

MINUTES OF THE REGULAR SARASOTA CITY COMMISSION MEETING OF SEPTEMBER 03, 2024

PRESENT: Mayor Liz Alpert, Vice Mayor Jen Ahearn-Koch, Commissioners Erik Arroyo, Kyle Scott Battie (arrived at 9:06 A.M.), and Debbie Trice, City Attorney Robert Fournier, City Manager Marlon Brown (arrived at 9:02 A.M.), and City Auditor and Clerk Shayla Griggs (via Zoom/Hybrid)

ABSENT: None

9:01:54 A.M.

Mayor Alpert called the meeting to order at 9:01 A.M.

9:02:07 A.M.

Mayor Alpert requested everyone to keep in their thoughts Linda Garcia who is the Site Manager of The Historical Society of Sarasota County.

9:02:24 A.M.

INVOCATION: City Auditor and Clerk Griggs

9:02:41 A.M.

PLEDGE OF ALLEGIANCE: Vice Mayor Ahearn-Koch

9:03:29 A.M.

1. **CHANGE TO THE ORDER OF THE DAY:**

- A) Please add a new item under Consent Agenda No. 2, Agenda Item No. VII., Item No. 6., Adoption Re: Proposed Resolution No. 24R-3279, declaring the results of the First Election of August 20, 2024, per the request of City Auditor and Clerk Griggs

Mayor Alpert noted Commission consensus to accept the Change to the Order of the Day.

9:03:50 A.M.

APPROVE PROPOSED AGENDA SCHEDULE

A motion was made by Commissioner Arroyo, seconded by Commissioner Trice to approve the proposed Agenda Schedule, which carried by a 4-0 vote.

9:04:06 A.M.

2. **CITIZENS' INPUT CONCERNING CITY TOPICS (AGENDA ITEM III)**

9:04:25 A.M.

City Auditor and Clerk Griggs read the Pledge of Public Conduct into the record.

9:05:22 A.M.

Norman Schimmel, City resident, displayed in the Chambers a framed canvas which was shown on the Chambers monitors, indicating to come before the Commission for the 13th consecutive year to announce

the 9/11 Memorial Ceremony is an honor, which will be held on Wednesday, September 11, 2024, at Sarasota County Fire Station 23, located at 1930 N. Tamiami Trail, Nokomis, Florida.

9:07:28 A.M.

Citizens' Input continued from individuals in the Chambers at City Hall.

9:13:44 A.M.

Edward McCaffrey, non-City resident, displayed on the Chambers monitors a City of Sarasota Notice, indicating on April 11, 2024, this notice was placed on his vehicle after many years of coming before the Commission about commercial use of the boat ramp, and since this date, commercial use has only worsened.

9:16:00 A.M.

Citizens' Input continued from individuals in the Chambers at City Hall.

9:25:26 A.M.

3. **APPROVAL OF THE MINUTES (AGENDA ITEM IV-1 and -2)**

9:25:50 A.M.

A motion was made by Commissioner Battie, seconded by Commissioner Arroyo to approve the minutes of the July 23, 2024, Special Sarasota City Commission Meeting, which carried by a 5-0 vote.

9:26:38 A.M.

A motion was made by Commissioner Battie, seconded by Commissioner Arroyo to approve the minutes of the August 08, 2024, Regular Sarasota City Commission Meeting, which carried by a 5-0 vote.

9:26:56 A.M.

4. **CONSENT AGENDA NO. 1 (AGENDA ITEM VI)**

9:27:10 A.M.

Commissioner Arroyo requested to remove from Consent No. 1, Agenda Item VI, Item No. 1.

2) **Approval Re: Approve the HOME Investment Partnerships Program-American Rescue Plan ("HOME-ARP") Developer Agreement for three (3) City of Sarasota ("City") owned lots with Community Assisted and Supported Living, Inc., ("CASL") for the purpose of constructing units that are affordable and which will be rented to low-income households; and, to authorize the City Manager to execute any and all documents which may be required in order to complete the sale and transfer of the three (3) specifically identified infill lots from the City to CASL for a total in the amount of \$67,369.00 (Agenda Item VI-2)**

3) **Approval Re: Authorize the City Manager to execute the Agreement between the City of Sarasota and Family Promise of South Sarasota County, Inc. for Parkside Village using a total in the amount of \$1,946,844.10 in Home - ARP, HOME and SHIP funding for the purpose of constructing ten (10) rental units that are affordable and which will be rented to low-income households (Agenda Item VI-3)**

9:27:20 A.M.

A motion was made by Commissioner Arroyo, seconded by Commissioner Trice to approve Item Nos. 2 and 3, which carried by a 5-0 vote.

9:27:39 A.M.

