



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Agenda City Commission Regular Meeting

### **CITY COMMISSIONERS**

*Jill Luke, Mayor*

*Pete Emrich, Vice Mayor*

*Barbara Langdon, Commissioner*

*Debbie McDowell, Commissioner*

### **APPOINTED OFFICIALS**

*Jason Yarborough, Interim City Manager*

*Amber L. Slayton, City Attorney*

*Heather Taylor, City Clerk*

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Tuesday, February 23, 2021

6:00 PM

City Commission Chambers

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**MEETING PROCEDURE:** Online public comment may be submitted using the virtual Public Comment Form, located on the City Commission webpage at [CityofNorthPort.com](http://CityofNorthPort.com). The form will be available online at 8:00 a.m. the day before the meeting until one hour prior to the meeting start. Voicemail messages may be submitted via telephone at 941-429-1032 from 8:00 a.m. the day before the meeting until one hour prior to the meeting start. Online and voicemail comments are pursuant to Policy No. 2020-04. In person comment may be submitted by submitting a "Request to Speak" card to the City Clerk. The public may comment during the course of the meeting: (1) Speakers may comment under Public Comment at the beginning and ending of each meeting on any issue that is related to City Business whether or not the item is scheduled on the Agenda, with the exception of Quasi-Judicial Items; (2) Speakers may comment on all scheduled Agenda Items and Quasi-Judicial items at the time the item is being discussed. Please indicate on the Speaker Card by writing Public Comment if you wish to speak under that portion of the meeting or specify the individual agenda item you wish to speak to. Please wait until you are recognized by the presiding Officer, state your name so that your comments may be properly recorded and limit your remarks to a period of three (3) minutes or less. The City Commission will act on an Agenda Item after comments from the Staff, Petitioner and Public have been heard.

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. ANNOUNCEMENTS**

- A. [21-0286](#) Current Vacancies and Upcoming Expiration Dates for Boards and Committees

**Attachments:** [Announcements](#)

**4. 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. [21-0221](#) 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](#)

- B. [21-0232](#) Approve the First Amendment to Agreement No. 2018-63, for Financial Auditing Services with Mauldin and Jenkins, LLC., Adding Renewal Term of Two Additional Two-Year Terms by Mutual Agreement and Within Budgetary Limitations, at the Same Terms and Conditions, and to Authorize City Manager to Approve all Future Renewals

**Attachments:** [First Amendment to Agreement](#)  
[Agreement No. 2018-63](#)  
[Florida Division of Corporations Documents](#)

- C. [21-0240](#) Approve the Memorandum of Understanding By and Between the Sarasota County Sheriff's Office and City of North Port, Florida on Behalf of the North Port Police Department for Investigations into Employee Criminal Activity, Use of Deadly Force, and In-Custody Deaths

**Attachments:** [Memorandum of Understanding](#)

- D. [21-0242](#) Approve the Interagency User Agreement by and Between the Sarasota County Sheriff's Office and the City of North Port, Florida on Behalf of the North Port Police Department for Criminal Justice Information Exchange and Use

**Attachments:** [Interagency User Agreement](#)

- E. [21-0243](#) Approve the Interlocal Agreement by and Among the Sarasota County Sheriff's Office and the Police Departments for the City of North Port, New College, and Sarasota-Manatee Airport Police Authority and the Airport Rescue and Firefighting Department Which Outlines Direct Communication for Immediate and Un-delayed Law Enforcement Response During Active and Imminent Threats to Life

**Attachments:**      [Interlocal Agreement](#)

- F.      [21-0244](#)      Approve the Funding Agreement Between Sarasota County, Florida and the City of North Port, Florida for the Sarasota CARES Program Reimbursement

**Attachments:**      [Funding Agreement](#)

- G.      [21-0267](#)      Approve the Close Out Agreement for Contract No. 2005-261, an Interlocal Agreement Between the City of North Port and Sarasota County Regarding Escheated Real Property

**Attachments:**      [Close Out Agreement](#)  
[Interlocal Agreement](#)

- H.      [CC](#)  
[GEN-20-261](#)      Grant Consent to the Acquisition of Real Property by the West Villages Improvement District for Parcel Identification Number 0783012000, Constructed as a Stormwater Pond Adjacent to the West Villages Marketplace

**Attachments:**      [Consent to Acquisition of Real Property](#)  
[Staff Report](#)

- I.      [CC](#)  
[CTA-21-009](#)      Grant Consent to the Acquisition of Real Property by the West Villages Improvement District for Parcel Identification Number 0783011000, Constructed as Market Way in the Northwestern Corner of the West Villages Marketplace

**Attachments:**      [Consent to Acquisition of Real Property](#)  
[Staff Report](#)

- J.      [21-0305](#)      Approve Minutes for January 12, 2021 Commission Regular Meeting, January 15, 2021 Convocation of Governments Meeting, February 4, 2021 Commission Special Meeting, February 4, 2021 Special Meeting, and February 9, 2021 Commission Regular Meeting

**Attachments:**      [01-12-2021 Regular](#)  
[01-15-2021 Convocation of Governments](#)  
[02-04-21 Special 10 am](#)  
[02-04-21 Special 4 pm](#)  
[02-09-21 Regular](#)

- K.      [21-0248](#)      Approve Acceptance of the Assistance to Firefighters Grant, if Awarded, from the Federal Emergency Management Agency in an Amount of \$46,445.45 and Authorize the City Manager to Approve and Sign Grant Documents upon Satisfactory Legal Review

