



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Agenda City Commission Regular Meeting

### *CITY COMMISSIONERS*

*Barbara Langdon, Mayor*  
*Alice White, Vice Mayor*  
*Pete Emrich, Commissioner*  
*Debbie McDowell, Commissioner*  
*Phil Stokes, Commissioner*

### *APPOINTED OFFICIALS*

*Jerome Fletcher, City Manager*  
*Amber L. Slayton, City Attorney*  
*Heather Faust, City Clerk*

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Tuesday, January 10, 2023

10:00 AM

City Commission Chambers

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### **Amended to Add Attachment to Resolution 2022-R-68**

**PUBLIC COMMENT:** Properly submitted comments will be accepted and included in the official record of the meeting pursuant to City Commission Policy No. 2020-04. Any comment received that does not meet the public comment timing and requirements will be rejected and will not be included in the official record of the meeting. **PLEASE NOTE:** Those wishing to provide public comment on quasi-judicial agenda items must appear before the City Commission to give testimony under oath.

Public comment may be submitted in the following ways:

**In Person Attendance:** Submit a comment card to the City Clerk. Comment cards with completed information may be submitted until the Mayor closes Public Comment for the agenda item. When recognized by the Mayor, the Commenter will approach the podium. Public Comment is limited to three (3) minutes per person.

**Online:** Submit a written eComment using the eComment link at [cityofnorthport.legistar.com/Calendar](http://cityofnorthport.legistar.com/Calendar). The link will be available online at 8:00 a.m. the day before the meeting until one hour prior to the start of the meeting. Your public comment is limited to 2,000 characters. **PLEASE NOTE:** Online public comment cannot be considered as the basis for a quasi-judicial decision and will be read into the record under general public comment.

**Voice Mail Message:** Leave a voice mail message via telephone at 941-429-1032. Voice Mail messages will be accepted the day before the meeting from 8:00 a.m. until one hour prior to the start of the meeting. Please provide information as listed in the City's outgoing message. The message must not exceed two minutes, fifteen seconds. Voice messages will be forwarded to Commission and played into the record. **PLEASE NOTE:** Comments provided via voice mail cannot be considered as the basis for a quasi-judicial decision and will be played into the record under general public comment.

Florida's Sunshine Law requires the Commission to discuss this Agenda only in open session. The Commissioners cannot discuss these items with each other before this meeting is called to order. The Commissioners, individually, can however, discuss any item with concerned citizens and staff in preparation for the meeting.

### **CALL TO ORDER**

### **ROLL CALL**

**PLEDGE OF ALLEGIANCE****1. APPROVAL OF AGENDA****2. PUBLIC COMMENT:**

(The purpose of the Public Comments Section of the Agenda is for members of the public to speak to the City Commission/District Governing Body on any subject pertaining to City Business whether or not it is on the Agenda, with the exception of Quasi-Judicial Items. The City Commission shall not act, except to direct the City Manager to take action or to schedule the matter for discussion at a later date.)

**3. CONSENT AGENDA:**

(All matters under the Consent Agenda are considered by the City Commission to be routine and will be enacted by one motion. Any City Commission member may, however, remove an item from the Consent Agenda by request. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.)

- A. [22-3792](#) Approve the Software License and Services Agreement Between Iris Tech, Inc., and the City of North Port for SaaS Services.
- Attachments:** [Agreement](#)  
[Sole Source Procurement Packet](#)  
[Florida Division of Corporations](#)
- B. [22-3798](#) Approve the Application to the Alzheimer's Foundation of America Project Lifesaver International Grant in the Amount of \$6,000 for Additional Program Equipment and Supplies and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the Grant be Awarded to the City.
- Attachments:** [Grant Application](#)  
[Grant Memo](#)
- C. [22-3820](#) Approve Interlocal Agreement for Emergency Interconnects and Potable Water Service with Sarasota County.
- Attachments:** [Interlocal Agreement](#)
- D. [22-3825](#) Approve the Community Development Block Grant Sub-Recipient Agreement between Sarasota County, Florida and the City of North Port, Florida for North Port Social Service Case Management to Fund Staff Salaries for the Social Services Division, in the Amount of \$55,000.
- Attachments:** [Subrecipient Agreement](#)
- E. [22-3827](#) Approve the Community Development Block Grant Subrecipient Agreement between Sarasota County, Florida and the City of North Port, Florida for Story Walk at the Garden of the Five Senses Park, in the Amount of \$20,000.
- Attachments:** [Subrecipient Agreement](#)

