

City Commission Regular Meeting

CALL TO ORDER

Mayor White called the meeting to order at 9:16 a.m. and provided required notifications regarding conducting a hybrid meeting.

Commissioner Emrich stated he will be attending the hybrid meeting via Communications Media Technology (CMT) due to experiencing a medical condition.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to accept the use of CMT for a hybrid meeting. The motion carried on the following vote: Commissioner McDowell dissented.

ROLL CALL

Commissioners present are: Mayor White, Commissioner McDowell, Commissioner Stokes, and Commissioner Langdon.

Also present are: City Manager Fletcher, City Attorney Slayton, City Clerk Faust, Board Specialist Bodmer, Police Chief Garrison, and Fire Chief Titus

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by David Duval.

1. APPROVAL OF AGENDA

Mayor White requests a motion to approve the agenda.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve the agenda as presented. The motion carried on the following vote: all yes

2. PUBLIC COMMENT:

Robin San Vicente: Spoke to the need for clarification regarding Ordinance No. 2024-07.

Mayor White spoke to Commissioner Lukes'

3. ANNOUNCEMENTS

A. 24-0213 Announcement of Current Advisory Board and Committee Vacancies

Mayor White announced the item and called on the City Clerk to read the announcements.

Ms. Faust read the announcements into the record.

4. CONSENT AGENDA:

Mayor White announced the item and queried the City Manager regarding items pulled from the consent agenda for discussion.

There was no public comment.

Mayor White requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to approve the items in the consent agenda as presented. The motion carried on the following vote: all yes

- A. 24-0774** Approve First Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II With Jon F. Swift, Inc. in the Amount of \$2,072,007, for Hurricane Ian Repairs at the Morgan Family Community Center.

This item was approved on the consent agenda.

- B. 24-0889** Approve Second Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II with Jon F. Swift, Inc. in the Amount of \$611,883, for Hurricane Ian Repairs at the North Port Aquatic Center.

This item was approved on the consent agenda.

- C. 24-0907** Approve Third Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II with Jon F. Swift, Inc. in the Amount of \$124,350, for Hurricane Ian Repairs at the Butler Park Kayak Launch.

This item was approved on the consent agenda.

- D. 24-0910** Approve Fourth Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II with Jon F. Swift, Inc. in the Amount of \$124,077, for Hurricane Ian Repairs at the Blue Ridge Park Kayak Launch.

This item was approved on the consent agenda.

- E. 24-0813** Approve the Collective Bargaining Agreement Between the City of North Port and the Florida Police Benevolent Association - A Chapter of the Southwest Florida Police Benevolent Association (PBA), for the Period of October 1, 2024, - September 30, 2027.

This item was approved on the consent agenda.

- F. 24-0828** Approve the Award of Funds from the Special Event Assistance Program to North Port Young Professionals/North Port Area Chamber of Commerce in Support of the Back to School Bash to be Held on July 20, 2024, in an Amount up to, and Not to Exceed, \$1,000 to Cover the Costs of City Fees and Services.

This item was approved on the consent agenda.

- G. 24-0895** Approve the First Amendment to Contract No. 2023-34 with Jay's Fencing LLC., on an As-Needed Basis; and Approve the First Amendment to Work Assignment No. 1, for an Additional Amount of \$3,600.00, for a Total of \$91,998.00

This item was approved on the consent agenda.

- H. 24-0915** Accept the Cash Receipts Summary Report for May 2024.

This item was approved on the consent agenda.

- I. **24-0916** Approve the Second Amendment to Contract No. 2020-56 School Crossing Guard Services for Purposes of Increasing the Hourly Billing Rate from \$21.30 an Hour to \$28.30 an Hour.

This item was approved on the consent agenda.

- J. **24-0919** Approve the Medicare Ground Ambulance Data Collection System Reporting Service Agreement and Business Associate Agreement at Rider D Between Digitech Computer LLC and the City of North Port in the Amount of \$35,000.

This item was approved on the consent agenda.

- K. **24-0920** Approve First Amendment to Construction Manager at Risk Contract No. 2023-17.005 for Construction Services Contract Phase II with Willis A. Smith Construction, Inc., in the Amount of \$78,032.00, for Fire Station 86 and Police Substation Repairs.

