



# 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, September 10, 2024

10:00 AM

City Commission Chambers

---

**Amended to remove time certain from presentation Item No. 24-0854, amended to add Item No. 24-1356, and amended to update Ord. No. 2024-34.**

**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. [24-0217](#) Announcement of Current Advisory Board and Committee Vacancies

**Attachments:** [Vacancy List](#)

- B. [24-0518](#) Review of Advisory Board Recommendations and Possible Direction Regarding Placement on a Future Agenda for Discussion Including 1. Environmental Advisory Board - Trees for Carbon Sequestration 2. Parks & Recreation Advisory Board - Parks Master Plan Funding.

**Attachments:** [EAB - Trees for Carbon Sequestration](#)  
[P&R - Parks Master Plan Funding](#)

**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. [24-0827](#) Approve Second Amendment to Construction Manager at Risk Contract No. 2023-17.002 for Construction Services Contract Phase II with Halfacre Construction Company in the Amount of \$13,683.63, for Roof Repairs on the Two (2) North Port Boulevard Gazebos.

**Attachments:** [Second Amendment to Contract](#)  
[First Amendment to Contract](#)  
[Contract](#)  
[Memo Waive Bond](#)  
[Florida Division of Corporations Document](#)

- B. [24-0934](#) Approve Motorola Solutions Customer Agreement and Addenda, Ordering Documents, and Contract Terms Acknowledgement with Vigilant Solutions, LLC for Motorola License Plate Reader Products and Services.

**Attachments:**      [Contract Terms Acknowledgement](#)  
[Contract Terms Acknowledgement \(2023\)](#)  
[Master Customer Agreement](#)  
[Division of Corporations - Motorola Solutions, Inc.](#)  
[Division of Corporations - Vigilant Solutions, LLC](#)

- C.      [24-1082](#)      Approve the Bradenton Police Department Subrecipient Agreement for the High Intensity Drug Trafficking Areas Program (HIDTA) to Assist With Funding Involved With Narcotics Related Investigations and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents, After Legal Review.

**Attachments:**      [Subrecipient Agreement](#)

- D.      [24-1104](#)      Accept the Cash Receipts Summary Report for June 2024.

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

- E.      [24-1153](#)      Approve the Lease and Use Agreement for Radio Antennas on City-Owned Property Between the City of North Port and Community Broadband Radio Association, Inc. for Space at the Public Works Administration Building and City Hall

**Attachments:**      [Lease and Use Agreement](#)  
[Florida Division of Corporations Document](#)

- F.      [24-1164](#)      Approve the Award of Funds from the Special Event Assistance Program to The Environmental Conservancy of North Port, Inc. in Support of the Race to Conserve 5K to be Held on March 29, 2025, in an Amount up to, and Not to Exceed, \$500 to Cover the Costs of City Fees and Services.

**Attachments:**      [Application for Assistance](#)  
[Fee Overview](#)  
[Community Assistance Account Overview FY2025](#)  
[Resolution 2018-R-17](#)

- G.      [24-1169](#)      Approve the July 24, 2024 Commission Budget Workshop Meeting Minutes

**Attachments:**      [Minutes](#)

- H.      [24-1182](#)      Approve the Collective Bargaining Agreement Between the City of North Port and the Suncoast Professional Firefighters & Paramedics, Local No. 2546, I.A.F.F.

**Attachments:**      [Agreement](#)  
[Strikethrough Tentative Agreement](#)

- I.      [24-1201](#)      Accept the Cash Receipts Summary Report for July 2024.

**Attachments:** [Cash Receipts Summary - July 2024](#)

- J. [24-1226](#) Approve the Digital Assurance Certification (DAC) Pricing Agreement SEC Post-Issuance Compliance and Repository Services for Compliance and Repository Services, Investor Relations Services, and Compliance Certifications in the Initial Amount of \$3,500.

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

- K. [24-1289](#) Approve Second Amendment to Construction Manager at Risk Contract No. 2023-17.001 for Construction Services Contract Phase II with Wharton-Smith, Inc., in the Amount of \$362,321.00, for Fire Station 82 and Police Substation Repairs.

**Attachments:** [Second Amendment to Contract](#)  
[Contract No. 2023-17.001](#)  
[Florida Division of Corporations Document](#)

- L. [24-1290](#) Approve Third Amendment to Construction Manager at Risk Contract No. 2023-17.001 for Construction Services Contract Phase II with Wharton-Smith, Inc., in the Amount of \$282,125.00, for Fire Station 84 Repairs.

