AGENDA REQUEST

AGENDA HEADING: Approval of Minutes
COMMISSION MEETING DATE: June 3, 2019
AGENDA ITEM NO: II.3.

BY City Auditor and Clerk
Shayla Griggs
Interim City Auditor and Clerk
Griggs

Originating Department

Department Head

Presenter

SUBJECT:
Approval Re: Minutes of the Regular Sarasota City Commission Meeting of May 6, 2019

COMMISSION PRIORITIES:
Business Requirement

EXPLANATION:
N/A

ADMINISTRATION'S RECOMMENDATION:
Recommend to approve the Minutes of the Regular Sarasota City Commission Meeting of May 06, 2019, by consensus.

APPROVAL SUMMARY:

<table>
<thead>
<tr>
<th>Approval</th>
<th>Required</th>
<th>Date Completed</th>
<th>Completed By</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Auditor and Clerk Approval</td>
<td>Y</td>
<td>05/21/2019</td>
<td>Shayla Griggs</td>
<td>APPROVED</td>
</tr>
</tbody>
</table>
### AGENDA REQUEST

**ADDITIONAL EXPLANATION:**

**ADDITIONAL ADMIN RECOMMENDATION:**

**FUNDING SOURCE:**

<table>
<thead>
<tr>
<th></th>
<th>AMOUNT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOUSING IMPACT (Per House):</td>
<td></td>
</tr>
<tr>
<td><strong>NEW CONSTRUCTION:</strong></td>
<td>$ 0</td>
</tr>
<tr>
<td><strong>REHABILITATION:</strong></td>
<td>$ 0</td>
</tr>
</tbody>
</table>

**SUPPORT DEPARTMENTS:**

City Auditor and Clerk - Shayla Griggs

### AGENDA DISPOSITION

**COMMISSION ACTION:**

Final Action Motion: ______________________________________________________________

Motion By: __________________________________________ Second By: ____________________

Vote: ________________________________________________________________
MINUTES OF THE REGULAR SARASOTA CITY COMMISSION MEETING OF MAY 06, 2019

PRESENT: Mayor Liz Alpert, Vice Mayor Jen Ahearn-Koch, Commissioners Hagen Brody, Shelli Freeland Eddie, and Willie Charles Shaw, Deputy City Manager Marlon Brown, City Attorney Robert Fournier, and Interim City Auditor and Clerk Shayla Griggs

ABSENT: City Manager Thomas Barwin

1:30:24 P.M.

The meeting was called to order by Mayor Alpert at 1:30 P.M.

1:30:41 P.M.

INVOCATION: Interim City Auditor and Clerk Griggs

1:30:54 PM.

PLEDGE OF ALLEGIANCE: Vice Mayor Ahearn-Koch

1:31:23 P.M.

1. **CITIZENS’ INPUT CONCERNING CITY TOPICS (AGENDA ITEM I)**

1:31:29 P.M.

Mayor Alpert reminded those wishing to speak about the Pledge of Conduct and read the Pledge of Conduct into the record.

1:32:34 P.M.

Citizens’ Input received.

Mayor Alpert stated for the record that City Manager Barwin will not be in attendance at today’s meeting.

1:46:49 P.M.

2. **APPROVAL OF THE MINUTES AGENDA ITEM II-1)**

1:46:57 P.M.

A motion was made by Vice Mayor Ahearn-Koch, seconded by Commissioner Shaw, to approve the minutes of the April 01, 2019, Regular Sarasota City Commission Meeting, with two non-substantive corrections, which carried by a 5-0 vote.

1:47:13 P.M.

3. **CONSENT AGENDA NO. 1 (AGENDA ITEM IV-A)**

1:47:25 P.M.

Interim City Auditor and Clerk sought Commission consensus to request from Consent Agenda IV-A, Item No. 1, be removed to receive Citizens’ Input, and Commissioner Brody requested Item No. 8, be removed to have questions addressed.
2) Approval Re: Request to Consider Scheduling a Sarasota City Commission and Town of Longboat Key Town Council Joint Meeting on Thursday June 13, 2019 from 3:00 p.m. to 6:00 p.m. on Transportation/Traffic (Agenda Item IV-A-2)

3) Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute the Tenth Extension of Lease Agreement between the City of Sarasota and Gary L. Reinhardt, D.V.M., pertaining to property located at 311 S. Washington Blvd. Sarasota (Agenda Item IV-A-3)

4) Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute the Agreements between the City of Sarasota and McIntyre Elwell & Strammer General Contractors, Inc., Magnum Builders of Sarasota, Inc., and Miller Construction Management, Inc., (RFP #19-14CM) for Construction Services for possible new construction, renovation, remodeling and maintenance of existing facilities on an as-needed basis (Agenda Item IV-A-4)

5) Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute the Second Extension of Agreement between the City of Sarasota and Purvis, Gray and Company, LLP, (RFP #15-13DB) for Professional Auditor Services in the amount of $86,900.00 (Agenda Item IV-A-5)

6) Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute Interlocal Agreement between the City of Sarasota, City of North Port, both Municipal Corporations of the State of Florida and Sarasota County pertaining to the Distribution Formula for Allocation of Revenue from Local Option Fuel Tax (1-6 Cent) Levied Pursuant to Section 336.025(1) (a), Florida Statutes, among Sarasota County and Municipalities within Sarasota County (Agenda Item IV-A-6)

7) Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute Interlocal Agreement between the City of Sarasota, City of North Port, both Municipal Corporations of the State of Florida and Sarasota County pertaining to the Distribution Formula for Allocation of Revenue from Local Option Fuel Tax (1-5 Cent) Levied Pursuant to Section 336.025(1) (b), Florida Statutes, among Sarasota County and Municipalities within Sarasota County (Agenda Item IV-A-7)

9) Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute the Agreement between the City of Sarasota and Mulch Blowers of Florida, Inc., (ITB #19-27AO) for Blown-In Engineered Wood Fiber & Mulch Installation Services in the annual amount of $61,770.00 (Agenda Item IV-A-9)

1:47:34 P.M.

A motion was made by Commissioner Freeland Eddie, seconded by Vice Mayor Ahearn-Koch, and carried by a 5-0 vote to approve Item Nos. 2 through 7, and 9.

1:47:45 P.M.

4. ITEMS REMOVED FROM CONSENT AGENDA NO. 1 (AGENDA ITEM IV-A)

1) Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute the Second Amendment to the Granicus Service Agreement between Granicus, Inc. and the City of Sarasota, FL (Agenda Item IV-A-1)

1:48:07 P.M.

Citizens’ Input received.
A motion was made by Commissioner Freeland Eddie, seconded by Commissioner Shaw, and carried by a 5-0 vote to approve Item No. 1.

Approval Re: Authorize the Mayor and Interim City Auditor and Clerk to execute the Agreement between the City of Sarasota and Hayes E-Government Resources, Inc., for Data Communications Products to replace the current citywide phone system with new Avaya VOIP System in the amount of $427,792.98 (Agenda Item IV-A-8)

Commissioner Brody stated that the Item was removed as the result of the cost of $427,797.98 to improve the City’s telephone system which is not broken; that taking the money from the Capital Improvement Project (CIP) fund is of concern since the money can be used for other things in the community such as infrastructure, sidewalks, water pipes, and road repairs.

Director Herminio Rodriguez, Information Technology (IT) Department, came before the Commission.

Mr. Rodriguez stated that the City has been on the same platform since his employment with the City in 2014; that the system was implemented in 2008; that Staff continues to place band-aids on the telephone system as the result of the continuous complaints and issues; that the last band-aid solution took place approximately two years ago which was the replacement of telephones; however, the telephone equipment is leased and the backend support for the telephones are all out of warranty.

Deputy City Manager Brown stated that Staff has been placing band-aids on the equipment for a number of years; that having people criticize Staff for lacking fiscal responsibility in terms of not trying to spend money is known; that the current telephone system is at the end of life and something has to be done, if not this.

In response to a question from Mayor Alpert asking if the approximate savings would be $162,000 per year in operating cost as indicated in the Agenda backup material, Mr. Rodriguez stated correct.

In response to a question from Commissioner Shaw asking if at the same time did this not teach Staff that they are dealing with three different vendors to get the job done, Mr. Rodriguez stated yes; that this has been very problematic since the system is managed almost exclusively by three separate vendors.
1:55:28 P.M.

In response to a comment from Assistant City Manager John Lege, III, City Manager’s Office, who came before the Commission and stated that the same equipment supports the Van Wezel Performing Arts Hall (VWPAH), Mr. Rodriguez stated yes.

