

What is a Charter?

A charter city is a city in which the governing system is defined by the city's own charter document rather than by state, provincial, regional or national laws. In locations where city charters are allowed by law, a city can adopt or modify its organizing charter by a majority vote of its residents. A charter gives a city's residents the flexibility to choose any kind of government structure allowed by law.

Generally every ten years, Charter cities review their Charter. City Council and a committee of residents reviewed and recommended changes to the City's Charter in a work session. Council has reviewed and is presenting the charter amendments to the electorate at the January 26, 2010 general election.

The Referendum, Who May Vote?

- Only Marco Island registered voters may participate in the Referendum Election.
- The referendum will be a mail ballot election. That is, registered voters will not go to a precinct-polling place to vote. The ballot will be mailed to registered voters at their Marco Island address on or about the first week of January, 2010.
- Florida law prohibits the forwarding of a mail ballot to another address.
- Registered voters who will not be at their Marco Island address in January should request an absentee ballot from the Collier County Supervisor of Elections by calling 239-252-8450 or log on to their website at www.colliervotes.com

Important Election Information



UNDERSTANDING THE REFERENDUM *Charter Amendments*

A city-wide municipal election will be held on January 26, 2010.

The first week of January ballots will be mailed to all registered voters.

Ballots must be received by the Supervisor of Elections no later than 7:00 p.m. on January 26, 2010. Amendments to the City's Charter have been suggested by a Charter Review Committee and City Council to present to the qualified electors.

City Hall, 50 Bald Eagle Drive, Marco Island, FL 34145
239-389-5000
www.cityofmarcoisland.com

THIS IS NOT A BALLOT— BALLOT QUESTIONS - CITY OF MARCO ISLAND, FLORIDA - CITY CHARTER AMENDMENT, January 26, 2010

A. Clarification and Update of City Charter. It has been proposed that the City Charter be comprehensively amended, including changes made for style, clarity and consistency, along with amendments clarifying the duties, responsibilities, authority and qualifications of City officers, and amendments updating the Charter to conform with State law provisions, and removing matters covered by City Ordinances. Shall the above-described Charter Amendment be adopted?

Yes []
No []

B. Council Member Term Limits.

(Section 3.02- Terms).

The Charter currently provides that no Council Member shall serve more than two full consecutive four year terms. It is proposed that the Charter be amended to provide that current or former Council Members are prohibited from serving more than 8 years in office during their lifetime, except where Council Member terms were extended by change in the election date. Shall the above-described Charter Amendment be adopted?

Yes []
No []

C. Council Member & Chairman Compensation.

(Section 3.03- Compensation).

The Charter sets the annual compensation of each Council Member at \$6,000 and the Chairman at \$9,000. It is proposed that the Charter be amended to (1) increase their annual compensation, effective April 1, 2010, by applying a one-time adjustment of the annual Federal C.O.L.A. for each year since the City's incorporation, and (2) beginning January 1, 2011, annually increase their compensation by the yearly Federal C.O.L.A. Shall the above-described Charter Amendment be adopted?

Yes []
No []

D. Duty of City Manager to Communicate Budget Deviations.

(Section 4.03- Powers & Duties of the City Manager).

The Charter currently requires the City Manager to keep the Council fully advised as to the financial condition of the City. It is proposed that the Charter be amended to require the City Manager to promptly communicate to Council his or her reasonable expectation of any deviations of \$250,000 (plus or minus) from an expenditure identified within the annual budget. Shall the above-described Charter Amendment be adopted?

Yes []
No []

E. City Council Directed Investigations.

(Section 3.04- General Provisions).

The Charter currently requires the Council to handle administrative service and staff issues through the City Manager. It is proposed that the Charter be amended to authorize the Council to conduct, by Council or a party delegated by Council, investigations into the activities of any City department, agency, administration, City Manager, staff or employee upon the affirmative vote of five (5) or more Council Members. Shall the above-described Charter Amendment be adopted?

Yes []
No []

F. Operating Expenditure Limitation [Modified Spending Cap]

(Section 1.04- Expenditure Limitations).

The Charter limits annual expenditures to an increase of 3% plus C.O.L.A. from the prior year's expenditures. It is proposed that the spending cap be retained, but the Charter be amended to enable Council to apply the spending cap based on the amount that was expended in fiscal year 2008 plus annual increases of 3% plus C.O.L.A. Shall the above-described Charter Amendment be adopted?

Yes []
No []

G. Ordinance Requirement for Expenditures exceeding 12 Million Dollars.

(Section 1.04- Expenditure Limitations).

The Charter authorizes the use of Resolutions and Ordinances to approve City expenditures. It is proposed that the Charter be amended to require an Ordinance of the City Council for approval of all expenditures exceeding 12 million dollars (\$12,000,000), except expenditures for the creation of, or improvements to, the Septic Tank Replacement Program and the Wastewater Treatment Facility expansion to accommodate the Septic Tank Replacement Program. Shall the above-described Charter Amendment be adopted?

Yes []
No []

A YES vote on any question means the voter wishes to change the Charter language on that question.

A NO vote on any question means the voter does not wish to change the Charter language on that question.

Copies of the Ordinance concerning the Charter Amendments are on file at the office of the City Clerk located at 50 Bald Eagle Drive, Marco Island, Florida 34145, or on-line at www.cityofmarcoisland.com and are available for public inspection during regular business hours. For additional information please contact the City Clerk's office telephone 239-389-5000.