



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Agenda City Commission Regular Meeting

CITY COMMISSIONERS

Pete Emrich, Mayor
Barbara Langdon, Vice Mayor
Jill Luke, Commissioner
Debbie McDowell, Commissioner
Alice White, Commissioner

APPOINTED OFFICIALS

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

Tuesday, September 13, 2022

10:00 AM

City Commission Chambers

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. [22-3409](#) Current Vacancies and Upcoming Expirations 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. [22-3235](#) Accept the Cash Receipts Summary Report for June 2022.

Attachments: [Cash Receipts Summary](#)

- B. [22-3380](#) Accept the Cash Receipts Summary Report for July 2022.

Attachments: [Cash Receipts Summary](#)

- C. [22-3339](#) Approve the Letter of Agreement and Contract Between the City of North Port and University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management, in an Amount Not to Exceed \$8,433.41, for High Visibility Enforcement Operations in Areas with a High Rate of Pedestrian/Bicycle Crashes.

Attachments: [Letter of Agreement and Contract](#)
[Competitive Exemption Form](#)
[Request Letter from Chief Garrison](#)
[Florida Division of Corporations Documents](#)

- D. [22-3379](#) Approve the Mayor's Support for the Edward Byrne Memorial Justice Assistance Grant Program Countywide Funds for Mental Health Court and Authorize the Mayor's Support in Future Years Unless the Funding Priority Changes

Attachments: [JAG Grant Support Letter](#)

- E. [22-3398](#) Approve Renewal of RFB No. 2021-46 EMS Supplies, Equipment, Pharmaceuticals, and Delivery with Bound Tree Medical LLC, Henry Schein, Inc., and Quadmed, Inc. at the Attached Unit Prices for an Estimated Annual Amount of \$253,850.00 for Fiscal Year 2022-23, and

Authorize City Manager to Approve Future Renewals

Attachments: [Renewal Memos with Cost Tabulations](#)
[Request for Bid with Addenda](#)
[Florida Division of Corporations Documents](#)

- F. [22-3268](#) Approve the Award of Funds from the Special Event Assistance Program to Family Promise of South Sarasota County in Support of a Kentucky Derby Event Held on August 20, 2022, in the Amount of \$500 to Cover the Costs of City Fees.

Attachments: [Application for Assistance Family Promise of South Sarasota County](#)
[Kentucky Derby Fee Overview](#)
[Community Assistance Account Overview FY22](#)
[Resolution No. 2018-R-17](#)

- G. [22-3272](#) Approve the Award of Funds From the Special Event Assistance Program to North Port Area Chamber of Commerce/North Port Young Professionals in Support of a Back to School Bash Event Held on July 30, 2022, in the Amount of \$824 to Cover the Costs of City Fees.

Attachments: [Application for Assistance - North Port Area Chamber of Commerce/North Port](#)
[Back to School Bash Fee Overview](#)
[Community Assistance Account Overview FY22](#)
[Resolution No. 2018-R-17](#)

- H. [22-3273](#) Approve the Award of Funds from the Special Event Assistance Program to People for Trees, Inc. in Support of the Tour de North Port event to be Held on October 23, 2022, in an Amount Up To, and Not to Exceed, \$500 to Cover the Costs of City Fees.

Attachments: [Application](#)
[Fee Overview](#)
[Resolution No. 2018-R-17](#)

- I. [22-3315](#) Approve the Award of Funds from the Special Event Assistance Program to The Environmental Conservancy of North Port and Surrounding Areas in Support of the Race to Conserve 5K Event to be Held on February 18, 2023, in an Amount Up to, and Not to Exceed, \$500 to Cover the Costs of City Fees.

Attachments: [Application](#)
[Fee Overview](#)
[Resolution No. 2018-R-17](#)

- J. [22-3407](#) Approve the First Amendment to Contract No. 2020-56 School Crossing Guard Services Between the City of North Port and Waterfield Florida Staffing ("Contractor") Allowing for a Rate Increase from \$17.50 an Hour to \$21.30 an Hour.

