

MINUTES OF THE REGULAR SARASOTA CITY COMMISSION MEETING OF MAY 15, 2023

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

ABSENT: None

9:01:24 A.M.

The meeting was called to order by Mayor Battie at 9:01 A.M. who wished all the wonderful mothers a Happy Mother's Day.

9:02:05 A.M.

INVOCATION: City Auditor and Clerk Griggs

9:02:27 A.M.

PLEDGE OF ALLEGIANCE: Vice Mayor Alpert

9:02:45 A.M.

PLEDGE OF PUBLIC CONDUCT: City Auditor and Clerk Griggs

9:02:59 A.M.

1. CHANGES TO THE ORDER OF THE DAY:

- A) Please add under New Business, Agenda XII, Item No..4, Approval Re: Authorize the Mayor and City Auditor and Clerk to execute a Proposed Agreement between the City of Sarasota and Braden River Utilities, LLC and Lakewood Ranch Stewardship District providing the City's consent for the assignment of the City's Transmission and Use of Reclaimed Water Agreement with Braden River Utilities, LLC from Braden River Utilities, LLC to the Lakewood Ranch Stewardship District, per the request of City Manager Brown.
- B) Please add under New Business, Agenda XII, Item No. 5, Discussion Re: Request to fly the Pride Flag at City Hall, per the request of Vice Mayor Alpert.

Mayor Battie noted Commission consensus to approve the Changes to the Order of the Day.

9:03:44 A.M.

APPROVE PROPOSED AGENDA SCHEDULE

A motion was made by Commissioner Ahearn-Koch, seconded by Vice Mayor Alpert to approve the proposed Agenda Schedule, which carried by a 5-0 vote.

9:04:08 A.M.

2. COMMISSION PRESENTATIONS (AGENDA ITEM I)

- 1) **PROCLAMATION RE: PROCLAMING JUNE 2, 2023 AS NATIONAL GUN VIOLENCE AWARENESS DAY (AGENDA ITEM I-1)** - Presented to: Katie Rose Cianfaglione and

Ginger McCallum, Moms Demand Action – Sarasota, Florida, Carol Rescigno, Brady Sarasota, Florida, and Terry Binder, Peace Education and Action Center

9:10:44 A.M.

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

9:11:58 A.M.

Katherine Lindaman, City resident, referred from a photograph rendering displayed on the Chambers monitors of the proposed development at 1260 North Palm Avenue which was also provided to the Commission and for the record, indicating her input is for the Director of Development Services and the City Manager, North Palm Avenue, the Arts District has its own distinct character and the proposed development looks out of place, disjointed, does not comply with City Zoning Code IV-506 which states "Must be compatible with adjoining properties" and violates the visual integrity.

9:15:16 A.M.

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

City Auditor and Clerk Griggs left and returned to her seat at 9:15 A.M.

9:22:12 A.M.

William Carnes, City resident, referred from a photograph rendering displayed on the Chambers monitors of the proposed development at 1260 North Palm Avenue, indicating he is present to register his strong opposition to the skyscraper proposed at 1260 North Palm Avenue.

9:26:06 A.M.

Donna Lerner, City resident, referred from a photograph rendering displayed on the Chambers monitors of the proposed development at 1260 North Palm Avenue, indicating so far development here for the most part followed the plan, the dream, please do not screw it up.

9:29:16 A.M.

Elke Lanphard, City resident, referred from a copy of the TIME Magazine (August 2 – August 9, 2021) issue cover and photograph of the board game Sarasota Opoly displayed on the Chambers monitors, indicating the Commission is thanked for their part in making this a wonderful place to live, the hope is to keep Palm Avenue, the walkable, shopping and dining attraction it is now.

9:32:36 A.M.

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

9:41:53 A.M.

Citizens' Input received from an individual via Zoom.

9:44:11 A.M.

4. **APPROVAL OF THE MINUTES (AGENDA ITEM IV-1, AND -2)**

9:44:34 A.M.

A motion was made by Commissioner Ahearn-Koch, seconded by Commissioner Arroyo to approve the minutes of the April 17, 2023, Regular Sarasota City Commission Meeting, which carried by a 5-0 vote.

9:45:10 A.M.

A motion was made by Commissioner Ahearn-Koch, seconded by Commissioner Arroyo to approve the minutes of the April 17, 2023, Special Sarasota City Commission Meeting, which carried by a 5-0 vote.

9:45:25 A.M.

5. **BOARD ACTIONS (AGENDA ITEM V)**

- 1) REPORT RE: DOWNTOWN IMPROVEMENT DISTRICT (DID) REPORT, RECOMMENDATION, AND SIDEWALK CAFE PERMIT AMENDMENT REQUEST (AGENDA ITEM V-1)

9:45:39 A.M.