1:56:13 P.M.

In response to a question from Commissioner Brody about the Item not going out for bid, Purchasing General Manager David Boswell, Purchasing Division, came before the Commission and stated that this is a State Contract which had already been vetted by the State’s Procurement Division Department of Management Services.

2:00:51 P.M.

Citizens’ Input received.

2:03:24 P.M.

In response to a question from Commissioner Brody about the number of handsets being 680, Mr. Rodriguez stated that IT Staff worked with every department and 680 is the number quoted; that 680 is a verified number of how many handsets deployed throughout the City.

2:04:02 P.M.

In response to a question from Commissioner Freeland Eddie asking why 680 handsets are needed, if there are not that many in the departments responsible for those functions, Deputy City Manager Brown stated that IT has done the analysis and a survey, and asked if fewer handsets are needed can the number be decreased, Mr. Rodriguez stated absolutely.

2:12:51 P.M.

A motion was made by Commissioner Shaw, and seconded by Vice Mayor Ahearn-Koch, to approve Item No. 8.

2:13:03 P.M.

Commissioner Brody spoke against the motion.

2:14:13 P.M.

Mayor Alpert called for a vote on the motion to approve Item No. 8, which carried by a 4-1 vote, with Commissioner Brody voting no.

2:14:26 P.M.

5. CONSENT AGENDA NO. 2 (AGENDA ITEM IV-B)

2:14:42 P.M.

Interim City Auditor and Clerk Griggs read proposed Resolution No. 19R-5272 by title only.

1) Adoption Re: Second Reading of Proposed Ordinance No. 19-5272, amending the Zoning Code (2002 Edition) of the City of Sarasota, Article III, Decision Making and Administrative Bodies, Division 5, Public Art Committee, so as to add a seventh member to the Public Art Committee; and also, to provide that at least one member
of the Public Art Committee must be an Artist; providing for severability of the parts hereof, etc. (Title Only) (Agenda Item IV-B-1)

2:15:28 P.M.

A motion was made by Vice Mayor Ahearn-Koch, seconded by Commissioner Brody, and carried by a 5-0 vote to approve Item No. 1.

2:15:39 P.M.

6. BOARD APPOINTMENTS (AGENDA ITEM V)

1) APPOINTMENT RE: FIREFIGHTERS’ PENSION FUND BOARD OF TRUSTEES (AGENDA ITEM V-1)

2:15:51 P.M.

Interim City Auditor and Clerk Griggs stated that the Firefighters’ Pension Board of Trustees (Board of Trustees) consists of five members; that two of the Board of Trustees members are selected by the Commission, two are elected by the City’s Plan members and one is selected by the other four Board of Trustees members; that the Florida State Statute 175.061(1)(a) provides that the Legislative Body will, as a ministerial duty appoint the individual selected by the Board of Trustees; that the Board of Trustees has selected Scott Snow to serve on the Board for a four-year term.

2:16:25 P.M.

A motion was made by Vice Mayor Ahearn-Koch, seconded by Commissioner Shaw, and carried by a 5-0 vote to appoint Scott Snow to serve on the Firefighters’ Board of Trustees for a four-year term.

2:16:47 P.M.

7. UNFINISHED BUSINESS (AGENDA ITEM VI)

1) DIRECTION RE: SET FOR PUBLIC HEARING PROPOSED ORDINANCE NO. 19-5290, AMENDING ARTICLE VII DIVISION 7 OF THE ZONING CODE OF THE CITY OF SARASOTA TO EXPAND THE CITY’S PUBLIC ART PROGRAM TO A CITY WIDE PROGRAM AND TO PROVIDE THAT FOR DEVELOPMENT PROJECTS WITH A CONSTRUCTION COST OF FOUR MILLION DOLLARS ($4,000,000.00) OR LESS, THAT THE PROPERTY OWNER OR DEVELOPER SHALL BE REQUIRED TO CONTRIBUTE TO THE PUBLIC ART FUND INSTEAD OF PROVIDING PUBLIC ART; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT, ETC. (AGENDA ITEM VI-1)

2:17:04 P.M.

Senior Planner Clifford “Cliff” Smith, Jr., Manager of Long-Range Planning David Smith, and Director Steven Cover, Planning Department, came before the Commission.

2:17:09 P.M.