- F. [22-3834](#) Approve the Community Development Block Grant Subrecipient Agreement between Sarasota County, Florida, and the City of North Port, Florida, for Greenwood Avenue Sidewalk Construction.
- Attachments:** [Subrecipient Agreement](#)
- G. [22-3855](#) Approve the Federally Funded Subaward and Grant Agreement With the Florida Division of Emergency Management for Tropical Storm Elsa Expenses and Authorize the Mayor to Execute all Subsequent Amendments.
- Attachments:** [Subaward and Grant Agreement](#)
- H. [22-3868](#) Approve the Appointment of Frank Baer as a Regular Member of the Planning and Zoning Advisory Board, to Serve a Four-Year Term From January 10, 2023, to January 10, 2027.
- Attachments:** [Application and Backup](#)
- I. [22-3869](#) Approve the Appointment of Mark A. Frandsen as the Regular Member of the Charter Review Advisory Board, to Serve a Two-Year Term from January 10, 2023, to January 10, 2025.
- Attachments:** [Application and Backup](#)
- J. [22-3873](#) Approve the Interlocal Agreement Between the City of North Port, Florida, and the School Board of Sarasota County, Florida, for Law Enforcement Dispatch Services and Related Communications Services.
- Attachments:** [Proposed Interlocal Agreement](#)  
[Previously Approved Interlocal Agreement](#)
- K. [23-0004](#) Approve the Appointment of Jeanne Osborn as the Tourism, Entertainment and Sports Representative on the Community Economic Development Advisory Board, to Serve a Two-Year Term From January 10, 2023, to January 10, 2025.
- Attachments:** [Application and Backup](#)
- L. [23-0008](#) Authorize City Manager to Submit the Price Boulevard Waterway and Myakkahatchee Bridge Hardening Improvements Project and the Fixed Weir 123 Project for Consideration in the Fiscal Year 2024 State of Florida Appropriations Request
- M. [23-0009](#) Approve the Umbrella Memorandum of Understanding Between Catholic Charities Diocese of Venice, Inc. and City of North Port, Florida, for the Collaboration of Social Service Programs within the City of North Port.
- Attachments:** [Umbrella Memorandum of Understanding](#)
- N. [23-0034](#) Accept the Cash Receipts Summary Report for November 2022.
- Attachments:** [Cash Receipts Summary - November 2022](#)

- O. [23-0035](#) Approval of Minutes for the December 5, 2022 Commission Workshop Meeting, December 8, 2022 Commission Special Meeting, and December 13, 2022 Commission Regular Meeting
- Attachments:** [12-5-22 Minutes](#)  
[12-8-22 Minutes](#)  
[12-13-22 Minutes](#)
- P. [23-0039](#) Approve Contract No. 2023-08 - Sumter Boulevard Utility Extensions with Spectrum Underground, Inc. in the Amount of \$3,346,632.35, With a Contingency of \$501,995.00, for a Total Amount of \$3,848,627.35.
- Attachments:** [Contract No. 2023-08](#)  
[Notice of Intent to Award](#)  
[Award Recommendation Memo](#)  
[Bid Tabulation](#)  
[Submittal by Spectrum Underground, Inc.](#)  
[RFB No. 2023-08 and Addendum](#)  
[Florida Division of Corporations Documents](#)
- Q. [22-3841](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Kustom US Inc. for Mitigation and Temporary Roof Work at the Fleet Garage Under Purchase Order No. 049709 in an Amount Not to Exceed \$75,000.
- Attachments:** [Emergency Term Forms](#)  
[Competitive Procurement Memorandum](#)  
[Requisition](#)  
[Purchase Order #049709 Fleet Garage](#)  
[Emergency Exigency Procurement Request](#)  
[Kustom US Inc Quote](#)  
[Persons Services Corp Quote](#)  
[Target Solutions Quote and Withdrawal](#)
- R. [22-3844](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Kustom US Inc. for Mitigation Work at the Morgan Family Community Center Under Purchase Order No. 049536 in an Amount Not to Exceed \$195,000.

**Attachments:**     [Emergency Term Forms](#)  
[Competitive Procurement Memorandum](#)  
[Requisition](#)  
[Purchase Order](#)  
[Emergency Exigency Procurement Request](#)  
[Kustom US Inc Quote](#)  
[Wilson ServPro Quote](#)  
[Guarantee Restoration Services Quote](#)

- S.     [22-3848](#)     Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Kustom US Inc. for Mitigation and Temporary Roof Work at North Port City Hall Under Purchase Order No. 049534 in an Amount Not to Exceed \$200,000.

**Attachments:**     [Emergency Term Forms](#)  
[Competitive Procurement Memorandum](#)  
[Requisition](#)  
[Purchase Order](#)  
[Emergency Exigency Procurement Request](#)  
[Kustom Invoice 02-02428-F City Hall](#)  
[Wilson ServPro Quote](#)  
[Guarantee Restoration Services Quote](#)

- T.     [22-3859](#)     Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Kustom US Inc. for Mitigation Work at Fire Station 81 Under Purchase Order No.049538 in an Amount Not to Exceed \$200,000.

**Attachments:**     [Emergency Term Forms](#)  
[Competitive Procurement Memorandum](#)  
[Requisition](#)  
[Purchase Order](#)  
[Emergency Exigency Procurement Request](#)  
[Kustom US Inc Quote](#)  
[Wilson ServPro Quote](#)  
[Target Solutions Withdrawal](#)

- U.     [22-3867](#)     Ratification of City Manager's Use of Emergency Authorization to Enter Into Contract With Kustom US Inc. for Mitigation and Temporary Roof Work at the North Port Police Station Under Purchase Order No. 049537 in an Amount Not to Exceed \$200,000.

