

**CITY COMMISSION WORKSHOP MEETING
FEBRUARY 7, 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

Staff Present:

Mark Barnebey, City Attorney
Jeff Burton, CRA Director
Jim Freeman, City Clerk
Karen Simpson, Deputy Clerk-Finance
Allen Tusing, Public Works Director
Rick Wells, Chief of Police
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order 4:31 p.m.

1. PROPOSED PROCEDURES FOR CITY COMMISSION MEETINGS

Review of the document began on page #3.

III MEETINGS

1(a) Citizen Comments: Clarify that Citizen Comments shall be accepted only on non-agenda items and shall be limited to two minutes. Amend to read: Commission "**generally**" shall not take action on any matter raised at such meeting. Staff was directed to add the same language to Commission agendas.

2. Special Meetings: Attorney Barnebey confirmed that the Mayor can call a Special Meeting any time. The Vice Mayor can call a Special Meeting in the absence of the Mayor, if incapacitated. If the Mayor doesn't call the Special Meeting, the meeting would have to be considered an Emergency Meeting.

The first sentence was rearranged to read: A Special Meeting of the City Commission may be called by a majority of the Commission present at a meeting of the Commission, or by the Mayor.

Attorney Barnebey was asked to refer to the language in the Charter referring to a Special Meeting and add that language to further clarify the process for a meeting to be called by the Vice Mayor.

B. Attorney-Client Conferences

1. Generally: Delete "**City Clerk**" as an attendee in private meetings.

E. Preparation of Agenda

3. Mayor: Add "**At the beginning of a scheduled or regular meeting**" the Mayor may add or remove an item from the agenda at the Mayor's discretion, unless overruled by a majority vote of the city Commission, or the action must be noticed pursuant to law.

4. City Commission: Add language stating the proper protocol to allow a Commissioner to add an item to the agenda if the request was not made at a Commission meeting or if the item is not favored by the Mayor.

IV. CONDUCT OF MEETING

a. Generally

Discussion ensued on whether or not a vote is required to approve or amend the agenda, but no change was made to the document. Language is to be added that no Commissioner can be disallowed from bringing forth any agenda topic or having the opportunity to speak to an agenda item [covered in B4 and again in VI.B].

Discussion ensued on the occurrence of when Commissioners know they are going to be absent and they call and request that an item be moved to a future date because of the possibility of a tie vote. Attorney Barnebey suggested that the item would be removed at the beginning of the meeting. Discussion ensued on the historical way the Commission has offered each other respect, by waiting to hear an item until a full Commission is in attendance; otherwise, attendance by phone has been allowed.

Mr. Freeman offered that many jurisdictions automatically bring a tie vote back for consideration. Attorney Barnebey stated that the way the procedures are currently written, in the event of a tie vote, the item is denied unless it is brought back up for reconsideration; however, any Commissioner can bring an item back up for reconsideration. In the event of a legislative item, it can be brought up at the next meeting, but the process would have to start over. In the event of a land use item, the applicant would have to start the whole process over as stipulated in the Zoning Code. Attorney Barnebey confirmed that a ruling within an open meeting can be reconsidered before the end of a meeting, but he strongly cautioned against that course of action.

Commission chose to delay completing the review of the rules to consider the next agenda item. The review will begin again with the tie vote issue.

2. PROPOSED 2011 CAPITAL IMPROVEMENT PLAN (CIP)

Mr. Tusing stated the CIP projects total \$10 million; Commission would not be approving any item that does not have funding. The projects listed on the CIP are necessary to keep things "on track". He explained that some projects had been included because the City must have identified the needed projects when seeking grant funds. Mr. Tusing confirmed he will check the proposed projects against any possible CRA boundary expansion. Mr. Tusing reviewed the new projects that have been added: 1) Public Works yard lighting; 2) 14th Ave. & 17th St. intersection improvement (CMS project); and 3) the golf course ponds for reclaimed water storage.

Mr. Burton discussed the reasons why the CRA could not fund the construction of a new Public Works building. He confirmed he has approached Manatee County about housing some county personnel in a building that could be constructed by the CRA. The Public Works building will be removed from the CIP.

Funded projects include: #1 road improvements from grants, #4 sidewalk R&R from City funds, ADA sidewalk compliance from City funds; public buildings #2 and #3, city wide facilities upgrades and Public Works yard lighting; utility improvements (ARS thru grants and City); #12 17th St. utility relocation and #13 8th & 9th St. Ward 2 reclaim water extension. There would remain a surplus of \$97,000.

Mr. Tusing stated he had received revisions as of today on the ASR for 2011, which will only be \$150,000; \$75,000 from the grant and \$75,000 from City funds. The ASR will be coming to Commission at the next workshop meeting. Mr. Tusing stated the ASR needs to be funded because there is a need today, or other treatment options will have to be identified.

Mr. Tusing also discussed the work that is needed in the old part of the police station, which is estimated to be \$50,000. If a new station is built by the CRA, no work will be expended at the location.

Meeting adjourned at 6:05 p.m.

Minutes approved: February 28, 2011

James R. Freeman

James R. Freeman, City Clerk