



City of North Port

RESOLUTION NO. 2021-R-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, ADOPTING CITY COMMISSION POLICY NO. 2021-10 RELATED TO PROCEDURE FOR HYBRID MEETINGS AND ALLOWING CITY COMMISSIONERS, ADVISORY BOARD MEMBERS, COMMITTEE MEMBERS, AND TASK FORCE MEMBERS TO ATTEND PUBLIC MEETINGS VIRTUALLY WHEN AN IN-PERSON QUORUM HAS BEEN ESTABLISHED; INCORPORATING RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Section 125.01 allows the City of North Port to create uniform rules and procedures for the conduct of public meetings; and

WHEREAS, Florida law regulates meetings of local government bodies and requires that a quorum be present to conduct public business; and

WHEREAS, the Florida Attorney General's Office has historically taken a conservative approach concluding that any statutory quorum requirement to conduct public business requires the quorum of members to be physically present and that members present by electronic means do not count toward establishing the quorum; and

WHEREAS, the implementation of a policy is necessary to ensure consistency in allowing a City Commissioner, advisory board member, committee member, and task force member to attend public meetings virtually when an in-person quorum has been established; and

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

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

SECTION 1 – INCORPORATION OF RECITALS

1.01 The above recitals are true and correct and are incorporated in this resolution.

SECTION 2 – RESOLUTION

2.01 The City Commission adopts “Policy No. 2021-10 - Hybrid Meetings,” attached and incorporated in this resolution, as an administrative policy of the City Commission of the City of North Port.

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this resolution and any other resolution, in whole or in part, the provisions of this resolution will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this resolution is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the resolution.

SECTION 5 – EFFECTIVE DATE

5.01 This resolution takes effect immediately.

ADOPTED by the City Commission of the City of North Port, Florida, in public session on November 9, 2021.

CITY OF NORTH PORT, FLORIDA

GISELE “JILL” E. LUKE
MAYOR

ATTEST

HEATHER TAYLOR, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY