

**CITY COMMISSION WORKSHOP MEETING**

**July 19, 2021**

**4:30 pm**

This Commission Meeting was conducted utilizing Communications Media Technology. Some Staff members were present in the Commission Chambers while others were present via the Zoom application to respect the social distancing guidelines.

**ELECTED OFFICIALS PRESENT IN CHAMBERS:**

Shirley Groover Bryant, Mayor

Brian Williams, Vice Mayor, Commissioner, Ward 3

Sheldon Jones, Commissioner-at-Large 1

Harold Smith, Commissioner, Ward 1

Tambra Varnadore, Commissioner, Ward 2 (Entered the meeting at 4:41 p.m.)

Tamara Cornwell, Commissioner-at-Large 2 (Entered the meeting at 4:32 p.m.)

**STAFF PRESENT IN CHAMBERS:**

Mark Barnebey, City Attorney

Mohammed Rayan, Public Works Director

Scott Tyler, Chief of Police

Jim Freeman, City Clerk

Cheryl Miller, Finance Director

Nixa Haisley, Purchasing Agent

Kera Hill, Planning Analyst

Jeff Burton, CRA Director

Penny Johnston, Executive Assistant

Vanessa Cochran, Assistant City Clerk

**STAFF PRESENT ELECTRONICALLY:**

Todd Williams, Information Technology (IT) Consultant

Mayor Bryant called the meeting to order at 4:30 p.m.

1. **MLK RESTROOM PROJECT (M. Rayan)**

Mr. Rayan, Public Works Director (PWD), gave a presentation on the MLK Park Restroom Building Project, and the presentation is a part of the minutes. He stated that the City of Palmetto received 5 proposals, which consisted of Kickler Group, Tampa Contracting Services Inc., D.L. Porter Contractors, DeLesline Construction Inc., and Stellar Development. Mr. Rayan discussed how the proposals were ranked and pointed out that one proposal was disqualified due to failure to provide the required information outlined in the Request For Proposal (RFP). Based on the scoring, the Committee recommended D.L. Porter Contractors with the proposal of \$344,000. Mr. Rayan informed the Board that the initial budget for the project is \$200,000, and if the Board approves D.L. Porter as the contractor, a budget amendment is required for the remaining \$144,000.

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### MLK RESTROOM PROJECT DISCUSSION

Commissioners Jones inquired about the evaluation method and the criteria in reaching the Committee's decision. Mr. Rayan, PWD, stated that a percentage was given based on the contractors' qualifications, experiences, construction approach and process, proposal compliance, use of Minority Business Enterprise/Women Business Enterprise (MBE/WBE), and proposed cost.

Commissioner Smith asked about the forms utilized for the bidding, and the group that was disqualified. Mr. Rayan replied that the forms used are in accordance to the City's ordinance and reiterated that each group was evaluated on experience, cost, qualifications etc. In regards to the group that was disqualified, the forms submitted were not completed.

Mr. Freeman, City Clerk, gave a brief summary on the funds that were awarded for the project.

Commissioner Jones requested to see a copy of the restrooms' drawings, and Nixa Haisley, Purchasing Agent, provide the drawings, and they are a part of the minutes.

### 2. POLICE BENEVOLENT ASSOCIATION AGREEMENT 2021-2024 (S. Tyler)

Chief Tyler discussed the Police Benevolent Association Agreement (PBA) and stated that an arrangement was reached, and the agreement is ready for the Board's decision. He discussed the proposed article changes to the agreement which are pay increases, field training officers' compensation, shift differential additional compensation, and duty rifle additional ammunitions for practices and qualifications. Next, Chief Tyler welcomed questions and comments from the Board.

Discussion ensued: Commissioner Jones inquired about non-sworn pay and Palmetto's pay structure compared to the other neighboring municipalities. Chief Tyler stated that non-sworn positions' pay is governed by the City, and a pay study is currently being conducted. Also, the Palmetto officers' pay falls in the market's middle range.

Commissioner Cornwell requested clarification on officers who reach their topped out range and ammunition procedures. Chief Tyler discussed the officers' longevity pay entitlements and stated that the pay is competitive with the other agencies within the area. He communicated that the Police Department (PD) issues the handgun, so the City provides the ammunition. The rifle is not issued by the agency, however, the officers may carry one if they meet certain criteria. If an officer purchases a rifle, the PD compensates the officer for the ammunition used for it.

Commissioner Smith asked how many officers are employed in Palmetto, and the promotion opportunities that are available. Chief Tyler answered currently 30, however, 3 new officers will start July 21st, so Palmetto will be short 1 officer. Within the next year, he stated that he will make a proposal to have the PD expanded because the City has grown and more officers/supervisors will be needed.