**Attachments:**      [Emergency Term Forms](#)  
[Competitive Procurement Memorandum](#)  
[Requisition](#)  
[Purchase Order](#)  
[Emergency Exigency Procurement Request](#)  
[Kustom US Inc Quote](#)  
[Wilson ServPro Quote](#)  
[Email Verbal Quote](#)

- V.      [23-0037](#)      Ratify Emergency Order No. 2022-19 Related to the Temporary Eligibility for a Prorated Refund or Extension of Multiday and Annual Admission Passes for Warm Mineral Springs Park.

**Attachments:**      [Emergency Order](#)

#### **4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES**

- A.      [23-0059](#)      Presentation of the Community Economic Development Advisory Board Annual Report for 2022

**Attachments:**      [Annual Report](#)  
[Ordinance No 2014-07](#)

#### **5. PUBLIC HEARINGS:**

##### **ORDINANCE - First Reading:**

- A.      [ORD. NO. 2023-06](#)      An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code Section 55-19 Regarding Heron Creek Activity Center #2; Amending the Pattern Book for the Development of Towne Center; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.  
(QUASI-JUDICIAL)

**Attachments:**      [Ordinance - First Reading](#)  
[Staff Report with Exhibit](#)

##### **RESOLUTION:**

- B.      [RES. NO. 2023-R-07](#)      A Resolution of the City of North Port, Florida, Authorizing the City Commission to Participate in a Joint Meeting with the Sarasota County Commission to Discuss and Plan Matters of Mutual Interest; Incorporating Recitals; Providing for Severability; and Providing an Effective Date.

**Attachments:**      [Resolution](#)

- C.      [RES. NO. 2022-R-68](#)      A Resolution of the City Commission of the City of North Port, Florida; Granting a Special Exception to Allow a Multi-Family Residential Use

Located Generally at the Southeast Corner of South Sumter Boulevard and Pocatella Avenue North of McKibben Drive in the Office, Professional, Institutional (OPI) Zoning District Pursuant to the City of North Port Unified Land Development Code Sections 53-92 and 53-259; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL).

**Attachments:**

[Resolution](#)  
[Staff Report with Exhibits](#)  
[Staff Presentation](#)  
[12-15-22 PZAB Action Report](#)  
[Notice of Representation](#)  
[Ex Parte through January 3, 2023](#)  
[Aggrieved Party Requests](#)  
[Special Counsel Memorandum](#)

**PETITION:**

- D. [CC](#) Consideration of Petition No. DMP-22-124, Pocatella Multi-Family  
[DMP-22-124](#) Development Master Plan.(QUASI-JUDICIAL).

**Attachments:**

[Staff Report with Exhibits](#)  
[Development Master Plan](#)  
[Staff Presentation](#)  
[12-15-22 PZAB Action Report](#)  
[Notice of Representation](#)  
[Ex Parte through January 3 2023](#)  
[Aggrieved Party Requests](#)

- E. [CC](#) Consideration of Petition No. DMP-22-060, Arietto Development Master  
[DMP-22-60](#) Plan. (Quasi-Judicial).

**Attachments:**

[Staff Report with Exhibits](#)  
[Development Master Plan](#)  
[PZAB Action Report](#)  
[Staff Report - Revised](#)  
[Correspondence from Project Engineer](#)  
[LID Commitment Letter](#)  
[Ex Parte through January 3, 2023](#)

**6. GENERAL BUSINESS:**

- A. [23-0047](#) Discussion and Possible Action Regarding the Approval of the December 8, 2022, City Commission Special Meeting Minutes

**Attachments:**      [Draft Minutes](#)  
                                 [Amended Draft Minutes](#)  
                                 [Correspondence](#)

## **7. PUBLIC COMMENT:**

(The purpose of the Public Comments Section of the Agenda is for members of the public to speak to the City Commission/District Governing Body on any subject pertaining to City Business whether or not it is on the Agenda, with the exception of Quasi-Judicial Items. The City Commission shall not act, except to direct the City Manager to take action or to schedule the matter for discussion at a later date.)

## **8. COMMISSION COMMUNICATIONS:**

## **9. ADMINISTRATIVE AND LEGAL REPORTS:**

## **10. ADJOURNMENT:**

**NOTICE OF AVAILABILITY OF REPORTS** - The Agenda is a summary of the proposed actions to be taken by the City Commission. For almost every agenda item, the City staff has prepared materials for Commission consideration and provided a staff recommendation. All of these materials are available at the City Clerk's Office, during normal business hours, for inspection and (for a fee) copying. Questions on these materials may be directed to the staff member who prepared them, or to the City Clerk's Office, who will refer you to the appropriate person.

**AMERICAN WITH DISABILITIES ACT OF 1990** - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

**NONDISCRIMINATION:** The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status, marital status, sexual orientation, gender identity or expression, or physical characteristic in administration of its programs, activities or services.

No stenographic record by a certified court reporter is made of these recordings. Accordingly, anyone seeking to appeal any of the decisions involving the matters herein will be responsible for making a verbatim record of the meeting/testimony and evidence upon which any appeal is to be based. Copies of the recordings are available (for a fee) at the City Clerk's Office.