



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, May 23, 2023

6:00 PM

City Commission Chambers

Added Attachment A to Revised Ordinance No. 2023-12 & 2023-13, Add Item 23-0903

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. [23-0439](#) 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. [23-0246](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Carlton Sarasota, L.L.C. for Land Lease Under Purchase Order No. 049762 in an Amount Not to Exceed \$60,000.00.

Attachments: [Emergency Term Forms](#)
[Exigency Procurement Request](#)
[Lease Agreement - Debris Management Site](#)
[Non-Competitive Procurement Memorandum](#)
[Purchase Order](#)
[Requisition](#)
[Florida Division of Corporations Document](#)

- B. [23-0368](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Iron Bow Technologies, LLC for Security Camera Repairs Under Purchase Order No. 049993 in an Amount Not to Exceed \$13,284.80

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

- C. [23-0369](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Nova Pole Industries Inc for Lighting Products Under Purchase Order No. 049996 in an Amount Not to Exceed

\$48,145.00.

Attachments: [Emergency Term Forms](#)
[Exigency Procurement Request](#)
[Non-Competitive Procurement Justification](#)
[Non-Competitive Procurement Memorandum](#)
[Purchase Order](#)
[Requisition](#)

- D. [23-0370](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Utility Structures, Inc for Lighting Products Under Purchase Order No. 049994 in an Amount Not to Exceed \$9,995.00.

Attachments: [Emergency Term Forms](#)
[Exigency Procurement Request](#)
[Non-Competitive Procurement Justification](#)
[Non-Competitive Procurement Memorandum](#)
[Purchase Order](#)
[Requisition](#)

- E. [23-0371](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Pemco Lighting Products, Inc. for Lighting Products Under Purchase Order No. 049995 in an Amount Not to Exceed \$224,165.00.

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

- F. [23-0762](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Ajax Paving Industries of Florida for Road Paving Under Purchase Order No. 49635 in an Amount Not to Exceed \$350,000.00.

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

- G. [23-0759](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with ZEP Construction, Inc. for Repair Services of Fixed Weir No. 123 Under Purchase Order No. 049989 in an Amount Not to Exceed \$470,756.06.

Attachments:

[Emergency Term Forms](#)
[Exigency Procurement Request](#)
[Competitive Procurement Memo](#)
[Purchase Order](#)
[Award Recommendation Memo](#)
[Bid Tabulation Schedule](#)
[Certificate of Liability Insurance](#)
[RFB 2023-23 - ZEP Construction, Inc Proposal](#)
[RFB 2023-23](#)
[Florida Division of Corporations Document](#)

- H. [23-0734](#) Approve Multi-Award Continuing Services Contracts for Professional Architectural Services and Authorize the City Manager to Approve Future Renewals of Agreements for Contract No. 2023-16.01 with ADG Architecture, LLC; Contract No. 2023-16.02 with Goodwyn Mills & Cawood, Inc.; Contract No. 2023-16.03 with Plunkett Raysich Architects, LLP; Contract No. 2023-16.04 with Schenkel & Shultz, Inc.; and Contract No. 2023-16.05 with Sweet Sparkman Architects, Inc.

Attachments: [Agreement ADG Architecture, LLC](#)
[Agreement Goodwyn Mills & Cawood, Inc.](#)
[Agreement Plunkett Raysich Architects, LLP](#)
[Agreement Schenkel & Shultz, Inc.](#)
[Agreement Sweet Sparkman Architects, Inc.](#)
[Notice of Intent to Award](#)
[Notice of Intent to Negotiate](#)
[City Manager Recommendation to Negotiate Memo with Ranking](#)
[Proposal ADG Architecture, LLC](#)
[Proposal Goodwyn Mills & Cawood, Inc.](#)
[Proposal Plunkett Raysich Architects, LLP](#)
[Proposal Scheknkel & Shultz, Inc.](#)
[Proposal Sweet Sparkman Architects, Inc.](#)
[RFP 2023-16 with Addenda](#)
[FL Divisions of Corporations Document ADG Architecture, LLC](#)
[FL Divisions of Corporations Document Goodwyn Mills & Cawood, Inc.](#)
[FL Divisions of Corporations Document Plunkett Raysich Architects, LLP](#)
[FL Divisions of Corporations Document Schenkel & Shultz, Inc.](#)
[FL Divisions of Corporations Document Sweet Sparkman Architects, Inc.](#)

- I. [23-0740](#) Approve Multi-Award Continuing Services Contracts for Construction Manager at Risk Preconstruction Services, Phase 1, and Authorize the City Manager to Approve Future Renewals of Agreements for Contract No. 2023-17.001 with Wharton-Smith, Inc.; Contract No. 2023-17.002 with Halfacre Construction Company; Contract No. 2023-17.003 with Ajax Building Company, LLC; Contract No. 2023-17.004 with Jon F. Swift, Inc.; and Contract No. 2023-17.005 Willis A. Smith Construction, Inc.

