



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final City Commission Special Meeting

CITY COMMISSIONERS
Vanessa Carusone, Mayor
Linda M. Yates, Vice-Mayor
Christopher B. Hanks, Commissioner
Jill Luke, Commissioner
Debbie McDowell, Commissioner

APPOINTED OFFICIALS
Peter Lear, City Manager
Amber L. Slayton, City Attorney
Patsy Adkins, City Clerk
Kathryn Peto, Deputy City Clerk

Thursday, April 5, 2018

4:00 PM

CITY COMMISSION CHAMBERS

MINUTES APPROVED AT THE 05-08-2018 MEETING.

CALL TO ORDER/ROLL CALL

The North Port City Commission Special Meeting was called to order at 4:05 p.m. in City Chambers by Mayor Carusone.

Present: Mayor Carusone; Vice-Mayor Yates; Commissioners, Hanks, Luke and McDowell, City Manager Lear; City Attorney Slayton; City Clerk Adkins; Deputy City Clerk Peto and Interim Police Chief Morales.

The Pledge of Allegiance was led by City Attorney Slayton.

1. APPROVAL OF AGENDA – COMMISSION

After a request by the Mayor, the Commission determined that they would like to move item 5.A. after 3.A.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the Agenda and to move 5.A. after 3.A. The motion carried by the following vote:

Yes: 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

2. PUBLIC COMMENT:

Public comment was held 4:08 p.m. - 4:11 p.m.

Joan Herron San Lwin: Warm Mineral Springs and Agenda posting.

3. WELCOME OF NEW EMPLOYEES:

A. [18-181](#) Acknowledgment of New Employees

Human Resources Director McDade introduced the City's newest employees in General Services, Human Resources, Police Department, Public Utilities and Public Works.

5. PRESENTATIONS

A. [18-155](#) Presentation of the Comprehensive Annual Financial Report (CAFR) for the year ending September 30, 2017.

Wade P. Sansbury, C.P.A. of Mauldin and Jenkins provided an overview of the item. There were no questions from the Commission, and there was no public comment.

4. PROCLAMATIONS AND RECOGNITIONS:

A. [18-061](#) Proclamation for Relay for Life of North Port, FL 2018

Mayor Carusone read the Relay for Life Proclamation into the record and presented it to Tammie Jacobs and Relay for Life Members. It was announced that the public is invited to the Relay for Life event at City Hall, Saturday, April 7, 2018, 3:00 p.m. - 11:00 p.m.

B. [18-065](#) Proclamation for the City of North Port Volunteer Month April, 2018.

Mayor Carusone read the City of North Port Volunteer Proclamation into the record and presented it to Tammie Jacobs, volunteers from the Police Department and Advisory Boards.

C. [18-066](#) Proclamation for National Public Safety Telecommunicators Week April 8 - 14, 2018.

Commissioner Hanks read the National Public Safety Telecommunicators Proclamation into the record and presented it to Mandy Lorenz and Rick Fitzgerald.

D. [18-167](#) Proclamation of April 2018 as Water Conservation Month

Commissioner Hanks read the Water Conservation Month Proclamation into the record and presented it to the City of North Port Utility Department employees.

E. [18-168](#) Proclamation of April 2018 as Florida Water Professionals Month

Commissioner McDowell read the Florida Water Professionals Month Proclamation into the record and presented it to the City of North Port Utility Department employees.

F. [18-183](#) Proclamation for Sexual Assault Awareness month April 2018.

Commissioner McDowell read the Sexual Assault Awareness Month Proclamation into the record and presented it to Mirna Marcia on behalf of Safe Place and Rape Crisis Center (SPARCC).

G. [18-191](#) Proclamation for Gopher Tortoise Day, April 10, 2018.

Vice-Mayor Yates read the Gopher Tortoise Day Proclamation into the record and presented it to Kelly O'Connor, Florida Fish and Wildlife Conservation Commission Southwest Regional Office and Members of North Port Friends of Wildlife.

