CITY COMMISSION MEETING

MINUTES

DECEMBER 10, 2019

6:00 P.M.

CALL TO ORDER

Mayor Johnson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

GOOD OF THE ORDER

PRESENT:

Al Johnson, Mayor
Terri Finnerty, Vice Mayor
Doug Izzo, Commissioner
Ward Friszolowski, Commissioner
Melinda Pletcher, Commissioner

ALSO PRESENT:

Alex Rey, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Vince Tenaglia, Assistant City Manager
Mike Clarke, Public Works Director
Jim Kilpatrick, Fire Chief
Jennifer McMahon, Parks & Recreation Director
Wesley Wright, Community Development Director
Michelle Gonzalez, Administrative Services Supervisor

1. <u>Presentations</u>

There were no presentations.

2. <u>Changes to the Agenda</u>

The City Manager requested to move Item 4(f) to the January 14, 2020 meeting and Item 7(a) to immediately follow Item 6(a) as a companion item.

3. <u>Audience Comments</u>

Bruno Falkenstein, Pass-a-Grille Way, requested a proclamation be written and approved honoring Mr. Jack Jackson, past Lieutenant with the Fire Department, for his contributions to Christmas decorations along 8th Avenue.

Sherry Holisnger, Captiva Cay, requested a speed bump in her complex.

Mayor Johnson added the request as an action item.

4. <u>Consent</u>

a. Approval of minutes from the following City Commission meetings: 09/17/2019; 10/08/2019; 10/22/2019.

b. Authorization to approve street closures and wet zone for Beach Goes Pop and Rock Event scheduled for April 17th & 18th, 2020. Closures would be 9th and 10th Ave from Pass-a-Grille Way to Gulf Way and Gulf Way from 9th Ave to 10th Ave from 6 a.m. April 17th to midnight April 18th, 2020.

c. Request approval of the quote from Ward Diesel Filter Systems in the amount of $34,956.24, for the purchase of four (4) No Smoke direct source capture diesel exhaust removal systems.

d. Request approval of the quote from Bauer Compressors Inc. in the amount of $29,737.64, for the purchase of a Self-Contained Breathing Apparatus (SCBA) compressor system and fill station.

e. Request approval of the Task Order under the Continuing Engineering Services Contract with Kimley-Horn and Associates, Inc., in the amount of $119,897.00 for the development of the City's Asset Management Program.

f. Request approval of the Task Order under the Continuing Engineering Services Contract with CPWG, in the amount of $158,446.00 for the Stormwater Master Plan Update.

g. Request approval to renew the existing Continuing Engineering Service Contracts with Kimley-Horn and Associates, Inc., Cardno, Inc., Cribb Philbeck Weaver Group, George, F. Young, Inc., Genesis Half, Inc., and Stanley Consultants, Inc. for one year from their respective expiration dates.

h. Resolution 2019-13: A Resolution of the City of St. Pete Beach authorizing the City Manager to apply for, and if awarded, execute a City Commission approved Agreement with Forward Pinellas for the Forward Pinellas Complete Streets Concept Planning Project Grant in an amount not to exceed $100K to assist in funding the Boca Ciega/Gulf Winds Drive Complete Streets Reconstruction Project.

Commissioner Friszolowski moved to approve Consent Items 4(a), (b), (c), (d), (e), (g), and (h) as amended. The motion was seconded by Commissioner Pletcher and unanimously approved by a roll call vote.

5. Action Items

a. Request to approve fireworks proposal and negotiate and enter into an agreement with Pyrotecnico for the 4th of July fireworks in the amount of $25,788.00.

Parks & Recreation Director, Jennifer McMahon, reported that the sole proposal received for 2020's fireworks display is from a company the City contracted with in the past. Utilizing community sponsorships and donations, the fireworks will be shot off a barge.

Vice Mayor Finnerty moved to approve Item 5(a), approving the fireworks proposal and negotiate and enter into an agreement with Pyrotecnico for the 4th of July fireworks in the amount of $25,788.00. The motion was seconded by Commissioner Izzo and unanimously approved by a roll call vote.

b. Request approval to purchase library circulation materials from Baker and Taylor, Inc., in the estimated amount of $36,000, utilizing State of Florida contract No. 55101500-ACS-17-1.

Utilizing a previously executed bid awarded to Baker and Taylor, Inc., staff is requesting to purchase books, including adult and juvenile hardcover fiction and non-fiction, throughout the year on an as-needed basis.

Commissioner Izzo moved to approve Item 5(b), approving the purchase of library circulation materials from Baker and Taylor, Inc., in the estimated amount of $36,000.00, utilizing State of Florida Contract No. 55101500-ACS-17-1. The motion was seconded by Vice Mayor Finnerty and unanimously approved by a roll call vote.

c. Request retroactive approval of Change Order #1 to the 76th Avenue Stormwater outfall repair with Rowland, Inc., in the amount of $30,295.05.

Mike Clarke, Public Works Director, explained that the repairs to the stormwater outfall required additional work that resulted in a cost increase.

Commissioner Izzo moved to approve Item 5(c), approving Change Order No. 1 to the 76th Avenue stormwater outfall repair with Rowland, Inc., in the amount of $30,295.05. The motion was seconded by Vice Mayor Finnerty and unanimously approved by a roll call vote.

d. City Clerk Employment Agreement Extension.

Mayor Johnson moved to approve Item 5(d), to execute the employment agreement and to set the City Clerk's compensation at $82,500, effective October 1, 2019. The motion was seconded by Commissioner Izzo and approved by a vote of 4-1 with Vice Mayor Finnerty voting "no."

e. Request to approve proclamation honoring Lieutenant Jack Jackson.

This item was added earlier in the meeting.

Commissioner Pletcher moved to approve Item 5(e), to approve a proclamation to be issued by the Fire Chief to name 8th Avenue "Lieutenant Jack Jackson Way" on Christmas Day. The motion was seconded by Commissioner Friszolowski and unanimously approved by a roll call vote.

6. Ordinances

a. Ordinance 2019-17: Final Reading and Public Hearing. An Ordinance of the City of St. Pete Beach, Florida authorizing the issuance of a bank loan not to exceed $6,700,000 to fund the Police Officers' Retirement System pension liabilities

City Manager Rey requested Item 7(a) be acted upon as a companion item to Ordinance 2019-17, which is the actual loan.

Assistant City Manager Tenaglia recapped the structural aspects and authorization requirements to fund the unfunded liability of the Police Pension Fund.

Hearing no public comments, Mayor Johnson called for a motion and the vote.

Commissioner Friszolowski moved to approve Item 6(a), Ordinance 2019-17, upon final reading, an ordinance of the City of St. Pete Beach, Florida, authorizing the issuance of not to exceed $6,700,000 principal amount of a taxable pension obligation revenue note (police officers' plan), Series 2019 to eliminate the unfunded liability of the City's Police Officers' Retirement System and to pay costs of issuance of the note; providing for a covenant to budget and appropriate legally available non-ad valorem revenues to pay debt service on the note; providing for the rights of the holder of such note; providing for conflicts, severability, construction, publication, and an effective date. The motion was seconded by Vice Mayor Finnerty and unanimously approved by a roll call vote.

Item 7(a) was previously moved to immediately follow Item 6(a).

7. Resolutions

a. Resolution 2019-12: A Resolution of the City of St. Pete Beach, Florida authorizing a loan agreement with TD Bank not to exceed $6,700,000 to fund the Police Officers' Retirement System pension liabilities

Vice Mayor Finnerty moved to approve Item 7(a), Resolution 2019-12, a resolution of the City of St. Pete Beach, Florida, accepting the proposal of TD Bank, N.A., to provide the City with a term loan in order to eliminate the unfunded liability of the City's Police Officers' Retirement System and to pay costs of issuance; approving the form of a loan agreement; authorizing the issuance of the City of St. Pete Beach, Florida taxable pension obligation revenue note (Police Officers' Plan), Series 2019, pursuant to such loan agreement in the aggregate principal amount of not to exceed $6,700,000 in order to evidence such loan authorizing the repayment of such note from a covenant to budget and appropriate legally available non-ad valorem revenues; delegating certain authority to the Mayor, the City Manager, and to other officers of the City for the authorization, execution and delivery of the loan agreement, the Series 2019 note and various other documents with respect thereto; and providing for an effective date for this resolution. The motion was seconded by Commissioner Izzo and unanimously approved by a roll call vote.

b. Ordinance 2019-18, Final Reading and Public Hearing of an Ordinance Relating to the term "pervious", vegetative ground covers and nonvegetative material.

Wesley Wright, Community Development Department Director, noted that proposed ordinance changes from the first reading.

Hearing no public comments, Mayor Johnson called for a motion and the vote.

Commissioner Izzo moved to approve Item 8(b), Ordinance 2019-18, upon final reading, an ordinance of the City of St. Pete Beach, amending the Land Development Code, Section 2.1 – Words, Terms and Phrases Defined; Section 22.4 – Type, Quality and Size of Plant Material; Section 22.14 – Tree Removal Permit Requirements; and amending Appendix "A" of the Code of Ordinances to provide for a work-without-a-tree permit fee; providing for codification; providing for severability; providing for repeal of ordinances in conflict; and providing for an effective date. The motion was seconded by Vice Mayor Finnerty and unanimously approved by a roll call vote.

c. Ordinance 2019-19, Final Reading and Public Hearing of an Ordinance Relating to Nonconforming structures that would allow for ordinary repairs and maintenance.

Mr. Wright reviewed the existing practices for non-conforming structures that require codification.

Hearing no public comments, Mayor Johnson called for a motion and the vote.

Vice Mayor Finnerty moved to approve Item 6(c), Ordinance 2019-19, upon final reading, an ordinance of the City of St. Pete Beach, Florida, amending the Land Development Code, Section 3.10 – Vested Rights and Non-conformities; providing for severability; providing for repeal of ordinances in conflict; and providing for an effective date. The motion as seconded by Commissioner Izzo and unanimously approved by a roll call vote.

d. Ordinance 2019-20, Final Reading and Public Hearing of an Ordinance Relating to Variances and providing for Practical Difficulty and Administrative Variances.

Mr. Wright noted the two additional types of variances wherein the action will not be contrary to the public interest or where the literal enforcement of the zoning code would result in unnecessary and undue hardship on the property.

Hearing no public comments, Mayor Johnson called for a motion and the vote.

Commissioner Pletcher moved to approve Item 6(d), Ordinance 2019-20, upon final reading, an ordinance of the City of St. Pete Beach, Florida, amending the Land Development Code, Section 2.1 – Words, Terms and Phrases Defined; Section 3.12 – Variances; and amending Appendix "A" of the Code of Ordinances to provide for unnecessary hardship, practical difficulty and administrative variance fees; providing for codification; providing for severability; providing for repeal of ordinances in conflict; and providing for an effective date. The motion was seconded by Vice Mayor Finnerty and unanimously approved by a roll call vote.

e. Ordinance 2019-21, Final Reading and Public Hearing of an Ordinance Relating to Appeals of the City Manager.

Mr. Wright reviewed the changes from first reading regarding appeals to the Board of Adjustment for zoning permits.

Commissioner Friszolowski moved to approve Item 6(e), Ordinance 2019-21, upon final reading, an ordinance of the City of St. Pete Beach, Florida, amending the Land Development Code, Section 3.14 – Appeals; providing for codification; providing for severability; providing for repeal of ordinances in conflict; and providing an effective date. The motion was seconded by Commissioner Pletcher and unanimously approved by a roll call vote.

f. Ordinance 2019-XX, First Reading and Public Hearing, amending the City of St Pete Beach Code of Ordinances, amending Chapter 22 – Boards, Committees, Commissions, Article IV Recreation Advisory Committee of the City of St. Pete Beach code of ordinances, Sections 22-101, 22-102(a), 22-103(a), 22-104, 22-106, 22-107(a) & (b), 22-108(a), (b), & (e) AND 22-109.

Mr. Rey reported the administrative change with departmental structure and the change from quarterly meetings to bi-annual meetings.

Hearing no public comments, Mayor Johnson called for a motion and the vote.

Vice Mayor Finnerty moved to approve Item 6(f), Ordinance 2019-XX, upon first reading, an ordinance of the City of St. Pete Beach, Florida, amending Chapter 22 – Boards, Committees, Commissions; Article IV, Recreation Advisory Committee; of the City of St. Pete Beach Code of Ordinances; Sections 22-101; 22-102(a); 22-103(a); 22-104; 22-106; 22-107(a) and (b); 22-108 (a), (b), and (e); and 22-109; changing the Recreation Advisory Committee to include Parks and changing the yearly meeting time of the Committee; providing for conflicts, severability, construction, publication, and an effective date. The motion was seconded by Commissioner Friszolowski and unanimously approved by a roll call vote.

g. Ordinance 2019-xx, First Reading and Public Hearing on an Ordinance amending Division 6 - Supplemental Regulations regarding mobile food establishments and special events and amending Appendix "A" of the Code of Ordinances as it relates to Food Truck Fees and Renewals.

Mr. Wright explained the proposed ordinance will provide for lesser fees and the issuance of permits.

Hearing no public comments, Mayor Johnson called for a motion and the vote.

Commissioner Izzo moved to approve Item 6(g), Ordinance 2019-XX, upon first reading, an ordinance of the City of St. Pete Beach, Florida, amending the Land Development Code, Division 6, Supplemental Regulations, Section 6.25 – Mobile Food Establishment; and amending Appendix "A" of the Code of Ordinances to reduce the cost of a mobile food establishment permit; providing for codification; providing for severability; providing for repeal of ordinances in conflict; and providing for an effective date. The motion was seconded by Vice Mayor Finnerty and approved by a vote of 4-1, with Commissioner Pletcher voting "no."

h. Ordinance 2019-xx, First Reading and Public Hearing on an Ordinance providing for the allocation of 14 additional units (64 Total) of the Temporary Lodging Pool for The Zamora Hotel in the Bayou Residential District

Mr. Rey explained that the requested conditional use permit and the variance require two public hearings, the final hearing scheduled for January 14, 2020.

Mayor Johnson requested the following change: Page 172, Section 2, line 3 should read "(Ordinance No. 2013-02)."

Mr. Wright explained the proposed ordinance provides for an additional fourteen (14) temporary lodging units from the combined TC-2, AC and BR density pool. No interior or exterior modifications will take place. Additionally, the requested variance will reduce the requirement of thirteen parking spaces for the additional lodging units.

Mayor Johnson opened the public hearing and called for audience comments.

Marilyn Healy, representing Hotel Zamora, requested moving forward to the second reading at which time she will present evidence in support of the conditional use permit and variance approval.

Devan Mangar, owner of Hotel Zamora, noted the steps he has taken to alleviate concerns with the neighbors.

Tom Hackensmith, Belle Vista Drive, spoke against the project.

Lisa Signoreli, representing the Don Cesar Place, spoke against the project.

Martin Lott, East Maritana, spoke against the project.

It was the consensus of the Commission to begin the 1/14/2020 meeting at 5:30 p.m. for the regular meeting and begin at time certain of 6:00 p.m. for the Hotel Zamora public hearing.

Hearing no further Commission or public comments, Mayor Johnson called for a motion and the vote.

Commissioner Izzo moved to approve Item 6(h), Ordinance 2019-XX, upon first reading, an ordinance of the City of St. Pete Beach, Florida providing for the allocation of an additional 14 units of temporary lodging density under the provisions of the Bayou Residential District Temporary Lodging Unit Density Pool, as established in the City of St. Pete Beach Comprehensive Plan, to property located at 3701 Gulf Boulevard (Hotel Zamora); providing for conflicts, severability, construction, publication, and an effective date. The motion was seconded by Vice Mayor Finnerty and unanimously approved by a roll call vote.

8. Resolutions

b. Resolution 2019-15: Authorizing the sale of residential property located at 627 78th Avenue.

In response to the Request for Proposals, several bids were received to purchase the residential property that the City recently brought to foreclosure proceedings.

> **Vice Mayor Finnerty moved to approve Item 8(b), Resolution 2019-15, a resolution of the City Commission of the City of St. Pete Beach, Florida, accepting the proposed offer for the sale of residential property located at 627 78th Avenue; authorizing the City Manager to execute contract documents; and providing for an effective date. The motion was seconded by Commissioner Pletcher and unanimously approved by a roll call vote.**

9. Items for Discussion

There were no items for discussion.

10. City Clerk, City Manager, City Attorney and City Commission Reports

City Clerk Haynes reported on the following items:
- Expressed appreciation for annual performance review
- Status of Salvation Army Angel Tree Program and the numerous employees who adopted a child (or children) for the holiday
- Requested approval of an invoice for a work-related issue

> **Commissioner Friszolowski moved to approve payment in the amount of 2,246.50. The motion was seconded by Vice Mayor Finnerty and unanimously approved by a roll call vote.**

City Manager Rey reported on the following items:
- Traffic calming devices

City Attorney Dickman reported on the following items:
- Dismissal of lawsuit regarding ground cover
- Mediation regarding a former Department of Public Works employee settled

Vice Mayor Finnerty reported on the following items:
- Dog Park and mulch
- Christmas lights and tree wrapping on Blind Pass Road
- Florida League of Cities Conference held on 11/12/2019 to 11/15/2019
- Suncoast League of Cities meeting held in Clearwater
- Lobbyist in Tallahassee

Commissioner Pletcher reported on the following items:

- Pass-a-Grille bonfire on Thursday
- Pass-a-Grille/Vina del Mar golf cart parade on Saturday

Commissioner Friszolowski reported on the following items:

- Library status update at the 1/14/2020 Commission meeting
- Belle Vista Christmas Party on Thursday at 6:00 p.m.
- Road resurfacing in Belle Vista

Commissioner Izzo reported on the following items:

- Education campaign regarding road projects in the City of St. Pete Beach

Mayor Johnson reported on the following items:

- Short-term rentals
- Parks & Recreation Department Tree Festival
- Holiday lunch sponsored by Mayors' Council on 12/05/2019
- Big C meeting on 12/04/2019
- National Inbound Travel Association welcome letter
- Lobbyist funding for streets
- Public Access Channel 642
- Monday night "Meet With the Mayor" will be held at the Community Center

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 8:55 p.m.

Attest:

Rebecca C. Haynes

Rebecca C. Haynes, City Clerk

Alan Johnson

Alan Johnson, Mayor

Minutes approved on: 1/14/2020