



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

Thursday, October 6, 2022

10:30 AM

City Commission Chambers

Postponed Meeting from September 27, 2022

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

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.** [22-3268](#) Approve the Award of Funds from the Special Event Assistance Program to Family Promise of South Sarasota County in Support of a Kentucky Derby Event Held on August 20, 2022, in the Amount of \$500 to Cover the Costs of City Fees.

Attachments: [Application for Assistance](#)
 [Fee Overview](#)
 [Community Assistance Account Overview](#)
 [Resolution No. 2018-R-17](#)

- B.** [22-3272](#) Approve the Award of Funds From the Special Event Assistance Program to North Port Area Chamber of Commerce/North Port Young Professionals in Support of a Back to School Bash Event Held on July 30, 2022, in the Amount of \$824 to Cover the Costs of City Fees.

Attachments: [Application for Assistance](#)
 [Fee Overview](#)
 [Community Assistance Account Overview](#)
 [Resolution No. 2018-R-17](#)

- C.** [22-3418](#) Approval of the Society of European Stage Authors and Composers (SESAC) Music Performance License for Municipalities Between SESAC, LLC and the City of North Port.

Attachments: [License for Municipalities](#)
 [Competitive Exemption Form](#)

- D.** [22-3425](#) Approve the Disposition of Surplus Assets in an Appropriate Fashion Pursuant to Chapter 2 Administration, Article VIII Procurement, Section 2-419, Disposition of City Assets and Property (d), (1) of the Code of the City of North Port, Florida.

Attachments: [Asset Disposition and Recommended Method](#)
[Property Disposal Form PD](#)
[Property Disposal Form IT](#)
[Property Disposal Form UT](#)
[Property Disposal Form PR](#)

- E. [22-3430](#) Approve the Shared Facility Agreement – North Port Fire Station No. 86 Between the City of North Port and Sarasota County Addressing Joint Use of Operational Areas, Responsibilities of Both Parties, and an Annual Rental Fee Starting at \$45,000.00 in Fiscal Year 2023.

Attachments: [Shared Facility Agreement](#)

- F. [22-3440](#) Approve the Memorandum of Understanding for Law Enforcement Agency Access to Driver and Vehicle Information Database System (DAVID) between the City of North Port and the Florida Department of Highway Safety and Motor Vehicles

Attachments: [Memorandum of Understanding](#)
[Annual Certification Statement](#)
[Existing MOU with Amendment 1](#)

- G. [22-3441](#) Approve the First Amendment to Lease Agreement Between the City of North Port and North Port Senior Center for Space at the Community Education Center.

Attachments: [First Amendment to Lease Agreement](#)
[Current Executed Lease Agreement](#)

- H. [22-3442](#) Approve the Sole Source Purchase of Neptune AMR 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 \$900,350.00 for Fiscal Year 2022-2023

Attachments: [Sole Source Procurement Request Form](#)
[Manufacturer Sole Source Letter](#)
[Vendor Pricing 2022-2023](#)
[Florida Division of Corporations Document](#)

- I. [22-3462](#) Approve Award of Request for Bid 2023-01 Outsourced Mowing Services to Natural Designs Landscaping, LLC and Authorize the City Manager to Approve the Future Renewal Terms.

Attachments: [Notice of Intent to Award](#)
[Award Recommendation Memo](#)
[Request for Bid with all Addendum](#)
[Bid Comparison Tabulation Sheet](#)
[NDL, LLC Submittal](#)
[Florida Division of Corporations Document](#)

- J. [22-3470](#) Approve the Public Emergency Medical Transport (PEMT) Letter of Agreement with the Agency for Health Care Administration (AHCA).

Attachments: [Letter of Agreement](#)

- K. [22-3474](#) Approve the Affiliation Agreement Between the School Board of Sarasota County and the City of North Port, to Permit Students Enrolled in Health Science Programs to Ride-Along with Fire Rescue Crews.

Attachments: [Affiliation Agreement](#)

- L. [22-3480](#) Approve Supplemental Minimum Wage Agreement with the Agency for Health Care Administration (AHCA).

Attachments: [Minimum Wage Agreement](#)

- M. [22-3544](#) Approval of William "Chuck" English to Serve a Second Term as a Regular Member on the Environmental Advisory Board to Serve a Two-Year Term From September 27, 2022, to September 27, 2024.

Attachments: [Application and Backup](#)

- N. [22-3573](#) Approval of Minutes for the September 1, 2022 City Commission Regular Meeting

Attachments: [Minutes](#)

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [22-3333](#) Presentation from American Public Works Association Accreditation Regional Director Regarding the Department of Public Works Reaccreditation.

