



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes 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, January 10, 2023

10:00 AM

City Commission Chambers

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### **CALL TO ORDER**

Mayor Langdon called the meeting to order at 10:00 a.m.

### **ROLL CALL**

**Present:** 5 - Mayor Barbara Langdon, Vice Mayor Alice White, Commissioner Pete Emrich, Commissioner Debbie McDowell and Commissioner Philip Stokes

### **ALSO PRESENT:**

City Manager Jerome Fletcher, Deputy City Attorney Michael Golen, City Clerk Heather Faust, Recording Secretary Matthew Powell, Police Captain Scott King, Fire Chief Scott Titus, Assistant Utilities Director Jennifer Desrosiers, Interim Economic Development Manager Vinnie Mascarenhas, Engineer II Anthony Friedman, Planner III Carl Bengé, Planning Manager Lori Barnes, and Planner II Noah Fossick.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Pete Emrich.

### **1. APPROVAL OF AGENDA**

Mayor Langdon requested a motion to approve the Agenda.

***A motion was made by Commissioner Emrich, seconded by Commissioner McDowell, to approve the Agenda as presented. The motion carried on the following vote:***

**Yes:** 5 - Mayor Langdon, Vice Mayor White, Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

### **2. PUBLIC COMMENT:**

Joan Morgan: Spoke to seawall insurance.

**3. CONSENT AGENDA:**

Mayor Langdon announced the item, queried the City Manager regarding items pulled from the Consent Agenda for discussion, and requested a motion.

***A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to approve the Consent Agenda with the exception of Item No. 22-3820 being pulled for discussion. The motion carried on the following vote:***

- A. [22-3792](#) Approve the Software License and Services Agreement Between Iris Tech, Inc., and the City of North Port for SaaS Services.

***This Item was approved on the Consent Agenda.***

- B. [22-3798](#) Approve the Application to the Alzheimer's Foundation of America Project Lifesaver International Grant in the Amount of \$6,000 for Additional Program Equipment and Supplies and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the Grant be Awarded to the City.

***This Item was approved on the Consent Agenda.***

- C. [22-3820](#) Approve Interlocal Agreement for Emergency Interconnects and Potable Water Service with Sarasota County.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to item including water supply charge.

Ms. Desrosiers spoke to discussion with Sarasota County staff regarding rate language, current agreement, grant funding, and emergency rate.

Commission questions and discussion took place regarding West Villages water plant timeline, standard rate versus emergency rate, use of Peace Rivers' rate, grant timeline, and North Port Boulevard water plant interconnection with Wellen Park water plant.

***A motion was made by Commissioner McDowell, seconded by Emrich, to approve Item No. 22-3820 as presented. The motion carried on the following vote:***

**Yes:** 5 - Mayor Langdon, Vice Mayor White, Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

- D. [22-3825](#) Approve the Community Development Block Grant Sub-Recipient Agreement between Sarasota County, Florida and the City of North Port, Florida for North Port Social Service Case Management to Fund Staff Salaries for the Social Services Division, in the Amount of \$55,000.

***This Item was approved on the Consent Agenda.***

- E. [22-3827](#) Approve the Community Development Block Grant Subrecipient Agreement between Sarasota County, Florida and the City of North Port, Florida for Story Walk at the Garden of the Five Senses Park, in the Amount of \$20,000.

*This Item was approved on the Consent Agenda.*

- F. [22-3834](#) Approve the Community Development Block Grant Subrecipient Agreement between Sarasota County, Florida, and the City of North Port, Florida, for Greenwood Avenue Sidewalk Construction.

*This Item was approved on the Consent Agenda.*

- G. [22-3855](#) Approve the Federally Funded Subaward and Grant Agreement With the Florida Division of Emergency Management for Tropical Storm Elsa Expenses and Authorize the Mayor to Execute all Subsequent Amendments.

*This Item was approved on the Consent Agenda.*

- H. [22-3868](#) Approve the Appointment of Frank Baer as a Regular Member of the Planning and Zoning Advisory Board, to Serve a Four-Year Term From January 10, 2023, to January 10, 2027.

