



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Agenda City Council

Tuesday, September 12, 2023

9:00 AM

Council Chambers

Zoom Meeting Link: <https://us02web.zoom.us/j/85982345115>

THERE IS AN ATTORNEY-CLIENT SESSION SCHEDULED TODAY

[23-6212](#) Instructions on How to Watch and/or Participate in the Meeting

Attachments: [Meeting Instructions](#)
[Request to Speak Form](#)

Broadcast

This meeting will re-broadcast the week after the meeting on Access Sarasota (Comcast Channel 19)(Verizon Channel 32). To view the meeting live please log onto www.venicegov.com, click on meetings, find today's meeting and click "in progress".

CALL TO ORDER

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

I. RECOGNITION

- [23-6213](#) Swearing in: Detective Bill Kuchar Promoted to Sergeant
- [23-6185](#) Recognition of Certified Municipal Clerk (CMC) Designation: Mercedes Barcia, Records Manager/Deputy City Clerk
- [23-6214](#) 10- Year Service Award, Audrey Symowicz, Administrative Coordinator
- [23-6215](#) Proclaim September 19, 2023 as "IT Professionals Day", Presented to Roger Navarro, IT Director, and IT Staff

Attachments: [Proclamation](#)

II. AUDIENCE PARTICIPATION will be limited to one hour.

Excluding Public Hearings (Five Minutes Each Speaker for City Residents, City Property Owners, and Owners of Businesses within the City Limits and Two Minutes for all Other Speakers unless Other Time Limits are Established).

III. CONSENT SECTION:

All matters listed under the Consent Section are considered to be routine and will be enacted by one motion unless an item is removed by a council member. There will be no separate discussion of these items. If discussion is desired by a council member, the item(s) will be considered and voted upon at the end of the Consent Section.

A. CITY CLERK

[23-6216](#) Minutes of the Regular City Council Meeting August 22, 2023

Attachments: [Minutes](#)

B. CITY MANAGERAirport

[23-6217](#) Authorize the Mayor to Execute the Second Amendment to the Lease Between the City of Venice and Tristate Aviation Group of Florida, LLC, and the Assignment of the Lease to Skyport Aviation, Inc. for the Properties Located at 400, 220, and 200 Airport Avenue East

Attachments: [Updated Staff Memorandum](#)
[Memorandum](#)
[Second Amendment to Restated Lease Agreement](#)
[Assignment of Restated Lease](#)
[Exhibit A to Assignment of Restated Lease](#)

[23-6218](#) Authorize the Mayor to Execute the Third Amendment to the Lease Between the City of Venice and BVK, Inc.

Attachments: [Memorandum](#)
[Lease Agreement](#)
[Exhibit A](#)

Engineering

[23-6219](#) Execute a Utility Easement Agreement Between PGT Industries, Inc., and the City of Venice for the Temporary Booster Station on Knights Trail Road

Attachments: [Memorandum](#)
[Utility Easement](#)

Police

[23-6220](#) Approve Donation of Forfeiture Funds to Family Promise of South Sarasota County, Child Protection Center, Inc. and Sarasota K9 Search and Rescue

Attachments: [Memorandum](#)

Utilities

[23-6221](#) Authorize Staff to Participate in the Bidding Process to Acquire the 0.5 Acre Property Located at 200 Grove Street

Attachments: [Memorandum](#)
 [Exhibit "A"](#)

IV. ITEMS REMOVED FROM CONSENT

V. PRESENTATION WITH ACTION

[23-6222](#) Human Resources Director Alan Bullock and Ray Carter, The Gehring Group: Renewal of Property and Liability Insurance for Fiscal Year 2024 (10 min.)

Attachments: [Memorandum](#)
 [FY24 Premium History](#)
 [2023-2024 Renewal Evaluation](#)

VI. PRESENTATION

[23-6223](#) Pat Neal, Neal Communities: Laurel Road Widening Update (10 min.) (Dr. Fiedler)

Attachments: [Presentation](#)
 [Dr. Fiedler's Request](#)

VII. PUBLIC HEARINGS

A. ORDINANCES - FIRST READING

[ORD. NO.](#) *REQUEST WAS MADE TO CONTINUE THIS ITEM TO A COUNCIL
[2023-14](#) MEETING IN OCTOBER*

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 23-13RZ, to Change the Zoning Designation for the Sawgrass Community Generally Located at the West Side of North Auburn Road Between East Venice Avenue and Edmondson/Border Road (316+ Acres) from Sarasota County Residential Single Family 2 (RSF-2) with a Planned Unit Development (PUD) Overlay to City of Venice PUD; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-Judicial)

