



**COMMISSION WORKSHOP
MEETING
CITY OF ST. PETE BEACH**

155 Corey Avenue

Tuesday, July 26, 2011

4:00 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

Redevelopment Plan Implementation

6:00 PM

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. Proclamation declaring September 23, 2011 as Caregiver Day**
 - b. Alley rehabilitation project close out.**
- 3. Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda.

4. Consent

- a. Approval of the June 28, 2011 Minutes of the City Commission Shade Meeting; the June 28, 2011 Minutes of the City Commission Regular Meeting; and the July 12, 2011 Minutes of the City Commission Regular Meeting.**
- b. Authorization for the City Manager to grant a request of Paradise Sweets, LLC to temporarily suspend operations at the Upham Beach concession stand and reduce the monthly minimum rent paid to the City (\$8,862.00) by \$2,215.00 (the Upham Beach portion) for the remainder of the Upham Beach T-Groin construction project.**

5. Action Items

- a. Case #20110015 Conditional Use. Applicant requests Conditional Use approval for property located at 3700 Gulf Boulevard for Outdoor Restaurant Seating in accordance with Section 14.4(g) of the Land Development Code. Applicant requests seven seats. This case requires a Quasi-Judicial public hearing.**
- b. Case #20110017 Conditional Use. Applicant requests Conditional Use approval for property located at 5300 Gulf Boulevard for modification of Stipulation for Settlement of appeal of Conditional Use Case #20090002 filed under the Florida Land Use and Environmental Dispute Resolution Act. This case requires a Quasi-Judicial public hearing.**
- c. Authorization for the City Manager to proceed with closing on the acquisition of additional land adjacent to Egan Park pursuant to a lease/purchase contract with the Trust For Public Land on or about August 5, 2011. The settlement costs are estimated to be \$403,955.00.**

6. Ordinances

- a. Ordinance 2010-35, Final Reading and Public Hearing providing for amendment of the Future Land Use Map of the St. Pete Beach Comprehensive Plan for property located at 113 11th Avenue.**
- b. Ordinance 2011-34, Final Reading and Public Hearing providing for amendment of the Official Zoning Map of the St. Pete Beach Land Development Code for**

property located at 113 11th Avenue. This is a quasi-judicial hearing.

- 7. Resolutions – None for this agenda.**
- 8. Items for Discussion**
 - a. City Commission Appointment to the Pinellas Suncoast Transit Authority Board of Directors.**
- 9. City Manager, City Attorney and City Commission Reports**
 - a. Quarterly Reports (online version 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 OF ST. PETE BEACH, FLORIDA
NOTICE OF PUBLIC HEARING**

The City Commission for the City of St. Pete Beach, Florida, will hold a public hearing on **Tuesday, July 26, 2011 at 6:00 p.m.**, in the City Commission Chambers in City Hall located at 155 Corey Avenue, St. Pete Beach, Florida, on the following requests:

1) Case #20110015

Application of John Phillips, agent for Paul Nicklaus. Applicant requests Conditional Use approval for property located at 3700 Gulf Boulevard for Outdoor Restaurant Seating in accordance with Section 14.4(g) of the Land Development Code. Applicant requests seven seats.

2) Case # 20110017

Application of Sirata Beach Resort LLC. Applicant requests modification of Stipulation for Settlement of appeal of Conditional Use Case #20090002 filed under the Florida Land Use and Environmental Dispute Resolution Act for property located at 5300 Gulf Boulevard. Modification would allow for the lease/rental of previously permitted Personal Watercraft consistent with applicable provisions of Florida Statutes.

Copies of the applications and any associated plans are available at City Hall in the Offices of the City Clerk and the Community Development Department. Written comments on the proposed applications may also be submitted to the above City departments. For further information regarding any advertised variance, please contact the Community Development staff at (727) 363-9265.

All interested parties will be heard. The foregoing hearings may be continued to another meeting. If a person decides to appeal any decision made at this hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings 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.

In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact Public Services, no later than four days prior to the proceeding at (727) 363-9243 for assistance; if hearing impaired, contact the Florida Relay Service Numbers, (800) 955-8771 (TDD).

Karl Holley, Director of Community Development

**ST. PETE BEACH
CITY COMMISSION WORKSHOP**

**July 26, 2011
4:00 pm**

MINUTES

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

**Commissioner Al Hapern
Commissioner Jim Parent
Commissioner Marvin Shavlan
Vice Mayor Beverly Garnett
Mayor Steve McFarlin**

ALSO PRESENT

**Mike Bonfield, City Manager
Karl Holley, Community Development Director
Catherine Hartley, Senior Planner
Rebecca C. Haynes, City Clerk**

City Manager Mike Bonfield briefly explained the redevelopment items and called upon Catherine Hartley to provide additional details.

Senior Planner Catherine Hartley highlighted a few items to accomplish over the next 12 to 18 months.

Ms. Hartley noted the Commission needs to adopt the Zoning Map and Land Development Regulations for the Community Development District, the CRA Plan and the Tax Increment Financing (TIF) District. Pinellas County will also need to adopt the CRA Plan prior to adoption of the TIF.

Ms. Hartley stated that the City needs to join either the Leadership in Energy and Environmental Design (LEED) or the Florida Green Building Council before the 'Green City' designation is awarded. The City must also adopt incentives for green building, bring green businesses into the City with an awards program, adopt an advanced storm water control which also falls under the EPA's recent standards, facilitate transit subsidies for employees and amend the Comp Plan and the LDC to include green site design requirements versus the building code.

Commissioner Parent asked if residents who re-develop need to do so under specific auspices. Currently, Division 39 of the Land Development Code requires an applicant to choose two items from the list of eight, one of which is the LEED certification.

Commissioner Parent asked how many cities in Florida have the certification, to which Ms. Hartley responded that the City of Sarasota is the leader and they would be this City's best resource for guidance.

Ms. Hartley discussed developing an economic development package over the next fiscal year that would include marketing materials and finding a marketing/real estate specialist, who can talk to developers and bring some interest to the City's vacant parcels and re-development of the hotels. They are looking at a budget request of \$50,000 to \$100,000 to put an economic development package together.

Commissioner Parent asked Ms. Hartley to describe the "Main Street" designation. She responded that there is a policy in the Plan that requires the City to apply for "Main Street" status. Main Street is a program that is run by the National Trust for Historic Preservation. If awarded Main Street designation, the City will receive technical assistance and \$10,000 to \$25,000 in façade grants and improvements for the main street. The next cycle will open up in the spring of 2012. Corey Avenue would be designated the main street.

Other programs that were discussed include an affordable housing program, a design master plan for Gulf Boulevard and a public art master plan.

Ms. Hartley noted some minor amendments that are needed in the Plan including removing any reference to the provisions in the Charter that were repealed in the last election and streamlining mixed use calculations.

Mayor McFarlin asked if there were any audience comments or questions.

Resident, St. Pete Beach asked how quickly and to what extent the CRA Program is going to take effect.

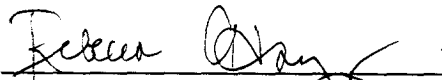
City Manager Bonfield responded that it will, more than likely, be the end of next year.

Peter Roos, 105 – 30th Avenue, is excited about the good things he has heard today. He would like to see more use of the recent designation of St. Pete Beach as the "Sunset Capital of Florida".

Robin Grabowski, Tampa Bay Beaches Chamber of Commerce, St. Pete Beach, is thrilled with the community and commission involvement, and she offered the Chamber's assistance in any way needed.

Gary Renfrow, Alden Beach Resort, St. Pete Beach, suggested improving existing businesses, marketing programs and financial opportunities.

There being no further business to come before the workshop, the meeting was adjourned at 4:52 pm.



Rebecca C. Haynes, City Clerk



Beverly Garnett, Vice-Mayor

Minutes approved on:

8/9/2011

**ST. PETE BEACH
CITY COMMISSION MEETING**

**JULY 26, 2011
6:00 pm.**

MINUTES

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENT

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

ALSO PRESENT

**Mike Bonfield, City Manager
Mike Davis, City Attorney
Karl Holley, Community Development Director
Renee Cooper, CIP Construction Manager
Rebecca C. Haynes, City Clerk**

1. Changes to the Agenda

Mayor McFarlin called upon City Manager Bonfield for changes to the agenda. City Manager Bonfield requested removal of Item 4.b., 'Authorization for the City Manager to grant a request of Paradise Sweets, LLC to temporarily suspend operations at Upham Beach concession stand and reduce the monthly minimum rent paid to the City (\$8,862.00) by \$2,215.00 (The Upham Beach portion) for the remainder of the Upham Beach T-Groin construction project,' and that Item 6.a., 'Ordinance 2010-25, Final Reading and Public Hearing providing for amendment of the Future Land Use Map of the St. Pete Beach Comprehensive Plan for property located at 113 – 11th Avenue,' and Item 6.b., 'Ordinance 2010-34 Final Reading and Public Hearing providing for amendment of the Official Zoning Map

of the St. Pete Beach Land Development Code for property located at 113 – 11th Avenue,' be continued until August 23, 2011, date certain.

Mayor McFarlin called upon Mr. Bowman to come before the Commission.

Jackson Bowman, 1780 102nd Avenue North, stated that he believes the Commissioners are moving the City forward with development plans.

Commissioner Parent made a motion to continue Agenda Items 6.a., Ordinance 2010-35, and 6.b., Ordinance 2011-34, to August 23, 2011 date certain. The motion was seconded by Commissioner Halpern.

The motion was unanimously approved by roll call vote.

Commissioner Shavlan asked that discussion concerning the City's logo be added under Item 8. All were in agreement.

2. Presentations

- a. Proclamation declaring September 23, 2011, as Caregiver Day.

Mayor McFarlin read the proclamation and declared Friday, September 23, 2011 as Caregiver Day.

- b. Alley Rehabilitation project close out.

Renee Cooper, CIP Construction Manager, gave a brief presentation on the alley rehabilitation in Pass-A-Grille, including replacement of surfaces with 6" of broken/crushed shells to allow for better storm water drainage. They repaired 11 alleys for a total cost of \$96,278 and completed 10 additional alleys at the cost of \$87,862 for a total of \$184,140. The project was completed within budget.

3. Audience Comments

Mayor McFarlin opened the meeting to audience comments.

Maria Urban, 6439 2nd Palm Point, stated she represents over 100 residents and submitted a petition to the City Clerk that requests an independent audit of the City's legal services.

Rick Falkenstein, 6441 4th Palm Point, advised the Commission and residents that the Pinellas Suncoast Transit Authority is having a meeting Wednesday at 9:00 a.m. to consider alternative bus schedules.

Rosemary Manning, 200 1st Avenue, suggested that residents who wish to speak to the Commission state their name and address once they reach the podium and before they proceed. She also stated that she wanted to be one of the first people to donate a piece of art to St. Pete Beach once final criteria is established for the public art displays.

Deborah Schechner, 710 Boca Ciega Isle Drive, addressed an article she read in the St. Petersburg Times regarding the City attorneys lobbying in Tallahassee.

Lorraine Huhn, 9425 Blind Pass Road, remarked that because something appears in the newspaper doesn't necessarily qualify it as the truth.

Deborah Edney, 181 73rd Avenue, asked about a letter written by the City Manager involving a property owner and what she considers preferential treatment granted to certain people in St. Pete Beach.

Nancy Shannon, 2141 East Vina del Mar, spoke about a newspaper article written about the City's attorneys, the trees south of the Don CeSar, and asked about a house immediately over the bridge in the Vina del Mar subdivision.

Hearing no further public comments, Mayor McFarlin asked the Commission to speak about the bus issue first.

City Manager Bonfield explained the proposed changes in the bus route and bus schedules.

Karl Holley, Community Development Director, provided an update on the construction of the house located in the Vina del Mar subdivision. Mr. Holley explained that the permit has expired and has been reinstated several times, yet the City cannot take any adverse action as long as the property owner continues to reinstate his permit and do a minimum amount of work. Mr. Holley explained that the City can seek a demolition order but courts are somewhat reluctant to order destruction of private property.

Commissioner Shavlan asked about the construction status of house on 29th Avenue in Pass-A-Grille. Mr. Holley advised that his department is working with the City Attorney's office to foreclose on the lien and recoup unpaid fines.

City Manager Bonfield addressed the issue of the City attorneys lobbying in Tallahassee on behalf of the City. He stated the St. Petersburg Times newspaper article was inaccurate and he requested the editor print a retraction.

4. Consent

a. Approval of the June 28, 2011 Minutes of the City Commission Shade Meeting; the June 28, 2011 Minutes of the City Commission Regular Meeting; and the July 12, 2011 Minutes of the City Commission Regular Meeting.

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

5. Action Items

a. **Case #20110015 Conditional Use.** Applicant requests Conditional Use approval for property located at 3700 Gulf Boulevard for Outdoor Restaurant Seating in accordance with Section 14.4(g) of the Land Development Code. Applicant requests seven (7) seats. This case requires a Quasi-Judicial public hearing.

Mayor McFarlin asked if there were any persons in the audience who would like to be granted substantially affected status. Hearing none, he explained that audience comments will be received after the staff report is presented.

Mr. Holley advised the Commission that his department has received a couple of letters opposing the outdoor seating request.

After discussion by the Commission, Mayor McFarlin asked the applicant to come forward.

John Phillips, authorized Agent for Smiley's Beach Shack St. Pete Beach, L.L.C., briefly explained the application and their compliance with standards, and then answered questions posed by the Commission. He stated that, based on a recent City inspection, the existing barrier log is considered seating that will accommodate three individuals. Mr. Phillips requested the conditional use be amended to accommodate ten seats rather than the original seven seats.

Mayor McFarlin then asked for audience comments.

Norma Robinson, 3210 Gulf Boulevard, would like to see a "No Right Turn" sign at the exit of the parking lot to lessen traffic flow onto El Centro.

Resident, Pass-A-Grille, asked the Commission to consider the problems created serving alcohol after dark.

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

It was decided to amend the conditional use request from seven (7) seats to ten (10) seats.

Commissioner Shavlan made a motion to approve Case No. 20110015, request for Conditional Use approval under Section 14.4(g) for outdoor restaurant seating at 3700 Gulf Boulevard, to allow seating for ten (10) and provided that a "No Right Turn" sign is placed at the egress of the parking lot.

The motion was seconded by Commission Parent and approved by unanimous roll call vote.

b. **Case No. 20110017 Conditional Use.** Applicant requests conditional use approval for property located at 5300 Gulf Boulevard for modification of Stipulation for Settlement of appeal of Conditional Use Case #20090002 filed under the Florida Land Use and Environmental Dispute Resolution Act. This case requires a Quasi-Judicial public hearing.

Mayor McFarlin asked if any of the Commissioners had any contact with the applicant. Commissioner Shavlan advised that he spoke with Gregg & Debra Nicklaus.

Mayor McFarlin asked if there were any persons in the audience who would like to be granted substantially affected status. Hearing none Mayor McFarlin called upon Community Development Director, Karl Holley, to proceed.

Mr. Holley stated that this is a non-standard request and an amendment to a previously approved conditional use. This amendment would remove the provision restricting wave runner rental to those persons 25 years or older, and provide that the applicant comply with the provisions of State Statute with respect to the age of the renter. Mr. Holley went on to state that he has received no comments in support or opposition of the conditional use.

Mayor McFarlin asked for comments from the applicant.

Gregg Nicklaus, 5300 Gulf Boulevard, thanked the Commissioners for their consideration of his request.

Mayor McFarlin then asked for public comment.

Rosemary Manning, 200 1st Avenue, noted that the rules for wave runner rentals should be consistent for all businesses on the beach.

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

Commissioner Shavlan made a motion to approve Case No. 20110017, request for Conditional Use approval for modification of Stipulation for Settlement of appeal of Conditional Use Case No. 20090002 filed under the Florida Land Use and Environmental Dispute Resolution Act.

The motion was seconded by Commission Halpern and unanimously approved by roll call vote.

c. Authorization for the City Manager to proceed with closing on the acquisition of additional land adjacent to Egan Park pursuant to a lease/purchase contract with the Trust for Public Land on or about August 5, 2011. The settlement costs are estimated to be \$403,955.00.

City Manager Bonfield gave a brief explanation of the request and reiterated that the City has received a grant of \$200,000 from the State of Florida which cannot be accepted until the City actually holds ownership of the property. The settlement costs will total \$203,955 once the grant is received from the State. There is money in next year's budget to demolish the structure after which time the City can discuss future improvements.

Vice Mayor Garnett made a motion to authorize the City Manager to proceed with closing on the acquisition of additional land at Egan Park pursuant to a lease/purchase contract with the Trust for Public Land on or about August 5, 2011.

The motion was seconded by Commissioner Shavlan.

Mayor McFarlin asked for audience comments.

Deborah Schechner, 710 Boca Ciega Isle Drive, suggested that, after the building is demolished, the City should put the property up for sale.

The motion was unanimously approved by roll call vote.

6. Ordinances

There were no ordinances presented for this agenda.

7. Resolutions

There were no resolutions presented for this agenda.

8. Items for Discussion

a. City Commission Appointment to the Pinellas Suncoast Transit Authority (PSTA) Board of Directors.