- H.** [18-194](#) Proclamation for Donate Life Month April 2018.
- Vice Mayor Yates read the Donate Life Proclamation into the record and presented it to Mary Sayer.
- I.** [18-195](#) Proclamation for Parkinson's Disease Awareness Month April 2018.
- Commissioner Luke read the Parkinson's Disease Awareness Proclamation into the record, the Proclamation will be mailed.
- J.** [18-197](#) Proclamation for National Crime Victims' Rights Week April 8th-14th, 2018
- Commissioner Luke read the National Crime Victims' Rights Proclamation into the record and presented it to Autumn Roppolo, Victim Advocate Coordinator for Sarasota County Sheriff Office and Victim Service Providers. An announcement was made that the public is invited to observe the National Crime Victims' Rights event at the Child Protection Center, 720 South Orange, in Sarasota on Monday, April 9, 2018.
- K.** [18-199](#) Proclamation for Child Abuse Prevention Month April, 2018.
- Mayor Carusone read the Child Abuse Prevention Proclamation into the record and presented it to Autumn Roppolo and representatives from the PAWS Program, on behalf the Child Protection Center. In recognition of Child Abuse Prevention Awareness, the community was asked to wear blue tomorrow, April 6, 2018.
- L.** [18-205](#) Proclamation for Regional Try Transit Day April 20, 2018
- Vice-Mayor Yates read the Regional Try Transit Day Proclamation into the record and presented it to Stephanie Martin, Florida Department of Transportation (FDOT) District 1. The public was invited to take the Green Commuter Challenge on the FDOT website.
- Ms. Martin, on behalf of the FDOT, presented the Best Workplaces for Commuter Award to the City of North Port Commission.
- M.** [18-171](#) 2018 Greenest Citizen Award, presented by City Arborist, Ryan Pieper
- City Arborist Pieper read the Greenest Citizen Award into the record and presented it to Alicia Picardi. It was announced that the public is invited to sponsor a water hose for the Boys and Girls Club edible garden.
- N.** [18-139](#) Recognition from the Kiwanis Club of North Port for Leadership in Service and Community Awareness to the Department of Public Works
- The Kiwanis Club of North Port recognized the City of North Port Department of Public Works for Leadership in Service and Community Awareness and presented an award to Solid Waste Manager Lama, Customer Service Coordinator Fear and other City Employees.
- O.** [18-201](#) Certificates of Appreciation for David Samuel, Milton Reynolds and Steve Barnhardt in recognition of their Commitment and Dedication while serving on a City of North Port Advisory Board.
- Mayor Carusone read the Certificates of Appreciation into the record and they will be mailed to David Samuel, Milton Reynolds and Steve Barnhardt

P. [18-214](#) Certificate of Appreciation to Captain Sean Patton of the Capitol Police

Mayor Carusone read the Certificate of Appreciation into the record and presented it to Officer King on behalf of Captain Sean Patton of the Capitol Police.

Recess 5:16 p.m. - 5:40 p.m.

5. PRESENTATIONS

B. [18-146](#) Parks & Recreation Advisory Board Annual Report

City Manager Lear and Parks and Recreation Manager Wisner provided a brief overview. Parks and Recreation Advisory Board Vice Chair Joan Morgan gave a PowerPoint presentation of their annual report. There were no questions from the Commission, and there was no public comment.

C. [18-182](#) Fire Rescue Department Presentation

Fire Chief Titus provided a PowerPoint presentation about the Fire Rescue District.

Discussion ensued: (1) subsequent to a concern, it was explained that the four explosions listed in the report were attributed to gas barbecue grills with a faulty hook-up near the ignition. There was no public comment.

D. [18-186](#) Sarasota County Schools Presentation on Capacity and Enrollment of North Port Area Schools

Sarasota County Schools Planning Director Kathie Ebaugh provided a presentation on capacity and enrollment of North Port Area Schools.

Discussion ensued: (1) the State wants capacity of the school at 150%-160% before building a new school; (2) North Port High School is at 85% capacity and projected to stay in range over the next five years; (3) it was noted that the county average is one out of every five houses will produce one student; (4) home-school and online school enrollment in North Port is nominal; (5) the .228 student population includes home school, charter and traditional schools; (6) a mobility report with the number of students participating in school of choice can be provided; (7) it was explained that children who reside west of the Myakka River attend Venice schools; (8) vested platted lots are used as a measure of potential population growth (9) vested platted lots were created back in the 1950s and these lots do not require going through Planning to be developed and may directly apply for a building permit; (10) starting with fiscal year 2018-2019 improvements for security upgrades will be made to all campuses providing for one point of entry; (11) the status of generators for the schools are being reviewed; (12) the security design gives consideration that schools are also used as shelters in emergencies; (13) it was noted that West Villages students attend Venice schools due to previous districting, and because of the projected growth potential in North Port; (14) in the future West Villages may have its own high school or a new district may be created with a combination of Venice and North Port students; (15) concern was expressed regarding sending students to Venice while North Port has the school space to accommodate the students; (16) the Commission provided a summary of requested information: [a] generators in the schools; [b] the mobility report showing transitions; [c] the number of students attending charter schools, home school, and virtual school; [d] copy of maps and slide show from today's presentation. There was no public comment.

