DISTRIBUTED
11/14/02

HISTORY OF CITY OF SANIBEL VEGETATION COMMITTEE

And the seed was planted
And the seed grew
And the seed created an island
And the island flourished

Berdenna Thompson

Thousands of years ago a mangrove seed washed up on a sandbar. Over time, mangrove seeds multiplied and grew into an impenetrable forest, a living seawall of many tangled roots and branches catching and holding sediment that washed in with the waves. The mighty mangrove sculptured Sanibel from a sandbar into a barrier island.

Sanibel has weathered many challenges: forces of nature, Native Americans, pirates (let's believe in them), lumbering, and farming. Now, as in the recent past, the island has struggled to maintain a balance between exploitation and preservation.

After the hurricane of 1926, Sanibel was covered with sand and shell. Today, it is a charming island still growing with beauty created by nature. The stewardship of man has strived for harmony with the island's natural systems by preserving wildlife and its habitats. Sanibel enjoys a great diversity of native plants, some found in only a few other places on earth. Native vegetation is critical to the survival of many species of wildlife.

The environmental heritage is the result of strenuous, energetic work by those who envisioned the future. In the 1930s, a small group became interested in saving the island's native wildlife. They had no particular leadership, direction or influence until a gentleman from Des Moines, Iowa, appeared. J.N. "Ding" Darling, an influential political cartoonist, was a fiery-spirited individual on conservation matters.

Many of Darling's cartoons addressed the threat of wildlife extinction, air and water pollution, and the destruction of the environment. President Franklin D. Roosevelt appointed him as head of the U.S. Biological Survey, which later became the Fish and Wildlife Service of the Department of the Interior. Darling served from March of 1934 to November of 1935.

During 1936, Darling objected vigorously to the bulldozing of the northern shore of Sanibel. Land, sold by the State of Florida, rich in mangroves and hammocks, was being marketed by land developers. Despite Darling's concerns, the land was not preserved, but with his persistent efforts, Sanibel and Captiva were designated as a wildlife refuge by a special act of the Florida Legislature in 1939. In 1945, with the help of Darling, portions of Sanibel and Captiva became the Sanibel National Wildlife Refuge, administered by the U.S. Fish and Wildlife Service. Darling continued offering his support toward preservation until he left Florida in 1960. He passed away in 1962.

A press-aide to Florida's Governor Farris Bryant(1961-1965) suggested Sanibel form a Memorial Committee to recognize Darling. The islanders quickly responded. Emmy Lu Lewis, part-time resident and interested conservationist, headed the group, and with the help of the Audubon Society, solicited statewide support. In 1967, land owned by the State of Florida, by the school district and some by private owners, was acquired by the U. S. Fish and Wildlife Service. The Sanibel-National Wildlife Refuge and the 1967 land acquisition became known as the J.N. "Ding" Darling National Wildlife Refuge, a formal recognition of Darling's accomplishments and contributions.

The Memorial Committee was renamed "The Sanibel-Captiva Conservation Foundation." Fish and Wildlife officials urged SCCF to continue to help combat the increasing pressures of impending development after the construction of the causeway in 1963. A sea of faces appeared

over this new, arched structure. Masses of people visited, and even wanted to live on Sanibel. Many islanders understood the future consequences of this influx. At that time, Sanibel was under the rule of Lee County but the Commission's philosophy was to serve people not birds.

Events started to change this laid-back, peaceful community. There were 175 junk cars removed, mainly from the refuge. Some land owners began to strip and clear vegetation so their land could be sold. It became a time of critical concern. There is story after story of how people worked hard to save the island's natural systems.

Ann Winterbotham served as chairperson of the Sanibel Captiva Conservation Foundation and the Sanibel Planning Commission. Ann and her husband moved to Sanibel in 1964. They had no knowledge of the native vegetation. Their landscaper's design called for Australian pines, melaleuca and Brazilian pepper. Today, in the State of Florida, it is illegal to plant these non-native invasive trees. The proliferation of these weed trees stimulated an effort to educate people on the islands about the benefits of native plants.

Something was needed to popularize the use of Sanibel's native plants for landscaping. Ann and Mada Harrison, a member of SCCF, found the most informative references about Sanibel's native plants at that time, were in George Cooley's scientific papers published in "Rhodora" *Journal of the New England Botanical Club Oct. 1955*, Arnold Arboretum at Harvard University.

