

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of February 19, 2009

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of November 21, December 4 and December 11, 2008 are submitted for your approval.

A RESOLUTION APPROVING THE MINUTES
OF THE CITY COUNCIL MEETINGS HELD ON
NOVEMBER 21, DECEMBER 4 AND
DECEMBER 11, 2008; AND PROVIDING AN
EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the minutes of the City Council meetings held on November 21, December 4 and December 11, 2008 are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM
AND SUBSTANCE:

City Attorney or Designee

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, NOVEMBER 21, 2008, AT 8:32 A.M.

Chair James S. Bennett called the meeting to order with the following members present: Herbert E. Polson, William H. Dudley, Leslie Curran, Karl Nurse, Wengay M. Newton, Sr. and Jeff Danner. Absent: James R. Kennedy, Jr. Mayor Rick Baker, First Deputy Mayor/City Administrator Tish Elston, Deputy Mayor David Metz, City Attorney John Wolfe, Assistant City Attorney Mark Winn, City Clerk Eva Andujar and Deputy City Clerk Amelia Preston were also in attendance.

Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes as amended:

- MOVE CA-3 Awarding a contract to Tampa Contracting Services, Inc. in the amount of \$635,719.00 for construction of the Booker Lake Regional Stormwater Treatment Facility. (Engineering Project No. 05042-110; Oracle Nos. P361041 and 10593) *[Moved to Reports as G-5]*

- ADD CA-4 Accepting a grant from the Coordinated Child Care of Pinellas, Inc. (“CCC”) in the amount of \$541,953 for the Teen Arts, Sports and Cultural Opportunities (TASCO) Center Based Teen Programs; authorizing the Mayor to execute a grant agreement and all other documents necessary to effectuate this transaction with CCC; approving measurable objectives set forth in the grant agreement; and approving a supplemental appropriation of \$541,953 from the increase in the unappropriated balance of the General Fund resulting from these additional revenues to the Recreation Department TASCO FY09-CCC project.

- REVISE CB-4 Approving the donation of aluminum cans and plastic bottles to the Louise Graham Regeneration Center. *[Revised language and backup]*

- MOVE CB-10 Year-End Appropriation Adjustments - FY08 Operating Budgets & Capital Improvement Program Budgets & Adjustments to the FY09 Budget. *[Moved to Reports as G-6] (Please see J-2: BFT Report)*

- DELETE D-2 Presentation by TBARTA Acting Executive Director Robert Clifford - an update on TBARTA’s progress.

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- ADD D-3 Presentation of the Pareto Award for Excellence in Public Procurement.
- ADD D-4 Presentation by the American Lung Association and Edward White Hospital regarding the importance of a flu vaccine.
- REVISE F-2 Resolution approving a substantial amendment to the City's FY2008-2009 Annual Action Plan ("Amendment") to add a new neighborhood stabilization program ("NSP") with \$9,498,962 in funding to be allocated to the City from the U.S. Department of Housing and Urban Development ("HUD") to implement the NSP and following strategies: 1) establish a planning and administration strategy to execute the overall planning, organizing, staffing, directing, coordinating, reporting, and budgeting of the NSP and allocate the HUD allowed 10% (\$949,896) for this activity; 2) establish an acquisition and rehabilitation strategy for the NSP in order to sell or rent homes that have been abandoned or foreclosed and fund it with \$8,449,066; 3) establish a strategy with \$100,000 to demolish blighted structures acquired under the NSP; authorizing the Mayor to submit the Amendment to HUD and to execute all documents necessary to implement the amendment. *[Revised NSP Amendment]*
- ADD G-7 KABOOM/KOOL-AID PLAYGROUND. *(Oral, scheduled for 8:30 a.m.)*
- INFO J-1 Housing Services Committee. (11/17/08)
(a) Resolution accepting the State Housing Initiatives Partnership ("SHIP") Affordable Housing Advisory Committee's affordable housing incentives recommendations report; authorizing the Administration to amend the SHIP Local Housing Assistance Plan ("LHAP") to include the strategies recommended in the report; to forward the amended LHAP to the Florida Housing Finance Corporation; and authorizing the Mayor to execute all documents necessary to effectuate this resolution.
- INFO J-3 Public Services & Infrastructure Committee. (11/18/08)
(a) Resolution approving eight Neighborhood Partnership Grant Applications; authorizing the Mayor to execute agreements and all other documents necessary to effectuate completion of these Neighborhood Partnership Grant Projects; and approving a supplemental appropriation of \$2,240.00 from the unappropriated balance of the General Capital Improvement Fund resulting from these additional revenues provided to satisfy contractual matching requirements.