Attachments: [Reaccreditation Letter](#)

5. PUBLIC HEARINGS:

RESOLUTION:

- A. [RES. NO. 2022-R-63](#) A Resolution of the City Commission of the City of North Port, Florida, Approving the Two Subordinations of City Utility Interests Along the South Side of Tamiami Trail in Wellen Park for the Florida Department of Transportation for Highway Purposes; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing

an Effective Date.

Attachments: [Resolution](#)

- B. [RES. NO. 2022-R-60](#) A Resolution of the City of North Port, Florida, Vacating a Portion of the Ten (10) Foot Utility and Drainage Easement on the Western Boundary of Lot 19, Block 1310, Twenty-Sixth 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 with Exhibit](#)
[Staff Report with Exhibits](#)
[PZAB Action Report](#)

RESOLUTION - Second Reading:

- C. [RES. NO. 2022-R-43](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2021-2022 for the Interlocal Agreement for a Joint County/Municipality Economic Development Program in the Amount of \$151,213; Providing for Findings; Providing for Conflicts: Providing for Severability: and Providing an Effective Date.

Attachments: [Resolution](#)
[Fund Balance Report](#)

ORDINANCE - Second Reading:

- D. [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 - Second Reading](#)
[Ordinance - First Reading](#)
[Exhibit A](#)

- E. [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 - First Reading](#)
[PZAB Action Report](#)
[Ordinance - Second Reading](#)

- F. [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 - Second Reading](#)
[Ordinance - First Reading](#)
[Public Comment - First Reading](#)
- G. [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 - Second Reading](#)
[Ordinance - First Reading](#)

6. GENERAL BUSINESS:

- A. [22-3372](#) Discussion and Possible Action Regarding the Environmental Advisory Board's Formal Request to be Included in the Review of Requests for Waivers to Open Space and Park Requirements Contained in Section 37-14 of the Unified Land Development Code
- Attachments:** [February 7, 2022 Board Memo](#)
[Memo to Environmental Advisory Board](#)
[August 3, 2000 Board Memo](#)
- B. [22-3465](#) Discussion and Possible Action Regarding the Demolition of Buildings at Dallas White Park
- Attachments:** [Dallas White Park Building Map](#)
[December 7, 2021, Estimate \\$66,078.36](#)
[May 12, 2022, Estimate \\$287,138.58](#)
[June 30, 2022, Estimate \\$81,521.60](#)
- C. [22-3529](#) Discussion and Possible Action Regarding Painting or Decorating Traffic Signal Control Cabinets.
- Attachments:** [Traffic Signal Control Cabinets Map](#)
[Charlotte NC Decorative Cabinet Guidelines](#)
[August 8, 2022 Email](#)
- D. [22-3540](#) Discussion and Possible Action to Increase Transportation Impact Fees From 75% to 100% of the 2011 Impact Fee Study.

Attachments: [August 1, 2022 City Manager Memo](#)
[July 26, 2022 City Manager Report](#)
[Ordinance 2022-03 – Impact Fees](#)
[2011 Tindale-Oliver Impact Fee Study](#)

- E. [22-3550](#) Discussion and Possible Action Regarding the Approval of the September 8, 2022, City Commission Special Meeting Minutes.

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

- F. [22-3551](#) Discussion and Possible Action Regarding the Approval of the September 6, 2022, Commission Workshop Minutes.

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

- G. [22-3575](#) Discussion and Possible Action Regarding the City Manager's Annual Evaluation.

Attachments: [City Manager Annual Evaluation 2022 - Mayor Emrich](#)
[City Manager Annual Evaluation 2022 - Vice Mayor Langdon](#)
[City Manager Annual Evaluation 2022 - Commissioner Luke](#)
[City Manager Annual Evaluation 2022 - Commissioner McDowell](#)
[City Manager Annual Evaluation 2022 - Commissioner White](#)
[Evaluation Summary Form 2022](#)
[City Manager Annual Self-Evaluation 2022 with Attachments](#)
[City Manager Employment Agreement](#)

7. PUBLIC COMMENT:

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8. COMMISSION COMMUNICATIONS:

- A. [22-2520](#) Commissioner McDowell's Report
- B. [22-2521](#) Commissioner White's Report
- C. [22-2517](#) Mayor Emrich's Report
- D. [22-2518](#) Vice Mayor Langdon's Report

- E. [22-2519](#) Commissioner Luke's Report

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [22-3557](#) City Attorney's Report

Attachments: [Commission Directives to the City Attorney](#)
[Matter List Redacted](#)

- B. [22-3566](#) City Manager Report to Commission.

Attachments: [City Manager Report September 2022](#)

- C. [22-3574](#) City Clerk's Report

Attachments: [Commission Update](#)
[Public Records Request FY Log](#)
[Closed FY Records Chart](#)
[Open Status FY Records Chart](#)

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.