

CITY OF WESTLAKE



MINUTES - DRAFT

City of Westlake and Seminole Improvement District Joint Meeting Wednesday, October 07, 2020 at 6:30 PM

This meeting took place at the **Westlake Community Center/City Council Chambers** located at **4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470** and publicly viewed **Via Communications Media Technology**. Members of the public participated in the meeting through electronic means with access as follows:

1. Webex meeting from computer, tablet or smartphone at the following link:
<https://cityofwestlake.my.webex.com/>

Meeting ID: 132 518 9597

Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388

Meeting ID: 132 518 9597

CITY COUNCIL:

Roger Manning, Mayor
Katrina Long Robinson, Vice Mayor
Patric Paul, Council Member – Seat 1
Kara Crump, Council Member – Seat 2
JohnPaul O'Connor, Council Member – Seat 3

CITY STAFF:

Ken Cassel, City Manager
Pam E. Booker, City Attorney
Zoie P. Burgess, City Clerk

A JOINT meeting of the City Council of the City of Westlake and the Seminole Improvement District (SID or DISTRICT) was held on Wednesday, October 7, 2020 at 6:30 PM., at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida 33470.

As a preliminary matter, Ms. Burgess noted that Mayor Manning, Vice Mayor Long-Robinson, Councilman Paul, and Councilman O'Connor are present physically; Councilwoman Crump was in attendance via communications media technology.

Ms. Burgess noted that Board Members of Seminole Improvement District, President Scott Massey, Supervisor Dennis Church, and Supervisor Michael Shuping were physically present.

Ms. Burgess noted that City Manager Kenneth Cassel, City Attorney Pam Booker, City Engineer Suzanne Dombrowski, District Attorney Robert Diffenderfer, District Engineer Ryan Wheeler were present physically and City Clerk Zoie Burgess and Planning & Zoning Director Nilsa Zacarias were attending via communications media technology.

Ms. Burgess provided further instruction regarding public comments, noting that comments will be acknowledged by the Mayor and accepted at the appropriate times as indicated in the Agenda and those who wish to speak may use the "virtual" hand raise feature. Ms. Burgess provided the disclaimer that the meeting is being recorded by both voice and video, reminding the audience that microphones are live. Ms. Burgess further explained that microphones will be muted; audience members have the ability to unmute themselves and anyone that has called in should mute their device. Ms. Burgess noted that anyone causing a disruption or being inappropriate will be removed from the meeting. Ms. Burgess reminded Members physically present to utilize microphones.

CALL TO ORDER

Mayor Manning called the City of Westlake and Seminole Improvement District Joint Meeting of October 07, 2020 to order at 6:33 PM.

ROLL CALL - CITY OF WESTLAKE

Present and constituting a quorum - CITY:

Mayor Roger Manning
Vice Mayor Katrina Long- Robinson
Councilman JohnPaul O'Connor
Councilwoman Kara Crump
Councilman Patric Paul

Also, present:

Kenneth Cassel, City Manager
Pam E. Booker, Esq. City Attorney
Suzanne Dombrowski, City Engineer
Zoie P. Burgess, CMC, City Clerk - Present via communications media technology
Nilsa Zacarias, Planning & Zoning Director - Present via communications media technology

ROLL CALL - SEMINOLE IMPROVEMENT DISTRICT

Present and constituting a quorum - SEMINOLE IMPROVEMENT DISTRICT:

President Scott Massey
Supervisor Dennis Church
Supervisor Mike Shuping

Also, present:

Ryan Wheeler, District Engineer
Robert Diffenderfer, District Attorney

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance.

JOINT MEETING AGENDA

President Massey introduced staff present and their roles within Seminole Improvement District.

A. Joint Stormwater Presentation from City and SID engineering

Submitted By: Administration

City Engineer, Suzanne Dombrowski and District Engineer, Ryan Wheeler presented Joint PowerPoint Presentation regarding Stormwater reviews and Stormwater land development highlighting:

- Purpose of Meeting
- Purpose of Stormwater Management
- Agencies involved and their responsibilities
- Role of engineer of record
- Interim ULDC Requirements
- Examples of Stormwater Reviews for Land Development Permits
- Review Clarifications and the plan going forward for Agency Coordination

Council discussion and comments regarding the roles and qualifications of engineers.

Further Council and District discussion on the purpose of the meeting and comments noting that it should be an obligation to perform review tasks properly and should be an effort to work together.

Ms. Dombrowski and Mr. Wheeler further explained the role of South Florida Water Management District's oversight as the primary drainage system for the area.

There being no further questions or discussion the next item followed.

B. City/SID Intergovernmental Relationships and Areas of Responsibility and Authority - City

Submitted By: Kenneth Cassel, City Manager

Mayor Manning introduced item. Mr. Cassel noted that the City has no additional presentation outside of what was presented at the September 14, 2020 Council Meeting.

Mr. Cassel noted that Seminole Improvement District Legal Counsel has a presentation.

There being no presentation or discussion, the next item followed.

