

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND CRA BOARD MEETING
September 9, 2019
7:00 PM**

ELECTED OFFICIALS PRESENT:

Shirley Groover Bryant, Mayor
Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2
Jonathan Davis, Commissioner-at-Large 1
Harold Smith, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3

STAFF PRESENT:

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Mohammed Rayan, Public Works Deputy Director
Scott Tyler, Chief of Police
Amber LaRowe, Assistant City Clerk

Mayor Bryant called the meeting to order at 7:03 p.m., followed by a moment of silence and the Pledge of Allegiance. She asked that, during the moment of silence, that everyone keep Mary Lancaster's family in their thoughts and prayers; she passed away in her sleep this past weekend.

All persons intending to address the City Commission were duly sworn.

PROCLAMATION: Mayor Bryant presented the Patriot Day Proclamation to Chief Scott Tyler and other Palmetto officers, along with EMS and Fire personnel. Patriot Day is September 11th and Mayor Bryant announced the annual Tribute to Heroes Service at the Rossi Waterfront Park in Bradenton; begins at 8:30 a.m.

1. CITY COMMISSION AGENDA APPROVAL

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to approve the September 9, 2019 Commission Agenda.

Commissioner Williams exited the meeting at 7:08 p.m.

2. PUBLIC COMMENT

Diane Ingram, Manatee County Agricultural Museum, discussed a potential event in November at the Park. She stated that it would be a "farm to table" theme with beer and wine pairings. A limited amount of seats would be available; the intent would be a small semi-formal event to bring awareness to the Agricultural Museum. Before any Permit is submitted, Ms. Ingram wanted to discuss the potential with the Commission and get a pulse on if this would be an approved event.

Commissioner Varnadore would like to review the Historical Park Agreement to see what it states in there regarding distribution and consumption of alcohol and asked Attorney Barnebey to review and provide feedback at the next Commission meeting.

Commissioner Williams returned at 7:12 p.m.

Attorney Barnebey would like to be sure that all parties involved, i.e. Historical Park, Historical Commission, and the Manatee County Clerk agree to this event.

Betty Rhodes, resident, discussed Lincoln Memorial Academy and the recent news articles.

3. CONSENT AGENDA APPROVAL

A. Minutes: July 29 and August 5, 2019

B. Special Function Permit Entre Nous Tour of Homes 12/7 and 12/8/2019

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to approve the September 9, 2019 Consent Agenda as recommended by staff.

4. PUBLIC HEARING ORDINANCE 2019-09 SRQ MULTI-FAMILY

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING ADOPTION OF A GENERAL DEVELOPMENT PLAN AS DESCRIBED HEREIN FOR A RESIDENTIAL, PLANNED DEVELOPMENT CONTAINING 87 MULTI-FAMILY RESIDENTIAL UNITS ON 2.885 ACRES OF PROPERTY GENERALLY LOCATED AT 2701 U.S. BUSINESS 41; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (PALMETTO SRQ MULTI-FAMILY)

Mayor Bryant opened the public hearing continued from August 26, 2019

Karla Owens, Development Services Director, stated that the reason it was continued from the last meeting was to allow the applicant time to speak to the Florida Department of Transportation (FDOT) for a second direct entrance off U.S. Business 41.

Bob Gause, representing the applicant, spoke to DOT regarding the request. They confirmed there would be no egress from the complex onto U.S. 41 so he asked about an ingress only; he is still waiting for a response. Mr. Gause believes it will be another one to two weeks to receive a response on ingress only. He stated that the applicant agrees to all stipulations and has a very consistent General Development Plan with others that the City Commission has approved in prior years.

Jan Schaberg, resident of the Villas of Oak Bend, gave a video presentation to the Commission showing how close the property is to their subdivision, the only road (4th Avenue) that will be used by their subdivision and this new apartment complex, and the sewer/lift station that is currently used.

