



# 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, May 9, 2023

10:00 AM

City Commission Chambers

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### **Amended to Update Item 23-0692, 23-0766 back-up, Ordinance No. 2023-18 w/ Exhibits, and Commission Communication back-up**

**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. [23-0438](#) 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. [CC](#) [CTA-22-257](#) Approve the Consent by the City of North Port, Florida to the Acquisition of Real Property by the West Villages Improvement District for Portions of Tract 312 of the Gran Paradiso, Infrastructure Plat.

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

- B. [23-0649](#) Approve the Application to the Florida Local Government Cybersecurity Grant for Managed Security Information and Event Management (SIEM) Tool Implementation 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.

- C. [23-0687](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract for License Plate Reader Repair with Vetted Security Solutions Under Purchase Order No. 049818.

**Attachments:** [Vetted Emergency/Exigency Form](#)  
[Vetted PO](#)  
[Additional PO attachments](#)  
[SAM.gov Document](#)  
[Non-Competitive Procurement Justification](#)  
[Procurement Summary Memorandum](#)

- D. [23-0704](#) Award Request for Bid No. 2023-26 Morgan Family Community Center Gym Floor Replacement With Athletic Resources in the Amount of

\$169,000, With a Project Contingency of \$8,450, for a Total Amount of \$177,450.

**Attachments:** [Notice of Intent to Award](#)  
[Award Recommendation Memo](#)  
[Bid Tabulation](#)  
[Athletic Resources Inc. Submittal](#)  
[RFB with Addendum](#)  
[Florida Division of Corporations Document](#)

- E. [23-0706](#) Approve the Award of Funds From the Special Event Assistance Program to Kiwanis Club of North Port in Support of the Kiwanis Family Fishing Tournament to be Held June 17, 2023, in an Amount up to, and Not to Exceed, \$500 to Cover the Costs of City Fees and Resources.

**Attachments:** [Application for Assistance](#)  
[Fee Overview](#)  
[Community Assistance Account Overview](#)  
[Resolution 2018-R-17](#)

- F. [23-0710](#) Approve the Policy Confluence, Inc. Services Agreement for the Annual Citizen Survey and Web-Based Survey Platform Subscription in the Annual Amount of \$11,125.00.

**Attachments:** [Agreement](#)  
[Procurement Request Form](#)  
[Florida Division of Corporations Document](#)

- G. [23-0713](#) Approve the Federal Bureau of Investigation (FBI) Sarasota Resident Agency Suncoast Child Exploitation and Human Trafficking Task Force (CEHTTF) Memorandum of Understanding (MOU).

**Attachments:** [MOU - Child Exploitation & Human Trafficking Task Force](#)  
[MOU - Child Exploitation Task Force](#)

- H. [23-0716](#) Approve the Applications to the Protecting Florida Together Grant for Fixed Weir No. 123 in the Amount of \$471,000 and Myakkahatchee Creek Maintenance and Debris Removal in the Amount of \$2,500,000 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 of North Port.

**Attachments:** [Weir 123 Final Application](#)  
[Myakkahatchee Final Application](#)

- I. [23-0720](#) Approve the Federal Bureau of Investigation (FBI) National Vehicle Lease, Vehicle Use Agreement - Non-FBI Task Force Officer at no Cost to the City of North Port.

**Attachments:**     [FBI Vehicle Use Agreement](#)  
[FBI Vehicle Use Agreement - 2019](#)  
[MOU-Child Exploitation & Human Trafficking Task Force](#)

J.     [23-0723](#)     Accept the Cash Receipts Summary Report for March 2023.

**Attachments:**     [Cash Receipts Summary 033123](#)

K.     [23-0755](#)     Approve the St. Johns County Sheriff's Office and City of North Port, Florida, Lead Contracting Agency Agreement Permitting the St. Johns County Sheriff's Office to Act as the Agency Lead in Ensuring that the City of North Port, Florida, is Compliant with the Federal Bureau of Investigation Criminal Justice Information Systems Security Policy for Use of Fusus Software for Surveillance Data Access.

**Attachments:**     [Lead Contracting Agency Agreement](#)  
[Pileum Corporation Fusus Service Agreement](#)

L.     [23-0760](#)     Approve the Appointment of Andrea Nease as the North Port Resident Representative of the Community Economic Development Advisory Board to Serve a Three-Year Term from May 9, 2023, to May 9, 2026.

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

M.     [23-0769](#)     Approval of Minutes for the April 10, 2023 Commission Workshop Meeting, April 11, 2023 Commission Regular Meeting, and April 13, 2023 Commission Regular Meeting

**Attachments:**     [4-10-23 Minutes](#)  
[4-11-23 Minutes](#)  
[4-13-23 Minutes](#)

N.     [23-0735](#)     Approve Polling Place Agreements for Use of the Morgan Family Community Center and George Mullen Activity Center Between the City of North Port and the Supervisor of Elections of Sarasota County for the March 19, 2024, Presidential Primary Election; August 20, 2024, Primary Election; and November 5, 2024, General Election.

**Attachments:**     [GMAC Agreement](#)  
[Morgan Family Center Agreement](#)

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

A.     [23-0766](#)     Presentation Reviewing City Wide Impacts from Hurricane Ian, Including Responses and Recovery Status.

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

B.     [23-0767](#)     Presentation of Awaken Church Outreach Center 2022 Annual Report of

## Activities

**Attachments:** [Annual Report](#)  
[Presentation](#)

**6. PUBLIC HEARINGS:****PETITION:**

- A. [CC](#)  
[PLF-23-009](#) Consideration of Petition No. PLF-23-009, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3. Replat of Tract 513 and Tract 601 (QUASI-JUDICIAL)
- Attachments:** [Brightmore at Wellen Park Plat and Replat](#)  
[Staff Report with Exhibits](#)  
[4-20-2023 PZAB Action Report](#)
- B. [CC](#)  
[PLF-23-010](#) Consideration of Petition No. PLF-23-010, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3 - Replat of Tract 514 and Tract 608 (QUASI-JUDICIAL)
- Attachments:** [Brightmore at Wellen Park Plat and Replat](#)  
[Staff Report with Exhibits](#)  
[West Villages Improvement District Letter of Approval](#)  
[4-20-2023 PZAB Action Report](#)  
[Staff Presentation](#)
- C. [CC](#)  
[PLF-23-011](#) Consideration of Petition No. PLF-23-011, Brightmore at Wellen Park Phases 1A-1C, 2A, and 3, Replat of Tract 607 and Tract 705 (QUASI-JUDICIAL)
- Attachments:** [Brightmore at Wellen Park Plat and Replat](#)  
[Staff Report with Exhibits](#)  
[4/20/2023 PZAB Action Report](#)  
[Staff Presentation](#)
- D. [CC](#)  
[PLF-23-012](#) Consideration of Petition No. PLF-23-012, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3, Replat of Tract 614 and Tract 910 (QUASI-JUDICIAL)
- Attachments:** [Brightmore at Wellen Park Plat and Replat](#)  
[Staff Report with Exhibits](#)  
[4-20-2023 PZAB Action Report](#)
- E. [CC](#)  
[PLF-23-013](#) Consideration of Petition No. PLF-23-013, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3 - Replat of Lots 81-94, and a Portion of Tract 606 (QUASI-JUDICIAL)

**Attachments:** [Brightmore at Wellen Park Plat and Replat](#)  
[Staff Report with Exhibits](#)  
[West Villages Improvement District Letter of Approval](#)  
[Acceptance of Street Tree and Landscape Easements](#)  
[4-20-2023 PZAB Action Report](#)  
[Staff Presentation](#)

### **ORDINANCE - Second Reading:**

- F. [ORD. NO. 2023-14](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Section 22-55 and 22-65 Relating to Extending the Time Period When Use of Fertilizer is Restricted and Eliminating the Vehicle Decal Requirement; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

**Attachments:** [Ordinance – Second Reading](#)  
[Ordinance – First Reading](#)  
[July 26, 2022 Minutes](#)  
[Rainfall Data and Total Nitrogen 2016-2022](#)  
[FDEP Sample Results Cosmic Waterway Algal bloom](#)  
[Request for FDEP Input on Proposed Changes](#)  
[FDEP Input on Proposed Changes](#)

- G. [ORD. NO. 2023-09](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Related to Alternative Pickup Locations for the Collection of Solid Waste from Residential Properties; Amending the Code of the City of North Port, Florida, Section 62-50; Providing For Findings; Providing For Conflicts; Providing For Severability; Providing For Codification; and Providing an Effective Date.

