



City of Venice

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

Meeting Minutes City Council

Tuesday, November 28, 2023

9:00 AM

Council Chambers

THERE IS AN ATTORNEY-CLIENT SESSION SCHEDULED TODAY AT NOON

[23-6309](#)

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, Ms. Joan Farrell, Vice Mayor Jim Boldt, Ms. Helen Moore, Mrs. Rachel Frank, Mr. Ron Smith 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, Police Captain Eric Hill, Utilities Director Javier Vargas, Finance Director Linda Senne, Planning and Zoning Director Roger Clark, Planner Brittany Smith, Director of Public Works and Asset Management Rick Simpson, and City Engineer Kathleen Weeden.

INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels offered the Invocation followed by the Pledge of Allegiance led by Mr. Howard.

I. ELECTION OF VICE MAYOR

[23-6310](#)

Election of Vice Mayor

Mayor Pachota provided instructions and asked if any council members wanted to be excluded for vice mayor consideration. Ms. Farrell, Mrs. Frank, Ms. Moore, and Mr. Smith indicated they did not wish to be considered.

Mrs. Frank made a motion to nominate Jim Boldt for Vice Mayor, seconded by Mr. Howard. The motion carried unanimously by a show of hands.

II. RECOGNITION

[23-6311](#) Proclaim November 28th, 2023 as a Day to Celebrate the 50th Anniversary of the Venice Symphony, Presented to Christine Kasten

Mayor Pachota presented this proclamation.

[23-6312](#) Recognize the Leaders and Volunteers of "Make a Difference Day", Presented to Jim Foubister, Monty Andrews, Bob Vedder and Corky Dalton

Mayor Pachota presented this recognition.

[23-6313](#) Swearing in: Police Officers Isaac Murray and Kade Reyher

Clerk Michaels performed this swearing in.

[23-6314](#) Swearing in: Sergeant Adam Daneman Promoted to Lieutenant

Clerk Michaels performed this swearing in.

[23-6315](#) 20-Year Service Award, Kathleen Weeden, City Engineer

City Manager Lavalley presented this service award.

[23-6316](#) 25-Year Service Award, Stacy McKenzie-Grant, Utilities Department Office Manager

City Manager Lavalley presented this service award.

[23-6317](#) Council Member Rick Howard: Certificate of Completion of the 2023 Institute for Elected Municipal Officials II

Mayor Pachota presented this certificate.

Recess was taken from 9:40 a.m. to 9:55 a.m.

III. AUDIENCE PARTICIPATION will be limited to one hour.

Kenneth Barron, 209 Corelli Drive, spoke against the Cielo Replat and requested the city require dedication of all the open space.

Lee Dube, 268 Caserta Court, spoke against the Cielo Replat.

William Taylor, 236 Corsano Drive, spoke against the Cielo Replat.

Anthony DeMeo, 249 Mestre Place, spoke against the Cielo Replat.

Tyler Cassell 201 Medici Terrace, spoke against the Cielo replat.

Elena Carnes 201 Medici Terrace, spoke against the Cielo replat.

Marty Dover, 512 W Venice Ave #205, spoke on Venice Police pay.

Randall T. Hoerauf, 409 Otter Creek Drive, spoke on the Sawgrass Planned Unit Development (PUD) application and in favor of open space.

Richard Clapp, 501 Marsh Creek Road, spoke on the Sawgrass PUD application.

Gary Scott, 156 Pesaro Drive, spoke on the Cielo Replat and open space dedication.

Mike Wojnowski, 236 Rosolina Court, spoke on the Cielo Replat

Steve Carr, 149 Avens Drive, spoke on behalf of the Central Venice Coalition, on withdrawal of the Sawgrass Zoning Amendment.

Olen Thomas, 248 Acerno Drive, spoke against the Cielo Replat.

Rick Cordner, 246 Montelluna Drive, spoke against the Cielo Replat.

IV. CONSENT SECTION:

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt to approve items on the Consent Agenda. The motion carried unanimously by voice vote.

A. CITY CLERK

[23-6318](#)

Minutes of the Regular City Council Meeting October 24, 2023

These minutes were approved on the Consent Agenda.

[23-6319](#)

Reappoint Kathy Lehner to the Venice Housing Authority to Serve a Term from December 1, 2023 to November 30, 2027

This reappointment was approved on the Consent Agenda.

B. CITY MANAGER

Police

[23-6320](#)

Approve Grant Agreement Between Sarasota County and the City of Venice for the West Coast Inland Navigation District (WCIND) Waterway Development Program Project Agreement for the Police Marine Patrol, Project No. S-475, not to Exceed \$140,247.00

This item was approved on the Consent Agenda.

Utilities

[23-6321](#) Authorize the Mayor to Execute the General Appropriations Grant Agreement LPA0698 for \$850,000 Between the City of Venice and the Florida Department of Environmental Protection Agency for the Venice Water Main Replacement Program Phase 8 Utility Project

This item was approved on the Consent Agenda.

V. ITEMS REMOVED FROM CONSENT

There were none.

Recess was taken from 10:56 a.m. to 11:07 a.m.

VI. PRESENTATION

[23-6322](#) Planning and Zoning Director Roger Clark: Application Withdrawal of Sawgrass Zoning Map Amendment Petition No. 23-13RZ

Point of order by Mr. Smith that based on the Council's action on October 24th to approve 23-13RZ on first reading and schedule for second reading, there should be a second reading held today, or if not properly advertised, then it should be advertised and scheduled to give Sawgrass planned unit development the (PUD) zoning.

Attorney Fernandez advised that the City has allowed applicants to withdraw their application prior to final adoption as a long standing practice, therefore the council could legislate a process addressing this in the future if they so wish, however today's matter may follow standard practice.

Mayor Pachota denied the point of order.

A motion by Mr. Smith, seconded by Ms. Farrell, to appeal the ruling of the Mayor to the council body. The motion failed by the following electronic vote.

Yes: 2 - Ms. Farrell and Mr. Smith

No: 5 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

Planning and Zoning Director Clark provided an explanation to Council that the Sawgrass PUD application was withdrawn due to incorrect information mistakenly causing determination the golf course property located within the Sawgrass community had restrictions through the County zoning which is Residential Single Family - 2 with a PUD overlay, at one time there was a PUD overlay, but during a second annexation the PUD overlay was removed, restrictions believed to be in place are not in effect, and putting new open space restrictions on the property by City of Venice PUD zoning would infringe on the golf course owners property rights and would expose the City to a property rights claim. It is the goal of the City to rezone this

community to a City designation and will work with all parties to move this forward, and provide each property owner with the same rights and restrictions they currently have. He offered apologies to the Sawgrass community, the golf course owner, the Planning Commission, and City Council for the resulting confusion. He reiterated commitment to a City rezone of this property that is appropriate and consistent for all property owners.

Discussion took place regarding the zoning designation, time frames, and urgency.

City Attorney Fernandez stated the process will first go to the Planning Commission and will not be on a Council agenda by February.

Planning and Zoning Director Clark stated after the agreement, there will be a comprehensive plan amendment petition and a rezone petition which will process concurrently, hopefully to Planning Commission in six months and then to City Council.

Discussion continued regarding the process, laws, Council's role, homeowners rights, and the need to proceed carefully.

City Attorney Fernandez stated this maintains the same rights property owners have currently; it is not infringing on any rights from what they have today, and answered a Council question regarding real estate disclosure.

VII. PRESENTATION WITH ACTION

[23-6323](#)

James Clinch, Assistant City Manager and Ricky Simpson, Director of Public Works and Asset Management: Parks Interlocal Agreement With Sarasota County (45 min.)

Assistant City Manager Clinch and Public Works Director Simpson provided a presentation on the parks interlocal agreement, to include the history and purpose, the current County proposal, regional sports and Wellfield park, financial strategy, conclusions and questions, including budget, schedule, parks and size, City handles all capital improvements, County regional focus, City local, City and County staff meetings based on Council strategic planning. County's statement of principles and proposal, regional sports complex, Wellfield is a capital liability need for updates, avoiding creating a City Recreation Department, and requested Council to direct staff to respond to County proposal: endorsement of the Statement of Principles (Chuck Reiter), Endorsement of funding strategy, to begin drafting new interlocal agreement, and ask County to start Wellfield Park Master Plan process.

Staff answered Council questions regarding park impact fees and usage.

City Manager Lavallee clarified usage of park impact fees is only for expansion, not maintenance.

Discussion took place regarding the master plan process, public input, leagues, County managing the process, concerns about park impact fees, budget, number of fields, Pinebrook Park, City ownership, but County would maintain, what equipment would need to be purchased if the City maintained, Pinebrook Road traffic, proposal not being concrete, financial plan, request for proposal (RFP) process for Venice Community Center, the future growth of public works and land behind the public works building, caveats and deed restrictions.

A motion was made by Vice Mayor Boldt, seconded by Ms. Moore, to approve the endorsement of principles proposed by the County with the request that:

- 1. Chuck Reiter park remain the responsibility of the County until the future location of the Venice Little League is determined and the league has been relocated.**
- 2. Endorsement of the funding strategy of the \$5 million, and the \$15 million amortization to be determined by the City.**
- 3. Direct staff to begin drafting a new interlocal agreement with Sarasota County.**
- 4. Request the County begin the Wellfield Park Master Planning process.**

The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

Recess was taken from 12:30 p.m. to 1:33 p.m.

