

34 Environmentally Sensitive Lands Oversight Committee, is hereby amended by
35 deleting the stricken language as shown in Exhibit "A" which is attached hereto
36 and by this reference provided herein.

37 Section 2. Conflict with Other Ordinances. The provisions of this
38 Ordinance shall supersede any provision of existing ordinances in conflict
39 herewith to the extent of said conflict.

40 Section 3. Severability. If any subsection, sentence, clause,
41 phrase, or portion of this Ordinance is for any reason held invalid or
42 unconstitutional by any court of competent jurisdiction, such portion shall be
43 deemed a separate, distinct, and independent provision and such holding shall
44 not affect the validity of the remainder of this Ordinance.

45 Section 4. Effective Date. This Ordinance shall take effect upon
46 filing in the Office of the Secretary of State, State of Florida.

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[SIGNATURE PAGE FOLLOWS]

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PASSED AND DULY ADOPTED this 10th day of March, 2026.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Joseph M. Tiseo, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By:  _____
Thomas M. David, County Attorney
LR2025-1220 

EXHIBIT A

Sec. 3-5-381. - Environmentally sensitive lands oversight committee.

There is hereby created an environmentally sensitive lands oversight committee (the "oversight committee") which shall serve as an advisory committee to the board on issues involving the acquisition, protection, management and use of environmentally sensitive lands.

(1) *Membership.*

- a. The oversight committee members shall be appointed by the board and shall be comprised of seven (7) members who are residents and electors of Charlotte County and, if possible, shall appoint one (1) committee member from each county commission district. ~~The board shall also appoint a member of the board to serve as liaison to the committee.~~ County staff shall solicit members by advertising in the daily newspaper, on the county website and other appropriate means. The members of the oversight committee shall receive no compensation for the performance of their duties hereunder. The board determines that it is in the public interest to select and appoint members to the oversight committee which will give the board a composition of members from appropriate, diversified backgrounds of experience and expertise and hereby establishes the following criteria for the composition of the seven-member oversight committee. Each oversight committee member shall be appointed from one (1) of the following categories:
 1. Two (2) members with expertise in business, real estate or land development;
 2. Three (3) members with expertise relating to environment or in one of the natural sciences; and
 3. Two (2) members representing civic, charitable or homeowners groups or recreational users of lands or other community interests.
- b. Of the members first appointed, one (1) shall serve for one (1) year, three (3) for two (2) years, and the remainder for three (3) years and in each case until his or her successor is appointed and has qualified. Thereafter, the board shall appoint for terms of three (3) years each a member or members to succeed those whose terms expire. The board shall fill any vacancy for an unexpired term and all members of the oversight committee shall be eligible for reappointment.
- c. Members of the oversight committee serve at the pleasure of the board and may be removed by the board, with or without cause, at any time, by majority vote of the board. Any member that misses three (3) meetings in a row or more than twenty-five (25) percent of meetings in any year shall be eligible for removal from the oversight committee by the board.

- (2) *Duties, powers, appointment, and regulation.* The oversight committee shall annually elect one of its members as chair and one as vice chair who shall serve at the pleasure of the oversight committee county staff shall keep a record of the proceedings of the oversight committee, shall record each meeting with an

electronic recording device, and shall be custodian of all books and records of the oversight committee. The oversight committee shall establish rules of procedure regarding the operation of the oversight committee as necessary to accomplish its purposes, subject to the authority of the board of county commissioners. County staff shall give public notice of oversight committee meetings as required by state law, keep the minutes of meetings and any actions of the oversight committee. The chair together with county staff shall periodically report on the activities of the oversight committee to the board of county commissioners.

- (3) *Responsibilities.* The oversight committee shall have the following responsibilities:
 - a. Confirm that county staff's proposal for parcels designated to the protection list meet the criteria adopted herein.
 - b. Submit the proposed protection list to the board for approval.
 - c. Work with staff to develop a work plan for each protection list site.
 - d. Approve each work plan prior to it being forwarded to the board for approval.
 - e. Verify that all parcels protected by the Conservation Charlotte Program continue to meet the land evaluation criteria adopted herein at the time of protection.
 - f. Advise the board on the management, restoration and/or public use of each property protected.
 - g. Advise the board on the disposal of any real property pursuant to section 3-5-386 below.
- (4) *Voting requirements.* A majority of the members of the oversight committee shall constitute a quorum, and the affirmative vote of a majority of the members present shall be necessary for any action taken by the oversight committee. No vacancy in the membership of the oversight committee shall impair the right of a quorum to exercise all the rights and perform all the duties of the oversight committee.
- (5) *Compliance with applicable laws.* The oversight committee, its members, and all its proceedings shall be governed by and comply with the provisions of the Florida Sunshine Law, F.S. chapter 286, the Florida Public Records Law, F.S. chapter 119, and all other applicable local or state statutes, ordinances, or rules.

(Ord. No. 2006-077, § 6, 9-12-06)