Mr. Clifford Smith, Jr., presented and stated that at the February 19, 2019, Regular Sarasota City Commission Meeting, the Commission voted 5-0 for Staff to have the City Attorney’s Office to draft a proposed Ordinance for Commission review and consideration for expanding the City’s Public Art Program to a Citywide Program; that included in the Agenda backup material are projects which were reviewed by Staff that are underway in the City.
2:21:48 P.M.

In response to a question from Commissioner Brody asking if the funding would be applied to projects in the queue which have already put in applications, Mr. Clifford Smith, Jr., stated no, and Mr. David Smith stated that if this gets approved in a Zoning Text Amendment, then the City would have to give the developers months’ notice for projects which have already been approved.

2:22:50 P.M.

Mr. Cover stated that there is not a decrease in applications by any means; that actually, the workload gradually increased as of this year.

2:26:09 P.M.

Citizens’ Input received.

2:28:44 P.M.

City Attorney Fournier reminded the Commission that the request is for the item to go through a subsequent Public Hearings in front of the Planning Board/Local Planning (PBLP) Agency and the Commission.

2:41:11 P.M.

A motion was made by Vice Mayor Ahearn-Koch, seconded by Commissioner Freeland Eddie, and carried by a 5-0 vote to set proposed Ordinance No. 19-5290 for Public Hearing.

2:41:29 P.M.

2) **APPROVAL RE: CULTURAL SPECIAL EVENTS GRANT PROGRAM (AGENDA ITEM VI-2)**

2:41:49 P.M.

Redevelopment Manager Onya Bates and Redevelopment Specialist Rowena Elliott, Office of Economic Development (OED), came before the Commission.

2:41:51 P.M.

Ms. Elliot presented and stated that the City of Sarasota has many rich and diverse cultures; however, does not have many ways to incentivize the activities within the underserved communities mainly needing assistance.

2:43:59 P.M

Ms. Bates presented and stated that at the July 02, 2018, Regular Sarasota City Commission Meeting, the Commission voted 4-1 to approve the allocation of $150,000, for the creation of guidelines for a Special Cultural Event Grant Program.

2:46:42 P.M

In response to a question from Vice Mayor Ahearn-Koch about the $5,000 limit not starting at $250, $1,000, or another figure, Ms. Elliot stated that an amount below $10,000 would be based on Staff approval.
2:47:18 P.M.

In response to a question from Commissioner Brody asking how this would differ from other in-kind donations the City provides, Deputy City Manager Brown stated that this would be similar to the other six Special Events which the City provides in-kind services for.

2:48:34 P.M.

Citizens' Input received.

2:52:16 P.M.

Commissioner Freeland Eddied spoke in support of the Cultural Special Events Grant Program.

2:54:23 P.M.

Commissioner Brody spoke against the support of a Cultural Special Events Grant Program.

2:57:20 P.M.

Commissioner Shaw spoke in support of the Cultural Special Events Grant Program.

2:58:47 P.M.

Vice Mayor Ahearn-Koch spoke in support of the Cultural Special Events Grant Program.

3:01:54 P.M.

A motion was made by Commissioner Shaw, and seconded by Vice Mayor Ahearn-Koch to accept and approve a Cultural Special Events Grant Program as presented by Staff.

3:02:07 P.M.

Commissioner Brody reiterated his non-support of the motion.

3:03:17 P.M.

Mayor Alpert called for a vote on the motion to accept and approve a Cultural Special Events Grant Program as presented by Staff, which carried by a 4-1 vote with Commissioner Brody voting no.

3:03:25 P.M.

3) DIRECTION RE: PROPOSED ARTWORK DONATION FOR PERMANENT DISPLAY OF THE UNITY MONUMENT PROJECT FOR BAYFRONT PARK AND THE EXPENDITURE OF PUBLIC ART FUNDS TO ASSIST WITH THIS DONATION AGENDA ITEM VI-3)

3:03:37 P.M.

Manager of Long-Range Planning David Smith, Planning Department, and former Vice Mayor and Commissioner Ken Shelin, came before the Commission.

3:03:45 P.M.

Mr. Smith presented and stated that at the March 04, 2019, Regular Sarasota City Commission Meeting, the Commission voted 5-0 for Staff to return before the Commission with more information on the proposed location for placement of a Unity Monument.
3:04:32 P.M.