**Attachments:** [Third Amendment to Contract](#)  
[Contract No. 2023-17.001](#)  
[Florida Division of Corporations Document](#)

- M. [24-1293](#) Approve Fourth Amendment to Construction Manager at Risk Contract No. 2023-17.001 for Construction Services Contract Phase II with Wharton-Smith, Inc., in the Amount of \$186,595.00, for Fire Station 83 Repairs.

**Attachments:** [Fourth Amendment to Contract](#)  
[Contract No. 2023-17.001](#)  
[Florida Division of Corporations Document](#)

- N. [24-1330](#) Approve the Agreement for Shared Emergency Management Information Broadcast Services Between the City of North Port, Florida, and Community Broadband Radio Association, Inc., a Florida Not-for-Profit Corporation Known as WKDW Radio.

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

- O. [24-1332](#) Approve the Appointment of Dawn Rivera as a Regular Member of the Art Advisory Board, to Serve a Term From September 10, 2024, to September 10, 2027.

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

- P. [24-1333](#) Approve the Appointment of Kathy Garrity as a Alternate of the Parks & Recreation Advisory Board, to Serve a Term From September 10, 2024, to September 10, 2027.

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

- Q. [24-1334](#) Approve the Appointment of Lynn Leboutiller as a Regular Member of the Citizen Tax Oversight Committee, to Serve a Term From September 10, 2024, to September 10, 2027.

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

- R. [24-1337](#) Approve the Reappointment of Howard Bearse as a Regular Member of the Municipal Firefighters Pension Trust Fund Board, to Serve a Third Term From September 10, 2024, to September 10, 2026.

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

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

- A. [24-0854](#) Presentation of the Geotechnical Engineering and Investigation Survey Completed at Warm Mineral Springs Park by Ardaman & Associates, Inc.

**Attachments:** [Presentation](#)  
[July 3, 2024 WMS Geotechnical Investigation Report](#)  
[May 28, 2024 Draft Microgravity Survey](#)  
[February 2, 2024 Letter to WMS Development Group](#)  
[September 12, 2023 Commission Minutes](#)  
[Work Assignment 2023-11](#)  
[Geotechnical Services](#)  
[Continuing Contract No. 2020-58-01](#)

#### **6. GENERAL BUSINESS: TIME CERTAIN AT 1:00P.M.**

- A. [24-0997](#) Discussion and Possible Action Regarding Warm Mineral Springs Park Phase I Cost Estimates, Review of Insurance Options, and Potential Next Steps for Phase II Improvements

**Attachments:**      [Presentation](#)  
[Historic Alliance Memo](#)  
[Preservation Brief 31-Mothballing buildings](#)  
[WM19BR Project Activity Summary](#)  
[Warm Mineral Springs \(125\) Fund Balance Analysis](#)  
[5-28-2024 City Commission Regular Meeting Minutes](#)  
[3-05-2024 City Commission Regular Meeting Minutes](#)

## **7. PUBLIC HEARINGS:**

### **PETITION:**

- A.      [CC](#)                      Consideration of Petition DMP-24-080, Sarasota Memorial Hospital  
[DMP-24-080](#)              (SMH) at Sumter Development Master Plan (QUASI-JUDICIAL)
- Attachments:**      [Staff Report with Exhibits](#)  
[Site Plan](#)  
[Staff Presentation](#)  
[Notice of Representation](#)