Commissioner Williams asked how the topped out pay amounts and pension amounts are calculated. Chief Tyler cited the proposed PBA agreement and reiterated the longevity pay entitlement configurations.

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### 3. 2021-2022 SCHOOL RESOURCE OFFICER'S PROGRAM AGREEMENT (S.Tyler)

Chief Tyler stated that the agreement is similar to last year's agreement regarding cost split and staff. Like last year, the Palmetto PD will not be able to provide 3 School Resource Officers (SRO) but 2. He emphasized that after the new officers start on July 21st, he wants to put a 3rd officer back into the SRO position mid-year and will recommend that the officer goes to Lincoln.

Commissioner Cornwell requested clarification on Lincoln receiving a SRO and School Safety Guardian (SSG). Chief Tyler replied that Lincoln will begin with a SSG and next year they will receive a SRO. And, the SSGs are Manatee County School employees, and SROs are Palmetto City Police Officers.

Commissioner Smith asked why Palmetto High School has two SROs, and Chief Tyler responded that it is in accordance to the Department of Education, School Public Safety Act Legislation, which is based on the school's population and the School Board's decision.

### 4. FY 2022 BUDGET (J. Freeman)

Mr. Freeman, City Clerk, gave a presentation on Version 1 of the fiscal year 2020-2021 City Budget. The millage rate remains the same as last year \$5.9671, and this budget does not propose an increase to the millage. He reviewed the assumptions page of the budget. The budget contains 144 funded positions; 129 full-time, 9 part-time, and 6 elected officials. There are three new positions funded in the budget, 1 full-time in the Human Resources, 1 full-time reuse in the Public Works, and 1 full-time in the Police Department. General Employees along with the Mayor and Commission are budgeted to receive a three percent increase. Sworn officers will receive an increase based on the PBA agreement, and the increases has been loaded into the system. Also, a Salary Study is being conducted, so the current budget will be prepared to accommodate the pay modifications once completed.

Mr. Freeman reviewed the City's contribution to both pension plans. The Police Officers' pension decreased from 21.19 percent to 17.93 percent, and the General Employees' pension increased slightly from 14.92 percent to 15.03 percent.

Next, Mr. Freeman expressed that there is a 20 percent projected increase for health insurance cost and is working with the health insurance agent to finalize the cost. Once the information is received, it will be presented to the Board.

Discussion ensued: Commissioner Varnadore asked if other insurance companies were considered, and Mr. Freeman replied yes. Commissioner Williams requested the increase totals for last year and this year regarding the PBA and General Employees agreements. Mr. Freeman stated that he will research and bring the information back to the Board. Commissioner Jones asked why the Code Enforcement Officer position that was funded by the CRA was removed. Mr. Burton explained that no one was hired for the position, so it was eliminated.

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Mr. Freeman addressed the Capital Expenses section pertaining to the one time expenditures and pointed out that funds were budgeted for a Gateway sign screen replacement. Commissioner Varnadore felt that the \$26,000 budgeted to replace the screen is too high. Mayor Bryant brought up the revenue generated from agencies utilizing the sign, and Mr. Freeman will gather the revenue amount collected and bring it back to the Board.

Commissioner Jones inquired about the generators, and Commissioner Smith requested information on the John Deere Tractor. Mr. Rayan, PWD, responded that he will get more information on the tractor and bring it back to the Board. And, Mr. Freeman stated that the generator is for the Public Works Administration Building and is shared among all cost centers.

5. QUASI-JUDICIAL PROCESS OVERVIEW (M. Barnebey

Attorney Barnebey made a presentation to the Commission regarding Quasi-Judicial/Land Use/Zoning and Practice and Procedure, and the presentation is a part of the minutes. Quasi-Judicial is defined as "the action, discretion, etc., of public administrative officers or bodies, who are required to investigate facts, or ascertain the existence of facts, hold hearings, weigh evidence, and draw conclusion from them, as a basis for their official action, and to exercise discretion." Quasi-Judicial actions include:

- Rezoning;
- Site Plans;
- Special exception or permits;
- Variances;
- Vested rights hearings;
- Denials of permits to operate adult oriented businesses;
- Code enforcement.

Attorney Barnebey started the training with a brief history on Florida Supreme Court's ruling in Brevard County v. Snyder. He explained ex-parte communicate in a Quasi-Judicial hearing and how important it is to disclose communication by anyone to all Commissioners during the hearing process.

Mayor Bryant adjourned the meeting at 5:53 p.m.

MINUTES APPROVED: AUGUST 23, 2021

*JAMES R. FREEMAN*

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CITY CLERK