

# City Commission Regular Meeting

**CALL TO ORDER:** Mayor Langdon called the meeting to order at 10:00 a.m.

**ROLL CALL:** All Yes

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Director Ray Alaina.

## 1. APPROVAL OF AGENDA

**A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to approve the Agenda as presented. The motion carried on the following vote:**

**2. PUBLIC COMMENT:** Mayor Langdon recognized Commissioner Hanes presence. There were 8 public comments.

## 3. ANNOUNCEMENTS

A. **23-0443** Current Vacancies and Upcoming Expirations for Advisory Boards and Committees

Public Comment: 2

## 4. CONSENT AGENDA:

Public Comment: K White

**A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to approve the Consent Agenda as presented. The motion carried on the following vote:**

A. **23-0220** Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Wholesale Landscape Supply, Inc. dba Big Earth Landscape Supply for Aggregate Materials Under Purchase Order No. 049844 in an Amount Not to Exceed \$250,242.00.

**This item was approved in the consent agenda.**

B. **23-0228** Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With B&E Signal and Lighting, Inc. for Transportation System Repairs Under Purchase Order No. 049527 in an Amount Not to Exceed \$900,987.75.

**This item was approved in the consent agenda.**

C. **23-0908** Approve Granicus Proposal for North Port, FL With Master Subscription Agreement and Professional Services Agreement for the Renewal of Granicus GovQA for the Term of One Year in the Amount Not to Exceed \$23,737.95.

**This item was approved in the consent agenda.**

D. **23-0930** Approve the First Amendment to the Community Development Block Grant Subrecipient Agreement Between Sarasota County, Florida and the City of North Port, Florida for the Greenwood Avenue Sidewalk Construction, Extending the Timeline.

**This item was approved in the consent agenda.**

- E. **23-1023** Approve Construction Contract No. 2023-35 – Southwest Water Reclamation Facility (SWWRF) Sludge Drying Bed with C&T Contracting Services, LLC in the Amount of \$567,163.09, With a Contingency of \$56,716.00, for a Total Amount of \$623,879.09.

**This item was approved in the consent agenda.**

- F. **23-1043** Approve the Application for the 2023 Patrick Leahy Bulletproof Vest Partnership Grant in the Amount of \$36,897.00, and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the Grant be Awarded to the City

**This item was approved in the consent agenda.**

- G. **23-1051** Approve the Application to the Florida Department of Economic Opportunity Community Planning Technical Assistance Grant for the Partial Funding of a Master Plan for Activity Center 3, the Gateway Activity Center, in the Amount of \$75,000.00, and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the Grant be Awarded to the City.

**This item was approved in the consent agenda.**

- H. **23-1085** Approve the Agreement Between the Florida Charter Educational Foundation, Inc. and the City of North Port, Florida for the School Resource Officer Program at the College Preparatory Academy at Wellen Park, for a Total Fee to Florida Charter of \$87,000.00.

**This item was approved in the consent agenda.**

- I. **23-1097** Approve the First Amendment to the Community Development Block Grant Subrecipient Agreement between Sarasota County, Florida and the City of North Port, Florida for Story Walk at the Garden of the Five Senses Park, Extending the Timeline to September 30, 2023.

**This item was approved in the consent agenda.**

- J. **23-1103** Appointment of Alexander Titus as a Regular Member of the Citizen Tax Oversight Committee, to Serve a Term from July 25, 2023, to July 25, 2026.

**This item was approved in the consent agenda.**

- K. **23-1119** Approve Work Assignment 2023-09 with Kimley-Horn and Associates, Inc., in the Amount of \$293,777.00, for the Myakkahatchee Creek Surface Water Treatment Plant Raw Water Pipepline and Pipeline Interconnection Between Ground Storage Tanks Project.

**This item was approved in the consent agenda.**

- L. **23-1120** Approval of Minutes for the June 5, 2023 Commission Workshop Meeting,

June 15, 2023 Commission Workshop Meeting, June 12, 2023  
Commission Joint Meeting, June 27, 2023 Commission Regular Meeting,  
and July 6, 2023 Commission Regular Meeting

**This item was approved in the consent agenda.**

- M. 23-1123** Approve the Appointment of Commissioner Stokes to Sit on the Federal Action Strike Team (FAST) Committee.