**Attachments:**      [Grant Application](#)

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

- A. [21-0317](#) Mel Thomas: Neighborhood Commercial Development Marketing Inspiration

**Attachments:** [Presentation](#)  
[Ordinance No. 2020-39](#)

## **6. PUBLIC HEARINGS:**

### **ORDINANCE - Third Reading:**

- A. [ORD. NO. 2020-27](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Appendix A - City Fee Structure to Change Certain Building, Fire, Police, Parks and Recreation, Facility Rental, Solid Waste, and Road and Drainage Fees; Providing for Severability; Providing for Conflicts; Providing for Codification; and Providing an Effective Date

**Attachments:** [Ordinance 2020-27](#)  
[Appendix A to Ordinance 2020-27](#)  
[List of Changes to City-Wide Fee Ordinance](#)  
[Updated Fee Schedules for Credit Card Processing Fee](#)  
[Ordinance 2020-27 Version A](#)  
[Appendix A to Ordinance 2020-27 Version A](#)  
[Ordinance 2020-27 Version B](#)  
[Appendix A to Ordinance 2020-27 Version B](#)  
[List of Fees Excluded from One Percent Increase](#)  
[Memo - Credit Card Surcharges](#)

### **ORDINANCE - Second Reading:**

- B. [ORD. NO. 2021-16](#) An Ordinance of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2020-21 by Transferring \$127,151 from the General Fund Balance for Narramore Park Security, the First 1000 Days Mural Project and the North Port Special Election; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

**Attachments:** [Ordinance No. 2021-16 First Reading](#)  
[General Fund fund balance report](#)  
[Ordinance No. 2021-16 Second Reading](#)

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

- C. [ORD. NO. 2021-13](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Section 53-213.A.(2) - Village Index Map; Providing for Amendments to the West Villages Index Map for Certain Portions of Village G, Village H, Village I, Village J, and Village K, Including One or

More of the Following: Boundaries, Acreages, Location for Fire Station No. 2, Utility Sites, Roadway Alignments for Manasota Beach Road and West Villages Parkway, Boundaries for Village Centers, and Park Acreages; Providing for Findings; Providing for Adoption; Providing for Filing of Approved Documents; Providing for Severability; Providing for Conflicts; and Providing an Effective Date (QUASI JUDICIAL)

**Attachments:**

[Ordinance 2021-13](#)

[Proposed West Villages Index Map](#)

[Staff Report with Exhibits](#)

[Ex Parte Communication](#)

[Index Map Progression](#)

[Ex Parte Communication](#)

- D. [ORD. NO. 2021-14](#) An Ordinance of the City of North Port, Florida, Adopting the Village J Village District Pattern Plan (West Villages) for a ±631 Acre Area Located to the West of West Villages Parkway, to the South of Future Manasota Beach Road, to the North of the City of North Port, Florida City Limits and to the East of Future Preto Boulevard; Amending the Unified Land Development Code, Chapter 53, Article XVIII - V Village, Section 53-214 to Incorporate the Pattern Plan by Reference; Providing for Findings; Providing for Adoption; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date (QUASI JUDICIAL)

**Attachments:**

[Ordinance 2021-14](#)

[Staff Report with Exhibits](#)

[Ex Parte Communication Village J.](#)

[Village J Matrix Changes](#)

**RESOLUTION:**

- E. [RES. NO. 2021-R-10](#) A Resolution of the City of North Port, Florida, Vacating Utility and Drainage Easements for Lots 12, and 16, Block 870, First Replat in the Sixteenth Addition to Port Charlotte Subdivision; Providing for Conflicts; Providing for Severability; and Providing an Effective Date (QUASI JUDICIAL)

**Attachments:**

[Resolution 2021-R-10](#)

[Staff Report with Exhibits](#)

[Applicant Presentation](#)

- F. [RES. NO. 2021-R-11](#) A Resolution of the City of North Port, Florida, Vacating Utility and Drainage Easements for Lots 5, 6, 16, and 17, Block 1565, 32nd Addition to Port Charlotte Subdivision; Providing for Findings; Providing for Filing of Approved Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date (QUASI-JUDICIAL).

**Attachments:**      [Resolution 21-R-11](#)  
[Staff Report with Exhibits](#)  
[Staff Presentation](#)

## **7. GENERAL BUSINESS:**

- A.      [21-0222](#)      Discussion and Possible Action Regarding Revision to Section 46, Article V of the Code of the City of North Port Relating to Camping

**Attachments:**      [Section 46, Article V](#)  
[Spreadsheet](#)

- B.      [21-0303](#)      Discussion and Possible Action Regarding Alternative Revenue Sources, Including Public Service Tax on Water Sales, Public Service Tax on Electricity, Public Service Tax on Gas Products, Payment in Lieu of Franchise Fees for Water and Sewer, Payment in Lieu of Franchise Fees for Solid Waste

**Attachments:**      [Memorandum](#)  
[FDOR Municipal Public Service Tax Database](#)

## **8. PUBLIC COMMENT:**

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## **9. COMMISSION COMMUNICATIONS:**

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

- A.      [21-0313](#)      City Manager Commission Update Report

**Attachments:**      [City Manager Commission Update Report 2.23.21](#)

- B.      [21-0321](#)      City Attorney Report

**Attachments:**      [Commission Directives to the City Attorney.pdf](#)  
[Matter List \(Redacted\).pdf](#)

- C.      [21-0319](#)      City Clerk Report

**Attachments:**      [Commission Update](#)

## **11. 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.