Commissioner Smith questioned Mr. Rayan if the sewer/lift station will be able to accommodate this new development. Mr. Rayan was unsure because there have not been any calculations done. Attorney Barnebey cautioned Commissioner Smith on this question being used as a criteria on whether or not to approve the application. Mrs. Owens reminded the Commission that the Ordinance before them is a zoning issue and if this property is an appropriate site for the development and applicable zoning. There will be a final site plan.

Commissioner Varnadore expressed her opinions regarding the noise, traffic, congestion and that there were too many deviations/stipulations to make the project work. She is not in favor of the Ordinance.

Commissioner Williams discussed his opinions on approving something that has not received final approval from the School Board. Attorney Barnebey suggested if that is the Commission's concern, then to continue this item until the School Board can issue a final approval.

Mayor Bryant closed the public hearing after no further public comments

Motion: Based upon the staff report, the comments made at the public hearing, and finding the request to be consistent with the City of Palmetto Comprehensive Plan, Commissioner Cornwell moved, Commissioner Smith seconded, and the motion carried 3-2 to adopt Ordinance 2019-09 with stipulations 1 through 15, and deviations to Section 8.5, Appendix "B" of the Palmetto Code of Ordinances. Commissioners Varnadore and Williams voted no.

5. TEFRA PUBLIC HEARING

Mayor Bryant opened the public hearing for the Tax Equity and Fiscal Responsibility Act (TEFRA) regarding the Manatee School for the Arts Project conduit financing.

After hearing no public comment, Mayor Bryant closed the public hearing.

6. RESOLUTION 2019-29 MANATEE SCHOOL FOR THE ARTS PROJECT

Ritesh Patel, representing Renaissance Arts and Education, Inc. also known as Manatee School for the Arts (MSA), gave a brief history and synopsis of the request. He stated that the attached Resolution provides final approval of the issuance of the Bonds and authorizes the Mayor, Clerk, and other appropriate City officials to execute any necessary documents regarding the issuance of the Bonds. The Resolution has been reviewed and approved by the City Attorney, City Clerk, Finance Director, and the City's Financial Advisor.

It shall be noted that the Bonds will be secured solely by and from payments made by MSA pursuant to a loan agreement and other financing documents to be executed between the City and MSA prior to or contemporaneously with the issuance of the Bonds. Neither the bonds nor the interest thereon shall be an indebtedness of, or a pledge of, the taxing power or any other revenues of the City, the School District of Manatee County, Florida, the State of Florida, or any political subdivision or agency thereof but will be special and limited obligations of the City payable solely from the MSA's payments as identified in the agenda packet. Mr. Patel stated that the Bonds will not have any impact on the credit rating or financial status of the City whatsoever. There is no fiscal impact to the City other than the \$4,000 of revenue received from MSA constituting payment of the City's conduit bond application fee. All costs and expenses associated with the Bonds, including, but not limited to, the fees and expenses of the City Attorney and the required opinion letter, shall be paid by MSA.

Commissioner Smith asked if the agreement would be received in writing and Attorney Barnebey confirmed it would.

Mr. Smith opined that the City should expect to see this request from all charter schools if this is going to be done for MSA.

Attorney Barnebey wanted to make it very clear that the City is not loaning or giving MSA any money.

Motion: Commissioner Cornwell moved, Commissioner Williams seconded, and the motion carried 5-0 to adopt Resolution 2019-29 approving the issuance of City of Palmetto, Florida Industrial Development Revenue Bonds (Manatee School for the Arts Project) in an aggregate amount not to exceed \$19,000,000 (the "Bonds") and authorize the City to work with MSA, including issuance of a bond opinion letter by the City Attorney.

7. RESOLUTION 2019-26 CONDUIT DEBT FEE SCHEDULE

Attorney Barnebey explained that both the City and the CRA are receiving requests to process applications for conduit financing for various developments in the City. The costs for review and processing the application should be that of the applicant. Currently, the City does not have a fee schedule for this type of application. Staff is proposing an application fee of \$4,000 and the applicant pay for the City and CRA's financial management, attorney's fees, and other related expenses to the application.

