

**TAB 1**

**DRAFT  
CITY COMMISSION WORKSHOP MEETING  
SEPTEMBER 26, 2011  
4:30 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor  
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3 (entered at 4:35)

Staff Present

Mark Barnebey, City Attorney  
Jeff Burton, CRA Executive Director  
Jim Freeman, City Clerk  
Allen Tusing Public Works Director  
Diane Ponder, Deputy Clerk-Administration



Mayor Bryant called the meeting to order at 4:32 p.m. She requested that the order of the agenda items be reversed. Commission concurred.



2. DISCUSSION: ORDINANCE NO. 2011-19

In 2009 Commission adopted Ordinance 09-985 creating the CRA Advisory Board, which was charged with making recommendations on all matters to be considered by the CRA Board. Attorney Barnebey explained that after discussion with the Mayor and CRA Executive Director, it is now an appropriate time to amend the functions of the CRA Advisory Board.

As drafted, the proposed ordinance will allow the CRA Advisory Board to focus on policy rather than individual program funding requests. The board's duties would be to:

1. Review and recommend the CRA Capital Improvement Program (CIP)
2. Recommend changes to the CRA's work programs
3. Develop and recommend projects and CRA programs
4. Assist the CRA as requested
5. Review and make recommendations on the CRA budget

Mayor Bryant explained that the proposed ordinance eliminates the dual review and approval of storefront grants. She commended the CRA Advisory Board on its work on the CRA Plan and programs.

Discussion ensued on the CRA CIP and the City CIP. Mayor Bryant assured Commission that the funding, structure and development of programs will stay with the CRA Advisory Board.

Attorney Barnebey acknowledged that language in Section 11-84 Powers and duties may be redundant, but it can pertain to capital work matters and also programs. Mayor Bryant stated she does not want to lose the comprehensive scope the language provides. Attorney Barnebey will review the language.

CRA Executive Director Burton agreed that if a project is on the City CIP and it is removed and given to the CRA, the project cannot be funded by the CRA for three years. Mayor Bryant suggested that it may be advantageous for the CRA Advisory Board to review the City CIP to determine if there are projects that

Plan. It was suggested that the CRA Capital Improvement Program be differently named to recognize that the program is for capital projects.

Attorney Barnebey explained that the ordinance as proposed will eliminate the CRA Advisory Board's review of contracts relating to a CRA program and/or a CRA project.



#### 1. DISCUSSION: COMMISSION QUASI JUDICIAL RULES & PROCEDURES

Attorney Barnebey opined that procedures need to be implemented regarding the City's public hearings, particularly quasi judicial hearings. The procedures will also provide for the documents pertaining to the public hearing that shall be included in the City's records. Attorney Barnebey stated that he will continue to bring rules and procedures to Commission that he thinks is in the best interest of the Commission to adopt.

Attorney Barnebey confirmed that Roberts Rules would rule in the matter of a tie vote. Currently on a tie vote, no additional action can be taken unless a member on the prevailing side brings it up for reconsideration.

Attorney Barnebey will develop language that prohibits individuals relinquishing their two minutes of public comment time to more than one person. He will also make sure that it is clear in the rules that the Mayor makes the determination to the extent of time granted for comment, but the Commission can overturn that decision.

The rules and procedures will be amended to incorporate Commission comments and be brought in the near future.

Mayor Bryant and Attorney Barnebey will make a list of primary issues they feel need to have rules and procedures adopted and submit them to Commission at a later date.

Meeting adjourned at 5:25 p.m.

Minutes approved:

James R. Freeman  
City Clerk

**CITY OF PALMETTO  
CITY COMMISSION MEETING  
SEPTEMBER 26, 2011  
7:00 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor  
Alan Zirkelbach, Vice Mayor, Commissioner-at-Large 1  
Tamara Cornwell, Commissioner-at-Large 2  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration



Call to order, followed by a Moment of Silence and the Pledge of Allegiance.



Swearing-in of all persons intending to address City Commission.

Public Comment: None



1. CITY COMMISSION AGENDA APPROVAL

**MOTION: Commissioner Lancaster moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve the September 26, 2011 7:00 PM Agenda.**



2. CONSENT AGENDA APPROVAL

**A) CITY CLERK'S OFFICE**

1. Minutes: August 15 Workshop; September 12, 2011
2. Special Function Permit: Historic Park's Halloween Social  
First Fridays, October & November, 2011  
First Fridays, December 2, 2011  
First Baptist Church Fall Festival
3. Resolution No. 2011-32: 2011 year-end budget adjustments
4. Resolution No. 2011-33: Supporting the ONE BAY Regional Vision

**MOTION: Commissioner Zirkelbach moved and Commissioner Lancaster seconded to approve the September 26, 2011 Consent Agenda.**

Commissioner Varnadore requested that the First Fridays December 2, 2011 Special Function Permit be removed for discussion. Commissioner Cornwell removed the August 15, 2011 Workshop minutes and items #3 and #4 for discussion.

Commissioner Cornwell requested that the August 15, 2011 minutes be amended to correctly reflect that she entered the workshop meeting at 4:40 rather than the stated 5:10 p.m.