This item was approved on the consent agenda.

- L. **24-0921** Approve Second Amendment to Construction Manager at Risk Contract No. 2023-17.005 for Construction Services Contract Phase II with Willis A. Smith Construction, Inc., in the Amount of \$21,247.00, for Fire Station 85 Repairs.

This item was approved on the consent agenda.

- M. **24-0927** Approve Third Amendment to Agreement No. 2020-03 for Financial Advisor Services with PFM Financial Advisors, LLC to Complete an Economic Development Study, Financial Condition Analysis, Economic Impact Analysis, and Long-Term Comprehensive Capital Improvement Plan for a Fee of \$210,000.

This item was approved on the consent agenda.

5. PUBLIC HEARINGS:

PETITIONS:

- A. **CC** Consideration of Petition PLF-24-054, a Final Plat for Sunstone Village
 PLF-24-054 F5 Phase 3 (aka Wellen Park West Villages)(QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read the petition title and swear in those wishing to provide testimony.

Ms. Faust read the petition title and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

There were no ex-parte communications disclosed.

Ms. Faust stated there were no aggrieved parties.

Tom Briggs, representing property owner, being duly sworn, provided a presentation including overview.

Hank Flores, being duly sworn, provided a presentation including overview, background, proposed final plat, compliance with Florida Statutes and Unified Land Development Code (ULDC), and staff recommendation.

There were no rebuttals by the applicant or staff.

There was no public comment.

There were no Commission questions or discussion.

There were no closing arguments by staff or the applicant.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to approve the Petition for Sunstone Village F5 Phase 3 (aka Wellen Park West Villages) Petition No. PLF-24-054 and find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan. The motion carried on the following vote: all yes

B. CC Consideration of Petition PLF-23-255, Tract B, Suncoast Plaza III,
PLF-23-255 Replat and Renaming of Subdivision to SIG North Port.
(QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read the petition title and swear in those wishing to provide testimony.

Ms. Faust read the petition title and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

There were no ex-parte communications disclosed.

Ms. Faust stated there were no aggrieved parties.

Jake French, Sig North Port LLC representative, being duly sworn, provided a presentation including conflict, relocation of easement, and renaming of plat.

David Brown, being duly sworn, provided a presentation including overview, background, existing and proposed easements, final plat, compliance with Florida Statutes and Unified Land Development Code (ULDC), and staff recommendations.

There were no rebuttals by the applicant or staff.

There was no public comment.

Commission questions and discussion took place regarding renaming of subdivision, filing of name

change with county, easement relocation, Commission review, storage facility language within ULDC, property location, and plat regulations.

There were no closing arguments by staff or the applicant.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve the Petition for Tract B, Suncoast Plaza III, Replat and Renaming of Subdivision to SIG North Port. Petition No. PLF-23-255 and find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan. The motion carried on the following vote:

ORDINANCE - FIRST READING:

- A. ORD. NO. 2024-07** An Ordinance of the City of North Port, Florida, Calling for a Referendum Question to be Placed Before the Qualified Electors of the City of North Port, Florida at the November 5, 2024 General Election; Providing a Referendum Question Determining Whether to Amend the City Charter to Authorize the City Commission to issue Debt in Certain Circumstances Without Prior Voter Approval; Providing for the Full Text of the Proposed Charter Amendment; Providing Findings; Providing for an Effective Date for the New Charter Language if the Proposed Charter Amendment is Approved; Providing for the Filing of the Ordinance with the Sarasota County Supervisor of Elections; Providing for Publication of the Text of the Proposed Charter Amendment; Providing for Filing with the Florida Department of State if the Proposed Charter Amendment is Approved; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor White announced the item and requested a motion to direct the City Clerk to read by title only.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to direct the City Clerk to read the Ordinance by title only. The motion carried on the following vote: all yes

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Ms. Wisner provided a presentation including prior meeting motions and status, recommended action,

Commission questions and discussion took place regarding Section 1.02 (b) and (c) language, debt types, clarification of subsection (b) language impact on ballot language, simplify ordinance language to state "debt", ballot language regarding issuing debt, and principal indebtedness versus obligation.