Mr. Shelin presented, referred to an aerial map displayed on the Chamber monitors, and stated that when he and City Staff walked the site, everyone agreed upon two possible locations which are outlined in a memorandum dated March 31, 2019, included in the Agenda backup material and labeled “A” and “B”.

3:07:53 P.M.

Vice Mayor Ahearn-Koch stated that a personal preference would be site “A”; however, it would be wise for the Commission to wait until the Unity Monument piece is seen before actually making a decision.

3:11:36 P.M.

Commissioner Brody stated that his preference would be site “B” which is closer to the entrance of the park but will wait to see the Unity Monument before a decision is made.

3:11:50 P.M.

A motion was made by Vice Mayor Ahearn-Koch, seconded by Commissioner Brody, to accept the proposed sites labeled “A” and “B” with the following criteria as outlined in the memorandum dated March 31, 2019: Identifying potential locations include minimizing usage of open space, visibility of the locations, locations of existing artworks and the Embracing Our Differences annual displays, locations of infrastructure and trees/vegetation, topography of land, visibility of the site, and size of the site for public gathering and viewing, which carried by a 5-0 vote.

3:12:53 P.M.

Citizens’ Input received.

3:15:11 P.M.

8. REMARKS OF COMMISSIONERS, ANNOUNCEMENTS AND ITEMS FOR NEXT AGENDA (AGENDA VII)

3:35:12 P.M.

VICE MAYOR AHEARN-KOCHE:

Remarks received.

3:41:41 P.M.

COMMISSIONER SHAW:

Remarks received and sought Commission consensus for Staff to draft a letter of support per the request of the Southwest Florida Regional Planning Council for the Mayor to sign for their submission of an application to the Florida Department of Economic Opportunity for a grant to fund Updating the 2009 Comprehensive Southwest Florida/Charlotte Harbor Climate Change Vulnerability Assessment based on current science and data and provide assistance and interpretation of the revised assessment for Southwest Florida communities and existing Climate Change Adaptation Plans in use.
3:43:27 P.M.
Mayor Alpert noted Commission consensus for Staff to draft a letter of support per the request of the Southwest Florida Regional Planning Council for her signature.

3:47:49 P.M.

COMMISSIONER FREELAND EDDIE:
Remarks received.

3:51:36 P.M.

COMMISSIONER BRODY:
Remarks received and stated that the Commission needs to take some type of action as the result of reading a news report about a train passing through the Myrtle Street train stop without the signaling arms coming down, which is one of the most dangerous situations he has read about in the City of Sarasota, Florida.

3:53:33 P.M.
Deputy City Manager Brown stated that Myrtle Street is a County roadway and the video was forwarded to County Administration and Staff is awaiting feedback as to what action they will be taking, which will be provided to the Commission.

3:54:08 P.M.

MAYOR ALPERT:
Remarks received.

9. OTHER MATTERS/ADMINISTRATIVE OFFICERS (AGENDA ITEM VIII)
3:15:21 P.M.

DEPUTY CITY MANAGER BROWN:
Remarks received, distributed to the Commission and for the record printed material entitled “Upcoming City Commission Meetings – Major Consent and Discussion Agenda Items,” and stated that the belief is as outlined in the “Commission Rules of Procedure” New Business items can actually be presented ahead of other items; however, Staff will confirm with the City Attorney.

3:22:42 P.M.
Interim City Auditor and Clerk Griggs stated that the City Attorney just informed her that the change is possible if the Commission desires; however, this is not the norm and should not be made common practice.

3:31:19 P.M.

CITY ATTORNEY FOURNIER:
Remarks received and sought Commission consensus to schedule a Public Hearing, and stated that the owner is requesting to transfer a boathouse which is an accessory and historically designated from one of the historically designated houses, to the other which is located on Bayshore Road; that amendments would
be required for both of the Ordinances which designated the two properties historical; however, the City does not have a procedure in the City Code for doing that since this has never occurred before.

3:35:06 P.M.

Mayor Alpert noted Commission consensus for the City Attorney to schedule a Public Hearing.

3:58:24 P.M.

The Commission recessed at 3:58 P.M. and reconvened at 6:00 P.M.

6:00:23 P.M.

