

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, City Attorney
Chief Garry Lowe
Chris Lukowiak, Public Works Director
James R. Freeman, City Clerk
Tanya Lukowiak, CRA Executive Director
Ric Hartman, Planning Supervisor/Zoning Administrator
Frank Woodard, Deputy Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:05 p.m. A moment of silence for overseas military personnel and the upcoming Veterans Day was observed followed by the Pledge of Allegiance.

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Mr. Ball moved, Ms. Varnadore seconded and motion carried 5-0 to approve the November 7, 2005 4:00 pm agenda.

2. LIMITED CHANGE OF USE FOR ISLAND RESTAURANT AT REGATTA POINT

Alan Zirkelbach discussed with Commission a six month limited change in the use of the island parcel at Regatta Point currently subleased from the City, from a 200 seat restaurant to a banquet hall/catering service. The change of use is being sought to determine the best use of the facility, as a 200 seat restaurant, as stipulated in the submerged land lease with the State, is no longer a viable enterprise. If the temporary change of use is determined to be a feasible venture a change to the lease will be discussed, or other options will be explored and brought to Commission for review and approval.

Attorney Hall informed Commission it is not clear if the City may change uses established in the revised submerged land lease currently being considered by the State, which has tentatively been approved, but she is of the opinion the City may change conditions of the sublease held by Mr. VanDerNoord. Attorney Hall further stated she does not think the City will be in default (with the State lease) by allowing the temporary use of a catering facility. The State lease refers to a use of a 200 seat restaurant open to the public; she is not sure of the distinction between a restaurant and a catering hall other than the open to the public aspect. She stated she had been unsuccessful in her attempts to speak with DEP concerning the temporary use. Mr. Zirkelbach was of the opinion that approval of the temporary use would not be an issue, based on his experience with DEP

Tamara Cornwell entered the meeting at 4:15 pm.

Commission discussed items relating to the topic as follows:

- Increase of the monthly rental amount to the City to the market rate (currently \$1,000)
- City manage the facility as a City Center for events and meetings (legal analysis must be performed to determine legality of this option)
- Term of the State lease and sublease (automatic 25 year renewal in 2007 plus one negotiable 25 year additional extension)
- Increase in rent to the State in 2007 (approximately \$80,000 per year, \$1,000 of which will be paid to the City)
- Repairs that must occur at the site to obtain a certificate of occupancy

Mayor Bustle reviewed the topic under discussion as a request for a six month limited change of use from a 200 seat restaurant to a banquet hall, which Commission could approve contingent upon DEP approval and the issuance of a certificate of occupancy. He inquired if the issue could be carried forward to the 7:00 agenda for action. Ms. Cornwell reiterated she would like to see how the facility could be used for City functions if there is no rent increase. Mrs. Lancaster stated she was agreeable with the six month trial provided DEP approval is obtained. Mr. Ball stated he was agreeable with the six month trial with contingencies, but stated that going forward the public access issue should be addressed.

3. INCLUSIONARY HOUSING

Mrs. Lukowiak informed Commission of the changes to the proposed ordinance that has occurred since the agenda's distribution.

Sec. 17-47 Definitions

(c) Definition of "Eligible Household" changed to reflect that the *total income* of households shall be used in calculating Median Household Income.

Discussion ensued on changing Sec. 17-47 (c) and (g) to stipulate that Palmetto data must be used. Initial discussion indicated Commission preferred to allow for a Palmetto preference after qualification with Manatee County.

Discussion ensued on credit being given for previously developed affordable/inclusionary housing. Appropriate language will be added to stipulate and tie together current development to construction of affordable/inclusionary housing at a later date.

Clarification on the number of people living in a home, not a rental unit, will be provided to Commission.

Builders have inquired about off-site building and a cash payment in lieu of building and credits if inclusionary/affordable housing is built after a development of market priced homes is completed. Feedback from the builders indicates that so long as the program is not detrimental to them they will comply. If the builders do what they have indicated they will do, there will be sufficient housing.


Commission discussed density in annexed property as it relates to the ACCORD. Attorney Hall stated the County is also working on inclusionary housing and the topic will be discussed by the planners. She also indicated the City's Comp Plan allows for the possible increase in density.

A discussion was held concerning whether or not the City should become involved in prioritizing who should be considered for house; first time homebuyer or a current home owner. Mayor Bustle revised his initial position concerning using Palmetto data, and stated criteria for qualification has been developed by Manatee County and Palmetto should allow Manatee County to completely administer the qualification process to avoid making the process too complicated.

It was consensus of Commission to carry the balance of the agenda to the 7:00 Commission meeting, to be completed at the completion of the 7:00 agenda.

Meeting adjourned at 6:00 PM.

Minutes approved: November 21, 2005


James R. Freeman
City Clerk