C. City/SID Intergovernmental Relationships and Areas of Responsibility and Authority - SID

Submitted By: Kenneth Cassel, City Manager

Mr. Diffenderfer, District Counsel with Lewis Longman and Walker presented a PowerPoint Presentation and distributed a hard copy to Council and for the record.

Mr. Diffenderfer explained his presentation is to provide context regarding the Water Control Plan, as it is the facilities plan, the District's Capital Improvement Plan, the City's Capital Improvement Plan, and it is the single plan governing the infrastructure.

Mr. Diffenderfer's presentation highlighted:

- What a special district is
- How special districts were established and governed
- Types of Special Districts: Independent vs. Dependent
- The Functions of Special Districts
- History of Seminole Improvement District and Westlake
- City Charter provisions as they relate to Seminole Improvement District
- Seminole Improvement District's Enabling Act (Chapter 2000-431 Laws of Florida)
- What a Water Control Plan is and how it follows land use and provisional statute
- Water Control Plan elements as it relates to proposed infrastructure Roadways
- Estimated Costs for Capital Improvements and the operation and maintenance of such improvements and the Capital Improvements Financing Plan
- City's Comprehensive plan relies on the Water Control Plan
- District Assessments and Taxes

Council discussion and comments. Vice Mayor Long Robinson commented, noting that the ongoing disagreement, is or may have an impact of future development.

Councilman O'Connor inquired of Ms. Booker, that in some aspects the City has oversight when it applies to stormwater and drainage. Ms. Booker confirmed that is correct.

Councilman O'Connor inquired if the City must duplicate its review. Ms. Booker explained briefly that it is not a duplication of services and at length provided further detailed explanation.

Councilman O'Connor expressed, that while the City has the ability to conduct oversight and to fulfill certain services there is a need for trust in the District. If either party is in need of something it should be provided.

Further Council and District Board discussion and comments.

Ms. Dombrowski clarified that there are not major technical aspects that are required, rather what information is required.

Mr. Tad Rowe explained that there are differences in the way the City and the District review submittals, noting having both entities reviewing is unnecessarily redundant.

Ms. Tara Duhy wanted to provide an explanation as to where the impasse was at the previous joint meeting. and what information should be provided in efforts to have an efficient review..

Further Council Discussion on the review process.

Ms. Dombrowski noted that the City engineer is not looking for any different set of standards, only the documentation behind it.

Inaudible discussion of Council, District and audience participants.

Ms. Booker addressed the many comments to further explain how it has come to this point. Ms. Booker referenced previous meeting held May 20, 2020 with a presentation by outside Counsel Rick Jarolem, Esq.

Further Council Discussion.

Staff acknowledged that a meeting amongst staff to come to a final agreement on what is required is scheduled for October 19, 2020.

Ms. Booker added that there are no accusations on the City's part that the District is doing anything wrong, improper or trying to hide anything.

Mayor Manning inquired who Seminole Improvement District is, stating that it is the landowner that makes and passes the votes.

Mr. Diffenderfer explained the makeup of the district, being a 298 district, which it has always been, as recognized by the State of Florida. For the record, Mr. Diffenderfer provided copies of the statues and ethics opinions.

Inaudible discussion of Council and District.

Councilman Paul inquired if the City Engineer would have all information that she ahs requested. Ms. Dombrowski noted that she does not have any outstanding permits at this time and can confirm nothing is being help up currently.

CITY COUNCIL COMMENTS

No additional comments, the next item followed.

DISTRICT BOARD COMMENTS

No additional comments, the next item followed.

CITY ATTORNEY COMMENTS

No additional comments, the next item followed.

DISTRICT ATTORNEY COMMENTS

Mr. Diffenderfer reiterated the importance of the Charter and the Interlocal Agreement.

Vice Mayor Long Robinson emphasized the need for a resolution and the Council needs to direct staff on how to move forward.

Mayor Manning added that the engineer and attorney meeting scheduled for October 19th, should result in an update to be presented at the November Meeting.

CITY MANAGER COMMENTS

Mr. Cassel, for clarification inquired of the City Engineer that if the District's Engineer checked all that is required it could be accepted, but as of now it is coming down to a policy/legal request, but should come down to a policy from Council directing you. Ms. Dombrowski confirmed.

Mayor Manning confirmed that it will be a result of what transpires at the October staff meeting.

PUBLIC COMMENTS

This section of the agenda allows for comments from the public to speak on items only presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please state your name and address for the record.

Tara Duhy, Esq.- Lewis Longman & Walker on behalf of Minto - Stated their goal is to have quality, roads, development, and drainage and it is preferred that one does the review. She noted that the way the Comp Plan is set up, identifies who does what and further explained in the adopted data and analysis.

Kathryn Rossmell, Esq. - Lewis Longman & Walker - Submitted a comment card but did not have any further comments.

Tad Rowe - Simmons & White - Submitted a comment card but did not have any additional comments.

Ms. Burgess gave an additional moment for the virtual participants to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

There being no further comments, the next item followed.

ADJOURNMENT

Mayor Manning adjourned the meeting at 9:15 PM

Zoie P. Burgess, City Clerk

Roger Manning, Mayor