COMMISSION MEETING
CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, January 25, 2011
6:30 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

REGULAR MEETING

1. **Changes to the Agenda** - Any agenda items to be added, moved, or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order. Consent items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member.

2. **Presentations**
   a. **Project close out of the FY 2011 Police Department Hurricane Fabric Installation capital improvement project.**

3. **Audience Comments** - Comments shall be limited to 3 minutes per person on issues not on the agenda.

4. **Consent**
   a. **Authorize the City Manager to sign a proposal for $4,960.00 with George F. Young, Inc. for the design of electrical improvements at Horan Park.**

b. **Authorize the City Manager to enter into a purchasing agreement with LS Curb Service in the amount of $38,559 for the reconstruction of sidewalks and curbs City wide.**
c. **Authorization for the Mayor to enter into an agreement with the Florida Department of Law Enforcement accepting an Edward Byrne Memorial, Non-Matching, U.S. Department of Justice Assistance Grant in the amount of $5,963.00.**

5. **Ordinances**
   a. **Ordinance 2011-01, Final Reading and Public Hearing amending Chapter 22 of the City of St. Pete Beach Code of Ordinances.**
   b. **Ordinance 2011-02, Final Reading and Public Hearing, amending section (n) of Division 1, Article III, Chapter 82, Section 82-137 of the Code of Ordinances; as it relates to stopping, standing or parking of vehicles.**

6. **Resolutions – none on this agenda**

7. **Action Items**
   a. **Authorize the City manager to enter into a five year lease agreement with Merry Pier Partners LLC for the operation and management of Merry Pier.**

8. **Items for Discussion – none on this agenda**

9. **City Manager, City Attorney and City Commission Reports**
   a. **Department Quarterly Reports – online only**

10. **Adjournment**

APPEALS

If a person decides to appeal any decision made at this hearing, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

Agenda Material is available for review at City Hall on the Friday preceding the meeting. In accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact Public Services at (727) 363-9243 no later than four (4) days prior to the proceeding for assistance.

CITY COMMISSION MEETING

January 25, 2011
6:30 pm

MINUTES

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENT

Commissioner Al Halpern
Commissioner Beverly Garnett
Mayor Mike Finnerty

NOT PRESENT

Vice Mayor Jim Parent
Commissioner Marvin Shavlan

ALSO PRESENT

Mike Davis, City Attorney
Pamala Prell, Acting City Clerk
Michael Bonfield, City Manager

1. **Changes to the Agenda**

There were none brought before the Commission.

2. **Presentations**

a. Project close out of the FY 2011 Police Department Hurricane Fabric Installation Capital Improvement Project.

Steve Hallock gave a power point presentation to explain how the project went and how the money was spent. The project was funded by a grant through the Emergency Department of the State of Florida and it was awarded in 2006.

The project consisted of re-sealing and painting of the Police Department Emergency Operations Center along with installing hurricane shutters on the doors and windows. For the post construction inspection, they put on the hurricane shutters and sealed the building, and it was completed in 2008. They were advised there was additional grant money available for a hurricane screen. After a delay due to the fact that funds were frozen, in late October 2010 they were able to proceed with the curtain wall fabric screening.

In the original Grant Agreement of 2006, the total project cost was $130,859; 75% was paid by the Federal Grant. When it was decided to add the hurricane fabric screen protection, the total project cost was adjusted to $177,239; again 75% of that was paid by the Grant. The project was done on time and under budget.

3. Audience Comments

Mayor Finnerty opened the Meeting to audience comments.

William Pyle, 6600 Sunset Way, presented a drawing of a building prepared by St. Pete Partners. He urged voters to vote "no" on the upcoming Charter Amendments.

Lorraine Huhn, 9425 Blind Pass Road, stated that the drawing presented tonight had been previously shown at a recent Commission Meeting at which time it was analyzed thoroughly and carefully; she feels it would be in the best interest of the advocates against re-development to stop bringing it up because it doesn't apply. She further suggested that they stop talking about the SOLV Plan; SOLV doesn't have a Plan, the City has a Plan.

Rosemary Manning, 2100 First Avenue, Pass-a-Grille, feels that when people come before the Commission and make erroneous statements, they should be stopped; they shouldn't wait until the end of audience comments.

Richard DeBois, Marr Street, spoke about the construction at the Don CeSar and asked if it was going to continue down to Pass-a-Grille Way. He reported that at the corner of 21st and West Vina there is a blind spot in two directions and half of the people don't stop; who should he talk to? Mr. Bonfield will talk to the appropriate people.

Rusty Ercius, 111 12th Avenue, wanted to address the THD and several things that Joe Caruso said in an earlier meeting to him. He feels the Commission should vote "no" again on Mr. Caruso's THD inclusion.

