



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Agenda

City Commission Regular Meeting

CITY COMMISSIONERS

Christopher B. Hanks, Mayor
Debbie McDowell, Vice-Mayor
Vanessa Carusone, Commissioner
Peter Emrich, Commissioner
Jill Luke, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager
Amber L. Slayton, City Attorney
Kathryn Wong, City Clerk
Heather Taylor, Deputy City Clerk

Tuesday, September 10, 2019

10:00 AM

CITY COMMISSION CHAMBERS

Amended to Add Items 4A, 4B, 4C, and 4I

MEETING PROCEDURE: 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

INVOCATION BY PASTOR MARC KNOEDLER, BETHEL BAPTIST CHURCH AND 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. This comment period shall be limited to three (3) minutes to speak. If there is insufficient time to hear all speakers, the City Commission will hear those wishing to address them, and who have completed speaker cards during the second Public Comment Section.)

3. ANNOUNCEMENTS

- A. [19-0960](#) Current Vacancies for Boards and Committees and Upcoming Expiration Dates for Boards and Committees.

Attachments: [Current Vacancies for Boards and Committees and Upcoming Expiration Dates](#)

4. GENERAL BUSINESS:

- A. [19-0954](#) Discussion and Possible Action Related to the Submissions Received from the Advisory Boards for a Tribute/Infinity Wall, Bricks or Artwork Display at the North Port Aquatic Center

Attachments: [Advisory Board Ideas and Suggestions](#)
[NPAC Layout and Amenities](#)

- B. [19-0772](#) Discussion and Possible Action Regarding the Use of Single Use Plastics at City facilities and Functions

Attachments: [Memorandum from David Jayroe, Environmental Advisory Board Staff Liaison](#)

- C. [19-0969](#) Discussion and Possible Action Regarding Memorandums from the Environmental Advisory Board Related to General Board Action and Recommendations Including but not Limited to: Aquatic Plant Management and Spraying; Purchase of Conservation Land; Single-Use Plastics; and Code Provisions Related to Scrub Jays, Gopher Turtles, and Environmental Studies.

Attachments: [EAB Memo 4-18-19](#)
[EAB Memo 5-14-19](#)
[EAB Memo 6-3-19](#)
[EAB Memo 7-29-19](#)
[EAB Memo 8-15-19](#)

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. [19-0794](#) Appoint Jamie Nicastro as a Regular Member of the Art Advisory Board.

Attachments: [Application and Backup Material](#)

- B. [19-0795](#) Appoint Jerry Nicastro as a Regular Member of the Planning & Zoning

Advisory Board.

Attachments: [Application and Backup Material](#)

- C. [19-0810](#) Appoint Jodie Vaughn as the Higher Education/School Board Representative on the Community Economic Development Advisory Board.

Attachments: [Application and Backup Material](#)

- D. [19-0834](#) Appoint William Gunnin as the Public Relations Representative on the Community Economic Development Advisory Board.

Attachments: [Application and Backup Material](#)

- E. [19-0813](#) Appoint Cynthia Vardell as a Regular Member to the Beautification & Tree/Scenic Highway Committee

Attachments: [Application and Backup Material](#)

- F. [19-0947](#) Appoint James Bonsky to the Zoning Board of Appeals for a Second Term to be Effective September 13, 2019.

Attachments: [Application and Backup Material](#)

- G. [19-0961](#) Approval of Minutes for the July 9, 2019 Commission Regular Meeting, July 11, 2019 Commission Special Meeting, July 16, 2019 Commission Budget Workshop Meeting, July 17, 2019 Commission Budget Workshop Meeting, July 18, 2019 Commission Special Meeting, July 23, 2019 Commission Regular Meeting, July 23, 2019 Commission Regular Meeting.

