

Chapter 4 - BOARDS AND COMMITTEES

ARTICLE I. - BOARDS GENERALLY

Sec. 4-1. - Legislative intent.

It is the intent of the city commission of the City of North Port to establish uniform rules of procedure and governance of the meetings and conduct therein of the various boards and committees of the City of North Port, Florida. Any reference to boards in this article shall also include councils and committees. The provisions of this article shall apply to all boards and committees created by the city commission, except that an ordinance or resolution creating a board or committee that conflicts with a provision of this article shall control over this article, unless otherwise expressly provided in this article I.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014)

Sec. 4-2. - Board construction.

- (a) All boards shall consist of seven regular members and two alternate members, except and unless otherwise provided for by state statute. The alternates shall be designated as "first" and "second" alternate, based on time served as an alternate on a particular board. One regular member of each advisory board may be a youth member, unless youth members are specifically provided for by ordinance.
- (b) Each board shall elect from its members a chairperson to serve as the presiding officer at all meetings and a vice-chairperson to serve as the presiding officer at all meetings at which the chairperson is absent. Board chairpersons and vice-chairpersons shall be elected annually at their first meeting of each calendar year. Youth may not serve as chair or vice-chair unless they are 18. A member may not serve as chairperson for more than two consecutive years.
- (c) No subcommittees, special committees or ad hoc committees shall be formed by the boards without prior approval of the city commission.
- (d) Alternates. In the absence of a regular member, an alternate shall take the place of the regular member and may participate and vote in the meeting as a regular member. The first alternate shall take the place of the first absent regular member, and the second alternate shall take the place of the next absent regular member. If both a regular member and the first alternate are absent, the second alternate will take the place of the absent regular member. An alternate may participate in a meeting only when taking the place of a regular member.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014; Ord. No. 2015-39, § 1(Exh. A), 9-28-2015; Ord. No. 2017-30, § 2(2.01), 1-9-2018)

Sec. 4-3. - Appointment, qualifications, term and vacancies.

- (a) Appointment. All board members shall be appointed by majority vote of the city commission.
- (b) Residency.
 - (1) Except as otherwise provided herein, all board appointees shall have resided within the city for a period of one year. Residency must be maintained throughout the term of office. Failure to maintain permanent

residency within the city shall result in automatic vacation of the board seat.

- (2) One nonresident may serve on each board, provided that the person currently owns and has owned real property in the City of North Port for at least one year prior to appointment. Ownership will be determined by the property's Sarasota County tax bill. This nonresident member will enjoy full voting rights.
- (c) Advisory board members serve at the pleasure of the commission and may be removed or replaced by a majority vote of the commission, unless otherwise provided by law.
- (d) Compensation. Board members shall serve without compensation. An advisory board member shall receive reimbursement for expenses incurred in the performance of his/her official duties only upon prior written request and written authorization of the city manager.
- (e) Youth. Persons aged 14—17 years at the time of appointment and in high school may serve on non-quasi-judicial boards.
- (f) Term. Adult board members shall serve two-year terms, and may be reappointed for one additional two-year term. Time spent as an alternate shall not count toward the calculation of a member's term. Service is limited to two consecutive terms, but a former board member may reapply for the same board after an absence of one year. Youth board members shall serve a one-year term, and may be reappointed for an additional one-year term if they are still in high school and under 18 at the time of reappointment. Youth who have aged out may apply for membership as an adult member.
- (g) Youth board member seats are filled in the same manner as regular board member seats.
- (h) Citizens of the City of North Port may serve on only one board with the exception of ad hoc, task force or special committees appointed by the commission for specific purposes. When such ad hoc committees are established by the city commission in which responsibilities and terms are limited, a citizen serving on one board may also serve on the ad hoc committee. An individual may not hold a position on two quasi-judicial boards concurrently.
- (i) Relatives shall not serve on the same advisory board or committee, and may not serve concurrently where one is a member of a board which issues decisions that are subject to appeal to a board on which their relative sits. Relative shall be as defined in F.S. § 112.3135 as amended, with the addition of grandfather and grandmother.
- (j) City employees may only sit on boards where expressly provided by law, ordinance or resolution.
- (k) Vacancies.
 - (1) Applications of persons seeking appointment or reappointment as a regular or an alternate member of an advisory board shall be kept on record for a period of two years. After two years, a new application shall be required for persons still seeking appointment or reappointment.
 - (2) New boards. The city commission shall appoint board members from the available applicants by majority vote. The city commission is not required to make an appointment, even if some seats are left unfilled, except where otherwise provided by law.
 - (3) Automatic promotion of alternate member.
 - a. An alternate member shall be automatically promoted to a regular member only when: (i) a vacancy is created prior to the end of a regular member's term; or (ii) a regular member's service has concluded after two consecutive terms. An alternate shall not be automatically promoted at the expiration of a

regular member's first term if the regular member applies for reappointment in accordance with subsection (k)(4) herein. When not automatically promoted, alternates may apply for appointment to any vacant seat.

