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**RESOLUTION 15-78**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, REQUIRING CITY COUNCIL MEMBERS, AND CITY APPOINTED BOARD AND COMMITTEE MEMBERS TO BE PHYSICALLY PRESENT IN ORDER TO PARTICIPATE AT THE CITY'S PUBLIC MEETINGS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Section 3.06 of the Marco Island City Charter requires at least a majority of the Council members to be present and voting at the City Council meeting for actions to be valid; and

**WHEREAS**, the voting requirements stated in City Council's Rules of Procedure require that all actions of Council shall be by majority vote of members present at a public meeting; and

**WHEREAS**, the Marco Island City Council believes it is appropriate to prohibit electronic meeting participation via telephone, Skype or other similar forms of electronic communication by City Councilor's or any appointed Board or Committee member at all public meetings of the Marco Island City Council or at any of the City's appointed Board's or Committee's.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Marco Island, Florida that:

**Section 1. Recitals.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true, correct and reflective of the legislative intent underlying this Resolution and are hereby made a specific part of this Resolution.

**Section 2. Adoption.** The participation in any public meeting via telephone, Skype or any other similar forms of electronic communication by City Council members or any appointed City Board or Committee member at all public meetings of the Marco Island City Council or at any of the City's appointed Board's or Committee's is prohibited.

**Section 3. Conflicts.** That all prior Resolutions or parts of Resolutions, insofar as they are inconsistent or in conflict with the provisions of this Resolution, are hereby repealed.

**Section 4. Severability.** If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be

47 considered eliminated and will in no way affect the validity of the other provisions  
48 of this Resolution.

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50 **Section 5. Effective Date.** This Resolution will be effective immediately  
51 upon its adoption by City Council.

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53 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND,  
54 FLORIDA, this 7<sup>th</sup> day of December 2015.

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57 Attest:

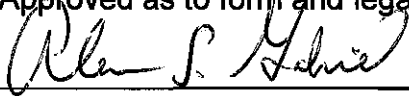
CITY OF MARCO ISLAND, FLORIDA

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61 Laura M. Litzan, City Clerk

By:

  
Robert C. Brown, Chairman

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64 Approved as to form and legal sufficiency:

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67 Alan L. Gabriel, City Attorney  
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