Ann and Mada became very knowledgeable about native vegetation and collected plants from all over the island to exhibit them at Sanibel's shell fairs. One day, they were busy digging up plants on the bayside in Francis Bailey's yard, at the original site of Bailey's store. He came out and asked, " What are you doing?" And they replied, " We're just saving these plants, Francis." He let them take the plants.

In 1973, Ann and Mada put together an identification book, *"Native Trees and Shrubs for Captiva-Sanibel Landscaping."* Mada was the author and Ann drew the illustrations.

Dick Workman came to Sanibel in 1973 to fill the position as the administrative director of SCCF. He began a newspaper column, "Growing Native" in the **Island Reporter** to continue the native plant education that Ann and Mada had started. Later, selections from the columns were consolidated into his book "*Growing Native*" published in 1980 by the Sanibel-Captiva Conservation Foundation.

Before the city's incorporation, Dick Workman took Porter Goss for a canoe ride along with George Campbell, a wildlife enthusiast, to show them what had happened to the Johnston tract. On the way, George rocked the boat. Without hesitation, he jumped into the water to capture a banded water snake. When the tract of land came into view they were devastated. The vegetation had been completely stripped away.

One Sunday, Ann Winterbothom, then the chairperson of the Planning Commission, went with a land engineer to look at a piece of property for development. He insisted it was not a wetland and she knew that it was. When they arrived, Ann stepped off the road up to her waist in water with fish swimming around her.

After extensive legal work, Sanibel incorporated as a city in 1974. Current U.S. Congressman Porter Goss was the first Mayor of Sanibel. A priority of the new city was to draft an ordinance to prohibit the kind of wholesale clearing that was going on.

Branches of government were departmentalized and ordinances needed to be defined and written. Dick Workman became the first chairman of the newly formed Vegetation Committee in 1975. The city manager, David Bretsky, and the Vegetation Committee wrote the first

ordinance. But the city attorney, Neal Bowen, felt it was not workable and needed revising before it could be challenged.

The city was trying to protect what it had, but it was difficult to convince people that what the city was doing was important. Before an area of land was developed the owner had to consult with the Vegetation Committee to see what native plants should be saved. Some people were dissatisfied with this arrangement. They wanted to plant their own choices of vegetation and did not want to be regulated.

This became a major issue for the Vegetation Committee. As a result, the Committee's approach was to have a vegetation member inspect the property and hopefully meet with the owner to explain the benefits of the city's ordinance, and provide assistance in planning the landscape.

George Campbell was the next chairman of the Vegetation Committee. He felt the success of the Committee was its one-on-one interaction. He said, "People moving here do not know the difference between a hibiscus and a wild coffee plant."

The "Sanibel Report" documented what was native to the island and what needed to be protected. The Report was written in 1975 by John Clark, who authored many books on coastal management and worked for the Conservation Foundation in Washington D.C. This Report was primarily funded by SCCF. (The Conservation Foundation in Washington D.C. and the Sanibel-Captiva Conservation Foundation are separate entities.)

During the summer of 1975, islanders contributed many hours of their time to assist in the collection of data for the city's guide book. Highly qualified experts from around the country, under the supervision of the Sanibel Planning Commission, wrote the "Sanibel

Comprehensive Land Use Plan." This was adopted on July 19, 1976 and based on the "Sanibel Report."

People who owned large pieces of land gradually realized that removing all the vegetation was not the way to sell property. Following the ordinances, resulting from the "Sanibel Comprehensive Land Use Plan," would be a more profitable way. Most realtors began to understand that prospective buyers came here for the island's natural beauty.

With the increase of building, the city began to realize it needed more meaningful protection for sensitive wetlands and local zoning was not enough. Over the years, intensive fund-raising and land-purchasing by SCCF has continued. Likewise, the City of Sanibel has been buying land for the purposes of conservation.

Since the founding of the Vegetation Committee in 1975, there have been approximately 8,000 vegetation field inspections done by Committee members. Many people and organizations have helped city government preserve the natural systems and the Vegetation Committee has played an important role in leadership.

The Vegetation Committee's success has come about through personal contact with homeowners, supplemented by educational information. When a homeowner is not present during an inspection and there's a problem with the vegetation, a meeting is set up with the building contractor. If the problem cannot be solved, then it is handled by the City's Natural Resource Director.

Educating the public about conservation matters is always of prime importance People who protect and care for natural resources help preserve a healthy ecological system.