- b. The first alternate shall be deemed, upon acceptance, to be automatically appointed to fill an eligible vacancy. If the first alternate does not accept the appointment, the second alternate shall be deemed, upon acceptance, to be automatically appointed to fill the regular member vacancy.

(4) Existing board vacancies.

- a. Any vacancy not filled by the automatic promotion of an alternate shall be filled in accordance with this subsection.
- b. The city commission shall appoint board members to a vacant seat from the available applicants by majority vote. The city commission is not required to make an appointment, even if some seats are left unfilled, except where otherwise provided by law.
- c. The city clerk or designee shall announce vacancies and upcoming board member term expirations for all boards at each regular commission meeting and shall advertise in an appropriate medium to solicit applications from interested citizens to serve on the boards. One month after a vacancy or a term expiration is first announced at a commission meeting, or if no applications are received within that time and no applications are on file, upon receiving an eligible application, the application(s) will be placed on a commission meeting agenda for the commission to review for appointment. The city commission is not required to make an appointment, except as otherwise provided by law.
- d. The city clerk or designee shall post on the bulletin board and provide the commission with a list to be updated periodically of those appointments expiring from the various boards, to include the name, appointment and termination dates, at least three months in advance. Copies shall also be made available for the citizens at commission meetings in an effort to encourage more participation on the boards. The city clerk will add to the regular commission meeting agenda the list of vacancies and term expirations on the various boards.

(l) Conflicts of interest. Prior to reappointing an advisory board member or appointing a public officer as defined in F.S. ch. 112, the city commission shall consider the number and nature of the memoranda of conflict previously filed by the public officer.

(m) Effect of change in qualifications or term. For any board members serving on a board prior to a change in number of members, length of term, or adoption of a disqualifying factor such as service on only one advisory board or a prerequisite for service, the board member may continue to serve out the duration of their term under the prior ordinance or resolution, where the board member was appropriately appointed at the time. Notwithstanding the foregoing, if the change in ordinance or resolution was required by state or federal law, county ordinance or city charter, and immediate compliance is needed, the board member's seat will be vacated. This subsection shall control over specific board ordinances unless the board ordinances expressly states otherwise.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014; Ord. No. 2015-39, § 1(Exh. A), 9-28-2015; Ord. No. 2017-30, § 2(2.01), 1-9-2018; Ord. No. 2018-36, § 2.01, 1-22-2019)

Sec. 4-4. - Meetings.

- (a) An annual calendar of regular meeting dates shall be approved at the first board meeting of every year.

These regular meetings shall be used in determining attendance records.

- (b) The specific dates and times for the meetings shall be determined by each board, with consideration given to staff liaison, recording secretary and city hall meeting facilities availability. Special meetings and workshops may be scheduled upon consent of the board. The board chairperson, or in their absence, the vice-chairperson, is also authorized to call or schedule a special meeting or workshop, which requires 48-hour notice and posting. Emergency meetings may be scheduled by the board chairperson, or in their absence, the vice-chairperson, through the staff liaison.
- (c) Board members shall make every reasonable effort to attend all meetings. A board member will be deemed to have resigned his or her seat if:
- (1) He or she has unexcused absences from four consecutive regular meetings, or
 - (2) He or she is absent without excuse from 25 percent or more of regular board meetings in a calendar year. The percentage of absences for the preceding year shall be calculated by the city clerk's office each January.

Upon such resignation, the city clerk shall notify the chairperson and members present that the member has resigned his or her seat through excessive absences and the seat is now vacant. The city clerk shall then send a letter to the member notifying that member that his or her seat has been vacated due to excessive unexcused absences. An absence is excused if a result of personal or family illness, or death in the family.

- (d) Board members must attend the entire meeting and not leave the meeting until adjourned by formal vote of the membership of the board. Members shall arrive at meetings promptly at the regularly scheduled time. If a member must leave during the meeting, due to illness or family emergency, that member shall request approval from the chairperson before doing so.
- (e) Quorum. A majority of the appointed regular and youth members of a board shall constitute a quorum, unless otherwise provided by law. A majority vote of members present shall be required to take official action.
- (f) Public comment. The public shall be allocated time to comment on agenda items and matters pertinent to each board pursuant to state law. The city commission may establish policies governing public comment for the boards. Time for public comment shall be designated on each meeting agenda, toward the beginning and the end of the meeting. Members of the public shall be given a reasonable opportunity to be heard on each agenda item except as provided for below. The right to comment does not apply to:
- (1) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board to act;
 - (2) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
 - (3) A meeting that is exempt from F.S. § 286.011; or
 - (4) A meeting during which the board is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014; Ord. No. 2018-36, § 2.01, 1-22-2019)