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Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

Councilmember Curran moved with the second of Councilmember Polson that the following resolutions be adopted:

- 08-563 Awarding one-year blanket purchase agreements for commercial refuse containers and compactors to Equipco Manufacturing, Inc. and Rotonics Manufacturing, Inc. ("RMI") at an estimated annual cost of \$1,592,979.
- 08-564 Authorizing the Mayor to execute a Joint Project Agreement between the City of St. Petersburg and Pinellas County in the estimated sum of \$1,305,266 for relocation of the City's Water Mains on the County's roadway and drainage improvements to Park Street/Starkey Road between Tyrone Boulevard and 84th Lane North, PID 864. (Engineering Project No. 05032-111; Oracle No. 10332)
- 08-565 Accepting a grant from the Coordinated Child Care of Pinellas, Inc. ("CCC") in the amount of \$541,953 for the Teen Arts, Sports and Cultural Opportunities (TASCO) Center Based Teen Programs; authorizing the Mayor to execute a grant agreement and all other documents necessary to effectuate this transaction with CCC; approving measurable objectives set forth in the grant agreement; and approving a supplemental appropriation of \$541,953 from the increase in the unappropriated balance of the General Fund resulting from these additional revenues to the Recreation Department TASCO FY09-CCC project.
- 08-566 Renewing a blanket purchase agreement with Humana Medical Plan, Inc. for group health insurance, Medicare + Choice Health Management Organization (HMO) and Preferred Provider Organization (PPO) for retirees at an estimated annual premium of \$322,728.
- 08-567 Approving the purchase of 114 traffic signal controllers from Econolite Control Products, Inc., a sole source supplier, for the Stormwater, Transportation & Parking Department at a total cost of \$188,100.
- 08-568 Accepting a proposal from Kone, Inc., a sole source supplier, for elevator renovations at The Pier at a total cost of \$234,050.
- 08-569 Approving the donation of aluminum cans and plastic bottles to the Louise Graham Regeneration Center.

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- 08-570 Approving the plat of Snell Isle Club Partners, generally located at the northeast corner of Eden Isle Boulevard Northeast and Eden Isle Drive Northeast. (City File 08-20000011)
- 08-571 Authorizing the Mayor to execute a Use Agreement with ALSCO, Incorporated for the use of property located at approximately 3900 Fairfield Avenue South, St. Petersburg, for staging and/or overflow parking for a "community build" playground project on the City's adjacent Trailhead Park during a period of three (3) days, at no cost to the City.
- 08-572 Resolution finding that payment of all closing related costs, including documentary stamps, for acquisition of the property herein described serves a City purpose; authorizing the Mayor to purchase one (1) improved parcel located at 2396 - 8th Avenue South, St. Petersburg, Florida (Parcel 37) for Phase II of the Dome Industrial Park Plan for the sum of \$75,000; to pay all closing related costs, including documentary stamps, not to exceed \$5,000; to pay, in accordance with U.S. Department of Housing and Urban Development regulations and applicable Federal statutes, a reimbursement to the seller for actual reasonable moving expenses and a replacement housing payment not to exceed \$8,000, in the aggregate.
- 08-573 Authorizing the Mayor to execute annual Master Agreements and up to three one-year renewal options between the City of St. Petersburg and Advanced Engineering & Design, Inc., Black & Veatch Corporation, Boyle Engineering, Inc., Brown and Caldwell, Inc., Carollo Engineering, Inc., CDM, Inc., George F. Young, Inc., Greeley and Hansen, Inc., Hazen and Sawyer, Inc., and McKim & Creed, Inc. to furnish services with regard to Potable Water, Wastewater & Reclaimed Water Projects.
- 08-574 Authorizing the Mayor to execute a Joint Project Agreement between the City of St. Petersburg and Pinellas County in the estimated sum of \$252,000 for relocation of the City's Water Mains on the County's 54th Avenue North and 28th Street North Intersection improvement, PID 1146; and approving a supplemental appropriation of \$197,000 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRL PC Project Utility Relocation Project (11697). (Engineering Project No. 08084-111; Oracle No. 11697)
- 08-575 Approving the appointment of Chave "Steve" Aspinall to the Board of Trustees of the Police Pension Fund.
- 08-576 Approving the appointment of Gregory Dee Cunningham to the Board of Trustees of the Fire Pension Fund.

