

**TAB 4**



# City of Palmetto Agenda Item

**Meeting Date**

2/1/10

**Presenter:** Jeff Burton

**Department:** CRA

**Title:**

**CLARIFICATION: JUPITER MARINE COMPLIANCE AUDIT ITEM**

On January 12, 2010, the CRA Advisory Board reviewed the Storefront Grant awarded to Jupiter Marine, a business located outside the CRA District boundaries.

Staff seeks direction on how to proceed.

**Budgeted Amount:** \$0.00    **Budget Page No(s):**    **Available Amount:** \$0.00    **Expenditure Amount:** \$0.00

**Additional Budgetary Information:**

**Funding Source(s):**    **Sufficient Funds Available:**  Yes  No    **Budget Amendment Required:**  Yes  No    **Source:**

**City Attorney Reviewed:**  Yes  No  N/A    **Advisory Board Recommendation:**  For  Against  N/A    **Consistent With:**  Yes  No  N/A

**Potential Motion/Direction Requested:**

**Staff Contact:** Jeff Burton

**Attachments:**



# City of Palmetto Agenda Item

Meeting Date

12/7/09

Presenter: Jeff Burton

Department: CRA

Title:

**CLARIFICATION: Jupiter Marine Compliance audit item**

BACKGROUND: Review of CRA Storefront funding to Jupiter Marine, a business outside of the CRA boundary.

Budgeted Amount:	\$0.00	Budget Page No(s):		Available Amount:	\$0.00	Expenditure Amount:	\$0.00
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Additional Budgetary Information: none

Funding Source(s):		Sufficient Funds Available:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amendment Required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Source:	
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City Attorney Reviewed:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Advisory Board Recommendation:	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> N/A	Consistent With:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Potential Motion/ Direction Requested:

Staff Contact:

Attachments:

Palmetto Community Redevelopment Authority  
Strategic Planning Specialist  
Issue Audit Recommendation

ISSUE RESOLUTION

Book 1 Issue 13  
December 14, 2009

Audit Target  
Jupiter Marine International Inc.

Issue Originator  
Special Council Attorney Susan Churuti

**Introduction**

Special Council Attorney Susan Churuti placed the corporate documents of Jupiter Marine International in book one (1) section thirteen (13) of her compliance audit review of the Palmetto Community Redevelopment Agency. As no specific violation was denoted in her review a rudimentary look was initiated by CRA staff on December 14, 2009.

Bradenton Herald Article published June 7, 2005, states that the Fort Lauderdale boat manufacturer, Jupiter Marine, was committed to develop a Palmetto based boat manufacturing site by the first of January 2006. The document quoted that Roger Bolduc, a veteran boat builder, persuaded Jupiter Marine President Carl Herndon to move the operation to Palmetto. Also quoted in the Bradenton Herald article was Palmetto CRA Executive Director Tanya Lukowiak, stating "Jupiter's arrival, by contrast, could be the economic development in one big step." Lukowiak went on to say, "Jupiter's site in Palmetto will fall within the boundaries of the redevelopment district and the state's Enterprise Zone, making the boat builder eligible for local grants and certain financial incentives."

**Misinformed**

Throughout the Jupiter Marine development, all records indicate that Jupiter Marine's principle address of business is 1103 East 12<sup>th</sup> Avenue and a second building is 1101 East 12<sup>th</sup> Avenue. Both addresses lie outside the Community Redevelopment area according to CRA GIS maps and the records of the Manatee County Property Appraiser's Office. According to Florida State Statute 163.370, expenditure of CRA funds outside its boundaries, except in a most stringent case, is not allowed and could be improper.

**163.340 Definitions.--The following terms, wherever used or referred to in this part, have the following meanings:**

- (9) "Community redevelopment" or "redevelopment" means undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community

*redevelopment area for the elimination and prevention of the development or spread of slums and blight, ... “*

and

**163.370 Powers; counties and municipalities; community redevelopment agencies.--**

*(2) Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted:*

*(c) To undertake and carry out community redevelopment and related activities within the community redevelopment area, which may include:*

*5. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the community redevelopment plan.*

In the city's haste to bring this Marine business to Palmetto, members of the Community Redevelopment Board may have been misinformed that the Jupiter Marine site was within the CRA grant area and that CRA funds were permissible.

**Storefront Grant 06-SF-09**

Palmetto Community Redevelopment Agency Board Meeting, dated May 10, 2006: Members present; Scott Maloney, Allen Langford, Alan Zirkelbach, CJ Czaia, and Rose Tory, absent Tamara Cornwell. Representing the CRA; Tanya Lukowiak, CRA executive Director, Michele Hall, City Attorney, Susan Anderson CRA Assistant

Under New Business, Storefront Grant Applications 06-SF09 1103 12<sup>th</sup> Ave. East, was approved to award Carl Herndon an amount not to exceed \$50,000 for improvements to 1103 12<sup>th</sup> St. East. The approval granted the maximum storefront grant amount available to Jupiter Marine. The approval letter was signed by Tanya Lukowiak Executive Director of Palmetto Community Redevelopment Agency. The City of Palmetto A/P check request was submitted by Lukowiak on 5/11/2006 and on 5/19/2006 check # 77421 was disbursed in the amount of \$50,000.00 in the name of Jupiter Marine indicating approving CRA Board minutes of 5/10/06.

