

CITY COMMISSION MEETING

MINUTES

MAY 12, 2015

6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Mr. Geoff Williams provided a non-traditional invocation via a magic act.

PRESENT:

Maria Lowe, Mayor
Terri Finnerty, Vice Mayor
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner
Melinda Pletcher, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Jennifer Bryla, Community Development Director
Elaine Edmunds, Administrative Services Director
John Kretzer, Interim Public Services Director
Jennifer McMahon, Recreation Director
Ian Wade, Project Manager

1. Presentations

- a. Proclamation - Women's Lung Health Week

Commissioner Pletcher read the proclamation declaring the second week in May as Women's Lung Health Week.

2. Changes to the Agenda

City Manager Saunders requested to pull Item 5(b) and reschedule for a future meeting.

Vice Mayor Finnerty requested to move Items 6(a), 6(b) and (c) forward to act upon immediately after the Consent Agenda.

3. Audience Comments

There were no audience comments.

4. Consent

- a. Approval of minutes from the March 24, 2015 Regular City Commission meeting and the April 14, 2015 Workshop Meeting
- b. Authorize the City Manager to enter into a purchase agreement with Don Reid Ford, Inc. in the amount of \$24,166.00 for the purchase of a pickup truck
- c. Authorization to approve special event application for the Surfers for Autism event to be held in Pass-A-Grille on July 11, 2015. The event will require street closures and will permit alcohol on 9th Avenue and 10th Avenue between Gulf Way and Pass-A-Grille Way, and on Gulf Way from 11th Avenue to 9th Avenue
- d. Authorize the City Manager to enter into a purchase agreement with Taborelli Construction, Inc. (TBI) in the amount of \$48,403.03 for the design and construction of two dune walkovers

City Manager Saunders reviewed the items and recommended approval.

Commissioner Pletcher moved to approve Items 4(a), (b), (c) and (d) as presented. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

6. Ordinances

- a. Ordinance No. 2015-06, Final Reading and Public Hearing, amending Chapter 6, Alcoholic Beverages of the City of St. Pete Beach Code of Ordinances relating to public consumption or possession of alcoholic beverages

Mayor Lowe requested to remove Item 6(a), Ordinance No. 2015-06 for further staff review based upon communication received from community members.

City Attorney Andrew Dickman summarized the requested changes by clarifying that the proposed ordinance is applicable only to temporary lodging facilities' private beach area. Mr. Dickman recommended making a motion to send the ordinance back to planning staff to redraft and bring back for first reading at the May 26, 2015 City Commission meeting.

Commissioner Premier moved to bring back Item 6(a), Ordinance No. 2015-06, for first reading after review by City Staff at the next City Commission meeting. The motion was seconded by Falkenstein.

Mayor Lowe called for audience comments.

Tom Rodgers, Corey Avenue, requested clarification on input from the Planning Board.

John Michael, Bay Street, commented on City-imposed restrictions and allowing the Sheriff's Office to dictate the restrictions.

Kevin (last name inaudible), 70th Avenue, questioned why the current regulations could not be enforced.

Edwin Stark, Sunset Way, requested clarification on consumption of alcoholic beverages on private beach areas.

Unidentified speaker commented on the rules posted for beach use.

Bill Pyle, Sunset Way, requested clarification on consumption of alcoholic beverages on private beach areas.

Patricia Foley, St. Pete Beach, spoke in support of allowing the consumption of alcoholic beverages on the beach.

Deborah Schechner, Boca Ciega Isle Drive, requested clarification on fence, design and permit restrictions if the consumption of alcohol was allowed on the beach.

Hearing no further audience comments, Mayor Lowe called for the vote.

The vote was unanimously approved by an individual roll call vote.

- b. Ordinance No. 2015-02, Final Reading and Public Hearing, Outdoor Dining Areas; Definitions and Use Permissions for Eating and Drinking Establishments

City Manager Saunders reported that the proposed ordinance eliminates the provision to provide for outdoor drinking and/or dining on sidewalk areas.

Commissioner Premier made a motion to postpone or rewrite Item 6(b), Ordinance No. 2015-02 for further staff review, and possibly to the Planning Board for further review, and to schedule a workshop for community input. The motion was seconded by Vice Mayor Finnerty.

Mayor Lowe called for audience comments.

Tom Rogers, Corey Avenue Business Association, reviewed the history of research that he, several community members and a former commissioner conducted in regard to sidewalk service.

John Michael, Bay Street, expressed concern over what he perceived as 'government encroachment.'

Unidentified speaker, St. Pete Beach, spoke in support of the current Commission and suggested placing the decision of outdoor drinking and dining as a ballot measure.

Kevin Korth, Gulf Winds Drive, spoke in support of the proposed ordinance and recommended looking at other communities as examples.

Deborah Schechner, Boca Ciega Isle Drive, spoke in regard to a future parking garage.

Rob Williams, Corey Avenue, spoke in opposition to locating a business in the street and in support of allowing alcoholic beverage consumption on the sidewalks and in support of his patrons at the Swigwam Bar.

Ruth (inaudible last name), Pinellas Bayway South, spoke in support of discussing the proposed ordinance and equality in sidewalk use.

Rosemary Manning, Pass-A-Grille, offered the suggestion of re-positioning the chairs in front of the Swigwam Bar to reflect a more people-friendly visual impression.

Jeff Jansen, no address given, spoke in support of allowing alcoholic beverages on public sidewalks.

Joel Kaplan, no address given, spoke in support of operations at the Swigwam Bar.

Hearing no further audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

- c. Ordinance No. 2015-03, Final Reading and Public Hearing, Off-Premise and Commercial Parking

City Manager Saunders requested that Item 6(c), Ordinance No. 2015-03, be tabled until the next City Commission meeting to incorporate the changes made in order that the ordinance coincide with Ordinance No. 2015-02.

Commissioner Pletcher moved to table Item 6(c), Ordinance No. 2015-03, on second reading to date certain of May 26, 2015. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

5. Action Items

- a. Agreement for Utility Relocations between the City of St. Pete Beach and Pinellas County for Pass-A-Grille Way

City Manager Saunders explained that the agreement incorporates the County reimbursement to the City for the water main relocation and the reclaimed water line relocation in Phase I of the Pass-A-Grille reconstruction project.

Commissioner Pletcher moved to approve Item 5(a), to approve an agreement for utility relocations between the City of St. Pete Beach and Pinellas County, PID No. 001589A. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

Item 5(b) was removed from the agenda.

- b. Authorize the City Manager to sign a Letter of Intent for Advance Payment of \$56,784.87 to Verizon to underground service on Pass-A-Grille Way from Cabrillo Avenue to 1st Avenue.

6. Ordinances

- d. Ordinance 2015-08, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach authorizing the issuance of a bond not to exceed \$13,000,000 in aggregate principal amount for acquiring, constructing and equipping various capital improvements

Jeff Larson; Financial Advisor, Larson Consultants; reviewed the sequential steps in the bond issue process and reported the Moody's rating given to the City.

Matt Sansbury; Managing Director; Stifel, Nicolaus & Company; reported that his company is the senior manager on the bond for the City and, as such, will bring the bond to the market and sell to investors.

The debt service payments will be secured by the City's non-ad valorem revenues and the proceeds for this bond issue will be used to fund the following various capital improvements:

- Road improvements on Blind Pass Road
- Road improvements on Pass-A-Grille Way
- Library Project
- Other capital projects approved by City Commission

Vice Mayor Finnerty moved to approve Item 6(d), Ordinance No. 2015-08, on final reading, an ordinance authorizing the issuance of not to exceed \$13,000,000 in aggregate principal amount of Capital Improvement Revenue Bonds for the principal purposes of acquiring, constructing and equipping various capital improvements within the City; pledging certain proceeds of the half-cent sales tax, guaranteed entitlement, franchise fees and Public Service Tax to secure the payment of the principal of redemption premium, if any, and interest on the bonds; providing for the rights of the holders of such bonds; and providing severability and an effective date. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

- e. Ordinance 2015-09, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach authorizing the issuance of a bond not to exceed \$3,000,000 in aggregate principal amount for the stormwater utility system

Mr. Larson noted that the bond rate of 2.95% is over a 15-year period and will be paid out of the Stormwater Utility Revenue Fund.