*This Item was approved on the Consent Agenda.*

- I. [22-3869](#) Approve the Appointment of Mark A. Frandsen as the Regular Member of the Charter Review Advisory Board, to Serve a Two-Year Term from January 10, 2023, to January 10, 2025.

*This Item was approved on the Consent Agenda.*

- J. [22-3873](#) Approve the Interlocal Agreement Between the City of North Port, Florida, and the School Board of Sarasota County, Florida, for Law Enforcement Dispatch Services and Related Communications Services.

*This Item was approved on the Consent Agenda.*

- K. [23-0004](#) Approve the Appointment of Jeanne Osborn as the Tourism, Entertainment and Sports Representative on the Community Economic Development Advisory Board, to Serve a Two-Year Term From January 10, 2023, to January 10, 2025.

*This Item was approved on the Consent Agenda.*

- L. [23-0008](#) Authorize City Manager to Submit the Price Boulevard Waterway and Myakkahatchee Bridge Hardening Improvements Project and the Fixed Weir 123 Project for Consideration in the Fiscal Year 2024 State of Florida Appropriations Request

*This Item was approved on the Consent Agenda.*

- M. [23-0009](#) Approve the Umbrella Memorandum of Understanding Between Catholic Charities Diocese of Venice, Inc. and City of North Port, Florida, for the Collaboration of Social Service Programs within the City of North Port.

*This Item was approved on the Consent Agenda.*

- N. [23-0034](#) Accept the Cash Receipts Summary Report for November 2022.

*This Item was approved on the Consent Agenda.*

- O. [23-0035](#) Approval of Minutes for the December 5, 2022 Commission Workshop Meeting, December 8, 2022 Commission Special Meeting, and December 13, 2022 Commission Regular Meeting

*This Item was approved on the Consent Agenda.*

- P. [23-0039](#) Approve Contract No. 2023-08 - Sumter Boulevard Utility Extensions with Spectrum Underground, Inc. in the Amount of \$3,346,632.35, With a Contingency of \$501,995.00, for a Total Amount of \$3,848,627.35.

*This Item was approved on the Consent Agenda.*

- Q. [22-3841](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Kustom US Inc. for Mitigation and Temporary Roof Work at the Fleet Garage Under Purchase Order No. 049709 in an Amount Not to Exceed \$75,000.

*This Item was approved on the Consent Agenda.*

- R. [22-3844](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Kustom US Inc. for Mitigation Work at the Morgan Family Community Center Under Purchase Order No. 049536 in an Amount Not to Exceed \$195,000.

*This Item was approved on the Consent Agenda.*

- S. [22-3848](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Kustom US Inc. for Mitigation and Temporary Roof Work at North Port City Hall Under Purchase Order No. 049534 in an Amount Not to Exceed \$200,000.

*This Item was approved on the Consent Agenda.*

- T. [22-3859](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Kustom US Inc. for Mitigation Work at Fire Station 81 Under Purchase Order No.049538 in an Amount Not to Exceed \$200,000.

*This Item was approved on the Consent Agenda.*

- U. [22-3867](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into Contract With Kustom US Inc. for Mitigation and Temporary Roof Work at the North Port Police Station Under Purchase Order No. 049537 in an Amount Not to Exceed \$200,000.

*This Item was approved on the Consent Agenda.*

- V. [23-0037](#) Ratify Emergency Order No. 2022-19 Related to the Temporary Eligibility for a Prorated Refund or Extension of Multiday and Annual Admission Passes for Warm Mineral Springs Park.

*This Item was approved on the Consent Agenda.*

#### **4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES**

- A. [23-0059](#) Presentation of the Community Economic Development Advisory Board Annual Report for 2022

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Ms. Mascarenhas introduced Board Member Sean Burroughs who provided a presentation including members and representation in Fiscal Year (FY) 2021, and FY 2021 accomplishments.

There was no public comment.

#### **5. PUBLIC HEARINGS:**

##### **ORDINANCE - First Reading:**

- A. [ORD. NO. 2023-06](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code Section 55-19 Regarding Heron Creek Activity Center #2; Amending the Pattern Book for the Development of Towne Center; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date. (QUASI-JUDICIAL)

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and requested a motion to direct the City Clerk to read by title only.