**Conclusion**

Jupiter Marine located its business in the City of Palmetto, but not in within the CRA Boundary. Jupiter Marine received funds from the Palmetto CRA, through a storefront grant. Florida law prohibits the expenditure of CRA funds outside of the designated area. Due to this activity, and pursuant to Palmetto City Commission CRA compliance audit directive, this matter is remanded to the Palmetto CRA Advisory Board with the recommendation that the CRA Attorney determine its financial remedy and the matter be reported with the attorney's finding to the CRA Board.

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PARID: 2576700021  
MEENAMAU PROPERTIES LLC

1103 12TH AVE E

CURRENT REPORT

1 of 2

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**ID Block**

Account# 2576700021  
 345 / 1/E / 13  
 Primary Address Location 1103 E 12TH AVE PALMETTO 34221 PL  
 00150c  
 FEMA Zone Category NOT A FEMA DETERMINATION  
 FEMA Flood Zone 850/N/01-93 R100  
 Floodline Evacuation Zone D  
 Flood District FL07 NOR H FIVER RD  
 Exemption Status No Exemption  
 Zoning LM  
 Future Land Use R-CMIND  
 DOR Use Code 4150  
 DOR Description LIGHT INDUSTRIAL  
 Neighborhood Name 301 EAST OF I-75  
 Neighborhood Number 21.0  
 CRA District  
 CDD District  
 Neighborhood Group 2001  
 Market Cluster 71  
 Market Area 71  
 Zone/Field Reference 1  
 Route Number 024  
 Map ID 4E413  
 Acres (If Available) 5.62  
 Total Under Bldg 50714  
 Site Disclaimer Sq foot estimates derived from rounded exterior wall measurements  
 Number of Units 1  
 Living/Business area 47532  
 Unit Desc  
 Short Legal Desc

*Lot IV  
PALMETTO CRA*

REPORTS

LSV Report  
Part of information report



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Unit #

**ID Subblock**

Account# 2576700021  
 Lot #  
 Block ID  
 Subdivision Number 000000  
 Subdivision Name  
 City/County Tax District 0010  
 Route Number/Suffix 024

**Owners**

Name MEENAMAU PROPERTIES LLC  
 Address 8623 HAWK ISLAND DR

City BRADENTON  
 State FL  
 Zip Code 34208  
 International Postal Code  
 Country

The NE1/4 OF THE SW1/4 OF THE NE1/4 OF SEC 13,  
IFSS RAILROAD R/W, LESS & EXCEPT THAT PORTION OF  
PARCEL ONE DESC AS: CGM AT THE NE COR OF THE  
NE1/4 OF THE SW1/4 OF THE NE1/4 OF SEC

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PARID: 2577000058  
 MEENAMAU PROPERTIES LLC

1101 12TH AVE E

CURRENT RECORD

2 of 2  
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**ID Block**

Account#	2577000058
T, R, S	34S / 12E / 13
Primary Address Location	1101 E 12TH AVE PALME IS 34221 FL 00150z
2002 Census Tract	
FEMA Flood Caveat	NOT A FEMA DETERMINATION
FEMA Flood Zone	X570/N.0193 B.100
Flood Hazard Category	D
Fire District	FD07 NORTH RIVER FD
Exemption Status	No Exemption
Zoning	EM
Future Land Use	HOUSING
DOR Use Code	4990
DOR Description	OPEN STORAGE, SUPPLY, JUNKYARDS
Neighborhood Name	01 EAST OF I-75
Neighborhood Number	7100
CRA District	
CBD District	
Neighborhood Group	7001
Market Cluster	71
Market Area	71
Zoning/Height Reference	1
Route Number	026
Map ID	48N13
Acres (If Available)	1.06
Total Under Roof	4500
Size Disclaimer	Sq foot estimates derived from rounded exterior wall measurements
Number of Units	1
Living/Business area	4500
Unit Desc	
Short Legal Desc	SE1/4 OF SW1/4 OF NE1/4 LYING N OF US HWY 301, IN SEC 13, T6S R6E S PROPERTY DESCR: BEGIN AT A PT WHERE THE N R/W LN OF US HWY 301 INTERSECTS WITH THE E LN OF THE SW1/4 OF NE1/4 OF

*Not in Flooded CRA*

**REPORTS**

[CIV Report](#)  
[Parcel Information Report](#)



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Unit #

**ID Subblock**

Account#	2577000058
Lot ID	
Block ID	
Supervision Number	0000000
Supervision Name	
City/County Tax District	0010
Route Number/Suffix	026

**Owners**

Name: MEENAMAU PROPERTIES LLC  
 Address: 3-23 HAWK ISLAND DR

City: BRADENTON  
 State: FL  
 Zip Code: 34203  
 International Postal Code:  
 Country:

Parcel 2576700021 & Parcel 2577000058  
Outside of Palmetto CRA Designated Boundaries

