



# 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*

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Tuesday, November 14, 2023

10:00 AM

City Commission Chambers

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### Amended to Add Item 23-1656

**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](http://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. [23-0448](#) 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. [23-1316](#) 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 and Price Blvd. Water Main that was Washed Out Due to Hurricane Ian Under Purchase Order 049735 in an Amount Not to Exceed \$36,300.00.

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

- B. [23-1414](#) Approve the Letter of Agreement and Contract Between the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management and the City of North Port, in an Amount Not to Exceed \$6,526.29, for High Visibility Law Enforcement Operations in Areas with a High Rate of Pedestrian/Bicycle Crashes

**Attachments:** [Letter of Agreement and Contract](#)  
[Competitive Exemptions Form](#)  
[Florida Division of Corporations Document - IPTM](#)  
[Florida Division of Corporations Document - University of North Florida](#)

- C. [23-1434](#) Approve the First Amendment to Drop-In Office Agreement for U.S. Department of Veterans Affairs to Include Exhibit A – Revocable License for Use of Property Granted to U.S. Department of Veterans Affairs by the City of North Port

**Attachments:**      [First Amendment to the Agreement](#)  
[Exhibit A - Revocable License](#)

- D.      [23-1473](#)      Approve the Sole Source Purchase of Neptune Automatic Meter Read Water Meters, Reading Equipment, Software, and Repair and Maintenance Services from Ferguson Enterprises, LLC d/b/a Sunstate Meter & Supply on an As-Needed Basis, Based on Unit Pricing, for an Annual Estimated Amount of \$906,050.00 for Fiscal Year 2023-2024.

**Attachments:**      [Sole Source Procurement Request Form](#)  
[Manufacturer Sole Source Letter](#)  
[Vendor Pricing 2023-2024](#)  
[Florida Division of Corporations Document](#)

- E.      [23-1523](#)      Approve the Equitable Sharing Agreement and Certification Between the U.S. Department of Justice, the U.S. Department of Treasury, and the City of North Port, Florida Related to the Use of Federally Forfeited Funds.

**Attachments:**      [2023 Equitable Sharing Agreement and Certification](#)  
[2022 Equitable Sharing Agreement and Certification](#)  
[Guide to Equitable Sharing](#)

- F.      [23-1524](#)      Approve the First Amendment to [Vendor Name Exempt] Insight Platform Terms of Service For Schedule A: Professional and Managed Services in the Amount of \$78,424.33.

- G.      [23-1526](#)      Approve the CivicPlus SeeClickFix Quote #Q-45422-1, CivicPlus Master Services Agreement, CivicPlus Privacy Policy, CivicPlus Municipal Websites (CivicEngage) Central Platinum Security Hosting and Support, CivicPlus Municipal Websites (CivicEngage) Central Standard Hosting and Support, CivicPlus Claims of Copyright Infringement, CivicPlus Terms of Use, and CivicPlus Solutions and Services Terms and Conditions in the Amount of \$26,029.50.

**Attachments:**      [Sole Source Form](#)  
[Master Services Agreement](#)  
[Privacy Policy](#)  
[Municipal Websites Central Platinum Security Hosting and Support](#)  
[Municipal Websites Central Standard Hosting and Support](#)  
[Claims of Copyright Infringement](#)  
[Terms of Use](#)  
[Solutions and Services Terms and Conditions](#)  
[Florida Division of Corporations Document](#)

- H.      [23-1530](#)      Approve the Granicus Suite Annual Maintenance Quote, Master Subscription Agreement and Professional Service Agreement in the Amount of \$66,956.30.

**Attachments:**      [Sole Source Form](#)  
[Granicus Order Form](#)  
[Master Subscription Agreement](#)  
[Professional Service Agreement](#)  
[Florida Division of Corporations Document](#)

- I.      [23-1536](#)      Approve the Renewal of the Amended and Restated Requested Operational Assistance and Voluntary Cooperation Agreement Between Law Enforcement Agencies Located in Sarasota and Manatee Counties.

**Attachments:**      [Renewal of Agreement](#)

- J.      [23-1546](#)      Accept the Cash Receipts Summary Report for September 2023.

**Attachments:**      [Cash Receipts Summary](#)

- K.      [23-1549](#)      Approve the October 10, 2023 Commission Regular Meeting Minutes

**Attachments:**      [Minutes](#)

- L.      [23-1553](#)      Approve the Granicus Government Experience Cloud Annual Subscription Terms and Conditions Renewal in the Amount of \$39,624.23.

