



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

Tuesday, July 26, 2022

10:00 AM

City Commission Chambers

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

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. [22-3241](#) Current Vacancies and Upcoming Expirations for Advisory Boards and Committees

Attachments: [Announcement](#)

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. [22-3118](#) Approve the CrowdStrike Falcon Complete Limited Warranty Agreement for the Provision of Insurance Coverage in the Event of a Security Incident.

Attachments: [Falcon Complete Limited Warranty Agreement](#)

- B. [22-3134](#) Approve the Application to the U.S. Department of Justice COPS Hiring Program Grant for Three Police Officers in the Amount of \$375,000 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

Attachments: [Grant Application](#)
[New Grant Memo](#)

- C. [22-3141](#) Approve Amendment One to the Federally Funded Community Development Block Grant Mitigation Program (CDBG-MIT) Subrecipient Agreement IR025 Between the City of North Port and the Florida Department of Economic Opportunity

Attachments: [Amendment 1](#)
[Executed Agreement](#)

- D. [22-3162](#) Approve Construction Contract No. 2022-25-2021 Water Distribution Improvements with C-Squared Certified General Contractors, Inc. in the Amount of \$931,532.56 with a Contingency of \$93,153.00, for a Total Amount of \$1,024,685.56.

Attachments: [Contract](#)
[Notice of Intent to Award](#)
[Award Recommendation Memo](#)
[Bid Tabulation](#)
[Submittal by C-Squared Certified General Contractors, Inc](#)
[RFB and Addendum](#)
[Florida Division of Corporations Documents](#)

- E. [22-3166](#) Approve the Aquatics Operations Agreement for Consulting Services with Counsilman-Hunsaker In a Lump Sum Amount of \$4,410.00, Plus Any Additional Services at the Contracted Unit Prices for a 36 Month Term.

Attachments: [Agreement](#)
[Competitive Exemption Form](#)
[Florida Department of Corporations Documents](#)

- F. [CC](#)
[CTA-22-130](#) Approve the Consent by the City of North Port, Florida to the Acquisition of Real Property by the West Villages Improvement District for Unplatted Lands and Portions of Tracts 1, 4, and 6 of the Plat of Wellen Park Village E Located Along the South Boundary of the US-41 Right-of-Way in Wellen Park Village E.

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

- G. [22-3171](#) Approve the Master Services Agreement with Cumberland Group for the Purchase of a Replacement Storage Area Network in the Amount of \$352,583.80.

Attachments: [Agreement](#)
[Competitive Exemptions Form](#)
[Florida Division of Corporations Document](#)

- H. [22-3186](#) Approve Amendment One to the Federally Funded Community Development Block Grant Mitigation Program (CDBG-MIT) Subrecipient Agreement IR027 Between the City of North Port and the Florida Department of Economic Opportunity

Attachments: [Amendment 1](#)
[Executed Agreement](#)

- I. [22-3189](#) 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](#)

- J. [22-3197](#) Approval of Minutes for the June 28, 2022 and July 7, 2022 Commission Regular Meetings

Attachments: [6/28/22 Minutes](#)
[7/7/22 Minutes](#)
- K. [22-3227](#) Approve Change Order #1 to the City Hall Backup Generator Installation Contract No. 2021-28 with OAC Action Construction Corp. for an Additional \$107,647.35, Resulting in a New Contract Total of \$952,474.30.

Attachments: [Contract](#)
[Change Order 1](#)
[Notice of Intent to Award](#)
[Award Recommendation Memo.](#)
[Bid Form](#)
[Submittal by OAC Action Construction, Corp.](#)
[RFB , Attachments and Addendums](#)
[Florida Division of Corporations Document](#)
- L. [22-3256](#) Approve the Amended and Restated Interlocal Agreement for Community Development Block Grant Program with Sarasota County

Attachments: [Amended and Restated Interlocal Agreement for Community Development Bloc](#)
[Sarasota County Interlocal Agreement for Community Development Block Gran](#)
[Highlighted Changes to the Interlocal Agreement](#)

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [22-3139](#) Presentation of the Annual Comprehensive Financial Report for the Fiscal Year Ending on September 30, 2021.

Attachments: [Annual Comprehensive Financial Report](#)

6. PUBLIC HEARINGS:

PETITION:

- A. [CC](#)
[PLF-22-083](#) Consideration of Petition No. PLF-22-083, Wysteria-Wellen Park, Village F-4 Replat. (QUASI-JUDICIAL).