The proceeds of the bond will fund various stormwater utility capital improvements including:

- Stormwater improvements on Blind Pass Road

- Stormwater improvements on Pass-A-Grille Way

Commissioner Premier moved to approve Item 6(e), Ordinance 2015-09, on final reading, an ordinance authorizing the issuance of not to exceed \$3,000,000 in aggregate principal amount of a stormwater Improvement Assessment Bond, Series 2015 of the City of St. Pete Beach, Florida to finance the acquisition, construction and equipping of various Stormwater Utility Capital Improvements; pledging the herein described pledged funds to secure the payment of the principal of redemption premium, if any, and interest on such bond; providing for a covenant to budget and appropriate legally available non-ad valorem revenues to pay debt service on the bond in the event the pledged funds are insufficient thereof; providing for the rights of the holder of such bond; and providing for an effective date. The motion was seconded by Vice Mayor Finnerty.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

7. Resolutions

- a. Resolution No. 2015-06, a resolution of the City of St. Pete Beach, Florida authorizing the issuance of stormwater improvement assessments bonds

Mr. Larson noted the resolution can be used for all future borrowings related to the stormwater utility system.

Vice Mayor Finnerty moved to approve Item 7(a), Resolution No. 2015-06, a resolution of the City Commission of the City of St. Pete Beach, Florida, authorizing the issuance of Stormwater Improvement Assessment Bonds from time to time for the principal purposes of financing and refinancing costs of the acquisition, construction and equipping of various Stormwater Capital Improvements; pledging the monies received from special assessments levied upon real property benefitted by services of and improvements to the City's Stormwater Utility System to secure payment of the principal of and interest on said bonds; covenanting to budget and appropriate certain legally available non-ad valorem revenues to pay debt service on the bonds in the event the special assessments are insufficient for such purpose; providing for the rights of the holders of such bonds; making certain other covenants and agreements in connection with bonds issued hereunder; accepting the proposal of Capital One Public Funding, LLC, to provide the City with a loan to finance certain costs relating to the acquisition, construction and equipping of various capital improvements to the City's Stormwater Utility System; providing for the issuance of not

exceeding \$3,000,000 principal amount of the City of St. Pete Beach, Florida, Stormwater Improvement Assessment Bond, Series 2015, to Capital One Public Funding, LLC, in order to evidence such loan; providing certain terms and details of said bond, including authorizing a negotiated sale of the Series 2015 Bond to Capital One Public Funding, LLC; delegating certain authority to the City Manager to negotiate and approve the final terms and details of said Series 2015 Bond in accordance with the terms hereof; providing for making certain other covenants and agreements in connection with the Series 2015 Bond issued hereunder; and providing an effective date. The motion was seconded by Commissioner Premer.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

- b. Resolution 2015-07; a resolution of the City of St. Pete Beach, Florida authorizing the issuance of not to exceed \$13,000,000 in aggregate principal amount of the City of St. Pete Beach, Florida Capital Improvement Revenue Bonds, Series 2015 for the principal purposes of acquiring, constructing and equipping various capital improvements within the City

Mr. Larson explained that the proposed resolution provides an overall framework as a master resolution that can be used for all future borrowings related to Capital Improvement Revenue Bonds.

