



City of North Port

RESOLUTION NO. 2019-R-19

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, APPROVING THE EXPENDITURE OF FORFEITURE FUNDS FOR COSTS RELATED TO THE POLICE DEPARTMENT FORMING A CHAPTER OF THE DO THE RIGHT THING PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the North Port Police Department ("NPPD") is a law enforcement agency that serves and protects the community and the City of North Port; and

WHEREAS, pursuant to Florida Statutes Section 932.7055, the proceeds of property seized by NPPD are deposited in a special law enforcement trust fund ("forfeiture funds"); and

WHEREAS, Florida Statutes Section 932.7055 allows the use of forfeiture funds for certain purposes, including but not limited to crime prevention, safe neighborhood, drug abuse education and prevention programs, or other certain law enforcement purposes, provided that the City Commission grants authorization for the expenditure; and

WHEREAS, the Kiwanis Club of North Port, Inc. ("Kiwanis") is part of a global organization of volunteers dedicated to improving the world, one child, one community at a time; and

WHEREAS, the City, the NPPD, and the Kiwanis share the goal of recognizing exemplary behavior, acts of humanity, and public service by City residents under the age of 18 (a "Good Samaritan"); and

WHEREAS, as a step to reach this goal, the Kiwanis has established a community program known as the Do the Right Thing Program (the "Program") that will accept nominations from the community and recognize one Good Samaritan per month; and

WHEREAS, the NPPD intends to form a chapter of the Do the Right Thing Program and to purchase necessary chapter start-up supplies; and

WHEREAS, the City Commission of the City of North Port, Florida finds that this resolution serves the public health, safety, and welfare of the citizens of the City of North Port.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – INCORPORATION OF RECITALS

- 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set forth herein.

SECTION 2 – RESOLUTION

- 2.01 The Chief of Police has presented his written certification, attached hereto as Exhibit “A” and incorporated as if set forth herein, that the use of forfeiture funds pursuant to this resolution is in compliance with Florida Statutes Section 932.7055(5).
- 2.02 The City Commission for the City of North Port, Florida, finds that the requested use of forfeiture funds by the Chief of Police complies with the requirements of Florida Statutes Section 932.7055(5), in that the funds will not be used to meet normal operating expenses of the NPPD and will instead further crime prevention, safe neighborhood, and drug abuse prevention.
- 2.03 The City Commission for the City of North Port, Florida, authorizes the expenditure of one thousand dollars (\$1,000) from the forfeiture fund for the purpose of having the North Port Police Department form a chapter of the Do the Right Thing Program and for necessary start-up supplies.

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this resolution and any other resolution or portions thereof, the provisions of this resolution shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

- 4.01 If any section, subsection, sentence, clause, or phrase of this resolution is held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5 - EFFECTIVE DATE

- 5.01 This resolution shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

PASSED and DULY ADOPTED by the City Commission of the City of North Port this 10th day of September 2019.

CITY OF NORTH PORT, FLORIDA

CHRISTOPHER HANKS
MAYOR

ATTEST

KATHRYN WONG
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY