

CITY OF LARGO CITY COMMISSION WORK SESSION

January 14, 2020
Minutes

COMMISSION PRESENT: Commissioners Smith, Fenger, Holmes, Robinson, Holck, Mayor Brown

COMMISSION ABSENT: Commissioner Carroll

PARTICIPATING STAFF PRESENT: City Mgr. Schubert, City Clerk Bruner, Economic Dev. Coord. Rojas-Norton, Comm. Dev. Dir. Stricklin, Asst. City Attorney Day, City Attorney Zimmet, Code Enforcement Mgr. Schofield, Fire Chief Pittman, Dept. Fire Chief Pennino, Asst. Fire Chief Johnson

The Work Session began at 4:00 pm.

BUSINESS SPOTLIGHT

Business Spotlight – Advanced Impact Technologies (AIT)

The Advanced Impact Technologies Group (AITG) is headquartered at 2310 Starkey Road, in Largo at the cross streets of Starkey and Ulmerton Roads. The company is under the leadership of CEO Jeff Besse, who has relocated to Pinellas County. Other leadership based in Massachusetts consists of Chris Kapiloff, and Peter Kapiloff. The company is a leading technology manufacturing and service organization that provides laminated glass and polymer products to various industries including airline, architectural, automotive, entertainment, industrial, marine, and security. The AIT Group serves as the heartbeat for brands such as Smart Designs™, Smart Glass™, School Guard Glass™, SmartGard™, GovGuard™ and more. Their LTI Division pioneered the processing and laminating of electrified films, known as Smart Glass™ and has become renowned for creatively providing innovative and customized solutions to meet specific customer needs across the globe. The Group is the original and leading manufacturer of UL-listed switchable privacy glass panel systems as well as the first company to combine it with UL ballistic-rated glazing. The company is also the leading provider of Security Windows for overseas US Embassies and it boasts a one-of-a-kind patented solution for School and Government building security deployed now at facilities such as Sandy Hook and around 2,000 other facilities since the Sandy Hook facility.

The company has over 200 employees across their facilities in Largo, Florida and in Pittsfield, Adams and Hopkinton, Massachusetts. The Largo headquarters is made up of 120,000 square feet of manufacturing and design showroom space. AIT has multiple autoclaves, tempering ovens, CNC machines, and spacious areas for unit assembly, cutting and polishing. The business has been featured and recognized by national media outlets such as the *New York Times*, CBS news, NBC news, and ABC News due to the problem they help solve and their ingenuity of design. For more information, visit Advanced-Impact.com.

Discussion:

Mr. Besse stated that the company had three distinct product areas; Smart Glass, SmartGard, and Smart Designs. He stated that City and County staff did a great job in getting them into the former Great Bay location. He stated that challenges they face included finding and investing time in employees. He thanked the City for being welcoming. Commissioner Holmes asked whether research and development are done at the Starkey Road location, to which Mr. Besse stated that they are.

PRESENTATIONS

Update From Property Appraiser Mike Twitty

At the July 16, 2019 Regular City Commission Meeting, then Vice Mayor Carroll requested that staff invite Property Appraiser Mike Twitty to make a presentation at a Work Session regarding property valuation in Pinellas County.

Discussion:

Mayor Brown questioned portability. Mr. Twitty explained that as long as residents move upward, they take the entire portability amount with them. He stated that the portability amount comes off of the new property value first, followed by homestead exemptions.

Mr. Twitty thanked Ms. Brydon for her presentation at his office the previous week.

City Commission Direction:

No direction requested.

Status Report Regarding Development of 500 Block of West Bay Drive

On February 18, 2015 the City of Largo entered into an "Agreement for Purchase and Sale" of the 500 Block of West Bay Drive in the amount of \$200,000 with Square Peg Development, LLC, owned by Mr. Gary Tave. The closing was to be scheduled within 365 days of the effective date of the agreement. On February 3, 2016, the City and Largo Central, LLC (successor to Square Peg, also owned by Mr. Gary Tave) entered into an "Agreement for Option and Right to Repurchase Real Property." This agreement required Mr. Tave to develop the property as a mixed use development within two years; failure to do so allowed the City to repurchase the property for the original sale price. On November 22, 2017, the City and Largo Central, LLC entered into a "First Amendment to Agreement for Option and Right to Repurchase Real Property," which amended the completion date for full development on or before February 1, 2021.

On June 9, 2016, the City of Largo and Largo Central, LLC entered into a Development Agreement (DA 16-03) for this property, requiring construction to commence within 36 months.

On January 5, 2018, the City and Largo Central, LLC entered into a "First Amendment to Development Agreement (DA 16-03)," requiring that construction commence within 17 months (June 5, 2019) and be completed within 20 months thereafter (February 5, 2021). If the developer does not comply with these timelines, the development agreement shall be suspended at the election of the City. Upon suspension by the City, the development of the property will then be governed by the applicable codes, ordinances and regulations in effect at that time.

Mr. Tave (Largo Central, LLC) has yet to commence construction of the subject property, seven months past the deadline in the development agreement. Based on the construction period identified by Mr. Tave, even if construction were to commence today, it is not possible for the project to be completed by the February 2021 deadline included in both the development agreement and the repurchase agreement. The City Manager and Community Development staff have met with Mr. Tave on several occasions regarding the status of this project. Mr. Tave has reported that construction has not begun due to his inability to obtain financing for the project.

At their January 7 regular meeting, the City Commission agreed to discuss this project and its status at this Work Session. Staff needs direction whether to proceed with preparation of a formal suspension of the development agreement. Mr. Tave will attend the work session and be provided the opportunity to address the City Commission regarding his plans for the property. His options include, but are not limited to, sale of the 500 block back to the City or a redesign of the project, which would require a new development agreement and an extension of the project completion date as enumerated in the "First Amendment to Development Agreement (DA 16-03)." Based on discussions with Mr. Tave and his performance to date, I have come to the conclusion that this project is not viable as currently designed.

City Attorney Zimmet will attend the Work Session to answer any questions regarding the City's potential

course of action based on the provisions of the Development Agreement and the Repurchase Agreement.

Gary Tave was present.

Discussion:

Mayor Brown stated that the City Commission's options needed to be considered. Commissioner Smith questioned the buy back, to which Mr. Zimmet stated that it would be at the \$200,000 amount for which the City sold it, and in the condition at the time of sale. He stated that platting and the filed Notice of Commencement would have to be addressed. Commissioner Holmes questioned whether another extension would make a difference, to which Mr. Tave stated that it would not. He stated that the project as designed was not feasible, as the appraisals have thwarted his financing. He stated that he was told that the Largo market had no demand for parking and that rents would be limited by existing facilities in downtown Largo. Mr. Tave stated that there would have to be a verifiable revenue stream from the parking structure or surface parking. He stated that any of his ideas for these would have to involve the City. Commissioner Fenger stated that she would like to see the top two appraisals and questioned how the City will be evaluating the uses of the property. Mr. Schubert stated that in order for the project to be financially viable Mr. Tave will have to charge a certain amount for rent that the appraisals indicate is too high.

Vice Mayor Holck stated that she wanted to make sure that a mixed use development is built on the property. Mr. Zimmet stated that the City will have control over development if the property is repurchased. Commissioner Robinson questioned the feasibility of developing mixed use only on the 500 block. Commissioner Fenger questioned what due diligence the City could do. Ms. Stricklin stated that mixed use was still viable for the 500 block. Commissioner Robinson questioned the impact of a public/private partnership for parking, which Mr. Tave stated would allow him to get financing. Commissioner Smith questioned staff's opinion on a partnership. Mr. Schubert stated that it would work conceptually with an adjacent development. Vice Mayor Holck questioned whether his other property purchases have impeded Mr. Tave's ability to obtain financing. Mr. Tave explained that he had other projects going on in Largo that demonstrated a track record of success.

Vice Mayor Holck questioned the status of the apartments behind the 500 block. Mr. Schubert stated that the apartments were fully leased and townhouses will be going in across West Bay Drive. Vice Mayor Holck stated her concern that to start over will take even more time than has been spent. Mr. Zimmet stated that the City will be pretty much starting from scratch. He stated that garages independent from office buildings typically do not make money and it was therefore difficult to make the project work. Mr. Schubert stated that staff can put together recommendations for the property once it is repurchased. Commissioner Robinson stated that a new City Hall will likely not fit on the parcel. Mayor Brown asked whether it is possible to do this type of project with another developer. Mr. Tave stated that he has looked at ways to make the project as cost efficient as possible.

Mayor Brown questioned whether staff has looked at the maximum number of units that would be feasible with surface parking. Ms. Stricklin stated that staff has not done that analysis, however surface parking would have a much lower density. Mr. Schubert pointed out that Mr. Tave's parking structure is oversized. Mayor Brown stated that he would like to continue to work toward a high density mixed use project. Mr. Zimmet stated that it was difficult to advise the City Commission without looking at the appraisals. Mr. Schubert stated that the City should also see the cost information for the parking garage. Mr. Tave stated that there was proprietary business information in the appraisal documents.

City Commission Direction:

It was the consensus of the City Commission to direct staff to have further discussions with Mr. Tave regarding the City's participation in the parking garage.

Review Of Largo City Code Chapter 5, "Animals" Regarding Possible Addition Of New Restrictions To The Commercial Sale Of Dogs And Cats And Updates And Changes To Existing Ordinance Language

This item is for City Commission discussion with Community Standards staff and City Attorney's Office staff regarding the regulation of the commercial sales of dogs and cats and to consider amendments, changes, or updates to Largo City Code, Chapter 5, "Animals".

Presentation materials will be provided at the Work Session.

Public Input:

1. Regina Galloway stated that she owned the All About Puppies store in Largo. She stated that they communicated with the breeders regularly and that her granddaughters will take over the business.
2. Amanda Bush thanked the City Commission for allowing them to be a part of the process. She stated that they have twelve full time staff members and that they followed state statutes. She described the paperwork at the time of purchase by the consumer.
3. Alexandria Julian stated that she oversaw operations at all three All About Puppies locations. She stated that the breeders they work with were responsible and compassionate pet owners with many programs to take care of their dogs.

Commissioner Robinson questioned the courier, which she said was a licensed courier. Commissioner Holmes questioned what regulations they would like to see. Ms. Julian stated that they required breeders to not have direct violations in the past two years and no more than four indirect violations in the past two years. She stated that these are not in state statutes. Mr. Schofield stated that the statute protects the customer, however there was still the potential for civil action. Ms. Day stated that Pinellas County has not adopted the same regulations that are in place in Hillsborough County. Commissioner Robinson stated that the biggest issue was the small percentage of breeders who are bad actors. He stated that more regulation was needed from the USDA. Ms. Bush stated that the vast majority of puppy mills operated underground.

4. Pedro Hernandez stated that he was employed by All About Puppies and went over individual care plans and the employee training process.
5. Natalia Sanabria stated that she worked for All About Puppies. She stated that the store provided a safety net for customers.

Discussion:

Commissioner Robinson stated that the majority of chicken owners likely had more than four and that four seemed like a low number. Mayor Brown stated his agreement. Commissioner Robinson further stated his concern for owners of coops taller than six feet or within the setback. Ms. Day stated that any legally existing non conforming coops would be allowed as long as no changes are made. She stated that the number of chickens would be treated similarly. Commissioner Robinson stated that the question would then be what is a public nuisance. Commissioner Robinson asked whether it was looking to address people who fed birds and squirrels. Mr. Schofield stated that this paragraph was intended for out in public. He stated that there are very few complaints, however there are no mechanisms in place.

Vice Mayor Holck asked whether anything has been introduced in the Legislature. Ms. Day stated that she was unaware of any. Commissioner Fenger questioned whether substandard breeders have been addressed. Mr. Schofield stated that the only one they have dealt with is a bird breeder. He stated that he did not know of any other home breeders in the City. Commissioner Fenger stated that she wanted to hear from the SPCA representative (Eric Keaton). Mr. Keaton stated that they have 100 employees and did not want to put anyone

out of business, however they wanted to find a way for everyone to work together.

Mayor Brown suggested "all living beings except humans" for the definition. He stated that he did not see a need to regulate chicken coops outside of accessory structures. He stated that he supported not allowing roosters in residential areas but did not support regulating the number of chickens unless they are a nuisance. Ms. Day stated that staff can look at any objective standard based on square feet rather than bringing back a specific number. Commissioner Robinson stated that he would prefer to keep the ordinance as simple as possible.

Ms. Day stated that the transparency regulations were similar to Hillsborough County's and that she would look into the USDA regulations regarding violations. Commissioner Robinson stated that the suggestion from Mayor Brown would not prohibit sales of animals.

City Commission Direction:

It was the consensus of the City Commission to bring back the list of items for Chapter 5, and transparency placard regulations and USDA direct and indirect violation restrictions.

Emergency Operations Plan Discussion

The purpose of this informational item is to provide the City Commission with a briefing regarding the City of Largo's Emergency Operations Plan (EOP). The EOP was created with the input of each City department and encompasses all aspects of emergency operations.

A copy of the plan has been placed in the City Commission Work Room.

Discussion:

None

City Commission Direction:

No direction requested.

BOARD/COMMITTEE REPORTS:

Forward Pinellas – Commissioner Smith stated that a new representative for the Citizens Advisory Committee was needed and that the application will be on the web site soon.

Homeless Leadership Board – No Report

Suncoast League of Cities – No Report

Pinellas Suncoast Transit Authority – No Report

Tampa Bay Regional Planning Council – Mayor Brown stated that they held a well attended Resiliency Summit and that summaries will be on web site soon.

ITEMS FROM COMMISSION, MAYOR, CITY MANAGER

None

ACTION ITEMS

None

ADJOURNMENT

The meeting adjourned at 7:31 pm.