

Palmetto City Commission
January 24, 2005 4:00 PM

Elected Officials present:

Larry Bustle, Mayor
Brian Williams, Vice Mayor
Eric Ball, Commissioner
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner

Staff and others present:

Michele Hall Attorney
J. E. Free, Jr., City Clerk
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Jessica McCann, City Planner
Diane Ponder, Deputy Clerk-Administration

Vice Mayor Williams called the meeting to order at 4:05 p.m.

Ms. Lancaster gave the invocation, followed by the Pledge of Allegiance to the United States Flag.

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Mrs. Lancaster moved, Ms. Varnadore seconded and motion carried 5-0 to approve the January 24, 2005 4:00 pm agenda.

2. MANATEE FRUIT COMPANY PRESENTATION

Carlos Escalante, Vice President of Manatee Fruit Company, presented a conceptual plan for the Manatee Fruit Company property. The conceptual plan proposes condominiums for the property known as the South 27 acres, which abuts Palms of Terra Ceia. A proposal is being considered to expand the Palms of Terra Ceia CDD boundaries to include the South 27 acreage. Entry to the condominium development will be via the Palms of Terra Ceia 14th Avenue guardhouse, with an exit only through the proposed development. The remaining 61 acres known as the Pullen Tracts is proposed to be 51 large residential lots of at least 15,000 square feet. The property along 27th Ave. Blvd. is comprised of pre-existing platted lots; no substantial changes are being proposed. Mr. Escalante reviewed the proposed setbacks on 21st Street and the wetlands and mangroves along Terra Ceia Bay that will remain undisturbed. A preliminary site plan will be presented at a later date.

Mr. Escalante updated the Commission on the Bay Pointe project at Palms of Terra Ceia. Thirty of the 36 condominiums have been sold. Groundbreaking for the project is planned for February, with an anticipated completion date of March 2006. A change to the preliminary site plan is a private pool and recreation deck for the building.

3. 17TH STREET WEST UTILITY RELOCATION

Public Works Deputy Director Frank Woodard advised the Commission the City's utilities are located in the Manatee County right-of-way along 17th Street and must be relocated during the County's construction project. Staff has determined it is in the City's best interest to utilize the City engineer for engineering services at an estimated cost not to exceed \$43,120; actual relocation will be accomplished by the construction company contracted by Manatee County. The City is beginning the engineering design at this time because it will take six months to complete and it is anticipated Manatee County will begin the project in 2006. A budget resolution will be presented to Commission at a subsequent for approval of the \$43,120 expenditure.

4. POTABLE WATER CONTRACT RENEWAL

Mr. Lukowiak informed the Commission he was seeking permission to execute the interlocal agreement with Manatee County for the potable water provided to the City. The term of the agreement is for ten years, with a ten year renewal.

Attorney Hall stated the service area maps have been under consideration for approximately six months. Manatee County has frozen the service area; the City will no longer be permitted to provide service outside the City limits unless the property is annexed or the County consents to the service.

Ms. Cornwell cited page 5, item 10, referencing the City's inability to initiate or impose surcharges outside the City limits; in lieu of the surcharge, Manatee County will reimburse the City up to \$25,000 for capital improvement costs and up to \$10,000 for maintenance costs incurred by the City on an annual basis. John Zimmerman, Manatee County Utilities, stated the City would only be reimbursed on annual basis for incurred expenses; the County will not accrue reimbursement funds. He further stated the City should factor the cost of replacing pipes into the customer's utility bills.

Page 5, item 12 discusses the County's liability for service disruption on its side of the meter. Ms. Cornwell suggested the need for a contingency clause to protect the City in the event of a major catastrophic event given the fact the County would contribute only up to \$25,000. The major topic of discussion on this portion of the contract was related to Snead Island and the repair of the infrastructure in the event of a catastrophic event. Mr. Zimmerman discussed the City's ability to recoup expenses for catastrophic failure through FEMA funding; he assured the Commission the County would support the City's request for FEMA funding. Mr. Williams, referring to the same clause, questioned what would happen to the City's ability to provide water in the event of a strike; there was no protection for the City. Attorney Hall informed the Commission considerable discussion occurred with County staff on instances outside the County's control. Mr. Zimmerman stated the County would be willing to review contingency language providing for funding in excess of \$35,000 in the event of a catastrophic event.

Attorney Hall also stated that during the review of the contract, Allen Tusing stated his opinion the City is receiving the water at a fair price; going elsewhere could result in substantially higher prices. Mr. Lukowiak reiterated the fact the County has provided water for five years without an agreement.

Mr. Free stated that if the City placed an assessment on its utility customers, Snead Island customers would also be assessed the charge; the City cannot assess only a specific group of customers or area, charges must be assessed to all customers. Mr. Zimmerman concurred with Mr. Free's statement. Mr. Zimmerman also stated the County will consider a special assessment on only County properties if the City can prove expenses incurred by the improvement benefit only those customers.

Language addressing Commission's discussion on the two areas of the contract will be developed for submission to the County for review.

5. RESOLUTION NO. 05-02 (POLICY FOR TRAVEL REIMBURSEMENT)

Mr. Free reviewed the proposed Travel Reimbursement Policy Regulations that will be attached as Exhibit A to Resolution No. 05-02. Commission's review resulted in the following amendments:

AUTHORITY TO INCUR TRAVEL EXPENSES

Paragraph 2: Language will be added limiting travel to the closest designated available site.

Paragraph 3: Language will be added limiting actual and necessary travel expenses to a traveler who becomes sick or injured to three days past the approved travel time, as well as the

requirement that documentation of the illness or injury must accompany the travel reimbursement form.

COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT

The final paragraph was deleted in its entirety.

TRANSPORTATION

Language will be added requiring travelers car pooling where and when practical.

OTHER INCIDENTAL EXPENSES

Language will be added allowing the reimbursement for valet parking when pre-approved or when alternate parking is not available.

Resolution No. 05-02, with the revised Travel Reimbursement Policy Regulations, will be brought back to the Commission for approval at a subsequent meeting.

Mayor Bustle entered the meeting at 5:45 pm.

Mayor Bustle informed the Commission he had been in an advertised public meeting with the principles of the ACCORD. Thursday there will be a meeting at 9:30 am at the Civic Center, where the results of the meeting will be discussed. He stated a key item to be discussed is the County's desire to see a binding mechanism on the height of buildings. Mayor Bustle suggested exploring an additional addendum to the ACCORD, such as a zone approach when dealing with the height of buildings. Another approach is to request the County review and adjust its building height ordinances. Mayor Bustle expressed the possibility of a mutual agreement on the issue may be enough to delay the Charter Government issue.

FLOC has allied with a company that creates videos of cities, creates segments and places them on www.greenwichct.org for the public's viewing. The videos are paid for by banners containing advertising along the banner's bottom, which are placed in the cities. He advised the Commission he would copy them the information and they should advise him their opinions of the program. Ms. Cornwell discussed resources available to the City which can create videos. Ms. Varnadore advised the Commission a petition for a private dock at the end of 7th Street had been incorrectly marked as a "multi-slip" dock and the issue has been resolved.

Mr. Williams discussed a dock on 24th Ave. and one on 25th Ave. that moor multiple boats. Chief Lowe has been asked to research the item. Ms. McCann reported Terry Michaels, DEP, will also look into the situation, as the docks apparently do not meet DEP requirements.

Meeting adjourned at 6:02 pm.

Minutes approved: February 28, 2005


J. E. Free, Jr.
City Clerk