Attachments: [Jeffery Boone's Continuance Request 9.7.23](#)
[Ordinance](#)
[Revised Transmittal Memo to City Clerk](#)
[Transmittal Memo to City Clerk](#)
[Staff Presentation CC](#)
[Staff Presentation](#)
[Staff Report CC](#)
[Staff Report](#)
[Application](#)
[Narrative](#)
[Sawgrass Binding Master Plan Map UPDATE](#)
[Sawgrass Binding Master Plan Map](#)
[Location Map](#)
[Proposed Zoning Map](#)
[Zoning Standards CC](#)
[Zoning Standards](#)
[Decision Criteria](#)
[Statement of Land Use Density](#)
[Planning Commission Minutes 4.18.23](#)

ORD. NO.
2023-35

THIS ITEM WILL NEED TO BE CONTINUED TO THE OCTOBER 10, 2023 COUNCIL MEETING

An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 23-18AN by Stephen T. Deans and Cherie L. Deans, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Attachments: [Ordinance](#)
[Transmittal Memo to City Clerk](#)
[Staff Report](#)
[Staff Presentation](#)
[Applicant - Application and Narrative](#)
[Applicant - Pre-Annexation Agreement](#)
[Applicant - Financial Feasibility](#)
[Applicant - Survey](#)
[Applicant - 1.4.3 Decision Criteria](#)
[Planning Commission Minutes 8.15.23](#)

ORD. NO.
2023-36

THIS ITEM WILL NEED TO BE CONTINUED TO THE OCTOBER 10, 2023 COUNCIL MEETING

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map and Associated Pages Pursuant to Petition No. 23-19CP to Change the Future Land Use Designation of Specific Real Properties Located at 3590 and 3600 Laurel Road East from Sarasota County Major Employment Center (MEC) and City of Venice Mixed Use Residential (MUR) to City of Venice Medium Density Residential (MEDR); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Attachments:[Ordinance](#)[Transmittal Memo to City Clerk](#)[Staff Report CC](#)[Staff Report](#)[Staff Presentation](#)[Applicant - Application and Narrative](#)[Applicant - Survey - 3590 Laurel Rd E](#)[Applicant - Survey - 3600 Laurel Rd E](#)[Applicant - Strikethrough Underline Revisions](#)[Applicant - Sec. 1.5.3 Decision Criteria](#)[Applicant - Location Map](#)[Planning Commission Minutes 8.15.23](#)ORD. NO.
2023-37

THIS ITEM WILL NEED TO BE CONTINUED TO THE OCTOBER 10, 2023 COUNCIL MEETING

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 23-20RZ, to Change the Zoning Designation for the Properties Located at 3590 and 3600 Laurel Road East (21.34 ± Acres Combined), from City of Venice Residential Multi-Family 2 (RMF-2) and Sarasota County Open Use Estate (OUE) to City of Venice Residential Multi-Family 3 (RMF-3); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-Judicial)

Attachments: [Ordinance](#)
[Transmittal Memo to City Clerk](#)
[Staff Report](#)
[Staff Presentation 23-20RZ Stiles Multi Family](#)
[Applicant - Application and Narrative](#)
[Applicant - Location Map](#)
[Applicant - Survey - 3590 Laurel Rd E](#)
[Applicant - Survey - 3600 Laurel Rd E](#)
[Applicant - Sec. 1.7.4 Decision Criteria](#)
[Planning Commission Minutes 8.15.23](#)

B. ORDINANCES – FINAL READING

ORD. NO. An Ordinance of the City of Venice, Florida, Amending the 2017-2027
2023-24 Comprehensive Plan Pursuant to Petition No. 23-31CP by Amending Strategy HG 1.5.2 Targeted Attainable Housing Locations, and Table HG-2 Attainable Housing - Maximum Density (Dwelling Units Per Gross Acre) with Density Bonus, to Allow an Attainable Housing Density Bonus for the Moderate Density Future Land Use Designation (Residential Multi-Family Zoning Districts Only); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Attachments: [Ordinance with Updated Adoption Date](#)
[Ordinance](#)
[Transmittal Memo to City Clerk](#)
[Staff Report](#)
[Application](#)
[Comp Plan Strikethrough Underline](#)
[Clean Copy](#)
[Speaker Card 6.6.23](#)
[Planning Commission Minutes 6.6.23](#)
[DEO Response Letter 23-02ESR](#)
[DEP Response Email](#)