- (a) All of the boards established by the city commission shall be subject to the following rules of decorum in the course of all board meetings:
- (1) While the meeting is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting or disturb any member while speaking or refuse to obey the orders of the presiding officer. Members of boards and committees shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.
 - (2) Any person making personal, impertinent, slanderous or profane remarks or who willingly utters loud, threatening or abusive language or engages in any disorderly conduct which would impede, disrupt, or disturb the orderly conduct of any meeting, hearing, or other proceedings shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the board during that meeting.
 - (3) No person in the audience shall engage in disorderly conduct such as hand clapping, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting.
 - (4) The most current edition of Robert's Rules of Order, as amended, is hereby adopted as a guide to the conduct of all meetings of all boards established by the city commission. Robert's Rules shall not be applied where such application would be in conflict with the law. Failure to strictly adhere to Robert's Rules of Order shall not invalidate any action taken by a board.
- (b) Board members shall comply with all city and state laws applicable to their board. All board members are required to attend a city-sponsored seminar on sunshine, public records, and ethics law annually. Failure to attend a seminar each year, based on the date of a board member's appointment, shall be treated as a resignation by that board member.
- (c) Those boards which must conduct quasi-judicial hearings, such as the code enforcement board, planning and zoning advisory board and zoning board of appeals shall comply with state law while conducting quasi-judicial hearings.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014)

Sec. 4-6. - Enforcement of order and decorum.

- (a) Any member of a board may move to require the presiding officer to enforce these rules and the affirmative vote of a majority of the board shall require him/her to do so.
- (b) In the event that any meeting is willfully disturbed by a person or persons so as to render the orderly conduct of such meeting infeasible and when order cannot be restored, the meeting may be adjourned by the presiding officer and the remaining business considered at the next regular meeting.
- (c) If the matter being addressed prior to adjournment is of such nature as to demand immediate attention, the presiding officer may either call a special meeting within 48 hours or continue the meeting to a date certain to discuss the urgent item only. This is an exception to the requirements of subsection 4-9(a).
- (d) By a majority vote of the members of a board, the board may recommend to the city commission the removal of a member who fails to comply with any provisions of this article.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014)

Sec. 4-7. - Reports.

- (a) All boards shall provide verbal or written reports to the city commission to include the previous fiscal year's activities and their goals for the following fiscal year in the first quarter of the calendar year each year. The city commission shall review the annual reports, duties, responsibilities and goals of the boards, and thereafter meet with the boards to address issues if necessary.
- (b) Appointees to non-city boards, in which one appointee represents the city, shall make verbal or written reports to the commission at least twice yearly.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014)

Sec. 4-8. - City clerk duties.

- (a) The city clerk shall provide a recording secretary to assist each board within the City of North Port. The recording secretary shall attend all board meetings. The recording secretary's duties shall be limited to the recording of meeting proceedings, preparation of minutes, conduct of the roll call and maintenance of a record of attendance of all members of boards. If the board has quasi-judicial issues on the agenda, a recording secretary, who has a notary public certification, will assist in the swearing in of all parties, in the absence of the city clerk. All other secretarial needs required by boards shall be provided through the appropriate staff liaison. The original approved minutes shall be kept on record in the city clerk's office as the official records of the board. A copy of all approved minutes shall be provided to the staff liaison and to the city commission.
- (b) The city clerk or his/her designee shall act as parliamentarian for all boards.
- (c) The city clerk shall provide to boards and staff liaisons recommended agenda outlines, so as to provide uniformity in all board agendas. The city clerk is responsible for posting all board agendas.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014)

Sec. 4-9. - Staff liaisons.

- (a) A city staff liaison shall be assigned to each board. This staff liaison will be responsible for the preparation of all agendas, backup material and distribution to the members. The agenda for all regularly scheduled board meetings shall be provided to the city clerk's office at city hall at least 48 hours prior to the regularly scheduled meeting. The recording secretary shall be provided with a complete agenda package, including backup materials, for the official record and minute preparation purposes. The staff liaison shall notify all members of any special or emergency meetings that are called by the board chairperson or vice-chairperson as soon as possible. The staff liaison shall not schedule a special or emergency meeting if they can determine that a quorum will not be able to physically attend the meeting at the scheduled time.
- (b) The city staff liaison assigned to a board shall ensure that the agenda and materials are made available to the board members at least four days prior to the meeting or as expeditiously as is possible under the circumstances.
- (c) All requests for reports or research from city staff shall be made by authority of the entire board. No single member may make such requests of any city staff member, including the staff liaison, without formal board approval. Such approval shall be noted in the minutes of the board. Upon approval by a majority of the board, the chairperson of the board may request such research and/or reports from city staff through the staff liaison only. All requests shall be approved by the city manager, if his/her staff serves as the liaison, or

the city clerk, if his/her staff serves as the liaison. If the request is time extensive, or staffing is not available, the city manager or city clerk may request approval of the commission prior to proceeding. Any refusal by the city manager or city clerk shall be provided to the commission in written form.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014)

Sec. 4-10. - Certificate of appreciation.

Upon resignation, vacation or completion of his or her term on a board, an appointee shall receive a certificate of appreciation from the city.

(Ord. No. 2014-07, § 2(Exh. A), 2-10-2014)

Secs. 4-11—4-99. - Reserved.

ARTICLE II. - CHARTER REVIEW ADVISORY BOARD

Sec. 4-100. - Establishment.

The charter review advisory board is hereby created and established.

(Ord. No. 2014-08, § 2(Exh. A), 2-10-2014)

Sec. 4-101. - Powers and duties.

The charter review advisory board shall have all the powers, duties and responsibility set forth in 8.02 of the city charter, including the recommendation to the mayor and the city commission of proposed amendments to the city charter which would be subject to referendum at the next general election or at a special election called for that purpose. The charter review advisory board shall also review, at least annually, the city charter and any self-initiated or suggested changes from the city commission or city administration to determine if any proposed charter amendments should be formulated in writing for submission to the mayor and city commission to initiate the referendum process, as described above.

(Ord. No. 2014-08, § 2(Exh. A), 2-10-2014)

Secs. 4-102—4-119. - Reserved.

ARTICLE III. - ART ADVISORY BOARD

Sec. 4-120. - Establishment.

The art advisory board is hereby created and established.

(Ord. No. 2014-10, § 1(Exh. A), 2-10-2014)

Sec. 4-121. - Membership.

The art advisory board shall consist of seven regular members, two alternate members, and two youth members. (Ord. No. 2014-10, § 1(Exh. A), 2-10-2014; Ord. No. 2015-39, § 1(Exh. B), 9-28-2015; Ord. No. 2017-30, § 2(2.01), 1-9-2018)

Sec. 4-122. - Meetings.

The art advisory board shall meet not less quarterly. The chairperson may call for a special or emergency meeting to address special issues.

(Ord. No. 2014-10, § 1(Exh. A), 2-10-2014)

Sec. 4-123. - Powers and duties.

(a) The art advisory board shall advise and recommend on the following matters:

- (1) The rotation of an art exhibit within city hall and the police department.
- (2) Recommendations on the placement of artwork within public places within the city limits.
- (3) Presentation of an art budget to the commission for review.

(Ord. No. 2014-10, § 1(Exh. A), 2-10-2014)

Secs. 4-124—4-129. - Reserved.

ARTICLE IV. - AUDITOR SELECTION COMMITTEE

Footnotes:

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Editor's note— Ord. No. 2019-33, § 2.01, adopted July 23, 2019, amended the title of Art. IV from "Audit Committee" to "Auditor Selection Committee," as set out herein.

Sec. 4-130. - Establishment.

The audit committee, as required by F.S. § 218.391, as amended, is hereby created and established.

(Ord. No. 2014-04, § 2(Exh. A), 2-10-2014)

Sec. 4-131. - Membership.

The auditor selection committee shall consist of at least three regular members and two alternate members. The committee shall consist of one city commissioner, who shall serve as the chairperson; at least two at-large members; and two alternate members. An alternate may participate in a meeting only when taking the place of an at-large member. The terms of the at-large members shall be staggered.

The city manager, director of the finance department, and employees shall not serve as members of the committee, but may serve in an advisory capacity. No youth members shall serve on the committee.

(Ord. No. 2014-04, § 2(Exh. A), 2-10-2014; Ord. No. 2017-30, § 2(2.01), 1-9-2018; Ord. No. 2018-36, § 2.02, 1-22-2019; Ord. No. 2019-33, § 2.01, 7-23-2019)

Sec. 4-132. - Power and duties.

- (a) The duties of the auditor selection committee are to provide for auditor selection functions consistent with F.S. § 218.391, as amended. These duties include:
- (1) Establish factors to use for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under F.S. ch. 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy. Such factors shall include, but are not limited to, ability of personnel, experience, ability to furnish the required services, and such other factors as may be determined by the committee to be applicable to its particular requirements;
 - (2) Publicly announce requests for proposals. Public announcements must include, at a minimum, a brief description of the audit and indicate how interested firms can apply for consideration;
 - (3) Provide interested firms with a request for proposal. The request for proposal shall include information on how proposals are to be evaluated and such other information the committee determines is necessary for the firm to prepare a proposal.
 - (4) Evaluate proposals provided by qualified firms. If compensation is one of the factors established pursuant to subsection (a)(1), it shall not be the sole or predominant factor used to evaluate proposals.
 - (5) Rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (a)(1). If fewer than three firms respond to the request for proposal, the committee shall recommend such firms as it deems to be the most highly qualified.

(Ord. No. 2014-04, § 2(Exh. A), 2-10-2014; Ord. No. 2019-33, § 2.01, 7-23-2019)

Secs. 4-133—4-138. - Reserved.

ARTICLE V. - THE BEAUTIFICATION AND TREE/SCENIC HIGHWAY COMMITTEE

Sec. 4-139. - Establishment.

The beautification and tree/scenic highway committee is hereby established.

Sec. 4-140. - Powers and duties.

