



City of North Port

RESOLUTION NO. 2017-R-03

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, PROVIDING FOR CODIFICATION OF THE CITY CHARTER ARTICLE VI, SECTION 6.01 “MEETINGS” TO AMEND THE LANGUAGE AS APPROVED BY VOTERS IN THE NOVEMBER 2, 2004 REFERENDUM; PROVIDING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 23, 2004, the North Port City Commission adopted Ordinance No. 04-40, which established the language for Questions Nine and Ten for proposed amendments to Section 6.01 of the City Charter of the City of North Port, Florida and called a referendum for consideration of same; and

WHEREAS, on November 2, 2004, said referendum was conducted as part of the general election for approval or rejection of the proposed amendments; and

WHEREAS, on November 3, 2004, the City Commission held a special meeting and the City Clerk canvassed the results of the referendum regarding the proposed amendments to Section 6.01; the meeting minutes are attached as Exhibit “A.” The results reflected that the voters rejected Question Nine regarding monthly meetings and approved Question Ten related to public meetings. The City Commission verified receipt of the referendum results. The official general election results of Sarasota County, Florida is attached as Exhibit “B” (see page 6); and

WHEREAS, to date, the text of Section 6.01 of the City Charter has not been updated to reflect the change approved by voters on November 2, 2004.

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

SECTION 1 – FINDINGS

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

SECTION 2 – CODIFICATION

- 2.01 The amendment to Article VI, Section 6.01 approved by voters shall be codified in the City Charter of the City of North Port, Florida to read as follows:

“...All meetings shall be public ~~and any person shall have the right to be heard on any matter before the Commission~~ except as provided by State law. The public shall have the right to be heard as provided for in City Code.”

- 2.02 The following language shall be added to the tenth paragraph to the Introduction to the City Charter of the City of North Port, Florida:

“On November 2, 2004, the City electorate approved by referendum, Charter amendments via Ordinance No. 2004-40 (adopted August 23, 2004) relating to ... Article V (Title change), Section 5.04(a); Article VI, Section 6.01; Article XII, Section 12.06(m); ...”

SECTION 3 - SEVERABILITY

- 3.01 If any section, subsection or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4 - EFFECTIVE DATE

- 4.01 This Resolution shall take effect immediately upon adoption by the City Commission of the City of North Port, Florida.

DULY ADOPTED BY THE COMMISSION OF THE CITY OF NORTH PORT AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2017.

CITY OF NORTH PORT, FLORIDA

LINDA M. YATES
MAYOR

ATTEST:

PATSY ADKINS, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

MARK MORIARTY
CITY ATTORNEY