The Vegetation Committee's duties as established by the city ordinance are:

"Sec. 2.48. Duties

The Vegetation Committee shall advise the Planning Commission, the City Council and the city manager about sound ecological management of vegetative resources in the city and may review and comment about proposed development. The committee should collect, analyze and disseminate information on basic ecological principles as they relate to island vegetation .The committee should, in addition, make available to the best of its ability expert technical assistance for any person on the island who desires advice concerning clearing or landscaping for a development activity. Such assistance shall include, but not be limited to the identification of individual specimens of vegetation that should be preserved, advice on arrangements for transplanting of individual specimens to other parcels on the island, and the location of appropriate native species for landscaping.(Ord.No. 76-28, 3,7-19-76)"

Members of the Vegetation Committee are certified vegetation inspectors.

The Vegetation Committee meets the first Thursday of each month at 1:30 in City Hall.

The public is invited.

An inspector signs up for a day of vegetation inspection for the following month.

The inspector picks up an application for a vegetation inspection at the planning dept.

An on-site inspection follows.

Native plants are identified and inventoried.

Impacted vegetation within building-site is moved and transplanted by contractor.

The inspector may recommend a change in the site-plan to preserve native vegetation.

The report is then routed to a city planner for further review.

Before a certificate of occupancy is issued a final vegetation inspection is required.

All pre-existing native plants have to be verified and replaced if missing.

CITY OF SANIBEL

ORDINANCE NO. 02 -24

AN ORDINANCE AMENDING ORDINANCE NO. 00-04 PERTAINING TO THE SANIBEL VEGETATION COMMITTEE; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sanibel, Lee County, Florida:

SECTION 1. Ordinance No. 00-04 is hereby amended, with additions indicated by underline and deletions indicated by strikethrough, to read as follows:

Section 1. There is hereby created a Vegetation Committee composed of five or more individuals, who are residents of Sanibel; <u>who have assisted with vegetation inspections conducted to obtain a development permit and inspections conducted to obtain a certificate of occupancy under the supervision of a Vegetation Committee member; who have certified in writing to the Chairman of the Vegetation Committee that they consider themselves qualified to conduct vegetation inspections;</u> who have taken and passed the City's vegetation exam; and who shall be appointed for one year terms by the City Council of Sanibel. Council may appoint as many adjunct members as it deems advisable.

SECTION 2. Conflict

All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

CITY OF SANIBEL
ORDINANCE NO. 02 – 23

AN ORDINANCE CALLING AN ELECTION TO SUBMIT TO THE SANIBEL ELECTORATE AMENDMENTS TO THE SANIBEL CHARTER; PROPOSING AN AMENDMENT TO ARTICLE III - *LEGISLATIVE*, SECTION 3.04. – *MAYOR*, IN ORDER TO PROVIDE FOR ELECTION OF THE MAYOR AND VICE-MAYOR AT THE FIRST REGULAR MEETING IN APRIL OF NON-ELECTION YEARS COMMENCING IN 2004; AND PROPOSING AN AMENDMENT TO ARTICLE IV – *ADMINISTRATIVE,* SECTION 4.07. – *CITY ATTORNEY* IN ORDER TO PROVIDE A SEPARATION OF EMPLOYMENT PROVISION RECOGNIZING THAT THE CITY ATTORNEY IS AN "AT WILL" EMPLOYEE AND REMOVING ANY ENTITLEMENT TO A HEARING AND REMOVING THE "FOR GOOD CAUSE" TERMINATION REQUIREMENT; PRESCRIBING THE FORM OF THE BALLOT AND GENERALLY SETTING FORTH THE PROCEDURES FOR SAID ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING FOR AN EFFECTIVE DATE OF THE PROPOSED AMENDMENTS UPON VOTER APPROVAL.

WHEREAS, the Sanibel City Council wishes to submit to the Sanibel electorate, by referendum, an amendment to the Sanibel Charter, Article III – *Legislative*, § 3.04 - *Mayor,* to change the date for City Council election of the Mayor and Vice-Mayor in non-election years from the first regular council meeting in December to the first regular council meeting in April, beginning in the year 2004; and

WHEREAS, the Sanibel City Council also wishes to submit to the Sanibel electorate, by referendum, an amendment to the Sanibel Charter, Article IV – *Administrative,* Section 4.07. – *City attorney,* in order to provide a separation of employment provision recognizing that the city attorney is an "at will" employee and removing any entitlement to a hearing and removing the "for good cause" termination requirement; and

WHEREAS, the Sanibel Charter, Article VII – *General Provisions* § 7.01(a) allows for the Sanibel City Council to initiate amendment to the Charter by ordinance calling for a referendum election;

the council shall elect a mayor and vice mayor if the vice mayor is elected mayor pursuant to the procedures in Section 3.04.

