

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: July 16, 2007

Agenda Item: 3 (L)	Prepared By: A. William Moss, City Manager Date: July 13, 2007
Agenda Section: Business: Discussion	
Subject: Charter Amendment Petition	Department: City Manager

BACKGROUND:

City Council is asked to authorize completion of the certificate regarding the technical sufficiency of a submitted petition, as required by City Charter Section 6.03(2).

On July 9, 2007, the City Clerk received notification from the Supervisor of Elections of Collier County that their review of the petitions submitted by "Preserve Our Paradise (P.O.P.)" was complete, and of the 1430 signatures examined, 1383 were found to be valid signatures of registered voters.

In accordance with Section 6.03(2) of the City Charter, "within twenty (20) business days after certification of the registered voters is received from the Supervisor of Elections, the city manager or other official designated by the council shall complete a certificate as to its sufficiency..." Inasmuch as the petition potentially impacts the office of the City Manager, it is recommended that City Council appoint the City Clerk as Council's designee in order to avoid even the remote appearance of impropriety.

Further, if a certification of sufficiency is made by the City Clerk, the petition would next be reviewed by City Council for legal sufficiency under Sec. 166.031, F.S., and acted upon by the Council, as provided by Charter Sec. 6.05. This matter will be presented for Council's consideration at the meeting of August 6, 2007.

RECOMMENDED ACTION:

Designate the City Clerk with the ministerial duty of reviewing the petition for technical sufficiency, and authorize completion of the required certificate.

Reviewed by Department Director	Reviewed by City Manager
Council Action: Motion by:	Second by: