



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

Vanessa Carusone, Mayor
Linda M. Yates, Vice-Mayor
Christopher B. Hanks, Commissioner
Jill Luke, Commissioner
Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager
Amber L. Slayton, City Attorney
Patsy Adkins, City Clerk
Kathryn Peto, Deputy City Clerk

Tuesday, December 12, 2017

1:00 PM

CITY COMMISSION CHAMBERS

NOTE: This is a draft copy of the minutes of the 12-12-2017 City Commission Regular Meeting, has not been approved by the Commission and is subject to change.

CALL TO ORDER/ROLL CALL

The North Port City Commission Regular Meeting was called to order at 1:00 p.m. in City Chambers by Mayor Carusone.

Present: Mayor Carusone; Vice-Mayor Yates; Commissioners Hanks, Luke and McDowell; City Manager Lear; City Attorney Slayton; City Clerk Adkins; Deputy City Clerk Peto and Police Chief Vespia.

The invocation was provided by Pastor Eddie DeJesus of New Hope Community Church followed by the Pledge of Allegiance led by Pastor DeJesus.

1. APPROVAL OF AGENDA – COMMISSION

After a request by the Mayor, the Commission determined that they would like to pull Consent Agenda items 7.C., 7.G. and 7.H. for discussion so the appropriate Staff can be kept available to answer questions.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the Agenda as presented. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

2. ANNOUNCEMENTS

A. [17-1547](#) Current Vacancies for Boards and Committees.

City Clerk Adkins read the Current Vacancies for Boards and Committees into the record.

B. [17-1548](#) Upcoming Expiration Dates for Boards and Committees.

City Clerk Adkins read the Upcoming Expiration Dates for Boards and Committees into the record.

3. PRESENTATIONS

A. [17-1542](#) Presentation by Representative Julio Gonzalez regarding 2018 Legislative matters

Representative Gonzalez and Senator Steube gave a presentation regarding 2018 Legislative matters.

Discussion ensued: (1) following a concern it was stated River Road is a County Road and does not qualify for Evacuation Route funding from the State and that with the Braves Stadium coming funding for River Road may be available for new economic development; (2) it was stated a Bill has passed allowing law enforcement to charge for drug trafficking of Fentanyl and a Bill is in process to make the Marchman Act mandatory; (3) it was noted that a Bill has been presented to amend the Baker Act regarding the handling of children under 18; (4) subsequent to a concern it was suggested the Commission write a letter to the Senators regarding the Certificate of Need, and it was noted that Health Policy Committee Chair Young would need to agree to hear the Bill and place it on the agenda; (5) following a concern it was stated that if conditions are met and the Developer completes their portion of River Road improvements in 2018, the State could potentially begin construction the end of 2018 or early 2019. There was no public comment.

B. [17-1541](#) Presentation by Senator Greg Steube regarding 2018 Legislative matters

The presentation and discussion were held jointly under item 3.A.

4. PUBLIC COMMENT:

PUBLIC COMMENT was held 1:39 p.m. - 2:00 p.m.

Doug Brown: Hospital in North Port.

Steve Boone: Community Economic Development Advisory Board Member, Hospital in North Port.

Kent Anderson: Hospital in North Port.

Joan SanLwin: Spring Haven Extension.

Bart Dixon: Funding for North Port Mustang Cheerleaders.

David Duval: Gopher Tortoises.

5. PUBLIC HEARINGS:

A. [17-1536](#) Ordinance 2017-44, second reading, Amending City of North Port Administrative Code, Repealing Chapter 34, Article III - Vehicle for Hire

City Clerk Adkins read Ordinance 2017-44 into the record by title only. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Hanks, to approve Ordinance 2017-44, Amending City of North Port Administrative

Code, Repealing Chapter 34, Article III. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

- B.** [17-1485](#) Ordinance 2017-45, second reading, an Ordinance of the City of North Port, amending the City of North Port Firefighters' Pension - Local Option Plan, by; providing for contributions, benefits and service credits with respect to Qualified Military Service in accordance with Section 414(u) of the Internal Revenue Code, beginning October 1, 2017.

City Clerk Adkins read Ordinance 2017-45 into the record by title only.

Discussion ensued regarding: where the funding would come from to pay for the Internal Revenue Service Determination Agreement in Consent Agenda item 7.D., it was suggested to pull that item when the Consent Agenda is reached. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance 2017-45, amending the City of North Port Firefighters' Pension - Local Option Plan. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

- C.** [17-1529](#) Ordinance No. 2017-46, second reading, amending the Fiscal Year 2017-2018 Non-District Budget.

City Clerk Adkins read Ordinance 2017-46 into the record by title only.

Vice-Mayor Yates stated she supports the Compensation Study, however she is not comfortable doing a Budget adjustment at this time because the Final Report has not been received yet; and that there are concerns with the Draft Report and those concerns should be addressed before authorizing the funding. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve Ordinance No. 2017-46, amending the Fiscal Year 2017-2018 Non-District Budget. The motion carried by the following vote with Vice-Mayor Yates dissenting for reasons stated:

Yes: 4 - Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

No: 1 - Vice-Mayor Yates

- D.** [17-1502](#) Petition No. PLF-17-146, Robert R. Cunningham, PSM, Stantec Consulting Services, Inc., on behalf of Bradford Soule, Vice-President, Thomas Ranch Land Partners Village I, LLLP, a Florida limited liability limited partnership, is requesting approval of the Oasis at the West Villages, Phase I, Final Plat. (Quasi-Judicial)

City Clerk Adkins swore in those wishing to provide testimony.

Ex parte communications were disclosed: (1) Commissioner McDowell, stated that she spoke at the Agenda briefing and met with Staff this morning. Commissioner Luke, Vice-Mayor Yates, Commissioner Hanks and Mayor Carusone: stated they had no Ex

parte communications.

Robert Cunningham, Stantec Consulting Services, Inc. gave a presentation of the Oasis at the West Villages, Phase I. Planning and Zoning Division Manager Miles provided an overview of the item, and stated that staff is recommending approval of the Final Plat. There was no public comment and there were no questions or comments from the Commission.

A motion was made by Commissioner Luke, seconded by Vice-Mayor Yates, to approve Petition No. PLF-17-146, Oasis at the West Villages. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

E. [17-1534](#) Petition No. PLF-17-190, Dean L. Paquet, P.E. on behalf of Lennar Homes LLC is requesting approval of the Gran Paradiso, Phase 5B Final Plat

City Clerk Adkins swore in those wishing to provide testimony.

Ex parte communications were disclosed: (1) Commissioner McDowell, stated that she spoke at the Agenda briefing and met with Staff this morning. Commissioner Luke, Vice-Mayor Yates, Commissioner Hanks and Mayor Carusone: stated they had no Ex parte communications.

Engineer Ty Grameux, representing Kimley Horn and Associates, Inc. on behalf of Lennar Homes, LLC, provided a presentation of the Gran Paradiso, Phase 5B, Final Plat. Planning and Zoning Division Manager Miles provided an overview of the item, and stated that Staff is recommending approval.

Discussion ensued: (1) following a concern it was stated this Agenda item is not dependent on the previous Agenda item regarding the Oasis as there was an error in the Staff Summary Sheet; (2) it was noted that the West Villages should be advertised as North Port. There was no public comment.

A motion was made by Commissioner Luke, seconded by Vice-Mayor Yates, to approve Petition No. PLF-17-190, Gran Paradiso, Phase 5B Final Plat. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

F. [17-1537](#) Petition No. PLF 17-180, Michael Woolery, Vice President Land Acquisition, DiVosta Homes, L.P., is requesting approval of the Islandwalk at the West Villages, Phase 5, Final Plat.

City Clerk Adkins swore in those wishing to provide testimony.

Ex parte communications were disclosed: (1) Commissioner McDowell, stated that she spoke at the Agenda briefing and met with Staff this morning. Commissioner Luke, Vice-Mayor Yates, Commissioner Hanks and Mayor Carusone: stated they had no Ex parte communications.

Engineer Ty Grameux, representing Kimley Horn and Associates, Inc. on behalf of Divosta Homes, L.P., provided a presentation of the IslandWalk at the West Villages, Phase 5, Final Plat. Planning and Zoning Division Manager Miles provided an overview of

the item, and it was stated that Staff is recommending approval.

Discussion ensued: (1) following a concern it was stated this Agenda item is not dependent on the previous Agenda item regarding the Oasis as there was an error in the Staff Summary Sheet; (2) it was noted that the West Villages should be advertised as North Port. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Vice-Mayor Yates, to approve Petition No. PLF 17-180. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Recess 2:27 p.m. - 2:48 p.m.