SECTION 2. Proposed Amendment to **The Sanibel Charter, ARTICLE IV – *ADMINISTRATIVE*, Section 4.07. – *City attorney.***

An election shall be held to submit to the Sanibel electorate the following proposed amendment to the Sanibel Charter:

The Sanibel Charter, ARTICLE IV – *ADMINISTRATIVE*, Section 4.07. – *City attorney* is hereby amended, with underlining indicating additions and strikethrough indicating deletions, to read as follows:

Section 4.07. City attorney.

There shall be a city attorney, appointed by the council, who shall serve as chief legal advisor to the council and administration and shall represent the city in all legal proceedings and perform such other related duties as the council may deem necessary. The city attorney may be full-time or part-time, as the council may deem necessary. ~~The provisions of Section 4.02 applicable to the city manager shall be equally applicable to the city attorney.~~ <u>The city attorney shall be considered an "at will" employee and such employment may be terminated upon majority vote of council at the council's sole discretion.</u> The city attorney, except as otherwise provided herein, shall be deemed the head of the city's office of legal affairs for the purpose of effectuating the provisions of Section 4.05 hereinabove.

Shall the above-described amendment be adopted?

YES_____ NO_____

SECTION 7. The City Manager/City Clerk, or designee, is hereby authorized and directed to provide public notice of the election in accordance with the law.

SECTION 8. Severance.

If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of application hereof.

SECTION 9. Conflict.

All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

SECTION 10. Effective date of ordinance.

This Ordinance shall take effect immediately upon adoption.

SECTION 11. Effective date of charter amendment.

The charter amendments to be submitted to the Sanibel electorate as provided herein shall become effective upon approval of a majority of those qualified voters voting at the March __, 2003, election called herein.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida, this 15th day of October, 2002.

RULES OF PROCEDURE

CITY OF SANIBEL

VEGETATION COMMITTEE

ARTICLE I

MEMBERSHIP

Section 1. Qualifications, appointments, number, terms. The qualifications for membership on the Committee, the number of members and their terms, and the method of appointment are specified in City of Sanibel Ordinance No. 76-28, S1, 7-19-76; and Ord. No. 78-30, S1, 8-1-78.

Section 2. Attendance. Membership on the Committee is forfeited for an unexcused absence from three consecutive regular meetings. When a member misses three regular consecutive meetings and said absences are unexcused, the Chair of the Committee shall immediately report said circumstance to the Sanibel City Council so that a replacement may be appointed.

An unexcused absence is one not excused by the Chair for good cause in advance of the time the meeting was scheduled to begin.

ARTICLE II

OFFICERS

Section 1. Type and Duties. The officers of the Vegetation Committee shall consist of a Chair, a Vice-chair, and a Secretary. The Chair shall preside at all meetings of the Committee and shall have the duties normally conferred by parliamentary usage on such officers. In the absence of the Chair, the Vice-chair shall perform said duties. The Chair, or a Committee Member designated by the Chair, shall also, when deemed neccessary, report to the Planning Commission on activities of the Committee.

Section 2. Election. Nominations of officers shall be made from the floor at the annual organizational meeting, and elections shall follow immediately thereafter. Officers shall be seated immediately following their election.

Officers shall be elected by a majority of the members present at the organizational meeting, and they shall serve for one year at the pleasure of the Committee or until their successors take office. No person shall serve as Chair for more than TWO consecutive years, and, after that period, cannot be elected again until a year has passed.

Vacancies in offices shall be filled immediately by the regular electic procedure.

ARTICLE III

MEETINGS

Section 1. Regular Meetings. The Committee shall meet on the First Thursday of each month at 1:30 P.M. in Mac Kenzie Hall or at such other place as is designated in the notice for the meeting. Such meetings shall not be held when the scheduled date is a City holiday. Regular meetings may be cancelled by the Chair when it is apparent from already excused absence that a quorum will not be present.