- (a) The beautification and tree/scenic highway committee shall continue to exercise the powers, and carry out the duties and responsibilities that have been given by the city commission.
- (b) The beautification and tree/scenic highway committee shall recommend grants to apply for and other sources of funding to accomplish the goals of the Florida Scenic Highway program.
- (c) The beautification and tree/scenic highway committee shall advise the city commission, city commission-created advisory boards and the community on matters relating to tree planting and care, landscaping, beautification of public road rights-of-way and public places within the city, and the availability of special programs to assist the public.

(Ord. No. 2016-08, § 2(Exh. A), 4-26-2016)

Secs. 4-141—4-149. - Reserved.

ARTICLE VI. - COMMUNITY ECONOMIC DEVELOPMENT ADVISORY BOARD

Sec. 4-150. - Establishment.

The community economic development advisory board, is hereby created and established for the purpose of advising the city commission on business and economic development and issues of importance to the North Port business community and citizens.

(Ord. No. 2014-11, § 1(Exh. A), 2-24-2014)

Sec. 4-151. - Membership.

The community economic development advisory board shall consist of up to 11 regular members comprised of:

- (1) No more than two members from each of the following categories:
 - a. Financial services;
 - b. Real estate; and
 - c. North Port resident.
- (2) No more than one member from each of the following categories:
 - a. Medical and health care;
 - b. Development, engineering, or planning;
 - c. Higher education or unelected school board representative;
 - d. Tourism, sports, or entertainment;
 - e. Diversified light industrial/manufacturing;
 - f. Public relations; and
 - g. Land use attorney.

An unelected Sarasota County representative may serve as an ex officio nonvoting member.

(Ord. No. 2014-11, § 1(Exh. A), 2-24-2014; Ord. No. 2017-06, § 1(1.01), 3-28-2017; Ord. No. 2017-30, § 2(2.01), 1-9-2018; Ord. No. 2020-13, § 2(2.01), 3-24-2020)

Sec. 4-152. - Residency requirement.

It is preferred that a majority of the regular and alternate members of the board shall be city residents. However, in cases where local residents are unable or unavailable to fill a specific category, applicants who are not city residents will be considered for membership.

(Ord. No. 2014-11, § 1(Exh. A), 2-24-2014; Ord. No. 2017-30, § 2(2.01), 1-9-2018; Ord. No. 2018-36, § 2.03, 1-22-2019)

Sec. 4-153. - Meetings.

The board shall meet at least quarterly, but may hold additional meetings as needed.

(Ord. No. 2014-11, § 1(Exh. A), 2-24-2014)

Sec. 4-154. - Power and duties.

- (a) The community economic development advisory board shall serve in an advisory capacity and shall work with the city manager and staff as appointed by the city manager in researching, developing and recommending business and economic development policies necessary to direct the orderly economic growth of the city.
- (b) The community economic development advisory board shall work with the city manager and staff as appointed by the city manager to support the city's business and economic development activities as follows:
 - (1) Make recommendations on any updates to the city's business and economic development strategic plan with long-term goals and objectives.
 - (2) Provide recommendations on any city commission short-term action plans and measurements.
 - (3) Make recommendations on resources allocated for economic development activity of the city.
 - (4) Provide recommendations on policies and ordinances affecting economic development.

(Ord. No. 2014-11, § 1(Exh. A), 2-24-2014)

Secs. 4-155—4-159. - Reserved.

ARTICLE VII. - NORTH PORT PARKS AND RECREATIONAL ADVISORY BOARD

Sec. 4-160. - Establishment.

The parks and recreation advisory board is hereby created and established.

(Ord. No. 2014-14, § 2(Exh. A), 4-14-2014)

Sec. 4-161. - Membership.

The parks and recreation advisory board shall consist of seven regular members, two alternate members, and two youth members.

Members shall include representatives of the community at large and the business community, with at least one representative from each sector.

(Ord. No. 2014-14, § 2(Exh. A), 4-14-2014; Ord. No. 2015-39, § 1(Exh. C), 9-28-2015; Ord. No. 2017-30, § 2(2.01), 1-9-2018)

Sec. 4-162. - Power and duties.

- (a) The parks and recreation advisory board shall advise the city commission on parks and recreation matters.
- (b) The advisory board shall:
 - (1) Make written and verbal recommendations to the city commission regarding parks and recreation matters within the City of North Port:
 - a. Use and condition of all public recreation facilities and recommend such changes as the advisory

board shall deem appropriate.

- b. Recommend recreational programs to ensure that all public recreational facilities are properly and efficiently operated and each facility is utilized to its optimum to the benefit of all citizens.
 - c. The parks and recreation board advisory board will explore various sources of grant funds that may be available for recreational programs and/or facilities and assist in development of an application for such funds.
 - d. Shall recommend a representative from the board to serve as a representative on the Sarasota County Parks Advisory and Recreation Council to the city commission.
- (2) Make written and verbal recommendations to the city commission as follows:
- a. Design an annual action plan for play and implement initiatives that work toward improving the quality, quantity and access to play opportunities within the community.
 - b. Conduct a play space audit and make recommendations regarding the play space database.
 - c. Outline financial and civic investment and identify the financial and civic resources available to the city for play.
 - d. Celebration of an annual play day.
- (3) Work with government, community, and business representatives to encourage play and play opportunities.
- (4) Identify various sources of grant funding that may be available for recreational programs and/or facilities and assist in applying for grants for such funds.

