



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Agenda City Commission Regular Meeting

CITY COMMISSIONERS

Alice White, Mayor

Phil Stokes, Vice Mayor

Pete Emrich, Commissioner

Barbara Langdon, Commissioner

Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Jerome Fletcher, City Manager

Amber L. Slayton, City Attorney

Heather Faust, City Clerk

Tuesday, November 28, 2023

6:00 PM

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. [23-0449](#) Current Advisory Board and Committee Vacancies

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [23-1565](#) Sarasota County Commissioner Ron Cutsinger Update to the North Port City Commission.

5. 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. [23-1458](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Thompson Pump and Manufacturing Company, Inc. to Perform Emergency Restoration to the City's Lift Station Under Purchase Order 050225 in an Amount Not to Exceed \$17,194.82.

Attachments:

[Emergency Term Forms](#)

[Emergency Procurement Request](#)

[Procurement Summary Memorandum](#)

[Non-Competitive Procurement Justification Memorandum](#)

[Purchase Order](#)

[Florida Division of Corporations Document](#)

- B. [23-1478](#) Approve the Axon Master Services and Purchasing Agreement for Agency, Axon Quote Q-478154-45232.739GM, Axon Quote Q-514095-45232.745GM, Axon Quote Q-485111-45232.665GM, Axon Quote Q-485122-45232.665GM, Axon Quote Q-485136-45232.666GM, Axon Quote Q-485141-45232.666GM, Axon Quote Q-485196-45232.667GM, Axon Quote Q-485210-45232.667GM, Axon Quote Q-485223-45232.667GM, Axon Quote Q-485234-45232.667GM, and Axon Quote Q-485259-45232.668GM, for Police Equipment at a Total Cost of \$9,142,428.26 Over a Ten-Year Term.

Attachments: [Axon Quote Q-478154-45232.739GM](#)
[Axon Quote Q-485111-45232.665GM](#)
[Axon Quote Q-485122-45232.665GM](#)
[Axon Quote Q-485136-45232.666GM](#)
[Axon Quote Q-485141-45232.666GM](#)
[Axon Quote Q-485196-45232.667GM](#)
[Axon Quote Q-485210-45232.667GM](#)
[Axon Quote Q-485223-45232.667GM](#)
[Axon Quote Q-485234-45232.667GM](#)
[Axon Quote Q-485259-45232.668GM](#)
[Axon Quote Q-514095-45232.745GM](#)
[Axon Master Services and Purchasing Agreement for Agency](#)
[Axon Online Support Platforms Terms of Use Appendix](#)
[Axon Payment Schedule](#)
[Fleet Statement of Work Between Axon Enterprise and Agency](#)
[Sole Source Procurement Form](#)
[Sole Source Letter - Taser](#)
[Sole Source Letter - Axon Brand Products](#)
[Florida Division of Corporations Document](#)

- C. [23-1527](#) Approve the Application to the Florida Legislature for the Price Boulevard Mitigation and Mobility Project for Consideration in the Fiscal Year 2024 State of Florida Appropriations in the amount of \$2.8 million, 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: [Senate Local Funding Initiative Request Form FY 2024-25](#)
[House Appropriations Project Request Form FY 2024-25](#)

- D. [23-1529](#) Approve the Application to the Florida Division of Emergency Management Hazard Mitigation Assistance Grant for City Hall Hardening in the Estimated Amount of \$3.5 Million 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: [Application](#)

- E. [23-1547](#) Approve the Appointment of Verna McGinn as a Regular Member of the Art Advisory Board, to Serve a Term From November 28, 2023, to November 28, 2026.

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

- F. [23-1560](#) Approve Work Assignment No. 2024-04 with Black and Veatch Corporation to Complete Asset Management Phase I for the Amount of \$478,437.00.

Attachments: [Work Assignment with Scope and Fee Schedule](#)
[Continuing Contract No. 2020-58-04](#)
[Florida Division of Corporations Document](#)

- G. [23-1577](#) Approve Contract No. 2023-40.001 for Inflow and Infiltration Rehabilitation with Engineering Coating Solutions, LLC Based on Unit Pricing; Approve Contract No. 2023-40.002 for Inflow and Infiltration Rehabilitation with Atlantic Pipe Services, LLC Based on Unit Pricing; Approve Contract No. 2023-40.003 for Inflow and Infiltration Rehabilitation with Miller Pipeline, LLC Based on Unit Pricing; Approve Contract No. 2023-40.004 for Inflow and Infiltration Rehabilitation with National Water Main Cleaning Company Based on Unit Pricing; and for All of the Contracts Listed Above, Authorizing the City Manager or Designee to Approve Work Assignments up to \$100,000 as Needed, Consistent with the Approved Budget.

Attachments: [Contract No. 2023.40.001](#)
[Contract No. 2023.40.002](#)
[Contract No. 2023.40.003](#)
[Contract No. 2023.40.004](#)
[Notice of Intent to Award](#)
[Award Recommendation Memo](#)
[Bid Tabulation](#)
[RFB Submittal by Engineered Coating Solutions](#)
[RFB Submittal by Atlantic Pipe Services](#)
[RFB Submittal by Miller Pipeline](#)
[RFB Submittal by National Water Main Cleaning Company](#)
[RFB No. 2023-40 and Addendum](#)
[Florida Division of Corporations Document](#)

- H. [23-1579](#) Approve the October 24, 2023 Commission Regular Meeting Minutes

Attachments: [Minutes](#)

- I. [23-1583](#) Approve the Statement of Work Between the City of North Port and CivicPlus, LLC for Annual Recurring Supplement Services Relative to the Code of the City of North Port, Florida, and Unified Land Development Code in the Amount of \$13,690.

Attachments: [Statement of Work](#)

- J. [23-1621](#) Approve the Memorandum of Understanding By and Between the Sarasota County Sheriff's Office and the City of North Port, Florida and

the North Port Police Department for Employee Participation in the Sheriff's Underwater Recovery Force Unit.

Attachments: [Memorandum of Understanding](#)

- K.** [23-1626](#) Approve Modification Number Five to the Sub-Grant Agreement Between the State of Florida Division of Emergency Management and the City of North Port Relating to Contract Number H0131, Hazard Mitigation Grant Program and City Hall Generator Project, Extending the Period of Agreement to February 28, 2024.

Attachments: [Modification No. 5 to Sub-Grant Agreement](#)
[Modification No. 4 to Sub-Grant Agreement](#)
[Modification No. 3 to Sub-Grant Agreement](#)
[Modification No. 2 to Sub-Grant Agreement](#)
[Modification No. 1 to Sub-Grant Agreement](#)
[FEMA Generator Grant H0131 Contract](#)

- L.** [23-1653](#) Approve the Appointment of Yeonho Kang as a Youth Member of the Art Advisory Board, to Serve a Term From November 28, 2023, to November 28, 2024.

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

- M.** [23-1655](#) Approve Work Assignment 2023-03PZ with Pritchett Steinbeck Group Inc. for the Activity Center 3 (Gateway) Master Plan, Amount Not to Exceed \$200,000.

Attachments: [Work Assignment with Scope and Fee Schedule](#)
[RLI Response Review and Selection](#)
[Pritchett Steinbeck Group Inc. Submittal](#)
[Request for Letters of Interest](#)
[Continuing Contract No. 2022-13-03](#)
[Florida Division of Corporations Document](#)
[April 11, 2023 City Commission Meeting Minutes](#)

- N.** [23-1662](#) Approve the November 2, 2023 Commission Regular Meeting Minutes

Attachments: [Minutes](#)

6. PUBLIC HEARINGS:

Petition:

- A.** [CC](#)
[PLF-23-097](#) Consideration of Petition No. PLF-23-097, Eagle Bend Final Plat (QUASI-JUDICIAL).

Attachments: [Plat](#)
[Staff Report with Exhibits](#)
[PZAB Action Report](#)

ORDINANCE - Second Reading:

- B. [ORD. NO.](#) An Ordinance of the City of North Port, Florida, Amending the Future
[2023-25](#) Land Use from Agricultural, Estates to Industrial for a +/- 55.02 Acre
Area and to High Density Residential for a +/- 262.34 Acre Area
Generally Located North of Interstate 75 and East of Toledo Blade
Boulevard; Amending the City of North Port Comprehensive Plan
Chapter 2, Future Land Use Map 2-7; Providing for Findings; Providing
for Adoption; Providing for Transmittal of Documents; Providing for
Conflicts; Providing for Severability; and Providing an Effective Date.
(QUASI JUDICIAL)

Attachments: [Ordinance - Second Reading](#)
[Ordinance - First Reading](#)
[Staff Report with Exhibits](#)
[Survey](#)
[Sketch and Description – Industrial](#)
[Sketch and Description – High Density Residential](#)
[Future Land Use - Parcel](#)
[PZAB Action Report](#)
[Notice of Representation - Weiss Serota](#)
[Notice of Representation - Boone](#)
[Aggrieved Party Request - Price](#)
[Aggrieved Party Request - Beal](#)
[Aggrieved Party Request - Tokarz](#)
[Aggrieved Party - Tokarz Backup](#)
[Aggrieved Party - Price Backup](#)
[Aggrieved Party -Tokarz Presentation](#)
[Aggrieved Party Request - Tokarz obo Martin Moore](#)
[Transmittal Documents Comprehensive Plan Amendment CPAL-22-247](#)
[Comments and Responses](#)
[Ex-Parte Through November 15, 2023](#)
[Additional Ex-Parte Through November 27, 2023.pdf](#)
[Aggrieved Party Request 2023-25](#)

- C. [ORD. NO.](#) An Ordinance of the City of North Port, Florida, Rezoning +/- 55.02
[2023-26](#) Acres Located East of Toledo Blade Boulevard Approximately 1 Mile
North of I-75 in Section 6, Township 39 South, Range 22 East of
Sarasota County as Described in Instrument No. 2023042804 in Official