ORD. NO. An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying
2023-25 Contiguous to the City Limits, Pursuant to Petition No. 23-14AN, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Attachments: [Ordinance](#)
 [Transmittal Memo to City Clerk](#)
 [Staff Report](#)
 [Staff Presentation](#)
 [Application](#)
 [Narrative](#)
 [Survey](#)
 [Planning Commission Minutes 6.20.23](#)

ORD. NO. An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City
2023-26 of Venice Comprehensive Plan Future Land Use Map Pursuant to Petition
 No. 23-15CP to Change the Future Land Use Designation of Specific Real
 Property Located at 1545 East Venice Avenue (5.07± Acres), from
 Sarasota County Medium Density Residential to City of Venice
 Government (GOV); Providing for Repeal of All Ordinances in Conflict
 Herewith; Providing for Severability; and Providing an Effective Date

Attachments: [Ordinance](#)
 [Transmittal Memo to City Clerk](#)
 [Staff Report](#)
 [Staff Presentation](#)
 [Application](#)
 [Narrative](#)
 [Survey](#)
 [FLU Table](#)
 [Planning Commission Minutes 6.20.23](#)

ORD. NO. An Ordinance Amending the Official Zoning Atlas of the City of Venice,
2023-27 Florida, Pursuant to Zoning Map Amendment Petition No. 23-16RZ, to
 Change the Zoning Designation for the Property Located at 1545 East
 Venice Avenue (5.07± Acres), from Sarasota County Open Use Estate 1
 (OUE-1) to City of Venice Government (GOV); Providing for Repeal of All
 Ordinances in Conflict Herewith; Providing for Severability; and Providing
 an Effective Date (Quasi-judicial)

Attachments: [Ordinance](#)
[Transmittal Memo to City Clerk](#)
[Staff Report](#)
[Staff Presentation](#)
[Application](#)
[Narrative](#)
[Survey](#)
[Decision Criteria](#)
[Planning Commission Minutes 6.20.23](#)

ORD. NO. An Ordinance of the City of Venice, Florida, Amending the Code of
2023-28 Ordinances, Chapter 30, Emergency Services, Article III, Emergency
Medical Aid Fees, Section 30-40, Definitions, and Section 30-41,
Emergency Medical Aid Fees; Providing for Repeal of All Ordinances in
Conflict Herewith; Providing for Severability; and Providing an Effective
Date

Attachments: [Ordinance](#)
[Memorandum](#)

ORD. NO. An Ordinance of the City of Venice, Florida, Providing for Placement of the
2023-29 Structure Located at 721 Myrtle Avenue on the Local Register of Historical
Resources Pursuant to Chapter 87, Historic and Architectural
Preservation, Section 7.7, Local Register and Landmarks, of the City of
Venice Code of Ordinances; and Providing an Effective Date

Attachments: [Ordinance](#)
[Transmittal Letter to City Council](#)
[Local Register Nomination Application](#)
[Staff Report](#)
[Florida Master Site File](#)
[Contributing Structure](#)
[Historic and Architectural Preservation Board Minutes 7.13.23](#)
[Speaker Cards](#)

ORD. NO. An Ordinance of the City of Venice, Florida, Amending Chapter 74,
2023-30 Utilities, Article I, In General, Section 74-5, Potable Water, Irrigation Water,
Reclaimed Water and Wastewater Tap Fees, Section 74-11, Water,
Sewer, and Reclaimed Water Rates, and Article III, Sewers and Sewage
Disposal, Section 74-162, Amount, by Modifying Utility Rates, Charges
and Capacity Fees; Providing for Repeal of all Ordinances in Conflict
Herewith; Providing for Severability and Providing an Effective Date

Attachments: [Ordinance](#)
[Memorandum](#)

[ORD. NO.](#)
[2023-31](#) An Ordinance Amending City of Venice Ordinance No. 2022-26, as Previously Amended, Which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; by Increasing the Total Revenue by \$670, 949 and Total Expenditures by \$670, 949; and Providing an Effective Date

Attachments: [Ordinance](#)
[Memorandum](#)

[ORD. NO.](#)
[2023-32](#) An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 22, Elections, by Deleting Section 22-7, Political Signs; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Attachments: [Ordinance](#)
[Memorandum](#)
[Written Correspondence 9.3.23](#)

VIII. UNFINISHED BUSINESS (Item Continued from the August 22, 2023 Council Meeting)

[23-6195](#) *REQUEST WAS MADE TO CONTINUE THIS ITEM TO THE OCTOBER 10, 2023 COUNCIL MEETING*

Approve Pre-Annexation Agreement Between the City of Venice and Douglas Girard Andrew for Oaks at Venice

