



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Minutes City Council

Tuesday, November 17, 2020

9:00 AM

Council Chambers

Instructions on How to Watch and/or Participate in the Meeting

[20-4770](#)

Instructions on How to Watch and/or Participate in the Meeting

CALL TO ORDER

Mayor Feinsod called the meeting to order at 9:03 a.m.

ROLL CALL

Present: 7 - Mayor Ron Feinsod, Council Member Richard Cautero, Dr. Margaret Fiedler, Council Member Helen Moore, Council Member Nick Pachota, Dr. Joseph Neunder and Council Member Brian Kelly

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Administrative Coordinator Mercedes Barcia, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Senior Planner Amy Nelson, Planner Nicole Tremblay, Information Technology Director Christophe St. Luce, Utilities GIS Analyst Will Smith and Stormwater Engineer Steven Berens.

In person: Mr. Cautero, Dr. Fiedler, Dr. Neunder, Mr. Pachota and Mr. Kelly
Via video conference: Mayor Feinsod and Ms. Moore

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation and led the Pledge of Allegiance.

I. RECOGNITION

[20-4771](#)

Proclaim November 18, 2020 as Geographic Information Systems (GIS) Day and the Week of November 15-21, 2020 as Geography Awareness Week, Presented to City of Venice GIS Employees Donald Hubbard, Will Smith, Kelsey Mahoney, Steven Berens and Christina Rimes

Mayor Feinsod read the proclamation.

II. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

III. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Council Member Moore, to approve items in the Consent Agenda. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

A. MAYOR

[20-4772](#) Reappoint Deborah Kelly to the Citizen Tax Oversight Committee to Serve a Term from December 1, 2020 Until November 30, 2024

This Reappointment was approved on the Consent Agenda.

[20-4773](#) Reappoint Patrick Reilly to the Code Enforcement Board to Serve a Term from December 1, 2020 Until November 30, 2023

This Reappointment was approved on the Consent Agenda.

[20-4774](#) Appoint Tim Ziegler, Mark Lutsky and Ryan Dalton to the Construction Board of Adjustment and Appeals to Serve a Term from November 17, 2020 Until November 30, 2023

These Appointments were approved on the Consent Agenda.

[20-4775](#) Reappoint Nancy "Joy" Bush to the Environmental Advisory Board to Serve a Term from December 1, 2020 Until November 30, 2023

This Reappointment was approved on the Consent Agenda.

[20-4776](#) Reappoint Benjamin Abramson to the Historic Preservation Board to Serve a Term from December 1, 2020 Until November 30, 2023

This Reappointment was approved on the Consent Agenda.

[20-4777](#) Appoint Heather Munro to the Historic Preservation Board to Serve a Term from November 17, 2020 Until November 30, 2023

This Appointment was approved on the Consent Agenda.

[20-4778](#) Reappoint Jean Trammell to the Public Art Advisory Board to Serve a Term from November 1, 2020 Until November 30, 2023

This Reappointment was approved on the Consent Agenda.

[20-4779](#) Reappoint Kit McKeon to Planning Commission to Serve a Term from December 12, 2020 Until December 31, 2023

This Reappointment was approved on the Consent Agenda.

[20-4780](#) Reappoint Ernest Skinner to the Police Pension Board of Trustees to

Serve a Term from November 1, 2020 Until November 30, 2024

This Reappointment was approved on the Consent Agenda.

[20-4781](#)

Reappoint Housing Resident Lorna Hunter to Venice Housing Authority to
Serve a Term from November 1, 2020 Until November 30, 2024

This Reappointment was approved on the Consent Agenda.

[20-4782](#)

Reappointment of Aundria Castleberry to Venice Housing Authority to
Serve a Term from November 1, 2020 Until November 30, 2024

This Reappointment was approved on the Consent Agenda.

[20-4783](#)

Appoint John Holic to Venice Housing Authority to Complete the Unexpired
Term of Terri Britton from November 17, 2020 Until October 31, 2022

This Appointment was approved on the Consent Agenda.

[20-4797](#)

Mayor and Council Liaison Appointments

This Item was approved on the Consent Agenda.

B. CITY CLERK

[20-4784](#)

Minutes of the October 27, 2020 Regular Meeting

These Minutes were approved on the Consent Agenda.

C. CITY MANAGER

Human Resources

[20-4785](#)

Approve Workers' Compensation Claim Settlement between the City of
Venice and Former Employee Lance Bursler in the Amount of \$40,000

This Item was approved on the Consent Agenda.

[20-4786](#)

Approve Workers' Compensation Claim Settlement between the City of
Venice and Former Employee John Majka in the Amount of \$25,000

This Item was approved on the Consent Agenda.

Engineering

[20-4787](#)

Authorize the Mayor to Sign Acceptance by Grantee for Utility Easement
from Capri Isles Golf Course, Inc.

This Item was approved on the Consent Agenda.

[20-4788](#)

Authorize the Mayor to Sign Acceptance by Grantee for Utility Easement
from Heartis Venice, LLC

This Item was approved on the Consent Agenda.

[20-4789](#)

Authorize the Mayor to Sign Acceptance by Grantee for Utility Easement from Park Ave Development Company of Venice, LLC

This Item was approved on the Consent Agenda.

Police

[20-4790](#)

Authorize the Mayor to Execute the Florida Department of Transportation (FDOT) Grant Agreement 433144-1-8404 for High Visibility Enforcement Campaign for Bicycle Safety Awareness

This Agreement was approved on the Consent Agenda.

[20-4791](#)

Authorize the Mayor to Execute the Florida Department of Law Enforcement (FDLE) Coronavirus Emergency Supplemental Funding (CESF) Grant for \$107,847; 2020-CESF-SARA-1-C9-093 Grant Agreement

This Agreement was approved on the Consent Agenda.

Public Works

[20-4792](#)

Accept Donation of a Sea Turtle Sculpture from the Gulf Coast Community Foundation to be Placed at Venice Beach

This Item was approved on the Consent Agenda.

[20-4793](#)

Accept Donation of a Plaque to be Placed in Centennial Park to Recognize Bob Vedder

This Item was approved on the Consent Agenda.

[20-4794](#)

Approve Venice Area Beautification Inc.'s Proposal for a Mural at the Venice Post Office

This Item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

There were none.

V. PUBLIC HEARINGS

A. ORDINANCES - FIRST READING

[ORD. NO.](#)
[2020-37](#)

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Pursuant to Petition No. 19-08CP to Create the Transitional (MUT) Future Land Use Designation in Strategy LU 1.2.9.e, to Create Strategy LU-KT 1.1.7 - Mixed Use Transitional In The

Knights Trail Neighborhood, and to Change the Future Land Use Map Designation on a Portion of Real Property Located East of I-75 and South of Rustic Road (214± Acres) from Sarasota County Rural to City of Venice Mixed Use Transitional (MUT) Along with Revisions to Related Maps and Tables; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

No written communication was received.

Mr. Clark provided a brief history on the petition.

Mr. Shrum noted item should have been presented to council as two different applications, and spoke to applicant's proposed changes, planning commission's recommendation, change in land use designation, and Jeffery Boone's, Boone Law Firm, letter dated November 9, 2020.

Mayor Feinsod commented on planning commission reviewing proposed changes.

Mr. Shrum spoke on applicant's proposed changes, minimum residential percentage, Salt Creek buffer, protections for multi-family residential next to industrial uses, Comprehensive Plan Strategy 1.2.11, compatibility, implementing zoning districts, proposed Strategy LU 1.2.9.e Transitional Mixed Use Transitional (MUT), and responded to council questions regarding Salt Creek, staff's recommendation on residential percentage, implementing zoning districts, industrial percentage in the MUT area, multi-family protection areas, Compatibility Policy 8.2, and whether council is appealing planning commission's decision.

Ms. Fernandez explained there is nothing illegal about hearing both applications and making a decision today.

Mr. Shrum responded to council questions regarding John Nolen Gardens and impacts to the Knights Trail neighborhood.

Ms. Fernandez clarified process for comprehensive plan amendments.

Mr. Shrum noted property was annexed and is required to have a future land use and zoning designation, and responded to council questions on annexation date.

Mr. Kelly commented on the property's satellite image.

Mr. Boone spoke to planning commission's recommendation and decision not to hear the rezone petition, remanding petition to planning commission, property zoning designation requirement, comprehensive plan amendments, development plans not required in comprehensive plan amendments, compatibility, accepting policy language addressing industrial uses in mixed use areas, allowing industrial uses on the property, improving the Seaboard area, single-family residential in mixed use areas, John Nolen Plan, the property's uniqueness, no present development plans for the property, and MUT proposal.

Jim Collins, Boone Law Firm, spoke to revisions made on issues raised by the planning commission.

Mr. Boone noted applicant is willing to accept proposed industrial uses from the inapplicability of the compatibility policy, and commented on planning commission's concern with industrial uses next to single-family residential.

Discussion followed on the distance between Toscana Isles and Triple Diamond, proposed buffer zones, compatibility policy language for industrial uses, residences adjacent to industrial areas, considering a future land use for the mixed use corridor (MUC), noise concerns, Strategy LU KT (Knights Trail) 1.1.3 Industrial Lands-New, Seaboard area's water quality, subject area being more suitable for commercial and industrial, land development regulation (LDR) update, residential diversity, MUT designation, and original MUC proposal.

No one signed up to speak.

Ms. Fernandez provided revised language for LU 1.2.9.e stating "All non-residential uses are permitted. Industrial uses shall be limited to the area south of Salt Creek and its southern branch and, notwithstanding Strategy LU 1.2.11, compatibility of industrial uses with other uses within the MUT category shall be subject to the considerations of Strategy LU 1.2.8."

Mr. Boone stated no objection to revised language and requested clarification on application of the compatibility policy.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Dr. Neunder, to approve Ordinance No. 2020-37 on first reading with revisions provided by the applicant and city attorney and transmit to the Department of Economic Opportunity for review.

Discussion continued regarding improving water quality in the Seaboard

area, industrial uses next to residential properties, MUC land use designation, and noise concerns.

The motion carried by the following vote:

Yes: 4 - Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

No: 3 - Mayor Feinsod, Mr. Cautero and Mr. Kelly

Recess was taken at 11:07 a.m. until to 11:22 a.m.

[ORD. NO.](#)
[2020-38](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 19-07RZ, to Change the Zoning Designation for Property Generally Located East of I-75 and South of Rustic Road (214± Acres), from Sarasota County Open Use Estate (OUE) to City of Venice Commercial, General (CG) and Residential, Multi-Family 3 (RMF-3) Districts; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. There were none.

No written communication was received.

Mr. Clark, being duly sworn, provided a presentation on the zoning map amendment and spoke to property information, aerial photograph, surrounding property information, future land use map (FLUM), existing and proposed zoning maps, development standards for existing and proposed zoning, comprehensive plan and land development code (LDC) consistency, concurrency/transportation mobility, findings of fact to include planning commission determination, and responded to council questions regarding boundary lines, separation of zoning districts, and Salt Creek flooding.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke to proposed Residential Multi-Family 2 (RMF-2) zoning, and noted petition is consistent with the comprehensive plan, zoning code, pre-annexation agreement and all required city codes.

Discussion followed regarding maximum area density of nine units per acre, and the northern parcel being residential and southern parcel

Commercial, General (CG).

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Pachota, that based on the evidence in the record, Ordinance No. 2020-38 be approved on first reading and scheduled for final reading with stipulations that the residential density is limited to nine units per acre and zoning is changed from RMF-3 to RMF2. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

ORD. NO.
2020-39

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 20-18RZ, to Change the Zoning Designation for the Property Generally Located North of Laurel Road and West of Honore Avenue, Commonly Known as 2001 Laurel Road (60± Acres), from Sarasota County Open Use Estate (OUE) to City of Venice Commercial, General (CG); Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. There were none.

No written communication was received.

Ms. Nelson, being duly sworn, provided a presentation on the zoning map amendment petition and spoke to petition information, aerial photograph, surrounding properties, site photographs, comparison of existing and proposed zoning districts, existing and proposed zoning maps, comprehensive plan consistency, LDC compliance, concurrency/mobility, and findings of fact.

Mr. Clark, being duly sworn, responded to council questions on residential and non-residential ratio in the MUC.

Jackson Boone, Boone Law Firm, being duly sworn, noted residential is allowed in CG with a special exception.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, that based on the evidence in the record, Ordinance No. 2020-39 be approved on first reading and scheduled for final reading.

Discussion continued on the need for commercial services in the area.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

Recess was taken at 12:09 p.m. until 1:01 p.m.

[ORD. NO.](#)
[2020-40](#)

An Ordinance of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 19-41RZ, Amending the Existing Milano Planned Unit Development (PUD) Zoning Designation to Allow for Townhomes and, in Fiore, the Northwest Corner of the Milano PUD, to Allow an Additional Access Point and Signage on Laurel Road, an Amenity Area, and Supplemental Development Standards; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. There were none.

No written communication was received.

Council waived staff's presentation.

Jeffery Boone, Boone Law Firm, being duly sworn, noted petition is consistent with the comprehensive plan, planned unit development (PUD) regulations and city code.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Cautero, that based on the evidence in the record, Ordinance No. 2020-40 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

B. PRELIMINARY PLAT PETITIONS

[CC 20-04PP](#) Consider and Act Upon Preliminary Plat Petition No. 20-04PP for Fiore a/k/a Cielo Phase 2 for the Creation of a 126-Unit Townhouse Subdivision and Amenity Area for Property Located on Laurel Road and Owned by Border and Jacaranda Holdings, LLC (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure and opened the public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. There were none.

No written communication was received.

Council waived staff's presentation.

Jeffery Boone, Boone Law Firm, being duly sworn, noted adopting staff's presentation and report, and application is consistent with the comprehensive plan, PUD zoning and city code.

Discussion followed on location of access points and distance to Willow Chase and the Venetian Golf and River Club.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, to approve Development Order No. 20-04PP for Fiore a/k/a Cielo Phase 2. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

[CC 20-20PP](#) Consider and Act Upon Preliminary Plat Petition No. 20-20PP for Vicenza Phase 2 a/k/a SJMR Planned Unit Development (PUD) for the Creation of 228 Residential Units, Comprised of Single-Family Detached Homes and Paired Villas for Property Located Between Border Road and Laurel Road and Owned by Pamlico Point Management, LLC (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure and opened the public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. There were none.

No written communication was received.

Council waived staff's presentation.

Jeffery Boone, Boone Law Firm, being duly sworn, noted adopting staff's presentation and report, and application is consistent with the comprehensive plan, PUD zoning and city code.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Council Member Cautero, to approve Development Order No. 20-20PP for Vicenza Phase 2 a/k/a SJMR planned unit development. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

C. ORDINANCES – FINAL READING

[ORD. NO.
2020-27](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 2, Administration, Article II, Mayor and Council, Division 2, Meetings, Subdivision I, In General and Subdivision II, Rules of Procedure, to Update Procedures for Meetings and Rules; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Dr. Neunder, seconded by Council Member Cautero, that Ordinance No. 2020-27 be approved and adopted.

In response to council, Ms. Fernandez advised ordinance does not affect the city charter.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

[ORD. NO.
2020-35](#)

An Ordinance of the City of Venice, Florida, Providing for the Designation of the Structure Located at 613 W. Venice Avenue, as a Structure of Historical Significance Pursuant to Chapter 86, Land Development Code, Article II, Administration and Review Authorities, Section 86-28, Historic Preservation, of the City of Venice Code of Ordinances; Providing for Severability and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, that Ordinance No. 2020-35 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

[ORD. NO.
2020-36](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 90, Buildings and Building Regulations; Article I, In General; by Adding Section 90-8, Temporary Coverings of Non-Residential Windows; Providing for a Severability Clause; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Dr. Fiedler, seconded by Council Member Cautero, that Ordinance No. 2020-36 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

VI. NEW BUSINESS

A. ORDINANCES

[ORD. NO.
2020-41](#)

An Ordinance Amending City of Venice Ordinance No. 2020-21 which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2020 and Ending September 30, 2021; by Increasing the Total Revenue by \$299,960 and Total Expenditures by \$299,960; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mr. Lavalley clarified the solid waste unit is covered by the fleet fund, and confirmed unit cost.