Section 2. Special Meetings. The Chair may call special meetings at any time, and shall call a special meeting upon the request of any three members.

Section 3. Organizational Meeting. The first regular meeting in January of each year shall be the annual organizational meeting.

Section 4. Quorum. A majority of Committee Members shall constitute a quorum for the election of officers.

Section 5. Absence of Officers. In the absence of the Chair and Vice-Chair, the members present shall, by a majority vote, elect one themselves to conduct the meeting.

ARTICLE IV

AGENDA AND ORDER OF BUSINESS

Section 1. Order of Business. At all regular meetings, the order of business shall be:

(A) Approval of Minutes

(B) Report from Chair

(C) Old Business

(D) Sub-committee Reports

(E) New Business

(F) Adjournment

ARTICLE V.

ACTION BY THE COMMITTEE

Section 1. Motion and Vote. All action by the Committee shall be by motion made and seconded, which shall be restated by or at the request of the Chair before a vote is taken. Voting may be by voice unless polled vote is directed by the Chair, or requested by any member. Except as otherwise specified in these rules, action by the Committee may be taken by simple majority of the members present when there is a quorum.

Section 2. Tie Votes. A tie vote on any motion shall act as an automatic continuance of the motion to the next scheduled regular meeting of the Committee, at which time the pending motion shall be considered as old business.

ARTICLE VI

COMMITTEES

Standing or ad hoc committees may be appointed by the Chair followin approval of the purpose by the Committee. Standing committees shall b reappointed by the newly-elected Chair at the first monthly meeting followin the organizational meeting each year.

ARTICLE VII

AMENDMENTS

These rules may be amended, from time to time, by a majority vote, bu only after notice to all members of the proposed amendment and the meeting a which it will be acted upon, and upon approval by City Council.

ARTICLE VIII

PARLIAMENTARY PROCEDURE

The Chair shall determine all questions of procedure not explicitly a completely covered by these rules, unless overruled by a majority vote trhe Committee members then present.

Approved and adopted by the Vegetation Committee of the City of Sanit this Second day of March, 1989.

By_____

Dr. Stephen D. Mullins,

Chairman

CITY OF SANIBEL

ORDINANCE NO. 00 - 16

AN ORDINANCE AMENDING ORDINANCE NO. 00-04 PERTAINING TO THE SANIBEL VEGETATION COMMITTEE; PROVIDING QUALIFICATIONS FOR MEMBERSHIP; PROVIDING THE SCOPE OF RESPONSIBILITIES AND PURPOSE OF SUCH COMMITTEE; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sanibel, Lee County, Florida:

Section 1. Ordinance No. 00-04 is hereby amended to read as follows:

> Section 1. There is hereby created a Vegetation Committee composed of five or more individuals, who are residents of Sanibel; who have taken and passed the City's vegetation exam; and who shall be appointed for one year terms by the City Council of Sanibel. Council may appoint as many ~~alternate~~ <u>adjunct</u> members as it deems advisable.
>
> Section 2. The Vegetation Committee shall be an advisory body to the City Council and available for consultation with any public or private person.
>
> Section 3. The Vegetation Committee shall advise the City Council and Planning Commission, about sound ecological management of vegetative resources in the City and may review and comment about proposed development. The Committee should collect, analyze,

and disseminate information on basic ecological principles as they relate to Island vegetation. The Committee should, in addition, make available to the best of its ability expert technical assistance for any person on the Island who desires advice concerning the clearing or landscaping for a development activity. Such assistance shall include, but not be limited to, the identification of individual specimens of vegetation that should be preserved, advice on arrangements for the transplanting of individual specimens to other parcels on the Island, and the location of appropriate native species for landscaping.

Section 2. Conflict

All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

Section 3. Severance.

If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion or application shall be

deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

Section 4. Effective Date.

