



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Agenda

City Commission Regular Meeting

Tuesday, November 22, 2022

6:00 PM

City Commission Chambers

Amended to Add Ord. No. 2022-26 & 22-3753 Backup Material, Adding Second Reading to Ord. No. 2022-26

PUBLIC COMMENT: Properly submitted comments will be accepted and included in the official record of the meeting pursuant to City Commission Policy No. 2020-04. Any comment received that does not meet the public comment timing and requirements will be rejected and will not be included in the official record of the meeting. **PLEASE NOTE:** Those wishing to provide public comment on quasi-judicial agenda items must appear before the City Commission to give testimony under oath.

Public comment may be submitted in the following ways:

In Person Attendance: Submit a comment card to the City Clerk. Comment cards with completed information may be submitted until the Mayor closes Public Comment for the agenda item. When recognized by the Mayor, the Commenter will approach the podium. Public Comment is limited to three (3) minutes per person.

Online: Submit a written eComment using the eComment link at cityofnorthport.legistar.com/Calendar. The link will be available online at 8:00 a.m. the day before the meeting until one hour prior to the start of the meeting. Your public comment is limited to 2,000 characters. **PLEASE NOTE:** Online public comment cannot be considered as the basis for a quasi-judicial decision and will be read into the record under general public comment.

Voice Mail Message: Leave a voice mail message via telephone at 941-429-1032. Voice Mail messages will be accepted the day before the meeting from 8:00 a.m. until one hour prior to the start of the meeting. Please provide information as listed in the City's outgoing message. The message must not exceed two minutes, fifteen seconds. Voice messages will be forwarded to Commission and played into the record. **PLEASE NOTE:** Comments provided via voice mail cannot be considered as the basis for a quasi-judicial decision and will be played into the record under general public comment.

Florida's Sunshine Law requires the Commission to discuss this Agenda only in open session. The Commissioners cannot discuss these items with each other before this meeting is called to order. The Commissioners, individually, can however, discuss any item with concerned citizens and staff in preparation for the meeting.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

2. PUBLIC COMMENT:

(The purpose of the Public Comments Section of the Agenda is for members of the public to speak to the City Commission/District Governing Body on any subject pertaining to City Business whether or not it is on the Agenda, with the exception of Quasi-Judicial Items. The City Commission shall not act, except to direct the City Manager to take action or to schedule the matter for discussion at a later date.)

3. ANNOUNCEMENTS

- A. [22-3744](#) Current Vacancies and Upcoming Expirations for Advisory Boards and Committees

Attachments: [Announcements](#)

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [22-3736](#) Sarasota County Commissioner Ron Cutsinger Update to the North Port City Commission.

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. [22-3653](#) Approve the Interagency Agreement Between the Sarasota County Sheriff's Office and City of North Port on Behalf of the North Port Police Department for Use of Driving Simulators at the Knight Trail Park Facilities Located at 3445 Rustic Road, Nokomis, Florida.

Attachments: [Interagency Agreement](#)

- B. [22-3672](#) Accept the Cash Receipts Summary Report for September 2022.

Attachments: [Cash Receipts Summary 093022](#)

- C. [22-3673](#) Approve the Second Amendment to Agreement No. 2018-63, with Mauldin and Jenkins, LLC., Modifying the Fee of the Total Fiscal Year-Ending 2022 Basic Audit and the Total Fiscal Year-Ending 2022 Fee Per Single Audit for Each Major Program Required, and to Authorize the City Manager to Approve all Future Renewals.

Attachments: [Second Amendment to Agreement](#)

[First Amendment to Agreement](#)

[Agreement](#)

[Florida Division of Corporations Documents](#)

- D. [22-3676](#) Approve Construction Contract No. 2023-04 - Renovation of Lift Stations 29, 45 and 73 Community Development Block Grant with Dejonge Excavating Contractors, Inc. in the Amount of \$389,448.00 with a Contingency of \$58,417.00, for a Total Amount of \$447,865.00.

Attachments: [Contract](#)
[Notice of Intent to Award](#)
[Award Recommendation Memo](#)
[Bid Tabulation](#)
[Submittal by Dejonge Excavating Contractors, Inc](#)
[Request for Bid and Addendum](#)
[Subrecipient Agreement](#)
[Florida Division of Corporations Documents](#)

- E. [22-3685](#) Approve Amendment No. 1 to Construction Contract No. 2022-26 - Water Pipeline Bridge Replacements- Haberland/Woodhaven/N. Toledo Blade with Spectrum Underground, Inc., for an Additional Amount of \$135,066.50, for a Total Contract Price of \$475,671.35.