No one signed up to speak.

A motion was made by Council Member Moore, seconded by Dr. Fiedler, that Ordinance No. 2020-41 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

B. RESOLUTIONS

RES. NO.
2020-44

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Approving Amendment No. 5 to the Amended and Restated Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) Between the City of Venice and Sarasota County dated October 26, 2010, Relating to JPA Area 5 - Laurel Road Mixed Use Neighborhood; Providing for Execution of the Amendment by the Mayor; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

Jeffery Boone spoke on JPA amendment, noted there are requirements that are inconsistent with the approved zoning for Cassata Lakes and with the preliminary plat on file, and advised Mr. Shrum informed Sarasota County the Cassata Lakes development proposal, if approved, would not be subject to amended JPA requirements.

Ms. Fernandez advised the county already approved the JPA amendment, changes to the language will have to go back to the county for review, and the county acknowledged applications were filed prior to the adoption date.

Mr. Boone requested documentation of the county's acknowledgement in writing and as part of the record.

Mr. Shrum commented on his email to the county and noted he will include email as part of the record.

Ms. Fernandez presented the county's response email.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, that Resolution No. 2020-44 be approved and adopted and to include Sarasota County's email dated October 26, 2020 in the record.

Dr. Fiedler commented on the letter received from Charles Hines, Chair, Sarasota County Board of County Commissioners.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

RES. NO.
2020-49

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Heartis Venice, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Moore, seconded by Council Member Cautero, that Resolution No. 2020-49 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

RES. NO.
2020-48

A Resolution of the City of Venice, Florida Supplementing Resolution No. 2012-05, as Previously Amended and Supplemented, Which, Among Other Things, Authorizes the Issuance of Utility System Revenue Bonds from Time to Time; Authorizing the Issuance of Not Exceeding \$19,000,000 Aggregate Principal Amount of City of Venice, Florida Taxable Utility System Refunding Revenue Bonds, Series 2020 in Order to Refund All of the City's Outstanding Utility System Revenue Bonds, Series 2012; Making Certain Covenants and Agreements in Connection with the Issuance of Such Series 2020 Bonds; Authorizing a Negotiated Sale of Said Series 2020 Bonds; Delegating Certain Authority to the Mayor for the Authorization, Execution and Delivery of a Bond Purchase Agreement with Respect Thereto, and the Approval of the Terms and Details of Said Series 2020 Bonds; Appointing the Paying Agent and Registrar for Said Series 2020 Bonds and Authorizing the Execution and Delivery of a Paying Agent and Registrar Agreement; Authorizing the Distribution of a Preliminary Official Statement and the Execution and Delivery of an Official Statement with Respect Thereto; Authorizing the Execution and Delivery of an Escrow Deposit Agreement and the Appointment of an Escrow Agent Thereto; Authorizing the Execution and Delivery of a Continuing Disclosure Certificate and the Appointment of the Dissemination Agent With Respect Thereto; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Cautero, seconded by Dr. Fiedler, that Resolution No. 2020-48 be approved and adopted.

Discussion followed regarding satisfying existing bonds with taxable bonds.

Jeff Larson, Larson Consulting Services, advised there is no prohibition to issue taxable bonds, taxable rates are low and benefits the city, and responded to council questions regarding impacting the market review of bonds.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

C. COUNCIL ACTION/DISCUSSION

20-4795

Determine A Board Appointment to the Citizen Tax Oversight Committee to Serve a Term from November 17, 2020 Until November 30, 2024

A motion was made by Dr. Fiedler, seconded by Council Member Moore, to

appoint Stephen Hefler to the Citizen Tax Oversight Committee to serve a term from November 17, 2020 until November 30, 2024.