Records of Sarasota County, from No Zoning Designation District (NZD) Classification to Industrial Light Warehousing District (ILW) District Classification; Amending the Official Zoning Map; Providing for Findings; Providing for Filing of Approved Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.
(QUASI-JUDICIAL)

Attachments:

[Ordinance - Second Reading](#)

[Ordinance - First Reading](#)

[Updated Staff Report with Exhibits](#)

[Staff Report with Exhibits](#)

[PZAB Action Report](#)

[Notice of Representation - Weiss Serota](#)

[Notice of Representation - Boone](#)

[Aggrieved Party Request - Price](#)

[Aggrieved Party Request - Beal](#)

[Aggrieved Party Request - Tokarz](#)

[Aggrieved Party -Tokarz Presentation](#)

[Aggrieved Party Request - Tokarz obo Martin Moore Rezone](#)

[Ex-Parte Through November 15, 2023](#)

[Additional Ex-Parte Through November 27, 2023.pdf](#)

- D. [ORD. NO. 2023-29](#) An Ordinance of the City of North Port, Florida, Establishing a Schedule and Location of City Commission Regular Meetings and Workshops for the 2024 Calendar Year; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments:

[Ordinance - Second Reading](#)

[Ordinance - First Reading](#)

[Business Impact Estimate](#)

- E. [ORD. NO. 2023-30](#) An Ordinance of the City of North Port, Florida, Authorizing a Reasonable Return on Equity from the Ownership and Operation of the City's Utility System; Amending the Code of the City of North Port, Florida, Section 78-22; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments:

[Ordinance - First Reading](#)

[Ordinance - Second Reading](#)

- F. [ORD. NO. 2023-33](#) An Ordinance of the City of North Port, Florida, Prohibiting Smoking at Public Parks; Amending the Code of the City of North Port, Florida to Create a New Section 46-64; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

Attachments: [Ordinance - Third Reading](#)
[Ordinance - First Reading](#)
[Ordinance - Second Reading](#)
[Florida Statutes Section 386.209](#)
[Business Impact Estimate](#)

Resolution:

- G. [RES. NO. 2023-R-45](#) A Resolution of The City of North Port, Florida, Adopting the 2023 Revisions to The City of North Port, Florida Comprehensive Emergency Management Plan as The Formal Guide of The City of North Port's Emergency Management Activities; Incorporating Recitals; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date.

Attachments: [Revised Resolution](#)
[Revised Exhibit A](#)
[Resolution](#)
[Exhibit A](#)
[2023 City of North Port Comprehensive Emergency Management Plan .docx](#)

- H. [RES. NO. 2023-R-82](#) A Resolution of the City Commission of North Port, Florida, Approving and Authorizing the Mayor to Execute the State of Florida Department of Transportation Memorandum of Agreement for Reimbursement of Certain Costs Associated with City's Maintenance, Mowing, and Litter Removal along U.S. Highway 41 from Ortiz Boulevard to the County Line; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date.

Attachments: [Resolution](#)
[Resolution No. 2020-R-42](#)

- I. [RES. NO. 2023-R-74](#) A Resolution of the City Commission of the City of North Port, Florida, Repealing and Replacing Resolution No. 2022-R-66, Temporarily Suspending the Historic and Cultural Advisory Board Until January 1, 2025; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; Providing an Effective Date; and Providing a Sunset Provision.

Attachments: [Resolution](#)
[Resolution No. 2022-R-66](#)
[Commission Direction](#)

- J. [RES. NO. 2023-R-78](#) A Resolution of the City Commission of the City of North Port, Florida, Adopting a Payment in Lieu of Taxes Charged in Addition to the Water Base Facility Charge, Water Consumption Charge and Bulk Water Charge; Providing for Incorporation of Recitals; Providing for Adoption of Payment in Lieu of Taxes; Providing for Exclusions to Payment in Lieu of Taxes; Providing for Conflicts; Providing for Severability; and

Providing an Effective Date.

Attachments: [Resolution](#)

- K. [RES. NO. 2023-R-85](#) A Resolution of the City Commission of the City of North Port, Florida, Approving a Subordination 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](#)

7. 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.)

8. COMMISSION COMMUNICATIONS:

- A. [23-1636](#) Commissioner Langdon's Communications
- B. [23-1637](#) Mayor White's Communications
- C. [23-1639](#) Commissioner McDowell's Communications
- D. [23-1640](#) Vice Mayor Stoke's Communications
- E. [23-1638](#) Commissioner Emrich's Communications

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [23-1680](#) City Manager Monthly Report
- Attachments:** [City Manager Report November 2023](#)
- B. [23-1659](#) City Attorney's Monthly Report
- Attachments:** [Commission Directives](#)
 [Matter List \(redacted\)](#)
- C. [23-0435](#) City Clerk's Monthly Report
- Attachments:** [Closed Status Chart](#)
 [Open Request Chart](#)
 [FY Request Log](#)
 [Commission Update](#)

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.