G. [17-1543](#)

Ordinance No. 2017-37, First Reading, Petition No. TXT-16-121, Updating code language related to communication and wireless facilities to be consistent with Florida Statutes, Section 337.401 by creating Chapter 86 - Communication and Wireless Infrastructure Right-of-Way Utilization in the Administrative Code of the City of North Port, Florida and by amending Appendix A - Fee Structure.

A motion was made by Commissioner McDowell, seconded by Vice-Mayor Yates, to read Ordinance 2017-37 by title only. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

City Clerk Adkins read Ordinance No. 2017-37 into the record by title only and City Manager Lear provided an overview of the Ordinance.

Discussion ensued: (1) following a question, it was clarified that Florida State Statutes exempts Florida Power and Light (FPL) utility poles from City owned Authority Utility Poles; (2) following a concern it was stated the State Statutes do not prohibit requiring an applicant to notify a homeowner when a utility pole is erected; (3) subsequent to concerns it was stated Ordinance No. 2017-37 provides for aesthetic standards; (4) responding to a concern, it was stated the Right-of-way is against the road and there are no landscaping requirements; (5) it was suggested that language be clarified regarding: [a] the City's right to regulate; [b] that the City is not responsible for maintenance; [c] to define abandonment; (6) it was suggested to use "Administrative Code" in the Title; (7) following concerns it was stated this Ordinance is administrative and not applicable to the Unified Land Development Code; (8) it was suggested that the first and second reading dates be corrected and change the requirement for electronic mail on lines 262, 299, 301 and 565; (9) following a concern, it was stated if dark fiber is leased, a Lease Agreement would be presented to the Commission; (10) it was suggested that "no cost to the City" be added to line 832; (11) it was suggested that "upon verification by the City" be added to line 993; (12) following a concern, it was stated the City can add spacing requirements for ground mounted equipment but not utility poles, and it was suggested line 97 be amended to reflect spacing requirements; (13) it was suggested that lines 91-98 state "North Port codes"; (14) it was suggested to add the requirement that proof of business tax be submitted with other required documents for registration on line 277; (15) subsequent to a concern it was stated the City cannot enforce testing of radio frequency emissions, and it was suggested that a provision for proof of testing be included; (16) it was suggested that line 451 be clarified to identify the specific owner; (17) following a concern it was stated that inspection fees are assessed to pass-through providers but not direct providers; direct providers are assessed the communication services tax, and it

was suggested that the tax and permit fees be reviewed to see if the current approach is still effective for generation of revenue; (18) it was suggested that language be added to allow for resale or leasing of abandoned infrastructure; (19) it was clarified the annual payment from the Provider is due in August; (20) it was suggested that the discrepancy between Performance Bond and Construction Bond regarding the linear footage requirement be reviewed by Staff; (21) following a concern it was stated that unclaimed funds are typically remitted to the State and that the matter will be reviewed; (22) subsequent to a concern it was stated that pursuant to State Statutes a Provider may not be required to reserve fiber conduit or pole space for the Authority; (23) it was suggested that Section 86-16, Page 26 may be stricken as there are no existing franchises; (24) it was suggested that the renewal fee billing cycle be modified to ensure proper billings; (25) it was stated that permit application language regarding micro wireless facilities will be added based on State Statutes; (26) it was suggested that a specific measurement be stated on Line 636; (27) following a concern it was stated that the Director of Public Works may determine acceptable aesthetics of a pole; (28) subsequent to concerns, it was stated that many provisions in this Ordinance are based on State Statutes and that changes to the State Statutes will require amending this Ordinance; (29) following a concern it was stated that the Ordinance does not provide for an exemption of age-restricted communities or underground utilities regarding pole placement. It was suggested that this be reviewed to determine if it is enforceable or applicable based on State Statutes; (30) it was noted that the Staff Analysis states, "in the public roads" and it was suggested that the Ordinance be reviewed to remove that statement; (31) a summary was made of the following concerns to be addressed in the Ordinance prior to second reading: [a] clarify language that maintenance is the owner's responsibility; [b] include verbiage that e-mail is required contact information; [c] clarify verbiage overall; [d] requirement for neighborhood notification; [e] how to take control of abandoned infrastructure rather than removal; [f] licensing and credentials to be required at registration; [g] lack of maintenance will be considered abandonment; [h] consideration for regulating spacing between equipment; [i] clarifying the Codes referenced are that of Local Codes and State Codes; [j] determine if emission reports can be requested annually or on a bi-annual basis; [k] determining the bonding limits; [l] refunds need verification by the City; [m] determine if the City can receive unclaimed funds and in a timely fashion; [n] determine if all providers should be charged permit fees or if the franchise fees are still the viable option; [o] can the City require a shared infrastructure by a variety of service providers; [p] registration or renewal that is consistent, fair and streamlined; [q] that the description of micro wireless is not applied within permits and certain maintenance; [r] clarify height of existing utilities; [s] need to be certain that Authority is clear of who decides design standards and other measures; [t] the word Authority, carve out areas that are enforceable and applicable; [u] As Built Survey provided to City at no cost to City; [v] applicable Exiting Franchise language on Page 26 Line 1002 to be clarified. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to continue Ordinance No. 2017-37 to the January 23, 2018 Commission Regular Meeting for second reading with all changes indicated throughout the discussion. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

