

TAB 8

**CITY OF PALMETTO
RESOLUTION NO. 09-20**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR RATIFICATION AND CONFIRMATION OF THE CHARTER REVIEW COMMITTEE FOR THE CITY OF PALMETTO; PROVIDING FOR PURPOSE; PROVIDING FOR THE ESTABLISHMENT OF PROCEDURES AND DIRECTION; PROVIDING FOR SCHEDULE OF COMPLETION; PROVIDING FOR FINAL SUBMITTAL OF PROPOSED REVISED CHARTER; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act", implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, the Charter of the City of Palmetto, Florida, ("City") is intended to be a dynamic expression of the will of the citizens of the City as it relates to their form of municipal government and to grant to that government such authority and powers as to establish an effective operation of self-government by the citizens of the City in keeping with the provisions of the Constitution of the State of Florida and Florida Statutes; and,

WHEREAS, the present Charter was adopted pursuant to Ordinance No. 04-810, passed by the City Commission on June 21, 2004, and approved by the electorate through a referendum on August 31, 2004.

WHEREAS, it is determined by the City Commission that it is advisable and in the best interest of public health, safety and welfare for the City, through an appointed Charter Review Committee consisting of citizens of the City to undertake a formalized, comprehensive and expansive review and evaluation of the City Charter and present to the City Commission a proposed revised Charter for consideration, review, amendment and adoption by ordinance in keeping with the requirements of Florida laws.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Palmetto, Florida, as follows:

1. The foregoing findings of fact are incorporated herein and made a part hereof as the basis for the adoption of this Resolution.

2. The City Commission ratifies and confirms the establishment of up to a ten (10) member citizen Charter Review Committee nominated by the City Commission and appointed by the Mayor to perform a comprehensive, formalized and expansive citizens review of the city Charter and to present a recommended revised Charter to the City Commission for review, consideration, revision and adoption in accordance with Florida law.

3. The Charter Review Committee is authorized to establish such procedural rules or policies as may be warranted to assist in the effective and efficient operation of the Committee in keeping with and not in contravention of Florida law. Additionally, the Committee is authorized to elect officers to consist of a chairman and vice chairman, and if determined necessary by the Committee, a recording secretary, and to call and hold such meetings of the Committee as they deem necessary at such time and place as may be determined by the Committee for the purpose of complying with the direction placed upon the Committee by this Resolution. All such meetings shall be in compliance with the applicable provisions of the "Florida In The Sunshine Law". However, the Committee shall have the discretion to allow or not provide for public comment to the Committee at such meetings in keeping with applicable Florida law.

4. The Charter Review Committee is charged with completing its review and presenting to the City Commission a proposed revised Charter for the City within six (6) months of the adoption of this Resolution. Extensions of time may be granted by the City Commission by majority vote for good cause, but it is the intent of the City Commission that the Committee expeditiously address its responsibilities and duties.

5. The Committee's final action or responsibility shall be the delivery of a draft proposed revised Charter for the City to the City Commission for its subsequent review, evaluation, revision, and adoption by ordinance and thereafter, as needed, submittal to the electorate of the city for either acceptance or rejection of the ordinance as the Charter of the City in keeping with and according to the provisions of Florida laws.

6. This Resolution shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED, in regular session, with a quorum present and voting,
by the City Commission of the city of Palmetto, this 6th day of April, 2009.

CITY OF PALMETTO, FLORID, BY AND
THROUGH THE CITY COMMISSION OF THE
CITY OF PALMETTO

By: _____
Shirley Groover Bryant, Mayor

ATTEST:

By: _____
James R. Freeman, City Clerk