Attachments: [First Amendment to the Contract](#)
[Contract](#)
[Letter Requesting Rate Increase](#)

- K. [22-3387](#) Approve Renewal of Property and Casualty and Risk Management Services, and Accidental Death and Dismemberment (AD&D) Insurance and the 1-Year Extension of Contract Award 2018-74 with Brown and Brown / Risk Management Associates, Inc. for Fiscal Year 2022-2023 in the Budgeted Amount \$1,429,701.

Attachments: [Premium and Coverage Comparison](#)
[Master Property Renewal Coverage](#)
[Utilities Property Renewal Coverage](#)
[Master Equipment Breakdown Renewal Coverage](#)
[Pollution Liability Renewal Coverage](#)
[Accidental Death & Dismemberment \(AD&D\) Renewal Coverage](#)
[Property Coverage Forms for Signature](#)
[Brown and Brown - Risk Management Associates Premium Forms for Signature](#)
[Preferred Coverage Renewal Forms for Signature](#)
[Pollution Liability Coverage Forms for Signature](#)
[Letter Confirmation for Contract Award 18-547 Extension for FY 2022-2023.pdf](#)
[Florida Division of Corporations Document.](#)

- L. [CC](#)
[CTA-22-152](#) Approve the Consent by the City of North Port, Florida to the Acquisition of Real Property by the West Village Improvement District for a part of Tract 107 of the Islandwalk at the West Villages, Phase 1A Replat, Tract 129 of the Islandwalk at the West Villages, Phase 1B Plat and Tract 148 of the Islandwalk at the West Villages, Phase 1C Plat.

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

- M. [22-3378](#) Approval of Burton C. Thomas as the Parks and Recreation Advisory Board Representative on the Veterans' Park Advisory Committee to Serve a Term from September 13, 2022, to September 13, 2024.

Attachments: [Application and Backup](#)
[2022 Attendance](#)

- N. [22-3270](#) Approval of Michael T. Patricosky and Linda Waugh as Regular Members of the Planning and Zoning Advisory Board to Serve a Four-Year Term from September 13, 2022, to September 13, 2026.

Attachments: [Patricosky Application and Backup](#)
[Waugh Application and Backup](#)

- O. [22-3277](#) Approval of Billy Benton as an Alternate I Member of the Parks and

Recreation Advisory Board to Serve a Two-Year Term from September 13, 2022, to September 13, 2024.

Attachments: [Application and Backup](#)

- P. [22-3335](#) Approval of Julia Fritz and Rebecca Pearson as Student Members of the Art Advisory Board to Serve a One-Year Term From September 13, 2022, to September 13, 2023.

Attachments: [Applications and Backup](#)

- Q. [22-3413](#) Approval of David A. Mannino as an Alternate I Member of the Art Advisory Board to Serve a Two-Year Term From September 13, 2022, to September 13, 2024.

Attachments: [Applicaiton and Backup](#)

- R. [22-3426](#) Approval of Pamela A. Rodriguez as a Regular Member of the Environmental Advisory Board to Serve a Two-Year Term From September 13, 2022, to September 13, 2024, and Lola M. Robinson as a Student Member of the Environmental Advisory Board to Serve a One-Year Term From September 13, 2022, to September 13, 2023.

Attachments: [Pamela C. Rodriguez Application and Backup](#)
[Lola M. Robinson Application and Backup](#)

- S. [22-3265](#) Approval of Minutes for the July 11, 2022 Commission Workshop, July 19, 2022 Commission Special Meeting, July 19, 2022 Commission Workshop, and July 26, 2022 Commission Regular Meeting

Attachments: [7/11/22 Workshop Minutes](#)
[7/19/22 Special Minutes](#)
[7/19/22 Workshop Minutes](#)
[7/26/22 Regular Minutes](#)

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [22-3362](#) Presentation of the Community Economic Development Advisory Board Annual Report for 2021

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

6. PUBLIC HEARINGS:

ORDINANCE - Second Reading

- A. [ORD. NO. 2022-17](#) 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 Fire Rescue, Parks and Recreation, Facility Rental, and Utility Fees; 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 - First Reading

