

BYLAWS OF THE MYAKKA RIVER
MANAGEMENT COORDINATING COUNCIL

ARTICLE I
NAME

The name of the organization shall be the Myakka River Management Coordinating Council (hereinafter referred to as the Council).

ARTICLE II
LEGAL AUTHORITY

The legal authority for the Council is Section 258.501, Florida Statutes, entitled "Myakka River Wild and Scenic Designation and Preservation Act" (hereinafter referred to as the ACT).

ARTICLE III
POWERS AND DUTIES

The Council shall exercise all the express powers and duties existing under the Act, including, to wit:

- A. To jointly develop a management plan for the designated segment of the Myakka River with the Florida Department of Environmental Protection, Division of Recreation and Parks (hereinafter referred to as the Department).
- B. To review and make recommendations on all proposals for amendments or modifications to the Act and to the management plan, as well as on other matters which may be brought before the Council by the Department, any local government, or any member of the Council, and to render its nonbinding advisory opinion to the Southwest Florida Water Management District, the Department, and affected local governments.
- C. To adopt bylaws to provide for election of officers, removal of officers for just cause, meetings, quorum, procedures, and other such matters as its members may deem advisable in the conduct of its business. Such bylaws shall be approved by the Department.
- D. To advise the Department and the Southwest Florida Water Management District on matters affecting the administration of the river area, as defined in the Act.

- E. To exercise any other powers and duties that may be lawfully delegated to it by the Department.

ARTICLE IV
COUNCIL MEMBERS

- A. The Council shall be composed of one representative from each of the entities listed below.
Representatives of other entities may be appointed to or removed from the Council by the Department.

Department of Environmental Protection
Department of Transportation
Fish and Wildlife Conservation Commission
Department of Community Affairs
Division of Forestry of the Department of Agriculture and Consumer Services
Division of Historical Resources of the Department of State
Southwest Florida Water Management District
Southwest Florida Regional Planning Council
Tampa Bay Regional Planning Council
Charlotte Harbor National Estuary Program
Peace River Manasota Regional Water Supply Authority
Manatee County
Sarasota County
Charlotte County
City of Sarasota
City of Venice
City of North Port
Agricultural Interests
Environmental Organizations
Business Interests
Homeowners Interests

(4 river sections: north of Snook Haven, between Snook Haven and US 41,
south of US 41 on east side of river, south of US 41 on west side of river)

- B. Each member shall be appointed by the Department.
Each member shall authorize one alternate who must be designated in writing to the Department.
- C. Members of the Council shall serve until duly replaced by the Department. In order to encourage active participation in the Council, any Council member who fails to attend or be represented by his/her duly registered alternate at three (3) consecutive Council meetings shall be considered to have resigned his/her Council Membership.

- D. The Council, upon a majority vote of those Council members in attendance at the annual meeting may recommend to the Department members to represent the nongovernmental groups identified in Article IV.A. above. Such recommendations, with supporting information, shall be submitted to the Department, which shall appoint the representatives.

ARTICLE V COUNCIL RECORDS

- A. Minutes of each duly constituted Council or committee meeting shall be prepared by Department staff. The minutes shall reflect the substance of the presentations and discussion, resolution of issues, and proposals for action.
- B. Council minutes, records, correspondence, and other documents shall be retained by the Department.

ARTICLE VI OFFICERS

There shall be the following officers: Chair and Vice Chair. Each officer shall be a member of the Council.

- A. The Chair shall be the chief officer of the Council and shall:

- (1) Perform all duties set forth by these bylaws or incident to the office or prescribed by majority vote of those Council members in attendance at a duly-constituted meeting of the Council.
- (2) Preside at meetings of the Council.
- (3) Appoint a Vice Chair to serve out an unexpired term; and
- (4) Appoint Chairmen and membership of all subcommittees subject to majority vote of those Council members in attendance at a duly constituted meeting of the Council.

- B. The Vice Chair shall:

- (1) Perform all duties of the Chair in the event of absence or disability of the Chair or in event of a vacancy in that office.

(2) When serving as Chair, the Vice Chair shall exercise all powers of that office.