Attachments: [Pre-Annexation Agreement](#)
[Jeffery Boone's Continuance Request 9.7.23](#)
[Petition for Annexation](#)
[Location Map](#)
[Speaker Cards 8.22.23](#)
[Staff Presentation](#)

IX. NEW BUSINESS

A. RESOLUTIONS

[RES. NO.](#)
[2023-31](#) A Resolution of the City of Venice, Florida, Adopting a Revised Schedule of Emergency Medical Aid Fees Consistent with Section 30-41 of the City Code of Ordinances; Superseding Resolution No. 2020-17; and Providing an Effective Date

Attachments: [Resolution](#)

[RES. NO. 2023-35](#) A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Vistera Associates, LLC, Border Road Investments, LLC, and Laurel Road CDD and Accepting a One Year Developers Cash Maintenance Bond and Bill of Sale, and Providing an Effective Date (Vistera Phase 1, 3rd Segment)

Attachments: [Resolution](#)
[Affidavit No Liens](#)
[Certification of No Advance Contribution](#)
[One Year Warranty](#)
[DOH Clearance](#)
[Record Drawings](#)

[RES. NO. 2023-36](#) A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Vistera at Venice Owner 1, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date (Vistera at Venice Multi-Family Project, Phase 1)

Attachments: [Resolution](#)
[Affidavit No Liens](#)
[Certification of No Advance Contribution](#)
[One Year Warranty](#)
[Record Drawings](#)
[DOH Clearance](#)

[RES. NO. 2023-37](#) A Resolution of the City of Venice, Florida, Amending Resolution No. 2023-33 to Revise the Designated Polling Places for the General Municipal Election to be Held on Tuesday, November 7, 2023; and Providing an Effective Date

Attachments: [Resolution](#)
[Email](#)

[RES. NO. 2023-38](#) A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Authorizing Application to the Florida Department of Environmental Protection for Partial Funding of the Venice Beach Renourishment Project for Fiscal Year 2024/2025; Authorizing the City Manager to Execute Said Application and Other Required Documentation; Authorizing the City Manager to Initiate any Related Action Incidental Thereto; and Providing an Effective Date

Attachments: [Resolution](#)
[Memorandum](#)
[Venice Beach Project Application](#)
[FDEP Draft Venice FY24/25 LGFR Beach Project Assessment](#)

B. COUNCIL ACTION/DISCUSSION

[23-6224](#) Quasi-Judicial Procedures (Attorney Fernandez)

Attachments: [Memorandum](#)

X. CHARTER OFFICER REPORTS

City Attorney

City Clerk

City Manager

XI. COUNCIL REPORTS

Council Member Howard

Council Member Moore

Council Member Fiedler

Council Member Longo

Council Member Frank

Vice Mayor Boldt

Mayor Pachota

XII. PRIVATE ATTORNEY-CLIENT SESSION AT NOON

[23-6225](#) PRIVATE ATTORNEY-CLIENT SESSION, PURSUANT TO FLORIDA STATUTE 286.011(8), TO DISCUSS NEAL COMMUNITIES OF SWF, LLC ET AL V. CITY OF VENICE

In attendance will be City Attorney Kelly Fernandez, Special Counsel Derek Schroth, Mayor Nick Pachota, Vice Mayor Jim Boldt, Council Members Mitzie Fiedler, Helen Moore, Rachel Frank, Rick Howard and Dick Longo, City Manager Ed Lavallee, and Roberts Court Reporting. (Expected Duration One Hour)

XIII. AUDIENCE PARTICIPATION

Five Minutes Each Speaker for City Residents, City Property Owners, and Owners of Businesses within the City Limits and Two Minutes for all Other Speakers unless Other Time Limits are Established.

XIV. ADJOURNMENT

The meeting will not go beyond 5:00 p.m. unless City Council grants an extension.

If you are disabled and need assistance, please contact the City Clerk's office at least 24 hours prior to the meeting.

NOTE: No stenographic record by a certified court reporter is made of this meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at this meeting upon which any appeal is based.



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Minutes

City Council

Tuesday, September 12, 2023

9:00 AM

Council Chambers

Zoom Meeting Link: <https://us02web.zoom.us/j/85982345115>

THERE IS AN ATTORNEY-CLIENT SESSION SCHEDULED TODAY

[23-6212](#)

Instructions on How to Watch and/or Participate in the Meeting

Broadcast

CALL TO ORDER

Mayor Pachota called the meeting to order at 9:00 a.m.