6. PUBLIC COMMENT:

Public comment was held 7:27p.m - 7:40 p.m.

Judd Roth, Lawry Reid and Bill Goetz: Warm Mineral Springs.

Joan Herron San Lwin: Canal Watch Program and Spring Haven Drive Extension Project.

Discussion ensued: (1) the Commission asked that information regarding the Canal Watch Program be sent to them; (2) it was suggested to compare testing results the City currently receives with the Canal Watch Program.

Recess 7:41 p.m. - 8:04 p.m.

8. DISCUSSION ITEMS:**A. [18-175](#) 2018 Wyland National Mayor's Challenge**

City Manager Lear and Public Utilities Customer Service Coordinator Duffey provided an overview of the item.

Discussion ensued: (1) it was explained that the website offers a section geared toward teacher and student participation; (2) it was noted that the program runs through the month of April; (3) Staff will complete the initial registration online to include the City of North Port; (4) Staff will reach out to residents and schools to promote individuals to take the pledge; (5) it was suggested to register and promote locally earlier in the year next year. There was no public comment.

A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, that the City participate in the 2018 Wyland National Mayor's Challenge and authorizes the Mayor to sign the necessary documents. The motion carried by the following vote:

Yes: 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

B. [18-198](#) Approve the second Professional Services Agreement between the City of North Port and the Florida Police Chiefs Education and Research Foundation to provide consulting and screening services for a qualified and experienced Police Chief in the amount of \$12,500 plus travel expenses up to \$1,000.

City Manager Lear provided an overview of the item.

Discussion ensued: (1) it was explained that the previous and the proposed Agreement does not provide for continuing services in the event of an unsuccessful search; (2) Staff can review charges with the vendor as noted in Exhibit A and discuss reducing costs for outreach and advertisement; (3) the \$5,000 reduced price is based on: [a] review of the written questionnaire is \$1,000 less; [b] organize on-site interviews is \$4,000 less; (4) it was noted the same questionnaire will be used, and that the vendor will receive and review them, and provide recommendation of candidates; (5) it was suggested the item regarding the written questionnaire be at a lower cost; (6) advertising and outreach will need to be done; (7) it was noted that the indemnity language is the same in the second Agreement; (8) upon approval of the Agreement the vendor is ready to search for applicants; (9) the vendor cannot control applicants that choose to withdraw; (10) if the

Agreement is signed tomorrow, the timeline was noted: [a] the vendor will have the application open for 30 days; [b] application reviews will take seven to ten days; [c] arrangements are made for interviews and time is dependent on where the applicant is located; [d] the process would be approximately two months; (11) it was suggested that an application period of two to three weeks could be acceptable; (12) it was noted that all the information was reviewed and then the six candidates were brought in; (13) a suggestion was made to skype with all candidates and then bring in the top two or three; (14) it was noted that the previous travel expense for the vendor did not exceed \$1,000; (15) travel expenses for the candidates is in addition to the vendor's travel expenses; (16) previously the vendor advertised the position on police chief websites and with their own professional organizations; (17) it was noted the City may also advertise the position and some advertisements will have an expense; (18) inquiry can be made with the vendor for where they advertised the position; (19) concerns were expressed regarding: [a] the substantial amount of funds spent; [b] the City was unsuccessful with the pool of candidates; [c] the indemnity clause in the Agreement; (20) the Human Resources Department is well qualified to conduct the search; (21) concern was expressed for using the same vendor and receiving the same applicants; (22) Commissioner Luke stated the Consultant is eliminating many of the applicants and they are providing a vitally important service; (23) Mayor Carusone stated she could not support the motion because: [a] the cost of the vendor is not great and will not impact the budget; [b] suggested approving the Agreement with a contingency for reduction of costs from the vendor, and that they will continue with search until hiring is complete; [c] concern was expressed that Human Resources is already handling numerous applications for other departments and working on current issues; (24) Commissioner Hanks stated he would rather utilize the services of the vendor; (25) it was noted that to negotiate changes in the Agreement will take additional time; (26) it was noted the search for the Assistant City Manager was conducted by Human Resources, they received approximately 71 applications, and that the process took less than four weeks.

