



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

Tuesday, September 26, 2023

6:00 PM

City Commission Chambers

Added Attachment to Item No. 23-1064 & Updated Ordinance No. 2023-26

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. 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. ANNOUNCEMENTS

- A. [23-0445](#) Current Vacancies and Upcoming Expirations for Advisory 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. [23-0226](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with P.M.S. Petroleum Maintenance and Service, Inc., for Generator Hook-up Under Purchase Order No. 049573 in an Amount Not to Exceed \$2,000.

Attachments: [Emergency Term Forms](#)
[Exigency Procurement Request](#)
[Non-Competitive Procurement Summary Memorandum](#)
[Purchase Order](#)
[Florida Division of Corporations](#)

- B. [23-0253](#) Ratification of City Manager's Use of Emergency Authorization of Purchase Order No. 49571 With W.W. Grainger for Personal Protective Equipment in an Amount Not to Exceed \$4,216.90.

Attachments: [Emergency Procurement Request](#)
[Non-Competitive Procurement Summary Memorandum](#)
[Purchase Order](#)
[Florida Division of Corporations](#)

- C. [23-0321](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Ajax Building Company, LLC for Roof Repairs Under Purchase Order No. 49633 in an Amount Not to Exceed \$548,437.00.

Attachments: [Emergency Procurement Request](#)
[Competitive Procurement Summary Memorandum](#)
[Purchase Order](#)
[Florida Division of Corporations](#)

- D. [23-0322](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Kimley-Horn and Associates, Inc. for Engineering Services Under Purchase Order No. 49630 in an Amount Not to Exceed \$10,000.00.

Attachments: [Emergency Term Forms](#)
[Procurement Summary Memorandum](#)
[Emergency Procurement Request](#)
[Non-Competitive Procurement Justification](#)
[Purchase Order](#)
[Florida Division of Corporations Document](#)

- E. [23-1296](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With MG Electrical Developers, INC for Repairs to Damaged Electrical Services at Lift Stations 12, 19, 34, 42, and 68, Not to Exceed \$35,455.00.

Attachments: [Emergency Term Forms](#)
[Exigency Procurement Request](#)
[Procurement Summary Memorandum](#)
[Purchase Order](#)
[Florida Division of Corporations Document](#)

- F. [23-1268](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Data Flow Systems, Inc. to Perform Emergency Restoration to City Wastewater Collection System's SCADA System Under Purchase Order 049586 in an Amount Not to Exceed \$58,802.00.

Attachments: [Emergency Terms Form](#)
[Exigency Procurement Request](#)
[Procurement Summary Memorandum](#)
[Non-Competitive Procurement Justification](#)
[Purchase Order](#)
[Florida Division of Corporations Document](#)

- G. [23-1315](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Sylvester Excavating, Inc. to Perform Emergency Restoration to the Sumter Boulevard and Price Boulevard Water Main That Was Washed Out Due to Hurricane Ian Under Purchase Order No. 049734 Not to Exceed \$147,840.00.

Attachments: [Emergency Term Forms](#)
[Exigency Procurement Request](#)
[Procurement Summary Memorandum](#)
[Non-Competitive Procurement Justification Memorandum](#)
[Purchase Order](#)
[Florida Division of Corporations Document](#)

- H. [23-1170](#) Approve First Amendment to Contract No. 2022-35 for the Construction of the Marina Park Restrooms with C & T Contracting Services, LLC for an Additional Amount of \$32,891, Plus a Construction Contingency of \$7,460, for a Total Estimated Contract Price of \$228,121.

Attachments: [Contract - First Amendment](#)
[Contract](#)
[Marina Park CIP](#)
[ULDC Chapter 60](#)
[Florida Division of Corporations Document](#)

- I. [23-1151](#) Approve Second Amendment to Interlocal Agreement Between City of North Port, Florida, and Charlotte County for Design, Engineering, and Permitting of Joint Road Widening Project in the Amount of \$65,780.00 for a Total Not to Exceed Amount of \$462,940.00.

Attachments: [Agreement - Second Amendment](#)
[Agreement - First Amendment](#)
[Interlocal Agreement](#)

- J. [23-1342](#) Approve the Second Amendment to the Lease Agreement Between the City of North Port and North Port Senior Center for Space at the Community Education Center.

Attachments: [Agreement - Second Amendment](#)
[Agreement - First Amendment](#)

- K. [23-1231](#) Approve the Law Enforcement ISO ClaimSearch Access Memorandum of Understanding Between the National Insurance Crime Bureau and the City of North Port, Florida, on Behalf of the North Port Police Department, for Access to Information Related to Insurance Crime and Fraud at No Cost to the City of North Port, Florida.

