



City of North Port

RESOLUTION NO. 2026-R-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AUTHORIZING THE USE OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES PURSUANT TO THE UNIFORM ELECTRONIC TRANSACTION ACT AND DIRECTING THE CITY MANAGER TO ADOPT AND IMPLEMENT CONTROL PROCESSES AND PROCEDURES FOR THE USE OF ELECTRONIC SIGNATURES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Uniform Electronic Transaction Act, Florida Statutes Section 668.50, requires the board or commission acting on behalf of a public agency or municipality ("governmental agency") to determine whether, and the extent to which, the governmental agency will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures; and

WHEREAS, the Electronic Signature Act of 1996, Florida Statutes Section 668.006, designates the City Manager, as the head of a governmental agency, responsible for adopting and implementing control processes and procedures to ensure adequate integrity, security, confidentiality, and auditability of business transactions conducted using electronic commerce; and

WHEREAS, the City Commission of the City of North Port, Florida, as the governmental agency for the City of North Port, Florida, finds that authorizing the City to send and accept electronic records and electronic signatures to and from other persons and to otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures creates a more efficient and effective government; and

WHEREAS, the City Commission finds that the City's use of electronic records and electronic signatures 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 by reference.

SECTION 2 – RESOLUTION AUTHORIZING USE OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES

2.01 The City Commission hereby authorizes the City of North Port, Florida to send and accept electronic records and electronic signatures to and from other persons and to otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures as follows:

A. Force and effect of an electronic signature:

1. Unless otherwise provided by law, an electronic signature may be used to sign a writing for all purposes, except as limited by this section, and shall have the same force and effect as a manual signature.
2. The City Manager is directed to determine when electronic signatures may be accepted and the categories of records when electronic signatures may be accepted.
3. The City Manager is directed to adopt control processes and procedures, to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records and signatures, consistent with this resolution and applicable law.
4. The City Clerk is directed to ensure that the storage of electronic records complies with the State of Florida records retention law for electronic records.

B. Electronic Transactions. Unless otherwise provided by law, any transaction of the City of North Port, Florida is authorized to occur electronically except as limited by this section and shall have the same force and effect as a non-electronic transaction. The City Manager, in consultation with the City Attorney, is directed to determine when electronic transactions may occur and for what types of transactions.

C. Force and effect of an electronic record. Unless otherwise provided by law, electronic records resulting from the use of electronic signatures or electronic transactions authorized by this resolution shall be considered and shall be treated the same as any other records for all purposes, with equal validity.

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 _____, 2026.

CITY OF NORTH PORT, FLORIDA

Pete Emrich
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY