

Attachment

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**CITY OF NORTH PORT
COMMISSION AGENDA ITEM**

Item No. 5B
(City Clerk's Use Only)

MEETING TYPE:		Meeting Date	June 25, 2012
Regular	<input checked="" type="checkbox"/>	Department:	Finance
Fire Rescue District	<input type="checkbox"/>	Prepared by:	Pete Lear, Finance Director
Road & Drainage District	<input type="checkbox"/>	Date Prepared:	June 13, 2012
Solid Waste District	<input type="checkbox"/>	Department Directors Initials:	<i>PL</i> Date <i>6/14/12</i>
Other:	<input type="checkbox"/>	City Manager's Initials:	<i>[Signature]</i> Date <i>6/14/12</i>

Exhibits: _____

SUBJECT: Butler Park Aquatic Facility Funding

RECOMMENDED ACTION: Delay issuing a Request for Bid (RFB) for construction of the Butler Park Aquatic Facility until a future budget year.

BACKGROUND INFORMATION:
On September 12, 2011, Commission approved the following motion, "put out a RFB for a 25 meter pool at Butler Park and include an increased size leisure pool and also to keep the splash pad and increased playground." At a Commission workshop held on May 29, 2012, the Commission was presented with the updated costs for construction of the Butler Park Aquatic Facility provided by Kimley-Horn & Associates, Inc. The cost for the base pool was \$360,684 more than the City budgeted for the Aquatic Facility. In addition, the alternatives that had been requested were an additional \$645,000. This resulted in the total project with alternatives coming in at an estimated cost of \$5,305,684 or \$1,005,684 more than the budgeted \$4,300,000.

FINANCIAL IMPACT: (if applicable)
N/A

PROCUREMENT: (if applicable)
 Amendment Assignments New Contract Renewal Contract Other

Vendor Information:

Contract Amount: \$ _____ Contingency: \$ _____ Total Contract Amount: \$ _____

**NORTH PORT CITY COMMISSION
MINUTES OF REGULAR MEETING
MONDAY, JUNE 25, 2012**

PRESENT: Commissioner Jones, Chair; Commissioner Treubert, Vice Chair; Commissioners Blucher, Garofalo, and Yates; City Manager Lewis; City Attorney Robinson; City Clerk Raimbeau; Deputy City Clerk Adkins; Police Chief Vespia

The Commission Regular Meeting was called to order at 6:00 p.m. in the City Chambers by Chair Jones.

The Invocation was provided by Bishop Donald MacDonald of the Church of Jesus Christ of Latter-Day Saints.

The Pledge of Allegiance was led by the Commission.

APPROVAL OF AGENDA:

Commissioner Garofalo moved to approve the Agenda moving Item 5. B. to follow public comment; seconded by Commissioner Treubert. Motion carried on a (4 - 1) vote. Commissioner Yates dissented, stating that she would like to leave 5.B. as the last item on the Agenda to allow those that may be coming from work to hear the discussion on the item.

1. **PROCLAMATIONS AND RECOGNITIONS:**

- A. **Proclamation "Honoring the 40th Anniversary of the Kiwanis Club of North Port" May 1972 through May 2012. (Commissioner Jones, Presenter)**

Commissioner Blucher read the proclamation into the record and presented it to president Marty Murphy and Members of the Kiwanis Club of North Port.

- B. **Recognition of the City's Playful City USA Designation for 2012 and Proclamation for "Play Day in North Port, Florida", September 15, 2012. (Commissioner Jones, Presenter)**

Commissioner Jones read the proclamation into the record and presented it to General Services Director Sherry Borgsdorf, Park and Recreation Manager Pat Calhoun and Members of the Parks and Recreation Advisory Board. It was announced that North Port "Play Day" will be September 15, 2012 and this is the 3rd year that the City of North Port has been designated as a "Playful City USA".

- C. **Recognition of the Florida Building Officials Association selecting Bryan Holland as Building Inspector of the Year. (S. Williams)**

Neighborhood Services Director Scott Williams and the Commission recognized Bryan Holland for being selected as Building Inspector of the Year by the Florida Building Officials Association and commended him for receiving this prestigious award.

2. **PRESENTATIONS:**

- A. **Presentation of the Parks and Recreation Advisory Board Annual Report. (Chair Gail Kitson, Presenter)**

Gail Kitson, Chair presented the Parks and Recreation Advisory Board Annual Report.

- B. **Presentation and overview of the current and anticipated fire and drought conditions within the City of North Port. (Chief Taaffe, Presenter)**

Fire Chief Taaffe provided a PowerPoint Presentation and overview of the current and anticipated North Port Drought and Wildfire Conditions.

- C. **Presentation on Fire Station Location and ISO Rating and Homeowners Insurance. (Chief Taaffe, Presenter)**

Chief Taaffe provided a PowerPoint Presentation regarding the Impact of Fire Station Location and Staffing on ISO Rating and Insurance Premiums.

3. **PUBLIC COMMENT: 6:52 p.m. – 5:59 p.m.**

5. **GENERAL BUSINESS:**

- B. **Discussion, and possible action, regarding delaying the issuance of a Request for Bid (RFB) for construction of the Butler Park Aquatic Facility until a future budget year. (J.lewis)**

City Manager Lewis provided an overview of the request for delaying the issuance of a Request for Bid (RFB) for construction of the Butler Park Aquatic Facility until a future budget year. Discussion ensued: (1) it was noted that the current pool is failing; (2) subsequent to a question regarding the financial impact of delaying the RFB on the contract with the consultant, it was clarified that the contract with the consultants was for the design of a pool only; (3) Commissioners Yates and Jones stated that they would not increase the millage rate to build and operate a pool; (4) Commissioners Yates, Jones and Blucher stated that they were in favor of a pool, but revenue sources need to be found to fund the operation cost of running the pool and the extra funds needed to build the pool; (5) it was suggested that the Citizens could begin fund raising efforts, events, pledges, etc to pay for operational cost; (6) it was suggested that the City have conversations with the County regarding funds being provided for operational cost of the new pool; (7) it was noted that a large portion of the site work for the pool was done during the site work phase when the Morgan Family Community Center was constructed.; (8) following a question, it was explained by City Manager Lewis that he has been contacted by some third parties who may be interested in operating and managing the pool; (9) it was noted that some personnel could be contracted to cut down on operational expenses; (10) it was suggested that some of the escheated lot funds allocated for Economic Development could be used for operational cost; (11) it was noted that financial priorities of the City are roads and jobs; (12) the strategic spend down of reserves was discussed and it was noted that the reserves will be depleted in 3 years and that the City is in the second year of doing that; (13) City Manager Lewis stated that he would not recommend spending the 15% of reserves; (14) it was noted that in the construction of the Morgan Family Community Center the cost came in 10% under the budgeted amount; (15) Commissioner Garofalo stated that he is not in favor of delaying the RFB for the pool, and that the City would probably bring in more revenue from the pool than what is being projected; (16) it

was noted that this meeting is taking place during a time when school is out and people who would be interested in attending are on vacation. Thereafter, public comment was held.

Commissioner Yates moved to delay the issuance of a Request for Bid (RFB) for construction of the Butler Park Aquatic Facility until after October 1, 2012 until a time to be determined by the Commission at a future date; seconded by Commissioner Blucher.

Commissioner Treubert moved to amend the motion to change future date to make a decision no later than March 1, 2013; seconded by Commissioner Garofalo. Motion carried on a four to one (4-1) vote. Commissioner Blucher dissented, stating that he would rather not have a time certain for a Commission decision.

A vote was taken on the main motion as amended to read "moved to delay the issuance of a Request for Bid (RFB) for construction of the Butler Park Aquatic Facility until after October 1, 2012, and to make a decision no later than March 1, 2013. Motion carried on a (3-2) vote. Commissioners Garofalo and Jones dissented for reasons stated above.

4. **CONSENT AGENDA:**

Commissioner Garofalo moved to approve Consent Agenda Items 4.A., 4.B., 4.C., 4.D., 4.E., 4.F., 4.G., 4.I., 4.J., and 4.K., pulling Items 4.H., 4.L., 4.M., and 4.N. for discussion; seconded by Commissioner Treubert. Motion carried unanimously.