**This item was approved in the consent agenda.**

- N. 23-1152** Approve the CivicPlus Master Services Agreement and Statement of Work Between CivicPlus, LLC and the City of North Port for the Application of External Linking of State Law References Within Municode, in the Amount of \$3553.25

**This item was approved in the consent agenda.**

**5. PUBLIC HEARINGS:**

**PETITION:**

- A. CC** Consideration of Petition No. DMP-23-019, Presidium Apartments  
**DMP-23-019** Development Master Plan (QUASI-JUDICIAL).

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

Can everyone wishing to provide testimony please stand and raise your right hand. Do you swear or affirm that the testimony you are about to provide is true and accurate to the best of your knowledge, so help you God?

**Public Comment: Charles Schrader and sworn in.**

**A motion was requested to approve the applicant request for the waiver to be 80 ft along Panacea.**

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to approve the DMP-23-019 with the below modifications outlined in the staff report items 1 through 8 adding condition of the fencing along the perimeter as applicant agreed adding additional landscaping as applicant agreed and approving the waiver to the applicant request of the 80 feet along Panacea Boulevard and find that, based on the competent substantial evidence, the Development Master Plan meets the standards in Section 53-7 of the Unified Land Development Code. The motion carried by the following vote: All Yes**

**Recess was taken from 11:41 a.m. until 12:30 p.m.**

**ORDINANCE - First Reading:**

- B. **ORD. NO.** 2023-21 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 Building, Fire Rescue, Police, Parks and Recreation, Facility Rental, Solid Waste, Utilities, and Road And Drainage Fees; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

**A motion was made by Commissioner McDowell, seconded by Vice Mayor White, to continue Ordinance No. 2023-21 to second reading on September 12, 2023 with the change to the utility unauthorized connection fee to \$1,000 to \$10,000. Vice Mayor White pulled second.**

**A motion was made by Commissioner McDowell, seconded by Vice Mayor White, to continue Ordinance No. 2023-21 to second reading on September 12, 2023 to include with the following change to the utility unauthorized connection fee from \$1,000 to \$10,000 pending review and input from Staff and City Attorney. The motion carried by the following vote: All Yes except Commissioner Emrich.**

**RESOLUTION:**

- C. **RES. NO.** 2023-R-04 A Resolution of the City of North Port, Florida, Approving the Expenditure of \$236,855.00 in Forfeiture Funds; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**A motion was made by Commissioner McDowell, seconded by Vice Mayor White, to adopt Resolution No. 2023-R-04 contingent upon the approval of Resolution No. 2023-R-48. The motion carried on the following vote: All Yes**

- D. **RES. NO.** 2023-R-49 A Resolution of the City Commission of the City of North Port, Florida, Authorizing the Purchase of Real Property Located on North Toledo Blade Boulevard and Described as Sarasota County Property Appraiser Parcel Identification numbers 0938013913, 0938013914, 0938013915, 0938013916 and 0959073917; Incorporating Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to adopt Resolution No. 2023-R-49 as presented. The motion carried on the following vote: All Yes**

- E. **RES. NO.** 2023-R-48 A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District and Capital Improvement Budget for Fiscal Year 2022-2023 for Law Enforcement Equipment, Sans Replacement Project IT22SR, One Additional Full Time Equivalent in Utilities, Hurricane Ian Costs, Parks Amenities Project P23PAI, Costs for an Increase in Sergeant and Police Officer Compensation, and Payment Related to the West Villages Developer Agreement Post Annexation in the Amount of \$3,327,485; Providing for Findings, Providing for Posting; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to adopt Resolution No. 2023-R-48 as presented. The motion carried on the following vote: All Yes**

**6. GENERAL BUSINESS:**

- A. 23-0992** Discussion and Possible Action Regarding Request from Blue Sky Communities for Financial Assistance in the Amount of \$460,000 and Request for City Official Signature on Florida Housing Finance Corporation Local Government Verification of Contribution Form for a Proposed Blue Willow Cove Affordable Housing Development to be Located at 5400 Pan American Boulevard.

