

RESOLUTION 20-06

A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA CREATING A CITY OF MARCO ISLAND AUDIT ADVISORY COMMITTEE TO IMPLEMENT CONTROLLING STATE LAW; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT CREATION; PROVIDING FOR THE COMMITTEE'S PURPOSE, MEMBERSHIP, DUTIES, RESPONSIBILITIES AND MEETINGS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR IMPLEMENTING ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas Chapter 218, Part III, Florida Statutes, contains the Uniform Local Government Financial Management and Reporting Act; and

Whereas Section 218.391, Florida Statutes, provides that each local government shall establish an auditor selection committee to assist the governing body in selecting an auditor to conduct the annual financial audit required by Section 218.39, Florida Statutes; and

Whereas Section 2-201, Code of Ordinances of the City of Marco Island, provides, with regard to the normative manner and method of creating City boards and committees, that advisory bodies may be created by ordinance, resolution, or motion at the discretion of City Council and shall also describe the duties and the qualifications of its members; and

Whereas Section 1.03 of the City Charter of the City of Marco Island relates to the municipal powers of the City and provides that all powers possible are granted to the City under the Constitution and laws of the State of Florida; and

Whereas the foregoing whereas clauses are hereby adopted as the legislative findings of the City Council.

NOW, THEREFORE, BE IT ADOPTED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA AS FOLLOWS:

Section 1. Legislative findings and intent.

- (a) The City Council of the City of Marco Island hereby adopts and incorporates into this Resolution the recitals (whereas clauses) to this Resolution.

Section 2. Creation of City Audit Advisory Committee; Purpose.

- (a) There is hereby established a City of Marco Island Audit Advisory Committee to be composed of members appointed by the City Council.

- (b) The purpose of the Audit Advisory Committee is to serve in an advisory capacity to the City Council in the selection of an auditor to conduct the City's annual financial audit and for other purposes as directed by City Council.

Section 3. Membership.

- (a) The Audit Advisory Committee shall consist of qualified members that are appointed by the City Council as required by Sec. 2-202, and 2-203 of the City's Code of Ordinances, who shall serve terms based on Sec. 2-204 of the Code of Ordinances. For the purposes of selecting an auditor, Section 218.391, Florida Statutes, provides that one member of the City Council shall serve as the Chair of the Auditor Selection Committee during the process.
- (b) The Audit Advisory Committee shall monitor the annual City audit, review the financial statements prior to completion of the annual City audit, review the results of the annual City audit, evaluate management's proposed corrective action plans to any comments by the City auditors, monitor those action plans, and evaluate the City auditor's performance.
- (c) The Audit Advisory Committee shall perform such other duties as assigned by City Council from time-to-time.
- (d) All future Audit Advisory Committees shall have the duties and responsibilities set forth in these Sections, unless they conflict with changes in Florida Statutes.

Section 4. Meetings.

- (a) The Audit Advisory Committee shall meet as often as necessary in order to adequately accomplish its duties.

Section 5. Conflicts.

All resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed and rescinded.

Section 6. Severability.

If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 7. Effective Date.

This Resolution shall take immediate effect upon enactment.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND,
THIS 16TH DAY OF MARCH 2020.**

ATTEST:

CITY OF MARCO ISLAND, FLORIDA

Laura M. Litzan, City Clerk

By: _____
Erik Brechnitz, Chairman

Approved as to form and legal sufficiency:

Alan L. Gabriel, City Attorney