10. **COMMISSION PRESENTATIONS (AGENDA ITEM IX)**

   1) **PROCLAMATION RE: PROCLAIMING MAY 5-11, 2019 AS CHILDREN MENTAL HEALTH WEEK (AGENDA ITEM IX-1)** – Presented to: Kathryn Shea, CEO, Dr. Kristie Skoglund, COO, and Melissa Bradley, Director of School-Based Mental Health Therapy, The Florida Center for Early Development

6:04:40 P.M.

11. **SCHEDULED PRESENTATIONS (AGENDA ITEM X)**

   1) **PRESENTATION RE: UNITED STATES 2020 CENSUS (AGENDA ITEM X-1)**

6:05:58 P.M.

   Channa Lloyd, Esq., Florida Partnership Specialist, US Census Bureau, came before the Commission, provided the Interim City Auditor and Clerk with a booklet entitled “United States Census Bureau Measuring America” for distribution to the Commission and for the record, presented and referred to a PowerPoint presentation displayed on the Chamber monitors.

6:14:52 P.M.

Mayor Alpert informed those standing in the Chambers that additional seating and television are in Room 112 and to silence or turn off cellular telephones.

6:15:16 P.M.

   Commission questions were posed and addressed.

6:23:24 P.M.

   Mayor Alpert on behalf of the Commission thanked Ms. Lloyd for the presentation.

6:23:40 P.M.

12. **CITIZENS’ INPUT CONCERNING CITY TOPICS (AGENDA ITEM XI)**

6:25:54 P.M.

Mayor Alpert reminded those wishing to speak about the Pledge of Conduct and read the Pledge of Conduct into the record.
6:28:23 P.M.  
Citizens’ Input received.

6:49:32 P.M.  
Mayor Alpert gavels due to applause and requested the audience to not applaud or boo during the meeting.

6:50:50 P.M.  
Citizens’ Input received.

7:03:58 P.M.  
The Commission recessed at 7:03 P.M. and reconvened at 7:15 P.M.

7:15:42 P.M.  
Mayor Alpert stated for those in Room 112, seating is now available in the Chambers or they can remain there; that those seated in the Chambers are requested to silence or turn off cellular telephones.

7:16:05 P.M.  

13. **LEGISLATIVE PUBLIC HEARINGS: (AGENDA ITEM XII-A)**


7:16:14 P.M.  
Mayor Alpert stated for the record that the City Staff works very hard and does not lie to the Commission.

7:16:40 P.M.  
Interim City Auditor and Clerk Griggs read the Pledge of Conduct and administered an oath to persons wishing to speak during the Public Hearing.

7:17:57 P.M.  
Interim City Auditor and Clerk Griggs read proposed Ordinance No. 19-5286 by title only.
7:18:57 P.M.

Mayor Alpert opened the Public Hearing.

7:19:18 P.M.

Todd Bowden, Superintendent, Kathie Ebaugh, ACIP, Planning Director, and Jeff Maultsby, COO/Assistant Sarasota County Schools (SCS), B. Kelly Klepper, Project Manager/Senior Planner, Kimley-Horn (Kimley-Horn) and Associates, Inc., David Jones, Principal, Sarasota High School (SHS), and Timothy “Tim” Enos, Chief, SCS Police Department, came before the Commission.

7:19:28 P.M.

Dr. Bowden stated that the fact is the City did not put a road through the middle of SHS campus which grew to be on both sides of the road, and SCS need to own that fact; however, this is not a problem of the City’s creation, but SCS values the City as a partner.

7:21:14 P.M.

Mr. Klepper presented, referred from an aerial map displayed on the Chamber monitors and stated that what is being proposed goes hand-in-hand with the City’s Comprehensive Plan and upwards of three million dollars toward mobility improvements in and around the network, along with additional components which have been discussed with Staff regarding pathways, schedule and design would commence; however, another component is that this is actually an Easement Agreement which the district has committed to which basically says they will not build any structures or buildings within the right-of-way as it exists today, even if vacated.

7:26:37 P.M.

Mr. Jones presented and referred from a photograph on the Chamber monitors and stated that SHS does not see the vacationing of School Avenue as the panacea, or that this is going to make SHS forever safe from any entities which could possibly do anything to SHS; however, this is seen by SHS as a major point which needs to take place.

7:29:50 P.M.