**A motion was made by Commissioner McDowell, seconded by Vice Mayor White, to hear Item A and Item B together with two separate motions. The motion carried by the following vote: All Yes**

**Public Comment: There was 4 public comments.**

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to decline the financial assistant request of \$460,000 for Blue Sky communities. The motion carried by the following vote: All Yes**

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to deny providing financial assistant as requested from MCP residential developers in the amount of \$460,000 and additional request of \$50,000. The motion carried by the following vote: All Yes**

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to bring back to commission meeting agenda item for discussion and action to include staff recommendation and city attorney analysis to require 35% acreage and minimum timeline for completing non-residential component for any live local act project. The motion carried by the following vote: All Yes**

- B. 23-1019** Discussion and Possible Action Regarding Request from MCP Residential Developers for Financial Assistance in the Amounts of \$460,000 and \$50,000 and Request for City Official Signature on Florida Housing Finance Corporation Local Government Verification Of Contribution Forms for a Proposed Promenade on Price Affordable Housing Development to be Located at 1800 E. Price Blvd.

**This item was heard under Item A under General Business.**

- C. 23-1095** Discussion and Possible Action Regarding a Commission Letter of Support for the HELPER Act, Establishing a One-Time Use Home Loan Program for First Responders and Teachers

**A motion was made by Mayor Langdon, seconded by Commissioner McDowell, to approve of a letter of support to be signed by the Mayor reflecting the desire of the Board “Homes For Every Protector, Educator, and Responder Act of 2023” or the “Helper Act of 2023” modifying the language of the letter to include unequivocal support of the federal government increasing the appropriations of this federal program. The motion carried on the following vote: All Yes**

Recess was taken from 1:58 p.m. until 2:10 p.m.

- D. 23-1126 Discussion and Possible Action Regarding the City of North Port's State and Federal Legislative Priorities for 2024.

**Public Comment: Robin San Vicente**

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to use today's discussion points for staff to draft a revised State and Federal Legislative Priorities to be discussed at the September 5, 2023 Commission Workshop meeting for final approval at the Commission September 12, 2023 meeting. The motion carried on the following vote: All Yes**

- F. 23-1128 Approve the City Attorney's Request to Hold a Special Meeting for an Attorney-Client Executive Session in Pending Litigation, Poulin v. Bush, et al, Case No. 8:31-CV-1516-WJF-AEP Pending in the United States District Court for the Middle District of Florida, Tampa Division

**A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to approve the City Attorney's request to hold a Special Meeting for an Attorney-Client Executive Session in pending litigation, Poulin v Bush, et al, Case No. 8:31-CV-1516-WJF-AEP pending in the United States District Court for the Middle District of Florida, Tampa Division. The motion carried on the following vote: All Yes**

- E. 23-1150 Discussion and Possible Action Regarding Projects for State and Federal Legislative Funding Requests for 2024.

**A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to use today's discussion points for staff to draft a revised State and Federal Legislative Funding Appropriations Request for 2024 to be discussed at the September 5, 2023 Commission Workshop meeting for final approval at the Commission September 12, 2023 meeting. The motion carried on the following vote: The motion carried on the following vote: All Yes**

- G. 23-1145 Discussion and Possible Action Regarding Approval of the July 11, 2023 Commission Regular Meeting Minutes

**A motion was made by Stokes, seconded by McDowell, to approve the July 11, 2023 meeting minutes as presented with the recommended changes. The motion carried on the following vote: All Yes**

- H. 23-1157 Discussion and Possible Action Regarding the Public Private Partnership Pathway for Warm Mineral Springs Parks

**Public Comment: David Spisak and Robin SanVicente (In person) eComment (5): opposed WMS**

**A motion was made by Vice Mayor White, seconded by Commissioner Stokes, to continue the pursue of a Public-Private Partnership (P3) for Warm Mineral Springs (WMS) as a pathway development. The motion carried by the following vote: All Yes except Commissioner McDowell.**

