

RESOLUTION NO. 2010-04

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA; ESTABLISHING THE CITY OF LAKE WALES CHARTER REVIEW COMMITTEE; PROVIDING FOR OBJECTIVES OF THE COMMITTEE; PROVIDING FOR COMPOSITION AND APPOINTMENT OF MEMBERS, QUALIFICATIONS OF MEMBERSHIP, MINIMUM MEMBER ATTENDANCE REQUIREMENTS AND REMOVAL FROM OFFICE; PROVIDING FOR DUTIES OF THE COMMITTEE; SPECIFYING MEMBERS' TERM OF OFFICE; IDENTIFYING MINIMUM PROTOCOL REQUIREMENTS; PROVIDING FOR DUTIES OF THE CITY MANAGER AND CITY ATTORNEY REGARDING THE COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a review of the Lake Wales Charter has been suggested; and

WHEREAS, the City Commission of the City of Lake Wales has determined it would be prudent for the Lake Wales Charter to be reviewed for purposes of determining whether it is sufficient in its current form or if it might be revised for the benefit of the citizens of the City of Lake Wales.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Lake Wales, Florida, that:

SECTION ONE: CREATION OF THE CHARTER REVIEW COMMITTEE

The City Commission of the City of Lake Wales hereby creates the City of Lake Wales Charter Review Committee (hereinafter referred to as the "Charter Review Committee").

SECTION TWO: OBJECTIVES OF THE CHARTER REVIEW COMMITTEE

It is the mission of the Charter Review Committee to review the City's Charter, report to the City Commission concerning the status of the Charter and present any recommended amendments thereto for the City Commission's approval and subsequent submission to the electors.

SECTION THREE: COMPOSITION, APPOINTMENTS, QUALIFICATIONS OF MEMBERS, MINIMUM ATTENDANCE REQUIREMENTS, REMOVAL, APPOINTMENT TO FILL VACANCIES

A. *Composition & Initial Appointments*

The Charter Review Committee shall consist of five (5) members. Each City Commissioner shall be entitled to appoint one (1) member of the Charter Review Committee in his or her discretion, so long as the appointee meets the qualifications for membership as set forth herein. Commissioner appointments to the Charter Review Committee shall be made on a form provided to each City Commissioner by the City Manager and shall be filed with the City Clerk by February 1, 2010.

B. *Minimum Qualifications of Charter Review Committee Members*

Members of the Charter Review Committee must be residents and registered electors of the City of Lake Wales. No State Legislator, County Commissioner, or elected/appointed government officer (such as a member of a local planning agency or municipal zoning board) may be a member of the Charter Review Committee. The City Commission shall be the judge of the qualifications of individual candidates for membership.

C. *Minimum Attendance Requirements*

It is expected that appointed members of the Charter Review Committee should attend each meeting thereof. Should a member of the Charter Review Committee fail to attend three (3) consecutive Charter Review Committee meetings, that member shall be deemed to have vacated his or her position.

D. *Removal of Charter Review Committee Members; City Commission May Fill Vacant Position*

Any member of the Charter Review Committee may be removed by majority vote of the City Commission upon recommendation by a majority vote of the Charter Review Committee without a finding of cause. In the event a position on the Charter Review Committee is vacated, whether automatically, by vote of the City Commission or by resignation of the member, the City Commission may, by majority vote, appoint a qualified person to fill the remaining term of the vacant position.

SECTION FOUR: DUTIES OF THE LAKE WALES CHARTER REVIEW COMMITTEE

A. *Organization Session, Election of Officers, Meetings of the CHARTER REVIEW COMMITTEE; Quorum and Voting Requirements*

On or before March 4, 2010, the Charter Review Committee shall meet for the purpose of organization and election of officers. At its organization session, members of the Charter Review Committee shall, with the assistance of the City Manager and/or the City Attorney, elect from its membership a Chair and a Vice-Chair. Further meetings of the Charter Review Committee shall be held on the call of the Chair or at the written request by a majority of Charter Review Committee members filed with the City Clerk. All meetings of the Charter Review Committee, including its organization session, shall be open to the public in accordance with Chapter 286, Florida Statutes. A majority of the members of the Charter Review Committee shall constitute a quorum necessary for the transaction of official committee business, however, when considering the question of whether a particular amendment or revision should be recommended to the City Commission for consideration, an absolute majority of the Charter Review Committee shall be necessary.

B. *Progress Reports*

During its existence, the Charter Review Committee shall cause a progress report to be provided to the City Commission informing the Commission of the Committee's progress and activities. The minutes of each meeting shall be deemed to constitute a progress report in the event so specific report is prepared.

C. *Final Report and Recommendations; Minority Reporting Rights*

Not later than one hundred and twenty (120) days before the 2011 municipal election, the Charter Review Committee shall deliver to the City Commission its Final Report in written form detailing its findings regarding the City Charter. The Charter Review Committee's Final Report shall include Committee-proposed and recommended amendments or revisions to the City Charter, if any such recommendations are to be made. Charter Review Committee members who do not recommend a particular amendment or revision shall be entitled to prepare a Minority Report detailing opposing views and such Minority Report shall be presented to the City Commission with the Charter Review Committee's Final Report.

SECTION FIVE: TERM OF OFFICE

Each Charter Review Committee member's term of office will be from the date of initial appointment until the Committee's dissolution. Upon acceptance or rejection of the proposed amendments or revisions by the City Commission, the Charter Review Committee shall be automatically dissolved. If no amendments or revisions are recommended to the City Commission, the Charter Review Committee shall be dissolved after approval of its Final Report.

SECTION SIX: PROTOCOL

1. The Charter Review Committee shall comply with all applicable requirements of Chapters 119 (public records) and 286 ("Sunshine Law"), Florida Statutes.
2. The conduct of the meetings will be generally informal. If there is a question as to procedure, the Chair, at his or her discretion, may use Section 2-17 of the Lake Wales Code of Ordinances to address the issue.
3. Charter Review Committee members will serve without compensation, but may be reimbursed for necessary expenses as allowed under general law.


SECTION SEVEN: DUTIES OF THE CITY MANAGER AND CITY ATTORNEY

The City Manager and the City Attorney shall serve as staff liaison to the Charter Review Committee, may participate in its deliberations, and may give technical and policy advice to the Committee as requested. In the event that the Charter Review Committee desires legal advice on any particular subject, the City Attorney may furnish a legal opinion to the Committee and may generally provide legal advice to the Charter Review Committee concerning the task with which it is charged.

SECTION EIGHT: EFFECTIVE DATE

This Resolution shall take effect immediately on its adoption.

APPROVED AND ADOPTED by the City Commission of the City of Lake Wales, Florida,
this 19th day of January, 2010.



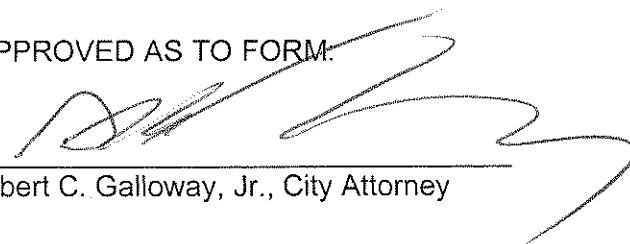
L. Jack Van Sickle, Mayor

ATTEST:



Clara VanBlargan, City Clerk

APPROVED AS TO FORM:



Albert C. Galloway, Jr., City Attorney