Paul Pfister, 8090 Gulf Boulevard,

Mayor Finnerty asked for further audience comments; hearing none, the Meeting was closed to audience comments.

4. Consent Agenda

a. Authorize the City Manager to sign a proposal for $4,960 with George F. Young, Inc. for the design of electrical improvements at Horan Park.

b. Authorize the City Manager to enter into a purchasing agreement with LS Curb Service in the amount of $38,559 for the reconstruction of sidewalks and curbs City wide.

c. Authorization for the Mayor to enter into an agreement with the Florida Department of Law Enforcement accepting an Edward Byrne Memorial, Non-Matching, U.S. Department of Justice Assistance Grant in the amount of $5,963.

Commissioner Halpern made a motion to approve the Consent Agenda. The motion was seconded by Commission Garnett and unanimously approved.

5. Ordinances

a. Ordinance 2011-01, amending Chapter 22 of the City of St. Pete Beach Code of Ordinances.

Mr. Bonfield briefly described the contents of the Ordinance which modifies the duties of the History Preservation Board, more specifically adding to the list of their powers and duties.

Commissioner Halpern brought up Ordinance 2010-03 and asked if it wasn't the same as the one being voted on tonight. Karl Holley described the differences in the two ordinances. Commissioner Halpern asked if it wouldn't be easier to just amend the earlier Ordinance. Mr. Holley explained that they were similar but this Ordinance is considerably more restrictive and gives the Historic Preservation Board less authority to manage the design process in Pass-a-Grille.

Commissioner Garnett made a motion to approve Ordinance 2011-01, an Ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for amendments to the Code of Ordinances; amending Chapter 22, Article

VII, regarding the powers and duties of the Historic Preservation Board; providing for severability; providing for the repeal of ordinances or parts of Ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. The motion was seconded by Mayor Finnerty. The motion was passed by a 2 to 1 vote; Commissioner Halpern voted no.

b. Ordinance 2011-02, amending Section (n) of Division 1, Article III, Chapter 82, Section 82-137 of the Code of Ordinances as it relates to stopping, standing or parking of vehicles.

Mr. Bonfield explained that this is a change that was requested by Commissioner Shavlan.

Commissioner Halpern made a motion to approve Ordinance 2011-02, an Ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for amendment of Subsection (n) of Section 82-137 of Division 1 of Article III of Chapter 82 of the Code of Ordinances, pertaining to stopping, standing and parking of vehicles; providing for amendment of the City parking maps; providing for severability; providing for the repeal of all ordinances in conflict herewith, to the extend of such conflict; and providing for an effective date. The motion was seconded by Commissioner Garnett and unanimously approved by roll call vote.

6. Resolutions

There were none on the Agenda.

7. Actions Items

a. Authorize the City Manager to enter into a five year Lease Agreement with Merry Pier Partners LLC for the operation and management of Merry Pier.

Mr. Bonfield explained that the current lease expires at the end of the month and, at the direction of the Commission, proposals were sought and bids were taken by Dan O'Connor, Administrative Services Supervisor. Mr. O'Connor stated that this was put out for bid in November and initially there were seven respondents. As it was whittled down, three actually put in bids for the project. In the end, Merry Pier Partners came out on top with the best overall plan to carry on the operation of Merry Pier. Mr. O'Connor pointed out two minor changes in the Lease Agreement.

Mayor Finnerty remarked that it seems there was a very thorough examination; Commissioner Halpern agreed. Commissioner Garnett asked what happens if they don't meet the requirements of the new Lease. Mr. O'Connor replied that there are provisions in the Lease that address those issues.

Mr. Bonfield added that he has talked to Randy and Nancy and it is their opinion that it is not worthwhile for the City to pursue the fuel tank use. There are some other maintenance items that need to be done; a list of things will be put together and the rest of the money will be freed up to go back into the Capital Improvement Fund.

Mr. O'Connor added that the City annually spends about $1,800 on a submerged land lease for the land under the pier. He needs to obtain affidavits from people who could physically say that they were at that pier prior to 1951 and that it did indeed exist and the State will take that $1,800 payment that we have to make away from us where we get it deeded over to us.

Commissioner Halpern made a motion to authorize the City Manager to enter into a five year Lease Agreement with Merry Pier Partners LLC for the operation and management of Merry Pier. The motion was seconded by Commissioner Garnett and unanimously approved by roll call vote.

8. <u>Items for Discussion</u>

There were no on the Agenda.

9. <u>Reports</u>

City Manager Bonfield presented his report

Commissioner Garnett presented her report

Commissioner Halpern presented his report

Mayor Finnerty presented his report

a. Department Quarterly Reports can be viewed on line.

There being no further business to come before the Commission, the Meeting was adjourned.

Pamala A. Prell | Mike Finnerty, Mayor

Pamala Prell, Acting City Clerk | Mike Finnerty, Mayor

Minutes approved on: 2-8-11