- B. [ORD. NO. 2022-18](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Chapter 17 - Flood Damage Prevention Regulations, Relating to Accessory Structures and Manufactured Homes in Flood Hazard Areas and Definitions; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments: [Ordinance - First Reading](#)
[PZAB Action Report](#)

- C. [ORD. NO. 2022-23](#) An Ordinance of the City of North Port, Florida, Amending Water and Wastewater Capacity Fees; Amending the Code of the City of North Port, Florida, Section 78-30; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

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

- D. [ORD. NO. 2022-24](#) An Ordinance of the City of North Port, Florida, Regarding Water and Wastewater Utility Line Extension and Connection Charges, Creating an Early Connection Incentive, and Creating a Customer Connection Hardship Program; Amending the Code of the City of North Port, Florida, Section 78-31; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

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

RESOLUTION:

- E. [RES. NO. 2022-R-41](#) A Resolution of the City Commission of the City of North Port, Florida, Adopting City Commission Policy No. 2022-01 Related to the Inclusion of Items in the City's Historical Archive; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Resolution](#)
[Policy](#)
[Intake Form](#)

- F. [RES. NO. 2022-R-44](#) A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of the Utility and Drainage Easements for Lots 1 and 2, Block 2453, Forty-Ninth Addition to Port Charlotte Subdivision; Providing for Findings; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL)
- Attachments:** [Resolution with Exhibit](#)
[Staff Report with Exhibits](#)
[PZAB Action Report](#)
- G. [RES. NO. 2022-R-57](#) A Resolution of the City Commission of the City of North Port, Florida, Adopting the Annual Utility Rate Schedule for Private Fire Protection Services, the Utility Rate Schedule for Reclaimed Water, the Water System Rate Schedule for Bulk Water, the Utility Rate Schedule for Water and Wastewater Service Deposits; Adopting Automatic Rate Increases; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.
- Attachments:** [Resolution](#)
[Resolution No. 2019-R-16](#)
- H. [RES. NO. 2022-R-59](#) A Resolution of the City Commission of the City of North Port, Florida, Approving the Subordination of City Utility Interests in Favor of the Florida Department of Transportation for Highway Purposes; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date
- Attachments:** [Resolution](#)
- I. [RES. NO. 2022-R-61](#) A Resolution of the City Commission of the City of North Port, Florida, Establishing the Threshold for the Economic Stabilization Reserve for Fiscal Year 2022-2023 for The General Fund, The Building Fund, The Fire Rescue District Fund, The Road and Drainage District Fund, and The Solid Waste District Fund, Pursuant to City Commission Policy No. 2020-05; Providing for Findings; Providing for Authorization; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.
- Attachments:** [Resolution](#)
[Fund Balance Policy](#)
- J. [RES. NO. 2022-R-62](#) A Resolution of the City Commission of the City of North Port, Florida, Accepting a Permanent Access Easement and Two Temporary Construction Easements on a Portion of Property Lying in Sections 29, 30, 31 & 32, Township 39 South, Range 21 East as Described in Sarasota County, Florida, Property Appraiser Parcel Identification Number 0996001000; Providing for Incorporation of Recitals; Providing For Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date
- Attachments:** [Resolution](#)

RESOLUTION - First Reading:

- K. [RES. NO. 2022-R-43](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2021-2022 for the Interlocal Agreement for a Joint County/Municipality Economic Development Program in the Amount of \$151,213: Providing for Findings; Providing for Conflicts: Providing for Severability: and Providing an Effective Date.