***A motion was made by Commissioner Emrich, seconded by Commissioner McDowell, to direct the City Clerk to read the Ordinance by title only. The motion carried on the following vote:***

**Yes:** 5 - Mayor Langdon, Vice Mayor White, Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

Ms. Faust read the Ordinance by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell disclosed a January 3, 2023, one on one with the developer/representative.

Commissioner Stokes disclosed a one on one with the developer/representative.

Mayor Langdon disclosed a one on one with the developer/representative, follow-up with

Jeffrey Boone, and discussion with staff during one on one.

Vice Mayor White disclosed a one on one with the developer/representative.

Commissioner Emrich disclosed a one on one with the developer/representative.

There were no aggrieved parties.

Jeffrey Boone, Boone Law Firm, being duly sworn, provided a presentation including property location, amendments in staff report, Pattern Book Plan changes including rerouting of Main Street, Front Place extension, commercial general use outparcels, multi-modal path, sidewalk width, and Homeowner's Association (HOA).

Mr. Fossick, being duly sworn, provided a presentation including acreage, requested amendments, location, staff analysis, public notice, Planning and Zoning Advisory Board (PZAB) recommendation, and staff recommendation.

Mr. Boone did not have a rebuttal.

Mr. Fossick did not have a rebuttal.

There was no public comment.

Commission questions and discussion took place regarding signalized intersection at White Ibis Drive and Sumter Boulevard, traffic impact studies, drinking fountain requirement, multi-modal trail width, typographical error on page 31, water bottle station, waterway buffer requirements, and minimum buffer and setback requirements.

Mr. Fossick stated he would obtain requested information regarding White Ibis and Sumter signalized intersection for second reading.

Mr. Boone requested continuation to second reading.

Mayor Langdon closed the public hearing and requested a motion.

***A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to continue Ordinance No. 2023-06 to second reading on January 24, 2023. The motion carried on the following vote:***

**Yes:** 5 - Mayor Langdon, Vice Mayor White, Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

## **RESOLUTION:**

**B. [RES. NO. 2023-R-07](#)**

A Resolution of the City of North Port, Florida, Authorizing the City Commission to Participate in a Joint Meeting with the Sarasota County Commission to Discuss and Plan Matters of Mutual Interest; Incorporating Recitals; Providing for Severability; and Providing an Effective Date.

Mayor Langdon announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only and introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Langdon closed the public hearing and requested a motion.

***A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to adopt Resolution No. 2023-R-07 as presented. The motion carried on the following vote:***

**Yes:** 5 - Mayor Langdon, Vice Mayor White, Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

**C. [RES. NO. 2022-R-68](#)**

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 South 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 Sections 53-92 and 53-259; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL).

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell disclosed August 8, 2022, meeting with citizen, phone conversations with citizens, emails received/responded to and forwarded to the City Clerk.

Commissioner Stokes disclosed conversations with citizens and applicant.

Mayor Langdon disclosed phone conversation with citizen.

Vice Mayor White disclosed phone conversations with citizens.

Commissioner Emrich disclosed emails.

Ms. Faust noted aggrieved parties James Murphy and Gary Thalman.

Jeffrey Boone, Boone Law Firm, being duly sworn, provided a presentation including acreage, location, Development Master Plan (DMP), staff and Planning and Zoning Advisory Board (PZAB) recommendations, consistency with Comprehensive Plan with emphasis on individual policy compliance, findings of fact, staff recommendation, PZAB recommendation, signed petitions entered into the record, and request for approval.

Ms. Barnes, being duly sworn, provided a presentation including overview, staff review, Comprehensive Plan and Unified Land Development Code (ULDC) compliance, future land use, transportation requirements, housing, economic development element, special exception findings, public hearing notice, legal review, and staff recommendation.

James Murphy, aggrieved party, being duly sworn, provided a presentation including

density, infrastructure, economic concerns, Hurricane Ian impact, flooding, property zoning, economic development, community workforce, low multi-family rates, subsidies, and protecting the City.

Gary Thalman, aggrieved party, being duly sworn, provided a presentation including infringement on quality of life, Sabal Trace Alliance, corridor density, community character, Office, Professional, Industrial (OPI) zoning, job growth, flooding, Comprehensive Plan regarding economic element and neighborhoods, Hurricane Ian impact, flood risks, traffic, housing element, managing multi-family properties, and floodplain requirements.

