

**RESOLUTION 20-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, APPROVING ARTICLES OF INCORPORATION FOR THE CREATION OF THE MARCO ISLAND COMMUNITY PARKS FOUNDATION, INC.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in order to facilitate community-wide fund raising efforts for the City of Marco Island, Florida (the “City”) the City desires to create a separate legal entity under the provisions of Chapter 617 of the laws of the state of Florida to be known as “Marco Island Community Parks Foundation, Inc.” (the “Foundation”); and

**WHEREAS**, the Foundation shall be created as a Florida not for profit corporation which may seek and receive donations for the improvement of municipal community parks located or to be located in the City, and is envisioned to function as a 501(c)(3) entity under the Internal Revenue Code of 1986, as amended (the “Code”); and

**WHEREAS**, the City Council believes it is in the best interest of the City and its residents to adopt this Resolution providing for the Articles of Incorporation of the Foundation.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:**

**Section 1. Recitals.** That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are incorporated herein.

**Section 2. Creation of Corporation.** That the City Council of the City (the “City Council”) hereby creates the Foundation and approves the attached Articles of Incorporation and hereby approves the filing of such Articles of Incorporation with the Florida Division of Corporations.

**Section 3. Implementation.** That the City Manager and City Attorney are hereby authorized to take any action which is necessary for the implementation of this Resolution and the Articles of Incorporation.

**Section 4. Appointment of Board of Directors.** That upon the filing of the Articles of Incorporation as provided in Section 2 above, the City Council is hereby authorized to appoint the Board of Directors of the Foundation as provided in Section 6.3 of the Articles of Incorporation.

**Section 5. Effective Date.** That this Resolution shall become effective immediately upon its adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida this 6<sup>th</sup> day of January 2020.

**ATTEST:**

**CITY OF MARCO ISLAND, FLORIDA**

\_\_\_\_\_  
Laura M. Litzan, City Clerk

By: \_\_\_\_\_  
Erik Brechnitz, Chairman

Approved as to form and legal sufficiency:

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Alan L. Gabriel, City Attorney