- H. [17-1533](#) Resolution No. 2017-R-39, which repeals Resolution Nos. 2016-R-21 and 2017-R-19 in their entirety, thereby dissolving the Medical Hospital Task Force.

City Clerk Adkins read Resolution No. 2017-R-39 by title only and City Attorney Slayton

provided an overview of the item.

A motion was made by Commissioner McDowell, seconded by Vice-Mayor Yates, to approve Resolution No. 2017-R-39. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Questions ensued: (1) following a concern it was stated there may be a hospital filing a Certificate of Need (CON) in February or March; (2) responding to an inquiry it was stated that United Healthcare Systems (UHS) could file an appeal but have not indicated plans to do so; (3) it was suggested City Manager Lear assist UHS with their appeal, if they choose to cite, to demonstrate the City's position in securing a hospital; (4) it was suggested to set an agenda item for further discussion and request a copy of the denial of the CON for review; (5) it was proposed that a Resolution to eliminate the CON process be sent to all Florida Senators. There was no public comment.

There was a consensus to create a Resolution to eliminate the Certificate of Need process as well as schedule a meeting with United Healthcare Systems in January.

I. [17-1544](#)

Resolution 2017-R-42 authorizing the North Port City Commission to participate in a joint meeting with the Sarasota County Commission

City Clerk Adkins read Resolution 2017-R-42 by title only.

Following a concern it was clarified this pertains to a Convocation of Governments meeting which is required by Statute, specific to a meeting with Sarasota County and the City. There was no public comment.

A motion was made by Commissioner Luke, seconded by Vice-Mayor Yates, to approve Resolution 2017-R-42. The motion carried by the following vote:

Yes: 5 - Vice-Mayor Yates, Mayor Carusone, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Recess 4:29 p.m. - 4:42 p.m.

6. GENERAL BUSINESS:

A. [17-1538](#)

Review the City's donation procedures of surplus items to 501(c) organizations.

City Manager Lear provided an overview of the item.

Discussion ensued: (1) it was stated that the intent of organizations completing registration on the City website is to obtain current contact information so that entities may be contacted as items are made available in the future; (2) it was suggested a list of available items be included on the City's website; (3) it was suggested prioritization of dispensed items should first benefit the City, followed by Sarasota County, then Charlotte and DeSoto Counties, and then all others.

There was a consensus that items donated should first benefit the City of North Port, followed by Sarasota County, then Charlotte and Desoto Counties, and then all other areas.

Discussion ensued: (1) following concerns it was stated the recipient has a duty to inspect items and that is coordinated through Finance, and if the item is not retrieved the next organization in line will be contacted; (2) concerns were stated that this method may

make donating public property less transparent and that the State is very specific regarding organizations eligible to receive donated items; (3) it was stated website registration pertains to low valued surplus items, and entities that register must meet the City's qualifications to participate and be awarded property; (4) it was suggested that language be added to the policy that items for donation have an original purchase price less than \$5,000, and that donated items are must not be resold for a one year period.

There was a consensus that donated items have an original purchase price of \$5,000 or less.

There was a consensus to clarify that in the advertisement the other reasonable use is in addition to the website.

There was a consensus that donated items cannot be sold for a period of one year.

A motion was made by Commissioner Hanks, seconded by Commissioner McDowell, to move forward with the City's donation procedures with surplus items to 501(c) organizations with the caveat of consensus items.

