



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Agenda City Commission Regular Meeting

CITY COMMISSIONERS

Jill Luke, Mayor

Pete Emrich, Vice Mayor

Barbara Langdon, Commissioner

Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Jason Yarborough, Interim City Manager

Amber L. Slayton, City Attorney

Heather Taylor, City Clerk

Tuesday, January 12, 2021

10:00 AM

City Commission Chambers

MEETING PROCEDURE: Online public comment may be submitted using the virtual Public Comment Form, located on the City Commission webpage at CityofNorthPort.com. The form will be available online at 8:00 a.m. the day before the meeting until one hour prior to the meeting start. Voicemail messages may be submitted via telephone at 941-429-1032 from 8:00 a.m. the day before the meeting until one hour prior to the meeting start. Online and voicemail comments are pursuant to Policy No. 2020-04. In person comment may be submitted by submitting a "Request to Speak" card to the City Clerk. The public may comment during the course of the meeting: (1) Speakers may comment under Public Comment at the beginning and ending of each meeting on any issue that is related to City Business whether or not the item is scheduled on the Agenda, with the exception of Quasi-Judicial Items; (2) Speakers may comment on all scheduled Agenda Items and Quasi-Judicial items at the time the item is being discussed. Please indicate on the Speaker Card by writing Public Comment if you wish to speak under that portion of the meeting or specify the individual agenda item you wish to speak to. Please wait until you are recognized by the presiding Officer, state your name so that your comments may be properly recorded and limit your remarks to a period of three (3) minutes or less. The City Commission will act on an Agenda Item after comments from the Staff, Petitioner and Public have been heard.

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

The Pledge of Allegiance was led by Deputy Police Chief Morales.

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. [21-0119](#) Current Vacancies and Upcoming Expiration Dates for 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. [20-2891](#) Approve Utilization of the Florida Sheriff 's Association Contract FSA20-VEF14.01 to Enter into an Agreement with REV RTC, Inc. for the Purchase of One (1) New International MV Ambulance for the North Port Fire Rescue District for an Estimated Cost of \$298,890.

Attachments: [Competitive Exemption Form with Justification Memo](#)
[Partially Executed REV RTC Agreement](#)
[REV RTC Proposal and Detailed Quote and Specifications](#)
[FSA Contract with awarded Vendors](#)
[Florida State Division of Corporations](#)

- B. [20-2998](#) Approve Utilization of OMNIA Partners (IPA) through the City of Mesa, AZ Cooperative Contract Number 2017025, Ground Maintenance Equipment, Parts, Accessories, Supplies, Related Services, and Equipment with the Toro Company for the Purchase of Park Maintenance Equipment for the Department of Parks and Recreation for an Estimated Total of \$547,155.58.

Attachments: [Competitive Exemptions Form](#)
[Wesco Turf Inc. Mower Quote](#)
[City of Mesa, AZ Contract # 2017025](#)
[Vehicle Overview](#)
[Florida State Division of Corporations Document](#)
[WescoTurf Mower Quote.pdf](#)

- C. [20-2999](#) Approve the Sole Source Procurement of Annual Maintenance of Software from Central Square Technologies, LLC in the estimated cost amount of \$180,750.76 with a contingency amount of \$10,000.00

Attachments: [Sole Source Form](#)
[Central Square Technologies, LLC Hosting Services NaviLine](#)
[Central Square Technologies, LLC \(formally known as Superior, LLC\) Amendm](#)
[Florida Division of Corporations Document - Central Square Technologies, LLC](#)