X. PRIVATE ATTORNEY-CLIENT SESSION AT NOON

Mayor Pachota announced the meeting would recess for the Private Attorney-Client Session at 12:30 p.m.

[23-6326](#)

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 Joan Farrell, Helen Moore, Rachel Frank, Rick Howard, Ron Smith and City Manager Ed Lavallee, and Roberts Court Reporting. (Expected Duration One Hour)

Mayor Pachota announced the private Attorney-Client Session is over and the meeting was reconvened at 1:33 p.m.

VIII. COUNCIL ACTION/DISCUSSION

[23-42FP](#)

Approve Cielo Replat and Open Space Dedications for Aria and Aria Phase III, Cielo and Milano and Authorize the Mayor, City Attorney and City Engineer to Sign the Final Plan and Open Space Dedications

Mayor Pachota and City Attorney Fernandez discussed protocol for the item.

Planning and Zoning Director Clark presented the history of project and the replat, Council previously approved a 10.42 acre parcel for commercial use and has a binding master plan of the PUD and was approved for commercial designation and the decision has been appealed, open space dedication documentation, and meets the requirement of 50% open space, and answered Council question regarding whether this has been the first time someone has gotten a final plat without dedicating all the open space.

City Attorney Fernandez addressed the process of the plat.

City Engineer Weeden stated the City did not request this, the applicant brought this forward and there is no open space in the plat before them today.

City Attorney Fernandez answered Council question regarding the pending litigation and impact on this plat stating the property owner can request and Council can hear and make ruling knowing this is at the applicant's own risk. Council can take action if they wish, and explained the usual plat process, requirements, pending litigation, denial should only be based on an issue with the plat itself.

Attorney Boone, Agent for the applicant, presented the replat and stated the applicant does not have to dedicate all of the open space in the PUD at this point dedicating what is required by Land Development Regulations (LDRs) and dedicated 58.69%, land from the Florida Power and Light easement north is not required to have open space. All of the open space that is required to be dedicated has been dedicated.

Edward Vogler II, Attorney for the applicant, stated this is a replat 10.42 acre parcel to clear the status of title. He discussed developer held easements, developer deciding where the open space is, not a land use or zoning question, have dedicated 58.69% of open space, here because of state law, local government's role in platting is ministerial, if the replat is denied the applicant will seek to remedy that decision.

Attorney Boone stated if this replat is approved, does not allow for any development to move forward only what the binding master plan allows. The tract/replat is consistent with either outcome. The developer can move

forward at their own risk, risk of litigation, and answered Council questions, responding the property is not being removed from the PUD.

Shawn Leins, A & M Engineering, spoke on open space calculations, exhaustive calculations on all the open space on all the plats.

Discussion took place about the open space, percentage, consequences, title opinions, the developer/homeowners turnover, and platting being unrelated to use.

Recess was taken from 2:51 p.m. to 3:06 p.m.

Mr. Vogler reviewed the engineer's affidavit.

There was consensus to allow Gary Scott to speak on behalf of two individuals for five minutes total.

Ruth Cordner, 246 Montelluna Dr, spoke against the Cielo replat.

Diana Watters, 273 Mestre Place, spoke against the Cielo replat.

Gary Scott on behalf of Patricia Shreeve and Jill Pozarek spoke against the Cielo replat.

A motion was made by Vice Mayor Boldt, seconded by Ms. Moore, to approve the final replat for Cielo and accept the open space dedications. The motion carried by the following electronic vote:

Yes: 4 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore and Mrs. Frank

No: 3 - Ms. Farrell, Mr. Smith and Mr. Howard

[23-6324](#)

Approve 2024 Federal Legislative Priorities

A motion was made by Mrs. Frank, seconded by Vice Mayor Boldt, to approve the 2024 Federal Legislative Priorities. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

IX. PRESENTATION - Continued

[23-6325](#)

Linda Senne, Finance Director: Quarterly Financial Update (10 min.)

Finance Director Senne provided a presentation on the Quarterly financial report.

XI. PUBLIC HEARINGS

A. ORDINANCES - FIRST READING**[ORD. NO.
2023-47](#)**

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 Comprehensive Plan Pursuant to Petition No. 23-57CP to Incorporate the 2022-2035 City of Venice Water Supply Work Plan by Reference and Include it in the Associated Data, Inventory and Analysis (DIA); Providing for Repeal of All Ordinances in Conflict Herewith to the Extent of Such Conflict; 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 and no public comment.