Attachments: [07-09-2019 Minutes](#)

[07-11-2019 Minutes](#)

[07-16-2019 Commission Workshop Minutes](#)

[07-17-2019 Commission Workshop Minutes](#)

[07-18-2019 Minutes](#)

[07-23-2019 1:00 pm Minutes](#)

[07-23-2019 6:00 pm Minutes](#)

- H. [19-0805](#) Accept the Cash Receipts Summary Report for June 2019

Attachments: [Cash Receipts Summary 063019](#)

- I. [19-0506](#) Approve Grant Application to the Florida Division of Historic Resources in an Amount of \$500,000 for the Rehabilitation of the Warm Mineral Springs Cyclorama

Attachments: [Grant Application](#)

- J. [19-0625](#) Approve the Disposition of Surplus Assets and Recommended Method of Disposal dated September 2019, 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 of Disposal](#)
[City of North Port Property Disposal Forms](#)
[Mechanics Vehicle Inspection forms](#)
[Equipment & Fleet Vehicle Replacement Score Sheet](#)

- K. [19-0760](#) Approve Application and Acceptance of the Award of the Edward Byrne Memorial Justice Assistance Grant (JAG) in the Amount of \$6,978 for the Purchase of Mini-First Aid Trauma Kits for Police Officers

Attachments: [FY 2018 Edward Byrne Memorial Justice Assistance Grant Program JAG Direct](#)
[Byrne Grant Application](#)
[Byrne Grant Subaward Management Capabilities and Compliance Questionnaire](#)
[FY 2018 JAGD Allocations](#)
[Quotes for Byrne Grant](#)

- L. [19-0837](#) Approve the 2019 Amended and Restated Utilities Agreement between the City of North Port, West Villages, LLLP and the West Villages Improvement District

Attachments: [2019 Amended and Restated Utility Agreement](#)
[2005-03-29 Interim Agreement - Signed](#)
[2007-02-23 Amended Restated Agreement](#)
[2008-05-29 First Amendment](#)
[2009-06-23 Second Amendment](#)
[2010-08-10 Third Amendment](#)
[2010-09-13 Fourth Amendment](#)

- M. [19-0845](#) Approve the Award of RFB No. 2019-70, Biosolids Hauling, Disposal and Backup Dewatering, to Synagro South, LLC for Services on an As-Needed Basis, for an Annual Estimated Amount of \$191,250.00.

Attachments: [Notice of Intent to Award](#)
[Award Recommendation Memo](#)
[Bid Tabulation](#)
[RFB Submittal by Synagro South LLC](#)
[RFB No. 2019-70 and Addendum](#)
[Florida Division of Corporations Document](#)

- N. [19-0847](#) Approve the Sole Source Purchase of Neptune AMR Water Meters, Reading Equipment, Software, and Repair and Maintenance Services from Sunstate Meter & Supply, Inc. on an As-Needed Basis for an Annual Estimated Amount of \$824,970.00 for FY 2019-20.

Attachments: [Sole Source Procurement Request Form](#)
[Manufacturer Sole Source Letter](#)
[Vendor Pricing 2019-2020](#)
[Florida Division of Corporations Document](#)

- O. [19-0848](#) Approve the Utilization of City of Sarasota Agreement for Analytical Laboratory Services with Benchmark Enviroanalytical, Inc. for Services Per Unit Pricing, on an As-Needed Basis, for an Annual Estimated Amount of \$145,080.00 for FY 2019-20.

Attachments: [Procurement Exemption Request Form](#)
[First Extension of Agreement of Analytical Laboratory Services](#)
[City of Sarasota Agreement for Analytical Laboratory Services](#)
[Bid Tabulation](#)
[Benchmark Enviroanalytical, Inc Bid Submittal](#)
[City of Sarasota Invitation to Bid 18-08BK](#)
[Florida Division of Corporations Document](#)

- P. [19-0927](#) Approve Utilization of Florida Sheriffs Association Contract FSA18-VEL 26.0, City of Cape Coral Contract CON-PW18-10MM and Existing Visa Approval for the Purchase of One Police Vehicle, Emergency Vehicle Associated Equipment and Graphics, and Painting for a Total of \$42,348.55.