**Attachments:** [Ordinance - Second Reading](#)  
[Solid Waste Walk Up Form - Second Reading](#)  
[Ordinance - First Reading](#)  
[Solid Waste Walk Up Form](#)

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

- H. [ORD. NO. 2023-18](#) An Ordinance of the City of North Port, Florida, Amending the City of North Port Comprehensive Plan Future Land Use Element Regarding Goal 2, Figure 1: Standards for Activity Centers, AC #7 Area A, Warm Mineral Springs; Amending the Density, Intensity, and Percentage Of Land Use; and Amending Goal 2, Activity Center #7 Area A, Policies 2.7.11 Through 2.7.22, Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for

Severability; and Providing an Effective Date.

**Attachments:** [Staff Report with Exhibits](#)  
[Ordinance - First Reading](#)

## **RESOLUTION:**

- I. [RES. NO. 2023-R-30](#) A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of the Twenty Foot Utility and Drainage Easement on the Northeasterly Boundary of Lot 16, Block 248, Eighth 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](#)  
[4-6-2023 PZAB Action Report](#)  
[New Legal Ad](#)

- J. [RES. NO. 2023-R-31](#) A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of the Twenty (20) Foot Drainage Maintenance Easement for Lot 8, Block 160, Fifth 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](#)  
[Survey](#)  
[4-6-2023 PZAB Action Report](#)  
[Legal Ad Confirmation](#)  
[Revised Legal Ad](#)

- K. [RES. NO. 2023-R-33](#) A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of Maintenance, Utility, and Drainage Easements for Lot 23, Block 1936, Forty-First 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](#)  
[Power of Attorney](#)  
[4-20-2023 Action Report](#)  
[Staff Presentation](#)

## **7. GENERAL BUSINESS:**

- A. [23-0692](#) Discussion and Possible Direction Regarding Changes to the City Fee Structure, Appendix A to the Code of the City of North Port, Florida, Including but not Limited to, Building Fees, Fire Rescue Fees, Police Fees, Parks and Recreation Fees, Facility Rental Fees, Solid Waste Fees, Utility Fees, and Road and Drainage Fees.
- Attachments:** [Summary of the FY 2023-2024 Proposed Fee Changes](#)  
[FY24 Proposed Fees - NPAC.pdf](#)
- B. [23-0768](#) Discussion and Possible Action Regarding Potentially Amending the City of North Port Unified Land Development Code to Allow Temporary Housing Options Inside City Limits and Potentially Declaring a Housing Emergency Due to Hurricane Ian.
- Attachments:** [4.13.23 Email Thread - FEMA and NDS Director](#)  
[4.15.23 - 4.17.23 Email Thread - Com. McDowell and Staff](#)  
[Emergency Order 2022-09](#)  
[ULDC 53-240\(k\)](#)
- C. [23-0772](#) Discussion and Possible Action Regarding Potential Violations of the City Charter and Employment Contract as Outlined by the Complaint Filed by Commissioner McDowell Against City Manager Jerome Fletcher.
- Attachments:** [Resolution 2019-R-07](#)  
[Commissioner Complaint Filed](#)  
[City Attorney Response](#)

## **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. [23-0407](#) Mayor Langdon's Communications
- B. [23-0408](#) Vice Mayor Whtie's Communications
- C. [23-0409](#) Commissioner Emrich's Communications
- D. [23-0410](#) Commissioner McDowell's Communications
- Attachments:** [Bills to Watch](#)  
[Bill Action as of 5.3.23](#)
- E. [23-0411](#) Commissioner Stokes' 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.