- A. **Approval of Minutes for the May 29, 2012 Commission Workshop; June 4, 2012 Commission Workshop; June 4, 2012 Commission Joint Meeting with Charter Review Advisory Board; and June 11, 2012 Commission Regular Meeting. (H. Raimbeau)**
- B. **Approval for appointment of Veronica Hernandez as a Student Member to the North Port Art Advisory Board. (H. Raimbeau)**
- C. **Approval for appointment of Maria Grubbs as an Alternate I Member to the Charter Review Advisory Board. (H. Raimbeau)**
- D. **Approval to authorize the Commission Chair to execute the Municipal Election Agreement between the Sarasota County Supervisor of Elections and the City of North Port to conduct the City's Primary and/or General Election on August 14, 2012 and November 6, 2012, respectively. (H. Raimbeau)**
- E. **Approval of May 2012 Cash Receipts Summary Report. (P. Lear)**
- F. **Approval for utilization of Florida Sheriff's Association Contract pricing matched by Bartow Ford for purchase of three (3) marked vehicles and one (1) unmarked vehicle in the amount of \$164,367. (K. Vespia)**
- G. **Approval to authorize the Commission Chair to sign the Interagency Agreement establishing community partnership between the Florida Department of Corrections and the City of North Port Police Department. (K. Vespia)**

- H. **Approval of the renewal and authorize the City Manager to execute the ACCESS Florida Community Network Monetary Agreement between the City of North Port and Department of Children and Families. (S. Borgsdorf)**

City Manager Lewis provided an overview of the renewal for the ACCESS Florida Community Network Monetary Agreement between the City of North Port and Department of Children and Families. Discussion ensued: (1) subsequent to a question, it was clarified that total personnel expenditure is \$22,883.50 and the City receives \$14,400 annually to offset that cost. There was no public comment.

Commissioner Yates moved to approve the renewal and authorize the City Manager to execute the ACCESS Florida Community Network Monetary Agreement between the City of North Port and Department of Children and Families; seconded by Commissioner Blucher. Motion carried unanimously.

- I. **Approval to accept the Season of Sharing funds in the amount of \$40,000 and authorize the City Manager to execute the grant contract from the Community Foundation of Sarasota County. (S. Borgsdorf)**
- J. **Approval to authorize the City Manager to execute the Interagency Agreement between the City of North Port and Sarasota County Health Department for administrative support in the Social Services Division. (S. Borgsdorf)**
- K. **Approval of renewal and to authorize the City Manager to execute the Tenant Lease Agreement for a term of 15 months between Sarasota County Health Department and the City of North Port. (S. Borgsdorf)**
- L. **Approval to accept the Dr. Pepper Snapple Group-KaBoom! Let's Play Construction Grant in the amount of \$20,000 and authorize the City Manager to execute the Grantee Letter of Agreement from Dr. Pepper Snapple Group-KaBoom! (S. Borgsdorf)**

City manager Lewis provided a brief overview of the request to accept the grant in the amount of \$20,000. Discussion ensued: (1) subsequent to a question regarding a requirement that the agreement be signed by June 18th, which has passed, it was clarified that it was understood that the time would be delayed due to requirement that it be approved by the Commission; (2) following a question, City manager Lewis verified that acceptance of the grant will not create a burden on the City of North Port; (3) it was noted that the City Attorney had not reviewed the agreement letter; (4) it was noted that the terms of the grant are not negotiable; (5) it was noted that citizen participation in construction will be limited due to liability issues; (5) Commissioner Yates stated that she is not in favor of accepting the grant due to the "strings attached", such as requiring the City to purchase from certain vendors; (6) the City will spend approximately \$80,000 on the playground. Thereafter, public comment was held.

Commissioner Garofalo moved to approve Item 4.L. to accept the Dr. Pepper Snapple Group-KaBoom! Let's Play Construction Grant in the amount of \$20,000 and authorize the City Manager to execute the Grantee Letter of Agreement from Dr. Pepper Snapple Group-KaBoom; seconded by Commissioner Blucher. Motion carried on a (4 - 1) vote. Commissioner Yates dissented for reason stated above.

- M. **Approval to authorize the City Manager to execute the Limited Engagement Letter with the law firm of Brown, Garganese, Weise & D'Agresta, P.A. of Orlando, Florida to provide legal advice and counsel regarding attorney services. (J. Lewis)**

City Manager Lewis provided an overview of the need for Outside Counsel to provide legal advice regarding the RFP Process for the RFP process for City Attorney Services. Discussion ensued: Commissioner Yates stated that she is not comfortable with the process that was used and would have preferred getting competitive quotes. It was also stated that she would have preferred someone closer to the City to lower the funds expended for travel. There was no public comment.