### **ORDINANCE - FIRST READINGS:**

- B.      [ORD. NO.](#)              An Ordinance of the City of North Port, Florida, Amending the Code of the  
[2024-34](#)                      City of North Port, Florida, Appendix A – City Fee Structure; Amending  
City-Wide Fees, Development Services Fees, Fire Rescue District Fees,  
Police Fees, Parks and Recreation Fees, Solid Waste Fees, Utilities  
Fees, Road and Drainage District Fees, and Social Services Fees;  
Providing for Findings; Providing for Conflicts; Providing for Severability;  
Providing for Codification; and Providing an Effective Date.
- Attachments:**      [Ordinance - First Reading](#)  
[Summary of FY 2024-2025 Proposed Fee Changes](#)  
[Business Impact Estimate](#)
- C.      [ORD. NO.](#)              An Ordinance of the City of North Port, Florida, Updating References to the  
[2024-33](#)                      City Fee Schedule Throughout the Code of the City of North Port, Florida  
and Unified Land Development Code; Removing References to Specific  
Dollar Amounts for Fees in Article IX, Code Enforcement, of Chapter 2,  
Administration, of the Code of the City of North Port, Florida; Providing for  
Findings; Providing for Conflicts; Providing for Severability; Providing for  
Codification; and Providing an Effective Date.
- Attachments:**      [Ordinance - First Reading](#)  
[Business Impact Estimate](#)
- D.      [ORD. NO.](#)              An Ordinance of the City of North Port, Florida, Adopted as a Curative Law  
[2024-35](#)                      to Ratify, Validate, and Confirm all Resolutions that Adopted or Amended

the City's Non-District Budget and/or the Capital Improvement Budget for Fiscal Years 2021-2022, 2022-2023, and 2023-24; Declaring the Resolutions and the Related Budgetary Actions to be Legal and Valid in all Respects; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Retroactive Application to the Effective Dates of the Referenced Resolutions; and Providing an Effective Date.

**Attachments:** [Ordinance - First Reading](#)

- E. [ORD. NO. 2024-36](#) An Ordinance of the City of North Port, Florida, Amending the Non-District Budget and Capital Improvement Budget for Fiscal Year 2023-2024 for Hurricane Ian Repairs and Environmental Park Repairs in the Amount of \$4,350,302; Providing for Findings; Providing for Posting; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**Attachments:** [Ordinance - First Reading](#)  
[CIP Sheet P17EPI](#)

#### **ORDINANCE - SECOND READING:**

- F. [ORD. NO. 2024-12](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Chapter 58 – Planning and Development, Article III. – Impact Fees; Updating Impact Fee Rate Schedules for the City's Transportation Impact Fees; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

**Attachments:** [Ordinance - Second Reading](#)  
[Ordinance - First Reading](#)  
[Ordinance No. 2021-39](#)  
[Ordinance No. 2020-42](#)  
[Ordinance No. 2019-06](#)  
[Ordinance No. 2014-12](#)  
[Ordinance No. 2012-01](#)  
[Florida Statutes Section 163.31801](#)  
[Transportation Impact Fee Study](#)  
[Business Impact Estimate](#)

#### **RESOLUTIONS:**

- G. [RES. NO. 2024-R-29](#) A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of the Platted Rear 20-foot Maintenance Easement for Lot 2, Block 1604 of the 32nd Addition to the Port Charlotte Subdivision; Providing for Findings; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date (VAC-24-039). (QUASI-JUDICIAL)

**Attachments:**      [Resolution](#)  
[Staff Report with Exhibits](#)  
[Staff Presentation](#)  
[PZAB Action Report 7-11-24](#)

- H.      [RES. NO. 2024-R-31](#)      A Resolution of The City Commission of The City of North Port, Florida, Vacating the Rear Utility and Drainage Easements for Lot 11, Block 1391, 28th 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](#)  
[Staff Presentation](#)  
[PZAB Action Report 7-11-24](#)

- I.      [RES. NO. 2024-R-36](#)      A Resolution of the City Commission of the City of North Port, Florida, Approving and Authorizing the Mayor to Execute the State of Florida Department of Transportation Locally Funded Agreement for the Design of a replacement Bridge No. 175030, Inkwood Drive Bridge over Littlefield Waterway; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

**Attachments:**      [Resolution](#)

- J.      [RES. NO. 2024-R-38](#)      A Resolution of the City Commission of the City of North Port, Florida Authorizing the Issuance of Not Exceeding \$ 60,000,000 in Aggregate Principal Amount of City of North Port, Florida Infrastructure Sales Surtax Revenue Bonds, Series 2024, to Finance Costs of Certain Transportation Related Capital Improvements; Pledging Proceeds of the Local Government Infrastructure Sales Surtax Received by the City and Certain Other Funds to Secure Payment of the Principal of and Interest on Bonds Issued Hereunder; Providing for the Rights of the Holders of Bonds Issued Hereunder; Making Certain Other Covenants and Agreements in Connection with Bonds Issued Hereunder; Authorizing the Awarding of Said Series 2024 Bonds Pursuant to a Public Bid; Delegating Certain Authority to the City Manager for the Award of the Series 2024 Bonds and the Approval of the Terms and Details of Said Series 2024 Bonds; Appointing the Paying Agent and Registrar for said Series 2024 Bonds; Authorizing the Distribution of a Preliminary Official Statement and the Execution and Delivery of an Official Statement with Respect to Such Series 2024 Bonds; Authorizing the Use of an Official Notice of Sale and the Publication of a Summary Thereof; Authorizing the Execution and Delivery of a Continuing Disclosure Certificate for the Series 2024 Bonds; Delegating Authority to the City Manager with Respect to the Potential Procurement of Municipal Bond Insurance for the Series 2024 Bonds; Delegating Authority to the City Manager to Determine the Reserve



