



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Special Meeting

CITY COMMISSIONERS

Jacqueline Moore, Mayor
Rhonda Y. DiFranco, Vice-Mayor
Cheryl Cook, Commissioner
Tom Jones, Commissioner
Linda M. Yates, Commissioner

APPOINTED OFFICIALS

Jonathan R. Lewis, City Manager
Mark Moriarty, City Attorney
Patsy Adkins, City Clerk

Tuesday, August 16, 2016

1:00 PM

CITY COMMISSION CHAMBERS

Commission Special Meeting and Executive Session

CALL TO ORDER/ROLL CALL

The North Port City Commission Special Meeting and Executive Session was called to order in City Chambers at 1:00 p.m. by Mayor Moore.

Present: Mayor Moore; Vice-Mayor DiFranco; Commissioner Cook; Commissioner Jones and Commissioner Yates; City Manager Lewis; City Attorney Moriarty; City Clerk Adkins; Recording Secretary Hale and Police Chief Vespia.

The Pledge of Allegiance was led by the Commission.

APPROVAL OF AGENDA – COMMISSION

Discussion ensued: (1) Commissioner Cook presented reasons for pulling Item C: [a] the motion in the previous Commission meeting was for the City Manager to bring back a budget item which has not been done yet; [b] each of the three items listed in the agenda item's text (attorney's contract, the budget which included the 3% raise, and 2015 budget) have been approved by a super-majority of the Commission; [c] there is no reason to discuss this and it needs to be put to rest; (2) Vice-Mayor DiFranco: [a] voiced concern that this is a Special Meeting and the item in question is a general business item that should be on a regular Commission meeting; [b] opined that it is not a priority matter and can be scheduled on a regular meeting in September; (3) Commissioner Yates stated: [a] the motion at the last meeting tabled the item until the Commission hires an outside attorney and the City Manager indicated he was not given direction to hire the attorney therefore, the item must be reopened to give specific direction; [b] it is an item of urgency in regard to accountability and responsibility to taxpayers; [c] the issue needs to be discussed by the Commission as a body, regarding an employee receiving three raises within 16 days; [d] it is not fair to taxpayers and other employees; [e] for the record, the budget was not approved for the amount the City Attorney is currently receiving and if the intent was to grant the additional two 3% raises it would have been budgeted. The Fiscal Year 2015-16 Budget was only approved for \$144,900 not for \$153,511.28, and that is why the conversation is needed; (3) Mayor Moore voiced concern regarding a perception that something happened with the City Attorney's salary that has not been reconciled but disagreed with the numbers presented by Commissioner Yates.

A motion was made by Commissioner Cook, seconded by Vice-Mayor DiFranco, to approve the Agenda, pulling Item C., Hiring an attorney for Commission discussion of City Attorney Mark Moriarty's salary, and tabling it indefinitely. The motion carried by the following vote with Mayor Moore and Commissioner Yates dissenting for reasons stated:

Yes: 3 - Commissioner Cook, Vice-Mayor DiFranco and Commissioner Jones

No: 2 - Mayor Moore and Commissioner Yates

PUBLIC COMMENT:

Public comment was held 1:08 p.m. -- 1:13 p.m.

- A.** [16-0461](#) Request Attorney-Client Session In Re: Daniel Rice v City of North Port, Housing Discrimination Complaint with the U.S. Department of Housing and Urban Development HUD File No.: 04-16-4671-8; Daniel Rice v. the City of North Port et. al., Circuit Court of the State of Florida in and for Sarasota County, Florida; case # 2015 CA 004080; and Daniel Rice v City of North Port et.al., United States District Court for the Middle District Florida, Tampa Division case # 8:16 CV106T35 TGW

City Attorney Moriarty requested Commission advice concerning litigation pursuant to Florida Statute 286.011(8). The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures. The entire session will be recorded by a certified court reporter. The court reporter is inside. The reporter shall record the times of the commencement and termination of the session; all discussion and proceedings; the names of all persons present at any time; and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting. The transcript shall be made part of the public record upon conclusion of the litigation.

Mayor Moore stated that the estimated time of the attorney/client session is one hour. In attendance at the Executive Session will be Mayor Jacqueline Moore, Vice-Mayor Rhonda DiFranco, Commissioners Cheryl Cook, Tom Jones and Linda Yates; City Manger Jonathan Lewis; City Attorney Mark Moriarty; and a court reporter from Guardian Reporting, Inc. At the conclusion of the attorney/client session, the City Commission shall return to the Commission Chambers; the meeting shall be re-opened, and the termination of the Executive Session shall be announced.

Recess 1:16 p.m. -- 1: 44 p.m.

Mayor Moore reconvened the Commission meeting and closed the Executive Session.

- B.** [16-0450](#) Group Medical Insurance Renewal with Cigna for an Estimated \$5,962,680.

City Manager Lewis provided an overview of the group medical insurance renewal coverage with CIGNA. The estimate is 5.1% over the current plan year. There was no public comment and no questions from the Commission.

Commissioner Jones expressed gratitude to Commissioner Yates for pursuing CIGNA as the course of action for the City employees.

A motion was made by Commissioner Yates, seconded by Vice-Mayor DiFranco,

to approve group medical insurance renewal with CIGNA for an estimated \$5,962,680. The motion carried by the following vote:

Yes: 5 - Mayor Moore, Commissioner Cook, Commissioner Yates, Vice-Mayor DiFranco and Commissioner Jones

C. [16-0451](#) Hiring an attorney for Commission discussion of City Attorney Mark Moriarty's Salary.

THIS ITEM WAS PULLED FROM THE AGENDA AND TABLED INDEFINITELY.

ADJOURNMENT:

Mayor Moore adjourned the North Port City Commission Special Meeting and Executive Session at 1:48 p.m.

City of North Port, Florida

By: _____
Jacqueline Moore, Mayor

Attest: _____
Patsy C. Adkins, MMC, City Clerk

Minutes approved at the City Commission Regular Meeting this ____ day of _____, 2016.