A motion was made by Vice-Mayor Yates, seconded by Commissioner McDowell, to reject approval of the second Professional Services Agreement, and direct the City Manager to promote and do the search for the Police Chief through the Human Resources Department. The motion failed by the following vote, with Mayor Carusone, Commissioner Hanks and Commissioner Luke dissenting for reasons stated:

Yes: 2 - Vice-Mayor Yates and Commissioner McDowell

No: 3 - Mayor Carusone, Commissioner Hanks and Commissioner Luke

Discussion continued: (1) it was suggested to contact the vendor with contingencies and if they reject the offer, to use Human Resources to conduct the search; (2) it was noted that Human Resources can complete the search although they are working on several other large projects.

A motion was made by Commissioner Luke, seconded by Mayor Carusone, to approve the second Professional Services Agreement between the City of North Port and the Florida Police Chiefs Education and Research Foundation with contingent upon the search lasting 2 weeks, \$2500 amount be looked at for duplicate services, and if can't obtain a Chief they will do it again at no charge.

A motion was made by Commissioner Hanks, seconded by Commissioner Luke, to amend the motion to use Human Resources if the vendor rejects the offer. The motion carried by the following vote, with Commissioner McDowell dissenting stating that Human Resources is capable of hiring a new Police Chief:

Yes: 4 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks and Commissioner Luke

No: 1 - Commissioner McDowell

Discussion continued: (1) Commissioner McDowell stated she will dissent on the main motion because Staff is confident that they are capable of handling this; (2) concern was expressed regarding the legal opinion in the back-up material that the language is not advisable as it undermines the City's rights in the Agreement; (3) it was noted the Agreement has two section nine(s) and that the revision request would apply to the section regarding indemnity; (4) it was explained that Staff negotiated some revisions to the indemnity section in the previous contract, but the vendor did not agree to the revision that Staff recommended.

A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, to amend the motion to have the City Attorney revise section nine regarding indemnification that is acceptable to the City. The motion carried by the following vote:

Yes: 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Discussion continued: (1) Vice-Mayor Yates expressed her concerns about paying for services that can be handled by Human Resources as her reason for dissenting. There was no public comment.

A vote was taken on the main motion, as amended, to approve the second Professional Services Agreement between the City of North Port and the Florida Police Chiefs Education and Research Foundation with contingent upon the search lasting 2 weeks, \$2500 amount be looked at for duplicate services, and if can't obtain a Chief they will do it again at no charge, and to use Human Resources if the vendor rejects the offer, and to have the City Attorney revise section nine regarding indemnification that is acceptable to the City. The motion carried by the following vote, with Vice-Mayor Yates and Commissioner McDowell dissenting for reasons stated:

Yes: 3 - Mayor Carusone, Commissioner Hanks and Commissioner Luke

No: 2 - Vice-Mayor Yates and Commissioner McDowell

C. [18-206](#)

Utilize the Florida Sheriffs Association & Florida Association of Counties Cooperative Bid No. FSA17-VEL25.0, Spec #47 to purchase two (2) new Ford F-150's from Duval Ford, LLC in an estimated amount of \$50,273.00.

City Manager Lear provided an overview of the item. There were no questions from the Commission and there was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to utilize the Florida Sheriffs Association and Florida Association of Counties Cooperative Bid No. FSA17-VEL25.0, Spec #47 to purchase two (2) new Ford F-150's from Duval Ford, in the amount of \$50,273.00. The motion carried by the following vote, with Mayor Carusone not present:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Mayor Carusone left the meeting at 9:12 p.m.

Recess 9:15 p.m. - 9:15 p.m.

D. [18-152](#) Warm Mineral Springs Park Buildings

City Manager Lear, General Services Director Pfundheller and Kimley-Horn Project Manager James Pankonin provided an overview of the item.