Attachments: [Plat, Wysteria-Wellen Park, Village F-4 Replat](#)
[PLF-22-083 Staff Report with Exhibits](#)
[West Villages Improvement District Letter of Approval](#)
[Wysteria-Wellen Park Neighborhood Association Inc Letter of Acceptance](#)

ORDINANCE - Second Reading:

- B. [ORD. NO. 2022-10](#) An Ordinance of the City of North Port, Florida, Amending the City of North Port Comprehensive Plan to Add Chapter 12 Property Rights Element; Adding Goals, Objectives, and Policies Pursuant to Florida Statutes Section 163.3177; Repealing City of North Port Comprehensive Plan Chapter 2, Goal 4, Objective 12 of the Future Land Use Element Relating to Balancing Property Owner Interests; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Ordinance - Second Reading](#)
[Ordinance - First Reading](#)
[Staff Report with Exhibits](#)
[April 21, 2022, PZAB Action Report](#)
[May 10, 2022, City Commission Meeting Minutes](#)
[Agency Responses](#)

ORDINANCE - First Reading:

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

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

RESOLUTION:

- D. [RES. NO. 2022-R-38](#) A Resolution of the City Commission of the City Of North Port, Florida Vacating a Portion of the Utility and Draining Easements for Lots 3, 4, 18 and 19, Block 822, 19th 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](#)
[June 16, 2022 PZAB Action Report](#)

- E. [RES. NO. 2022-R-42](#) A Resolution of the City Commission of the City of North Port, Florida, Approving the Subordination of City Utility Interests in Favor of 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 No. 2022-R-42](#)

RESOLUTION - Second Reading:

- F. [RES. NO. 2022-R-40](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2021-22 for Sanitary Trailer Rental for Warm Mineral Springs in the amount of \$60,000; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Resolution](#)

7. GENERAL BUSINESS continued:

- A. [22-3128](#) Discussion and Possible Action Regarding the Capacity Fee Changes, Line Extension Charges and Acceptance of the 2022 Utility Rate Analysis Report Prepared by GovRates, Inc.

Attachments: [North Port Utility Rate Analysis Report](#)
[Utility Rate Analysis Presentation](#)
[Resolution No. 2019-R-16](#)

- B. [22-3158](#) Discussion and Possible Action Regarding Amending the Code of the City of North Port Chapter 22 - Fertilizer and Landscape Management to Extend the Period of Time When Use of Fertilizer is Restricted.

Attachments: [Cosmic Waterway Photos](#)
[City Code Chapter 22](#)
[Resolution - 2018-R-26](#)
[Florida State Statute 403.9337](#)
[FDEP Model Ordinance](#)
[Email Thread](#)

- C. [22-3178](#) Discussion and Possible Action Regarding the Approval of the June 14, 2022 Commission Workshop Minutes

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

- D. [22-3180](#) Discussion and Possible Action Regarding the Approval of the June 15, 2022 Commission Workshop Minutes

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

- E. [22-3183](#) Discussion and Possible Action Regarding the Approval of the June 16, 2022 Commission Workshop Minutes

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

- F. [22-3243](#) Discussion and Possible Action Regarding the Potential of a Joint Resolution Between the City of North Port and Charlotte County in Regard to Collaborative Support of Interstate 75 Interchanges in the Yorkshire Street/Raintree Boulevard Area.

Attachments: [Request](#)

- G. [22-3244](#) Discussion and Possible Action Regarding Scheduling a Joint Meeting Between the North Port City Commission and the Sarasota County Commission in October 2022 Before the Elections.

Attachments: [Request](#)

- H. [22-3245](#) Discussion and Possible Action Regarding Scheduling a Joint Meeting Between the North Port City Commission and the Charlotte County Commission to be Held in the City of North Port Between Elections and Installations of Positions.

Attachments: [Request](#)

- I. [22-3246](#) Discussion and Possible Action Regarding the Addition of Light Industrial Land Uses to the Definitions and Permitted Uses Sections of the CG, Commercial General Zoning District of the Zoning Regulations of the Unified Land Development Code and Possible Changes to the Current Zoning Map.

Attachments: [Request](#)
[ULDC Article III](#)
[ULDC Article IV](#)
[Zoning Map](#)
[ULDC Section 53-15](#)

- J. [22-3252](#) Discussion and Possible Action Regarding Approving Annual Budgets and Budget Amendments by Ordinance or Resolution

- K. [22-3251](#) Discussion and Possible Direction Regarding the Home Share Program and Connecting Home Providers with Workforce Housing Applicants

8. PUBLIC COMMENT:

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9. COMMISSION COMMUNICATIONS:

- A. [22-2536](#) Commissioner McDowell's Report

- B. [22-2537](#) Commissioner White's Report
- C. [22-2533](#) Mayor Emrich's Report
- D. [22-2534](#) Vice Mayor Langdon's Report
- E. [22-2535](#) Commissioner Luke's Report

Attachments: [Communications](#)

10. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [22-3219](#) City Manager Report to Commission

Attachments: [City Manager Report 7.26.22](#)

- B. [22-3220](#) City Attorney Report.

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

- C. [22-3232](#) City Clerk Report

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

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.