Attachments: [Contract Wharton-Smith, Inc.](#)
[Contract Halfacre Construction Company](#)
[Contract Ajax Building Company, LLC](#)
[Contract Jon F. Swift, Inc.](#)
[Contract Willis A Smith Construction, Inc.](#)
[Notice of Intent to Award](#)
[City Manager Recommendation to Negotiate Memo with Ranking](#)
[Proposal Wharton-Smith, Inc.](#)
[Proposal Halfacre Construction Company](#)
[Proposal Ajax Building Company, LLC](#)
[Proposal Jon F. Swift, Inc.](#)
[Proposal Willis A Smith Construction, Inc.](#)
[RFP 2023-17 with Addendum](#)
[FL Division of Corporations Document Wharton-Smith, Inc.](#)
[FL Division of Corporations Document Halfacre Construction Company](#)
[FL Division of Corporations Document Ajax Building Company, LLC](#)
[FL Division of Corporations Document Jon F. Swift, Inc.](#)
[FL Division of Corporations Document Willis A Smith Construction, Inc.](#)

- J. [23-0605](#) Approve Memorandum of Understanding Between the Patterson Foundation and the City of North Port to Support the Suncoast Campaign for Grade-Level Reading Within Summer Camp.

Attachments: [Memorandum of Understanding](#)

- K. [23-0761](#) Approve the Memorandum of Understanding Between the City of North Port, Florida, on Behalf of the North Port Police Department and the United States Secret Service Establishing the Procedures and Responsibilities of Both Parties for Work Performed Under the Cyber Fraud Task Forces.

Attachments: [MOU-U.S. Secret Service Cyber Fraud Task Forces](#)
[MOU-U.S. Secret Service Financial Investigative Strike Team](#)

- L. [23-0764](#) Approve Memorandum of Understanding Between the City of North Port and the Southwest Florida Police Benevolent Association, Inc., (PBA) Relating to Sergeant and Police Officer Compensation.

Attachments: [MOU- Police Benevolent Association](#)
[Appendix A](#)

- M. [23-0771](#) Approve the Agreement Between Imagine School at North Port, Inc. and City of North Port for the School Resource Officer Program, in the Total Amount of \$168,020.00.

Attachments: [Agreement](#)
 [Agreement 2022](#)
 [Division of Corporations - Imagine School - Active Status](#)

- N. [23-0815](#) Approve the Application for Merchant Account and Agreement– ACH/Check Services, Merchant Processing Application and Agreement, CardConnect Merchant Services Program Terms and Conditions, Service Fee Addendum and Affidavit of Identity-Government Employee, to Allow the Public to Safely Process Electronic Payments Through the Citizen Services Portal.

Attachments: [Application and Agreement](#)
 [Merchant Processing Application and Agreement](#)
 [CardConnect Merchant Services Program Terms & Conditions](#)
 [Service Fee Addendum](#)
 [Affidavit of Identity - Government Employee](#)
 [Division of Corporations - Municipay - Active Status](#)
 [Division of Corporations - CardConnect - Active Status](#)

- O. [23-0833](#) Approve the Voluntary Cooperation Mutual Aid Agreement Between the Participating Agencies and the Florida Department of Law Enforcement to Form a Fort Myers Regional Operations Center Child Abduction Response Team.

Attachments: [Mutual Aid Agreement - 2023](#)
 [Mutual Aid Agreement - 2020](#)

- P. [23-0835](#) Approve the First Amendment to Traffic Enforcement Agreement With the West Villages Improvement District for Traffic Enforcement Services on Additional District Roads.

Attachments: [Agreement - First Amendment](#)
 [Agreement](#)
 [WVID Letter of Intent to Include District Roads](#)

- Q. [23-0820](#) Approve the Appointment of Sergio Stephens as a Veteran of the American Armed Services on the Veterans Park Advisory Committee to Serve a Three-Year Term From May 23, 2023, to May 23, 2026.