(Ord. No. 2014-14, § 2(Exh. A), 4-14-2014)

Secs. 4-163—4-169. - Reserved.

ARTICLE VIII. - PUBLIC UTILITY ADVISORY BOARD

Sec. 4-170. - Establishment.

The public utility advisory board is hereby created and established.

(Ord. No. 2014-06, § 2(Exh. A), 2-10-2014)

Sec. 4-171. - Membership.

- (a) The public utility advisory board shall consist of seven regular members and two alternate members. One nonresident member who receives city water and wastewater utility services and represents extraterritorial customers may be appointed.
- (b) To the greatest extent possible, members shall have experience and expertise in water and/or sewer services, utility management and/or operations, utility rate setting, utility engineering, utility construction, utility regulation, public health and/or environmental engineering.

(Ord. No. 2014-06, § 2(Exh. A), 2-10-2014; Ord. No. 2015-39, § 1(Exh. D), 9-28-2015; Ord. No. 2017-30, § 2(2.01), 1-9-2018; Ord. No. 2018-36, § 2.04, 1-22-2019)

Sec. 4-172. - Power and duties.

- (a) The North Port Utility Advisory Board shall have the following powers, duties and responsibilities:
- (1) Assist in public outreach efforts to include groundbreaking and ribbon cutting ceremonies and water conservation education.
 - (2) To make written and verbal recommendations to the city commission regarding water and sewer utilities on such issues as:
 - a. Capital improvement projects to be included in the utility department's capital improvement program.
 - b. Water and sewer master plans.
 - c. Purchase of additional utility facilities.
 - d. Rate review and recommendations.
 - e. Utility ordinances.
 - f. Federal, state and regional utility matters that may affect the City of North Port.
 - (3) To perform other duties relating to water and sewer utilities as the city commission may from time-to-time direct.

(Ord. No. 2014-06, § 2(Exh. A), 2-10-2014)

Secs. 4-173—4-179. - Reserved.

ARTICLE IX. - ENVIRONMENTAL ADVISORY BOARD

Sec. 4-180. - Establishment.

The environmental advisory board is hereby created and established.

(Ord. No. 2018-01, § 2(2.01), 3-6-2018)

Sec. 4-181. - Membership.

The environmental advisory board shall consist of seven regular members, two alternate members, and two youth members. Members should be guided by a desire and an interest in preserving and protecting the environment, wildlife habitat, and the natural resources in the city.

(Ord. No. 2018-01, § 2(2.01), 3-6-2018)

Sec. 4-182. - Powers and duties.

- (a) The environmental advisory board shall serve as an information resource to and advise the city commission on ways to protect, conserve, enhance and raise public awareness of the city's natural and environmental resources, its wildlife habitat, its flora and fauna, and on safeguarding environmental quality for the future.
- (b) The environmental advisory board shall:
- (1) Advise the city commission on matters pertaining to preserving and promoting clean air and water

quality.

- (2) Advise the city commission on matters pertaining to preserving and promoting wildlife and habitat protection.
- (3) Advise the city commission on state and federal environmental regulations that may impact the city.
- (4) Analyze and consider environmental concerns raised by citizens.
- (5) Identify educational and outreach community opportunities related to preserving and protecting the environment and wildlife habitat.
- (6) Research and recommend grants and incentives related to preserving and protecting the environment and wildlife habitat.
- (7) Perform other duties relating to preserving and protecting the environment and wildlife habitat as the city commission may from time-to-time direct.

(Ord. No. 2018-01, § 2(2.01), 3-6-2018)

Secs. 4-183—4-189. - Reserved.

ARTICLE X. - HISTORIC AND CULTURAL ADVISORY BOARD

Sec. 4-190. - Establishment.

The historic and cultural advisory board is hereby created and established.

(Ord. No. 2018-21, § 2(2.01), 5-8-2018)

Sec. 4-191. - Membership.

The historic and cultural advisory board shall consist of seven regular members. At least four members shall be year-round residents of the city. Three members shall be residents-at-large. One nonresident may serve on the board in place of a resident-at-large, provided that the person currently owns and has owned real property in the city for at least one year prior to appointment. Four members shall be practicing or retired professionals from any of the following disciplines with a demonstrated commitment to historic and cultural preservation; no more than two members shall be from the same discipline:

- (1) Anthropology.
- (2) Real estate, land development, or finance.
- (3) History, culture, folklore, or architectural history or culture.
- (4) Conservation or curation.
- (5) Architecture or historic or cultural architecture.
- (6) Historic or cultural preservation.
- (7) Land use planning or historic or cultural preservation planning.
- (8) Historic or cultural landscape architecture.
- (9) General or building contractor.

