

TAB 1

**DRAFT
CRA BOARD MEETING
MARCH 19, 2012
7:00 PM**

CRA Board Members Present

Shirley Groover Bryant, Presiding Officer
Tamara Cornwell
Tambra Varnadore
Brian Williams
Alan Zirkelbach

CRA Board Members Absent

Charles Smith

Staff Members Present

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

Presiding Officer Bryant called the meeting to order at 7:30 p.m.

1. CRA BOARD AGENDA APPROVAL

MOTION: Ms. Cornwell moved, Mr. Zirkelbach seconded and motion carried 4-0 to approve the March 19, 2012 CRA Board Agenda.

2. CRA CONSENT AGENDA

- a) Minutes: February 27, 2012
- b) General Commercial Incentive to Palmetto Animal Clinic up to \$103,118.40 payable in five annual payments of \$20,623.68.
- c) Recommendation of Award of Proposal for the Sutton Park renovation project to Stellar Development; approve and authorize the mayor to execute a Construction Agreement with Stellar Development in an amount not to exceed \$735,346; and approve, if necessary, a 10% contingency for the project with Stellar Development not to exceed \$73,500.

Items b and c were removed from the Consent Agenda

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 4-0 to approve item 2a of the March 19, 2012 CRA Board Consent Agenda.

Item 2b General Commercial Incentive to Palmetto Animal Clinic

Mr. Burton explained that Palmetto Animal Clinic will build a new building in the General Commercial zoning district. The redevelopment project totaling \$763,000 will replace an existing building assessed on the tax rolls at \$108,000. The development qualifies for total incentives of 13.5% of the project, amounting to \$20,623, to be paid annually for five years.

Mr. Burton stated that an agreement will come back to the CRA Board prior to any incentives being disbursed.

MOTION: Ms. Cornwell moved and Mr. Zirkelbach seconded to approve, subject to an agreement being enter into.

Discussion: Attorney Barnebey confirmed that the agreement will come back to the CRA Board for approval.

Motion on the floor carried 4-0.

Recommendation of Award of Proposal for the Sutton Park renovation project to Stellar Development

Mr. Burton stated the ranking committee is recommending that the Sutton Park renovation project be awarded to Stellar Development. He requested that the ranking be approved so the attorney can prepare the contract. The second highest ranking went to Manasota Commercial Construction.

Attorney Barnebey suggested a motion to approve the award of contract to the first ranked bidder and authorize negotiation of the contract, and in the event it is not arrived at in two weeks, move to the second ranked bidder.

Discussion ensued on why the process includes the order, not just approval of the contract. Mayor Bryant stated she was asking for approval of the ranking and authorization to negotiate; then the contract will come back in two weeks. Attorney Barnebey suggested that on RFP's or RFQ's the process under discussion is not unusual. Mayor Bryant stated that she does not want to delay the project any more than necessary, the reason for the suggestion to allow negotiation.

Attorney Barnebey confirmed that this process will be what he recommends henceforth unless a policy is adopted authorizing staff to negotiate based on the recommendation of the committee and bring a contract to the Board for approval. Mr. Freeman confirmed that in the past, the process has been completed in one meeting; in this particular instance the contract was not ready; Mr. Burton wanted to move forward with awarding the contractor. Attorney Barnebey opined that the award and contract approval can be handled in one meeting, if approved by resolution.

Mr. Williams questioned the figures on the tabulation sheet between the two contractors.

Mr. Zirkelbach reiterated his comments made during the workshop. Referring to the financials, a bond will be provided; he still has difficulty with the company using other people's work under its company resume. He will offer his support if there is negotiation.

MOTION: Ms. Cornwell moved to allow Mayor Bryant to negotiate with the first ranked bidder; failing that, negotiate with the second ranked bidder and bring back a contract posthaste and; if possible, to call a special meeting, provided it is at 5:30 p.m.

Mr. Zirkelbach announced he will be out of town next week, so it could be a call-in meeting for him.

Mr. Zirkelbach seconded the motion.

Ms. Varnadore inquired if it was going to be the policy of the Board to handle this process this way henceforth. Attorney Barnebey opined the policy matter needs to be brought back for a decision on how all CRA and City contracts are to be handled. Ms. Varnadore stated she had no problem with the contractor, but she would vote no because of the way it is being done.

Mr. Williams called for more discussion. He does not want to vote for it either, voicing concern with the numbers that do not agree on the bid tabulation sheet. Mr. Burton agreed, stating the numbers were discussed in the ranking committee; that is why there was the one extra question for Stellar. Attorney Barnebey confirmed that liquidated damages (as to completion date) will be negotiated.

Mr. Williams stated he does not want to delay it, but he does not like the process.

Mr. Zirkelbach withdrew his second from the floor.

A special meeting will be called.

3. CRA DIRECTOR'S COMMENTS

None

4. PRESIDING OFFICER'S COMMENTS

None

5. CRA BOARD MEMBERS' COMMENTS

None

6. PUBLIC COMMENTS FOR THE CRA BOARD

None

Meeting adjourned at 8:10 p.m.

Minutes approved:

James R. Freeman
City Clerk