- D. [21-0003](#) Approve the Amended and Restated Requested Operational and Voluntary Cooperation Agreement with the Sarasota County Sheriff's Office, Longboat Key Police Department, North Port Police Department, Sarasota Police Department, Venice Police Department, Sarasota-Manatee Airport Authority, New College of Florida, and the Sarasota County Schools Police Department
- Attachments:** [Amended and Restated Requested Operational Assistance and Volunteary Coo](#)
[Second Amended Requested Operational and Voluntary Cooperation Agreeeme](#)
[First Amended Requested Operational and Voluntary Cooperation Agreement](#)
[Seventh Renewal of the Combined Voluntary Cooperation and Operational Assi](#)
[Requested Operational and Voluntary Cooperation Agreement](#)
- E. [21-0045](#) Approve the Application to The Harry Shapiro Charitable Foundation Grant in an Amount of up to \$20,000 for Firearms and K9 Equipment
- Attachments:** [Harry Shapiro Charitable Foundation Grant Document](#)
[Letter to the Harry Shapiro Charitable Foundation](#)
- F. [21-0064](#) Approve Cooperative Funding Agreement No. 21CF0003369 Between the Southwest Florida Water Management District and the City of North Port for the North Port Water Distribution Hartsdale/Aldovin/Totem Area Looping Project (Q185)
- Attachments:** [CFI Agreement No. 21CF0003369](#)
- G. [21-0077](#) Approve the Termination of the Order Form and End User License Agreement with Legal Files Software, Inc. for Case Management Software for the City Attorney's Office and Authorize the City Attorney to Terminate Same
- Attachments:** [Legal Files Software Contract](#)
[Invoice - Legal Files Software](#)
- H. [21-0079](#) Approve the Aquatic Examiner Service Agreement with the American Red Cross for a Twelve Month Term
- Attachments:** [American National Red Cross Aquatic Examiner Service Agreement](#)
[American National Red Cross Aquatic Examiner Service Agreement- Appendix](#)
[American National Red Cross Aquatic Examiner Service Agreement- Appendix](#)
[American National Red Cross Aquatic Examiner Service Agreement- Price List](#)
[Florida Department of Corp - American National Red Cross](#)
[American National Red Cross Competitive Exemption](#)

- I. [21-0081](#) Approve the First Amendment to City of North Port, Florida and North Port Health Investors, LLC Water and Wastewater System Developer's Agreement.
- Attachments:** [Amendment to Standard Developer's Agreement](#)
[Standard Developer's Agreement](#)
- J. [21-0092](#) Approve the Municipal Election Agreement between the City of North Port and the Sarasota County Supervisor of Elections for the March 9, 2021 City of North Port Special Election
- Attachments:** [Agreement](#)
- K. [21-0093](#) Ratification of Vaccination Site Agreement (COVID-19) for Closed Point of Administration Between State of Florida Department of Health Sarasota County Health Department and City of North Port
- Attachments:** [Vaccination Site Agreement for Closed Point of Administration.pdf](#)
- L. [21-0098](#) Approve Parks and Recreation Advisory Board Member, James Hersh, to Serve as the Representative on the Sarasota County Parks Advisory and Recreation Council
- Attachments:** [December 17, 2020 Parks and Recreation Advisory Board Minutes](#)
[Ordinance No 2014-14](#)
- M. [21-0049](#) Accept the Cash Receipts Summary Report for November 2020
- Attachments:** [Cash Receipts Summary - November 2020](#)
- N. [GEN-20-237](#) Grant Consent to the Acquisition of Real Property by the West Villages Improvement District for Parcel Identification Numbers 0799001003, 0801001100, 0799001000, and 0809001000 Related to the West Villages Parkway Extension
- Attachments:** [Consent to Acquisition of Real Property](#)
[GEN-20-237 Staff Report](#)
- O. [CCSAP-20-267](#) Approve Awarding Funds from the Special Event Assistance Program to the Southwest Florida Water Polo Foundation in the Amount of \$500.00 to Cover the Costs of City Fees and/or Resources Associated With the February 13-14, 2021, Dare to Dream Festival
- Attachments:** [Application for Assistance](#)
[Rental Receipt](#)
[Community Assistance Fund Tracking Sheet](#)
[Resolution 2018-R-17, Adopted Special Event Assistance Program Application :](#)

- P. [21-0120](#) Approval of Minutes for the November 10, 2020 Commission Regular Meeting, November 14, 2020 Commission Special Meeting, November 24, 2020 Commission Regular Meeting, December 3, 2020 Commission Special Meeting, December 7, 2020 Commission Workshop Meeting, and December 8, 2020 Commission Regular Meeting.