The Series 2015 bond proceeds will be used to pay for various capital projects including:

- Capital improvements on Blind Pass Road
- Capital improvements on Pass-A-Grille Way
- Capital needs related to the City's Library project
- Other capital improvements approved by City Commission

Commissioner Pletcher moved to approve Item 7(b), Resolution No. 2015-07, a resolution of the City of St. Pete Beach, Florida, authorizing the issuance of not exceeding \$13,000,000 in aggregate principal amount of City of St. Pete Beach, Florida, Capital Improvement Revenue Bonds, Series 2015 for the principal purposes of acquiring, constructing and equipping various capital improvements within the City; providing for the issuance of additional Capital Improvement Revenue Bonds from time to time for the principal purposes of acquiring, constructing and equipping various capital improvements within the City and refunding certain

outstanding indebtedness of the City; pledging monies received by the City from the local government half-cent sales tax, guaranteed entitlement, franchise fees and Public Service Tax to secure payment of the principal of and interest on bonds issued hereunder; providing for the rights of the holders of bonds issued hereunder; making certain other covenants and agreements in connection with bonds issued hereunder; authorizing a negotiated sale of said Series 2015 bonds; delegating certain authority to the City Manager for the authorization, execution and delivery of a purchase contract with respect thereto, and the approval of the terms and details of said Series 2015 bonds; authorizing the distribution of a preliminary official statement and the execution and delivery of an official statement with respect thereto; appointing the paying agent and registrar for said Series 2015 Bonds; authorizing the execution and delivery of a continuing disclosure agreement with Digital Assurance Certification, LLC; delegating authority to the City Manager to determine whether to utilize municipal bond insurance for the Series 2015 bonds; delegating authority to the City Manager to determine the reserve account requirement for the Series 2015 Bonds and whether to utilize a reserve account insurance policy with respect thereto; and providing an effective date. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

8. Items for Discussion

Vice Mayor Finnerty discussed establishing a policy to require the City Clerk to read ordinances and resolution titles at Commission meetings rather than the City Commission reading the titles. It was the consensus of the City Commission to continue the current practice of commissioners reading the ordinance and/or resolution titles.

Commissioner Falkenstein requested an update on scheduling budget meetings.

9. Audience Comments

There were no audience comments.

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

City Clerk Haynes reported on the following items:

- The International Institute of Municipal Clerks annual conference is scheduled for May 15-22, 2015, and thanked the Sirata Beach Resort for their donation to be

auctioned at the education raffle of a two-night, three-day stay at their resort hotel

City Manager Saunders reported on the following item:

- Requests for Proposals for the Pass-A-Grille Way reconstruction project were advertised

Commissioner Falkenstein reported on the following items:

- A new dog inspired publication is available called *The New Barker*
- Pump Station 2 will have a generator and new landscaping

Commissioner Premer reported on the following items:

- Celebrated Mothers' Day on the beach
- Preventative measures to take in regard to skin cancer
- Beware of stingrays and remember to do the "Stingray Shuffle" when swimming
- Support the Tampa Bay Lightning team

Vice Mayor Finnerty reported on the following items:

- Gulf Beaches Elementary School held a Science Competition
- Support Our Troops has 36 boxes ready for shipping
- Thanked Community Development Director Bryla for attending the meetings
- Library Assistant Nancy Gibbs taught a great iPad class at the Library
- The Chowder Challenge organizers announced they will move the event to Horan Park due to the Pass-A-Grille Way reconstruction project
- The Sunset Park Festival was held on Saturday

Commissioner Pletcher reported on the following items:

- National Natural Disaster Fund and National Flood Insurance Program
- Lights on 8th celebration was held on May 2nd

Mayor Lowe reported on the following items:

- South Pinellas County Arts Museum sponsored a breakfast honoring principals
- Served as an Emcee at the Northside Christian School Fashion Show
- Taught a community service class at Eckerd College
- St. Petersburg Opera held their annual gala
- Attended a Tampa Bay Buccaneer's draft party
- Attended a ribbon cutting ceremony for Cake Affection through the Chamber of Commerce
- Received positive feedback in regard to the State of the City meeting
- Expressed appreciation to the Chamber of Commerce for sponsoring the Tourism Luncheon

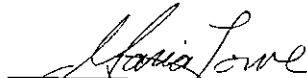
11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 10:15 p.m.

Attest:



Rebecca C. Haynes, City Clerk



Maria Lowe, Mayor

Minutes approved on: 7-14-2015