Discussion ensued: (1) it was suggested that some items of value should be sold to generate revenue for City projects; (2) it was stated the City Code should be revised to address maximizing all assets prior to donation and to specifically clarify which entities may receive donated items; (3) Commissioner Hanks and Mayor Carusone expressed opposition to selling low value items, and stated their reason for dissenting as great stewardship is demonstrated by donating items to agencies that assist members of the community. There was no public comment.

A motion was made by Commissioner McDowell, and seconded by Commissioner Luke, to amend the motion to add in the Policy there must be an attempt to sell the item first before donating. The motion carried by the following vote with Mayor Carusone and Commissioner Hanks dissenting for reasons stated.

Yes: 3 - Vice-Mayor Yates, Commissioner McDowell and Commissioner Luke

No: 2 - Mayor Carusone and Commissioner Hanks

A vote was taken on the main motion, as amended, to allow for the surplus items to be donated only after attempting to be sold first. The motion carried by the following vote with Mayor Carusone and Commissioner Hanks dissenting for reasons stated.

Yes: 3 - Vice-Mayor Yates, Commissioner McDowell and Commissioner Luke

No: 2 - Mayor Carusone and Commissioner Hanks

7. CONSENT AGENDA:

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve Consent Agenda items A, B, E, F, I, and J. The motion carried by the following vote:

Yes: 5 - Mayor Carusone, Commissioner Hanks, Commissioner McDowell, Commissioner Luke and Vice-Mayor Yates

- A.** [17-1549](#) Approval of Minutes for the July 18, 2017 Commission Special Meeting; July 24, 2017 Commission Special Meeting; July 27, 2017 Commission Special Meeting; September 6, 2017 Commission Special Emergency Meeting.

- B.** [17-1540](#) Appointment of Joeann Fraser as a Member of the Public Utility Advisory Board.
- C.** [17-1448](#) Application to the Florida Job Growth Grant Fund in an amount of \$424,000 for the US41 Linear Parking Project.
- Public Works Project Engineer Newman provided a brief overview of the item, and following a concern he stated without the grant, the project would be on hold. There was no public comment.
- A motion was made by Commissioner McDowell, and seconded by Commissioner Luke, to approve the application to the Florida Job Growth Grant Fund in an amount of \$424,000 for the U.S. 41 Linear Parking Project. The motion carried by the following vote:***
- Yes:** 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke
- D.** [17-1486](#) Closing Agreement on Final Determination Covering Specific Matters between the Internal Revenue Service and the City of North Port
- City Manager Lear provided an overview and stated that a check from the Pension Fund in the amount of \$7,500 has been received by the City. There was no public comment.
- A motion was made by Commissioner Luke, and seconded by Vice-Mayor Yates, to approve the final determination covering specific matters between the Internal Revenue Service and the City of North Port. The motion carried by the following vote:***
- Yes:** 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke
- E.** [17-1496](#) Application to The Harry Shapiro Charitable Foundation Grant in an amount of up to \$20,000 for the Annual Police Department Awards Banquet and Shop With a Cop Program. Both items are in the FY 2018 Adopted Budget.
- F.** [17-1498](#) Amendment to Florida Department of Environmental Protection Agreement No. LP58022 (General Appropriations Act)
- G.** [17-1499](#) Contract No. 2018-02 with E.T. MacKenzie of Florida, Inc. for the Spring Haven Drive Reclaimed water pipeline project, in the amount of \$421,916.25 plus a 10% contingency amount of \$42,192.00, for a total amount of \$464,108.25. This project was approved in the fiscal year 2015 budget.
- City Manager Lear, Public Utilities Director Newkirk and Utilities Engineering Manager Acosta, provided an overview of the item.
- Discussion ensued: (1) it was noted that this project was to be done in conjunction with the road project, however, in order to maintain funding this project must be completed by August 1, 2018; (2) following a concern, it was explained that this transmission line will bring reclaimed water to the Price Boulevard, Toledo Blade Road, Bobcat Trail and Panacea Boulevard areas; (3) it was explained that the additional transmission line is

needed to capture and distribute reclaimed water; (4) following a concern, it was stated the roadway plans have an allowance for the reclaimed water and the box culvert; (5) and Commissioner McDowell stated her concerns with construction, and that Springhaven may have to be re-dug. There was no public comment.