5. **ITEM REMOVED FROM CONSENT AGENDA NO. 1 (AGENDA ITEM VI)**

- 1) **Approval Re: City of Sarasota Liability Insurance Program Renewal, including Crime Insurance, Public Officials and Employment Practices Liability, General Liability and Liquor Liability at the Van Wezel, Storage Tank Liability, Excess Workers Compensation, Bonds, Law Enforcement Liability, and Cyber Risk Insurance, effective dates October 1, 2024 through September 30, 2025, brokered through Brown & Brown for a total cost in the amount of \$715,810.16, an increase of 14.83% year-over-year (Agenda Item VI-1)**

9:27:50 A.M.

Commissioner Arroyo requested a presentation and Risk Management Manager John Powers, Human Resources Department (HR), and Molly Grande, Public Risk Advisor, Brown & Brown Public Risk Insurance Advisors (PRIA), came before the Commission.

9:28:26 A.M.

Mr. Powers presented.

9:29:36 A.M.

Questions posed by Commissioner Arroyo were addressed by Mr. Powers, Ms. Grande, and the City Manager.

9:34:58 A.M.

Questions posed by Commissioner Trice were addressed by Mr. Powers and Ms. Grande.

9:38:59 A.M.

Questions posed by Commissioner Battie were addressed by Mr. Powers and Ms. Grande, and the City Manager and the Mayor provided input.

9:40:47 A.M.

Questions posed by the Vice Mayor were addressed by Mr. Powers and Ms. Grande.

9:45:03 A.M.

A motion was made by Commissioner Battie, seconded by Commissioner Trice to approve Item No. 1, which carried by a 4-1 vote, with Commissioner Arroyo voting no.

9:45:41 A.M.

6. **CONSENT AGENDA NO. 2 (AGENDA ITEM VII)**

9:46:01 A.M.

City Auditor and Clerk Griggs read proposed Resolution Nos. 24R-3271, 24R-3275, 24R-3276, 24R-3277, and 24R-3279 and proposed Ordinance No. 24-5537 by titles only.

- 1) **Adoption Re: Proposed Resolution No. 24R-3271, relating to the acquisition, construction and funding of Capital Improvements associated with the public parking garage on St. Armands Key; being the annual assessment Resolution approving the assessment roll for the Fiscal Year commencing October 1, 2024 and confirming the applicable portion of the cost of the improvements to be paid by assessments; imposing assessments upon all tax parcels described in the assessment roll; directing certification of the assessment roll to the Sarasota County Tax Collector; providing for severability, etc. (Title Only) (Agenda Item VII-1)**
- 2) **Adoption Re: Proposed Resolution No. 24R-3275, amending the budget for the fiscal year beginning October 1, 2023 by providing for supplemental appropriations in the amounts identified in exhibit A: providing for severability if any of the parts hereof are declared invalid, etc. (Title Only) to establish an expenditure budget in the amount of \$90,845.00 within the General Fund Historical Designation Demolition Program for the purpose of conducting a citywide archaeological survey (Agenda Item VII-2)**
- 3) **Adoption Re: Proposed Resolution No. 24R-3276, amending the budget for the fiscal year beginning October 1, 2023 by providing for supplemental appropriations in the amounts identified in exhibit A: providing for severability if any of the parts hereof are declared invalid, etc. (Title Only) to increase the expenditure budget in the RR&I fund for the Verna Main Pipe Replacement project and decrease the expenditure budget for the Annual Verna Wellfield Renewal & Replacement project in the amount of \$290,000.00 (Agenda Item VII-3)**
- 4) **Adoption Re: Proposed Resolution No. 24R-3277, amending the budget for the fiscal year beginning October 1, 2023 by providing for supplemental appropriations in the amounts identified in exhibit A: providing for severability if any of the parts hereof are declared invalid, etc. (Title Only) to establish a revenue and expenditure budget in the amount of \$2,000,000.00 within the RR&I fund for the contribution from the Lakewood Ranch Stewardship District regarding the realignment of water transmission pipeline (Agenda Item VII-4)**
- 5) **Adoption Re: Second Reading of Proposed Ordinance 24-5537, amending Chapter 33, Traffic and Motor Vehicles, by creating Article XII entitled "School Zone Safety;" authorizing the placement, installation and operation of speed detection systems on specified roadways maintained as school zones that constitute a heightened risk; establishing traffic enforcement procedures when speed detection systems are utilized for school zone speed limit violations; and creating hearing procedures before the local hearing officer; providing for the severability of the parts hereof, etc. (Title Only) (Agenda Item VII-5)**
- 6) **Adoption Re: Proposed Resolution No. 24R-3279, declaring the results of the First Election of August 20, 2024; directing the City Auditor and Clerk to notify the two candidates in District 1 who received the highest number of votes that their names**

**will appear on the November 5, 2024, ballot for the General Election, etc. (Title Only)
(Agenda Item VII-6)**

9:49:10 A.M.

A motion was made by Commissioner Battie, seconded by Commissioner Arroyo to approve Item Nos. 1 through 6, which carried by a 5-0 vote.

9:49:36 A.M.

7. UNFINISHED BUSINESS (AGENDA ITEM IX)

- 1) **ADOPTION RE: PROPOSED RESOLUTION NO. 24R-3272, CREATING AN AD-HOC COMMITTEE TO ASSIST IN THE UPDATE OF THE DOWNTOWN MASTER PLAN; PROVIDING FOR SEVERABILITY, ETC. (TITLE ONLY) (AGENDA ITEM IX-1)**

Director Steven Cover, Chief Planner Briana Dobbs, General Manager Ryan Chapdelain, and Manager of Long-Range Planning David Smith, Planning Department, came before the Commission.

9:50:04 A.M.

City Auditor and Clerk Griggs read proposed Resolution No. 24R-3272 by title only.

9:50:35 A.M.

Mr. Cover presented.

9:52:06 A.M.

Howard Davis provided to the City Auditor and Clerk for distribution to the Commission and for the record a draft of the proposed Resolution 24R-3272 entitled "Howard Davis's Suggested Edits 8/29/24."

9:52:23 A.M.

Citizens' Input was received from an individual in the Chambers at City Hall.

City Auditor and Clerk Griggs left and returned to her seat at 9:52 A.M. and distributed to the Commission the printed material provided by Mr. Davis.

9:55:28 A.M.

Howard Davis, City resident, indicating the belief is updating the City of Sarasota Downtown Master Plan 2020 (Downtown Master Plan) will in retrospect, five years from now, and ten years from now, stand out as something the Commission had the foresight to do, and everyone's efforts are applauded to do this at the highest possible level.

9:59:36 A.M.

City Manager Brown provided input and commended Mr. Davis for his work and effort.

10:00:19 A.M.

Questions posed by Commissioner Arroyo were addressed by the City Manager.

10:06:01 A.M.

Questions posed by Commissioner Trice were addressed by the City Manager, and Ms. Dobbs came before the Commission, displayed on the Chambers monitors the Downtown Zone Districts, and left the Dais.

City Auditor and Clerk Griggs left and returned to her seat at 10:13 A.M. to distribute to the Commission printed material from Commissioner Trice which was displayed on the Chambers monitors.

10:16:59 A.M.

The Vice Mayor spoke to the topic and Commissioner Trice, the City Manager, and the Mayor provided input.

10:23:16 A.M.

Mayor Alpert stated that while Commission discussion is necessary, she is not prepared to vote today and a Sarasota City Commission Workshop (Workshop) is favored, and the City Manager stated that a Workshop is not recommended since the Commission is unable to take action; that the preference is for the Commission to provide Staff direction to commence with Mr. Davis's draft Resolution and return back before the Commission at a future City Commission Meeting.

10:26:16 A.M.

Question posed by Commissioner Arroyo was addressed by the City Manager and Commissioner Arroyo spoke to the topic.

10:28:33 A.M.

City Attorney Fournier provided a brief historical overview of the adopted Downtown Master Plan.

10:29:11 A.M.

City Manager Brown stated that a Workshop is scheduled for Monday, September 09, 2024; that if the City Auditor and Clerk have enough time, perhaps a Special Sarasota City Commission Meeting can be scheduled to commence immediately after, and the City Auditor and Clerk provided input.

10:29:55 A.M.

Mayor Alpert sought Commission consensus to continue this Item for discussion to next Monday, September 09, 2024, Special Sarasota City Commission Meeting.

10:31:51 A.M.

Commissioner Battie thanked Mr. Davis and Commissioner Trice, spoke to the topic, and posed questions addressed by the City Manager.

10:35:17 A.M.

A motion was made by Commissioner Arroyo, seconded by Commissioner Battie to continue proposed Resolution No. 24R-3272 to the September 09, 2024, Special Sarasota City Commission Meeting which will be scheduled and commence at 10:00 A.M., which carried by a 5-0 vote.

The Commission recessed at 10:36 A.M. and reconvened at 10:48 A.M.

10:48:36 A.M.

8. **LEGISLATIVE PUBLIC HEARINGS (AGENDA ITEM X)**

- 1) **PUBLIC HEARING RE: PROPOSED RESOLUTION NO. 24R-3262, AMENDING THE INFRASTRUCTURE SALES SURTAX 10-YEAR EXTENSION EXPENDITURE PROJECT DETAIL LIST IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED BY SARASOTA COUNTY ORDINANCE NO. 97-083, AND AMENDING THE INFRASTRUCTURE SALES SURTAX 15-YEAR EXTENSION EXPENDITURE PROJECT DETAIL LIST IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED BY SARASOTA COUNTY ORDINANCE NO. 2007-087, PERTAINING TO THE ONE PERCENT (1 %) LOCAL GOVERNMENT INFRASTRUCTURE SALES SURTAX LEVY, ETC. (TITLE ONLY) (AGENDA ITEM X-1)**

10:48:50 A.M.