Discussion took place regarding candidates to include application to multiple boards and qualifications, and encouraging non-selected applicants to continue applying for other board openings.

Dr. Fiedler withdrew her motion and Ms. Moore withdrew her second to the motion.

A motion was made by Council Member Cautero, seconded by Council Member Pachota, to appoint Richard Clapp to the Citizen Tax Oversight Committee to serve a term from November 17, 2020 until November 30, 2024. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

[20-4796](#)

Election of Vice Mayor

Mayor Feinsod asked if there are any council members who do not wish to serve as vice mayor.

Mr. Kelly and Dr. Neunder advised they did not want to serve as vice mayor.

Mayor Feinsod opened the floor for nominations.

Mayor Feinsod nominated Mr. Cautero for vice mayor.

There were no other nominations.

Mayor Feinsod closed the floor for nominations.

A motion was made by Mayor Feinsod, seconded by Dr. Neunder, to nominate Mr. Cautero for Vice Mayor. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

[20-4798](#)

Consider Recommendation from the Environmental Advisory Board (EAB) to Consider a Resolution Opposing the Environmental Protection Agency's (EPA)'s Preliminary Approval of Waste Discharge for a Finfish Marine Aquaculture in the Gulf

Ron Courtney, Environmental Advisory Board (EAB) Member, spoke to EAB's recommendation and opposition for a finfish marine aquaculture in the gulf.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, to recommend a resolution opposing the Environmental Protection Agency's (EPA)'s preliminary approval of waste discharge for a finfish marine aquaculture in the gulf.

Discussion followed on obtaining Capital Consulting's perspective, supporting water quality issues, and concern with unintended consequences with the Army Corps of Engineers.

Dr. Fiedler called for a point of order and noted she is the motion maker.

Discussion ensued regarding fish farming, supporting EAB's recommendation, concern with project location, red tide, consulting with lobbyist, moving forward with a draft resolution, stating Venice instead of Sarasota in the resolution, and the Environmental Protection Agency (EPA)'s proposal.

Mr. Courtney spoke on Holmes Beach's resolution, timeline for public comment, and joining other organizations in opposing EPA's proposal.

Discussion continued on obtaining advice from lobbyist, concern with jeopardizing the city's beach funding, Florida League of Cities, protecting water quality and the environment, and having a two prong approach to include drafting a resolution and obtaining advice from Capital Consulting.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota, Dr. Neunder and Mr. Kelly

VII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez provided an update on the Murphy Oaks project.

City Clerk

Ms. Stelzer reported on the sunshine law and public records training.

City Manager

Mr. Lavallee spoke regarding Neal Communities' proposal and contract for the preliminary engineer design for Laurel Road, and improvements to the Miami Avenue alleyway.

Discussion followed regarding Laurel Road conceptual plan Option C, a combination of Option A widening of Laurel Road from two to four lanes between Knights Trail Road and Jacaranda Boulevard and Option B four lane divided road for entire length, beautification items not included in costs, placing contract on the December council meeting agenda, Peace River water supply lines, project timeline, Neal Communities' response timeframe, and design scope of work.

Mr. Cautero called for a point of order, noted topic is not an agenda item, suggested to place item on the next agenda and have staff provide a status report and timeline, and requested to cease and desist discussion.

VIII. COUNCIL REPORTS

Council Member Cautero

Mr. Cautero reported on the Historic Preservation Board meeting.

Council Member Moore

Ms. Moore reported on the Architectural Review Board meetings and commented on the recognition plaque for Bob Vedder.

Council Member Fiedler

Dr. Fiedler had no report.

Council Member Pachota

Mr. Pachota had no report.

Council Member Neunder

Dr. Neunder had no report.

Council Member Kelly

Mr. Kelly had no report.

Mayor Feinsod

Mayor Feinsod congratulated everyone on their successful elections to include the president and vice president-elect.

IX. AUDIENCE PARTICIPATION

There was none.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 3:12 p.m.

ATTEST:

Mayor - City of Venice

City Clerk