COMMISSION MEETING
CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, May 24, 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. **Letter of Appreciation for WSI employee Mr. Ruben Howard.**
   b. **Hurricane Awareness Month Proclamation**
   c. **Update on litigation cases – City Attorney**
   d. **Project close out for Lightning Protection and Cascading Equipment Transient Voltage Surge Suppression (TVSS) for the Reclaimed Water Booster Station.**
   e. **Landscape planning for Gulf Blvd, the Bayway and Blind Pass Road.**

f. **City Commission meeting procedures - Mayor McFarlin**

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

4. **Consent**
   a. **City Commission Minutes of April 28, 2011 and May 10, 2011**
   b. **Authorize the City Manager to enter into a 3-year, unit cost agreement with Ashbritt, Inc., for Disaster Debris Removal for Storm Events.**

5. **Ordinances**
   a. **Ordinance 2011-03, Final Reading and Public Hearing, amending Divisions 20, 26 and 31 of the City of St. Pete Beach Land Development Code.**
   b. **Ordinance 2011-12, Final Reading and Public Hearing, an providing a supplemental appropriation to the General Fund for Fiscal Year ending September 30, 2011 and providing for funding.**
   c. **Ordinance 2011-13, Final Reading and Public Hearing, amending Chapter 58 of the Code of Ordinances relating to dog parks.**
   d. **Ordinance 2011-14, Final Reading and Public Hearing, amending Chapter 94 – Waterways of the Code of Ordinances.**
   e. **Ordinance 2011-05, First Reading and Public Hearing, amending the Code of Ordinances, Chapter 2, Article 3 Finance, Division 1, Disposal of surplus city property, Section 2-186 (A) Definition of Personal Property; Division 4, Purchases and Contracts, Section 2-282 City Manager's Duties; Bidding Procedures, by increasing the bidding exemption from $10,000 to $25,000.**
   f. **Ordinance 2011-15, First Reading and Public Hearing, Progress Energy Franchise Agreement**
   g. **Ordinance 2011-16, First Reading and Public Hearing, Repealing Ordinance 2011-09 that authorized red light cameras in the city.**

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

7. **Action Items**
    a. **Authorize the City Manager to publish and send notices regarding a public hearing on June 28th 2011 to adopt an Annual Assessment Resolution for the Stormwater Utility.**
    b. **Waive the bid requirement and authorize the City Manager to enter into a purchase agreement with Kloote Contracting for $87,862 for Alley Rehabilitation.**
    c. **Amendment of City Manager's employment agreement**

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

9. **City Manager, City Attorney and City Commission Reports**

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

MAY 24, 2011
6:30 pm

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENT

Commissioner Al Halpern
Commissioner Jim Parent
Commissioner Marvin Shavlin
Vice Mayor Beverly Garnett
Mayor Steve McFarlin

ALSO PRESENT

City Attorney Mike Davis
City Manager Mike Bonfield
CIP Construction Manager Renee Cooper
Finance Director Elaine Edmunds
Public Services Director Steve Hallock
City Clerk Rebecca Haynes

1. Changes to the Agenda

City Manager Mike Bonfield requested that Item 7a. be removed from the Agenda.

Mayor McFarlin asked that Item 2c. be moved to the end of the Meeting under the City Attorney's Report.

2. Presentations

a. Mayor McFarlin read and presented a Letter of Appreciation to Ruben Howard, a long-time WSI employee.

b. Mayor McFarlin read a Proclamation designating June 2011 "Hurricane Awareness Month" in St. Pete Beach.

d. Mr. Bonfield introduced Renee Cooper, CIP Construction Manager, who gave a brief presentation regarding the project close out for Lightning Protection and Cascading Equipment Transient Voltage Surge Suppression (TVSS) for the Reclaimed Water Booster Station.

e. The City received three separate grants for landscape improvements and has contracted with Genesis Group who developed preliminary plans for submission to FDOT prior to the grant funding deadlines.

Steve Hallock gave a brief summary of the median improvements. He then introduced Jim Kilman, Landscape Architect with Genesis Group. Mr. Kilman distributed illustrations of the landscape materials they are planning to use for the project. Variances from the FDOT will be required for some plantings.

Mayor McFarlin presented his proposed revisions for Commission Meeting procedures, as follows:

1. **City Staff Reports:** Move to the beginning of the Commission Meetings allowing staff to decrease time spent at night meetings, thus decreasing personnel costs

2. **Presentations:** Move updates on litigation cases under the City Attorney Reports

3. **Audience Comments:** Move to No. 8 on the Agenda

4. **Consent:** No change proposed

5. **Ordinances:** After the City Manager or City Clerk has read the ordinance, staff and/or individuals will immediately present the item, the Mayor or chairperson will then call for a motion and a second, call for audience comments, followed by Commission discussion. When applicable, defer to the Commissioner whose district is most impacted by the issue

6. **Resolution:** No change proposed

7. **Action Items:** No change proposed

8. **Items for Discussion:** No change proposed

9. **Reports:** Include itemized city attorney fees for ongoing litigation under the Commission reports on a monthly basis.

10. **Adjournment:** No change proposed

After discussion, It was agreed that *Audience Comments* will remain as Item 3.

Commissioner Shavlan suggested starting the meeting at 6:00 p.m. and setting a time to conclude the meeting.

It was agreed that the Regular City Commission Meetings will begin at 6:00 p.m. and adjourn at 11:00 p.m. Any items remaining will be discussed at a subsequent meeting.

Commissioner Shavlan proposed that *Presentations* be limited to five (5) minutes. All were in agreement.

3. Audience Comments

Deborah Schechner, 710 Boca Ciega Isle Drive, stated that 6:00 p.m. is too early to begin the meetings. She then discussed the crime situation in St. Pete Beach.

Paul Pfister, 8090 Gulf Boulevard, spoke about the median on Blind Pass Road.

4. Consent

a. City Commission Minutes of April 28, 2011 and May 10, 2011.

b. Authorize the City Manager to enter into a 3-year, unit cost agreement with Ashbritt, Inc. for Disaster Debris Removal for storm events.

Vice Mayor Garnett made a motion to approve the Consent Agenda as written. The motion was seconded by Commissioner Parent and unanimously approved.

5. Ordinances

a. Ordinance 2011-03, Final Reading and Public Hearing, amending Divisions 20, 26 and 31 of the City of St. Pete Beach Land Development Code.

Commissioner Parent made a motion to approve Ordinance 2011-03, an Ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for amendment of the Land Development Code; providing for amendment of Divisions 20, 26 and 31 of the Land Development Code as they relate to the Traditional Hotel District; establishing regulations related to signage in the Traditional Hotel District; lowering the maximum allowable height for temporary lodging establishments in the Traditional Hotel District; providing for the repeal of ordinances or parts of ordinances in conflict

herewith to the extent of such conflict; providing for severability and providing for an effective date.

The motion was seconded by Vice Mayor Garnett.

Hearing no audience comments or Commission discussion, Mayor McFarlin asked the Clerk for roll call.

The motion was unanimously approved by roll call vote.

b. Ordinance 2011-12, Final Reading and Public Hearing, providing a supplemental appropriation to the General Fund for fiscal year ending September 30, 2011, and providing for funding.

Commissioner Shavlan made a motion to approve Ordinance 2011-12, an Ordinance of the City of St. Pete Beach, Florida, providing a supplemental appropriation to the General Fund for fiscal year ending September 30, 2011; providing for funding; providing for an effective date.

The motion was seconded by Commissioner Halpern.

Hearing no audience comments and after brief Commission discussion, Mayor McFarlin asked the Clerk for roll call.