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- 08-577 Confirming the appointment of Kathleen C. Oathout, as a regular member, to serve an unexpired three-year term ending 9/30/10 and confirming the reappointment of Donna Fleece, as a regular member, to serve a three-year term ending 9/30/11 to the Arts Advisory Committee.
- 08-578 Confirming the appointment of John E. Schloder as a regular member to the Public Arts Commission to fill an unexpired four-year term ending 4/30/10.
- 08-579 Confirming the appointment of Linda Reimer as a regular member to the Commission on Aging to serve the remainder of a three-year term ending 12/31/09.
- 08-580 Confirming the appointment of Gerald Junevicus and Pamela A. Hunter as alternate members to the Committee to Advocate for Persons with Impairments to serve the remainder of unexpired three-year terms ending 12/31/10.
- 08-581 Confirming the appointment of William E. Klein, currently an alternate, as a regular member to the Planning & Visioning Commission to serve the remainder of a three-year term ending 9/30/09.
- 08-582 Authorizing the Mayor to execute a termination of the lease agreement dated October 15, 2002 between Pinellas County and the City of St. Petersburg for the lease of a brush truck for the City's Fire and Rescue Department, and to execute all documents necessary to effectuate this transaction.
- 08-583 Approving minutes of the August 21, September 4 and September 11, 2008 City Council meetings.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

Chair Bennett recognized Edward White Hospital President and CEO Roland Metivier, Marketing Director Aimee Bennett and Ms. Michelle Haines who administered flu shots to members of Council and Mayor Baker. Ms. Joleen Bevins with the American Lung Association made a presentation concerning their Faces of Influenza Program to help convey to the public the importance of the flu vaccine and thanked Council for their assistance to promote the message to get vaccinated. Mr. Metivier commented on the importance of the flu vaccine.

Neighborhood Partnership Director Susie Ajoc made a PowerPoint presentation concerning the proposed KABOOM/KOOL-AID Playground at 3800 Fairfield Avenue South (at Trailhead Park) to be built Saturday, December 6, 2008. Mayor Baker provided comments.

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Fire Chief James Large made a presentation concerning the recent onsite evaluation of the Fire Department's Communication System and Water Resources by the Insurance Services Office. The City maintained its Class 2 Insurance Services Organization (ISO) Rating which puts the City's Fire Department in the top 1.25% nationwide. Mayor Baker provided comments and thanked Chief Large and the Fire Department for the quality service they provide the community. Chief Large recognized the Water Resources Department and Fire Captain Steve Knight for their support.

Internal Services Administrator Michael Connors presented the Pareto Award, only four public agencies have achieved this designation since inception, for Excellence in Public Procurement to Purchasing Director Louis Moore and his staff. Mr. Moore stated this is an agency award and thanked Mayor Baker, Mr. Connors, and Ms. Elston for their support. Mayor Baker provided comments.

