



ORDINANCE NO. 2001- 03

AN ORDINANCE CREATING THE COLLIER COUNTY COASTAL ADVISORY COMMITTEE; PROVIDING FOR CREATION AND PURPOSE; PROVIDING FUNCTIONS, POWERS AND DUTIES; PROVIDING FOR APPOINTMENT AND COMPOSITION, TERMS OF OFFICE, ATTENDANCE AND FILLING OF VACANCIES; PROVIDING FOR REMOVAL FROM OFFICE FOR FAILURE TO ATTEND MEETINGS; PROVIDING FOR OFFICERS, QUORUM AND RULES OF PROCEDURE; PROVIDING FOR REVIEW PROCESS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Collier County and the City of Naples established by Resolution a City/County Beach Renourishment Maintenance Committee in February, 1991, for the purpose of providing recommendations to the Board of County Commissioners and the City of Naples on beach renourishment and related issues; and

WHEREAS, the City of Marco Island has expressed a desire to participate in a County-wide beach renourishment and maintenance committee.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: Creation and Purpose of the Collier County Coastal Advisory Committee.

In cooperation with the City of Naples and the City of Marco Island, there is hereby created the Collier County Coastal Advisory Committee, hereinafter referred to as the "Committee." The Committee is created to assist the Board of County Commissioners with its establishment of unified beach erosion control and inlet management programs within the unincorporated and incorporated areas of Collier County, and to advise the Board of County Commissioners and the Tourist Development Council (TDC) of project priorities with respect to funding sources that are available to Collier County for restoration and protection of its shoreline.

SECTION TWO: Functions, Powers and Duties of the Advisory Committee.

The functions, powers and duties of the Committee shall be to advise and make recommendations to the Board of County Commissioners and the TDC on matters pertaining to the following:

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A. Development and implementation of a long-term beach erosion control program within Collier County to include identification of beach segments with common erosion/accretion histories, recommendations of beach management strategies for each segment, and development of long-term strategies for areas of chronic erosion;

B. Planning and prioritizing of capital improvement programs related to coastal issues, including recommending alternative funding sources for the development and implementation of coastal management and erosion control projects (i.e., grants from the State of Florida Beach Erosion Control Program and Federal navigation and coastal management projects);

C. Coordinating with regional and state-wide groups as may be necessary to further the goals, and policies of Collier County;

D. Outlining of coastal zone management policies and construction procedures for beach nourishment, sediment borrow site identification, inlet management plans, inlet improvement projects, dredging, dredge spoil disposal site identification, coastal erosion trend evaluation, coastal and estuarine habitat protection and restoration, and other similar activities; and

E. Reporting on innovative proposals by the public and staff.

SECTION THREE: Appointment and Composition; Terms of Office; Attendance And Filling Vacancies.

The Committee shall be composed of nine (9) members whose representation shall consist of three (3) members from the unincorporated area of Collier County, three (3) members from the City of Naples and three (3) members from the City of Marco Island. Candidates for the Committee shall be sought in accordance with the provisions of Collier County Ordinance 86-41, as amended, or by its successor ordinance. In addition, the governing bodies of the City of Naples and the City of Marco Island may endorse and submit the names of individuals with resumes for consideration. Upon confirmation that said individuals meet the technical requirements and the general advisory board requirements specified below, the Board of County Commissioners shall appoint said individuals to this Committee.

The initial terms of office of the Committee shall be as follows:

Three (3) members shall be for a term of two (2) years;

Three (3) members shall be for a term of three (3) years; and

Three (3) members shall be for a term of four (4) years.

Thereafter, each appointment or reappointment shall be for a term of four (4) years. Terms shall be staggered between the City of Naples, the City of Marco Island and Collier County.

Membership of this Committee shall be assembled based upon familiarity with coastal processes, inlet dynamics, coastal management programs, or demonstrated interest in such programs; relevant education and experience; leadership and involvement in community affairs; and willingness to attend meetings and to undertake and complete assignments.

Members of the Committee shall be appointed by and serve at the pleasure of the Board of County Commissioners. Members shall meet the qualifications for membership and requirements as outlined in Section Five of Ordinance No. 86-41, as amended, or by its successor ordinance.

Appointment of members to the Committee shall be by resolution of the Board of County Commissioners, which resolution shall set forth the date of appointment and the term of office. Appointments to fill any vacancies on the Committee shall be for the remainder of the unexpired term of office.

SECTION FOUR: Removal From Office; Failure to Attend Meetings.

Committee member attendance requirements, including failure to attend meetings and member removal from office are governed by Collier County Ordinance No. 86-41, as amended, or by its successor ordinance.

SECTION FIVE: Officers; Quorum; Rules of Procedure.

At its earliest opportunity, the membership of the Committee shall elect a chairman and vice chairman from among the members. Officers' terms shall be for a period of one (1) year, with eligibility for reelection.

The presence of five (5) or more members shall constitute a quorum of the Committee necessary to take action and transact business.

The Committee shall, by majority vote of the entire membership, adopt rules of procedure for the transaction of business and shall keep a written record of meetings, resolutions, findings and determinations. Copies of all Committee minutes, resolutions, reports, and exhibits shall be submitted to the Board of County Commissioners.

SECTION SIX: Review Process.

This Committee shall be reviewed once every four (4) years in accordance with the procedures contained in Ordinance No. 86-41, as amended, or its successor ordinance.

SECTION SEVEN: Conflict and Severability.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION EIGHT: Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinances may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION NINE: Effective Date.

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 13th day of February, 2001.

ATTEST:
DWIGHT E. BROCK, Clerk

By: Jeri Michael D.C.
Deputy Clerk

Attest as to Chairman's
signature only.
Approved as to form
and legal sufficiency:

Ramiro Mafalich
Ramiro Mafalich
Chief Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS,
COLLIER COUNTY, FLORIDA

By: James D. Carter
JAMES D. CARTER, Ph.D., Chairman

This ordinance filed with the
Secretary of State's Office the
20th day of Feb, 2001
and acknowledgement of that
filing received this 23rd day
of Feb, 2001

By: Jeri Michael
Deputy Clerk

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE NO. 2001-03

Which was adopted by the Board of County Commissioners on the 13th day of February, 2001, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 15th day of February, 2001.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Teri Michaels
Deputy Clerk

Teri Michaels D.C.

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