The Mayor opened the Public Hearing.

10:48:54 A.M.

Financial Administration Director Kelly Strickland, Financial Administration Department, came before the Commission.

10:49:11 A.M.

City Auditor and Clerk Griggs administered the oath to persons wishing to speak during the Public Hearings.

10:49:33 A.M.

City Auditor and Clerk Griggs read proposed Resolution No. 24R-3262 by title only.

10:50:24 A.M.

Ms. Strickland provided a brief overview of proposed Resolution No. 24R-3262.

Commissioner Battie returned to the Chambers at 10:50 A.M.

City Manager Brown returned to the Chambers at 10:52 A.M.

10:52:36 A.M.

Questions posed by the Vice Mayor were addressed by Ms. Strickland.

10:54:08 A.M.

No one signed up to speak and the Mayor closed the Public Hearing.

10:54:33 A.M.

A motion was made by Commissioner Trice, seconded by Commissioner Arroyo to adopt proposed Resolution No. 24R-3262, which carried by a 5-0 vote.

10:55:01 A.M.

- 2) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 24-5534, AMENDING CHAPTER 24, ARTICLE IV OF THE CODE OF THE CITY OF SARASOTA TO UPDATE SECTION**

24-135 (B) TO BE CONSISTENT WITH CURRENT IRS REGULATIONS CONCERNING THE COMMENCEMENT OF MANDATORY DISTRIBUTIONS OF RETIREMENT BENEFITS; TO PROVIDE THAT THE EMPLOYEE RETIREMENT ACCOUNTS COMMITTEE SHALL REVIEW THE INVESTMENT POLICY STATEMENT (IPS) FOR THE CITY'S DEFINED CONTRIBUTION RETIREMENT PLAN ON AN AS NEEDED BASIS RATHER THAN ON AN ANNUAL BASIS; AND TO CLARIFY THAT THE IPS SHALL INCLUDE CRITERIA TO EVALUATE INVESTMENTS OFFERED TO PARTICIPANTS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT, ETC. (TITLE ONLY) (AGENDA ITEM X-2)

10:55:11 A.M.

Mayor Alpert opened the Public Hearing.

10:55:17 A.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 24-5534 by title only.

10:56:08 A.M.

City Attorney Fournier provided a brief overview of proposed Ordinance No. 24-5534.

10:58:48 A.M.

No one signed up to speak and the Mayor closed the Public Hearing.

10:59:10 A.M.

A motion was made by Commissioner Arroyo, seconded by Commissioner Trice to pass proposed Ordinance No. 24-5534 on first reading, which carried by a 5-0 vote.

10:59:35 A.M.

- 3) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 24-5543, AMENDING AND RESTATING PRIOR ORDINANCE 20-5341 WHICH ESTABLISHED A TRUST FUND FOR THE DEPOSIT OF TAX INCREMENT REVENUE COLLECTED WITHIN THE BAY PARK IMPROVEMENT DISTRICT; TO ALLOW AN ANNUAL DEPOSIT INTO SAID TRUST FUND OF AN AMOUNT WHICH IS LESS THAN THE FULL AMOUNT OF THE TAX INCREMENT REVENUE COLLECTED, AS MORE FULLY SPECIFIED HEREIN; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF, ETC. (TITLE ONLY) (AGENDA ITEM X-3)**

Governmental Affairs Director Jennifer Jorgensen, City Manager's Office, came before the Commission.

10:59:43 A.M.

The Mayor opened the Public Hearing.

10:59:49 A.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 24-5543 by title only.

11:00:29 A.M.

Ms. Jorgensen provided a brief overview of proposed Ordinance No. 24-5543, and the City Attorney provided input.

11:05:13 A.M.

Question posed by the Vice Mayor was addressed by Ms. Jorgensen.

11:05:37 A.M.

Question posed by Commissioner Arroyo was addressed by Ms. Jorgensen.

11:06:41 A.M.

Questions posed by the Mayor were addressed by Ms. Jorgensen, and the City Manager provided input.

11:08:01 A.M.

No one signed up to speak and the Mayor closed the Public Hearing.

11:08:14 A.M.

A motion was made by Commissioner Arroyo, seconded by Commissioner Battie to pass proposed Ordinance No. 24-5543 on first reading, which carried by a 5-0 vote.

11:08:37 A.M.

9. **QUASI-JUDICIAL PUBLIC HEARING (AGENDA ITEM XI)**

City Auditor and Clerk Griggs administered the oath to persons wishing to speak during the Public Hearing.