Chief Enos presented, provided a brief overview of his educational background, previous employment, and stated that his Staff has to be able to use the technology the Sarasota County School Board (SCSB) has made; that the SCS superintendent made a decision and commitment to keep children safe.

7:35:16 P.M.

Mr. Maultsby presented and stated that at the March 13, 2019, Regular Planning Board/Local Planning (PBLP) Agency Meeting, the Chair, rightfully so pointed, out some areas of deficiencies at SHS.

7:39:26 P.M.

Dr. Bowden, Chief Enos, Ms. Ebaugh, and Messrs. Jones, Klepper, Maultsby left the Dias.

7:39:50 P.M.

Chief Planner Lucia Panica-Miranda, Development Services (DS) Department, General Manager Ryan Chapdelain, Senior Transportation Planner Collen McCue, Planning (Planning) Department,
and Assistant City Engineer Daniel Ohrenstein, Engineering, Public Works (PW) Department, came before the Commission.

7:39:50 P.M.

Ms. Panica-Miranda presented and stated that at the March 13, 2019, Regular Planning Board/Local Planning (PBLP) Agency Meeting, the Board voted 5-0 to recommend to the Commission denial of proposed Ordinance No. 19-5286.

7:41:04 P.M.

Mr. Chapdelain presented and stated that the SCSB has since elected to commit three million dollars and asked residents and neighbors what they would like to see in terms of improvements both on the east and west side of the SHS campus.

7:43:13 P.M.

Mr. Ohrenstein presented and referred from an aerial map displayed on the Chamber monitors and stated that Kimley-Horn conducted the Traffic Study (TS) which looked at the available roadway capacity elsewhere in the network and found that given the closure of School Avenue and factoring in background growth, as well as future developments in the area, there was sufficient roadway capacity in the network which additional lanes essentially would not need to be added to maintain the network; however, the TS did identify pedestrian and bicycle improvements which were warranted because of the street closure.

7:46:27 P.M.

In response to questions from Commissioner Freeland Eddie about the reference of up to three million dollars and the proposed schedule, Ms. Panica-Miranda stated that the Interlocal Agreement (ILA), if this item is approved, will contain the timelines and more detailed information on the improvements; however, the focus is going to be on the western side first.

7:48:42 P.M.

City Attorney Fournier stated that the understanding is the ILA would be reviewed and actually approved and executed by both bodies before coming back before the Commission for second reading.

7:50:10 P.M.

In response to a request for clarification from Vice Mayor Ahearn-Koch about one of the standards which says the City shall not vacate the public rights-of-way or easements unless they are not in use, provide no public benefit, or not in the best interest of the City to retain for future use, and yet it was mentioned as related to the TS about the Payne Park Village Development and another development; however, the assumption is Sarasota Museum of Art, Circus Arts Conservatory, and the potential increase in density as the result of residential and mixed-use and other future growth were not taken into consideration, Mr. Ohrenstein stated that is correct; that the TS included the Ringling Mixed-Use Center which replaces the former Ringling Shopping Center/Publix and Payne Park Village Development.

7:51:39 P.M.

Ms. Panica-Miranda, Ms. McCue and Messrs. Chapdelain and Ohrenstein left the Dias.
7:52:04 P.M.

Mayor Alpert reminded those wishing to speak about the Pledge of Conduct and read the Pledge of Conduct into the record.

7:53:19 P.M.

Citizens' Input received.

Deputy City Manager Brown left the Chambers at 8:28 P.M. and returned at 8:30 P.M.

Citizens' Input received.

9:06:37 P.M.

The Commission recessed at 9:06 P.M. and reconvened at 9:20 P.M.

9:20:08 P.M.

Dr. Bowden, Chief Enos, Ms. Ebaugh, and Messrs. Jones, Klepper, Maulsby returned to the Dias for rebuttal.

9:38:24 P.M.

In response to a comment and question from Commissioner Freeland Eddie that gaps in the current security measures are known and unless those are dealt with first, how can closing School Avenue achieve the objective SCS is seeking, Ms. Ebaugh stated that there are fencing and security plans for SHS which are priority for SCS; that SCS had a plan since upgrading the SHS campus; however, SCS has been awaiting this discussion to complete the plan.

10:10:37 P.M.

Mayor Alpert stated that several comments were voiced about SCS wanting to own School Avenue; that her understanding is the City does not own School Avenue which is owned by the SCS by title and the City just has a right-of-way which is the reason there could not be a reversionary clause but could be an agreement, as informed by the City Attorney.

