



City of North Port

ORDINANCE NO. 2019-33

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, CHAPTER 4 - BOARDS AND COMMITTEES; ARTICLE IV – AUDIT COMMITTEE, TO INCORPORATE AMENDMENTS TO FLORIDA STATUTES § 218.391; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 5.06 of the Charter of the City of North Port provides that the City Commission may appoint advisory boards and committees composed of citizens qualified to act in an advisory capacity to the City Commission, the City Manager or to any department of the City government, with respect to the conduct and management of any property or institution or the exercise of any public function of the City; and

WHEREAS, the City Commission has utilized this authority over time to create a variety of citizen advisory boards to assist it in the development of policies and in other initiatives to improve the City for its citizens and businesses; and

WHEREAS, Chapter 4, Article IV of the Code of the City of North Port establishes the Audit Committee as required by Florida Statutes Section 218.391; and

WHEREAS, Florida Law Chapter 2019-15, effective July 1, 2019, amends Florida Statutes Section 218.391 to revise the name and membership composition of the required committee; and

WHEREAS, the City Commission desires to incorporate changes made to Florida Statutes Section 218.391; and

WHEREAS, the City Commission has determined that the proposed amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED 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 – ADOPTION

- 2.01 The City Commission hereby approves and adopts the following amendments to the Code of the City of North Port, Florida:

“Chapter 4 – BOARDS AND COMMITTEES

...

ARTICLE IV. – ~~AUDIT~~ AUDITOR SELECTION COMMITTEE

...

Sec. 4-131. - Membership.

The ~~audit~~ auditor selection committee shall consist of ~~five~~ at least three regular members and two alternate members. ~~One regular member shall be the city manager or designee, one shall be the finance director or designee, and one shall be a city employee with financial knowledge who shall be appointed by the city commission. 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 a non-employee at-large member; no alternate shall participate or vote in place of the city manager or designee, the finance director or designee, or the city employee member. The terms of the non-employee at-large members shall be staggered. No youth members shall be permitted.~~

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.

Sec. 4-132. – Powers and duties.

...

- (a) The duties of the ~~audit~~ 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) ~~Publically~~ 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;
- ...”

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or provisions 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, phase, 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 5 – CODIFICATION

- 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations shall not appear in the codified text.

SECTION 6 – EFFECTIVE DATE

- 6.01 This ordinance shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on the 11th day of July 2019.

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 23rd day of July 2019.

CITY OF NORTH PORT, FLORIDA

CHRISTOPHER HANKS
MAYOR

ATTEST

KATHRYN WONG
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY