

MINUTES OF THE SPECIAL SARASOTA CITY COMMISSION MEETING OF JANUARY 10, 2022

PRESENT: Mayor Erik Arroyo, Vice Mayor Kyle Scott Battie (arrived at 9:03 A.M.), Commissioners Liz Alpert, Hagen Brody, and Jen Ahearn-Koch, City Manager Marlon Brown, City Attorney Robert Fournier, and City Auditor and Clerk Shayla Griggs (via Zoom/Hybrid)

ABSENT: None

9:03:25 A.M.

The meeting was called to order by Mayor Arroyo at 9:03 A.M.

9:03:40 A.M.

INVOCATION: City Auditor and Clerk Shayla Griggs

9:04:03 A.M.

PLEDGE OF ALLEGIANCE: Vice Mayor Battie

9:04:23 A.M.

1. CHANGE TO THE ORDER OF THE DAY

- A. Please add under Agenda Items, Item No. II.8. Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and Musco Sports Lighting, LLC (Clay County RFP #18/19-2) for Payne Park Tennis Court Lighting, per the request of City Manager Brown.

9:04:51 A.M.

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

9:04:53 A.M.

Mayor Arroyo requested a moment for silence for the late Betty Marion White Ludden an American actress and comedian.

9:05:23 A.M.

City Manager Brown provided a brief introduction of the items to be discussed and acknowledged Staff.

City Auditor and Clerk Griggs left and returned to her seat at 9:05 A.M.

City Auditor and Clerk Griggs left the Dais at 9:06 A.M. and returned at 9:07 A.M.

9:10:20 A.M.

Commissioner Ahearn-Koch requested and Mayor Arroyo noted Commission consensus for the City Auditor and Clerk to read the Pledge of Public Conduct for the record, which was read.

9:10:40 A.M.

Commissioner Ahearn-Koch requested and Mayor Arroyo noted Commission consensus to allow receipt of Citizens' Input prior to any Agenda items being heard.

9:11:14 A.M.

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

City Auditor and Clerk Griggs left and returned to her seat at 9:11 A.M.

City Auditor and Clerk Griggs left and returned to her seat at 9:12 A.M.

9:13:19 A.M.

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

9:14:57 A.M.

Mayor Arroyo issued a forewarning to an individual seated in the audience about the possibility of being escorted out of the Chambers.

9:15:03 A.M.

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

City Auditor and Clerk Griggs left and returned to her seat at 9:18 A.M.

City Auditor and Clerk Griggs left and returned to her seat at 9:25 A.M.

9:28:27 A.M.

Mayor Arroyo reminded those seated in the audience to refrain from clapping and heckling and those who signed up to speak to make the assertion of being under oath and to be truthful.

9:29:04 A.M.

Rob Grant, City resident displayed closed-caption text, campaign flyers, and cellular telephone text messages on the Chambers monitors, indicating the hope is the Commission has changed their tune as the result of hearing from experts and voters about saving the property in perpetuity which is the only honest decision to make.

9:32:33 A.M.

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

9:33:06 A.M.

Mayor Arroyo requested individuals in the Chambers to continue their conversation outside the Chambers.

9:33:15 A.M.

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

City Auditor and Clerk Griggs left and returned to her seat at 9:36 A.M.

City Auditor and Clerk Griggs left and returned to her seat at 9:42 A.M.

9:48:40 A.M.

Louis Kosiba, City resident and President, Friends of the Legacy Trail, read into the record the Resolution which the organization passed, indicating a copy of Resolution will be provided to the City Auditor and Clerk for the record.

9:51:31 A.M.

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

City Auditor and Clerk Griggs left and returned to her seat at 9:54 A.M.

10:19:57 A.M.

Flo Entler, City resident, provided to the City Auditor and Clerk for distribution to the Commission and for the record, and displayed on the Chamber monitors photographs, indicating many know she is fighting to save the Grand Oak trees in the Arlington Park neighborhood, and one tree which was named "Pink Floyd" is the most majestic.

The Commission recessed at 10:24 A.M. and reconvened at 10:36 A.M.

3. **CITIZENS' INPUT CONCERNING CITY TOPICS – CONT'D (AGENDA ITEM I)**

10:36:32 A.M.

Mayor Arroyo sought and noted Commission consensus to receive Citizens' Input via Zoom.

City Manager Brown returned to the Chambers at 10:37 A.M.

10:37:14 A.M.

Citizens' Input received from individuals via Zoom.

10:46:00 A.M.

4. **AGENDA ITEMS:**

- 1) **APPROVAL RE: AUTHORIZE THE MAYOR AND CITY AUDITOR AND CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF SARASOTA AND Q.G.S. DEVELOPMENT, INC. (INVITATION TO BID 21-18JS) TO FURNISH ALL MATERIALS, LABOR, AND PERFORM ALL WORK NECESSARY FOR THE CONSTRUCTION OF 18 REGULATION GOLF HOLES, 9 ADJUSTABLE GOLF HOLES, DRIVING RANGE, AND RELATED SITE WORK AT BOBBY JONES GOLF COURSE (BGJC) IN THE AMOUNT OF \$12,513,599.05 (AGENDA ITEM II-1)**

10:46:25 A.M.

General Manager Susan "Sue" Martin, Parks and Recreation, Assistant General Manager Carlos Marmolejos and Senior Professional Buyer Francis "Barney" Kavanagh, Purchasing Division, and Richard Mandell, Proprietor, Richard Mandell Golf Architecture, Inc., came before the Commission.

10:46:34 A.M.

Ms. Martin presented and provided a brief historical overview.

Commissioner Alpert left and returned to her seat at 10:46 A.M.

10:49:44 A.M.

Commission questions posed were addressed by Ms. Martin, Messrs. Mandell and Marmolejos, and the City Manager.

City Manager Brown left and returned to his seat at 11:05 A.M.

11:14:30 A.M.

Ms. Martin and Messrs. Marmolejos, Kavanagh, and Mandell left the Dais.

11:15:02 A.M.

Martin Hyde, City resident, displayed at the Dais a clear Lucent attaché case containing a total of \$250,000, indicating the only way the City would lose less money is to confine grounds and have less of a debt obligation, however, at the moment nothing is on the table.

11:18:00 A.M.

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

11:21:20 A.M.

Ms. Martin and Messrs. Marmolejos, Kavanagh, and Mandell returned to the Dais.

11:21:43 A.M.

Commission questions were posed and addressed by the City Manager and Financial Administration Director Kelly Strickland, Financial Administration Department, who came before the Commission.

11:39:04 A.M.

Ms. Strickland left the Dais and Paul Cope, Irrigation Manager, QGS Development, Inc., came before the Commission to address questions posed.

11:41:40 A.M.

Mr. Cope left the Dais and Chris Cianfaglione, Landscape Production Designer, Kimley-Horn and Associates, Inc., came before the Commission to address questions posed.

11:45:22 A.M.

A motion was made by Commissioner Ahearn-Koch, and seconded by Commissioner Brody to approve the Agreement with Q.G.S. Development, Inc. (ITB 21-18JS) to furnish all materials, labor, and perform all work necessary for the construction of 18 regulation golf holes, 9 adjustable golf holes, driving range, and related site work at Bobby Jones Golf Course (BJGC) in the amount of \$12,513,599.05.

11:45:42 A.M.

Commissioners Ahearn-Koch and Brody spoke to the motion.

11:52:12 A.M.

Commissioner Alpert offered a friendly amendment to include some of the other elements mentioned if there are funds, which was accepted by Commissioner Ahearn-Koch, the maker of the motion, and Commissioner Brody, the seconder of the motion.

11:52:52 A.M.

Vice Mayor Battie and Mayor Arroyo spoke to the motion.

11:58:53 A.M.

Mayor Arroyo called for a vote on the motion to approve the Agreement with Q.G.S. Development, Inc. (ITB 21-18JS) to furnish all materials, labor, and perform all work necessary for the construction of 18 regulation golf holes, 9 adjustable golf holes, driving range, and related site work at Bobby Jones Golf Course (BJGC) in the amount of \$12,513,599.05 with the inclusion of some of the other elements mentioned if there are funds, which carried by a 5-0 vote.

The Commission recessed at 11:59 A.M. and reconvened at 1:00 P.M.

1:01:14 P.M.

2) **APPROVAL RE: AUTHORIZE THE MAYOR AND CITY AUDITOR AND CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF SARASOTA AND JON F. SWIFT, INC. (RFP 20-19TS) FOR BOBBY JONES GOLF CLUB CLUBHOUSE DESIGN BUILD SERVICES IN THE AMOUNT OF \$544,211.00 (AGENDA ITEM II-2)**

1:01:14 P.M.

General Manager Susan "Sue" Martin, Parks and Recreation, Assistant General Manager Carlos Marmolejos, and Senior Professional Buyer Francis "Barney" Kavanagh, Purchasing Division, came before the Commission.

1:01:49 P.M.

Ms. Martin presented and provided a brief historical overview.

Commissioner Alpert returned to the Chambers at 1:02 P.M.

1:05:37 P.M.

Justin Williams, Vice President, Jon F. Swift Construction, Inc. and Project Manager for the Bobby Jones Golf Club Project, came before the Commission.

1:05:46 P.M.

Commission questions posed were addressed by Ms. Martin, Messrs. Williams, Mandell and Marmolejos, the City Manager, and Chris Cianfaglione, Landscape Production Designer, Kimley-Horn and Associates, Inc., who came before the Commission.

1:24:08 P.M.

Ms. Martin and Messrs. Williams, Marmolejos, Kavanagh, and Cianfaglione left the Dais.

1:24:30 P.M.

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

1:27:52 P.M.

Ms. Martin and Messrs. Williams, Marmolejos, and Kavanagh returned to the Dais.

1:44:45 P.M.

A motion was made by Commissioner Brody, seconded by Commissioner Ahearn-Koch to authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and Jon F. Swift Construction, Inc. for Clubhouse Design Build Services in the amount of \$544,211.00.

1:45:10 P.M.

Question posed by Commissioner Alpert was addressed by the City Manager.

1:45:54 P.M.

Mayor Arroyo called for a vote on the motion to authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and Jon F. Swift Construction, Inc. for Clubhouse Design Build Services in the amount of \$544,211.00, which carried by a 5-0 vote.

1:46:08 P.M.

3) **APPROVAL RE: AUTHORIZE CONTINUED NEGOTIATIONS OF INDIGO GOLF PARTNERS PROPOSED TERM SHEET TO SOLICITATION 21-41DB: BOBBY JONES GOLF COURSE DEVELOPMENT-MANAGEMENT (AGENDA ITEM II-3)**

1:46:29 P.M.

Financial Administration Director Kelly Strickland, Financial Administration Department, General Manager Susan "Sue" Martin, Parks and Recreation, Assistant General Manager Carlos Marmolejos and Senior Professional Buyer Francis "Barney" Kavanagh, Purchasing Division, and Jose Fernandez, City resident and Member of the City's Selection Committee, came before the Commission.

1:47:09 P.M.

Ms. Martin provided a brief overview and referred to a PowerPoint presentation displayed on the Chambers monitors entitled "Special City Commission Meeting: Bobby Jones Golf Club - Agenda Item: II.3 Management Agreement - Indigo Golf Partners Term Sheet Monday, January 10, 2022."

City Auditor and Clerk Griggs left the Dais at 1:54 PM.

1:57:59 P.M.

Ms. Strickland provided a brief overview and referred to a PowerPoint slide displayed on the Chambers monitors entitled "Projected Net Operating Revenue vs. Annual Debt Service Payment."

City Auditor and Clerk Griggs returned to the Dais at 1:58 P.M.

1:59:50 P.M.

Ms. Strickland, Ms. Martin, and Messrs. Marmolejos, Kavanagh, and Fernandez left the Dais.

2:00:21 P.M.

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

2:06:23 P.M.

Shawn Pierson, Friends of Bobby Jones Golf Club, provided to the City Auditor and Clerk a written statement for submittal into the record on behalf of a constituent who was unable to attend the meeting.

2:07:02 P.M.

Ms. Martin and Messrs. Kavanagh and Fernandez returned back to the Dais, and R. Joseph Goodrich, Executive Vice President, Indigo Golf Partners, came before the Commission to address questions.

2:07:41 P.M.

Questions posed by the Commission were addressed by Messrs. Goodrich, Kavanagh, Fernandez, the City Manager, City Attorney, and Ms. Martin.

3:11:20 P.M.

Mayor Arroyo called for a motion to direct Staff to issue a Request for Proposal (RFP), whereas the Commission would serve as the Selection Committee was moved by Commissioner Brody, but died for lack of a second.

3:15:32 P.M.

A motion was made by Commissioner Ahearn-Koch, and seconded by Commissioner Alpert to authorize Staff to negotiate a Management Contract between the City of Sarasota and Antares Golf, LLC (D.B.A. Indigo Golf Partners) and to return back before the Commission with a Term Sheet.

3:15:48 P.M.

Commissioners Ahearn-Koch, Alpert, and Brody spoke to the motion.

3:22:29 P.M.

Questions posed by Vice Mayor Battie were addressed by the City Manager and Commissioner Ahearn-Koch.

3:23:30 P.M.

Mayor Arroyo called for a vote on the motion to authorize Staff to negotiate a Management Contract between the City of Sarasota and Antares Golf, LLC (D.B.A. Indigo Golf Partners) and to return back before the Commission with a Term Sheet, which carried by a 3-2 vote, with Mayor Arroyo and Commissioner Brody voting no.

3:23:43 P.M.

4) ADOPTION RE: PROPOSED RESOLUTION NO. 22R-3071, AMENDING AND SUPPLEMENTING RESOLUTION NO. 19R-2822 ADOPTED ON JULY 15, 2019, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 CITY OF SARASOTA, FLORIDA TAXABLE CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2022 (BOBBY JONES GOLF CLUB PROJECT) FOR THE PURPOSE OF FINANCING, REFINANCING, AND/OR REIMBURSING THE COSTS OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EXPANSION AND EQUIPPING OF THE BOBBY JONES GOLF CLUB LOCATED WITHIN THE CITY LIMITS OF THE CITY OF SARASOTA, FLORIDA; PROVIDING FOR CERTAIN DETAILS OF SUCH BOND; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH, ETC. (TITLE ONLY) (AGENDA ITEM II-4)

City Attorney Fournier left the Chambers at 3:23 P.M.

3:23:55 P.M.

Financial Administration Director Kelly Strickland, Financial Administration Department, and Duane Draper, Bond Counsel, Bryant, Miller, Oliver, P.A., came before the Commission.

3:23:57 P.M.

City Auditor and Clerk Griggs read proposed Resolution No. 22R-3071 by title only.

3:24:55 P.M.

Mayor Arroyo sought and received Commission consensus to forgo a presentation from Staff.

3:25:27 P.M.

A motion was made by Commissioner Brody, seconded by Commissioner Ahearn-Koch to adopt proposed Resolution No. 22R-3071, which carried by a 5-0 vote.

3:25:44 P.M.

5) DIRECTION RE: PROPERTY CONVEYANCE REQUEST FROM SARASOTA COUNTY FOR 12.07 ACRES LOCATED ON BOBBY JONES GOLF COURSE FOR THE DEVELOPMENT OF A REGIONAL PLAYGROUND (AGENDA ITEM II-5)

3:26:09 P.M.

Mayor Arroyo sought and received Commission consensus to waive the Staff presentation.

3:26:27 P.M.

Manager Stephanie "Stevie" Brianne Freeman-Montes, Governmental Relations, City Manager's Office appeared before the Commission via Zoom.

City Attorney Fournier returned to the Chambers at 3:26 P.M.

3:26:43 P.M.

Commission questions posed were addressed by Ms. Freeman-Montes and the City Manager.

3:34:11 P.M.

A motion was made by Commissioner Alpert, seconded by Vice Mayor Battie to direct the City Manager to request Sarasota County to submit a Conveyance Agreement for consideration by the Commission based upon Commission discussion with the inclusion of a Reverter Clause and subject to the Conservation Easement, which carried by a 4-1 vote, with Commissioner Ahearn-Koch voting no.

3:34:33 P.M.

6) **DISCUSSION RE: PROPOSED CONSERVATION EASEMENT BETWEEN THE CITY AND THE CONSERVATION FOUNDATION OF THE GULF COAST FOR THE 261-ACRE BOBBY JONES PROPERTY (AGENDA ITEM II-6)**

3:34:45 P.M.

Mayor Arroyo sought and did not receive Commission consensus to waive a presentation from Staff.

3:34:58 P.M.

City Attorney Fournier provided a brief presentation.

3:41:14 P.M.

Christine Johnson, President, Conservation Foundation of the Gulf Coast, Inc. (Conservation Foundation), came before the Commission to address questions.

3:51:34 P.M.

A motion was made by Commissioner Ahearn-Koch, seconded by Commissioner Brody to approve execution of the Conservation Easement subject to finalization of the Baseline Report and the legal description from the Survey, which carried by a 5-0 vote.

