

BYLAWS OF THE MYAKKA RIVER  
MANAGEMENT COORDINATING COUNCIL

ARTICLE I  
NAME

The name of the organization shall be the Myakka River Management Coordinating Council  
(~~H~~ereinafter 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 ~~e~~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 ~~which~~ 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 ~~Secretary of the~~ Department.  
Each member shall authorize one alternate who must be designated in writing to the Department.
- C. Members of the ~~e~~Council shall serve until duly replaced by the ~~Secretary of the~~ Department. 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 Council Membership.
- D. The Council, upon a majority vote of those Council members in attendance at the annual meeting~~[or including anyone participating by telephone?]~~, 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 be summary minutes, reflecting the substance of the presentation 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~~man~~ and Vice Chair~~man~~. Each officer shall be a member of the Council.

A. The Chair~~man~~ 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 [or including anyone participating by telephone?].
- (2) Preside at meetings of the Council.
- (3) Appoint a Vice Chair~~men~~ to serve out an unexpired term; and
- (4) Appoint Chair~~men~~ and membership of all special committees subject to majority vote of those Council members in attendance [or including anyone participating by telephone?] at a duly constituted meeting of the Council.

B. The Vice Chair~~man~~ shall:

- (1) Perform all duties of the Chair~~man~~ in the event of absence or disability of the Chair~~man~~ or in event of a vacancy in that office.
- (2) When serving as Chair~~man~~, the Vice Chair~~man~~ 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 Chair~~man~~ and Vice Chair~~man~~ 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 [or including anyone participating by telephone?].
- 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 [or including anyone participating by telephone?].

## 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. All Council members or registered alternates must be present at Council meetings in order to vote. 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. (Note: This highlighted wording is for discussion) The Council shall operate an Executive Committee to fulfill the powers and duties of the Council when necessary between regularly scheduled meetings to address issues that affect the management and administration of the Myakka River area. The Executive Committee shall consist of the Council Chairman, Vice Chairman, and one representative each from the Department of Environmental Protection, the Southwest Florida Water Management District, a member county, a member city, an agricultural interest, a member environmental organization, and a member neighborhood. The Committee's membership should reflect the geographic extent of the river.
- B. Upon a majority vote of those Council members in attendance at a duly constituted meeting, a special committee 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 Chairman (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 member of the Executive Committee. (Note: change to Council officer if A above not included) Recommendations from such special committees shall be presented to the Council for formal action. Quorum for special committee meetings shall be one more than fifty percent of the membership.

## ARTICLE ~~IX~~ X MEETINGS

- A. 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.
- B. There shall be a minimum of three meetings of the Council per calendar year. Each A meeting of the Council may shall be called at any time by mutual consent of the Chairman 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 Chairman and the Department.
- C. Each Council meeting agenda shall have a specified time for the Department to bring business before the Council.
- D. 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.
- E. The Council and its members are subject to Florida Public Records and Sunshine laws in all matters related to issues of the Council.

## ARTICLE ~~X~~ XI

## NOTICE OF MEETINGS

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.

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 special committees 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 ~~XI~~ XII QUORUM

A quorum for all Council meetings shall consist of ~~a majority which number shall include~~ a majority of members present at the location of the meeting [or including anyone participating by telephone?] (one more than fifty percent), which number shall include either the Chairman or and Vice Chairman. ~~If the absent Council members or registered alternates originates forty (40) miles or more away from the meeting location, that member's absence would not effect seating a quorum and a quorum would consist of three (3) less than a majority.~~

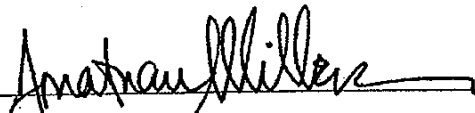
## ARTICLE ~~XII~~ XIII AMENDMENT OF BYLAWS

- 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 ~~XIII~~ XIV PARLIMENTARY AUTHORITY

The parliamentary authority for the Council shall be Roberts Rules of Order, latest edition.

Adopted this 3rd day of April 2013.

ADOPTED:  for the Myakka River Management  
Coordinating Council

APPROVED:  for the Department of  
Environmental Protection, Division of Recreation and Parks