A motion was made by Commissioner Luke, and seconded by Commissioner Hanks to approve Consent Agenda item G, Contract No. 2018-02. The motion carried by the following vote with Commissioner McDowell dissenting for reasons stated:

Yes: 4 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks and Commissioner Luke

No: 1 - Commissioner McDowell

- H. [17-1526](#)** Memorandum of Agreement between the Suncoast Partnership to End Homelessness and the City of North Port Social Services Division to coordinate services to individuals and families experiencing homelessness.

Social Services Manager Carrillo provided an overview of the item.

Discussion ensued: (1) following concerns, it was stated 2-1-1 calls will be directed to Social Services and not an agency based on the area code of the client's phone. Social Services will now be conducting the initial assessment; (2) it was stated failure of an agency to respond to a request within three days may result in loss of Federal funding; (3) it was noted that citizens can come to Social Services any day except Friday; (4) it was stated that Family Haven has two units in Social Services to assist the homeless in North Port and currently there are no other options; (5) subsequent to a concern, it was stated data reflecting the need for homeless housing will be collected by the agencies. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Vice-Mayor Yates, to approve Memorandum of Agreement between the Suncoast Partnership to End Homelessness. The motion carried by the following vote:

Yes: 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

- I. [17-1527](#)** 2017-18 Gulf Coast Community Foundation Grant Application - Community Grant in the amount of \$2,000 to be used for Shop With a Cop.

- J. [17-1535](#)** Annual water demand projections

8. PUBLIC COMMENT:

There was no public comment.

Mayor Carusone left the meeting at 6:07 p.m.

9. COMMISSION COMMUNICATIONS:

Commissioner McDowell: (1) Kyle Kurtis Salon Tenth Anniversary Celebration, (2) Pearl Harbor Ceremony at AMVETS, (3) a North Port Police Department Award Ceremony, (4) the North Port Poinsettia Parade and Festival, (5) suggested recognition of the North Port Mustang Cheerleaders for their placement in competition, (6) suggested a traffic analysis of West Villages and an update of U.S. 41 improvements.

There was a consensus to direct City Manager Lear to coordinate a presentation with the Mustang's Cheerleading Coach.

Commissioner Hanks: nothing to report.

Commissioner Luke: (1) Florida League of Cities Conference, (2) a Juvenile Court activity, (3) suggested the Commission send letters to the Legislature regarding the Commission's position on upcoming Bills, (4) provided a reminder not to respond to communications on Facebook.

Discussion ensued: (1) following a request for clarification City Attorney Slayton stated to Staff: [a] Commissioners are encouraged to utilize the Facebook pages provided by the City because of the way they are captured by the Vendor the City uses; [b] it is not just a matter of screen shotting because Facebook posts can change; [c] the Commission is encouraged to use the City's Facebook page for public records purposes; [d] if public record is created on a personal page Commissioner's are encouraged to screen shot the post; [e] the Attorney General and the Florida State Statutes don't give much guidance; [f] if answering or responding on Facebook where other Member's are tagged, could be an Open Meetings issue; [g] that anytime two are having a communication about an item that is before, is going to come before, or reasonably foreseeable to come before the Commission, those discussions must be made in open meetings that have been noticed and opened to the public; [h] to comment on something that is tagged, or shows on another Commissioner's page, could be an open meeting violations; [i] if you can see how each other is weighing in on positions, that could be an open meetings violation, even if not intentional; [j] from a legal perspective, utilize the City Facebook pages to communicate with constituents.

There was a consensus to direct City Manager Lear to draft letters for the Mayor's signature pertaining to the Commission's Legislative Priorities.

Vice-Mayor Yates: (1) the Florida League of Cities Conference; (2) the North Port Poinsettia Parade and Festival; (3) provided Staff with information regarding property available for sale along the wildlife corridor.

10. ADMINISTRATIVE AND LEGAL REPORTS:

City Manager Lear stated that Teen Court would like office space at City Hall, it was suggested that they make a presentation to the Commission.

City Attorney Slayton: nothing to report.

City Clerk Adkins: nothing to report.

11. ADJOURNMENT:

Vice-Mayor Yates adjourned the North Port City Commission Regular Meeting at 6:32 p.m.

City of North Port, Florida

By: _____
Vanessa Carusone, Mayor

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

Minutes approved at the City Commission Regular Meeting this ____ day of _____, 2018