



# 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*

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Tuesday, October 25, 2022

6:00 PM

City Commission Chambers

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**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. 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. [22-2760](#) Approve the Amended Tenant Lease Agreement between the City of North Port and AARP Foundation, Inc. for Suite B105 at the Family Service Center

**Attachments:** [60 Day Notice for Suite B104](#)  
[Amended Tenant Lease Agreement](#)

- B. [CC](#)  
[CTA-22-204](#) Approve the Consent by the City of North Port, Florida to the Acquisition of Real Property by the West Villages Improvement District for Tracts 6 & 7, Wellen Park Village E Plat located along the shared property line of the tracts.

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

- C. [22-3629](#) Approve the September 26, 2022 Commission Special Meeting Minutes

**Attachments:** [Minutes](#)

- D. [22-3639](#) Approve Amendment No. 5 to Agreement No. 2005-05 Between the City of North Port and TGW Engineering, Inc. to Provide Construction Engineering Services for the Myakkahatchee Creek Greenway Nature Trail in the Amount of \$47,671, for a Total Contract Amount of \$318,157, and Authorize a Contingency Amount of up to \$4,000.

**Attachments:** [2005-05 Agreement, Myakkahatchee Creek Greenway \\$178,616](#)  
[2005-05 Amendment No. 1 \\$29,600](#)  
[2005-05 Amendment No. 2 \\$25,020](#)  
[2005-05 Amendment No. 3 \\$22,700](#)  
[2005-05 Amendment No. 4 \\$14,550](#)  
[2005-05 Amendment No. 5 \\$47,671](#)  
[2005-05 Amendment Form](#)  
[Capital Improvement Plan - P10MCG](#)  
[Florida Division of Corporations document](#)

- E. [22-3645](#) Approval of the Application of Personnel Policy Manual Section 2.17 for Emergency Pay for Charter Officers, Heather Faust, MMC, City Clerk and Amber L. Slayton, B.C.S., City Attorney.

**Attachments:** [Fletcher Contract](#)  
[Faust Contract](#)  
[Slayton Contract](#)  
[Emergency Work Assignment Policy 2022](#)  
[Charter Officers Additional Hours](#)

- F. [22-3648](#) Approve the Ratification of Emergency Orders No. 2022-05 Terminating Emergency Order No. 2022-04; No. 2022-06 Relating to Extension of Business Tax Receipts; No. 2022-07 Relating to Waiver of Water and Wastewater Late Fees; No. 2022-08 Relating to Temporary Business Signs; No. 2022-09 Relating to Suspension of Time Limitations for Living or Camping in Vehicles on Residential Lots; No. 2022-10 Relating to the Temporary Reduction of Members Required to Constitute a Quorum for the Zoning Board of Appeals; and No. 2022-11 Amending Emergency Order No. 2022-10.

**Attachments:** [Emergency Ordinance 2022-30](#)  
[Emergency Order 2022-05 - Terminating Order 2022-04 Curfew in Certain Area](#)  
[Emergency Order 2022-06 - Business Tax Receipts](#)  
[Emergency Order 2022-07 - Waiver of Water and Wastewater Late Fees](#)  
[Emergency Order 2022-08 - Temporary Business Signs](#)  
[Emergency Order 2022-09 - Suspension of Time Limitations for Living or Campi](#)  
[Emergency Order 2022-10 - Temporary Reduction of Members Required to Cor](#)  
[Emergency Order 2022-11 - Amending Order No. 2022-10](#)

- G. [22-3655](#) Approve the September 22, 2022 Commission Special Meeting Minutes

**Attachments:** [Minutes](#)

- H. [22-3656](#) Approve the October 11, 2022 Commission Regular Meeting Minutes

**Attachments:** [Minutes](#)

#### **4. PUBLIC HEARINGS:**

##### **ORDINANCE - Third Reading:**

- A. [ORD. NO. 2022-14](#) An Ordinance of the City of North Port, Florida, Increasing Certain Building Fees under the City Fee Structure; Amending the Code of the City of North Port, Florida, Appendix A – City Fee Structure, Section D, Building Fees; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

**Attachments:**      [Ordinance - Third Reading](#)  
[Ordinance - Second Reading](#)  
[Ordinance - First Reading](#)  
[Exhibit A](#)

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

- 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 - Third Reading](#)  
[Ordinance - Second Reading](#)  
[Ordinance - First Reading](#)

**ORDINANCE - Second Reading:**

- E.      [ORD. NO. 2022-29](#)      An Ordinance of the City of North Port, Florida, Repealing Chapter 4, Article VIII the Code of the City of North Port, Florida, and Thereby Disbanding the Public Utility Advisory Board; Providing for Findings; Providing for Conflicts; Providing Severability; Providing for Codification; and Providing an Effective Date.

**Attachments:**      [Ordinance - First Reading](#)  
[Commission Minutes, September 13, 2022](#)

## **5. GENERAL BUSINESS:**

- A.      [22-3638](#)      Discussion and Possible Action Regarding Approval of Minutes for the September 13, 2022 Commission Regular Meeting

**Attachments:**      [Draft Minutes](#)  
[Amended Draft Minutes](#)

- B.      [22-3642](#)      Discussion and Possible Action Regarding a Draft Letter to DeSoto County Commissioners Concerning Impacts of Proposed Expansion of Mosaic Mining Operations.

**Attachments:**      [Draft Letter with Attachments](#)

- C.      [22-3647](#)      Discussion and Possible Action Related to Termination of the Warm Mineral Springs Site Management Agreement, as Amended, Between the City of North Port and National and State Park Concessions, Warm Mineral Springs, Inc.

**Attachments:**      [Site Management Agreement](#)  
[First Amendment Site Management Agreement](#)  
[Draft City Commission Special Meeting Minutes 9-12-22](#)

## **6. 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.)

## **7. COMMISSION COMMUNICATIONS:**

- A.      [22-2530](#)      Commissioner McDowell's Report
- B.      [22-2531](#)      Commissioner White's Report
- C.      [22-2527](#)      Mayor Emrich's Report
- D.      [22-2528](#)      Vice Mayor Langdon's Report
- E.      [22-2529](#)      Commissioner Luke's Report

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

- A.      [22-3616](#)      City Manager Report

**Attachments:**      [City Manager Report October 2022](#)

- B. [22-3637](#) City Attorney's Report
- Attachments: [Commission Directives to the City Attorney](#)  
[Matter List \(Redacted\)](#)
- C. [22-3644](#) City Clerk's Report
- Attachments: [Commission Update](#)  
[Public Records Request FY Log](#)  
[Closed FY Records Chart](#)  
[Open Requests by Status Chart](#)

## **9. 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.