Attachments: [MOU](#)
[Division of Corporations - NICB](#)

- L. [23-1256](#) Approve Renewal of Property and Casualty, Accidental and Dismemberment (AD&D) Insurance With Gehring Group a Risk Strategies Company for Fiscal Year 2023-2024 in the Amount of \$2,283,189.

Attachments: [Property & Casualty Renewal Evaluation](#)
[Property & Casualty Renewal Summary](#)
[AmWins - All Assets Property Quote](#)
[AmWins Property Tower Terrorism Risk Insurance Act TRIA Disclosures Signat
Property, Inland Marine Acords Signature](#)
[Chubb-Illinois Union - Pollution Legal Liability Renewal Quote](#)
[Chubb-Illinois Union - Pollution Legal Liability Terrorism Risk Insurance Act TRI
Preferred Governemtn Insured Trust - Signature Page](#)
[Preferred Government Insurance Trust - Renewal Application for Workers' Com](#)
[Preferred Government Insurance Trust - Self Insured Retention and TPA Inform](#)
[Preferred Governement Insurance Trust - Uninsured Motorist Form](#)
[Florida Division of Corporations Document](#)

- M. [23-1324](#) Approve the Thomson Reuters General Terms and Conditions, the Thomson Reuters Order Form Order ID Q-07048635, and the Addendum to Order Form Order ID Q-07048635 for Westlaw Legal Research Services for a 36-Month Term and a Total Cost of \$25,716.40.

Attachments: [General Terms and Conditions](#)
[Order Form Order](#)
[Addendum Order Form Order](#)

- N. [23-1344](#) Approve the Disposition of Surplus Assets in an Appropriate Fashion Pursuant to Chapter 2 Administration, Article VIII Procurement, Section 2-419, Disposition of City Assets and Property (d) of the Code of the City of North Port, Florida.

Attachments: [Asset Disposition and Recommended Method of Disposal August 2023](#)
[City of North Port Disposal Forms](#)

- O. [23-1394](#) Approve the Public Emergency Medical Transport (PEMT) Letter of Agreement With the Agency for Health Care Administration (ACHA) in the Amount of \$208,062.72.

Attachments: [Letter of Agreement](#)

- P. [23-1348](#) Approve the Agreement for Director of Emergency Medical Service Systems Between Global EMS, LLC and The City of North Port to Provide Medical Direction Services to North Port Fire Rescue in the Amount of \$46,400 for Year 1, \$47,800 in Year 2, and \$49,200 in Year 3.

Attachments: [Agreement](#)
[Florida Division of Corporations Documents](#)

- Q. [23-1370](#) Approve the Water and Wastewater Utility Developer Agreement Between the City of North Port and Bristol Edward Rudolf Revocable Trust.

Attachments: [Agreement](#)

- R. [23-1395](#) Approve the September 5, 2023 Commission Workshop Meeting Minutes and the September 7, 2023 Commission Special and Regular Meeting Minutes.

Attachments: [9-5-23 Minutes](#)
[9-7-23 Special Minutes](#)
[9-7-23 Regular Minutes](#)

5. PUBLIC HEARINGS:

ORDINANCE - First Reading

- A. [ORD. NO. 2023-25](#) An Ordinance of the City of North Port, Florida, Amending the Future Land Use from Agricultural, Estates to Industrial for a +/- 55.02 Acre Area and to High Density Residential for a +/- 262.34 Acre Area Generally Located North of Interstate 75 and East of Toledo Blade Boulevard; Amending the City of North Port Comprehensive Plan Chapter 2, Future Land Use Map 2-7; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI JUDICIAL)

Attachments: [Staff Report with Exhibits](#)
[Ordinance with Exhibits](#)
[Survey](#)
[Sketch and Description – Industrial](#)
[Sketch and Description – High Density Residential](#)
[Future Land Use - Parcel](#)
[Aggrieved Party - Price](#)
[Representation Notice - Weiss Serota](#)
[PZAB Action Report Sept 7, 2023](#)
[Aggrieved Party - Tokarz](#)
[Notice of Representation - Boone](#)
[Tokarz Presentation](#)
[Aggrieved Party - Beal](#)
[Aggrieved Party - Tokarz Backup](#)