10:11:39 P.M.

Mayor Alpert gaveled due to outbursts coming from the audience.

10:11:46 P.M.

City Attorney Fournier stated that the site is platted right-of-way and the City has an easement for right-of-way which is not the equivalent of Fee Simple Title, but the functional equivalent of ownership because the City has control over the right-of-way, which is not being utilized for the right-of-way purposes since it is restricted.

10:12:08 P.M.

City Attorney Fournier continued that the condition of the second ILA for the reconveyance of that right-of-way, if the land were not to be used as a unified campus, is not included in proposed Ordinance No. 19-5286; however, if the motion is to deny it would not make a difference, but should the Commission vote to pass proposed Ordinance No. 19-5286, on first reading, then the recommendation would be to append this as a condition.
10:12:36 P.M.

In response to a question from Commissioner Brody asking what exactly would be included, City Attorney Fournier stated that the condition to be added would be to have an ILA drafted prior to second reading which would provide for the reconveyance of the right-of-way easement in the event there was no longer a unified campus at the location, and Mayor Alpert stated that three million dollars in funding for the mobility improvements should also be included.

10:13:04 P.M.

City Attorney Fournier stated that proposed Ordinance No. 19-5286 does not specify the three million dollars amount, nor does it say the other ILA would memorialize the commitment timeline, maintenance, and responsibility; that the assumption is this would be all covered in the ILA.

10:15:40 P.M.

In response to a question from Commissioner Freeland Eddie about possible impacts which were not outlined in the TS data, Kelly Fearon, E.I., Transportation Analyst, Kimley-Horn, came before the Commission and stated that pedestrian volumes data was collected but only during the hours the TS was conducted as opposed to the entire day; however, from a pedestrian standpoint whether it is one person or more, a longer route is more inconvenient, especially when walking.

10:20:50 P.M.

Commissioner Brody stated that keeping students safe by taking necessary action is clearly the best practice which is being adopted not only in this State but across the nation to change how students go to school; that the belief is the City is in a position to allow SCS to secure SHS campus, if it is only incremental, and Mayor Alpert agreed.

10:30:08 P.M.

In response to a question from Vice Mayor Ahearn-Koch asking if the Commission grants the vacation of School Avenue would lock down drills cease, Mr. Maultsby stated no; that lockdown drills are mandated by the State, and Mayor Alpert stated that is not the point.

10:32:28 P.M.

In response to Commissioner Freeland Eddie voicing concerns about having two ILAs, City Attorney Fournier stated that one ILA would pertain to the reconveyance and the other pertains to the east-west improvements; that there will not be two separate ILAs on the same subject since the issue is about different subjects.

10:33:28 P.M.

Mr. Maultsby stated for the record that SCS has already provided a draft of the second ILA to City Staff.

10:34:16 P.M.

Mayor Alpert closed the Public Hearing.

10:34:34 P.M.

A motion was made by Vice Mayor Ahearn-Koch to deny proposed Ordinance No. 19-5286, based upon the Planning Board/Local Planning (PBLP) Agency recommendations and the standards for review, which failed due to lack of a second.
10:35:01 P.M.

A motion was made by Commissioner Brody, and seconded by Commissioner Freeland Eddie, to pass proposed Ordinance No. 19-5286 on first reading, with the condition of the second Interlocal Agreement (ILA) for the reconveyance of the right-of-way, if the land is not to be used as a unified campus be appended as a condition.

10:35:38 P.M.

Vice Mayor Ahearn-Koch spoke against the motion.

10:43:22 P.M.

Commissioner Freeland Eddie spoke in favor of the motion.

10:46:47 P.M.

Mayor Alpert called for a vote on the motion to pass proposed Ordinance No. 19-5286 on first reading, with the condition of the second Interlocal Agreement (ILA) for the reconveyance of the right-of-way, if the land is not to be used as a unified campus be appended as a condition, which carried by a 4-1 vote with Vice Mayor Ahearn-Koch voting no.

10:46:59 P.M.

14.  **ADJOURN (AGENDA ITEM XV)**

The Commission adjourned at 10:47 P.M.

LIZ ALPERT, MAYOR

ATTEST:

SHAYLA GRIGGS
INTERIM CITY AUDITOR AND CLERK