Peter Van Buskirk, Kimley-Horn, being duly sworn, provided a rebuttal regarding open space and exceeding storm criteria.

Mr. Boone provided a rebuttal regarding need for multi-family housing, luxury apartment aspects, job opportunities, housing options, and stormwater.

Ms. Barnes provided a rebuttal including future land use designation, flood zone requirements, neighborhood characterization, traffic, and stormwater.

Mr. Murphy provided a rebuttal including land use designation and concern with development.

Mr. Thalman provided a rebuttal including traffic concerns.

Recess was taken from 11:55 a.m. to 12:40 p.m.

Mayor Langdon called for disclosure of additional ex-parte communications.

Commissioner McDowell had no additional ex parte communications.

Commissioner Stokes had no additional ex parte communications.

Mayor Langdon had no additional ex parte communications.

Vice Mayor White had no additional ex parte communications.

Commissioner Emrich had no additional ex parte communications.

Public Comment:

Deanna Lamoureux: expressed opposition to proposed development.

Mark Lamoureux: expressed opposition to proposed development.

John Seepe: expressed opposition to proposed development.

Kurt Loomis: expressed opposition to proposed development.

Joe Wactowski: expressed opposition to proposed development.

Linda Grother: expressed opposition to proposed development.

Carmine Miranda: expressed opposition to proposed development.

Jessica Eik: expressed opposition to proposed development.

Nathan Steere: expressed opposition to proposed development.

Kristian Dunda: expressed support to proposed development.

Janiece Rumenap: expressed opposition to proposed development.

Bruce Farrell: expressed opposition to proposed development.

Kathy Delsesto: expressed opposition to proposed development.

John Makredes: expressed opposition to proposed development.



Commission questions and discussion took place regarding special exception versus rezoning, setback requirements, floor area, building specifications, traffic light installation, developer impact fees, single-family zoning designation, property-owner rights, traffic impact study, Commission role, special exception requirements, economic development, future land use goals, and acreage requirement.

Mr. Friedman, being duly sworn, spoke to traffic counts, studies and analysis.

Joseph Holt, Amplo Capital, being duly sworn, spoke to stormwater retention and challenge in reserving acreage.

Commission discussion continued regarding economic benefit, adverse effect on hospital, and staff's analysis regarding consistency.

Mr. Murphy had no closing arguments.

Mr. Thalman provided closing arguments including comments of merit.

Ms. Barnes provided closing arguments including property owner rights, current regulations regarding residential use, compliance and consistencies, required reports provided by applicant, staff review, and staff recommendation.

Mr. Boone provided closing arguments including consistencies and compliance, traffic trip analysis, effect on hospital, stormwater regulations, and requested approval.

Mayor Langdon closed the public hearing and requested a motion.

***A motion was made by Commissioner McDowell, seconded by Mayor Langdon, to deny Resolution No. 2022-R-68, and find that, based on the competent substantial evidence: granting the special exception will adversely affect the public interest, health, safety and general welfare; for the following reasons:***

***(a) The proposed use IS NOT consistent with the intent, goals objectives, policies and programs of the City of North Port Comprehensive Plan and the intent of the zoning district as defined in this Unified Land Development Code for the area in which the property is located.***

***(d) The intensity of the proposed use IS NOT harmonious with the character of other uses in the neighborhood.***

Commission **discussion** took place regarding maximum economic development and requirement to be economically stable.

***The motion carried on the following vote:***

**Yes:** 3 - Mayor Langdon, Vice Mayor White and Commissioner McDowell

**No:** 2 - Commissioner Emrich and Commissioner Stokes

Commissioner Emrich dissented due to applicant meeting requirements.

Commissioner Stokes dissented due to concern that the criteria for special exceptions had been met.

Recess was taken from 2:44 p.m to 2:56 p.m.

**PETITION:**

- D. [CC](#) Consideration of Petition No. DMP-22-124, Pocatella Multi-Family  
[DMP-22-124](#) Development Master Plan.(QUASI-JUDICIAL).

Mayor Langdon announced the item and noted this item was contingent on approval of Resolution No. 2022-R-68.

