CITY OF SANIBEL

RESOLUTION NO. 00 - 24

A RESOLUTION PERTAINING TO THE HISTORICAL PRESERVATION COMMITTEE; AMENDING RESOLUTION NO. 75-10; REDUCING COMMITTEE SIZE; AMENDING THE CHARGE TO THE 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. Resolution No. 75-10 is hereby amended to read as follows:

1. ~~That a~~ A committee designated as the Historical Preservation Committee is hereby established, to be composed of a committee of at least ~~five~~ 5 and not more than 9 individuals, who are residents of Sanibel and appointed by the City Council~~,~~ based upon special knowledge, skills or interest in historic preservation ~~plus one member of the City Council serving ex-officio and appointed by the Mayor~~.

2. The charge to the committee is to do the following:

a. ~~To p~~ Prepare a list of historic places with resumes for the consideration of the Council and if approved, thereafter designate them as historically valuable.

~~3~~b. Acquire information from state and federal agencies, concerning legal protection of those historic

sites and buildings, and to coordinate the committee's activities with these agencies.

~~4~~c. Contact the owners of such properties, advise them of the designation and seek their cooperation.

~~5. Investigate the feasibility of an ordinance that would require owners to have a permit before altering or demolishing any building listed as a historic place.~~

~~6. Work with local and state Bicentennial Committees.~~

~~7~~d. Explore ways in which funds might be obtained (such as federal or state grants, public subscription, etc.) to buy or restore historic properties.

~~8. Study means of establishing a historic museum for the City of Sanibel.~~

e. Maintain a list of historic places with resumes for the consideration of the Council and if approved, thereafter designate them as historically valuable.

f. Acquire up-to-date information from state and federal agencies, concerning legal protection of those historic sites and buildings, and to coordinate the committee's activities with these agencies.

g. Contact the owners of such properties, advise them of the designation and seek their cooperation.

ADDITIONS IN TEXT INDICATED BY UNDERLINE; DELETIONS BY STRIKEOUTS

h. Perform duties imposed on the committee under the historic preservation provisions of the Land Development Code.

i. Explore ways in which funds might be obtained (such as federal or state grants, public subscriptions, etc.) to buy or restore historic properties.

j. Supervise the operation of the Island Historical Museum and the acquisition, display, and de-accession of items therein.

Section 2. Any reduction in size of the committee resulting from this resolution shall become effective upon the resignation of a member from the committee.

Section 3. 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 7th day of March, 2000.

AUTHENTICATION: _____ Mayor _____ City Clerk

APPROVED AS TO FORM: _____ City Attorney _____ Date

Vote of Council members:

Brown	Aye
Hillebrandt	Aye
Janes	Aye
Reding	Aye
Theiss	Aye

Date filed with City Clerk: 3/9/00

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ADDITIONS TO TEXT INDICATED BY UNDERLINE; DELETIONS BY STRIKEOUTS

CITY OF SANIBEL

RESOLUTION NO. - 84 - 13

A RESOLUTION APPROVING THE SANIBEL HISTORICAL PRESERVATION COMMITTEE'S PROPOSED RULES OF PROCEDURE, AND PROPOSED ACQUISITION AND DE-ACCESSION POLICY; 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, and the Acquisition and De-Accession Policy of the Historical Preservation Committee, copies of which are attached hereto and incorporated herein by reference, are hereby approved.

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 22nd day of February, 1984.

ATTEST:

Louise M. Johnson
Member of Council

Bernard J. McCarthy
City Clerk

Myron W. Klein
Member of Council

Fred Dalton
Mayor

Frank P. Bang
Member of Council

Dixie Van Hagerup
Member of Council

APPROVED AS TO FORM
2/14/84
David Fabrovich
City Attorney

RULES OF PROCEDURE

HISTORICAL PRESERVATION COMMITTEE
CITY OF SANIBEL, FLORIDA

ARTICLE I. GENERAL RULES

The Historical Preservation Committee shall be governed by the pwers and duties as set forth in Resolution 75-10 as adopted by the City of Sanibel.

All members of the Historical Preservation Committee shall thoroughly familiarize themselves with the provisions of the above mentioned City resolution.

ARTICLE II. ORGANIZATION, OFFICERS AND DUTIES

(a) The Committee shall organize, elect a Chairman and a Vice-chairman annually in the month following appointment of the committee by the City Council each year. The Committee shall consist of at least five members; all of whom shall be residents of the City. Appointments to the Committee shall be made by the City Council. An additional member of the Committee shall be a member of the City Council, serving ex-officiao and appointed by the Mayor.

(b) The Chairman shall be elected by the full membership of the Committee and shall be eligible for re-election. He shall preside at all meetings and hearings of the Committee and shall decide all points of order or procedure subject to these rules, unless directed otherwise by a majority of the Committee in session at the time.