Business District Manager Julie Ryan, Planning Department and Wayne Ruben, Chair, Downtown Improvement District (DID), came before the Commission.

9:45:50 A.M.

Mr. Ruben presented and stated that at the April 04, 2023, Regular DID Advisory Board Meeting, the DID Board voted to ask the Commission to consider an amendment to the Sidewalk Café Permit for an additional square footage fee of \$3.00 for cleaning of the sidewalks.

9:48:43 A.M.

Mr. Ruben and Ms. Ryan left the Dais.

9:48:58 A.M.

City Manager Brown stated that the two recommendations for Commission consideration are: 1) The owner(s) of the restaurant(s) can clean the sidewalks themselves, or 2) The City can add on the additional fee as an alternative.

9:49:20 A.M.

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

9:51:59 A.M.

Mr. Ruben and Ms. Ryan returned to the Dais.

9:52:20 A.M.

Questions posed by Commissioner Trice were addressed Mr. Ruben and Ms. Ryan, and the City Manager provided input.

City Auditor and Clerk Griggs left the Dais at 9:54 A.M and returned at 9:55 A.M.

9:56:24 A.M.

Questions posed by Commissioner Ahearn-Koch were addressed by Mr. Ruben, Ms. Ryan and the City Manager.

9:59:12 A.M.

Questions posed by Commissioner Arroyo were addressed by Ms. Ryan, Mr. Ruben, and the City Manager provided input, and Ms. Ryan referred from a printed table displayed on the Chambers monitors which outlined the current and proposed sidewalk cleaning fees.

10:05:03 A.M.

Vice Mayor Alpert spoke to the topic.

10:07:10 A.M.

Mayor Battie stated that he concurs with the sentiments of the Commission.

10:07:19 A.M.

Ms. Ryan and Mr. Ruben left the Dais.

10:08:24 A.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Ahearn-Koch to accept the Downtown Improvement District (DID) Report and recommendations, which carried by a 5-0 vote.

10:09:07 A.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Ahearn-Koch to direct Staff to amend the City's Sidewalk Café Permit Ordinance to increase the fee by \$3.00 per square-foot for cleaning the sidewalks and to return back before the Commission for consideration and approval, which carried by a 4-1 vote with Commissioner Arroyo voting no.

10:09:53 A.M.

2) REPORT RE: INDEPENDENT POLICE ADVISORY PANEL REPORT ON THE CANNABIS CIVIL CITATION PROGRAM (AGENDA ITEM V-2)

City Auditor and Clerk Griggs left and returned to her seat at 10:10 A.M.

10:10:16 A.M.

Administrator of the Independent Police Advisory Panel (IPAP) Heather Salzman, Dr. Vicki Lachman, Chair, IPAP, Assistant City Attorney Joseph Polzak, City Attorney's Office, Captain Robert Armstrong, Sarasota Police Department (SPD), and Civilian Investigator Mitchell "Mike" Motafches, SPD, came before the Commission.

10:10:57 A.M.

Ms. Salzman provided a brief introduction and requested the individuals seated at the Dais to introduce themselves, which was received.

10:11:20 A.M.

Dr. Lachman presented.

City Manager Brown and City Auditor and Clerk Griggs left and returned to their seats at 10:13 A.M.

City Auditor and Clerk Griggs left the Dais 10:20 A.M. and returned at 10:21 A.M.

10:20:46 A.M.

Questions posed by Commissioner Trice were addressed by Captain Armstrong, Mr. Motafches, Dr. Lachman, and Assistant City Attorney Polzak.

City Auditor and Clerk Griggs left and returned to her seat at 10:26 A.M.

10:26:50 A.M.

Questions posed by Commissioner Arroyo were addressed by Assistant City Attorney Polzak and Ms. Salzman.

10:28:49 A.M.

Questions posed by Commissioner Ahearn-Koch were addressed by Captain Armstrong and Ms. Salzman.

10:31:40 A.M.

Questions posed by the Vice Mayor were addressed by Dr. Lachman and Assistant City Attorney Polzak, and a question posed by the City Attorney to Assistant City Attorney Polzak was addressed.

10:34:37 A.M.

City Manager Brown stated that it was a Commission decision to not require identification; that a former Commissioner who basically advocated for this was instrumental in terms of helping the Commission to make this as less severe as possible; however, the Ordinance is right for amending and revising.

10:35:57 A.M.

Ms. Salzman, Dr. Lachman, Mr. Motafches, Assistant City Attorney Polzak, and Captain Armstrong left the Dais.

10:36:27 A.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Arroyo to accept the Independent Police Advisory Panel (IPAP) Report on the Cannabis Civil Citation Program, which carried by a 5-0 vote.

10:37:02 A.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Ahearn-Koch to direct Staff to draft a proposed Ordinance based upon the Independent Police Advisory Panel (IPAP) Report and Recommendation as presented with the inclusion of having violators product identification, which carried by a 5-0 vote.

The Commission recessed at 10:37 A.M. and reconvened at 10:51 A.M.

10:51:03 A.M.

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

10:51:14 A.M.

Commissioner Trice requested to remove from Consent No. 1, Agenda Item VI, Item No. 7 and Commissioner Arroyo requested to remove Item No. 8.

- 1) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and AmeriCaption, Inc. (RFP #23-16JS) for Transcription and Closed Captioning Services for City Commission meetings. The City spends approximately \$32,000.00 per year from the Citizens with Disabilities fund on live captioning of City Commission meetings (Agenda Item VI-1)**
- 2) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Municipal Services and Pre-Annexation Agreement between the City of Sarasota and Kelly Bertolani for the real property located at 3040 Arlington Street, Sarasota, FL (Agenda Item VI-2)**
- 3) **Approval Re: Fiscal Year 2023 -2024 Annual Expenditure Budget for the City of Sarasota Bayfront Mooring Field in the amount of \$150,905.96 (Agenda Item VI-3)**
- 4) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Second Extension Agreement between the City of Sarasota and Magnum Builders of Sarasota, Inc., McIntyre Elwell & Strammer General Contractors, Inc. and Miller Construction Management, Inc. (RFP#19-14CM) for City-wide Construction Services on an as needed basis. The City has spent approximately \$ 2,303,086.00 over the past four years on these contracts (Agenda Item VI-4)**
- 5) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the First Amendment and First Extension of Agreement between the City of Sarasota and Selectron Technologies, Inc (RFP #19-36CM) for Integrated Voice Response System. The City has spent \$213,575.00 for these services for the initial three years. This request is for \$43,115.00 (Agenda Item VI-5)**
- 6) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute a second Amended and Restated Escrow Agreement by and among The City of Sarasota, a Florida municipal corporation; S.S. Sasquatch, LLC, a Florida limited liability company; VW Village, LLC, a Florida limited liability company; and Fournier, Connolly, Shamsey, Mladinich & Polzak, P.A., as escrow Agent extending the time from July 7, 2023 until July 7, 2026 for the applicant to obtain the first Vertical Building Permit to construct attainable workforce housing (Agenda Item VI-6)**
- 9) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Local Agency Program Agreement between the City of Sarasota and the State of Florida Department of Transportation for Ringling Boulevard and Pine Place Roundabout Project (Agenda Item VI-9)**

10:51:50 A.M.

A motion was made by Commissioner Ahearn-Koch, seconded by Commissioner Tice to approve Item Nos. 1 through 6 and 9, which carried by a 5-0 vote.

10:52:10 A.M.

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

1) **Approval Re: Federal FY2023-24 Draft Annual Action Plan Approval and Advertisement (Agenda Item VI-7)**

10:52:26 A.M.

Commissioner Trice spoke to the topic and stated that she wants to allow General Manager Cynthia "Cindy" Emshoff, Office of Housing & Community Development (OHCD), Planning Department to publicize these programs and explain how she is soliciting public input.

10:53:35 A.M.

General Manager Cynthia "Cindy" Emshoff, OHCD, Planning Department, came before the Commission and presented.

10:55:14 A.M.

Questions posed by Commissioner Trice were addressed by Ms. Emshoff and she left the Dais.

10:56:39 A.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Ahearn-Koch to approve Item No. 7, which carried by a 5-0 vote.

10:56:58 A.M.

2) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Second Extension of Agreement between the City of Sarasota and Sunrise Plants, Inc. (RFP #19-17CM) for Ornamental Plant Installation and Maintenance Service FY 2023-2024 (Agenda Item VI-8)**

10:57:10 A.M.

Business District Manager Julie Ryan, Planning Department, came before the Commission.

10:57:21 A.M.

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

10:58:31 A.M.

Commissioner Ahearn-Koch spoke to the topic.

10:59:23 A.M.

Commissioner Trice stated that she concurs with Commissioner Ahearn-Koch and spoke to the topic.

11:00:08 A.M.

Question posed by the Vice Mayor to Commissioner Arroyo was addressed and Ms. Ryan provided input.

11:00:58 A.M.

Question posed by Commissioner Arroyo was addressed by Ms. Ryan and he requested a breakdown on how much the City spent on plants be provided to the Commission, and Ms. Ryan stated that she will provide the Commission with the numbers.

11:03:31 A.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Trice to approve Item No. 8, which carried by a 5-0 vote.

11:03:48 A.M.

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

11:04:14 A.M.

City Auditor and Clerk Griggs read proposed Resolution Nos. 23R-3183 and 23R-3184, and second readings of proposed Ordinance Nos. 23-5478 and 23-5483 by titles only.

- 1) Adoption Re: Proposed Resolution No. 23R-3183, authorizing the execution by the Mayor and attestation by the City Auditor and Clerk on behalf of the City of Sarasota of the Local Agency Program Agreement between the State of Florida Department of Transportation and the City of Sarasota, etc. (Title Only) for the Ringling Boulevard and Pine Place Roundabout Project (Agenda Item VII-1)
- 2) Adoption Re: Proposed Resolution No. 23R-3184, amending the budget for the fiscal year beginning October 1, 2022 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 of \$250,000.00 for general liability claims expected utilizing a transfer from the Workers' Compensation Fund available fund balance (Agenda Item VII-2)
- 3) Adoption Re: Second Reading of Proposed Ordinance No. 23-5478, amending and restating previously approved Ordinance No. 16-5167, as amended by Ordinance No. 21-5362, so as to extend the time for compliance with a condition of approval; Ordinance No. 16-5167 amended the Future Land Use Chapter of the Comprehensive Plan of the City of Sarasota [AKA The Sarasota City Plan (2030)] to change the Future Land Use Map Classification of an approximately 7.8780 acre parcel of property lying on the northerly side of Fruitville Road and the easterly side of Audubon Place with street addresses of 2211 Fruitville Road and 300 Audubon Place from the Urban Edge Future Land Use Map Classification to the Downtown Core Future Land Use Map Classification, in accordance with Comprehensive Plan Amendment Application No. 15-PA-02; and also conditionally amended the text of the Future Land Use Chapter of the Sarasota City Plan (2030), Action Strategy 1.10, Site Specific Future Land Use Map Amendment Limitations to add thereto a new Subsection (4) applicable to said property; providing for the severability of the parts hereof, etc. (Title Only) (Application No. 15-PA-02, Applicant: VW Village, LLC) (Agenda Item VII-3)
- 4) Adoption Re: Second Reading of Proposed Ordinance No. 23-5483, amending and restating Ordinance 97-3975 which provided for the Historic Designation of the main residential structure and detached garage located at 2319 Ixora Avenue so as to provide that said structures shall hereafter be known and referred to as "Berket's Bungalow", etc. (Title Only) (Agenda Item VII-4)

11:07:11 A.M.

A motion was made by Commissioner Ahearn-Koch, seconded by Vice Mayor Alpert to approve Item Nos. 1 through 4, which carried by a 5-0 vote.

11:07:36 A.M.

9. BOARD APPOINTMENTS (AGENDA ITEM VIII)

11:07:41 A.M.

1) APPOINTMENT RE: RECOMMENDATION OF CITY REPRESENTATIVE TO THE SARASOTA COUNTY PARKS ADVISORY AND RECREATION COUNCIL (PARC) (AGENDA ITEM VIII-1)

11:07:52 A.M.

City Auditor and Clerk Griggs presented.

11:08:39 A.M.

Mayor Battie noted Commission consensus to appoint Deborah Pasteur to serve as the City representative to the Sarasota County Parks Advisory and Recreation Council (PARC) until May 30, 2026.

11:08:41 A.M.

Mayor Battie, on behalf of the Commission congratulated Ms. Pasteur on her appointment to the Sarasota County PARC.

11:08:47 A.M.

10. UNFINISHED BUSINESS (AGENDA ITEM IX)

1) DISCUSSION RE: BOBBY JONES GOLF CLUB (BJGC) CLUBHOUSE CONCEPTUAL DESIGN PRESENTATION (AGENDA ITEM IX-1)

11:09:03 A.M.

General Manager Susan "Sue" Martin, Parks and Recreation, Justin Williams, Vice-president, Jon F. Swift, Inc., and Nicholas "Nick" Bosman, Architect, Fawley Bryant Architecture, and Chris Cianfaglione, Landscape Production Designer, Kimley-Horn and Associates, Inc., came before the Commission.

City Auditor and Clerk Griggs left and returned to her seat at 11:09 A.M.

11:09:19 A.M.

Ms. Martin requested the presenters at the Dais to introduce themselves, provided a brief historical overview of the proposed project and referred from a prior rendering displayed on the Chambers monitors.

11:10:16 A.M.

Messrs. Williams and Bosman presented and referred from a PowerPoint presentation entitled "Bobby Jones Golf Club Sarasota, Florida Main Clubhouse Concept Design Review Package March 2023", displayed on the Chambers monitors, and City Manager Brown provided input.

11:19:39 A.M.

Ms. Martin, and Messrs. Williams, Bosman, and Cianfaglione left the Dais.

11:20:07 A.M.

Jose Fernandez, City resident, referred from a PowerPoint presentation displayed on the Chambers monitors entitled "BJGC Jose Fernandez 5/15/23," indicating annual losses at Bobby Jones Golf Course have been a topic before the Commission since he began participating in 2018 and he cannot believe the City has gone from an unacceptable \$800,000 per year losses to an acceptable \$1.5 million per year losses, therefore the City should stop this madness not approve this Clubhouse.