Planner Brittany Smith informed Council the plan had a new format that will be updated in the ordinance.

Mayor Pachota closed the public hearing.

A motion was made by Mr. Howard, seconded by Vice Mayor Boldt, that Ordinance No. 2023-47 be approved on first reading and transmitted to the Department of Economic Opportunity for Review with the substitution of the updated plan staff presented. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

**[ORD. NO.
2023-49](#)**

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 87, Land Development Code, by Amending Section 3.8.2., General Standards, Pursuant to Text Amendment Petition No. 23-69AM, by Requiring Fences on Lots that are Vacant or Have No Active Use to be Open Fences Adjacent to a Street; 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.

Council declined a staff presentation.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Mrs. Frank, seconded by Mr. Howard, that Ordinance No. 2023-49 be approved on first reading and scheduled for final reading. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

B. ORDINANCES – FINAL READING

[ORD. NO.
2023-14](#)

WITHDRAWN BY APPLICANT

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)

[ORD. NO.
2023-43](#)

An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 23-27AN by Douglas Andrews, 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 were no written communications.

Council declined a staff update and applicant presentation.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2023-43 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.
2023-44](#)

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. 23-28CP to Change the Future Land Use

Designation of Specific Real Property Generally Located East of Albee Farm Road from Sarasota County Low Density Residential 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

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications.

Council declined a staff update and applicant presentation.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Ordinance No. 2023-44 be approved and adopted. The motion carried by the following electronic vote:

Yes: 6 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

No: 1 - Ms. Farrell

[ORD. NO.
2023-45](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 23-29RZ, to Change the Zoning Designation for the Properties Generally Located East of Albee Farm Road (2.81 ± Acres), from Sarasota County Open Use Estate 2 (OUE-2) 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)

Mayor Pachota announced this is a quasi-judicial proceeding.

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

City Attorney Fernandez questioned Ms. Farrell and Mr. Smith whether they had been at the first hearing or viewed the video of the meeting, and they both indicated they had. She then questioned Council Members concerning ex-parte communications and conflicts of interest. There were none.

There were no written communications.

Council declined a staff and applicant update.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Ms. Moore, that Ordinance No. 2023-45 be approved and adopted. The motion carried by the following electronic vote:

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

[ORD. NO. 2023-48](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 2, Administration, Article VIII, Boards, Section 2-382, Environmental Advisory Board, Section 2-383, Public Art Advisory Board, and Chapter 46, Parks and Recreation, Article I, In General, Section 46-3, Master Plan for Development of Parks System, Section 46-4, Approval of Development or Change in Use of Park Lands, and Article II, Parks and Recreation Advisory Board, by Dissolving the Environmental Advisory Board, the Public Art Advisory Board, and Parks and Recreation Advisory Board and Establishing a Citizen Advisory Board; 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.

Communications were provided in advance.

City Manager Lavalley provided a staff update regarding the history of the ordinance.

Nancy Deforge, 332 Laurel Hollow Drive, spoke on environmental concerns, an environmental board, and the proposed citizen advisory board.

Mayor Pachota closed the public hearing.

Discussion took place regarding the boards, absence of the board chairs, the history of the boards, questions of efficiency, advisory board direction, staff professionalism, building something new, parks master plan, and Wellfield Park.

Discussion took place regarding board member recruitment and the Mayor sending a letter with encouragement to current members to apply.

There was consensus for the meeting to continue until 5:30 p.m.

Recess was taken from 4:27 p.m. until 4:35 p.m.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Ordinance No. 2023-48 be approved and adopted. The motion carried by the following electronic vote:

Yes: 6 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

No: 1 - Mr. Smith

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, to have staff notify the public of the new board immediately by having the Public Information Officer do a public media blast, have the Mayor send a letter thanking the members of the sunseting board for their service, inviting them to a reception in December and inviting them to apply to the Citizen Advisory Board, and have an recruitment period of 30 days. The motion carried unanimously by voice vote.

XII. NEW BUSINESS

A. ORDINANCES

[ORD. NO.
2023-50](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 42, Miscellaneous Offenses, to Add Section 42-5, Massage Therapists and Establishments; 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.

Captain Hill provided an update regarding the City having to investigate illicit massage businesses, in regards to prostitution, trafficking, and the ordinance giving the police department tools to address issues in a timely manner.

A motion was made by Ms. Moore, seconded by Mrs. Frank, that Ordinance No. 2023-50 be approved on first reading and scheduled for final reading. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.
2023-52](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 62, Streets, Sidewalks, and Other Public Places, Article I, In General, to Add Section 62-3, Dangerous Use of Public Rights-Of-Way; 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.