3:52:31 P.M.

7) **APPROVAL RE: FUNDRAISING PARTNERSHIP AGREEMENT TERM SHEET BETWEEN THE CITY AND THE CONSERVATION FOUNDATION (AGENDA ITEM II-7)**

3:52:39 P.M.

Christine Johnson, President, Conservation Foundation of the Gulf Coast, Inc. (Conservation Foundation), came before the Commission.

3:52:51 P.M.

Mayor Arroyo sought and did not receive Commission consensus to waive a presentation from Staff.

3:53:00 P.M.

Manager Stephanie "Stevie" Brianne Freeman-Montes, Governmental Relations, City Manager's Office, appeared before the Commission via Zoom, provided a brief presentation, and shared a PowerPoint slide displayed on the Chambers monitors entitled "Terms for a Partnership Fundraising Agreement."

3:54:52 P.M.

Commission questions posed were addressed by Ms. Johnson and the City Manager.

4:04:59 P.M.

Mayor Arroyo called for a motion to direct the City Attorney's Office to draft a Fundraising Partnership Agreement with the Conservation Foundation of the Gulf Coast, Inc. according to what was provided in the Term Sheet, which was moved by Commissioner Ahearn-Koch, seconded by Vice Mayor Battie, and carried by a 5-0 vote.

The Commission recessed at 4:05 P.M. and reconvened at 4:13 P.M.

4:13:48 P.M.

8) **APPROVAL RE: AUTHORIZE THE MAYOR AND CITY AUDITOR AND CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF SARASOTA AND MUSCO SPORTS LIGHTING, LLC (CLAY COUNTY RFP #18/19-2) FOR PAYNE PARK TENNIS COURT LIGHTING AT A COST OF \$535,000.00 (AGENDA ITEM II-8)**

4:14:28 P.M.

Director Jerry Fogle, Parks and Recreation, came before the Commission and provided a brief presentation.

Commissioner Alpert returned to the Chambers at 4:14 P.M.

Mayor Arroyo left and returned to the Dais at 4:15 P.M.

4:17:26 P.M.

Mr. Fogle left the Dais.

4:17:45 P.M.

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

City Auditor and Clerk Griggs left and returned to the Dais at 4:19 P.M.

4:20:34 P.M.

Mr. Fogle returned to the Dais.

4:20:39 P.M.

Commission questions posed were addressed by Mr. Fogle and the City Manager.

4:38:35 P.M.

A motion was made by Commissioner Brody, and seconded by Vice Mayor Battie to authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and Musco Sports Lighting, LLC., (Clay County RFP #18/19-2) for Payne Park Tennis Court lighting at a cost of \$535,000.00.

4:38:58 P.M.

Mayor Arroyo, Vice Mayor Battie, and Commissioners, Alpert, Brody, and Ahearn-Koch spoke to the motion.

4:50:11 P.M.

Mayor Arroyo called for a vote on the motion to authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and Musco Sports Lighting, LLC., (Clay County RFP #18/19-2) for Payne Park Tennis Court lighting at a cost of \$535,000.00, which carried by a 4-1 vote, with Commissioner Ahearn-Koch voting no.

4:50:22 P.M.

5. **OTHER MATTERS/ADMINISTRATIVE OFFICERS**

4:50:38 P.M.

MAYOR ARROYO:

Reiterated recognition of the late Betty Marion White Ludden an American actress and comedian.

4:50:47 P.M.

VICE MAYOR BATTIE:

Recognized the passing of Sidney Poitier an Bahamian-American actor and first black man to win a Best Actor Oscar, film director, and ambassador.

4:51:34 P.M.

COMMISSIONER BRODY:

Stated that today is National Law Enforcement Appreciation Day and recognized the Sarasota Police Department.

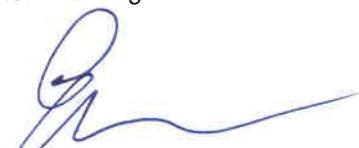
4:52:01 P.M.

6. **ADJOURN (AGENDA ITEM IV)**

Mayor Arroyo adjourned the Special Sarasota City Commission Meeting at 4:52 P.M.

ATTEST:

Shayla Griggs
CITY AUDITOR AND CLERK


ERIK ARROYO, MAYOR