 BY ESTABLISHING A LIMITED PERIOD OF EXISTENCE; DESIGNATING A METHOD FOR APPOINTMENT AND REMOVAL OF COMMITTEE MEMBERS AND FILLING VACANCIES; PROVIDING A STATEMENT OF DIRECTION; SETTING A FINAL COMMITTEE REPORT DATE; PROVIDING FOR REVIEW OF THE FINAL COMMITTEE REPORT AND A DECISION BY THE COMMISSION ON WHAT RECOMMENDATIONS TO PLACE BEFORE THE VOTERS IN A REFERENDUM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission has previously established a Charter Review Committee (“CRC”) pursuant to Resolution No. 06-04 as temporary committee of citizen volunteers to recommend what, if any, changes or amendments should be made to the Charter so that it will continue to meet the City’s needs as the City’s primary governing document and will not be in conflict with existing City ordinances; and

WHEREAS, the CRC has requested additional guidance from the Commission regarding how it is to perform its work; and

WHEREAS, in reviewing Resolution No. 06-04 it is apparent that certain provisions need to be clarified and additional guidance provided to the CRC; and

WHEREAS, the City Commission desires that the review of the Charter shall be accomplished within a reasonable time frame and shall be guided by the principles, purposes and directives set forth herein.

NOW THEREFORE BE IT RESOLVED by the City Commission, City of Winter Garden, Florida amends and restates Resolution No. 06-04 as follows:

Section 1. Charter Review Committee Established. The City Commission hereby establishes a temporary citizens advisory committee to perform a comprehensive Charter review. The committee shall be named the Charter Review Committee (“CRC”).

Section 2. Number: Appointment of Members; Term; Removal; Vacancies. The CRC shall consist of (9) persons, all of whom shall be residents of the City. Each City Commissioner shall appoint two (2) members and the Mayor shall appoint one (1) member. The members shall serve without compensation. Interested residents shall complete an application for membership and submit it to the City Clerk. The City Clerk shall provide application copies to the Mayor and Commissioners for their appointment consideration.

All CRC members shall serve at the pleasure of the Commission and any member may be removed by the appointing Commissioner or their successor, with or without cause. Each member of the CRC shall serve in that capacity from the date of appointment until the sunsetting

of the CRC or until becoming unwilling or unable to continue to serve, unless otherwise earlier removed by the Commissioner.

Should any vacancy occur on the CRC during its term of existence, the vacancy may be filled at a regular or special meeting of the Commission by the Commissioner (or his or her successor in office) who made the original appointment.

Section 3. Ethics. No member of the Charter Review Committee shall be employed by or be an official of the City. Each member must comply with the Florida Code of Ethics and Florida Statute §286.011, Florida's Sunshine Law.

Section 4. Committee Chair; Meetings & Procedure. The chairperson and vice-chairperson of the CRC shall be selected by the members thereof at the initial meeting of the CRC. Thereafter, all subsequent meetings dates of the CRC, its additional officers, meeting procedures, operational bylaws and other methods of operation shall be adopted as a majority of the CRC sees fit, consistent with Florida Statute §286.011, Florida's Sunshine Law and this Resolution.

A majority of the members of the CRC shall constitute a quorum necessary for the conduct of the business of the CRC. Meetings shall be at the call of the chairperson or in his/her absence, the vice-chairperson or at the call of any three members of the CRC. Meetings of the CRC shall be held no earlier than 5:00 p.m. during a weekday. The records and minutes of the deliberations and decisions of the CRC shall be kept and filed with the City Clerk.

Section 5. Statement of Committee Direction. The CRC is directed to undertake a complete and thorough review of the City's Charter, and to receive input from citizens and CRC members as to changes and amendments that will allow the City's government to function efficiently, effectively and in the best interests of its citizens. Particular attention should be paid to providing a document that is both consistent with the City's current ordinances and that will enable the City's governing body and administrators to meet the needs of the citizens well into the new millennium. Areas best regulated by ordinance or resolution should not generally be considered for inclusion in the Charter.

Section 6. Term of Existence. The CRC shall exist from the date of the appointment of the initial committee members and continue for a period not to exceed one hundred and eighty (180) days therefrom or the date on which it tenders its Final Report to the City Commission, whichever first occurs, unless otherwise extended by further resolution of the City Commission.

Section 7. Final Report Date. The CRC shall issue its Final Report to the City Commission on or before the expiration of the committee's Term of Existence as set forth herein.

Section 8. Review by City Commission; Referendum. Upon receipt of the Final Report from the CRC, the City Commission shall consider, at a regular or special meeting, which, if any, of the committee's recommended changes, amendments or alterations to the Charter to submit to a referenda of the citizens of the City pursuant to Florida Statute §166.031. The City Commission may accept or reject any recommendation of the CRC, in whole or in part.

Section 9. Effective Date. This resolution shall take effect immediately upon its approval.

PASSED AND RESOLVED this ____ day of _____, 2006, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

/S/ _____
Jack Quesinberry, Mayor/Commissioner

ATTEST:

/S/ _____
Kathy Golden, City Clerk