



City of North Port

ORDINANCE NO. 2017-15

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF NORTH PORT, CHAPTER 4 BOARDS AND COMMITTEES, TO ADD NEW ARTICLE IX NORTH PORT YOUTH COUNCIL, SECTIONS 4-180 THROUGH 4-189, CREATING AN SAID ADVISORY BOARD TO BE KNOWN AS THE "NORTH PORT YOUTH COUNCIL" AND SETTING FORTH MEMBERSHIP REQUIREMENTS, AND POWERS AND DUTIES OF, AND PROCEDURES FOR SUCH BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS,~~Whereas,~~ the City of North Port (hereinafter referred to as the "City") desires to involve young people within the community to discuss issues which are important to the youth of our City and to advise the City ~~Council~~Commission on such issues; and

WHEREAS,~~Whereas,~~ the City desires to create an Advisory Board to be known as the North Port Youth Council to facilitate the involvement of the young people of the community in the government process, so as to receive a youth perspective on issues which affect the City of North Port; and

WHEREAS,~~Whereas,~~ the City additionally seeks to enable youth to participate in improving the quality of life in the community, which goal will be served by the North Port Youth Council; and

WHEREAS,~~Whereas,~~ the mission of the North Port Youth Council will be to provide insight and feedback on issues relating to youth, including city ordinances, long range planning, and city-functioned activities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 - FINDINGS

The City Commission hereby makes the following findings:

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

SECTION 2 - ADOPTION

2.01 The North Port City Commission hereby approves and adopts the following amendments to the Administrative Code of the City of North Port, creating a new Article IX to Chapter 4:

“Chapter 4 – BOARDS AND COMMITTEES

...

ARTICLE IX. – NORTH PORT YOUTH COUNCIL

Sec. 4-180. – Establishment.

SECTION 1 – 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”).

Sec. 4-181. – Purpose and Intent.**SECTION 2 – PURPOSE AND INTENT**

The purpose of the NYPC is to provide the City Commission a youth perspective on issues that affect the City of North Port and to provide youth an opportunity to be active and make a difference in their community.

Sec. 4-182. – Membership.**SECTION 3 – COMPOSITION OF BOARD**

The NYPC ~~may be composed~~ shall consist of seven (7) to eleven (11) student members ~~and up to three (3) adult non-voting advisory members~~ in the following manner:

~~1. — Student Members:~~

~~(a-)~~ Every student member shall reside within the limits of the City of North Port for a period of one (1) year prior to the appointment and shall remain a resident through his or her term.

Commented [AS1]: City Attorney suggested revision; as written, the ordinance makes numerous references to the “the Council”

Commented [AS2]: City Attorney suggested revision; consistent with the Code provisions for other advisory boards

Commented [AS3]: City Attorney suggested revision; consistent with the Code provisions for other advisory boards.

(b-) Every student member shall have successfully completed the seventh (7th) grade and may be currently enrolled and attending middle school or high school and shall be under the age of ~~T~~twenty (20).

(c-) 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:

- ~~(i)(1)-~~ One member representing North Port High School;
- ~~(ii)(2)-~~ One ~~M~~member representing Imagine High School;
- ~~(iii)(3)-~~ One ~~M~~member representing Heron Creek Middle School;
- ~~(iv)(4)-~~ One member representing Imagine Middle School;
- ~~(v)(5)-~~ One member representing Woodlands Middle School;
- ~~(vi)(6)-~~ One member representing ~~Home-home Schoolers~~schoolers; and
- ~~(vii)(7)-~~ _____ Up to five members chosen from the community at large.

If a representative cannot be found from the above-listed schools within three (3) consecutive meetings of the Council, the City Commission may fill such position with an at-large member.

The ~~Counsel~~Council shall have two (2) alternate at-large members.

(d-) Appointment: To be eligible, interested students shall submit an application form and meet the criteria as set forth herein. ~~Applicants may be nominated by the NPYC and/or the City Commission.~~ All applicants shall be interviewed and ~~approved~~ recommended by the NPYC and final approval by City Commission. The initial members shall be interviewed and approved by City Commission.