(c) Vice Chairman, shall act in the capacity of Chairman in the absence or incapacity of the Chairman, or upon the request of the Chairman to permit him to act or withdraw from action when in his discretion it is desirable to do so. His reason for such action must be given to the Committee. In the event the office of Chairman becomes vacant, the Vice Chairman shall succeed him for the balance of the unexpired term.

(d) The Secretary shall be a non-member of the committee, appointed by the City Manager. The Secretary, shall, subject to the direction of the Chairman and the Committee, retain all permanent records, conduct all correspondence and provide supervision of the Committee's clerical work. He shall keep minutes of each meeting and record all important facts pertinent to each meeting and hearing, each motion or resolution and voting of members upon any resolution or other matter. He shall mail all notice required by these rules and retain a file on each application or matter which comes before the Committee. He shall also execute all other duties incumbent upon this position.

(e) Members shall attend regular and/or special meetings of the Committee. They shall serve on committees as appointed by the Chairman and make oral or written reports when required on any assignment given to them. Other than in a formal session or in a conference with members of the City Council on an item pending before the Committee, a member shall not represent nor speak for the Committee unless specifically authorized to do so by the membership.

(f) A Committee member shall forfeit office if he or she (1) lacks any qualifications for the office prescribed

by the ordinance (2) violates any Standard of Conduct or Code of Ethics established by law for public officials or (3) is absent from three consecutive regular committee meetings without being excused by the Chairman.

(g) The Committee shall establish rules which may include any rules necessary for the orderly conduct of its business.

(h) The duties of the Committee shall be, in general and in addition to any functions, powers and duties set forth in these rules of procedure, are:

1. To maintain a list of historic places with resumes for the consideration of the Council and if approved, thereafter designate them as historically valuable.

2. Acquire up to date information from state and federal agencies, concerning legal protection of those historic sites and buildings, and to coordinate the committee's activities with htese agencies.

3. Contact the owners of such properties, advise them of the designation and seek their cooperation.

4. Investigate the feasibility of an ordinance that would require owners to have a permit before altering or demolishing any building listed as a historic place.

5. Explore ways in which funds might be obtained (such as federal or state grants, public subscriptions, etc.) to buy or restore historic properties.

6. Supervise the operation of the Island Historical Museum and the acquisition, display, and de-accession of items therein.

ARTICLE III. MEETINGS

(a) Regular Meetings

Regular Meetings of the Committee shall be held on the first Friday of each month during the months of October through May, at 9 a.m., in the Council Chambers of the Sanibel City Hall, provided that if the Chairman so directs, meetings may be held at any other place or time in City Hall.

(b) Special Meetings.

Special Meetings may be called by the Chairman or by the Mayor. At least twenty-four (24) hours notice of the time, place and purpose of special meetings shall be given to each member of the Committee by the Secretary or the Chairman. Waiver of this notice requirement may be given by majority of all members of the Committee voting affirmatively for such waiver.

(c) Cancellation of Meetings

Whenever there are no items pending or other business before the Committee, the Chairman may dispense with a Regular Meeting by having the Secretary give notice to all members not less than twenty-four (24) hours prior to the time set for the meeting. When necessary, postponement of meetings may also be made by the Chairman.

(d) Quorum

A quorum shall consist of three (3) members of the Committee.

(e) Agenda

The agenda for each regular meeting shall be developed by the Chairman and dispatched by the Secretary so as to reach each member prior to the meeting.

(f) Conduct of Meetings

All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

(1) Roll Call
(2) Approval of previous minutes
(3) Reports of Committee
(4) The Hearing of Business
(5) Unfinished Business
(6) New Business
(7) Other Business as the Chairman may wish to present
(8) Adjournment

(g) Special Adjournments

The Committee may recess Regular Meeting if all items or business cannot be disposed of on the day set and no further public notice shall be necessary for such meeting.

(h) Vote

A vote of the majority of those members present shall be sufficient to decide matters before the Committee, provided a quorum is present. No Committee member shall take part in the hearing or decision of any item before the Committee in which he shall be personally or financially interested or in which any conflict of interest might exist.

(i) Procedure of Meetings

(a) The Chairman shall take the following action upon convening the meeting and announce, when necessary:

(1) All persons desiring to speak on an agenda item should seat themselves in the front rows of the Council Chamber.

(2) Applicant or representative to speak first, using the following procedure:

(i) Each speaker to preface his remarks with his name, address and that he is appearing for the application or item.

(ii) All remarks are to be made to the Chairman and not to other persons appearing in favor of, or in opposition to, the item of consideration.

(iii) All remarks are to be made using the recording device.