In connection with a public hearing concerning the expansion of the State of Florida Designated Brownfields Area in the City, Economic Development Manager Sophia Sorolis made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Curran moved with the second of Councilmember Polson that the following resolution be adopted:

08-584 Expanding the State of Florida Designated Brownfields Area in the City of St. Petersburg, Florida, previously established in accordance with Section 376.77-84, Florida Statutes (Area ID #BF529901000) to include the properties located east of 34th Street, west of 31st Street, north of 1st Avenue South and south of Burlington Avenue North, for the purpose of environmental rehabilitation and economic redevelopment.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with a public hearing approving a substantial amendment to the City's FY2008-2009 Annual Action Plan to add a new neighborhood stabilization program, Housing & Community Development Director Joshua Johnson and Housing Finance & Rehabilitation Manager Tom deYampert made a presentation. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Lisa Jackson, 868 24th Avenue North, representing the Homeless Coalition, recommended Council consider a significant budget increase be allocated for individuals to share a home, response to impact mentally ill and those discharged from jail to provide housing with support services. Suggested funding and housing be made available to the very low income.

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2. Betty Goldie, 7300 16th Street, representing FAST, stated they would like to see more funds going to 50-80% AMI, land banking property should be used on a timely basis and not create a problem for the neighborhood.
3. Sarah Synder, 5180 62nd Avenue North, Pinellas Park, stated she receives phone calls on a daily basis from people on the verge of losing their homes.
4. Larry Newsome, 6538 1st Avenue North, representing Urban Solutions, has been buying distressed properties in the community and supports the City's proposal. Suggested dollars be allocated to eliminate functional obsolescence of homes in the Midtown area, 10% of total dollars for administrative fees are part of the cost of these home and should be included in the cost.
5. Tom Smith, 215 49th Street South, representing GHD Corporation, stated the City should not take ownership of these properties. The number one priority is to empower non profits, felt private enterprise can do a better job and suggested half of the funds be allocated to private industry.

Councilmember Curran moved with the second of Councilmember Newton that the following resolution be adopted:

- 08- 585 Resolution approving a substantial amendment to the City's FY2008-2009 Annual Action Plan ("Amendment") to add a new neighborhood stabilization program ("NSP") with \$9,498,962 in funding to be allocated to the City from the U.S. Department of Housing and Urban Development ("HUD") to implement the NSP and following strategies: 1) establish a planning and administration strategy to execute the overall planning, organizing, staffing, directing, coordinating, reporting, and budgeting of the NSP and allocate the HUD allowed 10% (\$949,896) for this activity; 2) establish an acquisition and rehabilitation strategy for the NSP in order to sell or rent homes that have been abandoned or foreclosed and fund it with \$8,449,066; 3) establish a strategy with \$100,000 to demolish blighted structures acquired under the NSP; authorizing the Mayor to submit the Amendment to HUD and to execute all documents necessary to implement the amendment.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with public hearings confirming Preliminary Assessments, the Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

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1. Lamartine D'Sa, 6770 82nd Avenue North, representing Maria Bhola who owns property at 3521 16th Avenue South, stated he never received a letter from the City as to when the City cut the grass.
2. Aurita Dias, 7544 37th Avenue North, stated she never received notice from the City concerning overgrowth at property located at 2500 9th Avenue South.

Councilmember Newton moved with the second of Councilmember Curran that the following resolutions be adopted:

- 08-586 Confirming and approving preliminary assessment rolls for Lot Clearing Nos. 1441, 1442 and 1443 and providing for an interest rate of 12% per annum on unpaid balances.
- 08-587 Assessing the costs of demolition listed on Building Demolition No. 351 (DMO 351) as liens against the respective real property on which the costs were incurred; providing that said liens have a priority as established by City Code Section 8-373; providing for an interest rate of 12% on unpaid balances; and authorizing the Mayor to execute and record Notices of Lien(s) in the public records of the County.
- 08-588 Assessing the costs of securing listed on Securing Building Nos. 1101, 1102, 1103, 1104 and 1105 (SEC 1101, 1102, 1103, 1104 and 1105) as liens against the respective real property on which the costs were incurred; providing that said liens have a priority as established by City Code Section 8-373; providing for an interest rate of 12% per annum on unpaid balances; and authorizing the Mayor to execute and record Notices of Lien(s) in the public records of the County.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

The meeting was recessed at 10:25 a.m.