There was consensus to direct the City Attorney to work with bond counsel to provide clarity regarding principal indebtedness and obligation meaning and purpose.

Commission questions and discussion continued regarding principal indebtedness and obligation, community education, Charter Review Advisory Board review and recommendation, Engineering News and Record (ENR) tracking and use, use of Consumer Price Increase (CPI), emergency response, approval via emergency ordinance language and project phasing language, general obligation debt language, regulatory agency requirements, debt management policy, borrowing authority with referendum, typo in Section 6.01, and need for emergency borrowing authority.

Public comment:

Ms. Faust read the following eComment into the record:

Stephanie Gibson: Expressed opposition to the item.

Willie Braswell: Expressed opposition to the item.

In Person:

David Duval: Spoke to various topics with the item.

Josh Smith: Spoke to various topics within the item.

Pam Tokarz: Spoke to various topics within the item.

Robin San Vicente: Spoke to various topics within the item.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to remove all references to “ENR” in the Ordinance.

Commission discussion took place regarding the need to account for inflation, CPI, and increases via charter amendment.

The motion failed on the following vote: Commissioner Emrich, Commissioner Langdon, Vice Mayor Stokes, Mayor White dissenting.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to add language within the Ordinance, prior to second reading, stating that general obligation debt will go to voters.

Commission discussion took place regarding current proposed language, and language to add and location within the ordinance.

The motion carried on the following vote: Commissioner Langdon dissented.

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to continue Ordinance No. 2024-07 to second reading on July 23, 2024, including the motions as approved. The motion carried on the following vote: all yes

Recess was taken from 8:35 p.m. until 8:45 p.m.

RESOLUTIONS:

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| A. RES. NO.
2024-R-27 | A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget and Capital Improvement Budget for Fiscal Year 2023-2024 for Kayak Launch Repairs and Utilities Administration and Field Operations Building in the Amount of \$13,195,681; Providing for Findings; Providing for Posting: Providing for Conflicts; Providing for Severability; and Providing an Effective Date. |
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Mayor White announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding CIP sheet missing from proposed budget.

Mayor White calls for public comment.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to adopt Resolution No. 2024-R-27 as presented. The motion carried on the following vote: all yes

- B. RES. NO. 2024-R-32** A Resolution of the City Commission of the City of North Port, Florida, Accepting the Transfer of Water and Wastewater Infrastructure and Improvements and Associated Warranties in Brightmore at Wellen Park Phases 1A-1C,2A, and 3; Providing for Incorporation of Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Mayor White announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only.

Mr. Fletcher introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor White closed the public hearing and requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to adopt Resolution No. 2024-R-32 as presented. The motion carried on the following vote: all yes

- C. RES. NO. 2024-R-33** A Resolution of the City Commission of the City of North Port, Florida, Accepting the Transfer of Water and Wastewater Infrastructure and Improvements and Associated Warranties in Sunstone Village F5, Phase 2; Providing for Incorporation of Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor White announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only.

Mr. Fletcher introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor White closed the public hearing and requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to adopt Resolution No. 2024-R-33 as presented. The motion carried on the following vote: all yes

6. PUBLIC COMMENT:

Robin San Vicente: Spoke to concerns with mosquito management.

Josh Smith: Spoke to fiscal responsibility and educating citizens on referendum question.

Pam Tokarz: Spoke to public participation and educating on referendum question.

7. COMMISSION COMMUNICATIONS:

Mayor White called on Commissioners for communications.

A. 24-0262 Commissioner McDowell's Communications

Commissioner McDowell reported on important topics.

B. 24-0294 Commissioner Emrich's Communications

Commissioner Emrich did not have anything to report.

C. 24-0313 Mayor White's Communications

Mayor White

D. 24-0992 Vice Mayor Stokes' Communications

Vice Mayor Stokes reported on events attended.

E. 24-0993 Commissioner Langdon's Communications

Commissioner Langdon

8. ADMINISTRATIVE AND LEGAL REPORTS:

Mayor White called on Charter Officers for reports.

Mr. Fletcher

Ms. Slayton

Ms. Faust did not have anything to report.

9. ADJOURNMENT:

Mayor White adjourned the meeting at 9: p.m.