**7. PUBLIC COMMENT:** There was (6) eComments.

**8. COMMISSION COMMUNICATIONS:**

Mayor calls on Commissioners for communications

- A. 23-0848 Mayor Langdon's Communications
- B. 23-0849 Vice Mayor White's Communications
- C. 23-0850 Commissioner Emrich's Communications
- D. 23-0851 Commissioner McDowell's Communications
- E. 23-0852 Commissioner Stoke's Communications

**9. ADMINISTRATIVE AND LEGAL REPORTS:**

Mayor calls on Charter Officers for reports

- A. 23-1124 City Attorney's Monthly Report
- B. 23-1127 City Manager Report to City Commission for July 2023.
- C. 23-0432 City Clerk Report

**10. ADJOURNMENT:**

Mayor Langdon adjourns the meeting at 3:43 p.m.

## **Road and Drainage District Governing Body**

### **SPECIAL MEETING**

**CALL TO ORDER:** Mayor Langdon called the meeting to order at 4:00 p.m.

**ROLL CALL:** All Yes

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Vice Mayor Alice White.

**1. APPROVAL OF AGENDA**

**A motion was made by Commissioner Emrich, seconded by Commissioner McDowell, to approve the Agenda as presented. The motion carried on the following vote: All Yes**

**2. PUBLIC COMMENT:** There was no public comment.

**3. CONSENT AGENDA:**

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to approve the Consent Agenda as presented. The motion carried on the following vote: All Yes**

**23-1101**

Approval of Minutes for the June 27, 2023 Road and Drainage District Regular Meeting and the June 27, 2023 Road and Drainage District Special Meeting

**This item was approved on the Consent Agenda.**

**4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES**

**23-1121**

Presentation by Ceres Environmental, Inc. Providing an Update on Hurricane Related Services Provided to the City of North Port.

Mr. Fletcher requested a postponement of this presentation.

**A motion was made by Commissioner Emrich, seconded by Commissioner McDowell, to move the presentation by Ceres Environmental, Inc. at a date TBD. The motion carried by the following vote: All Yes**

**5. PUBLIC HEARINGS:**

**RES. NO.  
2023-R-47**

A Resolution of the City Commission of the City of North Port, Florida, as the Governing Body of the North Port Road and Drainage District, Amending the North Port Road and Drainage District Budget for Fiscal Year 2022-2023 for Expenses Related to Hurricane Ian in the Amount of \$7,827,728; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to adopt Resolution No. 2023-R-47 as presented. The motion carried on the following vote: All Yes**

**6. PUBLIC COMMENT: There was no public comment.**

**7. ADJOURNMENT: Mayor Langdon adjourned the meeting at 4:13 p.m.**

## **Solid Waste District Governing Body**

### **SPECIAL MEETING**

**CALL TO ORDER:** Mayor Langdon called the meeting to order at 4:13 p.m.

**ROLL CALL:** All Yes

**1. APPROVAL OF AGENDA**

**A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to approve the Agenda as presented. The motion carried on the following vote: All Yes**

**2. PUBLIC COMMENT: There was no public comment.**

**3. CONSENT AGENDA:**

**A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to approve the Consent Agenda as presented. The motion carried on the following vote: All Yes**



**23-1102**

Approval of Minutes for the June 27, 2023 Solid Waste District Regular Meeting and the June 27, 2023 Solid Waste District Special Meeting

**This item was approved on the Consent Agenda.**

**4. PUBLIC HEARINGS:**

**RES. NO.**  
**2023-R-20**

A Resolution of the City Commission of the City of North Port, Florida, as the Governing Body of the North Port Solid Waste District, Authorizing the Purchase of Real Property Located on Silverleaf Road and Described as Lot 29, Block 2276, Forty-Seventh Addition to Port Charlotte Subdivision, Sarasota County Property Appraiser Parcel Identification Number 1128227629; Incorporating Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

**A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to adopt Resolution No. 2023-R-20 as presented. The motion carried on the following vote: All Yes**

**5. PUBLIC COMMENT: There was no public comment.**

**6. ADJOURNMENT: Mayor Langdon adjourned the meeting at 4:18 p.m.**