(e-) Term of Service: Members of the NPYC shall serve a term of ~~two years~~one (1) year. After serving they must be reappointed by the City Commission in order to continue serving on the Council. When filling a ~~vacancy~~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 ~~subparagraph~~subsubsection (f) below.

~~(f-)~~ _____ Vacancies:

~~(i)(1)-~~ _____ A ~~Board~~ member's term shall automatically cease and a vacancy shall occur upon the occurrence of any one of the following conditions:

_____ ~~(i)a.~~ (i)a. A member no longer resides in the City of North Port.

_____ ~~(ii)b.~~ (ii)b. A member voluntarily vacates his or her seat.

Commented [AS4]: City Attorney recommended revision; for consistency

~~(2)(2)~~— A ~~Board~~ member may be removed by the City Commission for the following reasons:

Commented [AS5]: City Attorney recommended revision; for consistency

~~(i)a.~~ If a member fails to attend three (3) meetings of the NPYC in succession or more than twenty-five percent (25%) of all Board meetings without prior notification and approval of the Chairman of the Council.

~~(ii)b.~~ ~~Other~~ 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.

~~(3)(3)~~— Vacancies shall be filled in the same manner as appointment for the Council.

~~2. Adult Advisory Members.~~

~~a.~~ Every adult advisory member shall be twenty (20) years of age or older.

~~b.~~ Every, non-staff, adult advisory member shall have resided within the City of North Port for a period of one (1) year prior to the appointment and shall remain a resident throughout his or her term.

~~c.~~ Representation. Adult Advisory Members shall include:

~~(i)~~ One City Commission Liaison

~~(ii)~~ One Staff Representative who is employed by the City of North Port organizations or, NPYC or City Commission. Adult Members shall represent the community at large and shall be appointed by the City Commission.

~~(iii)~~ One (1) representative nominated and/or referred by community organizations, or NPYC or City Commission. Adult Members shall represent the community at large and shall be appointed by the City Commission.

~~d.~~ Every adult advisory member shall be fingerprinted and successfully clear a background screening to ensure his or her suitability for working with young people and shall adhere to any policies and procedures promulgated by the City which govern the supervision and interaction with youth. The North Port Police Chief shall be the authority to determine the advisory member's suitability for working with young people.

~~e.~~ Adult advisory members are non-voting members and shall have no voting authority on any issue. Adult advisory members shall be available to supervise the student members; however, advisory members should refrain from

~~interfering with the student members in their duties on the Council. No adult member shall direct the Student Members of the Council.~~

~~3(g)~~ ~~_____~~ ~~Youth and Adult advisory members~~ Members serve at the pleasure of the City Commission and any ~~adult and/or Youth advisory~~ member may be removed with or without cause by the City Commission at any time.

Sec. 4-183. – Duties of members.~~SECTION 4 – DUTIES OF MEMBERS~~

~~A.(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 ~~themselves~~ itself to the following objectives:

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

~~_____ (b)B.~~ Duties of School Representative~~;~~ If applicable, each of the representatives from the schools previously listed shall also report to their respective student councils, student boards and/or student ~~body~~ bodies at least once at 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 (1) City Commission meeting per year in rotation during their term on the Council.

~~_____ C.(c)~~ Duties of At-Large Representatives~~;~~ Representatives from the community at large shall have the same obligations as the School Representatives.

~~_____ D.(d)~~ Election of Officers~~;~~ The Council shall elect, by a majority vote of members present, ~~at a~~ a Chair, Vice-Chair and Secretary; each officer shall hold office for a term of one (1) year and/or until a successor is elected. No officer shall serve more than two (2) 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 ~~with assistance from the Adult Advisory Members~~. The Chair shall preside over all meetings of the NPYC. ~~The Council may appoint committees when necessary to research issues.~~

(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 ~~and Adult Advisory Members~~ 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 of North Port Clerk as unofficial minutes. The Secretary shall perform other duties as ordinarily pertain to the office.