This ordinance shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida, this 1st day of August, 2000.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: Robert D. Pritt
City Attorney

7/14/00
Date

July 18, 2000 First Reading

July 21, 2000 Publication Date

August 1, 2000 Second Reading

Vote of Council members:

Brown	Excused
Hillebrandt	Aye
Janes	Aye
Reding	Aye
Theiss	Aye

Date filed with City Clerk: August 2, 2000

ORDCA804-VEGECMTE.ORD30

CITY OF SANIBEL

ORDINANCE NO. 00 - 04

AN ORDINANCE AMENDING ORDINANCE NO. 76-28 PERTAINING TO THE SANIBEL VEGETATION COMMITTEE; PROVIDING QUALIFICATIONS FOR MEMBERSHIP; PROVIDING THE SCOPE OF RESPONSIBILITIES AND PURPOSE OF SUCH COMMITTEE; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sanibel, Lee County, Florida:

Section 1. Ordinance No. 76-28 is hereby amended to read as follows:

Section 1. There is hereby created a Vegetation Committee composed of five or more individuals, who are residents of Sanibel; who have taken and passed the City's vegetation exam; and who shall be appointed for one year terms by the City Council of Sanibel. Council may appoint as many alternate members as it deems advisable.

Section 2. The Vegetation Committee shall be an advisory body to the City Council and available for consultation with any public or private person.

Section 3. The Vegetation Committee shall advise ~~the Planning Commission,~~ the City Council and Planning Commission ~~and City Manager,~~ about sound ecological management of vegetative resources in the City and may review and comment about proposed development. The

Committee should collect, analyze, and disseminate information on basic ecological principles as they relate to Island vegetation. The Committee should, in addition, make available to the best of its ability expert technical assistance for any person on the Island who desires advice concerning the clearing or landscaping for a development activity. Such assistance shall include, but not be limited to, the identification of individual specimens of vegetation that should be preserved, advice on arrangements for the transplanting of individual specimens to other parcels on the Island, and the location of appropriate native species for landscaping.

Section 2. Conflict

All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

Section 3. Severance.

If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion or application shall

deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

Section 4. Effective Date.

This ordinance shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida, this 4th day of April, 2000.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: Robert D. Pritt
City Attorney

3/21/00
Date

3/21/00 First Reading

3/25/00 Publication Date

4/4/00 Second Reading

Vote of Council members:

Brown	Aye
Hillebrandt	Aye
Janes	Aye
Reding	Aye
Theiss	Aye

Date filed with City Clerk: 4/6/00

ORDCA804-VEGECMTE.ORD30

CITY OF SANIBEL

RESOLUTION NO. 89 - 77

A RESOLUTION ADOPTING RULES OF PROCEDURE FOR THE VEGETATION COMMITTEE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanibel, Lee County, Florida:

Section 1. The Rules of Procedure of the City of Sanibel Vegetation Committee, approved and adopted by the Vegetation Committee on March 2, 1989, a copy of which is attached hereto and incorporated herein by reference, are hereby approved and adopted.

Section 2. Effective Date.

This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida, this 18th day of April, 1989.

ATTEST:

Member of Council

City Clerk

Member of Council

Mayor

Member of Council

Member of Council

APPROVED AS TO FORM

4/7/89

City Attorney

RULES OF PROCEDURE

CITY OF SANIBEL

VEGETATION COMMITTEE

ARTICLE I

MEMBERSHIP

Section 1. Qualifications, appointments, number, terms. The qualifications for membership on the Committee, the number of members and their terms, and the method of appointment are specified in City of Sanibel Ordinance No. 76-28, S1, 7-19-76; and Ord. No. 78-30, S1, 8-1-78.

Section 2. Attendance. Membership on the Committee is forfeited for an unexcused absence from three consecutive regular meetings. When a member misses three regular consecutive meetings and said absences are unexcused, the Chair of the Committee shall immediately report said circumstance to the Sanibel City Council so that a replacement may be appointed.

An unexcused absence is one not excused by the Chair for good cause in advance of the time the meeting was scheduled to begin.

ARTICLE II

OFFICERS

Section 1. Type and Duties. The officers of the Vegetation Committee shall consist of a Chair, a Vice-chair, and a Secretary. The Chair shall preside at all meetings of the Committee and shall have the duties normally conferred by parliamentary usage on such officers. In the absence of the Chair, the Vice-chair shall perform said duties. The Chair, or a Committee Member designated by the Chair, shall also, when deemed neccessary, report to the Planning Commission on activities of the Committee.

Section 2. Election. Nominations of officers shall be made from the floor at the annual organizational meeting, and elections shall follow immediately thereafter. Officers shall be seated immediately following their election.

Officers shall be elected by a majority of the members present at the organizational meeting, and they shall serve for one year at the pleasure of the Committee or until their successors take office. No person shall serve as Chair for more than **TWO** consecutive years, and, after that period, cannot be elected again until a year has passed.

Vacancies in offices shall be filled immediately by the regular election procedure.