(3) Those speaking in opposition to the item are to follow the same procedure outlined above in (i), (ii), and (iii). In addition, everyone shall have the right of rebuttal.

(b) Before decisive action on any item, the Committee will review and consider any committees, staff reports and/or reports of City Officials where such reports are pertinent to the item of consideration.

(c) Action by the Committee shall be by motion duly made and seconded with the motion being restated by the Chairman before the vote is taken. Voting shall be by voice and shall not be recorded by polled vote unless requested by a Committee member.

ARTICLE IV. SUBCOMMITTEES

(a) Subcommittees shall be established by the Chairman with th econsent of a majority of the Committee.

(b) Members shall be appointed by the Chairman and shall serve for a period of one (1) year from the date of their appointment but not to extend beyond December 31 of each calendar year.

(c) Members are eligible for re-appointment to the respective subcommittee if selected by the new duly elected Chairman.

(d) There shall be at least one member of the Historical Preservation Committee appointed to each subcommittee. Subcommittees shall be composed of a minimum of three members. A majority of the subcommittee shall constitute a quorum.

(e) In case of vacancies on a subcommittee, the Chairman shall appoint a successor for the balance of the unexpired term.

ARTICLE V. RECORDS

The Committee shall keep a record, which shall be open to public view, of all its resolutions, proceedings and actions. Said records shall be retained by the Secretary in conformance with the usual standards performed by the Secretary of a deliberative body.

ARTICLE VI. AMENDMENTS

These rules may, within the limits allowed by the resolutions of the City and applicable State Statutes, be amended at any time by an affirmative vote of not less than five (5) members of the Committee, provided that such amendment be presented in writing at a Regular or Special Meeting preceding the meeting at which the vote is taken.

Evelyn Pearson
Chairman

ACQUISITION AND DE-ACCESSION POLICY

HISTORICAL PRESERVATION COMMITTEE

Purpose: To collect, procure, preserve and display in the Island Historical Museum items relating to the history of the islands of Sanibel, Captiva and their environs.

Objective: To provide island residents and visitors with an exhibit of significant documents, photographs, artifacts, and other relevant items, reflecting the history of the island and their environs from the prehistoric period up to and including the incorporation of the City of Sanibel, with major emphasis on the earlier times.

In order to provide a systematic framework for the orderly acquisition of items for the museum, the Committee will make a continuing effort to identify certain benchmark dates, eras and events and seek to document them with appropriate exhibit items.

Acquisition Policy:

Definition: For the purpose of this policy, acquisition is defined as the discovery, preliminary evaluation, negotiation for, taking custody of, documenting title to, and acknowledging receipt of materials and objects; or negotiating for and recording information about borrowed objects.

Acquisition criteria: Museum objects must meet all of the following tests of acquisition before being

acquired by the Committee by any means:

1. The present owner must have a clear title.

2. The Committee must be in a position to care properly for the proposed acquisition.

3. The significance of the material or objects must be determined.

4. The materials or objects must, if possible, be documented as to provenance and relevance to island history must be established.

5. All moral, legal, and ethical implications of the acquisition must have been considered.

6. If possible, no acquisitions will be encumbered by less than full literary rights, property rights, copyrights or trademarks, or by obscene or physically hazardous attributes.

7. Acquisition must, in general, be free from donor imposed restrictions.

8. The acquisition must conform to the Committee's collecting objectives.

Means of Acquisition: Materials and objects may be acquired by commission, bequest, gift, loan, deposit, exchange, field collection, excavation, abandonment, reversionary clause, and adverse possession. No materials or objects shall be knowingly or willfully accepted or acquired which are known to have been illegally imported into, or illegally collected in, the United States contrary to state law and federal law, regulation, treaty, and convention.

The Committee shall refuse to acquire materials and objects where there is cause to believe that the circumstances of their collection involve unauthorized destruction of historic sites, buildings, structures, habitats, districts, and objects. All right, title, and interest shall be obtained by the Committee for all potential acquisitions, without restrictions or limiting conditions if possible.

Acquisition Procedure: Authority to acquire museum objects and materials requires a majority vote of all of the members of the Historical Preservation Committee.

No individual committee member may obligate the Committee to the acceptance of any material or object without approval of the Committee. No Committee member shall offer appraisals of the monetary value of materials or objects to donors, or reveal the Committee's insurance value, for the purpose of establishing a fair market value of gifts offered to the Committee. Donors desiring to take an income tax deduction must obtain an independent appraisal. Committee members will not appraise or otherwise place a monetary value on objects casually brought to the Committee.

The Committee shall maintain permanent acquisition files which shall contain all legal instruments and conveyances pertaining to each acquisition or source.

De-Accession Policy

Definition: De-accession is the process of removing permanently from the museum collection, acquired materials and

objects. The de-accession process shall be cautious, deliberate, and scrupulous.