Commissioner Garofalo moved to approve Item 4.M. to authorize the City Manager to execute the Limited Engagement Letter with the law firm of Brown, Garganese, Weise & D'Agresta P.A., of Orlando, Florida to provide legal advice and counsel regarding attorney services; seconded by Commissioner Blucher. Motion carried on a four to one (4-1) vote. Commissioner Yates dissented for reason stated above.

- N. **Approval of a Collective Bargaining Agreement between the City of North Port and the Suncoast Firefighters and Paramedics, Local 2546, IAFF effective July 5, 2012 through September 30, 2013. (D. Schult)**

City Manager Lewis provided an overview of the Collective Bargaining Agreement between the City of North Port and the Suncoast Firefighters and paramedics, Local 2546. Discussion ensued: (1) it was stated that the negotiating teams worked very hard and that the agreement reflects the intent on both sides; (2) subsequent to a question, it was explained that the language was changed from "Fire District to "Fire Department" because the agreement affects employees that are not included in the District and that the Fire District is part of the Fire Department; (3) concerns were expressed regarding the removal of the automatic 5% increase in the Commission pay; (4) it was noted that if the 5% increase is removed it will not take effect until after the election; (5) City Attorney Robinson explained that he will be bringing forward an Ordinance for Commission approval which will remove the automatic 5% increase for Commission salaries; (6) concern was expressed that it may pose a problem with the contract that the Commission receive an automatic raise on October 1, 2012 and will trigger a wage opener; (7) it was noted and concerns were expressed that the Commission did not discuss having the City Attorney work on an Ordinance regarding Commission compensation prior to him being given this direction. There was no public comment.

Commissioner Treubert moved to approve Item 4.N. a Collective Bargaining Agreement between the City of North Port and the Suncoast Firefighters and Paramedics, Local 2546, IAFF effective July 5, 2012 through September 30, 2013; seconded by Commissioner Yates. Motion carried unanimously.

5. **GENERAL BUSINESS:**

- A. Discussion, and possible action, regarding the selection of a North Port representative to the Sarasota County Community Action Agency Board (CAAB). **(H. Raimbeau)**

City Manager Lewis provided an overview of the request for Commission to appoint a North Port representative to the Sarasota County community Action Agency Board (CAAB).

Commissioner Garofalo moved to approve Robert Taylor as the North Port representative to the Sarasota County Community Action Agency Board (CAAB); seconded by Commissioner Yates. Motion carried unanimously.

6. **PUBLIC COMMENT:** 9:56 p.m. – 9:59 p.m.

7. **SCHEDULING OF WORKSHOPS:**

Commissioner Yates: it was requested that discussion regarding the issue of chickens be added to a future workshop; and requested that issues regarding Civility, and bill of rights, etc also be added to a future Workshop Meeting Agenda

City Manager Lewis: (1) it was recommended that there will not be a monthly workshop scheduled for the month of July; (2) it was announced that the topics for the June Workshop were going to be the discussion regarding having a separate meeting for Proclamations and Recognitions and the Solid Waste Transfer Station Fees; and that the discussion regarding City Codes will be on the Workshop in September.

8. **COMMISSION COMMITTEE AND BOARD REPORTS:**

Commissioner Yates: (1) nothing to report on Committees; (2) subsequent to a request, there was a *consensus for the City Manager to have conversations with the County Staff regarding options for funding operation cost of a new pool*; (3) requested that the City Manager incorporate information for new residents in the North Port Currents; (4) objections were voiced that the Chair is making decision without discussing with the rest of the board and would like items to be discussed prior to decisions being made by the chair.

Commissioner Garofalo: nothing to report.

Commissioner Jones: nothing to report.

Commissioner Treubert: (1) reported on his attendance at the Economic Development Corporation (EDC) Board Retreat; (2) for the record, he stated that he did not approve for an Ordinance to be drafted regarding Commission compensation.

Commissioner Blucher: reported on his attendance at the Business Economic Development Advisory Board Meeting (BEDAB) Meeting.

9. **ADMINISTRATIVE AND LEGAL REPORTS:**

There were no administrative or legal reports.

10. **ADJOURNMENT:**

Chair Jones adjourned the Commission Regular Meeting at 10:32 p.m.

CITY OF NORTH PORT, FLORIDA

BY: _____
TOM JONES, COMMISSION CHAIR

ATTEST:

HELEN M. RAIMBEAU, MMC
CITY CLERK

Minutes approved at the Commission Regular Meeting
this _____ Day of _____ 2012.