***No action was taken on this Item.***

- E. [CC](#) Consideration of Petition No. DMP-22-060, Arietto Development Master  
[DMP-22-60](#) Plan. (Quasi-Judicial).

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell disclosed no additional ex parte communications.

Commissioner Stokes disclosed no additional ex parte communications.

Mayor Langdon disclosed a site visit.

Vice Mayor White disclosed no additional ex parte communications.

Commissioner Emrich disclosed no additional ex parte communications.

Ms. Faust stated there were no aggrieved parties.

Jeffrey Boone, Boone Law Firm, being duly sworn, provided an overview.

Trenton Strackbein, Kimley-Horn, being duly sworn, provided a presentation including definition of stormwater management, what is regulated and purpose of regulations, Southwest Florida Water Management District (SWFWMD) and City approval, storm event extension, stormwater pond percentage of development, conservative assumptions, reduced flood elevations, Federal Emergency Management Agency (FEMA) flood zones, and conclusions.

Mr. Bengé, being duly sworn, provided a presentation including prior presentation and Commission considerations.

Mr. Boone did not have a rebuttal.

Mr. Bengé did not have a rebuttal.

Public Comment:

Lora Ross: expressed opposition to the proposed development.

Janet Shaw: expressed opposition to the proposed development.

Bruce Shaw: expressed opposition to the proposed development.

Kathleen Balchin: expressed opposition to the proposed development.

Janelle Black: expressed opposition to the proposed development.

Commission questions and discussion took place regarding minimum lot requirements, Unified Land Development Code (ULDC) lot width waiver requirements, lot coverage waiver, park requirement, integrated functional mixed-use, dead-end streets, parcel specifications, and staff addressing low lying area to mitigate stormwater issues.

Mr. Bengé provided closing arguments including stormwater runoff conditions and off-site stormwater runoff accountability.

Mr. Boone provided closing arguments including prior discussion, stormwater considerations, modifications, and requested approval including modifications.

Mayor Langdon closed the public hearing and requested a motion.

***A motion was made by Vice Mayor White, seconded by Commissioner Emrich, to approve Petition No. DMP-22-060 as presented and find that based on the competent substantial evidence, the Development Master Plan complies with the Unified Land Development Code.***

Commission questions and discussion took place regarding granting of waivers and conditions.

***Vice Mayor White restated the motion, seconded by Commissioner Emrich, to read: to approve Petition No. DMP-22-060 as presented with the below conditions and waivers, and find that based on the competent substantial evidence, the Development Master Plan complies with the Unified Land Development Code.***

***Waivers:***

- 1. Modification of lot standards minimum lot size to 3,675 square feet, with Unified Land Development Code (ULDC) requiring 7,500 square feet minimum.***
- 2. Modification of lot standards minimum lot width to 35 square feet, with Unified Land Development Code (ULDC) requiring 50 square feet minimum.***
- 3. Modification of lot standards maximum lot coverage to 57 percent, with Unified Land Development Code (ULDC) allowing 50 percent maximum.***
- 4. Modification of lot standards front setback to 15 feet, with Unified Land Development Code (ULDC) requiring 25 feet.***
- 5. Modification of lot standards side setback to five feet, with Unified Land Development Code (ULDC) requiring ten feet.***
- 6. Modification of roadway standards minimum right-of-way width to 50 feet, with Unified Land Development Code (ULDC) requiring 60 feet minimum.***
- 7. Modification of roadway standards required bike path width to five feet, with Unified Land Development Code (ULDC) requiring seven feet.***

***Conditions:***

- 1. It looks like the property will be split in three parcels. A subdivision application may be required.***
- 2. Before Florida Department of Environment Protection (FDEP) permits will be signed, North Port Utilities requires the following:***
  - (a) Four complete sets of Department of Environmental Protection (DEP) permit applications (water and sewer) and four sets of construction plans both sets of items shall be signed and sealed by the engineer of record.***
  - (b) One engineer certified (sealed) estimate for the cost of utility construction.***
  - (c) A check for the Utility Construction Inspection Fee. The fee shall be 6.5 percent of the utility construction costs for projects \$0 to \$2 million, plus 2.5 percent of utility construction cost over \$2 million. The minimum fee is \$250.00.***
- 3. Prior to commencement of utility site construction, three copies of shop***