Attachments: [Exemptions Form - Garber Ford Inc](#)
[Exemptions Form - Lightning Wireless Solutions, Inc](#)
[Lightning Wireless Solutions, Inc Quote](#)
[Garber Ford Inc Quote](#)
[Matthews-Currie Ford Quote](#)
[Florida Sheriffs Association Contract](#)
[City of Cape Coral Contract](#)
[Purchase Comparison](#)
[Vehicle Overview](#)
[City of North Port Memorandum](#)
[Florida State Division of Corporations - Garber Ford Inc](#)
[Florida State Division of Corporations - Lightning Wireless Solutions, Inc.](#)
[Florida State Division of Corporations - Matthews-Currie Ford](#)

- Q. [19-0946](#) Approve Project Application Submission for the Southwest Florida Water Management District FY 2021 Cooperative Funding Initiative and Acceptance, if Applicable, of Grant Funding for the North Port Water Distribution System Looping and Direct Potable Reuse Feasibility Study Projects

Attachments: [Funding and Ranking Letter for City Manager Signature](#)
[Draft Cooperative Funding Initiative Application - Water Distribution System Loo](#)
[Draft Cooperative Funding Initiative Application - Direct Potable Reuse Feasibili](#)

- R. [19-0958](#) Approve Renewal of Property and Casualty Insurance and Risk Management Servies, and Accidental Death & Dismemberment (AD&D) Insurance with Public Risk Insurance Advisors (PRIA) for FY 2019/2020 in the Budgeted Amount of \$765,842.

Attachments: [Premium and Coverage Comparison](#)
[Real and Personal Property renewal coverage](#)
[Equipment Breakdown renewal coverage](#)
[Pollution Liability renewal coverage](#)
[Preferred Package renewal coverage](#)
[Accidental Death and Dismemberment \(AD&D\) renewal coverage](#)
[Premium and Coverage Renewal Forms for Signature](#)

- S. [19-0972](#) Approve Authorized Leave Without Pay for City Clerk Kathryn Wong

Attachments: [City of North Port Personnel Policy](#)

6. PUBLIC HEARINGS:

Ordinances - Second Reading

- A. [ORD. NO. 2019-18](#) 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 Fire, Parks and Recreation, Facility Rental, and Utilities Fees; Providing for Severability; Providing for Conflicts; Providing for Codification; and Providing an Effective Date

Attachments: [Ordinance 2019-18 A - Second Reading](#)
[Appendix A 1 to Ordinance 2019-18](#)
[List of Changes to City-Wide Fee Ordinance A](#)
[Ordinance 2019-18 B - Second Reading](#)
[Appendix A 2 to Ordinance 2019-18](#)
[List of Changes to City-Wide Fee Ordinance B](#)
[Ordinance 2019-18](#)
[Appendix A](#)
[List of Changes to City-Wide Fee Ordinance](#)

- B. [ORD. NO. 2019-31](#) An Ordinance of the City of North Port, Florida, Amending the Code of The City of North Port, Florida, Chapter 78 – Utilities, Article II – Water and Wastewater Utility, to Adjust Capacity Fees and Provide Requirements Related to Reclaimed Water Charges and Wastewater System Rate

Schedules; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

Attachments: [Ordinance No. 2019-31](#)

Ordinances - First Reading

- C. [ORD. NO. 2019-27](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Chapter 1 – General Provisions, Article II. – Administration of Unified Land Development Code, Section 1-22 – Fees; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments: [Ordinance 2019-27](#)

- D. [ORD. NO. 2019-38](#) An Ordinance of the City of North Port, Florida, Repealing Section 50-6 of the Code of the City of North Port, Florida, Entitled "Smoking"; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Attachments: [Ordinance 2019-38](#)
 [Sec. 50-6. Smoking](#)

Resolutions

- E. [Res. No. 2019-R-15](#) A Resolution of the City of North Port, Florida Accepting Ownership of a Donated Parcel of Real Property Located on Mattox Circle and Described as Lot 4, Block 1998, 9th Addition to Port Charlotte Subdivision, Parcel Identification Number 1146199804; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Attachments: [Resolution 2019-R-15 with Exhibits](#)
 [Vitanza Property Map](#)
 [Vitanza Tax Record](#)
 [Vitanza PID Summary](#)