Attachments: [11-10-2020 Commission Regular Meeting](#)
[11-14-2020 Commission Canvas of Election Minutes](#)
[11-24-2020 Commission Regular Meeting](#)
[12-03-2020 Commission Special Meeting](#)
[12-07-2020 Commission Workshop](#)
[12-08-2020 Commission Regular Meeting](#)

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [21-0067](#) North Port High School Vice-Principal, Julie King: North Port High School PRIDE/HERO and Visual & Performing Arts Programs

Attachments: [North Port High School PRIDE/HERO Program Donation Information](#)
[North Port High School Visual and Performing Arts Program Information](#)

- B. [21-0075](#) Acting Public Works Director, Monica Bramble: Department of Public Works Annual Update Presentation

Attachments: [Department of Public Works Presentation](#)

- C. [21-0105](#) Fournier, Connolly, Shamsey, Mladinich & Polzak, P.A., Joe Polzak: Regulating Public Space, Including Personal Items Stored on Public Property, Rules for Use of Government Property (Facilities Rules), and Unlawful Use of Public Property

6. PUBLIC HEARINGS:

ORDINANCE - First Reading:

- A. [ORD. NO. 2021-01](#) An Ordinance of The City of North Port, Florida, Prohibiting Certain Conduct at City Facilities and City Parks by Amending the Code of The City of North Port, Florida, to Create Section 46-1- City Facilities Rules and to Repeal Section 50-2- Park Property; Providing for Conflicts: Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments: [Ordinance - City Facility Rules](#)

- B.** [ORD. NO. 2021-02](#) An Ordinance of The City of North Port, Florida, Amending the Code of the City of North Port, Florida to Establish a Process and Authorize City Law Enforcement Officers to Trespass an Individual from Public Property, by Creating Section 46-2 – Trespass Warnings on Public Property; Providing for Conflicts; Providing for Severability; Providing for Codification ; and Providing an Effective Date.
- Attachments:** [Ordinance - Trespass on Public Property](#)
 [Ordinance No. 2021-02 - Trespass on Public Property](#)
- C.** [ORD. NO. 2021-03](#) An Ordinance of the City of North Port, Florida, Regulating the Storage and Removal of Personal Property by Amending the Code of the City of North Port, Florida, by Creating Section 46-3 - Storage and Removal of Personal Property; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing and Effective Date.
- Attachments:** [Ordinance 2021-03 - Storage of Personal Property - Final4817-4923-5668](#)
- D.** [ORD. NO. 2021-05](#) An Ordinance of the City of North Port, Florida, Reorganizing Chapter 46 of the Code of the City of North Port, Florida, by Moving and Renumbering Section 46-89, Entitled "Curfew for Underage Persons and Parental Responsibilities," to Appear as a New Section 46-19; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.
- Attachments:** [First Reading - Ordinance 2021-05. Regulating Presence of Minors in Public Pla](#)
 [Second Reading - Ordinance 2021-05. Regulating Presnece of Minors in Public](#)
 [Florida Statutes Sections 877.20 through 877.25](#)
- E.** [ORD. NO. 2021-04](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Chapter 3, Article I. – Economic Development Ad Valorem Tax Exemption, to Renew the City’s Authority to Grant Exemptions Consistent with the Results of the November 2020 Referendum and to Make Consistent with Florida Law; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.
- Attachments:** [Ordinance No. 2021-04. Economic Development Tax Exemption. First Reading](#)
 [F.S. 196.1995](#)
 [Ordinance No. 2021-04. Economic Development Tax Exemption. Second Reading](#)