- B. [ORD. NO. 2023-26](#) An Ordinance of the City of North Port, Florida, Rezoning +/- 55.02 Acres Located East of Toledo Blade Boulevard Approximately 1 Mile North of I-75 in Section 6, Township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2023042804 in Official Records of Sarasota County, from No Zoning Designation District (NZD) Classification to Industrial Light Warehousing District (ILW) District Classification; Amending the Official Zoning Map; Providing for Findings; Providing for Filing of Approved Documents; Providing for Conflicts; Providing for

Severability; and Providing an Effective Date. (QUASI-JUDICIAL)

Attachments: [Updated Staff Report with Exhibits](#)
[Staff Report with Exhibits](#)
[Ordinance 2023-26](#)
[Aggrieved Party Request - Price](#)
[Representation Notice - Weiss Serota](#)
[PZAB Action Report September 7,2023](#)
[Aggrieved Party Request - Tokarz](#)
[Notice of Representation - Boone](#)
[Tokarz Presentation](#)
[Aggrieved Party - Beal](#)

ORDINANCE - Second Reading:

- C. [ORD. NO. 2023-19](#) An Ordinance of the City of North Port, Florida, Adopting the Toledo Village, Village District Pattern Plan for a ±2,086 Acre Area Located North of Interstate 75, East of Toledo Blade Boulevard, West of Orange Hammock Wildlife Management Area, and South of the City of North Port Municipal Boundary; Amending the Unified Land Development Code, Chapter 53, Article XVIII – V Village, Section 53-214 Subsection F to Incorporate the Pattern Plan by Reference; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.(QUASI JUDICIAL).

Attachments: [Staff Report with Exhibits](#)
[Proposed Toledo Village Pattern Plan](#)
[Ordinance - First Reading](#)
[Ordinance - Second Reading](#)
[PZAB Action Report](#)

- D. [ORD. NO. 2023-20](#) An Ordinance of the City of North Port, Florida, Related to the Operation of Mobile Food Vendors at the Warm Mineral Springs Park; Amending the Code of the City of North Port, Florida, Section 34-1; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments: [Ordinance - First Reading](#)
[Ordinance - Second Reading](#)
[Ordinance 2021-09](#)
[2-9-21 City Commission Minutes](#)

- E. [ORD. NO. 2023-23](#) An Ordinance of The City of North Port, Florida, Related to Lodging Out-of-Doors on Private and City-Owned Property; Creating a New Section 46-4 of The Code of The City of North Port, Florida; Repealing Chapter 46, Article V – Camping, of The Code of The City of North Port, Florida;

Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Ordinance - First Reading](#)
 [Ordinance - Second Reading](#)

- F. [ORD. NO. 2023-24](#) An Ordinance of the City of North Port, Florida, Regarding Parking and Storage of Certain Vehicles on Residential Lots; Amending the Code of the City of North Port, Florida, Section 59-1 and Section 59-2; and Repealing Section 59-16 of the Code of the City of North Port, Florida; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments: [Ordinance - First Reading](#)
 [Ordinance - Second Reading](#)

6. GENERAL BUSINESS:

- A. [23-1408](#) Discussion and Possible Action Regarding the City Manager's Annual Evaluation and Amendment to the City Manager's Employment Agreement Relating to Term and Notice Requirements for Termination and Resignation.

Attachments: [Mayor Langdon Evaluation](#)
 [Vice-Mayor White Evaluation](#)
 [Commissioner Emrich Evaluation](#)
 [Commissioner McDowell Evaluation](#)
 [Commissioner Stokes Evaluation](#)
 [Evaluation Summary](#)
 [City Manager Self-Evaluation](#)
 [City Manager Employment Agreement](#)

- B. [23-1422](#) Discussion and Possible Action Regarding Personal Banners Affixed to City Infrastructure to Honor Local Military Service Members.

Attachments: [Hometown Hereos Program and Military Tribute Banners Links](#)

7. PUBLIC COMMENT:

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8. COMMISSION COMMUNICATIONS:

- A. [23-1061](#) Mayor Langdon's Communications
- B. [23-1062](#) Vice Mayor White's Communications

- C. [23-1063](#) Commissioner Emrich's Communications
- D. [23-1064](#) Commissioner McDowell's Communication
- Attachments: [Comments](#)
- E. [23-1065](#) Commissioner Stokes' Communications

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [23-1421](#) City Manager Monthly Report
- Attachments: [City Manager Report September 2023](#)
- B. [23-1240](#) City Attorney's Monthly Report
- Attachments: [Commission Directives to the City Attorney](#)
[Matter List \(Redacted\)](#)
- C. [23-0433](#) City Clerk Report
- Attachments: [Closed Status Chart](#)
[Open Request Chart](#)
[FY Request Log](#)
[Commission Update](#)

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.