- 1) **PUBLIC HEARING RE: APPROVAL OF SITE PLAN APPLICATION NO. 23-SP-23 FOR THE BOBBY JONES GOLF COURSE RENOVATIONS PHASE 3, APPROVING A 17,000 SQUARE FOOT, TWOSTORY CLUBHOUSE FACILITY TO INCLUDE A RESTAURANT, CART BARN, PRO SHOP, AND OFFICES; ALL UPON REAL PROPERTY LOCATED AT 1000 AZINGER WAY IN THE GOVERNMENTAL (G) ZONE DISTRICT; PROVIDING FOR CONDITIONS OF APPROVAL, ETC. (APPLICATION NO. 23-SP-23; APPLICANT: CHRIS CIANFAGLIONE, OF KIMLEY-HORN & ASSOCIATES AS AGENT REPRESENTING THE CITY OF SARASOTA) (AGENDA ITEM XI-1)**

11:09:04 A.M.

Mayor Alpert opened the Public Hearing.

11:09:21 A.M.

City Attorney Fournier provided a brief overview of proposed Site Plan (SP) Application No. 23-SP-23, for the Bobby Jones Golf Course Renovations Phase 3, approving a 17,000 square foot, two-story Clubhouse Facility and noted the time limits as follows:

| | |
|-------------------------|------------|
| Applicant | 20 minutes |
| Staff | 15 minutes |
| Affected Person(s) (AP) | 5 minutes |

Public Input
Rebuttal

3 minutes
as needed

11:10:37 A.M.

City Attorney Fournier concluded and stated that the Commission is reminded to disclose any ex parte communications on the record which was received from the Commissioner Arroyo.

11:12:00 A.M.

Chris Cianfaglione, Associate, Landscape Production Designer, Kimley-Horn and Associates, Inc., and Kirk Bauer, Principal, Fawley Bryant Architecture, came before the Commission.

11:12:13 A.M.

Mr. Cianfaglione provided a brief overview of proposed Site Plan Application No. 23-SP-23, for the Bobby Jones Golf Course Renovations Phase 3, approving a 17,000 square foot, two-story Clubhouse Facility and referred to the draft Site Plans (SPs) displayed on the Chambers monitors.

11:17:30 A.M.

Acting Development Review Chief Planner Noah Fossick, Development Services (DS) Department, came before the Commission, and provided a brief overview of proposed Site Plan Application No. 23-SP-23, for the Bobby Jones Golf Course Renovations Phase 3, approving a 17,000 square foot, two-story Clubhouse Facility.

11:19:35 A.M.

Messrs. Cianfaglione, Fossick, and Bauer left the Dais.

11:20:02 A.M.

Citizens' Input received from individuals in the Chambers at City Hall.

11:25:54 A.M.

Mr. Fossick returned to the Dais and stated that Staff has no rebuttal.

11:26:04 A.M.

Messrs. Cianfaglione and Bauer returned the Dais.

11:26:16 A.M.

Questions posed by Commissioner Arroyo were addressed by the City Manager, and the City Attorney, and the City Manager stated that only the SP is before the Commission, not the Clubhouse cost and design, and requested the City Attorney to explain what is before the Commission which was addressed.

11:32:53 A.M.

Question posed by the City Manager to the City Attorney and Director of DS about if there is any benefit of delaying action on the SP until Staff returns before the Commission with the design of the project to determine how large, whether to reduce, or if something different is desired for the project, and then return back with the SP was addressed by the City Attorney.

11:34:03 A.M.

Questions posed by Commissioner Trice were addressed by the City Attorney, and Mr. Cianfagione provided input.

11:36:05 A.M.

The Vice Mayor spoke in support of continuing the Item as suggested by the City Manager and the Mayor concurred.

11:36:33 A.M.

Question posed by the Mayor was addressed by the City Manager, the Mayor spoke to the topic and posed a question which was addressed by the City Attorney.

The Mayor closed the Public Hearing.

11:38:48 A.M.

A motion was made by Vice Mayor Ahearn-Koch, seconded by Commissioner Arroyo to continue the Quasi-Judicial Public Hearing, Agenda Item No. XI, Item No. 1, Public Hearing Re: Approval of Site Plan Application No. 23-SP-23, for the Bobby Jones Golf Course Renovations Phase 3, Approving a 17,000 Square Foot, Two-Story Clubhouse Facility to Include a Restaurant, Cart Barn, Pro Shop, and Offices, which carried by a 5-0 vote.

11:39:43 A.M.

Mayor Alpert noted Commission consensus to move New Business, Agenda Item No. XII, Item No. 1 prior to the Quasi-Judicial Public Hearing, Agenda Item No. XI, Item No. 2 which will be heard after 1:00 P.M.