Discussion ensued: (1) it was explained that criterion A is an area of social history and entertainment recreation, and that criterion C is the area of architecture; (2) it was noted that plans and intended renovations are to be included in the historical application process; (3) one of the recommendations is to retain the first building with upgrades, replace the second building and restore the third building; (4) the Commission wanted determination of the historical designation to use in the decision of future plans and that to require plans first is contrary to the Boards request for application; (5) it was noted that planned design changes are to be submitted with the application for historical designation; (6) the state historic preservation office has deemed that the buildings are eligible to be historic, but need to know the function of the buildings of how they would be renovated; (7) it was noted that if you change the major use of the historical design it may then be ineligible for the registry; (8) the Commission has stated they intend on keeping and maintaining the historical value and character of the buildings, so that should not affect applying for historical registration; (9) the historical designation process requires a plan showing the final use after renovations; (10) it was noted that once the buildings are listed in the national registry there is leeway for construction and you do not have to bring the buildings up to code; (11) the buildings would lose historical designation if torn down and rebuilt with the suggested redesigned modifications; (12) if the buildings are listed on the national historic registry, they would be eligible for grant funding and will give national recognition to the site; (13) concerns were expressed that without the original design, or other reasons, the buildings might not be deemed historical, and that the Commission needs to know the historical status to make decisions moving forward.

PUBLIC COMMENT:

Joan Herron San Lwin: restoration of buildings at Warm Mineral Springs.

Discussion continued: (1) the buildings at Warm Mineral Springs have an architectural link to Sarasota County and is the heritage of North Port.

Mayor Carusone returned to the meeting 9:45 p.m.

Discussion continued: (1) the buildings are relevant to the Springs and their value is priceless.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to preserve, protect, restore and maintain historical value of the three buildings at Warm Mineral Springs, building one the front admission area, building two the bathroom area and building three the cyclorama. The motion carried by the following vote:

Yes: 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Discussion continued: (1) it was explained that the historical application is in the master plan process and that the Consultant will assist with writing the application which is submitted by the City; (2) concern was expressed that if the buildings are determined to be ineligible for designation, the master plan would have to start over, costing the City more money; (3) it was suggested to come back with a master plan after the historical designation has been made; (4) it was noted that the buildings should be restored whether or not they are on the national registry; (5) the application process starts with

public comment, then reviewed by the state historic office and that could take up to 90 days, the process is about 6 months for the completed decision; (6) the application needs to be submitted now and not wait on the master plan to file for designation; (7) it was noted that the Consultant brings their expertise and they will support the application.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to direct Staff to apply for the national registry for historic places for the three buildings as soon as possible, using the Consultant if need be. The motion carried by the following vote:

Yes: 5 - Mayor Carusone, Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

E. [18-150](#)

Approval of Agreement No. 2017-40, Professional Design and Engineering Services for Warm Mineral Springs Park Master Plan with Kimley-Horn & Associates, Inc. in the amount of \$154,050, which is budgeted in projects Warm Mineral Springs Park Building Renovations (WM17RB) and Warm Mineral Springs Park Master Plan (WM17MP).

Discussion ensued: (1) it was explained that the contract is the same as previously presented except for exhibit C, which has an adjusted timeline starting tomorrow; (2) the Agreement could be completed in five-months; (3) it was suggested that the first item to be completed in the master plan is the historic designation application; (4) if the agreement is approved, an amendment can be presented to make changes to the Phases; (5) it was noted the costs would change for Phase I because the historical designation application process is currently listed in Phase II; (6) if the Phases are changed their costs will change, but there is funding set aside for the buildings; (7) it was noted that moving the application process up will expedite getting the grants, and the grants can replenish the \$500,000 set aside; (8) concern was expressed that the final master plan is listed in Phase I, and items impacting the master plan, such as tree observation and utility assessments, are in Phase II; (9) it was noted that some tasks were moved to Phase II due to limited earmarked funds; (10) it was explained that tree observation would be done during the construction phase, which is Phase II; (11) it was suggested that if the buildings are being preserved, the tree observation and utility assessment could be done in the first phase; (12) it was noted that there is a site analysis that is done initially and that the full tree observation would be in Phase II; (13) it was explained that the condition and health of the trees are taken into consideration, and that the consultant would work with the City's Arborist; (14) an amendment would be needed to move the cost of Task 11 into Phase I; (15) concern was expressed the contract doesn't provide clarity that the footprint in the 20 acres is to remain, and that the additional amenities would be within the 60-acre parcel; (16) it was noted that the Request for Proposal (RFP) is referenced in the Agreement, and that page 16 of the RFP gives emphasis to the 20 acres; (17) Staff and the consultant are clear about the preservation of the 20 acres and it does not need to be added to the motion; (18) it was suggested that the property be set in phases to separate the 20 acres for preservation and the additional 60 acres for improvements; (19) it was explained that Phase I is the master plan process with program elements for the park and public input, and that Phase II is design services which is permitting and construction documents for the features in Phase I; (20) it was clarified that when Phase II is complete, a Public-Private Partnership (P3) could be considered; (21) it was suggested that status reports be provided to the Commission and to the public; (22) the archaeological review in Task four, based on review of literature and past surveys, can be done in five to six weeks; (23) it was noted that a sonar type evaluation - ground penetrating radar - was done around the fence line when the property was jointly owned with Sarasota County; (24) a suggestion was made to have an updated sonar evaluation done covering all the property before anything is