Attachments: [Resolution No. 2022-43](#)
[Fund Balance Report](#)

ORDINANCE - First Reading Continued (TO BE HEARD IN THE AFTERNOON)

- L. [ORD. NO. 2022-22](#) An Ordinance of the City of North Port, Florida, Amending the Future Land Use Designation from Agricultural, Estates and Activity Center to Village for a ± 83.417 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: [Ordinance with Exhibits - First Reading](#)
[Staff Report with Exhibits](#)
[PZAB Action Report](#)

- M. [ORD. NO. 2022-21](#) An Ordinance of the City of North Port, Florida, Rezoning ± 789 Acres Located in Section 6, Township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2003102705 in Official Records of Sarasota County; Section 5 and Section 8, township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2003102706 in the Official Records of Sarasota County; and Section 15 and 16, township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2003102706, from No Zoning Designation District (NZD) to Village District (V); Amending the Official Zoning Map; Providing for Findings; Providing for Filing of Approved Documents; Providing for Cconflicts, Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL)

Attachments: [Ordinance with Exhibit - First Reading](#)
[Staff Report with Exhibits](#)
[PZAB Action Report](#)
[Letter of Representation](#)

7. GENERAL BUSINESS:

- A. [22-3266](#) Discussion and Possible Action Regarding the Approval of the July 14, 2022 Commission Joint Meeting Minutes
- Attachments:** [Draft Minutes](#)
[Amended Draft Minutes](#)
[Correspondence](#)
- B. [22-3377](#) Discussion and Possible Action Regarding Approval of Minutes for the July 12, 2022 Commission Regular Meeting
- Attachments:** [Draft Minutes](#)
[Amended Draft Minutes](#)
[Correspondence](#)
- C. [22-3341](#) Review, Discussion, and Possible Action on the City Attorney's Performance Evaluation
- Attachments:** [Summary of 2022 Evaluations of City Attorney](#)
[Emrich City Attorney Evaluation 2022](#)
[Langdon City Attorney Evaluation 2022](#)
[Luke City Attorney Evaluation 2022](#)
[McDowell City Attorney Evaluation 2022](#)
[White City Attorney Evaluation 2022](#)
[City Attorney Self-Evaluation 2022](#)
[City Attorney Employment Agreement](#)
- D. [22-3373](#) Discussion and Possible Action for a Compensation Increase for the City Attorney Achieving Distinction as a Board Certified City, County, and Local Government Lawyer by the Florida Bar, as Required in the City Attorney Employment Agreement
- Attachments:** [Florida Bar Correspondence](#)
[Florida Bar Member Profile](#)
- E. [22-3384](#) Discussion and Possible Action Regarding the Historic and Cultural Advisory Board, Public Utilities Advisory Board, Zoning Board of Appeals, and Citizen Tax Oversight Committee Memberships, Board Composition, and Organization and Procedures.
- Attachments:** [Memorandum](#)
[Board Rosters](#)
[Board Details](#)
[Resolution 1997-R-14](#)
[Sarasota County Resolution No. 2010-089](#)
[Public Comment](#)
- F. [22-3337](#) Discussion and Possible Action Regarding the City of North Port 2023

State and Federal Legislative Priorities

Attachments: [2022 City of North Port State Legislative Priorities](#)
[2022 City of North Port Federal Legislative Priorities](#)

- G. [22-3436](#) Discussion and Possible Direction Regarding a City Commission Policy on Final Plat Mylar Signatories

Attachments: [Final Plat Commission Policy Request](#)

- H. [22-3258](#) Discussion and Possible Action Regarding Designating “No Wake” Zones in City Canals

Attachments: [Code the City of North Port Chapter 82 Article II](#)
[Map of Proposed "No Wake" Zones](#)

- I. [22-3264](#) Discussion and Possible Direction Regarding the Prohibition of Smoking in Public Parks.

Attachments: [HB No. 105](#)
[City Code Section 46-1](#)
[Ordinance No. 2019-38](#)
[City Code Section 50-6](#)

8. 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.)

9. COMMISSION COMMUNICATIONS:

- A. [22-2512](#) Mayor Emrich's Report
- B. [22-2513](#) Vice Mayor Langdon's Report
- C. [22-2514](#) Commissioner Luke's Report
- Attachments:** [Communications](#)
- D. [22-2515](#) Commissioner McDowell's Report
- E. [22-2516](#) Commissioner White's Report

10. ADMINISTRATIVE AND LEGAL REPORTS:**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.