11:40:19 A.M.

10. **NEW BUSINESS (AGENDA ITEM XII)**

- 1) **DISCUSSION RE: PER THE REQUEST OF COMMISSIONER TRICE, COMMISSION TO CONSIDER AN UNSOLICITED REQUEST REGARDING THE SALE OF A PORTION OF CITY-OWNED REAL PROPERTY LOCATED AT LOT 17, BLOCK 12, PLAT NO. 2 OF THE JOHN RINGLING ESTATE, INC., LIDO BEACH DIVISION "A" FROM THE CITY OF SARASOTA (AGENDA ITEM XII-1)**

11:40:57 A.M.

Commissioner Trice requested and Brenda Patten, Attorney representing Wilson AMI, LLC, Berlin Patten Ebling Attorneys at Law, came before the Commission, presented and displayed on the Chambers monitors an aerial map and photographs.

Commissioner Battie left the Dais at 11:44 A.M.

11:46:04 A.M.

Questions posed by the City Attorney were addressed by Ms. Patten.

Commissioner Battie left the Dais at 11:44 A.M.

11:47:19 A.M.

A motion was made by Commissioner Arroyo, seconded by Commissioner Trice to authorize Brenda Patten, Attorney representing Wilson AMI, LLC, Berlin Patten Ebling Attorneys at Law to bring forward a draft Purchase and Sale Agreement for Commission consideration at a future Sarasota City Commission Meeting, which carried by a 4-1 vote with Vice Mayor Ahearn-Koch voting no.

The Commission recessed at 11:48 A.M. and reconvened at 1:06 P.M.

1:06:35 P.M.

11. **QUASI-JUDICIAL PUBLIC HEARING CONT'D (AGENDA ITEM XI)**

2) **PUBLIC HEARING RE: APPEAL OF THE HISTORIC PRESERVATION BOARD 5-0 VOTE TO DENY 24- FMSF-39 FOR THE DEMOLITION OF THE COLSON HOTEL LOCATED AT 1425 8TH STREET (AGENDA ITEM XI-2)**

1:07:19 P.M.

Mayor Alpert opened the Public Hearing.

1:07:43 P.M.

City Attorney Fournier provided a brief overview of the Appeal of the Historic Preservation Board 5-0 vote to deny 24- FMSF-39 for the demolition of the Colson Hotel located at 1425 8th Street and noted the time limits as follows:

| | |
|--------------|------------|
| Applicant | 30 minutes |
| Staff | 30 minutes |
| Public Input | 3 minutes |
| Rebuttal | 20 minutes |

1:11:39 P.M.

City Attorney Fournier concluded and stated that the Commission is reminded to disclose any ex parte communications on the record.

1:12:22 P.M.

Mayor Alpert called for ex parte communications which were received by the Mayor, Vice Mayor, and Commissioners Arroyo, Trice, and Battie.

1:15:33 P.M.

Mayor Alpert sought and received Commission consensus to accept the time limit recommendations by the City Attorney.

1:16:37 P.M.

Maximilian "Max" Vollmer, Owner, and Joseph Lovett, Manager Partner, JDMAX Developments LLC, came before the Commission.

1:17:08 P.M.

Mr. Lovett presented.

1:22:58 P.M.

Mr. Vollmer presented and referred to a PowerPoint presentation displayed on the Chambers monitors entitled "Demolition 1425 8th Street, Sarasota FL 34236 Developer Research Analysis to Request Demolition of 1425 8th Street, Sarasota FL 34236."

1:41:28 P.M.

Anand Pallegar, City resident, came before the Commission, presented, and displayed photographs on the Chambers monitors.

1:47:39 P.M.

Mr. Vollmer concluded.

1:50:09 P.M.

Messrs. Vollmer, Lovett, and Pallegar left the Dais.

1:50:40 P.M.

Senior Planner Clifford "Cliff" Smith, Jr., Planning Department, came before the Commission, presented and referred to a PowerPoint presentation "1425 8th Street Appeal Application No. 24-App-03" and left the Dais.

Commissioner Arroyo left the Chambers 2:00 P.M.

2:00:12 P.M.

City Auditor and Clerk Griggs read the Pledge of Public Conduct and readministered the oath.

2:01:41 P.M.

Citizens' Input received from individuals in the Chambers at City Hall.

Commissioner Arroyo returned to the Chambers at 2:04 P.M.

City Auditor and Clerk Griggs left and returned to her seat at 2:09 P.M.

2:10:20 P.M.

Flo Entler, City resident, displayed a photograph on the Chambers monitors, indicating the Colson, Sarasota, Florida's first black hotel, is one of the last remaining black landmarks in the City of Sarasota, and provided a brief historical overview of Lewis Colson, the first free African American to settle in Sarasota, Florida.

2:14:12 P.M.