Account Requirement for the Series 2024 Bonds and Whether to Utilize a Reserve Account Insurance Policy with Respect Thereto; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**Attachments:**

[Resolution](#)

[Exhibit A - Form of Official Notice of Sale](#)

[Exhibit B - Form of Preliminary Official Statement](#)

[Exhibit C - Form of Continuing Disclosure Certificate](#)

- K. [RES. NO. 2024-R-40](#) A Resolution of the City Commission of the City of North Port, Florida, Approving and Authorizing the Mayor to Execute the State of Florida Department of Transportation Locally Funded Agreement to Provide Funds to the Department to Support the Construction and Construction Engineering Inspection of Both I-75 at Sumter Boulevard and I-75 at Toledo Blade Boulevard Interchange Improvements; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**Attachments:**

[Resolution](#)

[Meeting Minutes - February 6, 2020](#)

- L. [RES. NO. 2024-R-45](#) A Resolution of the City of Commission of the City of North Port, Florida, Providing for the Approval and Execution of the State-Funded Grant Agreements Between the City of North Port and the State of Florida Department of Transportation Regarding the Reconstruction of Drainage Under Price Boulevard at the Blueridge Waterway, MacCaughy Waterway, Lagoon Waterway, and Creighton Waterway; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**Attachments:**

[Resolution](#)

- M. [RES. NO. 2024-R-59](#) A Resolution of the City Commission of the City of North Port, Florida, Stating That the City Has No Objection to Proposed Legislation Amending Chapter 2004-456, Laws of Florida, Which Creates and Governs the West Villages Improvement District; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**Attachments:**

[Resolution](#)

[Legislation Talking Points](#)

**GENERAL BUSINESS - CONTINUED:**

- B. [24-1349](#) Discussion and Possible Action Regarding the City Attorney's Resignation, Including the Potential Appointment of an Interim City Attorney and Filling the Upcoming City Attorney Vacancy

**Attachments:**     [Slayton Resignation Letter](#)  
[Slayton Employment Agreement](#)

- C.     [24-1163](#)     Discussion and Possible Action Regarding Approval to Transition the City of North Port Tribute Program Relating to Tree, Bench and Paver Donations From a City Commission Approved Program to an Administrative Regulation, as Revised.

**Attachments:**     [04-13-15 City Commission Meeting Minutes](#)  
[09-25-18 City Commission Meeting Minutes](#)  
[Ordinance No. 2018-52](#)  
[Veterans Park Advisory Committee 2023 Annual Report](#)  
[04-9-24 City Commission Regular Meeting Minutes](#)  
[Summary of the FY 2024-2025 Proposed Fee Changes](#)  
[7-25-24 Draft City Commission Meeting Minutes](#)  
[Administrative Regulation Revised](#)

- D.     [24-1336](#)     Discussion and Possible Action Regarding Approval of the July 23, 2024, City Commission Regular Meeting Minutes.

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

- E.     [24-1356](#)     Discussion and Possible Action Regarding Adjustment of City Commissioner's Annual Salary.

**Attachments:**     [Ordinance No. 2018-22](#)  
[Section 2-23 Code of the City of North Port](#)  
[2018 and 2021 Compensation Charts](#)  
[Florida Statutes Section 145](#)  
[EDR Salary Publication FY 2023-24](#)  
[Minutes - September 11, 2018](#)  
[Minutes - October 4, 2018](#)

## **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.     [24-0296](#)     Commissioner Emrich's Communications
- B.     [24-0245](#)     Commissioner Langdon's Communications

- C. [24-0264](#) Commissioner McDowell's Communications
- D. [24-1348](#) Vice Mayor Stokes' Communications
- E. [24-0315](#) Mayor White's 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.