Attachments: [First Amendment to Contract](#)
[Amendment Form](#)
[Contract](#)
[Florida Division of Corporations Document](#)

- F. [22-3733](#) Approval of Minutes for the October 25, 2022 Commission Regular Meeting

Attachments: [Minutes](#)

- G. [22-3734](#) Approval of Minutes for the October 27, 2022 Commission Special Meeting

Attachments: [Minutes](#)

- H. [22-3735](#) Approval of Minutes for the November 3, 2022 Commission Regular Meeting

Attachments: [Minutes](#)

- I. [22-3753](#) Approve the 2023 City of North Port Federal and State Legislative Priorities.

Attachments: [Draft State Legislative Priorities](#)
[Draft Federal Legislative Priorities](#)
[November 7, 2022 Draft Commission Meeting Minutes](#)

- J. [22-3755](#) Approve the Ratification of Emergency Order No. 2022-17 Related to the Temporary Waiver of Permit Requirements for the City's Use of Modular Buildings, Construction Trailers, and Storage Containers on City-Owned Property

Attachments: [Emergency Order No. 2022-17](#)

- K. [22-3675](#) Approve the Tenant Lease Agreement Between the City of North Port and Centerplace Health, Inc., for Suite B104 at the Family Service Center

Located at 6919 Outreach Way.

Attachments: [Tenant Lease Agreement](#)
[Letter of Intent](#)

6. PUBLIC HEARINGS:

PETITION:

- A. [CC](#) Consideration of Petition No. DMP-22-060, Arietto Development Master Plan. (Quasi-Judicial)

Attachments: [Staff Report with Exhibits](#)
[Development Master Plan](#)
[PZAB Action Report](#)
[Staff Report - Revised](#)

ORDINANCE - Second Reading:

- B. [ORD. NO. 2022-22](#) An Ordinance of the City of North Port, Florida, Amending the Future Land Use Designation from Agricultural, Estates and Activity Center to Village for a ± 83.417 Acre Area Generally Located North of Interstate 75 and East of Toledo Blade Boulevard; Amending the City of North Port Comprehensive Plan Chapter 2, Future Land Use Map 2-7; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI JUDICIAL)

Attachments: [Ordinance - Second Reading](#)
[Ordinance - First Reading](#)
[Staff Report with Exhibits](#)
[PZAB Action Report](#)
[Staff Report-Revised](#)

- C. [ORD. NO. 2022-21](#) An Ordinance of the City of North Port, Florida, Rezoning ± 789 Acres Located in Section 6, Township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2003102705 in Official Records of Sarasota County; Section 5 and Section 8, township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2003102706 in the Official Records of Sarasota County; and Section 15 and 16, township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2003102706, from No Zoning Designation District (NZD) to Village District (V); Amending the Official Zoning Map; Providing for Findings; Providing for Filing of Approved Documents; Providing for Cconflicts, Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL)

Attachments: [Ordinance - Second Reading](#)
[Ordinance- First Reading](#)
[Staff Report with Exhibits](#)
[PZAB Action Report](#)
[Letter of Representation](#)

- D. [ORD. NO. 2022-27](#) An Ordinance of the City of North Port, Florida, Repealing and Replacing Chapter 59 of the Unified Land Development Code Regarding Public Art; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

Attachments: [Ordinance - Second Reading](#)
[Ordinance - First Reading](#)
[Staff Report with Exhibits](#)
[Presentation](#)
[4-26-2022 Minutes](#)
[12-8-2020 Minutes](#)

- E. [ORD. NO. 2022-28](#) An Ordinance of the City of North Port, Florida, Repealing and Replacing Chapter 4, Article III of the Code of the City of North Port, Florida Relating to the Art Advisory Board; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

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

- F. [ORD. NO. 2022-26](#) An Ordinance of the City of North Port, Florida, Establishing a Schedule and Location of City Commission Regular Meeting and Workshops for the 2023 Calendar Year; Providing for Findings; Providing for conflicts, Providing for Severability; and Providing and Providing and Effective Date.