(10) Professional engineering.

(Ord. No. 2018-21, § 2(2.01), 5-8-2018; Ord. No. 2018-36, § 2.05, 1-22-2019)

Sec. 4-192. - Power and duties.

- (a) The historic and cultural advisory board shall serve as an information resource to and advise the city commission on ways to protect, conserve, preserve, enhance, and raise public awareness of the city's historic and cultural resources.
- (b) The historic and cultural advisory board shall:
 - (1) Advise the city commission on designation and regulation of historic and cultural sites and structures within the city.
 - (2) Identify and recommend designation of historic and cultural landmarks.
 - (3) Identify and recommend properties and landmarks potentially eligible for listing on the local and National Register of Historic Places.
 - (4) Periodically review the city's inventory of historic and cultural sites and landmarks.
 - (5) Identify and make recommendations regarding the city's comprehensive plan, codes, policies, and projects that influence historic and cultural resources.
 - (6) Evaluate and make recommendations regarding potential legislation pertaining to historic and cultural resources.
 - (7) Evaluate and recommend efforts for increasing public awareness of the city's history, culture, and historic and cultural sites and resources.
 - (8) Perform other duties related to protecting, conserving, enhancing, and raising public awareness of the city's historic and cultural resources as the city commission may from time to time direct.

(Ord. No. 2018-21, § 2(2.01), 5-8-2018)

Secs. 4-193—4-199. - Reserved.

ARTICLE XI. - NORTH PORT YOUTH COUNCIL

Sec. 4-200. - Establishment.

There is hereby created an advisory board to be known as the North Port Youth Council (hereinafter referred to as the "NPYC" and "the council").

(Ord. No. 2018-63, § 2.01, 1-22-2019)

Sec. 4-201. - Purpose and intent.

The purpose of the NPYC is to provide the city commission a youth perspective on issues that affect the city and to provide youth an opportunity to be active and make a difference in their community.

(Ord. No. 2018-63, § 2.01, 1-22-2019)

Sec. 4-202. - Membership.

The NPYC shall consist of seven (7) to eleven (11) student members in the following manner:

- (1) Every student member shall attend school within the limits of the city for a period of one year prior to the appointment and shall remain a student through his or her term. One at-large member may attend school outside the City of North Port, provided the member is a resident of the city and remains a resident through his or her term.
- (2) Every student member shall have successfully completed the sixth (6th) grade and may be currently enrolled and attending middle school or high school and shall be under the age of twenty (20).
- (3) *Representation.* The city commission shall endeavor to appoint members so that a diverse representation reflecting the community is achieved. Members of the NPYC may include:
 - a. One member representing North Port High School;
 - b. One member representing Imagine High School;
 - c. One member representing Heron Creek Middle School;
 - d. One member representing Imagine Middle School;
 - e. One member representing Woodlands Middle School;
 - f. One member representing home schoolers; and
 - g. Up to five at-large members who are residents of the City of North Port.

If a representative cannot be found from the above-listed schools within three consecutive meetings of the council, the city commission may fill such position with an at-large member.

The council shall have two alternate at-large members.

- (4) *Appointment.* To be eligible, interested students shall submit an application form and meet the criteria as set forth herein. All applicants shall be interviewed and recommended by the NPYC and final approval by city commission. The initial members shall be interviewed and approved by city commission.
- (5) *Term of service.* Members of the NPYC shall serve a term of one year. After serving they must be reappointed by the city commission in order to continue serving on the council. When filling a vacancy, a full term begins once the remaining time for said vacancy has expired. A member's term shall automatically cease upon the occurrence of one of the vacancy conditions set forth in subsection (6) below.
- (6) *Vacancies.*
 - a. A member's term shall automatically cease and a vacancy shall occur upon the occurrence of any one of the following conditions:
 1. A member no longer attends school in the City of North Port. If a member no longer attends the school the member has been appointed to represent but still attends school in the City of North Port, the member shall be deemed to serve as the representative of the member's current school or as an at-large member, provided there is an open seat. If no open seat is available, the member's term shall automatically cease, and a vacancy shall occur.
 2. A member voluntarily vacates his or her seat.
 3. An at-large member no longer resides in the city.

b. A member may be removed by the city commission for the following reasons:

1. If a member fails to attend three meetings of the NPYC in succession or more than 25 percent of all board meetings without prior notification and approval of the chairman of the council.
2. Any other reason which affects a member's service on the NPYC. Upon removal by the city commission, the member's seat on the council shall be considered vacant.

c. Vacancies shall be filled in the same manner as appointment for the council.

(7) Members serve at the pleasure of the city commission and any member may be removed with or without cause by the city commission at any time.

(Ord. No. 2018-63, § 2.01, 1-22-2019; Ord. No. 2019-13, § 2.01, 5-14-2019)

Sec. 4-203. - Duties of members.