11:23:35 A.M.

Ms. Martin, and Messrs. Williams, Bosman, and Cianfaglione returned to the Dais.

11:24:10 A.M.

Questions posed by Commissioner Arroyo were addressed by the City Manager, Messrs. Williams, Bosman, Cianfaglione and slides with proposed renderings were referenced and displayed on the Chambers monitors.

11:31:08 A.M.

Vice Mayor Alpert spoke to the topic and posed a question which was addressed by the City Manager and Mr. Williams provided input.

11:33:54 A.M.

Questions posed by Commissioner Ahearn-Koch were addressed by Mr. Williams, Ms. Martin, and the City Manager, while referencing from previous renderings which were displayed on the Chambers monitors, and Commissioner Ahearn-Koch voiced concerns regarding costs which was addressed by the City Manager and Ms. Martin.

11:41:45 A.M.

Questions posed by Commissioner Trice were addressed by Mr. Williams and Ms. Martin, and the City Manager provided input.

11:46:34 A.M.

Questions posed by the Mayor were addressed by Messrs. Williams, Bosman, Ms. Martin, and the City Manager.

11:50:12 A.M.

Question posed by the Vice Mayor was addressed by Ms. Martin and the Vice Mayor spoke in favor of the proposed rendering.

11:53:10 A.M.

Questions posed by Commissioner Arroyo were addressed by Messrs. Williams, Cianfaglione, and the City Manager.

11:59:01 A.M.

Mayor Battie spoke to the topic and posed questions which were addressed by Mr. Williams and Ms. Martin.

Commissioner Arroyo left and returned to the Dais at 12:00 P.M.

12:02:11 P.M.

City Manager Brown requested and Parks and Recreation Director Jerry Fogle, Parks and Recreation, came before the Commission to address questions posed by Commissioner Ahearn-Koch, and the City Manager provided input.

12:04:44 P.M.

A motion was made by Vice Mayor Alpert, and seconded by Commissioner Arroyo to approve the Bobby Jones Golf Club (BJGC) Clubhouse Conceptual Design and for Staff to return before the Commission with an estimate of the full cost and funding plan.

12:05:15 P.M.

Commissioner Arroyo spoke to the motion.

12:07:06 P.M.

Commissioner Ahearn-Koch spoke to the motion.

12:09:24 P.M.

Mayor Battie spoke to the motion.

12:10:52 P.M.

Mayor Battie called for a vote on the motion to approve the Bobby Jones Golf Club (BJGC) Clubhouse Conceptual Design and for Staff to return before the Commission with an estimate of the full cost and funding plan, which carried by a 4-1 vote with Commissioner Ahearn-Koch.

12:11:05 P.M.

City Manager Brown stated that the belief is this is Ms. Martin's last Commission-related meeting since she is retiring and her years of service with the City are recognized.

The Commission recessed at 12:12 P.M. and reconvened at 1:15 P.M.

1:16:43 P.M.

11. LEGISLATIVE PUBLIC HEARINGS (AGENDA ITEM X)

1:16:54 P.M.

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

1) PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 23-5482, AMENDING THE FLOODPLAIN MANAGEMENT ORDINANCE NO 22-5431, CHAPTER 2, DEFINITIONS, SECTION 202, DEFINITIONS, AMENDING THE DEFINITION OF MARKET VALUE SO AS TO COMPLY WITH GUIDANCE OF THE FLORIDA OFFICE OF FLOODPLAIN MANAGEMENT, FLORIDA DIVISION OF EMERGENCY MANAGEMENT; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF IF DECLARED INVALID, ETC. (TITLE ONLY) (AGENDA ITEM X-1)

1:17:31 P.M.

Mayor Battie opened the Public Hearing.

1:17:40 P.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 23-5482 by title only.

1:18:56 P.M.

Emergency Manager Richard "Todd" Kerkerling, Sarasota Police Department (SPD), and Flood Plain Manager/CRS Coordinator Cynthia Cahill, Development Services, came before the Commission.

1:19:09 P.M.

Ms. Cahill provided a brief overview of proposed Ordinance No. 23-5482.

1:21:03 P.M.

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

1:21:26 P.M.

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

1:21:29 P.M.

A motion was made by Commissioner Arroyo, seconded by Commissioner Ahearn-Koch to pass proposed Ordinance No. 23-5482 on first reading, which carried by a 5-0 vote.

1:21:59 P.M.

2) PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 23-5484, AMENDING THE SARASOTA CITY CODE, CHAPTER 19, LOCAL BUSINESS TAXES, SECTION 19-11, LOCAL BUSINESS TAX SCHEDULE, BY ADJUSTING THE LOCAL BUSINESS TAX RECEIPT FEES FOR ENGAGING OR MANAGING BUSINESSES, PROFESSIONS OR OCCUPATIONS WITHIN THE CITY; PROVIDING FOR THE SEVERABILITY OF PARTS HEREOF IF DECLARED INVALID; PROVIDING FOR REPEALING OF ORDINANCES IN CONFLICT, ETC. (TITLE ONLY) (AGENDA ITEM X-2)

1:22:11 P.M.

Mayor Battie opened the Public Hearing.

1:22:32 P.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 23-5484 by title only.

1:23:22 P.M.

General Manager Myra Schwartz and Local Business Tax Specialist Henry Gaddy, Development Services Department, came before the Commission.

1:23:28 P.M.

Ms. Schwartz provided a brief overview of proposed Ordinance No. 23-5484.

City Auditor and Clerk Griggs left and returned to her seat at 1:26 P.M.

1:26:58 P.M.

Questions posed by Commissioner Arroyo were addressed by Mr. Gaddy, Ms. Schwartz, and the City Manager.

City Auditor and Clerk Griggs left and returned to her seat at 1:27 P.M.

1:30:08 P.M.

Commissioner Ahearn-Koch spoke to the topic which is favored and recommended language be updated in the proposed Ordinance which was addressed by the City Manager.

1:32:12 P.M.

Commissioner Trice spoke to the topic and posed a question which was addressed by the City Manager.

1:35:20 P.M.

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

1:35:23 P.M.

A motion was made by Commissioner Ahearn-Koch, and seconded by Commissioner Trice to pass proposed Ordinance No. 23-5484 with the inclusion of providing for a five (5) percent increase in the current Local Business Tax Receipt fees for engaging or managing Businesses, Professions or Occupations within the City on first reading.

1:35:45 P.M.

Commissioner Arroyo spoke to the motion which is not favored.

1:37:46 P.M.

Commissioner Alpert spoke in support of the motion.

1:38:44 P.M.

Mayor Battie spoke in support of the motion.

1:38:47 P.M.

Commissioner Ahearn-Koch spoke in support of the motion.

1:39:51 P.M.

Mayor Battie called for a vote on the motion to pass proposed Ordinance No. 23-5484 with the inclusion of providing for a five (5) percent increase in the current Local Business Tax Receipt fees for engaging or managing Businesses, Professions or Occupations within the City on first reading, which carried by a 4-1 vote with Commissioner Arroyo voting no.

1:40:05 P.M.

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

- 1) PRESENTATION AND DISCUSSION RE: TERM SHEET FOR A LEASE AGREEMENT WITH THE PLAYERS, INC. OF THE CITY-OWNED BUILDING LOCATED 2110 ADAMS LANE (AGENDA ITEM XII-1)

1:40:22 P.M.

Economic Development Manager Wayne Applebee, Planning Department, Manager Facilities/Asset Robert "Rob" Schanley, Facilities Division, Development Services Department, and William Skaggs, Chief Executive Officer, The Players (The Players), Centre for Performing Arts, came before the Commission.

1:40:42 P.M.

Mr. Applebee presented.

1:43:39 P.M.

Messrs. Applebee, Schanley and Skaggs left the Dais.

1:44:00 P.M.

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

1:45:09 P.M.

Messrs. Applebee, Schanley, and Skaggs returned to the Dais.

1:45:24 P.M.

Questions posed by Commissioner Ahearn-Koch were addressed by Messrs. Skaggs, Schanley, and the City Manager, while referencing from an aerial map displayed on the Chambers monitors.

City Auditor and Clerk Griggs left and returned to her seat at 1:45 P.M.

1:56:25 P.M.

Martin Black, who signed up to speak under Citizens' Input representing The Players, came before the Commission.

1:56:29 P.M.

Commissioner Arroyo spoke to the topic.

1:57:56 P.M.

Vice Mayor Alpert spoke to the topic.

1:59:17 P.M.

Commissioner Trice spoke to the topic and posed questions which were addressed by Mr. Skaggs and the City Manager.

2:02:10 P.M.

Mayor Battie spoke to the topic.

2:04:41 P.M.

Messrs. Schanley and Applebee left the Dais.

2:04:45 P.M.

City Manager Brown spoke to the topic.

2:05:30 P.M.

Messrs. Skaggs and Black left the Dais.

2:05:44 P.M.

A motion was made by Commissioner Arroyo, seconded by Vice Mayor Alpert to direct Staff to collaborate with the City Attorney's Office to draft a Lease Agreement with The Players (The Players) Centre, Inc. for Performing Arts based on the Term Sheet, as presented for the City-owned building located at 2110 Adams Lane for The Players to commence their due diligence investigation of the Payne Park Auditorium which includes preparing a survey and legal description of the proposed leasehold, and for Staff to return back before the Commission with the proposed Lease Agreement for consideration and approval, which carried by a 5-0 vote.

