



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft City Commission Workshop

CITY COMMISSIONERS

Debbie McDowell, Mayor

Jill Luke, Vice Mayor

Christopher Hanks, Commissioner

Pete Emrich, Commissioner

Vanessa Carusone, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager

Amber L. Slayton, City Attorney

Heather Taylor, Interim City Clerk

Monday, December 2, 2019

9:00 AM

CITY COMMISSION CHAMBERS

CALL TO ORDER

Mayor McDowell called the meeting to order at 9:00 a.m.

ROLL CALL

Commissioner Carusone arrived at 9:18 a.m.

Present: 5 - Mayor Debbie McDowell, Vice Mayor Jill Luke, Commissioner Christopher Hanks, Commissioner Vanessa Carusone and Commissioner Pete Emrich

Also Present:

City Manager Pete Lear, Assistant City Attorney Michael Golen, Interim City Clerk Heather Taylor, Recording Secretary Susan Hale, Public Works Director Julie Bellia, Stormwater Manager Elizabeth Wong, Deputy Police Chief Chris Morales.

Charter Review Advisory Board Members: Vice Chair Justin Willis, Board Member David Duval.

The Pledge of Allegiance was led by Vice Chair Willis.

1. PUBLIC COMMENT:

Steve Yager: North Port Government and You meetings, and budget suggestions.

Victor Dobrin: City Charter limiting expenditures caps and referendums, and the Deputy Clerk position.

2. GENERAL BUSINESS:

[19-0912](#)

Discussion and Possible Direction on Acquisition of Flooded Properties in the Big Slough Flood Study Area.

Mr. Lear introduced the item.

Ms. Wong provided a review of the direction regarding acquisition of properties, recap of March 4, 2019 Workshop, options to reduce flooding, spoke to parcel acquisition options and cost factors, considering parcels along roadways that flood, total property acquisition costs, grant funding agencies, trusts for public lands, Federal Emergency Management Agency(FEMA) grants, and staff recommendations.

Mr. Golen spoke to financial impacts of rezoning conservation lands as a means to obtaining properties.

There was a consensus for staff to include rezoning conservation lands as a means to purchase properties with the direction received on November 26, 2019 to bring back an agenda item within three months regarding information to turn the City-owned property on Spring Haven Drive into a conservation easement.

City Manager and City Attorney will determine a timeline to return with information.

Ms. Bellia spoke to the maintenance piece of the project, the effect of cost on other plans, and working funding in the 2021-2022 budget.

There was a consensus to direct staff to explore how to rezone properties to conservation zones similar to Spring Haven Drive and incorporating into the properties along the Myakkahatchee Creek.

There was a consensus to direct staff to bring the information back within four to six months as a workshop or an agenda item.

Ms. Bellia spoke to needing a cost analysis to determine overgrowth maintenance costs.

Mr. Lear clarified the added maintenance requiring an increased level of service and the ensuing tax increase.

Ms. Wong spoke to leaving land vacant, acquiring the rest of Tier 1 and 2 properties, and creating passive parks.

Discussion ensued regarding Myakkahatchee Creek historical flooding.

Ms. Wong explained a 1-day 10-year storm event.

Ms. Bellia spoke to providing information regarding potential loss of tax revenue if land purchased.

Ms. Wong clarified the FEMA 100-year Flood Plain Map Model vs. the 10-year storm, streets known to flood, 25-year standard model for development, and determining which lots are obtainable using flood plain criteria.

Ms. Bellia spoke to flood prevention measures, storm surge, ravine flooding, and gaining capacity within the stormwater drainage system.

Ms. Wong explained flood plain compensation for large development, stormwater displacement requirements in residential property developments, single family lot requirements, and problems when creek water is higher than water flowing into it.

Ms. Bellia provided additional information regarding areas with capacity to hold flooding and minimizing the impact on susceptible properties.

There was a consensus to direct staff to provide a FEMA map overlay highlighting the flooding designations.

There was a consensus to direct staff to identify those lots that are only impacted with flooding fronting the roadway vs. water on them.

Ms. Wong provided an update regarding the Southwest Florida Water Management District (SWFWMD) conceptual environmental resource permit application including removing the option for the inflow reduction method, spoke to clearing debris areas, the survey including protected plants and wildlife in the blockage areas, providing a map of areas to be cleared, and availability of grants.

Discussion ensued regarding a workshop discussion with more information concerning today's discussion items including swapping land.

Mr. Lear spoke to a City-owned lot discussion scheduled for Thursday, December, 5, 2019.

19-1477

Discussion and Possible Direction Regarding Possible Charter Referendums

Mr. Lear introduced the item.

Charter Review Board Members Justin Willis and David Duval joined the meeting.