(a) *Role.* The purpose of the NPYC is to express the ideas of youth, fill the gap between city officials and the city's youth, and to commit itself to the following objectives:

- (1) To assist in planning and promoting programs and services for youth;
- (2) To educate and raise awareness of youth issues;
- (3) To inspire positive action in the community;
- (4) To provide a voice for youth in the community;
- (5) To promote youth participation in community affairs;
- (6) To act as an advocate for youth and teens;
- (7) To review those municipal matters referred to by the city commission and, as appropriate, make recommendations on those matters;
- (8) To make recommendations to the city commission pertaining to the composition, function and obligations of the NPYC; and
- (9) To develop annual goals and objectives.

(b) *Duties of school representatives.* If applicable, each of the representatives from the schools previously listed shall also report to their respective student councils, student boards and/or student bodies at least once per quarter regarding actions of the council. Input from the respective schools shall be brought before the council for discussion. Representatives shall attend at least one city commission meeting per year in rotation during their term on the council.

(c) *Duties of at-large representatives.* Representatives shall attend at least one city commission meeting per year in rotation during their term on the council.

(d) *Election of officers.* The council shall elect, by a majority vote of members present, a chair, vice-chair and secretary; each officer shall hold office for a term of one year and/or until a successor is elected. No officer shall serve more than two consecutive terms. Election of officers shall be held annually during the first meeting held in October. The staff liaison will act as chair for the enabling meeting to elect initial officers, who shall serve until the annual election. The duties of the officers shall be as follows:

- (1) *Chair.* The chair shall be charged with the administration of the affairs of the NPYC. The chair shall preside over all meetings of the NPYC.
- (2) *Vice-chair.* The vice-chair shall assume the duties of the chair during the chair's absence. The vice-chair

shall assist the chair to perform duties when needed. The vice-chair shall prepare an annual report with assistance from the council as of the first meeting in March, summarizing the activities of the NPYC for presentation to the city commission.

- (3) *Secretary.* The secretary shall record and maintain the minutes of all youth board meetings and file them with the city clerk as unofficial minutes. The secretary shall perform other duties as ordinarily pertain to the office.

(Ord. No. 2018-63, § 2.01, 1-22-2019)

Sec. 4-204. - Meetings.

- (a) All meetings of the council shall be open and public. Regular meetings may be held monthly at an appropriate location as deemed by NPYC and approved by the city commission. Meeting dates and times will be set by the council at its first meeting and reviewed for formal approval annually thereafter. The North Port Youth Council will meet no less than quarterly.
- (b) The majority of the entire voting membership shall constitute a quorum.
- (c) A special meeting may be called at any time by either the chair or staff liaison. The city clerk shall notify each member by mail or electronic mail or telephone calls at least 48 hours in advance of the special meeting. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting.

(Ord. No. 2018-63, § 2.01, 1-22-2019)

Sec. 4-205. - General rules.

- (a) The council may use Robert's Rules of Order as a guide for all meetings. All recommendations to the city commission must be approved by the majority of the voting members present at any properly called meeting. All voting on matters for transmittal to the city commission shall be by roll call vote.
- (b) From time to time, the NPYC may initiate or carry out activities addressing community concerns it deems relevant and important with the commission's approval. Additions to the agenda may be made by a majority vote of the council members present at any meeting.
- (c) The council may appoint subcommittees when necessary to research issues.

(Ord. No. 2018-63, § 2.01, 1-22-2019)

Sec. 4-206. - Role of city commission.

- (a) The city commission may communicate upcoming issues to the NPYC, so it may respond accordingly.
- (b) The city commission shall maintain the responsibility to educate the NPYC, through staff and/or necessary budgeted seminars or workshops with regard to the operation and other issues of city government.
- (c) The city manager may provide additional support staff and budget as deemed necessary by the commission, to the NPYC to assist the council in carrying out its duties.

(Ord. No. 2018-63, § 2.01, 1-22-2019)

Sec. 4-207. - Rules of procedure.

- (a) The NPYC may promulgate other regulations governing the procedure of the council. No procedural regulation :
contrary to the provisions of this article or other applicable law.
- (b) Amendments to the other regulations may be recommended at any time by any council member; provided,
however, that any such amendment(s) shall be clearly set forth on the agenda and the membership has been
notified in writing. Upon the presentation of any recommendation for amendment(s), the issue shall be
considered by the council and, if a majority of the council present approves, a committee shall be formed to
study the proposed amendment(s). If the committee finds the amendment(s) worthy of council consideration,
the amendment(s) will then be presented for council deliberation.
- (c) Enactment of the other regulations and passage of any amendment to same requires a two-thirds majority
vote of the council present.

(Ord. No. 2018-63, § 2.01, 1-22-2019)

Sec. 4-208. - Governing priority.

The provisions of chapter 4, article I of this Code shall apply to the council. In the case of any conflict between this
article XI and any other provisions of chapter 4, the provisions of article XI shall govern.

(Ord. No. 2018-63, § 2.01, 1-22-2019)