

MINUTES OF THE REGULAR SARASOTA CITY COMMISSION MEETING OF FEBRUARY 17, 2009

PRESENT: Mayor Lou Ann R. Palmer, presiding, Vice Mayor Ken Shelin, Commissioners Fredd "Glossie" Atkins, Richard Clapp, and Kelly M. Kirschner, City Manager Robert J. Bartolotta, City Attorney Robert M. Fournier, and City Auditor and Clerk Billy E. Robinson

ABSENT: None

The meeting was called to order by Mayor Palmer at 2:30 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE: City Auditor and Clerk Robinson

1. **CHANGES TO THE ORDERS OF THE DAY**

City Auditor and Clerk Robinson presented the following Changes to the Orders of the Day:

- A. Add under Consent Agenda No. 2, Item No. 2, proposed Resolution No. 09R-2079, increasing the originally approved budget for fiscal year 2008/09, per the request of Finance Director Lyons.
- B. Add under Scheduled Presentations, Item No. X-2, Presentation Re: Update of the Mooring Field progress and commissioning of the pump-out vessel, per the request of Vice Mayor Shelin.
- C. Remove under New Business, Item No. XIV-1, Adoption Re: proposed Resolution No. 09R-2078, approving the joint application with Sarasota County, Florida, to amend the boundaries of the Sarasota County/City of Sarasota Enterprise Zone Development Agency, per the request of Neighborhood and Development Services Director Litchet.

Mayor Palmer requested that Consent Agenda Nos. 1 and 2 be moved prior to the Community Redevelopment Agency (CRA) meeting as one of the CRA Agenda items will have a lengthy conversation; that any items removed from Consent Agenda Nos. 1 or 2 will be heard immediately following the conclusion of the CRA meeting.

Mayor Palmer noted Commission consensus to approve the Changes to the Orders of the Day and to move consideration of the Consent Agendas prior to the CRA meeting with items removed considered after the CRA meeting.

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

The following people spoke:

Mary Ciner thanking the Public Works Department for responding quickly to fix the raised edges on sidewalks identified in her complaint to the City and indicating the Public Works Department is now checking other barriers to pedestrian mobility.

Charles Senf indicating a local attorney who responded to one of his electronic-mail postings concluded the proposed amendment to the City of Sarasota Charter (1996) (City Charter) is to elect one mayor and add one at-large commissioner or to add two at-large commissioners, the amendment to the City Charter would change the representative weight of the at-large seats without adding any representation to either of the three districts, 80 percent of the current candidates running in the March 10, 2009, election to fill the two at-large seats live in District 2, and the most feared scenario is having four commissioners and a mayor all living in the same district.

Kathleen Kaminski indicating the amendment to the City Charter is to gain a super-majority vote rather than a directly-elected mayor as a referendum to have a directly-elected mayor could be placed on the March 10, 2009, ballot without expanding the Commission from five to seven members.

3. **APPROVAL OF MINUTES (AGENDA ITEM II)**

Mayor Palmer noted Commission consensus to approve the minutes of the Special Joint meeting of the Sarasota Board of County Commissioners, the School Board of Sarasota County, the City Commissions of the Cities of North Port and Sarasota, the City Council of the City of Venice, and the Town Commission of the Town of Longboat Key of January 16, 2009, and the Regular Commission meeting of February 2, 2009.

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

- 1) Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute the Consent of Lessor to Lessee Mortgage Refinancing for J. H. Floyd Sunshine Village, Inc.
- 2) Receive and Accept Re: Annual Board Report of the Citizen Tax Oversight Committee on the Penny Sales Tax Extension.
- 3) Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute the Contract Agreements between the City of Sarasota and Stantec Consulting Services, Inc., WilsonMiller, Inc., Post, Buckley, Schuh, and Jernigan, Inc., and Boyle Engineering Corporation (RFP #09-14K – CCNA).
- 4) Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute an Agreement between the City of Sarasota and Beck Disaster Recovery, Inc. (RFP #08-32K), the disaster debris monitoring management and consulting services.
- 5) Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute the Contract Agreement between the City of Sarasota and Post, Buckley, Schuh, and Jernigan, Incorporated (RFP #09-18W - CCNA), for the purpose of continuing consultant engineering services for the Utility Treatment Facilities – Capital Improvement Program.
- 6) Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute the Contract Agreement between the City of Sarasota and Post, Buckley, Schuh, and Jernigan, Incorporated (RFP #09-16W - CCNA), for the purpose of continuing consulting engineering services for Water and Sewer Engineering of Record.
- 7) Approval Re: Microsoft Enterprise Enrollment – State and Local Licensing Agreement in the amount of \$199,833.98 for the first year.
- 8) Approval Re: Authorize the Mayor to sign a letter of support for both Front Porch and Man Up to assist them in their efforts to each raise \$10,000 in private funds for their Summer Youth Programs.
- 9) Approval Re: State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan – Amendment #1.

A motion was made by Vice Mayor Shelin, seconded by Commissioner Clapp, and carried by a 5-0 vote to approve Consent Agenda No. 1, Item Nos. 1 through 9.

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

Vice Mayor Shelin removed Item No. 1 for discussion.

City Auditor and Clerk Robinson read proposed Resolution No. 09R-2079 by title only.

- 2) Adoption Re: Proposed Resolution No. 09R-2079, amending the budget for fiscal year beginning October 1, 2008, by providing for supplemental appropriations in the amounts identified in Exhibit A, etc. (Title Only)

A motion was made by Commissioner Atkins, seconded by Vice Mayor Shelin, and carried by a 5-0 vote to approve Consent Agenda No. 2, Item No. 2.

The Commission recessed into a session of the Community Redevelopment Agency at 2:46 p.m. and recessed at 4:52 p.m.

Mayor Palmer stated that Consent Agenda 2, Item 1, will be heard in the evening session under Unfinished Business as Agenda Item XIII-1; that other Items under Unfinished Business scheduled for the afternoon session as Agenda Items VI-1 and -2 will be heard under Unfinished Business in the evening session and renumbered as Items XIII-2 and -3 respectively.

The Commission recessed at 4:53 p.m. and reconvened at 6:00 p.m.

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

- 1) **PRESENTATION RE: EMPLOYEE OF THE MONTH FOR JANUARY 2009, LYNETTE GARRETT, HUMAN RESOURCES SPECIALIST I, HUMAN RESOURCES (AGENDA ITEM IX-1)** - Presented to Lynette Garrett, Human Resources Specialist I, Human Resources.
- 2) **PRESENTATION RE: 2008 NATIONAL NIGHT OUT AWARD (AGENDA ITEM IX-2)** – Presented to Mayor Palmer, Vice Mayor Shelin, and Commissioners Atkins, Clapp, and Kirschner by Chief Planner Ryan Chapdelain, Neighborhood and Development Services Department, Barry Patel, Event Chairs, and Alexander Boudreau, Co-Chair, National Night Out, and McGruff, Mascot, National Crime Prevention Council.
- 3) **PRESENTATION RE: PROCLAIMING FEBRUARY 17, 2009, AS THE COMMUNITY FOUNDATION OF SARASOTA COUNTY'S 30TH ANNIVERSARY (AGENDA ITEM IX-3)** – Presented to Stewart Stearn, President and Chief Executive Officer, The Community Foundation of Sarasota County.

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

- 1) **PRESENTATION RE: TOURISM UPDATE (AGENDA ITEM X-1)**

Virginia Haley, President and Member, Board of Directors of the Sarasota Convention and Visitors Bureau, and Leslie Power, Vice Chair and Member of the Board of Directors of the Sarasota Convention and Visitors Bureau and General Manager of Hotel Indigo, came before the Commission.

Ms. Haley gave a computer-generated presentation concerning the background of the Sarasota Convention and Visitors Bureau and stated that the Sarasota Convention and Visitors Bureau has an annual contract with the County to provide marketing and advertising services; that less than half of the Tourist Development Tax is spent on tourism marketing, resulting in Sarasota's being outspent by competitors in marketing the destination.

Ms. Haley gave a computer-generated presentation concerning the return on investment, possible opportunities in 2009 to attract tourists, the outlook for tourism for Sarasota County, and strategies to increase the interest to travel to Sarasota.

- 2) **PRESENTATION RE: UPDATE OF THE MOORING FIELD PROGRESSING AND COMMISSIONING OF THE PUMP-OUT VESSEL (AGENDA ITEM X-2)**

Bob Soran and Sam Chavers, Sarasota Mooring Field, LLC, came before the Commission.

Mr. Soran stated that the Commission discussed and approved moving forward with the mooring field as well as the pump-out vessel which was purchased by the City in May 2008 and had been in storage at the Public Works' storage yard; that Commissioner Clapp previously raised a concern as the pump-out vessel was not in use which was a condition of the grant from the Florida Department of Environmental Protection (FDEP) for the reimbursement of two-thirds of the cost of the pump-out vessel; that a commitment was made to the City to go to FDEP with the support of City Staff to attempt to move forward with the operation of the pump-out vessel so FDEP would release the \$62,250 reimbursement check to the City.

Mr. Chavers stated that the pump-out vessel was placed in the water approximately two weeks ago and is fully operational; that FDEP has issued a check to the City in the amount of \$62,250, which should be received in approximately 30 days; that Sarasota Mooring Field, LLC, secured insurance for the pump-out vessel, naming the City as an additional insured to make the pump-out vessel operational; that all marina employees have been trained appropriately in the operation of the pump-out vessel appropriately to avoid any pollution; that Jack Graham, Inc. will be paying approximately \$1,000 a month until the mooring anchors are installed; that Jack Graham, Inc., will not seek any reimbursement from the City; that Sarasota Mooring Field, LLC, applied for a grant to pay for 75 percent of the labor going forward which should be received in the near future; and gave a report of the use of the pump-out vessel since the original commission two weeks ago.

Mr. Soran stated that the Purchasing Division of the City's Financial Administration Department has not awarded the bids for the first 35 mooring slips; that moored vessels are being blown onto the land by strong winds as a result of not having appropriate mooring anchors; that the City made the correct decision in moving forward with the mooring field; that a periodic report concerning the progress of the mooring field will be provided the Commission.

City Manager Bartolotta stated that the City opened bids for the first 35 mooring slips within the last week; that Staff had a concern in awarding the bid until the City had a better understanding of the State pilot legislation which has still not been passed; that Staff met with Mr. Soran who provided a revised pro forma; that the revised pro forma guarantees financial viability even if the City only has 35 mooring slips; that Staff will be meeting with the City Attorney during the current week and anticipates awarding the bid by February 20, 2009.

8. **CITIZENS' INPUT CONCERNING CITY TOPICS (AGENDA ITEM XI)**

No one signed up to speak.

9. **LEGISLATIVE PUBLIC HEARING (AGENDA ITEM XII-A)**

Deputy City Auditor and Clerk McGowan repeated the Commission's Pledge of Conduct and administered an oath to persons wishing to speak during the public hearings.

- 1) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 09-4848, AMENDING THE ZONING CODE (2002 EDITION) (ZONING CODE) BY ALLOWING VEHICLE REPAIR USES AS A PERMITTED USE IN THE COMMERCIAL INTENSIVE (CI) ZONE DISTRICT, ETC. (TITLE ONLY) (APPLICATION NO. 09-ZTA-01, CITY OF SARASOTA) (AGENDA ITEM XII-A-1)**

Mayor Palmer opened the public hearing.

General Manager Michael Taylor, Neighborhood and Development Services Department, came before the Commission and stated that this is the second of the two required public hearings concerning proposed Ordinance No. 09-4848.

No one signed up to speak and Mayor Palmer closed the public hearing.

Deputy City Auditor and Clerk McGowan read proposed Ordinance No. 09-4849 by title only.

A motion was made by Vice Mayor Shelin, seconded by Commissioner Atkins, and carried by a 5-0 vote to adopt proposed Ordinance No. 09-4848.

- 2) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 09-4849, AMENDING THE SARASOTA CITY CODE (1986 AS AMENDED) (CITY CODE), CHAPTER 2, ARTICLE VI, DIVISION 3, COMPETITIVE BIDS; BY CREATING A NEW SECTION 2-357, TO BE ENTITLED LOCAL PREFERENCE IN BIDDING FOR CITY CONTRACTS, ETC. (TITLE ONLY) (AGENDA ITEM XII-A-2)**

Mayor Palmer opened the public hearing.

Finance Director Christopher Lyons and Purchasing Manager Mary Tucker, Financial Administration Department, came before the Commission.

Mr. Lyons gave a presentation concerning proposed Ordinance No. 09-4849 amending the Sarasota City Code (1986 as amended) (City Code), Chapter 2, Article VI, Division 3, Competitive Bids, by creating a new Section 2-357, entitled Local Preference in Bidding for City Contracts and stated that the definition for City vendors could match the lowest bid if within five percent of the lowest bid and would be awarded 10 of 100 points when submitting a Request for Proposals (RFP); that Sarasota County vendors could match the lowest bid if within two percent of the lowest bid and would be awarded 5 of 100 points when submitting an RFP; that exceptions for emergency purchases and cooperative purchase agreements are included in the proposed Ordinance as are any prohibitions under grant agreements; that many Federal grants require the City follow the competitive bid process with no local vendor preference.

In response to a comment by Mayor Palmer indicating a question was raised at the Sarasota Board of County Commissioners (BCC) meeting concerning other counties to which the County would give local preference if the other counties would pass a similar ordinance, Mr. Lyons stated that the County was discussing the inclusion of a reciprocity clause in the County's local preference regulations; that Staff discussed the matter with the City Attorney; that the City could amend proposed Ordinance No. 09-4849 by adding definitions for City vendors and Sarasota County vendors rather than creating a reciprocity clause which would require an Interlocal Agreement between the City and the County.

Mayor Palmer stated that the City does not want neighboring counties to exclude City vendors from opportunities to work in neighboring counties if the City does not reciprocate the gesture; therefore, the City should consider the inclusion of a reciprocity clause.

The following people spoke:

Ronald Shapo, representing the Greater Sarasota of Chamber of Commerce (Chamber), indicating he and the Chamber support the adoption of a local preference ordinance by the City and the County, proposed Ordinance No. 09-4849 should incorporate provisions with the three goals of establishing true preference to local companies, moving forward with the government's objective to obtain the lowest bid and best proposal possible, and being fair to all parties, and the City should consider a reciprocity clause to ensure City vendors receive preference in the County and implement a final and best bid process to obtain the lowest possible bid if the City vendor bid is five percent higher than a non-local vendor.

In response to a comment by Mayor Palmer concerning the possibility of creating a conflict for City businesses, City Attorney Fournier stated that a local County business is defined as anyone who has paid the County Local Business Receipt.

City Manager Bartolotta stated that a consideration in reciprocity is every business in the City is in the County but not every business in the County is in the City; therefore, the City is including a two-tiered preference which gives a business in the City paying a business license and taxes in the City and the County a five percent match and a business in the County paying a business license and taxes in the County but not the City will receive a two percent match.

In response to a question by Commissioner Atkins asking how the cycle of piggy-backing will be broken to allow local vendors to compete in the bidding process, Ms. Tucker stated that the practice of piggy-backing will be limited; that each project will be reviewed individually based on the needs of the City to determine if time allows for a bidding process to allow local vendors to bid on the project.

In response to a request by Vice Mayor Shelin for comment concerning the final and best bid process mentioned by Mr. Shapo, Mr. Fournier stated that if a bid from a non-local vendor was second and within five percent, a second bid process between the two lowest bidders would occur to obtain the lowest and best possible bid for a project.

In response to a question by Commissioner Clapp asking if the City has any data concerning the number of local vendors who would now get bids, Ms. Tucker stated no; that Staff reviewed the number of contracts the City has currently which is 138 contracts with 48 contracts with vendors in the County, 18 contracts with vendors in Manatee County, 54 contracts with vendors in the State, 24 of the 54 contracts were with vendors in the Tampa Bay area, and 18 contracts with vendors outside the State; therefore, Staff will have to return to the Commission with a report of the effect of the policy in approximately six months to one year.

In response to a question by Vice Mayor Shelin asking if Staff can return in approximately six months to provide a status report concerning the implementation of a preference for local vendors, Mr. Lyons stated that Staff's intent is to return to the Commission with a report in six months.

In response to a question by Commissioner Kirschner asking if other cities or counties in the State have similar local vendor preference ordinances, Ms. Tucker stated that approximately 25 cities and counties have a similar ordinance.

No one else signed up to speak and Mayor Palmer closed the public hearing.

City Auditor and Clerk Robinson read proposed Ordinance No. 09-4849 by title only.

A motion was made by Commissioner Atkins and seconded by Vice Mayor Shelin to pass proposed Ordinance No. 09-4848 on first reading.

In response to a request by Commissioner Kirschner for Staff to provide a status report concerning the success of granting preference to local vendors in six months, Mayor Palmer noted Commission consensus to direct Staff to place an item on the Agenda to provide a status report to the Commission six months after the effective date.

Mayor Palmer called for a vote on the motion to pass proposed Ordinance No. 09-4848 on first reading, which carried by a 5-0 vote.

The Commission recessed into a session of the Community Redevelopment Agency at 7:02 p.m., reconvened at 8:06 p.m., recessed at 8:06 p.m., and reconvened at 8:14 p.m.

10. **UNFINISHED BUSINESS (AGENDA ITEM XIII)**

- 1) Adoption Re: Second reading of proposed Ordinance No. 09-4838, amending the Zoning Code (2002 Edition) (Zoning Code) by: Modifying all articles within the Zoning Code to reflect changes resulting from the 2008 City Staff Organizational Restructuring; Amending regulations applicable to Historic Preservation; Changing the term "Neighborhood Workshop" to "Community Workshop"; Allowing the City Commission to waive procedural requirements in order to expedite certain Zoning Text Amendments; Retaining the existing process which allows appeals of certain decisions of the Planning Board/Local Planning Agency (PBLP) to be heard by the City Commission; Adding certain implementing Zone Districts so as to be consistent with the Sarasota City Plan (2008 Edition); Making an errata amendment regarding Submerged Lands so as to be consistent with the Sarasota City Plan (2008 Edition); Establishing construction staging requirements for certain new single-family homes; Making certain errata amendments regarding outdoor displays so as to eliminate an inconsistency; Amending the Primary Street Grid Map so as to be consistent with and implement the Sarasota City Plan (2008 Edition); Establishing alley setbacks in the Downtown Neighborhood (DTN) Zone District; Adopting bicycle parking standards; Modifying the procedure for measuring the separation requirements for bars, taverns, and nightclubs; Permitting Administrative approval of certain lighting level regulations, etc. (Title Only) (Application No. 09-ZTA-01, City of Sarasota) (Agenda Item XIII-1)

Vice Mayor Shelin stated that he removed the item as he had a telephone conversation and received an electronic correspondence and a letter concerning Section VII-204, Number of Parking Spaces Required and Bicycle Standards, Zoning Code (2002 Edition) (Zoning Code), asking if the changes can be voluntary in the Enterprise Zone, the Newtown Community Redevelopment Area, and the Front Porch District; and asked if the Commission supports making the amended bicycle standards voluntary in the Enterprise Zone, the Newtown Community Redevelopment Area, and the Front Porch District.

Commissioner Atkins stated that a concern with the new bicycle standards was expressed at the Community Development Corporation (CDC) meeting; that the Commission is requested to leave the bicycle standards in Newtown area as voluntary; that implementation of the new bicycle standards could hinder redevelopment of Newtown as hazards can be created in front of businesses with small frontages.

In response to a question by Mayor Palmer asking the wishes of the Commission concerning making the implementation of the new bicycle standards in Newtown voluntary, City Attorney Fournier stated that the Commission could ask Staff for clarification as to implementation of the new standards.

General Manager Michael Taylor, Neighborhood and Development Services Department, came before the Commission and stated that the proposed change doubles the current requirement for bicycle parking and establishes mandatory standards for the location of bicycle parking.

In response to a comment by Commissioner Atkins indicating redevelopment in Newtown can be hindered as Newtown has many small properties which is the reason for requesting the new bicycle standards be voluntary, Mr. Fournier stated that the request may be appropriate if the Commission has a rational basis for the distinction; that the Enterprise Zone appears to cover the entire Community Redevelopment Area; that the City can apply the old bicycle standards within the Enterprise Zone.

Mr. Taylor stated that the map can be redrawn identifying the Enterprise Zone in which the current five percent bicycle parking requirement would be applied and the remaining zone

districts would have the ten percent; that any business with less than 20 parking spaces is not required to meet the bicycle parking standards.

City Auditor and Clerk Robinson read proposed Ordinance No. 09-4838 by title only.

A motion was made by Vice Mayor Shelin, seconded by Commissioner Atkins, and carried by a 5-0 vote to adopt proposed Ordinance No. 09-4838 and authorize the City Attorney to revise the language regarding bicycle standards in the Enterprise Zone to indicate the increased bicycle parking standards will not apply to the Enterprise Zone.

2) **DISCUSSION RE: PROVIDE FURTHER DIRECTION TO STAFF REGARDING THE INCLUSION OF CHARRETTES OR SIMILAR PUBLIC PARTICIPATION MODELS INTO THE DEVELOPMENT REVIEW PROCESS (AGENDA ITEM XIII-2)**

General Manager Michael Taylor and Chief Planner Ryan Chapdelain, Neighborhood and Development Services Department, and Dr. David Brain, PHD, and Professor, New College of Florida, came before the Commission.

Mr. Chapdelain stated that Staff previously discussed with the Commission the possibility of including a requirement to mandate conducting a charrette for certain types of development as part of the development review process; that the Agenda backup material includes discussion points concerning the advantages and disadvantages of holding a charrette, additional information regarding the use of charrettes by other local governments, and the Staff time expended for the Bayfront Connectivity Study conducted by TransAssociates, Inc., as an example of the charrette process; that Staff is not making any recommendations at this time due to the variables involved in determining a need for a charrette.

Dr. Brain stated that charrettes are a great idea; however, requiring developers hold charrettes may not produce the desired result of cooperative planning and gave a presentation concerning the advantages and disadvantages of requiring a developer to hold a charrette, what is considered a charrette, and standards to determine if a charrette is necessary.

Dr. Brain continued that the most successful charrettes happen in locations in which other successful charrettes had been conducted by people with experience; that the community must work to the point of charrettes being routinely successful without any suspicion; and gave a presentation concerning the purpose of a charrette.

In response to a question by Commissioner Clapp asking if a charrette would have made a difference in the School Avenue and Whitaker Bayou Yacht Club Projects, Dr. Brain stated that holding a charrette earlier in the process could have made a difference in the School Avenue Project; that he does not have enough information concerning the Whitaker Bayou Yacht Club Project to make a determination; however, most projects would benefit from a charrette.

Vice Mayor Shelin stated that a charrette is to decide how to make a project work and not a process to decide whether or not a project will move forward.

Commissioner Atkins stated that a charrette is not a process for groups of people to meet to convince other people to support what the group believes is the appropriate design.

In response to a question by Commissioner Kirschner asking if other cities to mandate a charrette in their city policies, Dr. Brain stated that the evidence does not yet exist; however, cities have identified what constitutes a charrette.

Commissioner Clapp stated that developers must have a level of confidence holding a charrette will be beneficial to the project.

In response to a question by Commissioner Clapp asking the probability a charrette will have a positive outcome, Dr. Brain stated that most developers of projects who conduct charrettes do not realize a positive outcome; that developers and citizens must see some benefit in conducting a charrette.

Mayor Palmer stated that she placed the item on the Agenda as charrettes can be a good tool to obtain community support for a project but may not be appropriate for all projects.

Mr. Chapdelain stated that the City has developed Neighborhood Action Strategies which are similar to the public participation models used by the City of Fayetteville, Arkansas.

Vice Mayor Shelin stated that the City should consider charrettes on an ad-hoc basis to determine if developers should be required to hold charrettes for certain types of projects.

Dr. Brain stated that the challenge is the City's regulatory structure is not conducive to having a better public process; that consideration should be given to methods to improve the relationship between the planning and development review process and the public process; that the City should explore other options to incentivize developers to conduct a charrette.

Mr. Taylor stated that Staff had the same conversation; that the City must find an appropriate time to conduct a charrette while designing the project and not during the comprehensive plan, rezoning, or street vacation reviews; that the City should encourage developers to conduct charrettes earlier in the design process since the City now has a better understanding of what constitutes a charrette; that the City must have guidelines and standards to use as the basis for conversations during a charrette; that Staff researched the cost of the charrettes conducted for the School Avenue Project and a Housing Project by Habitat for Humanity Sarasota, Inc., called the Leonard Reid Project; that the charrette for the School Avenue Project cost approximately \$75,000 and the charrette for the Leonard Reid Project cost approximately \$50,000.

A motion was made by Commissioner Clapp, seconded by Commissioner Kirschner, and carried by a 5-0 vote to continue working on the charrette concept to determine a method to include a charrette requirement in the development review process and find an incentive to developers to conduct a charrette which may result in more community acceptance of a project earlier in the development review process.

3) **DISCUSSION RE: FOUR TEN-HOUR DAY WORK WEEK REPLACES THE TRADITIONAL 8 A.M. TO 5 P.M., MONDAY THROUGH FRIDAY WORK WEEK WITH EXPANDED HOURS OF 7 A.M. TO 6 P.M. RESULTING IN A 40-HOUR WORK WEEK (AGENDA ITEM XIII-3)**

Human Resources Director Kurt Hoverter and Operations and Maintenance Manager Glen Marzluf, Public Works Department, came before the Commission.

Mayor Palmer stated that the item was placed on the Agenda as she had seen communities throughout the country adopting four ten-hour work days, specifically, the City of Bradenton, Florida, and the City is reviewing the budget to determine how to reduce expenses; that the School Board of Sarasota County (School Board) indicated the School Board works four ten-hour work days only during the summer; that the following concerns were expressed regarding working four ten-hour days:

- Employee productivity may decrease,
- Citizens will not be able to pay bills on Friday when paychecks are received,
- Services to the public may be reduced, and
- Issues with child care could arise.

Mr. Hoverter stated that Commissioners may be only hearing one side of the argument; that a concern is Staff does not have sufficient data from City employees as Staff wanted to ensure the Commission would provide direction to move forward with the concept prior to taking a poll; that the City did not design a presentation from a customer's perspective regarding the City's working Monday through Thursday from 7:00 a.m. to 6:00 p.m. with the understanding a large portion of City Hall would not be available on Fridays.

In response to a question by Mayor Palmer asking if a survey of City employees, people who seek building permits regularly, and citizens who come to the City to pay utility bills could be conducted, Mr. Hoverter stated that the proposed schedule would affect approximately half of the City employees; that polling City employees will not be difficult; however, polling customers who come to the City to conduct business is more difficult; that the City of Bradenton, Florida, indicated a formal data collection process was not conducted.

Vice Mayor Shelin asked if the schedule could be changed to Tuesday through Friday rather than Monday through Thursday and if flex-time can be granted to employees if the four ten-hour day work schedule is implemented.

City Manager Bartolotta stated that the City is already allowed to grant flex-time if the office has coverage; that the City of Sarasota Charter (1996) (City Charter) would have to be amended to change the day Regular City Commission meetings are held if the Commission decides to move forward with a Tuesday through Friday work week; that the Administration had considered implementing the four ten-hour day schedule six months a year; however, a varying schedule may result in greater confusion to the public.

Commissioner Atkins stated that a majority of City employees and citizens to whom he spoke regarding working a four ten-hour day work week are willing to try the proposed schedule; that a survey should be conducted to determine the amount of support for working four ten-hour days.

In response to a question by Commissioner Kirschner asking if a report indicating the number of people who go to the Public Works Department to pay utility bills on Fridays could be provided, Mr. Marzluf stated that a report can be provided to the Commission.

In response to a question by Commissioner Kirschner concerning the savings in fuel cost as employees would still be working 40 hours a week, Mr. Marzluf stated that less fleet trips will result in savings on fuel cost; that a three to eight percent savings in fuel cost and a 7 to 14 percent savings in energy cost have been estimated.

Mayor Palmer asked if the Commission would like to move forward with pursuing a four ten-hour day work week.

Commissioner Clapp stated that he would like to obtain more data regarding a four ten-hour day work week.

Vice Mayor Shelin stated that he would like to obtain more financial data.

Commissioner Kirschner stated that he supports moving forward and requested information from other communities which have or have had four ten-hour day work weeks.

Commissioner Atkins stated that he would like to move forward with pursuing a four ten-hour day work week.

Mayor Palmer noted Commission consensus to direct the Administration to move forward with pursuing a four ten-hour day work week and return to the Commission more data for the Commission to make decision.

11. **REMARKS OF COMMISSIONERS, ANNOUNCEMENTS, AND ITEMS FOR NEXT AGENDA (AGENDA ITEM XV)**

COMMISSIONER ATKINS:

1. stated that he, the City Manager, and the Sarasota Police Chief drove around Newtown and noticed many areas have improved due to the increased presence of the Sarasota Police Officers.
2. stated that some areas in Newtown with speed bumps should be reevaluated to determine if the speed bumps can be removed.

Mayor Palmer noted Commission consensus to direct Staff to reevaluate the need for speed bumps in Newtown.

3. requested that a status report be provided concerning the installation of a traffic circle at the intersection of Dixie Avenue and 24th Street.

Mayor Palmer noted Commission consensus to direct Staff to provide a status report concerning the installation of a traffic circle at the intersection of Dixie Avenue and 24th Street.

4. wished his wife, Shelia Atkins, a happy birthday.

COMMISSIONER KIRSCHNER:

1. stated that the City's Manager comment concerning receiving bids for the first 35 mooring slips in the mooring field and moving forward with the mooring field project is confusing as he believed the direction provided by the Commission was for the Administration to wait for the action of the State Legislature prior to making a significant investment which may hurt the City in the future.

Mr. Bartolotta stated that the Administration has been monitoring the State legislation; that Senator Michael Bennett, District 21, the Florida Senate, is introducing the pilot program legislation which the City has reviewed; that City Staff had a discussion with Jack Graham, Inc., using the worst case scenario; that Jack Graham, Inc. advised 16 to 18 people are ready to sign up for a mooring slip without the passage of any legislation; that the 35 mooring slips can likely be filled without the passing of any legislation; therefore, the pro forma has been updated to ensure the financial viability by Jack Graham, Inc.

Commissioner Kirschner stated that the availability of accessibility to the water is a significant concern; that Staff should not make decisions not included in the direction of the Commission.

Mayor Palmer stated that the City Manager was given the authority to move forward with receiving bids for the first 35 mooring slips by herself, Vice Mayor Shelin, and Commissioner Atkins.

Commissioner Kirschner stated that he would like to receive a copy of the verbatim transcript of the January 5, 2009, Regular Commission meeting, specifically, Agenda Item VI-3 concerning the Sarasota Mooring Field; that he believes the City Manager indicated he would not proceed until the State Legislature recessed.

City Auditor and Clerk Robinson stated that a copy of the minutes and the verbatim transcripts will be provided.

City Manager Bartolotta stated that an item will be scheduled on a future Agenda to further discuss the mooring field if the minutes reflect that the Administration would not take any action until the State Legislature recesses.

2. stated that the City should consider selling derelict vessels to generate additional revenue as did the City of Fort Myers, Florida.
3. stated that the Commission should send a letter to Irene Silver, Member, Parks, Recreation, and Environmental Protection Advisory Board, due to the recent passing of her husband.

COMMISSIONER CLAPP:

1. stated that he and other members of the ManaSota League of Cities made a trip to visit State Legislators in Tallahassee, Florida, on February 9, 2009; that the visit was productive and concentrated on the tax proposed for performing arts hall such as the Van Wezel Performing Arts Hall and the Anti-Strategic Lawsuit Against Public Participation legislation.
2. stated that Representative Ron Reagan, District 67 of the Florida House of Representatives, is sponsoring the Red Light Running Bill; that the Commission should send a letter of support to Representative Reagan.

City Auditor and Clerk Robinson stated that the Red Light Running Bill is supported on the City's legislative program.

3. stated that government channels may not be available on television in the near future as SNN 6 is no longer on air and the contract regarding government channels between the City and Comcast Cablevision of West Florida, Inc. (Comcast) will be expiring in the near future.

City Manager Bartolotta stated that the City received notice of the end of the cable television franchise which the City does not have the ability to renew; that he and the City Auditor and Clerk spoke to the County and many questions have been raised concerning the ability to retain AccessSarasota 19.

VICE MAYOR SHELIN:

1. stated that a reliable source advised SNN 6 is close to obtaining the necessary funding to remain operational.

MAYOR PALMER:

1. requested authorization to send a letter to Congressman Vern Buchanan, District 13, U.S. House of Representatives, requesting grant funds be appropriated to the META Center, Inc., Small Business Incubator.

Mayor Palmer noted Commission agreement to direct the City Auditor and Clerk to review the request and authorize sending a letter if appropriate.

2. thanked the Staff of the City Auditor and Clerk's Office for working on the Black History Month display at the request of Commissioner Kirschner.
3. stated that the wires behind the new statue which was recently unveiled at Five Points Park should be removed.

12. **OTHER MATTERS/ADMINISTRATIVE OFFICERS (AGENDA ITEM XVI)**

CITY ATTORNEY FOURNIER:

1. stated that an item will be placed on a future Agenda to propose amendments to the impoundment ordinance based on recent case law; that the owner of a vehicle which has been

impounded must have an opportunity to schedule a hearing and the impoundment ordinance must include an owner innocence clause.

CITY MANAGER BARTOLOTTA:

1. stated that the City received a letter regarding beach renourishment from the U.S. Corps of Engineers; that renourishment of Lido Beach should begin in one week; that he will be attending a beach renourishment meeting the morning of February 18, 2009.
2. stated that a meet-and-greet event for the candidates who will be interviewed for the position of Newtown Redevelopment General Manager has been scheduled for 6:00 p.m., February 24, 2009, at the Robert L. Taylor Center.

13. **ADJOURN (AGENDA ITEM XVII)**

Mayor Palmer adjourned the meeting at 9:47 p.m.

LOU ANN R. PALMER, MAYOR

ATTEST:

BILLY E. ROBINSON, CITY AUDITOR AND CLERK