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

ORDINANCE - First Reading:

- G. [ORD. NO. 2022-25](#) An Ordinance of the City of North Port, Florida, Amending Ordinance No. 2011-10 and the North Port Gardens Development of Regional Impact Development Order Related to Land Use, Transportation Conditions, and the Master Development Plan; Providing for Findings; Providing for Enforcement; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.
(QUASI-JUDICIAL)

Attachments: [Ordinance - First Reading](#)
[Staff Report with Exhibits](#)
[11/03/22 PZAB Action Report](#)

- H. [ORD. NO. 2022-31](#) An Ordinance of the City of North Port, Florida, Amending the City of the City of North Port Comprehensive Plan; Adopting a New Chapter 13, Coastal Management Element, Including Goals, Objectives, and Policies, and Adopting a Coastal Management Map Series; Amending Chapter 5, Conservation and Coastal Zone Management Element and Adopting a Conservation Map Series; Amending the Table of Contents; Amending Chapter 2, Future Land Use Element, Amending Chapter 4, Utilities Element; Amending 9, Public School Facilities Element; Repealing Conservation and Coastal Zone Management Maps 5-1 through 5-17; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Attachments: [Ordinance - First Reading](#)

RESOLUTION:

- I. [RES. NO. 2022-R-66](#) A Resolution of the City of North Port, Florida, Temporarily Suspending the Historic and Cultural Advisory Board; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; Providing an Effective Date; and Providing a Sunset Provision.

Attachments: [Resolution](#)
[Commission Direction](#)

7. GENERAL BUSINESS:

- A. [22-3570](#) Discussion and Possible Action Regarding the City Commission Board and Committee Assignments for Fiscal Year 2022-2023.

Attachments: [Current Committee Assignment](#)

- B. [22-3705](#) Discussion and Possible Action Regarding the Approval of the October 6, 2022, City Commission Regular Meeting Minutes

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

- C. [22-3737](#) Discussion and Possible Action Regarding Suggested Agenda Items for the 2023 Convocation of Governments Based on the Interlocal Agreement for School Facility Planning.

Attachments: [Letter from Sarasota County Schools](#)
[Convocation Agenda 2022](#)
[October 26, 2021 Commission Meeting Minutes](#)

- D. [22-3749](#) Discussion and Possible Action Regarding the Warm Mineral Springs Development Group, LLC Public Private Partnership Detailed Proposal Related to the Warm Mineral Springs Park Master Plan Building Restoration/Improvements and Future Park Development.

Attachments: [WMS Development Group LLC Unsolicited P3 Detailed Proposal](#)
[Warm Mineral Springs Preliminary Assessment Letter](#)
[2022-09-12 City Commission Special Meeting Minutes](#)
[WMS Development Group LLC Unsolicited P3 Conceptual Proposal](#)
[WMS Development Group LLC Unsolicited P3 Concept Plan](#)
[2022-06-16 City Commission Workshop Minutes](#)
[North Port City Code Sec. 2-402 and 2-420.pdf](#)
[North Port City Code Appendix A City Fee Structure](#)

8. PUBLIC COMMENT:

(The purpose of the Public Comments Section of the Agenda is for members of the public to speak to the City Commission/District Governing Body on any subject pertaining to City Business whether or not it is on the Agenda, with the exception of Quasi-Judicial Items. The City Commission shall not act, except to direct the City Manager to take action or to schedule the matter for discussion at a later date.)

9. COMMISSION COMMUNICATIONS:

10. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [22-3739](#) City Manager Report
Attachments: [City Manager Report 11.22.22.pdf](#)
- B. [22-3740](#) City Attorney's Report
Attachments: [Commission Directives to the City Attorney](#)
[Matter List \(Redacted\)](#)
- C. [22-3661](#) City Clerk Report
Attachments: [Commission Update](#)
[Closed Status Chart](#)
[Open Requests Chart](#)
[FY Request Log](#)

11. ADJOURNMENT:

NOTICE OF AVAILABILITY OF REPORTS - The Agenda is a summary of the proposed actions to be taken by the City Commission. For almost every agenda item, the City staff has prepared materials for Commission consideration and provided a staff recommendation. All of these materials are available at the City Clerk's Office, during normal business hours, for inspection and (for a fee) copying. Questions on these materials may be directed to the staff member who prepared them, or to the City Clerk's Office, who will refer you to the appropriate person.

AMERICAN WITH DISABILITIES ACT OF 1990 - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status, marital status, sexual orientation, gender identity or expression, or physical characteristic in administration of its programs, activities or services.

No stenographic record by a certified court reporter is made of these recordings. Accordingly, anyone seeking to appeal any of the decisions involving the matters herein will be responsible for making a verbatim record of the meeting/testimony and evidence upon which any appeal is to be based. Copies of the recordings are available (for a fee) at the City Clerk's Office.