Attachments: [Application and Backup](#)
 [Florida Statutes 112.3143\(6\)](#)

5. PUBLIC HEARINGS:

ORDINANCE - First Reading

- A. [ORD. NO.](#) An Ordinance of the City of North Port, Florida, Amending the Unified
 [2023-12](#) Land Development Code, Chapter 53, Article XVIII. - V Village, Section

53-213.B; Adopting and Incorporating the Toledo Village Village District Pattern Book for a ±2,086 Acre Area Generally Located East of Toledo Blade Boulevard and North of Interstate 75; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing for Effective Date. (QUASI-JUDICIAL)

Attachments:

[Revised - Ordinance No. 2023-12](#)
[Updated Toledo Village VDPB 4-25-2023](#)
[Ordinance](#)
[Staff Report with Exhibit](#)
[Proposed Toledo Village Pattern Book](#)
[Boone Presentation](#)
[Staff Presentation](#)
[05-04-23 PZAB Action Report](#)
[Exparte](#)

- B.** [ORD. NO. 2023-13](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Chapter 53, Article XVIII. - V Village Section 53-213.A; Adopting and Incorporating the Toledo Village Index Map for ±2,086 Acre Area Generally Located East of Toledo Blade Boulevard and North of Interstate 75; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date. (QUASI-JUDICIAL)

Attachments:

[Updated Index Map 4-25-2023](#)
[Updated - Staff Report with Exhibits](#)
[Revised - Ordinance](#)
[Ordinance](#)
[Staff Report with Exhibits](#)
[Index Map](#)
[Boone Presentation](#)
[Staff Presentation](#)
[05-04-23 PZAB Action Report](#)
[Exparte](#)

RESOLUTION:

- A.** [RES. NO. 2023-R-18](#) A Resolution of the City Commission of the City of North Port, Florida, Accepting Access and Utility Easements in Wellen Park in Section 10, Township 40 South, Range 20 East, Sarasota County, Florida; Providing for Incorporation of Recitals; Approving the Easement Agreement for Groundwater Wells; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Resolution](#)
[Lakespur Plat](#)
[Gran Place Plat](#)

- B.** [RES. NO. 2023-R-34](#) A Resolution of the City Commission of the City of North Port, Florida Accepting Ownership of Donated Real Property Located on Grenard Circle and Described as Lot 5, Block 2118, 45th Addition to Port Charlotte Subdivision, Sarasota County Property Appraiser Parcel Identification Number 1149211805; Incorporating Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Resolution](#)
[Tax Collector Record](#)
[Map](#)

- C.** [RES. NO. 2023-R-38](#) A Resolution of the City Commission of the City of North Port, Florida, Accepting the Conveyance of a Water Treatment Plant, Associated Warranties and Intangible Property, as Well as ±6.80 Acres of Real Property Located North of Manasota Beach Road and Described as a Tract of Land Lying in Section 9, Township 40 South, Range 20 East, Bearing Sarasota County Property Appraiser Parcel Identification Number 0809060100; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Resolution 2023-R-38](#)
[Exhibits to Resolution 2023-R-38](#)
[2019 Amended and Restated Utilities Agreement](#)
[FDOH Notice of Partial Certification; Permit Number 0208589-192-WC](#)
[FDEP Form 62-555.900 \(8\) Application for Transfer of a Public Water Supply Co](#)

- D.** [RES. NO. 2023-R-41](#) A Resolution of the City Commission of the City of North Port, Florida, Declaring a Housing Emergency as a Result of Hurricane Ian and Authorizing the Use of Temporary Structures on Home Sites; Providing for Automatic Repeal; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Resolution](#)

6. GENERAL BUSINESS:

- A.** [23-0903](#) Discussion and Possible Action to Authorize the Mayor to Sign a Letter of Support for State Appropriations Funding in the Amount of \$1.5 Million for the Price Boulevard Waterway Crossings Project

Attachments: [Letter of Support](#)

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:

- A. [23-0412](#) Mayor Langdon's Communications
- B. [23-0413](#) Vice Mayor White's Communications
- C. [23-0414](#) Commissioner Emrich's Communications
- D. [23-0415](#) Commissioner McDowell's Communications

Attachments: [Manasota League of Cities Tour](#)
[Senate Bill 250 Correspondence](#)
[Commissioner McDowell Comment Report](#)

- E. [23-0416](#) Commissioner Stokes' Communications

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [23-0871](#) City Manager Report
- B. [23-0837](#) City Attorney's Monthly Report

Attachments: [City Manager Report May 2023](#)
[Commission Directives to the City Attorney](#)
[Matter List \(Redacted\)](#)

- C. [23-0430](#) 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.