- F. [Res. No. 2019-R-23](#) A Resolution of the City of North Port, Florida, Accepting Ownership of a Donated Parcel of Real Property Located on Hermosa Circle and Described as Lot 26, Block 612, 14th Addition to Port Charlotte Subdivision, Parcel Identification Number 0970061226; Providing for Filing of Documents, Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Attachments: [Resolution 2019-R-23 with Exhibits](#)
 [Leach & Stroud Property Maps](#)
 [Leach & Stroud PID Summary](#)
 [Leach & Stroud Tax Record](#)

- G. [RES. NO. 2019-R-16](#) A Resolution of the City of North Port, Florida, Adopting Utility Rate and Water System Rate Schedules, Including Fire Protection Service Rates, Guaranteed Revenue Charges, Reclaimed Water Rates, Water System Rates and Fees, Wastewater Rates and Fees, and Adoption of Automatic Increases; Providing for Conflicts, Providing for Severability, and Providing an Effective Date.

Attachments: [Resolution 2019-R-16](#)
[Overview of Recommended Changes](#)
[Previously Adopted Rates](#)

- H. [RES. NO. 2019-R-17](#) A Resolution of the City of North Port, Florida, Vacating Utility and Drainage Easements for Lots 18, 19, 20 & 21, Block 736, Twelfth Addition to Port Charlotte Subdivision; Providing for Findings; Providing for Vacation of Easements; Providing for Filing of Approved Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (Quasi-Judicial)

Attachments: [Staff Report](#)
[Resolution 2019-R-17](#)

- I.. [RES. NO. 2019-R-19](#) A Resolution of the City of North Port, Florida, Approving the Expenditure of Forfeiture Funds for Costs Related to the Police Department Forming a Chapter of the Do the Right Thing Program; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Attachments: [Resolution 2019-R-19](#)
[Exhibit A Resolution No. 2019-R-19](#)

7. PROCLAMATIONS: TIME CERTAIN AT 4:00 P.M.

- A. [19-1013](#) Proclaim September 8th through 14th, 2019 as National Suicide Awareness Week

Attachments: [Proclamation](#)

4. GENERAL BUSINESS - Continued

- D. [CC SAP-19-141](#) Discussion and Possible Action to Award Funds from the Special Event Assistance Program to Clara's Clubhouse, Inc. to Cover the Costs of City Fees and/or Resources Associated with the September 21, 2019, Special Needs Safety Expo.

Attachments: [Application for assistance](#)
[Resolution 2018-R-17, adopted Special Event Assistance Program Application :](#)

- E. [CC SAP-19-153](#) Discussion and Possible Action to Award Funds from the Special Event Assistance Program to People for Trees, Inc. to Cover the Costs of City fees and/or Resources Associated with the October 20, 2019, 10th Annual Tour de North Port Event.

Attachments: [Application for assistance](#)
[Resolution 2018-R-17, adopted Special Event Assistance Program Application](#)

- F. [CC](#) Discussion and Possible Action to Award Funds from the Special Event
[SAP-19-164](#) Assistance Program to Awaken Church to Cover the Costs of City fees
and/or Resources Associated with the September 21, 2019, Community
Prayer Day.

Attachments: [Application for assistance](#)
[Resolution 2018-R-17, adopted Special Event Assistance Program Application](#)

- G. [19-0914](#) Discussion and Possible Action Regarding Commission Travel and
Education Policy

Attachments: [Commission Handbook](#)

- H. [19-0915](#) Discussion and Possible Action Regarding a Commission Uniform Policy

Attachments: [Commissioner Uniform Policy](#)

- I. [19-0922](#) Review, Discussion, and Possible Action on the City Attorney's
Performance Evaluation

Attachments: [Summary of 2019 Evaluations of City Attorney](#)
[Carusone CA evaluation 2019](#)
[Emrich CA evaluation 2019](#)
[Hanks CA evaluation 2019](#)
[Luke CA evaluation 2019](#)
[McDowell CA evaluation 2019](#)
[City Attorney Self-Evaluation 2019](#)
[City Attorney Contract](#)

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. This comment period shall be limited to three (3) minutes to speak. If there is insufficient time to hear all speakers, the City Commission will hear those wishing to address them, and who have completed speaker cards during the second Public Comment Section.)

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. These materials include staff reports, which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances, which are proposed for adoption. 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.