4. ~~The Council may appoint committees when necessary to research issues.~~

Sec. 4-184. – Meetings.~~SECTION 5 – MEETINGS~~

~~A. (a)~~ All meetings of the Council shall be open and public, ~~except for such matters as may lawfully be considered in executive session~~. Regular meetings may be held monthly at an appropriate location as deemed by NPYC and approved by the City Commission. Meetings dates and times will be set by the Council at ~~their~~ its first meeting and reviewed for formal approval annually thereafter. The North Port Youth Council will meet no less than quarterly.

~~B. (b)~~ The ~~presence of the~~ majority of the entire voting membership shall constitute a quorum.

~~C. (c)~~ A special meeting may be called at any time by either the Chair or City of North Port Staff - Liaison. The City Clerk shall notify each member by mail or electronic mail or telephone calls at least ~~a~~ 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.

Commented [AS6]: City Attorney recommended revision; for consistency in code

Sec. 4-185. – General rules.~~SECTION 6 – GENERAL RULES~~

~~A. (a)~~ ~~All meetings~~ The Council may use Robert's Rules of Order as a guide for all meetings. ~~A quorum is necessary to transact official business at any meeting.~~ 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.(b)~~ From time to time, the NPYC may initiate or carry out activities addressing community concerns ~~they-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.

Sec. 4-186. – Role of City Commission. SECTION 7 – ROLE OF CITY COMMISSION

~~A.(a)~~ The City Commission ~~shall~~may communicate upcoming issues to the NPYC, so ~~they-it~~ may respond accordingly.

~~B.(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 Commission shall appoint a City Commission Member as a liaison to the NPYC as well as a Youth Ambassador, who's duties are attached in exhibit A.

~~D.(c)~~ The City Commission ~~shall~~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.

Sec. 4-187. – Rules of procedure. SECTION 8 – BYLAWS AND OTHER RULES OF PROCEDURE

~~A.(a)~~ The NPYC may promulgate ~~bylaws or~~ other regulations governing the procedure of the Council. No ~~provision of the bylaws or~~ procedural regulations shall be contrary to the provisions of this Ordinance Article or other applicable law.

~~B.(b)~~ Amendments to the ~~bylaws other regulations~~ may be recommended at any time by any Council member ~~including both Student Members and Adult Advisory Members~~; 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.(c)~~ Enactment of the ~~bylaws and~~ other regulations and passage of any amendment to same requires a two-thirds (2/3) majority vote of the Council present.

Sec. 4-188. – Governing priority.~~SECTION 9 –~~

~~If a conflict occurs between this ordinance and CHAPTER 4 – BOARDS AND COMMITTEES, ARTICLE I – BOARDS GENERALLY, SECTION 4-2 – BOARD CONSTRUCTION AND SECTION 4-3 APPOINTMENT, QUALIFICATION, TERM AND VACANCIES; ORDINANCE 2014-10, ARTICLE III – ART ADVISORY BOARD; SECTION 4-121, MEMBERSHIP; ORDINANCE 2014-14, ARTICLE VII this article shall apply.~~ The provisions of Chapter 4, Article I of this Code shall apply to the Council. In the case of any conflict between this Article IX and any other provisions of Chapter 4, the provisions of Article IX shall govern.

Sec. 4-189. – Reserved.”

SECTION 3 – CONFLICTS

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

SECTION 4 – SEVERABILITY

4.01 If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason 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 10-5 – EFFECTIVE DATE

5.01 This Ordinance shall take effect immediately after adoption by the City of North Port~~be in full force and effect from and after the date of its passage~~ by the City Commission.

Commented [AS7]: City Attorney suggested revision; consistent with the language of recent Ordinances

~~Read in public session this _____ day of _____, 2017.~~

~~PASSED AND ADOPTED on the second and final reading in public session this _____ day of _____, 2017.~~

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session this _____ day of _____, 2017.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session this _____ day of _____, 2017.

Commented [AS8]: City Attorney suggested revision; consistent with the language of recent Ordinances

CITY OF NORTH PORT, FLORIDA

LINDA M. YATES
MAYOR

ATTEST:

PATSY C. ADKINS, MMC
CITY CLERK

APPROVED AS TO FORM AND
CORRECTNESS:

~~AMBER L. SLAYTON~~
~~INTERIM MARK MORIARTY,~~
CITY ATTORNEY