done in the event burial grounds or other historical items are identified; (25) concern was expressed that information is needed before a master plan can be put in effect; (26) it was noted that if something was discovered in the 60 acres then it can be preserved and can be incorporated into the master plan; (27) it was suggested that first a sonar evaluation be done for the 80 acres; (28) it was noted that the cost of sonar will depend on methodology and that the consultant can obtain recommendation of tactics; (29) it was suggested that tasks one, four and eleven should be in Phase I and completed before anything else, and that these tasks can be completed while community engagement is going on; (30) a suggestion was made that items be re-sequenced and returned to the Commission with more information; (31) it was noted that community engagement should occur after the sonar evaluation and more information is available to share; (32) it was explained that community engagement is more to see what types of activities the community wants;(33) it was clarified that the Commission would need to approve using P3.

PUBLIC COMMENT:

Joan Herron San Lwin: Warm Mineral Springs needs more input.

Discussion continued: (1) it was suggested that all past amendment requests could be addressed if the Agreement is scrapped for now; (2) a P3 can provide options, and things can get done quicker in the proper order; (3) concerns were expressed for due diligence before master planning; (4) it was noted that data collection, archaeological information and historical registry should be done before engaging the community; (5) Vice-Mayor Yates stated she does not support the motion because of concerns of a P3 for the whole 80 acres, and that the consultant can assist in gathering and compiling the information that will still be needed; (6) it was explained that: [a] the City can abandon a project before an Agreement is entered into; [b] that a P3 is a different process that would not be used at a conceptual stage; (7) it was noted that a master plan is recommended before entering into a P3 to be in compliance with Florida State Statute requirements.

A motion was made by Commissioner Hanks, seconded by Commissioner McDowell, to scrap the Professional Design and Engineering Services for Warm Mineral Springs Park Master Plan Agreement No. 2017-40 and immediately come back with an RFP considering the P3 option. The motion failed by the following vote, with Vice-Mayor Yates dissenting for reasons stated, and Mayor Carusone, Commissioner Luke and Commissioner McDowell dissenting with no reason stated:

Yes: 1 - Commissioner Hanks

No: 4 - Mayor Carusone, Vice-Mayor Yates, Commissioner McDowell and Commissioner Luke

Discussion continued: (1) concerns were expressed that the motion changes to Phase I and II will drastically change the pricing; (2) it was noted that the price structure may change according to process; (3) items are not being removed from the Agreement and the only modification is moving item eleven into Phase I; (4) it was noted that to modify the scope based on the motion and the tasks, the changes would be minimal, and will require a few additional meetings; (5) it was understood that the intent is to start with due diligence, then community engagement, and then the master plan process; (6) it was noted based on current figures, Task one, two, four and eleven are \$79,990; (7) a suggestion was made to have the Consultant come back with a price and it can be accepted or rejected; (8) the changes will require a new Agreement with prices; (9) it was noted that the motion didn't address the national registry; (10) it was suggested the Consultant could start on Tasks one and two while working on a price for the survey and then come back to the Commission; (11) re-sequencing the Agreement and adding the radar request will change the Agreement and cost; (12) the amendment only asks for

pricing on Phase I; (13) Phase II would need to be reconstructed with pricing; (14) it was suggested to proceed with Phase I and Task eleven but come back with a revised price; (15) it was noted that the main motion as stated eliminated Tasks three, five, six, seven and eight.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the Agreement 2017-40 for Professional Design and Engineering Services for Warm Mineral Springs Park Master Plan with Kimley-Horn with the following amendments: (1) that Phase I will include Task(s) one, two, four and eleven and with the archaeological review to be a complete archaeological study and survey of the 60 acres, with the price tag to be determined; (2) for the Arborist to work on completing task no. 12 and submit his findings to the consultant (3) that the City Manager will update the Commission and citizens in the way and manner he deems fit; (4) that the 20-acres with the water and the three buildings will remain natural and serene in the future master park plan; (5) bring back all information at a Commission Special Meeting to determine the next step Phase II. The motion and the second were withdrawn.