Discussion ensued regarding changing the mayor position to a two-year elected position with a total of four two-year terms to serve under a weak mayor government system, vice mayor to be appointed by the mayor, reasoning why the position was changed from chair to mayor, advantages to the title of mayor, educating public regarding titles, advancing vice mayor to mayor automatically or by seniority of term, the position of mayor decided by referendum, a rotation schedule previously in the Charter, amending language for consecutive terms serving of mayor, rotation as before or rotation with ability to serve more than one year, current Charter language regarding mayor, rotation options, electing the mayor seat, involving the public, educating the public, and limiting serving as mayor.

There was a consensus that the position of mayor is on a rotation basis with the ability of the vice mayor to waive his/her right as next mayor and removing the consecutive limitation.

Discussion ensued concerning presenting a new option vs. returning to the original rotation schedule, and clarifying the rotation.

Mr. Lear spoke to the vice mayor rotation moving to the next senior Commissioner, vice mayor would move to commissioner and current mayor retains the seat.

Discussion continued pertaining to using super majority vote to circumvent appointing someone as mayor, and educating the public using social media.

There was a consensus to remove the consecutive limitation and move to a rotation of mayor by district, incoming mayor may choose not to serve and the sitting mayor will retain the seat but the incoming mayor cannot appoint someone that is not currently serving as mayor unless there is a super majority vote.

Mr. Golen clarified the intent of a super majority vote is for a mayor nomination outside the normal rotation schedule.

Discussion ensued including returning draft language for Commission review.

Ms. Taylor spoke to discussion points at the next Charter Review Advisory Board

Meeting.

Discussion continued regarding declining mayor scenarios.

There was a consensus to choose a mayor on a rotation basis.

There was a consensus that if the incoming mayor refuses the role, as does the rest of the commission in rotation, the incoming mayor shall be compelled to the role.

Recess was taken from 10:59 a.m. to 11:18 a.m.

PUBLIC COMMENT:

Victor Dobrin: mayor rotation proposal.

Discussion ensued regarding the non-essential capital expenditure funding requirements.

There was a consensus that a discussion is not needed regarding the request to require a voter referendum on "non-essential" spending exceeding "x" dollars.

Discussion ensued regarding two different scenarios for redistricting, waiting until after the 2020 Census, and three districts and two at large taking affect after the Census.

There was a consensus to discuss the composition of districts.

There was a consensus to work on a commission composition of three district seats with two at-large seats using the 2020 Census to draw the districts, and after the districts are approved, it will become effective at the next general election in 2022.

Mr. Lear spoke to the process of the 2020 election cycle, the 2020 Census, and the effect of moving forward in 2022.

Discussion resumed regarding ensuring each election cycle has one at-large at each election cycle, how past election cycles worked with regard to "seats" changing to "districts," problematic situations when implementing districting, prohibiting two at large candidates living in the same district, provisions protecting one neighborhood from controlling commission decisions.

Mr. Lear clarified State Law pertaining to 10% population variation within districts and does not refer to the national census.

Discussion continued concerning clarifying the 10% disparity of populace required for redistricting, making districts cohesive, the importance of residency in a district, and one-year wait time for district residency.

Mr. Lear spoke to drawing district lines with 2010 Census and tracking population trends.

Discussion continued pertaining to creating policy for population growth guidelines, the Bureau of Economic & Business Research (BEBR) report and other population reporting data, currently Commission seats serve at-large, and district lines affecting votes.

Mayor McDowell opposed at-large districts but supported candidates representing the entire City, residing in a district, being elected by the entire City, and district lines decided by population and census.

Mr. Golen spoke to the Florida Statutes and City Charter requirements with regard to redistricting.

There was a consensus to direct the City Attorney to research whether the City

Charter is in conflict with State Statutes pertaining to the City's 5% deviation in population requirement to redraw district lines vs. State's 10% requirement.

Mr. Golen spoke to Commission vacancies not required to be appointed by the governor.

Discussion ensued regarding options when no candidates are in a district, filling a vacancy from another district or from a Commission recommendation, Charter mandates calling a special election, and making the vacant seat an "at-large" position temporarily.

Mr. Golen spoke to clarifying vacancies in the Charter.

There was a consensus to leave the Charter verbiage as stated regarding when the governor designates a commissioner.

There was a brief discussion concerning Commissioner vs. Council Member.

There was a consensus not to discuss the issue of council member vs. commissioner titles.

3. PUBLIC COMMENT:

There was no public comment.

4. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 12:27 p.m.

City of North Port, Florida

By: _____
Debbie McDowell, Mayor

Attest: _____
Heather Taylor, Interim City Clerk

Minutes approved at the Commission Regular Meeting this ____ day of _____, 2019.