ARTICLE VII ELECTION AND TERMS OF OFFICERS

- A. Nominations shall be made and elections shall be held for the offices of Chairman and Vice Chairman at the annual meeting. Officers shall be elected by a majority vote of the Council members in attendance at a duly-constituted annual meeting of the Council.
- B. Elected officers shall serve for a term of one (1) year, and shall assume office immediately upon their election.
- C. Officers may be removed from office for just cause by two-thirds vote of the Council in attendance at a duly constituted meeting of the Council called for that purpose.

ARTICLE VIII VOTING

- A. Only duly appointed Council members and registered alternates shall vote. Each Council member or duly registered alternate shall be entitled to one vote.
- B. If the Council member or registered alternate originates 100 miles or more away from the meeting location, that member or registered alternate may participate in the meeting and vote via telephone conference or other interactive electronic technology, if the necessary equipment is available. The availability of the necessary equipment shall be identified in the Notice of the meeting.
- C. At any duly constituted meeting, all questions, except those concerning amendments to the bylaws and removal of officers, shall be resolved by a majority vote of those Council members in attendance.

ARTICLE IX COMMITTEES

- A. Upon a majority vote of those Council members in attendance at a duly constituted meeting, a special subcommittee may be created which shall operate within the bylaws of the Council and address only the issue(s) directed to it by the Council. Members of such a subcommittee shall be appointed by the Council Chair (See Article VI.A(4)), but need not be members or registered alternates of the Council. Membership in a subcommittee shall include stakeholders of the issue at hand and

include a Council Officer. Recommendations from such subcommittees shall be presented to the Council for formal action.

- B. Quorum for subcommittee meetings shall be one more than fifty percent of the subcommittee membership.

ARTICLE X MEETINGS

- A. The Chair or Vice Chair shall be present to hold any Council meeting or subcommittee meeting.
- B. There shall be an annual meeting of the Council for the election of officers and such other business as may be brought before the Council. Such annual meeting shall be the first meeting of each year, held at a time and place decided by mutual consent of the Chairman and the Department.
- C. There shall be a minimum of three meetings of the Council per calendar year. Each meeting of the Council shall be called at any time by mutual consent of the Chair and the Department, or by a majority vote of the Council members (or registered alternates) in attendance at a duly constituted meeting. The time and location of the meeting shall be determined by mutual consent of the Chair and the Department.
- D. Each Council meeting agenda shall have a specified time for the Department to bring business before the Council.
- E. Each Council meeting agenda shall specify a time for the public to address the Council. A time limit on speakers may be imposed by a majority vote of those Council members in attendance.
- F. The Council and its members are subject to Florida Public Records Law and the Sunshine Law in all matters related to issues of the Council.

ARTICLE XI NOTICE OF MEETINGS

- A. Written notice of all Council meetings shall be given by the Department to all Council members at least fourteen (14) days in advance as to date, time, and place of said meeting.
- B. Public notice of all Council meetings shall be given in accordance with Chapter 120, Florida Statutes.

Notice shall include the proposed agenda for the meeting, an electronic link to the draft minutes of the previous meeting, and reports from any subcommittees active since the previous full Council meeting. The notice shall also identify whether telephone equipment will be available for those members or registered alternates allowed to participate remotely.

ARTICLE XII QUORUM

A quorum for all Council meetings shall consist of one more than fifty percent of the membership.

ARTICLE XIII AMENDMENT OF BYLAWS

- A. These bylaws may be amended by a two-thirds vote of those Council members in attendance at a duly constituted meeting of the Council. Amendments to the bylaws shall become effective upon adoption.
- B. All proposed bylaws amendments shall be distributed to all Council members at least fourteen (14) days in advance of the meeting.
- C. These bylaws and all subsequent amendments thereto shall be approved by the Department.

ARTICLE XIV PARLIAMENTARY AUTHORITY

The parliamentary authority for the Council shall be the latest addition of Robert's Rules of Order.

Adopted this 17th day of September 2009.

ADOPTED: Marian Hilgenberg
for the Myakka River Management Coordinating Council

APPROVED: Mike Bulluck
for the Department of Environmental Protection