Citizens' Input continued from individuals in the Chambers at City Hall.

2:19:22 P.M.

Citizens' Input received from an individual via Zoom.

2:22:01 P.M.

Citizens' Input continued from an individual in the Chambers at City Hall.

2:25:19 P.M.

Citizens' Input received from an individual via Zoom.

2:28:34 P.M.

Citizens' Input continued from individuals in the Chambers at City Hall.

2:39:29 P.M.

Mayor Alpert provided a letter to the City Auditor and Clerk to be included in the record from Kafi Benz, President of Friends of "Seagate" Inc., who could not be in attendance.

The Commission recessed at 2:40 P.M. and reconvened at 2:53 P.M.

2:53:47 P.M.

Mr. Smith returned to the Dais and stated that Staff has no rebuttal and left the Dais.

2:54:45 P.M.

Messrs. Vollmer, Lovett, and Pallegar returned to the Dais.

2:54:49 P.M.

Mr. Lovett provided rebuttal.

2:55:52 P.M.

Mr. Pallegar provided rebuttal.

2:57:41 P.M.

Mr. Vollmer provided rebuttal.

3:02:03 P.M.

Question posed by the Mayor to the City Attorney was addressed.

3:02:18 P.M.

City Attorney Fournier stated that if the Applicant's requests are going to be part of some solution which involve trash pickup and the Transfer of Development Rights (TDR) then the requests could be listed and evaluated by Staff to determine feasibility in order to avoid having a problem identified later; that the requests can be studied and Staff can return back with a summary report and collaborate with Mr. Vollmer to ensure the requests are clear; that the other large component is the sale price since the maximum offer is unknown, although the Applicant indicated the requested purchase price, yet what is reasonable is unknown, therefore, some evaluation of the purchase price is favored; that the Colson Hotel Preservation Plan is not in the record and should be which then can be reviewed to evaluate the requested purchase price; that these are the two tracks the

Commission may desire to request more information prior making a decision since the solution may be apparent.

3:04:12 P.M.

Question posed by the City Manager was addressed by the City Attorney, and the Mayor provided input.

3:04:54 P.M.

Commissioner Battie spoke to the topic and posed questions which were addressed by the City Attorney, Mr. Vollmer, and the City Manager.

3:13:07 P.M.

Commissioner Trice spoke to the topic and posed questions addressed by Mr. Vollmer, and the City Attorney, and Mr. Lovett and the Mayor provided input.

3:16:27 P.M.

Mayor Alpert gaveled and stated that the audience seated in the Chambers cannot boo or clap.

3:19:29 P.M.

Commissioner Arroyo spoke to the topic and in favor of the City Attorney's recommendation to continue the Item, and Mr. Smith who returned to the Dais and Mr. Lovett provided input.

3:22:41 P.M.

Question posed by the Mayor was addressed by Mr. Smith and the City Attorney and Mr. Lovett provided input.

3:26:28 P.M.

Questions posed by the Vice Mayor were addressed by the City Attorney, Messrs. Smith, and Vollmer.

3:31:44 P.M.

City Attorney Fournier requested and Mayor Alpert noted Commission consensus to place the Colson Hotel Preservation Plan in the record.

3:31:53 P.M.

The Vice Mayor continued to pose questions addressed by Messrs. Vollmer, Pallegar, and Lovett.

3:40:20 P.M.

Question posed by the Mayor was addressed by Mr. Pallegar, and the Mayor spoke to the topic, and the City Manager provided input.

3:47:22 P.M.

Vice Mayor Ahearn-Koch requested a transcript of the April 09, 2024, Historic Preservation (HP) Board Meeting be placed in the record and the City Attorney stated that a transcript can be ordered.

3:49:41 P.M.

Mayor Alpert stated that the Public Hearing shall remain open and the City Attorney provided input.

3:49:57 P.M.

A motion was made by Commissioner Trice, and seconded by Commissioner Battie to continue the Quasi-Judicial Public Hearing, Agenda Item XI, Item No. 2, Public Hearing Re: Appeal of the Historic Preservation Board 5-0 Vote to Deny 24- FMSF-39 for the Demolition of the Colson Hotel Located at 1425 8th Street, and authorize the City Manager to direct Staff to meet with the representatives of the Applicant and the potential buyer expeditiously to negotiate reasonable variances from the current Zoning Code to enable restoration and financially viable reuse of the Colson Hotel to proceed.

3:50:27 P.M.

Vice Mayor Ahearn-Koch requested Commissioner Trice, the maker of the motion, to include the transcript of the April 09, 2024, HP Board Meeting, and in response to a question from Commissioner Trice asking who is to provide the transcript, City Attorney Fournier stated that a court reporter will be retained to watch and transcribe the HP Board Meeting.

3:50:39 P.M.