De-accession criteria: Museum materials and objects to be considered for de-accession must meet at least one of the following criteria:

1. The material or object is outside the scope of the stated purpose of the Committee and its acquisition policy.

2. The material or object is irrelevant to the purposes of the Committee.

3. The material or object lacks physical integrity.

4. The material or object has failed to retain its identity or authenticity, or has been lost or stolen and remains lost for longer than two years.

5. The material or object is duplicate.

6. The Committee is unable to preserve or insure it properly.

7. The material or object is deteriorated beyond usefulness.

8. The material or object has doubtful potential utilization in the foreseeable future, or has accidentally been accessioned twice.

De-accession Restrictions: Before any material or object is recommended for de-accessioning, or is de-accessioned, reasonable effort shall be made to ascertain if the Committee is legally free to do so. Where restrictions to the disposition of the material or object are found, the following procedure shall be utilized:

1. Mandatory conditions of acquisition will be strictly observed unless deviation from their terms is authorized by a court of competent jurisdiction.

2. In the event of a question concerning intent or force of restrictions, the Committee shall seek the advice of the City Attorney of the City of Sanibel.

De-Accession Procedure: Authority to de-access museum objects and materials require a majority vote of all the members of the Historical Preservation Committee. The Committee may vote to de-accession material or an object if, in the Committee's best judgment, one or more criteria for de-accession have been met. Such decision shall specify the source and or provenance of the material or object, the reasons for de-accessioning, the recommended means of disposal which may include exchange, sale (negotiated, private, public auction, sealed bid, or open bid), destruction, transfer to another museum or library, or return to the original donor or his heirs or assigns.

Ethics of sale: Materials and objects shall not be given, sold, or otherwise transferred, publicly or privately, to Committee members, employees of the City of Sanibel, any members of the Museum staff, or to their immediate families or representatives.

De-Accession Proceeds: All proceeds resulting from the de-accession of objects from the permanent collections of the Museum shall be deposited to the credit of the "Museum

Special Fund," as authorized by the City Council of the City of Sanibel.

Public Disclosure: All materials or objects subject to restrictions imposed by the donor shall not be de-accessioned until the Committee has made an effort to comply with the restrictions, and notify the donor, if alive, or his heirs or assigns, if the material or object were accessioned within 10 years.

This statement of policy for acquisition and de-accession shall be made public by the Committee and a reference to it shall be imprinted an all forms of donation and loans for display. A copy shall be made available to any donor or prospective donor upon request.

Further, a list of all materials and collections which have been de-accessioned from the Museum within the past five years shall be kept current by the Committee and may be distributed in response to any inquiry.

RESOLUTION 75-10

CITY COUNCIL, CITY OF SANIBEL

A RESOLUTION, to establish a committee to advise the City Council and the City Manager on matters concerning recognition of, preservation, protection, and restoration of historic sites, landmarks, and records, and

WHEREAS, Sanibel has several man-made historical sites and structures that are in imminent danger of being destroyed by growth and development of the island, and

WHEREAS, the need to recognize, preserve, and protect and in some cases to restore such historic sites, landmarks, documents, papers, records, maps and photographs exists throughout the City of Sanibel, and

WHEREAS, concerned citizens are desirous of saving these important historical places and records, and

WHEREAS, in order to protect these valuable resources of the City, a citizens advisory committee is hereby established and appointed by the City Council, and

WHEREAS, the contributions and expertise of such a committee would be helpful to the City Manager in formulating recommendations for the City Council, and

WHEREAS, such interested and knowledgeable citizens are willing to serve in this capacity without recompense.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That a committee designated as the Historical Preservation Committee, is hereby established, to be composed of a committee of at least five individuals, who are residents of Sanibel and appointed by the City Council, plus one member of the City Council serving ex-officio and appointed by the Mayor.

2. To prepare a list of historic places with resumes for the consideration of the Council and if approved, thereafter designate them as historically valuable.

3. Acquire information from state and federal agencies, concerning legal protection of those historic sites and buildings and to coordinate the committee's activities with these agencies.

4. Contact the owners of such properties, advise them of the designation and seek their cooperation.

5. Investigate the feasibility of an ordinance that would require owners to have a permit before altering or demolishing any building listed as a historic place.

6. Work with local and state Bicentennial committees.

7. Explore ways in which funds might be obtained (such as federal or state grants, public subscription, etc.) to buy or restore historic properties.

8. Study means of establishing a historic museum for City of Sanibel.

Adopted this 4th day of February, 1975.

ATTEST: David J. Bretzke
Temporary City Clerk

Mayor

Member of Council

V. L. MacKenzie
Member of Council

Member of Council

Member of Council