**Attachments:**      [Sole Source Form](#)  
[Granicus Order Form](#)  
[Florida Division of Corporations Document](#)

- M.      [23-1559](#)      Approve Statements of Support for State Legislative Funding for Peace River Manasota Regional Water Supply Authority Regional Water Projects

**Attachments:**      [Statement of Support - Surface Water Expansion](#)  
[Statement of Support - Transmission System Expansion](#)  
[Legislative Brochure - Surface Water Expansion](#)  
[Legislative Brochure - Transmission System Expansion](#)

## **5. PUBLIC HEARINGS:**

### **RESOLUTION:**

- A.      [RES. NO. 2023-R-52](#)      A Resolution of the City Commission of the City of North Port, Florida, Granting a Special Exception to Allow a Multi-Family Residential Use Located Generally at the Southeast Corner of Sumter Boulevard and Pocatella Avenue, North of McKibben Drive in the Office, Professional, Institutional (OPI) Zoning District pursuant to the City of North Port Unified Land Development Code Section 53-92 and 53-259; Providing for Findings; Providing for Granting the Special Exception; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

(QUASI-JUDICIAL)

**Attachments:** [Revised Resolution](#)  
[Resolution](#)  
[Revised Staff Report](#)  
[Staff Report](#)  
[Revised Staff Presentation](#)  
[Staff Presentation](#)  
[PZAB Action Report 10-5-23](#)  
[Aggrieved Party Request - Murphy](#)  
[Aggrieved Party Request - Thalman](#)  
[Aggrieved Party Request - Seepe](#)  
[Ex parte](#)

- B.** [RES. NO. 2023-R-81](#) A Resolution of The City Commission of The City of North Port, Florida, Vacating a Portion of the Rear Maintenance Easement of Lot 43, Block 645, Fourteenth 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](#)  
[Staff Report with Exhibits](#)

**ORDINANCE - First Reading:**

- C.** [ORD. NO. 2023-29](#) An Ordinance of the City of North Port, Florida, Establishing a Schedule and Location of City Commission Regular Meetings and Workshops for the 2024 Calendar Year; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

- D.** [ORD. NO. 2023-30](#) An Ordinance of the City of North Port, Florida, Authorizing a Reasonable Return on Equity from the Ownership and Operation of the City's Utility System; Amending the Code of the City of North Port, Florida, Section 78-22; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

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

- E.** [ORD. NO. 2023-33](#) An Ordinance of the City of North Port, Florida, Prohibiting Smoking at Public Parks; Amending the Code of the City of North Port, Florida to Create a New Section 46-64; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

**Attachments:**      [Ordinance 2023-33 - First Reading](#)  
[Ordinance 2023-33 - Second Reading](#)  
[Florida Statutes Section 386.209](#)  
[Business Impact Estimate](#)

## **6. GENERAL BUSINESS:**

- A.      [23-1227](#)      Discussion and Possible Direction Regarding Pre-Payment Plan Options for the Water and Wastewater Expansion Project

**Attachments:**      [Powerpoint Presentation](#)

- B.      [23-1520](#)      Discussion and Possible Action Regarding the First Amendment to the City Manager's Employment Agreement.

**Attachments:**      [First Amendment to City Manager Employment Agreement](#)  
[City Managers Employment Agreement](#)

- C.      [23-1540](#)      Discussion and Possible Action Regarding Economic Development Market Feasibility Study, Appendix VII, Including Property in the North Port Gardens Development of Regional Impact, Star Farms Village - Formerly Toledo Village, Toledo Blade 320 Project, and the Proposed MX-2 Zoned Land on the Northwest Side of the Toledo Blade and I-75 Interchange.

**Attachments:**      [Economic Development Market Feasibility Study Presentation](#)  
[April 13, 2021 Commission Meeting Minutes](#)  
[September 1, 2023 Memorandum](#)  
[Presentation Script](#)

- D.      [23-1627](#)      Discussion and Possible Action Regarding Reconsideration of Agenda Item No. 23-1548, Discussion and Possible Action Regarding a Temporary Moratorium on Affordable Housing Under the Live Local Act, Discussed During the City Commission Regular Meeting Held on October 24, 2023.

**Attachments:**      [Commission Direction](#)  
[Policy No. 2021-03 - Rules of Order and Rules of Decorum](#)

- E.      [23-1533](#)      Election of Mayor and Vice Mayor

- F.      [23-1628](#)      Discussion and Possible Action Regarding the City Commission Board and Committee Assignments for Fiscal Year 2023-2024.

**Attachments:**      [Current Committee Assignments](#)

## **7. RECOGNITION:**

- [23-1656](#)      Recognize Commissioner Langdon for Service as Mayor from

November 2022 through November 2023.

## **8. PUBLIC COMMENT:**

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## **9. COMMISSION COMMUNICATIONS:**

- A. [23-1631](#) Mayor Langdon's Communications
- B. [23-1632](#) Vice Mayor White's Communications
- C. [23-1633](#) Commissioner Emrich's Communications
- D. [23-1634](#) Commissioner McDowell's Communications
- E. [23-1635](#) Commissioner Stoke's Communications

## **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.