Commissioner Varnadore requested that the First Fridays December 2, 2011 Special Function Permit be removed from the Consent Agenda and be brought back at the October 3, 2011 meeting. She had requested information regarding the event that she did not receive. **Commissioners Lancaster and Zirkelbach did not object to the removal of the Special Function Permit from the Consent Agenda.**

Item #3 Resolution No. 2011-32: Mr. Freeman explained that the resolution would adjust the revenue and expenses to a more accurate figure than what were projected, stating this action is performed on an annual basis.

Item #4 Resolution No. 2011-33: Mayor Bryant explained, with Attorney Barnebey's concurrence, that the resolution supports the Tampa Bay Regional Planning Commission's vision for the entire Tampa Bay region.

**Mayor Bryant reviewed that the motion would approve the Consent Agenda with the correction to the August 15, 2011 minutes and the removal of the First Fridays Special Function Permit, to be brought to Commission on October 3, 2011.**

**Motion on the floor carried 5-0**



**3. PUBLIC HEARING – FINAL MILLAGE RATE AND TENTATIVE FISCAL YEAR 2012 BUDGET**

Mayor Bryant opened the public hearing.

Mayor Bryant announced the following discussion topics relating to the millage and FY 2012 budget:

- The FY 2012 proposed operating millage for the City is 5.1185 mills, which is equal to the rolled-back rate.
- The City property values have declined by approximately 40% over the last 3 years, which includes a 9% reduction for FY 2012 compared to last year.
- The rolled-back rate of 5.1185 mills will allow the city to collect the same ad valorem revenues compared to last year, which is \$3,348,599.
- During the last 3 years, the City has made several operational cuts to improve our efficiency and meet the demands of declining revenues. Examples include reducing positions, freezing salaries, changing employee benefits and outsourcing when appropriate. In addition, we have successfully applied for and received grant funding to offset many expenses.
- The city-wide operating budget for FY 2012 is \$25,690,225 and represents a 10% reduction compared to FY 2011. Mayor Bryant announced the amount of each Fund contained in the budget.


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



**A) RESOLUTION NO. 2011-30 (read in its entirety)**


**A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF PALMETTO FOR FISCAL YEAR 2012; AND PROVIDING FOR AN EFFECTIVE DATE.**

**MOTION: Commissioner Lancaster moved, Commissioner Williams seconded and motion carried 5-0 to adopt Resolution No. 2011-30.**

 B) RESOLUTION NO. 2011-31 (read in its entirety)

A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2012; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Varnadore moved, Commissioner Lancaster seconded and motion carried 5-0 to adopt Resolution No. 2011-31.**

 4. 1<sup>st</sup> READ: ORDINANCE NO. 2011-19 (Carried forward from the Workshop Meeting)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO AMEND THE POWERS, DUTIES AND RESPONSIBILITIES OF THE PALMETTO COMMUNITY REDEVELOPMENT ADVISORY BOARD; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Lancaster moved, Commissioner Zirkelbach seconded and motion carried 5-0 to schedule a public hearing for Ordinance No. 2011-19 for October 17, 2011.**


 5. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE

Mayor Bryant stated she has not received a response from her letter sent to Manatee County. She will schedule a meeting with Commissioner Bustle.

6. ASR WELL UPDATE

No report

7. DEPARTMENT HEADS' COMMENTS

 Mr. Tusing

The Haben Blvd. project is underway. The street will be closed to traffic beginning Thursday. He confirmed he met with Riviera Dunes concerning alternate access to the development but, they will keep the front gate open. He stated the contractor can maintain local traffic during construction. The project is slated for 180 days; it is anticipated the completion date will be sooner.


Stated all water lines are complete on 12<sup>th</sup> St. and 12<sup>th</sup> Street Drive. A road crew is expected to be in place by the end of the week to rebuild the streets.

 Mr. Freeman

Based on comments at the last workshop, modifications have been made to the CIP, which may be brought back to the Commission October 3, 2011.

 Chief Wells

Reported the department continues to move forward with the homicide investigation, doing everything possible to build a case. He asked that Commissioners call him with any questions they may have about happenings in the City.

 Mr. Barnebey

He reported that DRC revisions will be coming forward at the next meeting. He updated Commission on items that will be brought to future meetings. He mentioned he continues to work on the possible extension of 10<sup>th</sup> Avenue



8. MAYOR'S REPORT

Reported she attended the MPO this morning, and materials on some long-range plans the DOT has for 8<sup>th</sup> Avenue will be distributed. These plans may also relate to the extension of 10<sup>th</sup> Avenue, which will provide a second north-south corridor and relieve traffic issues on 8<sup>th</sup> Avenue

9. COMMISSIONERS' COMMENTS



Ms. Varnadore

Reported on the Walk for Life event that was held Saturday. Over \$25,000 was raised. Acknowledged Deanna Roberts as the only City employee who participated in the event.

Mr. Zirkelbach

No report.



Mr. Williams

Explained why he voted for the final budget vs. voting against the tentative budget. He asked that Commission consider adopting a policy limiting how much department heads can spend from remaining unused line item funds without Commission approval.

Ms. Cornwell

No report.



Mrs. Lancaster

Read her letter of resignation from the City Commission, effective October 1, 2011.

10. PUBLIC COMMENTS FOR CITY COMMISSION

None

Meeting adjourned at 7: 35 p.m.

Minutes approved:

James R. Freeman  
City Clerk