2:06:07 P.M.

**2) DISCUSSION RE: AMENDMENT TO THE HOUSING AUTHORITY OVERLAY DISTRICT
(AGENDA ITEM XII-2)**

2:06:42 P.M.

Ken Waters, Vice President of Resident Services, Sarasota Housing Authority (SHA) and Joel Freedman, ACIP, Freedman Consulting & Development, LLC, came before the Commission.

2:06:42 P.M.

Mayor Battie provided a brief overview.

2:07:34 P.M.

Mr. Waters presented.

2:08:20 P.M.

Questions posed by Commissioner Ahearn-Koch were addressed by Mr. Freedman and General Manager Ryan Chapdelain, Planning Department who came before the Commission, and the City Manager provided input.

2:11:10 P.M.

Question posed by the City Manager was addressed by Mr. Waters and Commissioner Ahearn-Koch continued to pose questions which were addressed by Messrs. Freedman, Chapdelain, and the City Manager.

2:12:56 P.M.

Commissioner Trice voiced concerns and stated that the request to count 750 square feet and below sends the wrong signal as if the City is trying to bypass the Comprehensive Plan Amendment process and vote 3-2 instead of the required 4-1 vote.

2:14:19 P.M.

Commissioner Arroyo spoke to the topic which is favored.

2:15:14 P.M.

Questions posed by the Vice Mayor were addressed by Messrs. Chapdelain and Freedman, Commissioners Ahearn-Koch and Arroyo, and the City Manager provided input.

Commissioner Arroyo left the Chambers at 2:17 P.M. and returned at 2:19 P.M.

The Commission recessed at 2:20 P.M. and reconvened at 2:31 P.M.

Manager of Long-Range Planning David Smith, Planning Department, came before the Commission.

2:31:19 P.M.

City Manager Brown requested Mr. Smith to share what options are before the Commission for consideration were addressed, and the City Manager provided input.

2:32:51 P.M.

Question posed by Mr. Freedman was addressed by the City Manager and Mr. Smith provided input.

2:33:47 P.M.

Question posed by Commissioner Trice was addressed by Mr. Waters.

2:34:04 P.M.

Questions posed by the Vice Mayor were addressed by Messrs. Smith, Chapdelain, and the City Manager.

2:34:50 P.M.

City Manager Brown suggested a motion for the Commission to consider which was received.

2:35:04 P.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Ahearn-Koch to direct Staff to collaborate with Sarasota Housing Authority (SHA) to submit a joint Application paid for by the Applicant for Comprehensive Plan and Zoning Text Amendments to the SHA Overlay District, which carried by a 5-0 vote.

2:36:29 P.M.

- 3) **APPROVAL RE: CITY WORKSHOP MEETING ON MONDAY, JULY 10, 2023 AT 9:00 AM FOR AN UPDATE ON THE UTILITIES MASTER PLAN/CAPITAL IMPROVEMENTS PROGRAM AND UTILITIES RATE STUDY (AGENDA ITEM XII-3)**

2:36:47 P.M.

City Manager Brown presented and stated that the proposed Sarasota City Commission Workshop meeting date of Monday, July 10, 2023, at 9:00 A.M. is currently not on the Commission's calendars; that Staff is seeking Commission approval of this date to provide the Commission with an update on the City's Capital Improvement Master Plan for water and utilities; that Staff has also been working with Commissioner Ahearn-Koch regarding the City's ability to implement the Vacation Rental Ordinance City-wide which will also be discussed.

2:38:18 P.M.

A motion was made by Commissioner Ahearn-Koch, seconded by Vice Mayor Alpert to direct Staff to schedule a Sarasota City Commission Workshop for Monday, July 10, 2023, at 9:00 A.M., which carried by a 5-0 vote.

2:38:41 P.M.

- 4) **APPROVAL RE: AUTHORIZE THE MAYOR AND CITY AUDITOR AND CLERK TO EXECUTE A PROPOSED AGREEMENT BETWEEN THE CITY OF SARASOTA AND BRADEN RIVER UTILITIES, LLC. AND LAKEWOOD RANCH STEWARDSHIP DISTRICT PROVIDING THE CITY'S CONSENT FOR THE ASSIGNMENT OF THE CITY'S TRANSMISSION AND USE OF RECLAIMED WATER AGREEMENT WITH BRADEN RIVER UTILITIES, LLC. FROM BRADEN RIVER UTILITIES, LLC. TO THE LAKEWOOD RANCH STEWARDSHIP DISTRICT (AGENDA ITEM XII-4)**

2:39:08 P.M.