ROLL CALL

Present: 7 - Mayor Nick Pachota, Dr. Mitzie Fiedler, Vice Mayor Jim Boldt, Ms. Helen Moore, Mrs. Rachel Frank, Mr. Dick Longo and Mr. Rick Howard

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, City Manager Ed Lavallee, Assistant City Manager James Clinch, Deputy City Clerk Toni Cone, and for certain items on the agenda: Police Chief Charlie Thorpe, Human Resources Director Alan Bullock, Senior Planner Nicole Tremblay, Airport Director Mark Cervasio, Fire Chief Giddens, and City Engineer Kathleen Weeden.

INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels offered the Invocation followed by the Pledge of Allegiance led by Dr. Fiedler.

I. RECOGNITION

[23-6213](#)

Swearing in: Detective Bill Kuchar Promoted to Sergeant

Clerk Michaels performed this swearing in.

[23-6185](#)

Recognition of Certified Municipal Clerk (CMC) Designation: Mercedes Barcia, Records Manager/Deputy City Clerk

Clerk Michaels presented this recognition.

[23-6214](#) 10- Year Service Award, Audrey Symowicz, Administrative Coordinator
City Manager Lavallee presented this recognition.

[23-6215](#) Proclaim September 19, 2023 as "IT Professionals Day", Presented to Roger Navarro, IT Director, and IT Staff
Mayor Pachota presented this proclamation.
Recess was taken from 9:25 a.m. until 9:45 a.m.

II. AUDIENCE PARTICIPATION will be limited to one hour.

Joan Farrell, 617 Tamiami Trail North, Lot 132, spoke against the widening of Laurel Road, against a new Publix shopping center at Jacaranda and Laurel Roads, concerns about traffic, and ecological impacts.

CONSENT SECTION:

City Manager Lavallee requested to pull Item No. 23-6217 from the consent agenda.

Dr. Fiedler requested to pull Item No. 23- 6220 from the consent agenda.

A motion was made by Mr. Longo, seconded by Vice Mayor Boldt, to approve items on the Consent Agenda, except for Item Nos. 23-6220 and 23-6217. The motion carried unanimously by voice vote.

A. CITY CLERK

[23-6216](#) Minutes of the Regular City Council Meeting August 22, 2023
These minutes were approved on the Consent Agenda.

B. CITY MANAGER

Airport

[23-6218](#) Authorize the Mayor to Execute the Third Amendment to the Lease Between the City of Venice and BVK, Inc.
This item was approved on the Consent Agenda.

Engineering

[23-6219](#) Execute a Utility Easement Agreement Between PGT Industries, Inc., and the City of Venice for the Temporary Booster Station on Knights Trail Road
This item was approved on the Consent Agenda.

Police

Utilities

[23-6221](#) Authorize Staff to Participate in the Bidding Process to Acquire the 0.5 Acre Property Located at 200 Grove Street

This item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

[23-6220](#) Approve Donation of Forfeiture Funds to Family Promise of South Sarasota County, Child Protection Center, Inc. and Sarasota K9 Search and Rescue

Council acknowledged Chief Thorpe and the Venice Police Department for the donation of the contraband forfeiture funds.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, to approve Item 23-6220. The motion carried unanimously by voice vote.

[23-6217](#) Authorize the Mayor to Execute the Second Amendment to the Lease Between the City of Venice and Tristate Aviation Group of Florida, LLC, and the Assignment of the Lease to Skyport Aviation, Inc. for the Properties Located at 400, 220, and 200 Airport Avenue East

Airport Director Cervasio addressed changes in the memo regarding extending the term of the lease until 2050 with a potential 10-year extension, and answered a Council question regarding the airport master plan and taking on a new tenant, responding the updating of the master plan is in process and the City is in a long-term lease with the inability to withhold the assignment to a new tenant, and the new terms will produce an increase in rent to the City.

A motion was made by Dr. Fiedler, seconded by Mr. Howard, to approve Item 23-6217. The motion carried unanimously by voice vote.

V. PRESENTATION WITH ACTION

[23-6222](#) Human Resources Director Alan Bullock and Ray Carter, The Gehring Group: Renewal of Property and Liability Insurance for Fiscal Year 2024 (10 min.)

Human Resources Director Bullock presented a request for approval to renew the contract and reviewed reasons for the increase in the property insurance rate.

Mr. Carter explained the insurance market in response to Hurricane Ian, increase in material and labor costs, addressed the proposal, and answered Council questions regarding increase in asset value 38%, the impact on premiums, Florida Municipal Insurance Trust (FMIT), reinsurers and off-shore markets, impacts next year, blanket coverage, and answered

Council questions regarding an increase in auto liability, increase in number of vehicles, a newer fleet, and auto and workers compensation insurance deductibles.