A motion was made by Commissioner Luke, seconded by Mayor Carusone, to amend the motion that Kimley-Horn bring back a revised Phase I with pricing. The motion to amend and the second were withdrawn.

A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, to approve the Agreement No. 2017-40 with Kimley-Horn and Associates with the following changes and attachment: (1) to approve Phase I Tasks with moving Task 11 from Phase II into Phase I; (2) bring back to the Commission the results of the data collection and the archaeological review as well as the archaeological concept-Task 11, with a complete archaeological research survey for any of the property that has not been obtained; (3) bring that back to the Commission once complete before doing the stakeholder engagement.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to amend the motion to: (1) instruct the City Manager to update the Commission and citizens in a manner he deems fit; (2) the 20-acres that includes the water and the three buildings, to remain natural and serene. The motion carried by the following vote, with Commissioner Hanks dissenting stating that he is concerned that the Agreement does not provide the option for a P3, and that there are misconceptions about P3s:

Yes: 4 - Mayor Carusone, Vice-Mayor Yates, Commissioner McDowell and Commissioner Luke

No: 1 - Commissioner Hanks

Discussion continued: (1) it was clarified that the current tree survey is not part of the data collection in Phase II; (2) it was noted that the City's Arborists can review the 60-acres.

A motion was made by Commissioner McDowell, seconded by Vice-Mayor Yates, to amend the motion to instruct the City Manager to have the Arborist conduct the tree site analysis and submit the information to the Consultant. The motion carried by the following vote, with Commissioner Hanks dissenting stating that he is concerned that the Agreement does not provide the option for a P3, and that there are misconceptions about P3s:

Yes: 4 - Mayor Carusone, Vice-Mayor Yates, Commissioner McDowell and Commissioner Luke

No: 1 - Commissioner Hanks

Discussion continued: (1) it was noted one of the first things to be done is to make application to the National Registry.

A vote was taken on the main motion, as amended, to approve the Agreement No. 2017-40 with Kimley-Horn and Associates with the following changes and attachment: (1) to approve Phase I Tasks with moving Task 11 from Phase II into Phase I; (2) bring back to the Commission the results of the data collection and the archaeological review as well as the archaeological concept-Task 11, with a complete archaeological research survey for any of the property that has not been obtained; (3) bring that back to the Commission once complete before doing the stakeholder engagement; (4) to instruct the City Manager to update the Commission and citizens in a manner he deems fit; (5) the 20-acres that includes the water and the three buildings, to remain natural and serene; (6) to instruct the City Manager to have the Arborist conduct the tree site analysis and submit the information to the Consultant. The motion carried by the following vote, with Commissioner Hanks dissenting stating that he is concerned that the Agreement does not provide the option for a P3, and that there are misconceptions about P3s:

Yes: 4 - Mayor Carusone, Vice-Mayor Yates, Commissioner McDowell and Commissioner Luke

No: 1 - Commissioner Hanks

9. PUBLIC COMMENT: There was no public comment.

10. COMMISSION COMMUNICATIONS:

Commissioner Luke: (1) reported having a meeting with the City Manager regarding the 2020 census and will discuss it at the April 10, 2018 meeting.

Mayor Carusone, Vice-Mayor Yates, Commissioner McDowell and Commissioner Hanks: nothing to report.

11. ADMINISTRATIVE AND LEGAL REPORTS:

City Manager Lear: nothing to report.

City Attorney Slayton: nothing to report.

City Clerk Adkins: nothing to report.

12. ADJOURNMENT:

Mayor Carusone adjourned the North Port City Commission Special Meeting at 11:43 p.m.

City of North Port, Florida

By: _____
Vanessa Carusone, Mayor

Attest: _____

Patsy C. Adkins, MMC, City Clerk

Minutes approved at the City Commission Special Meeting this ____ day of _____, 2018.