City Manager Bonfield explained that this is a 'BIG C' appointment to the PSTA and suggested that the Commission take action to support the 'BIG-C' recommendation.

Vice Mayor Garnett made a motion to accept the BIG C's recommendation for appointment to the Pinellas Suncoast Transit Authority Board of Directors. The motion was seconded by Commissioner Halpern and unanimously approved by roll call vote.

b. Discussion of City Logo and Website – Commissioner Shavlan

Commissioner Shavlan stated that he believes it is important how the City presents itself and suggested that one of the first steps moving forward is revising the City's logo. He is requesting to take advantage of the legacy that Governor Charlie Christ bestowed upon the City and use "Sunset Capital of Florida" in our logo. Commissioner Shavlan presented several different designs which were discussed at length. He noted that he will take the suggested revisions back to the design team and return with the modifications for further discussion.

It was agreed that once the new log is approved, the Commission will work on updating the website.

Rick Falkenstein, 6441 4th Palm Point, suggested holding a contest to design a new logo and offered to make a donation.

Rosemary Manning, 200 1st Avenue, suggested using bold lettering.

Commissioner Parent thinks the City should take a look at "Facebook" and "Twitter" in addition to the website as a means of attracting more people to St. Pete Beach.

9. Reports

City Manager Mike Bonfield reported a Planning Board Workshop scheduled on August 1st at 4:00 p.m., a City Commission CIP Workshop is scheduled on August 2nd at 5:00 p.m. and City Commission Budget Workshops are scheduled on August 3rd & 4th at 5:00 p.m. At the August 23rd City Commission meeting, the City Attorney will present to the Commissioners an update on ethics, public records and the Sunshine Law. Mr. Bonfield reviewed

correspondence he received from Pinellas County Supervisor of Elections regarding upcoming election dates which will be finalized the first part of October.

City Attorney Mike Davis provided the Commissioners with a copy of a motion filed in the appeal of the Pyle case where they are advising the court that they believe the case is moot and should no longer proceed. Similar motions will be filed in the other Pyle cases in an effort to put an end to the continuing litigation.

Mr. Davis also provided the Commissioners a summary of the legal actions that have been filed against the City of St. Pete Beach by Mr. Ken Weiss.

Vice Mayor Beverly Garnett reported that a Pass-A-Grille resident will be hosting a Japanese exchange student and they will attend the sunset bell ringing ceremony at Paradise Grill. She asked her fellow Commissioners to consider attending to give this young lady a warm welcome to St. Pete Beach.

Vice Mayor Garnett reported that there have been ten (10) turtle nests this summer, two of which have hatched.

Vice Mayor Garnett advised that she is cancelling her August meeting due to past attendance in the summer months. If residents would like to see her, they may contact her via email or telephone.

Commissioner Parent reminded residents about the 50% off on pool membership which will expire July 31st. To date, 23 memberships have been sold at a discounted rate.

Commissioner Parent reported that the Recreation Department has brought in about a \$1 million dollars in the last four (4) years. He noted that there are two remaining Friday night Dive-In Movies, 'Madagascar' on August 5th and 'Shark Tale' on August 12th.

Commissioner Parent commented that he placed the quarterly report from Community Development Department on his website. He also downloaded the maps to the City's Comprehensive Plan that depict the 11 character districts.

He reported that the St. Pete Beach Police Department was notified that they placed in the top three at the Florida Law Enforcement Traffic Challenge and received their award of \$13,500 in traffic safety equipment in Orlando.

Commissioner Al Halpern reported that his homeowners association recently completed a project in District One and the residents are very satisfied

with the improvement. He thanked Steve Hallock's crew for doing an excellent job.

Mayor Steve McFarlin reminded the Commission that he will not be present at the August 9th Commission meeting.

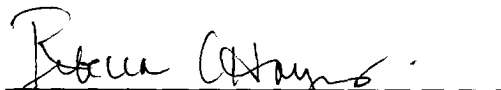
Mayor McFarlin stated that their hearts and prayers go out to Deputy City Clerk Pam Prell, who was injured in a recent home fire.

Commissioner Shavlan mentioned that he had received a call from Mr. Bob Rogers, member of the Police Pension Board.

There was discussion concerning the opening on the Police Pension Board and attendance at their next meeting.

10. **Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 8:22 pm.


Rebecca C. Haynes, City Clerk


Beverly Garnett, Vice-Mayor

Minutes approved on: 8/9/2011