A motion was made by Vice Mayor Boldt and seconded by Ms. Moore to approve renewal of property and liability insurance for Fiscal Year 2024. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

VI. PRESENTATION

[23-6223](#)

Pat Neal, Neal Communities: Laurel Road Widening Update (10 min.) (Dr. Fiedler)

Mr. Neal presented an update on the Laurel Road expansion, including funding, grant options, and requested three actions.

Mayor Pachota stated no action can be taken at this meeting; noting requested action would need to be placed on a future agenda.

Mr. Neal responded to Council question regarding the multi-use recreational trail (MURT) clarification on map, landscape, irrigation, and funding, a previous resolution regarding the MURT funding, park impact fees, and the width of the MURT.

There was a request by Dr. Fiedler to place Mr. Neal's requests on the next agenda.

Mr. Neal and Mr. Domingo continued presenting on the project requesting a shared grant application for the Suncoast Trails, use of impact fees, request the \$1.9 million surfacing funds from Sarasota County, and request for City staff to work with County on land acquisition.

Discussion took place regarding the entrance to the Venetian Golf and River Club (VGRC), the roundabout at Veneto and Jacaranda, opposition, alternative to stoplight, the need for a discussion with VGRC which has been declined, design concerns, drainage, crosswalk options, hawk signals, and answered a Council question regarding hawk signals

Recess was taken from 10:44 a.m. to 10:53 a.m.

Mr. Neal and Mr. Domingo continued their presentation regarding a split median/refuge area, crosswalk options, and safety, intersection options and costs.

Discussion took place regarding funding, options, safety, and hawk signals.

Mayor Pachota noted no action taken.

VII. PUBLIC HEARINGS

A. ORDINANCES - FIRST READING

ORD. NO.
2023-14

REQUEST WAS MADE TO CONTINUE THIS ITEM TO A COUNCIL MEETING IN OCTOBER

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 23-13RZ, to Change the Zoning Designation for the Sawgrass Community Generally Located at the West Side of North Auburn Road Between East Venice Avenue and Edmondson/Border Road (316+ Acres) from Sarasota County Residential Single Family 2 (RSF-2) with a Planned Unit Development (PUD) Overlay to City of Venice PUD; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-Judicial)

Mr. Longo stated this rezone has been going on for four years and requested an explanation for the continuance.

Ms. Boone stated a letter had been submitted with the request for continuance, as the attorneys handling an affected client were in public hearings in other municipalities.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, that Ordinance No. 2023-14 be continued to the October 24, 2023 City Council Meeting. The motion carried by the following electronic vote:

- Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard
- No:** 1 - Mr. Longo

ORD. NO.
2023-35

THIS ITEM WILL NEED TO BE CONTINUED TO THE OCTOBER 10, 2023 COUNCIL MEETING

An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 23-18AN by Stephen T. Deans and Cherie L. Deans, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

A motion was made by Dr. Fiedler, seconded by Mr. Longo, that Ordinance No. 2023-35, Ordinance No. 2023-36, and Ordinance No. 2023-37 be continued to the October 10, 2023 City Council meeting. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[ORD. NO. 2023-36](#) *THIS ITEM WILL NEED TO BE CONTINUED TO THE OCTOBER 10, 2023 COUNCIL MEETING*

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map and Associated Pages Pursuant to Petition No. 23-19CP to Change the Future Land Use Designation of Specific Real Properties Located at 3590 and 3600 Laurel Road East from Sarasota County Major Employment Center (MEC) and City of Venice Mixed Use Residential (MUR) to City of Venice Medium Density Residential (MEDR); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

This ordinance was continued.

[ORD. NO. 2023-37](#) *THIS ITEM WILL NEED TO BE CONTINUED TO THE OCTOBER 10, 2023 COUNCIL MEETING*

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 23-20RZ, to Change the Zoning Designation for the Properties Located at 3590 and 3600 Laurel Road East (21.34 ± Acres Combined), from City of Venice Residential Multi-Family 2 (RMF-2) and Sarasota County Open Use Estate (OUE) to City of Venice Residential Multi-Family 3 (RMF-3); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-Judicial)

This ordinance was continued.

B. ORDINANCES – FINAL READING

[ORD. NO. 2023-24](#) An Ordinance of the City of Venice, Florida, Amending the 2017-2027 Comprehensive Plan Pursuant to Petition No. 23-31CP by Amending Strategy HG 1.5.2 Targeted Attainable Housing Locations, and Table HG-2 Attainable Housing - Maximum Density (Dwelling Units Per Gross Acre) with Density Bonus, to Allow an Attainable Housing Density Bonus for the Moderate Density Future Land Use Designation (Residential Multi-Family Zoning Districts Only); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no communications.