Director William "Bill" Riebe, Utilities Department, came before the Commission and presented.

2:39:55 P.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Ahearn-Koch to authorize the Mayor and City Auditor and Clerk to execute a proposed Agreement between the City of Sarasota and Braden River Utilities, LLC., and Lakewood Ranch Stewardship District providing the City's consent for the assignment of the City's transmission and use of Reclaimed Water Agreement with Braden River Utilities, LLC. from Braden River Utilities, LLC. to the Lakewood Ranch Stewardship District, which carried by a 5-0 vote.

2:40:36 P.M.

- 5) **DISCUSSION RE: REQUEST TO FLY THE PRIDE FLAG AT CITY HALL (AGENDA ITEM XII-5)**

City Auditor and Clerk Griggs left and returned to her seat at 2:40 P.M.

2:40:47 P.M.

Jason Champion, President, Project Pride SRQ, Inc., came before the Commission.

2:40:53 P.M.

Vice Mayor Alpert presented and stated that June is "Pride" month and for the first seven days the Florida Department of Transportation will be lighting the Ringling Causeway Bridge, and the belief is it would be appropriate to also fly the Pride Flag at City Hall.

2:41:32 P.M.

Mr. Champion presented and displayed the Pride Flag on the Chambers monitors.

2:43:08 P.M.

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

2:46:31 P.M.

A motion was made by Vice Mayor Alpert, seconded by Commissioner Ahearn-Koch to fly the Pride Flag at City Hall from June 01, 2023, through June 07, 2023, which is also when the Florida Department of Transportation will be lighting the Ringling Causeway Bridge, which carried by a 5-0 vote.

2:47:11 P.M.

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

No one signed up to speak.

2:47:32 P.M.

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

2:56:12 P.M.

COMMISSIONER TRICE:

Remarks received.

2:58:35 P.M.

COMMISSIONER AHEARN-KOCH:

Remarks received.

3:07:51 P.M.

COMMISSIONER ARROYO:

Remarks received.

3:07:56 P.M.

VICE MAYOR ALPERT:

Remarks received and voiced concerns regarding the safety of bicyclists who utilize the Ringling and Legacy Trails and the need for drivers to pay attention, and the City Manager stated that discussions will be had with the Engineering and Sarasota Police Departments about possibly having more visibility at those intersections.

3:11:23 P.M.

MAYOR BATTIE:

Remarks received.

2:47:32 P.M.

15. OTHER MATTERS/ADMINISTRATIVE OFFICERS (AGENDA ITEM XV)

2:47:58 P.M.

CITY ATTORNEY FOURNIER:

- A. Sought and received Commission consensus for the City Attorney's Office to initiate a Zoning Text Amendment regarding the City's internal Appeal process to eliminate the need to go before the Development Review Committee or have a Staff Report, and go directly to the Planning Board Local Planning Agency with a proposed Ordinance and explanation, and then come before the Commission.

2:49:54 P.M.

- B. Stated that inquiries about the Sit/Lie Ordinance have been received which was on the Commission's Agenda last year and scheduled to come back August 2023; however, he was asked to withhold at that time since the belief was the Sarasota Police Department wanted to discuss certain things with Commissioners and may still remain concerns; that Commission direction is sought as to whether to schedule the item to come back for a second reading or return back for Commission discussion; that if there is Commission consensus the item can be placed on a future Agenda.

Mayor Battie left and returned to the Dais at 2:48 P.M.

2:50:48 P.M.

Questions posed by Commissioner Trice were addressed by the City Attorney, and the City Manager and Deputy City Manager Patrick "Pat" Robinson, City Manager's Office who came before the Commission, provided input.

2:54:10 P.M.

Question posed by Vice Mayor Alpert about whether the item could be placed on the July 10, 2023, Sarasota City Commission Workshop (Workshop) was addressed by the City Manager who stated that the recommendation is for the Sit/Lie Ordinance to be heard at a Workshop possibly in August or September 2023, and the City Attorney stated that is satisfactory. No Action Taken.

2:55:10 P.M.

CITY MANAGER BROWN:

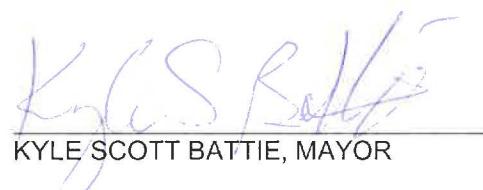
Remarks received and stated that the Staff will be placing on a future Agenda a proposed Ordinance for Commission consideration to expand the Affordable Housing Trust Fund to also include rental as well as owner-occupied dwellings.

3:14:53 P.M.

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

The Commission adjourned at 3:14 P.M.

ATTEST:



KYLE SCOTT BATTIE, MAYOR



SHAYLA GRIGGS

CITY AUDITOR AND CLERK