Motion: Commissioner Cornwell moved, Commissioner Davis seconded, and the motion carried 5-0 to adopt Resolution 2019-26.

Mayor Bryant recessed the City Commission meeting at 8:36 p.m. to open the September 9, 2019 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 9:05 p.m.

8. SURPLUS OF 1009 8TH STREET WEST

Please review the September 9, 2019 CRA Board minutes for discussion/comments on this item.

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried 5-0 to surplus 1009 8th Street West for redevelopment purposes.

9. ASSISTANT CRA DIRECTOR JOB DESCRIPTION

Motion: Commissioner Davis moved, Commissioner Williams seconded, and the motion carried to approve the Assistant CRA Director job description with the grammatical changes made as requested during the September 9, 2019 CRA Board meeting.

STANDING AGENDA ITEMS:

10. TRAFFIC UPDATE

11. PALMETTO POOL UPDATE

Update was provided during today's Workshop meeting.

12. POLICE DEPARTMENT BUILDING UPDATE

Mr. Freeman informed the Commission that the City issued a request for proposals on construction managers at risk for this project. The Committee will be reviewing submissions by the end of the month.

Commissioner Smith questioned the cost of the project; Mr. Freeman stated approximately \$8M total for the actual construction including the cost of the architect.

Chief Tyler informed the Commission that the daycare owners for the daycare that is on the property next to where the Police Department building is being proposed to be built have no issues with the Police Department being next door; in fact, they are happy for this project to occur.

COMMENTS:

13. DEPARTMENT HEADS COMMENTS

MR. RAYAN—discussed the ongoing projects in the City. The CDBG 10th Avenue West project is about 60 percent complete.

The Equalization Basin project at the wastewater treatment plant has begun and is going well; concrete placement to be done next week. The Department of Environmental Protection will visit the wastewater treatment plant to inspect the records. There is also a meeting on Wednesday in Tampa to discuss the infiltration and inflow and excess flows.

The dredging of the stormwater outfalls from 20th Avenue to 26th Avenue will begin by the end of the week.

Mr. Rayan stated that starting Wednesday evening there will be sanitary sewer work done on 8th Avenue and 7th Street West which will take 8th Avenue West down to one lane in the night hours. It will take 2 to 3 days to complete and detour/traffic signs will be placed to alert nighttime drivers of the reduced lane.

MR. BURTON—discussed the ability of the CRA to purchase the CSX property that is for sale to the north of the new Police Department site.

14. MAYORS REPORT

Mayor Bryant announced the Aquaventures event at the Bradenton Yacht Club this weekend. Also, she is working with the new director of Keep Manatee Beautiful and the adopt-a-road program to get the roads in Palmetto adopted and cleaned.

She reminded everyone of the Tribute to Heroes event at Rossi Waterfront Park on Wednesday September 11th. It starts at 8:30 a.m.

15. COMMISSIONERS COMMENTS

COMMISSIONER SMITH—will be praying for Mary Lancaster's family.

COMMISSIONER DAVIS—discussed the Tampa Regional Planning Council meeting he attended today. They are starting an initiative on resiliency and having the CRA's fund the resiliency efforts.

COMMISSIONER CORNWELL—thanked Commissioner Varnadore for attending the Historical Commission meeting last month.

She recently attended the Fair Board meeting and announced that Dan Alfonso was confirmed as the new Fair Manager.

COMMISSIONER VARNADORE—is looking forward to the next Workshop discussion/update on the infiltration & inflow and stormwater in the City.

She gave her condolences to Mary Lancaster's family.

Mayor Bryant adjourned the meeting at 9:28 p.m.

MINUTES APPROVED: October 7, 2019

James R. Freeman

JAMES R. FREEMAN

CITY CLERK