Senior Planner Tremblay answered a Council question regarding the steps in the process for attainable housing.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Ms. Moore, seconded by Mr. Longo, that Ordinance No. 2023-24 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[ORD. NO.
2023-25](#)

An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 23-14AN, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There was written communication and no one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2023-25 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[ORD. NO.
2023-26](#)

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map Pursuant to Petition No. 23-15CP to Change the Future Land Use Designation of Specific Real Property Located at 1545 East Venice Avenue (5.07± Acres), from Sarasota County Medium Density Residential to City of Venice Government (GOV); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Mayor Pachota opened the public hearing.

There were no written communications and no one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, that based on

the evidence in the record Ordinance No. 2023-26 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[ORD. NO.
2023-27](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 23-16RZ, to Change the Zoning Designation for the Property Located at 1545 East Venice Avenue (5.07± Acres), from Sarasota County Open Use Estate 1 (OUE-1) to City of Venice Government (GOV); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-judicial)

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

City Attorney Fernandez questioned Council Members concerning ex-parte communications and conflicts of interest. Mr. Longo disclosed a site visit and staff communication.

There were no written communications and no one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Mr. Longo, seconded by Vice Mayor Boldt, that based on the evidence in the record Ordinance No. 2023-27 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[ORD. NO.
2023-28](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 30, Emergency Services, Article III, Emergency Medical Aid Fees, Section 30-40, Definitions, and Section 30-41, Emergency Medical Aid Fees; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications.

Fire Chief Giddens answered Council questions regarding fees and responded that the City has a billing company and has a collection rate of over 80%.

No one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Mr. Howard, seconded by Vice Mayor Boldt, that Ordinance No. 2023-28 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[ORD. NO.
2023-29](#)

An Ordinance of the City of Venice, Florida, Providing for Placement of the Structure Located at 721 Myrtle Avenue on the Local Register of Historical Resources Pursuant to Chapter 87, Historic and Architectural Preservation, Section 7.7, Local Register and Landmarks, of the City of Venice Code of Ordinances; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications and no one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Ms. Moore, that Ordinance No. 2023-29 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[ORD. NO.
2023-30](#)

An Ordinance of the City of Venice, Florida, Amending Chapter 74, Utilities, Article I, In General, Section 74-5, Potable Water, Irrigation Water, Reclaimed Water and Wastewater Tap Fees, Section 74-11, Water, Sewer, and Reclaimed Water Rates, and Article III, Sewers and Sewage Disposal, Section 74-162, Amount, by Modifying Utility Rates, Charges and Capacity Fees; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications and no one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Ordinance No. 2023-30 be approved and adopted. The motion carried by the following electronic vote:

Yes: 5 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore and Mr. Howard

No: 2 - Mrs. Frank and Mr. Longo

ORD. NO.
2023-31

An Ordinance Amending City of Venice Ordinance No. 2022-26, as Previously Amended, Which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; by Increasing the Total Revenue by \$670, 949 and Total Expenditures by \$670, 949; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications and no one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, that Ordinance No. 2023-31 be approved adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

ORD. NO.
2023-32

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 22, Elections, by Deleting Section 22-7, Political Signs; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications.

Discussion regarding political signs being addressed under the temporary sign code due to a Supreme Court ruling that prohibits restrictions based on content. They cannot be on the public right-of-way, will be removed by Code Enforcement officers, and size and quantity limitations on private property.

No one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Mr. Howard, that Ordinance No. 2023-32 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

VIII. UNFINISHED BUSINESS (Item Continued from the August 22, 2023 Council Meeting)

[23-6195](#) *REQUEST WAS MADE TO CONTINUE THIS ITEM TO THE OCTOBER 10, 2023 COUNCIL MEETING*

Approve Pre-Annexation Agreement Between the City of Venice and Douglas Girard Andrew for Oaks at Venice

A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, to continue Item No. 23-6195 to the October 10, 2023 City Council meeting. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

IX. NEW BUSINESS

A. RESOLUTIONS

[RES. NO. 2023-31](#) A Resolution of the City of Venice, Florida, Adopting a Revised Schedule of Emergency Medical Aid Fees Consistent with Section 30-41 of the City Code of Ordinances; Superseding Resolution No. 2020-17; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Mr. Howard, that Resolution No. 2023-31 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[RES. NO. 2023-35](#) A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Vistera Associates, LLC, Border Road Investments, LLC, and Laurel Road CDD and Accepting a One Year Developers Cash Maintenance Bond and Bill of Sale, and Providing an Effective Date (Vistera Phase 1, 3rd Segment)

Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Boldt, seconded by Ms. Moore, that Resolution No. 2023-35 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

[RES. NO. 2023-36](#) A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Vistera at Venice Owner 1, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date (Vistera at Venice Multi-Family Project, Phase 1)

Clerk Michaels read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, that Resolution No. 2023-36 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

RES. NO.
2023-37

A Resolution of the City of Venice, Florida, Amending Resolution No. 2023-33 to Revise the Designated Polling Places for the General Municipal Election to be Held on Tuesday, November 7, 2023; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Resolution No. 2023-37 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

RES. NO.
2023-38

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Authorizing Application to the Florida Department of Environmental Protection for Partial Funding of the Venice Beach Renourishment Project for Fiscal Year 2024/2025; Authorizing the City Manager to Execute Said Application and Other Required Documentation; Authorizing the City Manager to Initiate any Related Action Incidental Thereto; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

City Manager Lavalley answered a Council question regarding limitations on requirements for funding.

City Engineer Weeden answered a Council question regarding funding, responding this is a federally funded program for beach renourishment. The federal government pays 65%, and the City pays 35%; this application is to split the City's share with the State of Florida.

A motion was made by Mr. Howard, seconded by Mrs. Frank, that Resolution No. 2023-38 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

Recess was taken from 11:35 a.m. to 11:41 a.m.

B. COUNCIL ACTION/DISCUSSION

23-6224

Quasi-Judicial Procedures (Attorney Fernandez)

City Attorney Fernandez presented options for revising the quasi-judicial procedures, especially recommending numbers 1, 6, 8, and 9.

Discussion took place regarding all ten of the recommendations, wording, number of days for filing documents, delay tactics, and ramifications for those who don't abide by the rules.

Discussion continued regarding the process, time limits, form for or against a specific topic, polling residents, designated representative, Council exceptions, affected party status.

There was consensus for the City Attorney to draft language for all ten recommendations of the quasi-judicial procedures based on Council's discussion.

X. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez provided a legislative update requiring a business impact estimate for every ordinance, even if technically exempt.

City Clerk

Clerk Michaels offered a reminder for the budget hearing scheduled at 5:01 p.m. today.

City Manager

City Manager Lavalley reported he and the Finance Director Senne made presentations to the three big bonding agencies: Standard and Poor's, Fitch, and Moody's on a recent trip to New York to obtain updated general fund utility ratings. This bond rating process assesses the City's ability to handle a crisis which translates to the interest rate that would be paid on bonds that the City issues.

XI. COUNCIL REPORTS

Council Member Howard

Mr. Howard had no report.

Council Member Moore

Ms. Moore had no report.

Council Member Fiedler

Dr. Fiedler had no report.

Council Member Longo

Mr. Longo reported on the Economic Development Corporation (EDC) and encouraged Council to assign a liaison when his term is up.

Council Member Frank

Mrs. Frank reported she was asked to join the Venice High School advisory committee, and commented on student vacancies on advisory boards. She also reported there would be City of London dignitaries at the Venice Performing Arts Center on September 25th to present the Venice High band with a formal invitation to perform in London in 2025 and recommended the Mayor represent the City at the event.

Vice Mayor Boldt

Vice Mayor Boldt thanked City Engineer Weeden for attending the coastal advisory board.

Mayor Pachota

Mayor Pachota thanked everyone for their thoughts during his recent medical situation.

XII. PRIVATE ATTORNEY-CLIENT SESSION AT NOON

[23-6225](#)

PRIVATE ATTORNEY-CLIENT SESSION, PURSUANT TO FLORIDA STATUTE 286.011(8), TO DISCUSS NEAL COMMUNITIES OF SWF, LLC ET AL V. CITY OF VENICE

In attendance will be City Attorney Kelly Fernandez, Special Counsel Derek Schroth, Mayor Nick Pachota, Vice Mayor Jim Boldt, Council Members Mitzie Fiedler, Helen Moore, Rachel Frank, Rick Howard and Dick Longo, City Manager Ed Lavalley, and Roberts Court Reporting. (Expected Duration One Hour)

Mayor Pachota announced the meeting would recess for the private attorney-client session at 12:11 p.m.

Mayor Pachota announced the Council meeting was reconvened at 1:13 p.m.

XIII. AUDIENCE PARTICIPATION

No one signed up to speak.

XIV. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 1:22 p.m.

ATTEST:



Mayor - City of Venice



City Clerk