The motion was unanimously approved by roll call vote.

c. Ordinance 2011-13, Final Reading and Public Hearing, amending Chapter 58 of the Code of Ordinances relating to dog parks.

Mr. Bonfield explained that there was one change after First Reading and that was to delete Section (a) of the previous Ordinance.

Commissioner Shavlan made a motion to approve Ordinance 2011-13, an Ordinance of the City of St. Pete Beach, Florida, providing for amendment of Chapter 58 of the Code of Ordinances, pertaining to parks and recreation; providing for amendment of Section 58-25 to include Rules and Regulations for Dog Parks; and providing for an effective date.

The Motion was seconded by Vice Mayor Garnett.

Mayor McFarlin asked for audience comments.

Suzie Cummings, West Vina Del Mar, doesn't feel the dog park was well communicated to the residents at Vina Del Mar.

The Mayor, hearing no further audience comments, asked for Commission discussion.

Vice Mayor Garnett read a letter to the Commission from a resident regarding signs, liability to the City and upkeep of the dog park. She stated that she was under the impression that the dog park issue was communicated to all of the West Vina Del Mar residents by a designated representative.

Vice Mayor Garnett asked if the language "Rules will be enforced by the St. Pete Beach Police Department" along with the non-emergency telephone number could be placed on a sign.

Vice Mayor Garnett moved to amend the original motion by adding, 'Rules will be enforced by the St. Pete Beach Police Department' and by adding the non-emergency telephone number.

The motion with amendment was seconded by Commissioner Shavlin.

Mayor McFarlin asked the clerk for roll call.

The motion was unanimously approved by roll call vote.

d. Ordinance 2011-14, Final Reading and Public Hearing amending Chapter 94 – Waterways of the Code of Ordinances.

Commissioner Halpern made a motion to approve Ordinance 2011-14, an Ordinance of the City of St. Pete Beach, Florida providing for amendment of Chapter 94 of the Code of Ordinances pertaining to waterways; providing for amendment of Section 94-36 to update designated zones of restricted watercraft operation; and providing for an effective date.

The motion was seconded by Commissioner Shavlan.

Hearing no audience comments or Commission discussion, Mayor McFarlin asked the Clerk for roll call.

The motion was unanimously approved by roll call vote.

e. Ordinance 2011-05, First Reading and Public Hearing, amending the Code of Ordinances, Chapter 2, Article 3 Finance, Division 1, Disposal of Surplus City Property, Section 2-186(A) Definition of Personal Property; Division 4, Purchases and Contracts, Section 2-282 City Manager's Duties; Bidding Procedures, by increasing the bidding exemption from $10,000 to $25,000.

Mr. Bonfield thanked Elaine Edmunds, Finance Director, for compiling the Purchasing Manual that is before them.

Commissioner Halpern made a motion to approve Ordinance 2011-05, an Ordinance of the City of St. Pete Beach, Florida, amending the Code of Ordinances, Chapter 2, Article 3 Finance, Division 1, Disposal of Surplus City Property, Section 2-186(A) Definition of Personal Property; Division 4, Purchases and Contracts, Section 2-282 City Manager's Duties; Bidding Procedures, by increasing the bidding exemption from $10,000 to $25,000; providing for severability; providing for 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 Commissioner Parent.

Mayor McFarlin opened the Meeting to audience comments.

Deborah Schechner, 710 Boca Ciega Isle Drive, asked if a list of items for sale was going to be provided to the Commission and placed on the City's website.

Audience comments were then closed and the Mayor asked the Commission for comments.

Vice Mayor Garnett asked if purchases over $10,000 could continue to be shown on the Consent Agenda for approval; all were in agreement and Mr. Bonfield will modify the section before the second reading.

Mayor McFarlin requested a list of all vehicles for sale.

Mayor McFarlin asked the Clerk for roll call.

The motion was approved by unanimous roll call vote.

f. Ordinance 2011-15, First Reading and Public Hearing, Progress Energy Franchise Agreement.

Mr. Bonfield explained the Ordinance and advised the Commission that Ms. Gail Simpson from Progress Energy was present to answer any questions.

Commissioner Parent moved to approve Ordinance 2011-15, an Ordinance granting to Florida Power Corporation, d/b/a Progress Energy Florida, Inc., a non-exclusive electric utility right-of-way utilization franchise; prescribing the terms and conditions related to the occupancy of municipal streets and rights-of-way in the City of St. Pete Beach, Florida, for the purpose of

providing electric service; providing for severability of provisions; and providing an effective date.

The motion was seconded by Commissioner Halpern.

Mayor McFarlin asked for audience comments.

Gail Simpson, 299 First Avenue North, St. Petersburg, representative for Progress Energy, thanked the Commissioners for their support and offered to answer their questions.

Hearing no Commission discussion, Mayor McFarlin asked the Clerk for roll call.

The motion was unanimously approved by roll call vote.

g. Ordinance 2011-16, First Reading and Public Hearing, Repealing Ordinance 2011-09 that authorized red light cameras in the City.

Commissioner Parent made a motion to approve Ordinance 2011-16, an Ordinance of the City of St. Pete Beach, Florida, repealing the City of St. Pete Beach, Florida Ordinance which authorized red light cameras in the City; repealing Ordinance 2011-09 which elected to locally implement Florida Statute 316.008(8); and which provided for implementation of law of Florida 2010-80; repealing all ordinances in conflict herewith; providing an effective date; providing authority to renumber and codify; and providing a severability clause.

The motion was seconded by Commissioner Halpern.

Mayor McFarlin asked for audience comments.

Resident at 111 60th Avenue, spoke about procedural issues.

George Moore, 406 41st Avenue, spoke against the installation of red light cameras.

Pat Anderson, 6500 Sunset Way, spoke about getting better lighting on Gulf Boulevard.

Hearing no further audience comments, Mayor McFarlin asked for Commission discussion.

Commissioner Parent spoke in favor of red light cameras and suggested forming a "Public Safety Fund" with the monies received as a result of fines.

Mayor McFarlin stated that he does not believe red light cameras are needed in St. Pete Beach.

Commissioner Shavlan noted that he is voting to repeal the ordinance and is more concerned about crosswalk safety.

Vice Mayor Garnett spoke in favor of repealing the ordinance allowing red light cameras. She believes the biggest challenge is lane confusion at the intersection of Pinellas Bayway and Gulf Boulevard.

Commissioner Halpern doesn't believe St. Pete Beach is the right place for red light cameras.

Mayor McFarlin asked the clerk for roll call.

The motion was approved 4 to 1; Commissioner Parent voted no.

6. Resolutions

There were none scheduled on this agenda.

7. Action Items

b. Waive the bid requirement and authorize the City Manager to enter into a purchase agreement with Kloote Contracting for $87,862 for alley rehabilitation.

Vice Mayor Garnett made a motion to waive the bid requirement and authorize the City Manager to enter into purchase agreement with Kloote Contracting for $87,862 for alley rehabilitation.

The motion was seconded by Commissioner Shavlan.

After Commission discussion, Mayor McFarlin asked the Clerk for roll call.

The motion was unanimously approved by roll call vote.

c. Amendment of City Manager's Employment Agreement

City Manager Bonfield reviewed his employment agreement, notice of separation and severance package. He proposed an open-end contract with a twelve month severance provision and a sixty day notice, which is more consistent with other manager agreements.

The Commissioners each spoke in support of City Manager Bonfield and his accomplishments.

Commissioner Parent moved to approve the amendment to the City Manager's Employment Agreement as proposed. The motion was seconded by Commissioner Halpern.

Hearing no audience comments, the Commissioners discussed the severance clause at length.

Commissioner Halpern and Parent spoke in favor of a twelve month severance package; Mayor McFarlin, Vice Mayor Garnett and Commissioner Shavlin supported a six month severance package.

Vice Mayor Garnett moved to amend the initial motion to approve the amendment to the City Manager's Employment Agreement, changing the twelve month severance package to a six month severance package, all other items remaining as proposed.

The motion amended was seconded by Commissioner Shavlin.

Mayor McFarlin asked the Clerk for a roll call vote.

The motion to amend the initial motion was approved by a 3-2 vote, with Commissioners Halpern and Parent voting no.

Mayor McFarlin asked the Clerk for a roll call vote on the amended employment agreement.

The motion to approve the City Manager's Employment Agreement, as amended, was approved by a 3-2 vote, with Commissioners Halpern and Parent voting no.

8. Items for Discussion

There were none placed on this agenda.

9. Reports

City Manager Mike Bonfield reported that the 2011-2012 proposed budget should be distributed on June 17, 2011. The Finance and Budget Review Committee has scheduled their initial Meeting in early July. He noted that Summer Camp registration is under way, along with many other activities at the Recreation Center.

City Manager Bonfield asked the Commission to schedule a Shade Meeting to discuss collective bargaining. It was the consensus of the Commissioners to schedule the Shade Meeting for 5:00 p.m., June 6, 2011.

He reported that the Walk for Wishes will be held on June 14, 2011.

Items for the next agenda include a resolution re: disposal of surplus city property; final reading of ordinances re: purchasing manual, Progress Energy Franchise Agreement and repeal of red light cameras; a resolution from the Tampa Bay Regional Planning Council, first reading on the elimination of Run-off elections, first reading of the Comp Plan approval, bid opening result for side walk improvements, and stormwater assessment.

City Attorney Mike Davis reported that the major pending cases involve the Comp Plan and the Land Development Regulations.

Mr. Davis requested a Shade Meeting to discuss pending litigation. Mr. Bonfield will coordinate the date and time of the Shade Meeting with the Commission.

Vice Mayor Garnett discussed correspondence she received from Mr. Augie D'Alessio re: a request to have a piece of the World Trade Center placed in the historic Pass-a-Grille Park. She noted her next community meeting is Wednesday at 6:00 p.m. and that the Suntan Art Center is nearing completion of their mural. Vice Mayor Garnett noted that Pass-a-Grille's 100th anniversary is the weekend of June 4 and 5, and many prizes and events are scheduled for the celebration.

Commissioner Shavlan reported he will attend the All-Wireless Ribbon Cutting ceremony at Dolphin Village Wednesday at 12:00 noon. He requested City Manager Bonfield contact Progress Energy regarding the electrical brown-outs in his neighborhood.

Commissioner Parent noted his monthly Round-Table is at 6:30 p.m., May 25 at the Library. He thanked the Recreation Center and the Friends of St. Pete Beach for the wonderful music event Sunday afternoon at the Boca Ciega Room. He noted that there will be a KID's Archery Camp this summer, that he will attend the Big-C Meeting tomorrow and that he has signed up for the Florida League of Cities Legislative Committee.

There was discussion regarding a discount for single memberships at the pool.

Commissioner Halpern reported that the Concert at the Recreation Center was a huge success. He requested to discuss the sign ordinance at the next regular meeting; it was agreed that City Manager Bonfield will place it on the next agenda.

Mayor McFarlin noted the Grand Openings at All Wireless and Paddy O'Sullivans the following day. He requested consideration of additional funding to market weddings at the Community Center. Mayor McFarlin reported that in order to keep Redevelopment Council as a City function and integrate with CRA Advisory Committee, plans will be developed to allow them to work with goals.

10. Adjournment

Vice Mayor Garnett moved to adjourn the Meeting. Commissioner Parent seconded the motion. The motion was unanimously approved and the meeting was adjourned at 9:50 p.m.

Rebecca C. Haynes, City Clerk

Steve McFarlin, Mayor

Minutes approved on: 6/14/2011

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