City Manager Brown requested Commissioner Trice, the maker of the motion, to include the adjacent property as well.

3:52:10 P.M.

Commissioner Trice reiterated the motion to continue the Quasi-Judicial Public Hearing, Agenda Item XI, Item No. 2, Public Hearing Re: Appeal of the Historic Preservation Board 5-0 Vote to Deny 24- FMSF-39 for the Demolition of the Colson Hotel Located at 1425 8th Street, and authorize the City Manager to direct Staff to meet with representatives of the Applicant and potential buyer to expeditiously negotiate reasonable variances from the current Zoning Code to enable restoration and a financially viable reuse of the Colson Hotel to proceed and for the City Attorney to provide the Commission with a transcript of the April 09, 2024, Historic Preservation Board Meeting.

3:53:05 P.M.

City Manager Brown stated that for the record the adjacent property is included as well and not only the Colson Hotel.

3:53:34 P.M.

The Vice Mayor spoke to the motion and Messrs. Lovett and Smith provided input.

3:55:37 P.M.

The Mayor spoke to the motion.

3:55:59 P.M.

Mayor Alpert called for a vote on the motion to continue the Quasi-Judicial Public Hearing, Agenda Item XI, Item No. 2, Public Hearing Re: Appeal of the Historic Preservation Board 5-0 Vote to Deny 24-FMSF-39 for the Demolition of the Colson Hotel Located at 1425 8th Street, and authorize the City Manager to direct Staff to meet with representatives of the Applicant and potential buyer to expeditiously negotiate reasonable variances from the current Zoning Code to enable restoration

and financially viable reuse of the Colson Hotel and adjacent property to proceed and for the City Attorney to provide the Commission with a transcript of the April 09, 2024, Historic Preservation Board Meeting, which carried by a 5-0 vote.

3:57:00 P.M.

12. **CITIZENS' INPUT CONCERNING CITY TOPICS (AGENDA ITEM XIII)**

No one signed up to speak.

3:57:08 P.M.

13. **REMARKS OF COMMISSIONERS, ANNOUNCEMENTS, AND ITEMS FOR NEXT AGENDA (AGENDA ITEM XIV)**

4:00:41 P.M.

COMMISSIONER TRICE:

Remarks received and the City Auditor and Clerk distributed to the Commission a brochure disseminated by Newtown Alive approximately ten years ago entitled "Overtown Treasures An African American Heritage Trail"; that the belief is moving the Pledge of Public Comment immediately before the receipt of public comment is more effective and the question is if this a permanent change to the Agenda was addressed by the Mayor and the City Auditor and Clerk; that in regards to comments received from Virginia Hoffman during Citizens' Input about the hazardous materials, whose jurisdiction deals with the company moving the materials was addressed by Deputy City Manager Patrick "Pat" Robinson, City Manager's Office who came before the Commission.

4:04:46 P.M.

VICE MAYOR AHEARN-KOCH:

Remarks received and requested an update as the result of public comments received from Edward McCaffrey about enforcement of the commercial use of the boat ramp, and Jose Fernandez about the financial analysis of the proposed Downtown Workforce Housing Project was addressed by Deputy City Manager Robinson and the City Manager, and the Vice Mayor requested the City Manager provides to the Commission a copy of the Pro Forma for the proposed Downtown Workforce Housing Project.

3:57:08 P.M.

14. **OTHER MATTERS/ADMINISTRATIVE OFFICERS (AGENDA ITEM XV)**

3:57:26 P.M.

CITY AUDITOR AND CLERK GRIGGS:

Reminded the Commission of today's, September 03, 2024, Special Sarasota City Commission Meeting commencing at 5:30 P.M.

3:57:44 P.M.

CITY MANAGER BROWN:

Reminded the Commission of the September 09, 2024, Sarasota City Commission Workshop regarding how to proceed with filling the City Manager's position and the September 09, 2024, Special Sarasota City Commission Meeting which was approved for a further discussion of the City of Sarasota Downtown Master

Plan 2020 Update; that Staff and the Sarasota Performing Arts Foundation (SPAF) are requesting a Sarasota City Commission Workshop to discuss the elements of the Implementation Agreement and Concept Design for the newly proposed Performing Arts Center (PAC); that Monday, September 23, 2024, or September 30, 2024, are possibilities and the Commission's calendars will be reviewed to select the best date in which the City Auditor and Clerk provided input and the City Manager stated that he will collaborate with the City Auditor and Clerk regarding the date and time.

Commissioner Battie left the Dais at 3:58 P.M. and returned at 4:00 P.M.

4:08:44 P.M.

15. **ADJOURN (AGENDA ITEM XVI)**

The Commission adjourned at 4:08 P.M.




LIZ ALPERT, MAYOR


SHAYLA GRIGGS
CITY AUDITOR AND CLERK