ARTICLE III

MEETINGS

Section 1. Regular Meetings. The Committee shall meet on the First Thursday of each month at 1:30 P.M. in Mac Kenzie Hall or at such other place as is designated in the notice for the meeting. Such meetings shall not be held when the scheduled date is a City holiday. Regular meetings may be cancelled by the Chair when it is apparent from already excused absences that a quorum will not be present.

Section 2. Special Meetings. The Chair may call special meetings at any time, and shall call a special meeting upon the request of any three members.

Section 3. Organizational Meeting. The first regular meeting in January of each year shall be the annual organizational meeting.

Section 4. Quorum. A majority of Committee Members shall constitute a quorum for the election of officers.

Section 5. Absence of Officers. In the absence of the Chair and Vice-Chair, the members present shall, by a majority vote, elect one of themselves to conduct the meeting.

ARTICLE IV

AGENDA AND ORDER OF BUSINESS

Section 1. Order of Business. At all regular meetings, the order of business shall be:

(A) Approval of Minutes

(B) Report from Chair

(C) Old Business

(D) Sub-committee Reports

(E) New Business

(F) Adjournment

ARTICLE V.

ACTION BY THE COMMITTEE

Section 1. Motion and Vote. All action by the Committee shall be by motion made and seconded, which shall be restated by or at the request of the Chair before a vote is taken. Voting may be by voice unless a polled vote is directed by the Chair, or requested by any member. Except as otherwise specified in these rules, action by the Committee may be taken by a simple majority of the members present when there is a quorum.

Section 2. Tie Votes. A tie vote on any motion shall act as an automatic continuance of the motion to the next scheduled regular meeting of the Committee, at which time the pending motion shall be considered as old business.

ARTICLE VI

COMMITTEES

Standing or ad hoc committees may be appointed by the Chair following approval of the purpose by the Committee. Standing committees shall be reappointed by the newly-elected Chair at the first monthly meeting following the organizational meeting each year.

ARTICLE VII

AMENDMENTS

These rules may be amended, from time to time, by a majority vote, but only after notice to all members of the proposed amendment and the meeting at which it will be acted upon, and upon approval by City Council.

ARTICLE VIII

PARLIAMENTARY PROCEDURE

The Chair shall determine all questions of procedure not explicitly and completely covered by these rules, unless overruled by a majority vote of trhe Committee members then present.

Approved and adopted by the Vegetation Committee of the City of Sanibel this Second day of March, 1989.

By_____

Dr. Stephen D. Mullins,

Chairman

CITY OF SANIBEL

ORDINANCE NO. 76 - 28

AN ORDINANCE ESTABLISHING A VEGETATION COMMITTEE, PROVIDING THE SCOPE OF RESPONSIBILITIES AND PURPOSE OF SUCH COMMITTEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Sanibel Comprehensive Plan has been duly adopte by the City of Sanibel; and

WHEREAS, effective management of the vegetative resources of the Island is important to the implementation of the principle and standards of the plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SANIBEL, LEE COUNTY, FLORIDA:

Section 1: There is hereby created a Vegetation Committee composed of five or more individuals, who are residents of Sanibe and who shall be appointed for one year terms by the City Council of Sanibel.

Section 2: The Vegetation Committee shall be an advisory body available for consultation with any public or private person

Section 3: The Vegetation Committee shall advise the Planning Commission, the City Council and the City Manager, about sound ecological management of vegetative resources in the City and may review and comment about proposed development. The Commi should collect, analyze, and disseminate information on basic ecological principles as they relate to Island vegetation. The Committee should, in addition, make available to the best of its ability expert technical assistance for any person on the Island who desires advice concerning the clearing or landscaping for a development activity. Such assistance shall include, but not be limited to, the identification of individual specimens of vegetation that should be preserved, advice on arrangements for the transplanting of individual specimens to other parcels on the Isl and the location of appropriate native species for landscaping.

Section 4: Effective Date. This ordinance shall become effective immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida this 1st day of August, 1978.

ATTEST:

Member of Council

City Clerk

Member of Council

Mayor

Member of Council

Member of Council

July 5, 1978 First Reading

July 7, 1978 Publication Date

August 1, 1978 Second Reading

FILED in the Office of the City Clerk this 1st day of August, 1978.

City Clerk

APPROVED AS TO FORM

June 23, 1978

CITY ATTORNEY