

## ORDINANCE 07-08

AN ORDINANCE AMENDING THE MEMBERSHIP REQUIREMENTS OF THE ANCHORAGE ADVISORY COMMITTEE, CULTURAL AND ENVIRONMENTAL LEARNING CENTER ADVISORY BOARD, COMMUNITY RESOURCE ADVISORY BOARD, MARINE RESOURCE TASK FORCE, PUBLIC SAFETY TASK FORCE, TIMES SQUARE ADVISORY BOARD, AND TRAFFIC MITIGATION AGENCY, PROVIDING AUTHORITY; SEVERABILITY; EFFECT OF ORDINANCE AND EFFECTIVE DATE.

IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

SECTION 1. Authority. This Ordinance is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapters 163 and 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. Town Advisory Bodies. This Ordinance amends membership requirements for the following Town advisory bodies: Anchorage Advisory Committee ("AAC"); Cultural and Environmental Learning Center Advisory Board ("CELCAB"); Community Resource Advisory Board (CRAB"); Marine Resource Task Force ("MRTF"); the Public Safety Task Force ("PSTF"); Times Square Advisory Board ("TSA"), and Traffic Mitigation Agency ("TMA"). All other requirements for membership continue in full force and effect, except as specifically modified below.

SECTION 3. Modification of Application Deadline and Appointment Date for Membership. Language being deleted from Ordinance 06-11, Section 4 is indicated with ~~strikethroughs~~ and language being added is indicated with underlining, as follows: "All applicants must apply on or before ~~March~~ September 1 of the appointment year; ~~however, for 2006 only, the application period for membership in (this advisory body) shall be extended to April 19, 2006.~~ ....Appointments shall be made annually at the first available meeting in October, commencing in October, 2008. ~~April, except that for 2006 only, appointments shall be made at the first general Council meeting after April 19, 2006."~~ Although the specific ordinance being amended is Ordinance 06-11, Section 4, prior ordinances which set forth relevant provisions are AAC Ordinance 06-01, Section 3; CELCAB Ordinance 06-02, Section 2 and Section 3; CRAB Ordinance 06-03, Section 3 and 4; MRTF Ordinance 06-04, Section 3; PSTF Ordinance 06-05, Sections 3 and 4; TSA Ordinance 06-07, Section 3; and TMA Ordinance 06-06, Section 3 and 4), with name of the respective Town advisory body substituted for the language in the parens.

SECTION 4. Modification of Provisions of Term of Office. Language deleted from Ordinance 06-11, Section 5 is indicated with ~~strikethroughs~~ and language being added is indicated with underlining, as follows: "The term of office of a member of the (advisory body) shall be for two (2) years ~~one (1) year~~ or until a successor has been appointed and has qualified; however, for 2008 only, at least two (2) members of each advisory body will be appointed for a one (1) year term only and the remaining members of each advisory body will be appointed for a two (2) year term. Thereafter, all terms of office shall be for two (2) years and terms shall be staggered so as to provide for continuity within each committee. Terms of office of all advisory body members serving at the time of the passage of this ordinance shall be automatically extended to the first Town Council meeting in October, 2008, or until their successors have been appointed, whichever is sooner. No member shall serve more than two (2) consecutive terms of

two (2) years each, except that the member(s) appointed for a one (1) year term in 2008 as provided above may be appointed for one additional consecutive term, for a potential total of five (5) consecutive years. However, After one (1) year out of office with (this advisory body), any person who has previously served and is otherwise qualified may apply for an additional appointment hereto.” Although the specific ordinance being amended is Ordinance 06-11, Section 5, prior ordinances which set forth relevant provisions are AAC Ordinance 06-01, Section 4; CELCAB Ordinance 06-02, Section 3; CRAB Ordinance 06-03, Section 4; MRTF Ordinance 06-04, Section 3; PSTF Ordinance 06-05, Section 4; TSA Ordinance 06-07, Section 3; and TMA Ordinance 06-06, Section 4.), with the name of the respective Town advisory body substituted for the language in the parens.

SECTION 5. Severability. If any one of the provisions of this ordinance should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this ordinance, and in no way affect the validity of all other provisions of this ordinance.

SECTION 6. Effect of Ordinance. The provisions of this Ordinance shall be deemed cumulative and supplemental and shall have no legal effect upon the ordinances of the Town of Fort Myers Beach, except as expressly provided.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon its adoption.

The foregoing ordinance was enacted by the Town Council upon a motion by Council Member Meador and seconded by Council Member Shenko and, upon being put to a vote, the result was as follows:

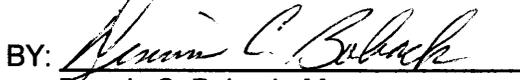
Dennis C. Boback, Mayor	<u>aye</u>	Larry Kiker, Vice Mayor	<u>nay</u>
Herb Acken	<u>aye</u>	Charles Meador, Jr.	<u>aye</u>
William Shenko, Jr	<u>aye</u>		

DULY PASSED AND ENACTED this 23<sup>rd</sup> day of January, 2008.

Attest:

Town of Fort Myers Beach, Florida

BY:   
Michelle D. Mayhew, Town Clerk

BY:   
Dennis C. Boback, Mayor

Approved as to Legal Form and Sufficiency:

  
Anne Dalton, Esquire, Town Attorney