*drawings plus any copies required by the applicant shall be submitted to the Utility Department for review and approval.*

*4. Irrigation systems shall be designed and constructed to meet reuse standards.*

*5. Provide the Utility Department with floor plans and plumbing riser drawings for each building so meter sizes and capacity fees can be calculated. Meter and Capacity fees shall prior to utility site construction the Development Order, Department of Environmental Protection Permit and Development of Health Permit shall be posted at the project site and provided at the preconstruction meeting.*

*6. A developer agreement shall be negotiated with the utility department and approved by the Utility Director and City Staff prior to DEP or Department of Health (DOH) permits being signed and released.*

*7. The existing manholes for the proposed sanitary sewer connections will be required to be lined after being cored.*

*8. Please refer to the City of North Port Utilities updated standard and specifications for design and construction. These can be found on the City of North Port website.*

*9. The gopher tortoise survey was done in January 2022 and three burrows were found. No more than 90 days prior to, and no fewer than 72 hours before (excluding weekends and one holiday) commencing gopher tortoise capture and relocation activities, the gopher tortoise authorized agent shall complete a 100 percent gopher tortoise survey. The gopher tortoise relocation must be completed before applying for a land clearing permit. All gopher tortoise burrows found on-site must be avoided with the required 25 foot radius. If gopher tortoises are proposed to be relocated, a Florida Fish and Wildlife Conservation Commission (FWC) relocation permit for the relocation is needed, and a copy of the survey and permit provided to the City. On completion of the relocation actions, submit a summary After Action report to the City that identifies the total number of tortoises relocated to the designated property. To ensure that gopher tortoises have not moved to the site in intervening time between relocation activities and land clearing an additional 100 percent survey of all suitable gopher tortoise habitat may be required within 90 days from the proposed start of land clearing.*

*10. Provide a copy of the current approved Environmental Resource Permit (ERP) issued by the Southwest Florida Water Management District (SWFWMD). The SWFWMD Environmental Resource Permit (ERP) will indicate presence of wetlands. The permits will authorize wetland impacts and indicate how wetland mitigation will be achieved. This permit plus documentation of required wetland mitigation must be provided prior to construction that impacts the wetland. This permit is typically provided preferably before scheduling the preconstruction meeting with the City.*

*The motion carried on the following vote:*

**Yes:** 4 - Mayor Langdon, Vice Mayor White, Commissioner Emrich and Commissioner Stokes

**No:** 1 - Commissioner McDowell

Commissioner McDowell dissented due to language limited "under no circumstance" and park requirement.

## **6. GENERAL BUSINESS:**

### **A. [23-0047](#)**

Discussion and Possible Action Regarding the Approval of the December 8, 2022, City Commission Special Meeting Minutes

Mayor Langdon announced the item.

Mr. Faust introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Langdon requested a motion.

***A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to approve the December 8, 2022 meeting minutes as presented with the recommended changes. The motion carried on the following vote:***

**Yes:** 5 - Mayor Langdon, Vice Mayor White, Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

#### **7. PUBLIC COMMENT:**

There was no public comment.

#### **8. COMMISSION COMMUNICATIONS:**

Commissioner Emrich did not have a report.

Vice Mayor White reported on events attended.

Mayor Langdon reported on events attended.

Commissioner Stokes reported on events attended.

Commissioner McDowell reported on events attended.

***There was consensus to direct staff to send a letter of thank you, signed by the Mayor, to Representative Steube by the end of the week.***

Mr. Fletcher noted a letter of thank you had already been mailed.

#### **9. ADMINISTRATIVE AND LEGAL REPORTS:**

Mr. Fletcher did not have a report.

Mr. Golen did not have a report.

Ms. Faust requested Commission provide RSVP for State of the City.

#### **10. ADJOURNMENT:**

Mayor Langdon adjourned the meeting at 3:59 p.m.

City of North Port, Florida

By: \_\_\_\_\_  
Barbara Langdon, Mayor

Attest: \_\_\_\_\_  
Heather Faust, City Clerk

These minutes were approved on the \_\_\_\_ day of \_\_\_\_\_, 2023.