- F. [ORD. NO. 2021-10](#) An Ordinance of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2020-21 by Transferring \$473,500 from the General Fund Balance for Operation of Parks, Recruitment of City Manager, and Maintenance Van and by Increasing the Revenues in the Self Insurance Medical Fund by \$38,170; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Ordinance No. 2021-10 First Reading](#)
[General Fund fund balance report](#)
[Parks and Recreation breakdown of additional costs](#)
[Ordinance No. 2021-10 Second Reading](#)

- G. [ORD. NO. 2021-11](#) An Ordinance of the City of North Port, Florida, Amending Section 2-81 of the Code of the City of North Port, Florida, Relating to Notice Procedures for Aggrieved or Adversely Affected Persons for Quasi-Judicial Proceedings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments: [Ordinance No. 2021-11 Notice Procedures. First Reading](#)
[Ordinance No. 2021-11 Notice Procedures. Second Reading](#)

- H. [ORD. NO. 2021-12](#) An Ordinance of the City of North Port, Florida, Designating the City Seal and Repealing Section 2-4 – City Seal of the Code of the City of North Port, Florida; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Attachments: [Ordinance](#)
[Commission Direction](#)

PETITION:

- I. [CC PLF-20-159](#) Approve PLF-20-159, Tortuga Subdivision Final Plat (QUASI-JUDICIAL)

Attachments: [Plat, Tortuga](#)
[Staff Report with Exhibits](#)
[Ex Parte Communications](#)

- J. [CC DMA-20-142](#) Approve DMA-20-142, Cedar Grove Phases 2A, 2B, and 2C, Development Master Plan Amendment (QUASI-JUDICIAL)

Attachments: [Development Master Plan Amendment](#)
[Staff Report with Exhibits](#)

- K. [CC](#) [DMA-20-143](#) Approve DMA-20-143, Cypress Falls Phase 2E Development Master Plan Amendment (QUASI-JUDICIAL)
- Attachments:** [Development Master Plan Amendment](#)
[Staff Report with Exhibits](#)
[Cypress Falls 2E Lighting \(ULDC design\)](#)
[Cypress Falls 2E Lighting \(proposed design\)](#)

RESOLUTION:

- L. [RES. NO.](#) [2021-R-01](#) A Resolution of the City of North Port, Florida, Appointing James Toale to the Position of Hearing Officer with the Authority to Hear and Decide Matters Related to Enforcing the City's Codes, as well as Zoning-Related Matters; Incorporating Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.
- Attachments:** [Resolution 2020-R-01 - Appointment of Hearing Officer](#)
[James Toale Response to RFP 2015-31](#)
[James Toale Confirmation of Interest](#)
[Florida Bar Member Profile – James Toale](#)
- M. [RES. NO.](#) [2021-R-04](#) 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
- Attachments:** [Resolution](#)

7. GENERAL BUSINESS:

- A. [20-2969](#) Discussion and Possible Action Regarding Appointment of Kathleen Garrity and Philip Lamade as the Alternate I and Alternate II Members on the Planning and Zoning Advisory Board to Serve a Term from January 12, 2021 to January 21, 2025
- Attachments:** [Applications and Backup](#)
- B. [21-0052](#) Discussion and Possible Action Regarding Potential Partnership with Kiwanis for Marriage Vow Renewal Event
- C. [21-0068](#) Discussion and Possible Action Regarding the Possible Rental of Al Goll Community Center
- D. [21-0069](#) Discussion and Possible Action Regarding the Location of a Cemetery in North Port
- Attachments:** [Cemetery Research Memorandum](#)

- E. [21-0070](#) Discussion and Possible Action Regarding Amending the City Charter to Remove Language that Requires City Commission Approval of All Contracts, and Establishing Contract Approval Criteria by Ordinance

Attachments: [City Charter Section 9.05 \(l\) Powers and Duties of the City Manager](#)

8. PUBLIC COMMENT:

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9. COMMISSION 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.