Police Chief Thorpe presented information regarding the ordinance

promoting safety, assisting with prevention, helping with enforcement, and answered Council questions regarding civil vs. criminal infractions.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2023-52 be approved on first reading and scheduled for final reading. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.
2023-53](#)

An Ordinance of the City of Venice, Florida, Amending Chapter 2, Administration, Article II, Mayor and Council, Division 2, Meetings, Subdivision I, In General, Section 2-53, Addressing Council, to Revise the Procedures for Quasi-Judicial Hearings; 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.

Jeffrey Boone, 1001 Avenida Del Circo, commented on the improvement of the quasi judicial procedures, and recommended adding changes in regards to redirect.

City Attorney Fernandez stated this is a procedure for quasi judicial proceedings, is not a full blown court proceedings, and Council can add the information about redirect if they choose.

Discussion took place regarding redirect, time limits, and the presiding officer role.

A motion was made by Vice Mayor Boldt, seconded by Mrs. Frank, that Ordinance No. 2023-53 be approved on first reading and scheduled for final reading with the revision of allowing redirect with a maximum time limit of two minutes. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.
2023-55](#)

An Ordinance Amending City of Venice Ordinance No. 2023-34 Which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; by Decreasing the Total Revenue by \$16,345,020 and Total Expenditures by \$16,345,020; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Finance Director Senne explained the budget amendment is due to Sarasota County handling the Laurel Road project causing it to decrease, replacement of trees due to Hurricane Ian adding \$200,000, and a fleet replacement of a tractor at the airport.

A motion was made by Mr. Howard, seconded by Ms. Moore, that Ordinance No.

2023-55 be approved on first reading and scheduled for final reading. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

B. RESOLUTIONS

[RES. NO. 2023-34](#)

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Meritage Homes of Florida, Inc., and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date (Magnolia Bay South Phase 1) (A.K.A. Rustic Road Phase 1)

Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Boldt, seconded by Mrs. Frank, that Resolution No. 2023-34 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[RES. NO. 2023-45](#)

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, 4th Segment)

Clerk Michaels read the resolution by title only.

A motion was made by Mrs. Frank, seconded by Mr. Howard, that Resolution No. 2023-45 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

XIII. COUNCIL ACTION/DISCUSSION - Continued

Recess was taken from 5:05 p.m. to 5:10 p.m.

[23-6327](#)

2024 Council Liaison Appointments

Mayor Pachota discussed the process of choosing liaison position.

Discussion took place with Council choosing liaison positions, as attached.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, to approve the list of Council Liaison and Appointments as determined on the Council floor and incorporated in these minutes. The motion carried unanimously by voice vote.

XIV. CHARTER OFFICER REPORTS

City Attorney

City Attorney announced a law being extended to October 1, 2026 involving prohibitions on the City being unable to propose or adopt more restrictive or burdensome amendments on the comprehensive plan, or land development regulations or proposing or adopting more restrictive or burdensome procedures concerning review, approval or issuance of a site plan, development permit or development order as defined by statute.

She announced there is Sunshine Law training next week, Council may attend, but is not required to, since they have four hours of mandatory training through the state.

City Clerk

Clerk Michaels offered a reminder that there is one meeting in December on the 12th.

City Manager

City Manager Lavallee reported on legislative priorities, and a future utilities master plan.

XV. COUNCIL REPORTS

Council Member Moore

Ms. Moore recognized Venice Area Beautification, Inc. (VABI), Venice Main Street (VMS), and City staff for Holiday preparations, and welcomed new councilmembers.

Council Member Farrell

Ms. Farrell had no report.

Council Member Howard

Mr. Howard reported on attendance at the Planning Commission meeting, and the Christmas parade.

Council Member Smith

Mr. Smith had no report.

Council Member Frank

Mrs. Frank thanked the Mayor for the first annual Mayor's tree lighting great, and complimented the volunteers and staff on the holiday parade.

Council Member Boldt

Vice Mayor Boldt welcomed new Council Members, and thanked his colleagues for the confidence in re-electing him Vice Mayor, and enjoyment

of the parade.

Mayor Pachota

Mayor Pachota welcomed new Council Members, and reported on the tree lighting ceremony, VeniceMain Street, and complimented the parade, City staff, and volunteers, and commended the Venice High School cross-country team clean up the following day, and the upcoming boat parade.

XVI. AUDIENCE PARTICIPATION

There was none.

XVII. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 5:38 p.m.

ATTEST:

Mayor - City of Venice

City Clerk