The meeting was reconvened at 10:40 a.m. with all members present except Councilmember Kennedy.

In connection with a report item, Urban Design & Historic Preservation Manager Rick MacAulay made a presentation and Pinellas County Planning Director Brian Smith provided comments. Councilmember Danner moved with the second of Councilmember Newton that the following resolution be adopted:

- 08-589 Opposing the Pinellas Planning Council's proposed amendments to the Countywide Rules regarding Development Agreements.

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Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with a report item, Economic Development Manager Sophia Sorolis made a presentation. Councilmember Polson moved with the second of Councilmember Newton that the following resolution be adopted:

08-590 Approving a public meeting to be held Wednesday, December 3, 2008 at 6:00 p.m. at Webster University, 11201 Corporate Circle North, Suite 140, and a City Council public hearing to be held December 18, 2008 at 6:00 p.m. at City Hall, 175 5th Street North, for the purpose of designating a new State of Florida Brownfields Area in the City of St. Petersburg, Florida, on property bounded by Gandy Boulevard, I-275, 28th Street North, and 94th Avenue North, a/k/a Jabil Development Site.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

No action was taken in connection with an oral update report regarding the Pinellas Suncoast Transit Authority (PSTA), Metropolitan Planning Organization (MPO) and Tampa Bay Area Regional Transportation Authority provided by Council Vice Chair Danner.

In connection with a report item concerning the Tierra Verde Annexation, Economic Development David Goodwin provided historical information on what the process has been since the property owners approached the City concerning annexation. Mr. Goodwin put into the record a modified description (leasehold property is not part of the agreement), Exhibit A, and stated the Property Appraiser was notified yesterday of the proposed annexation. Mayor Baker provided Council with his reasons for supporting annexation of the Tierra Verde properties and provided rationale for annexation to the City which has been ongoing at least for the last 80 years. He stated the general policy of the City has been to seek annexation to defray costs to residents and stated he is comfortable that we have complied with the annexation law. Councilmember Dudley announced he met with members of the Tierra Verde Association yesterday and Councilmember Polson stated he took a tour of the annexation area on Friday. Councilmember Danner moved with the second of Councilmember Dudley that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 867-G, entitled:

11/21/08

PROPOSED ORDINANCE NO. 867-G

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, ANNEXING INTO THE CITY CERTAIN LANDS GENERALLY LOCATED SOUTH OF BOCA CIEGA BAY AND TO THE WEST OF PINELLAS BAYWAY IN TIERRA VERDE; FINDING THAT THE AREA BEING ANNEXED IS REASONABLY COMPACT AND CONTIGUOUS TO THE CITY, THAT THE ANNEXATION OF THE AREA DOES NOT CREATE AN ENCLAVE, AND THAT THE ANNEXATION OF THE PROPERTY OTHERWISE COMPLIES WITH FLORIDA LAW FOR THE REASONS SET FORTH HEREIN; AMENDING THE BOUNDARY LINES OF THE CITY AND AMENDING THE BOUNDARY PROVISIONS OF CITY MAPS, CHARTERS, ORDINANCES AND REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

be adopted following public hearings on November 6 and November 17 and Executive Action on November 21, 2008.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Nays. Danner. Polson. Absent. Kennedy. Councilmember Danner moved with the second of Councilmember Curran that the following resolutions be adopted:

08-591 Approving an Annexation Agreement between the City and A&S Tierra Verde Ventures, L.L.C.

08-592 Approving an Annexation Agreement between the City and Tierra Verde Marina Holdings, L.L.C.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. Polson. None. Absent. Kennedy. Councilmember Danner moved with the second of Councilmember Curran that the following resolution be adopted:

08-593 Initiating future land use and zoning designations for the annexed properties.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. Polson. None. Absent. Kennedy.

In connection with a report item, Councilmember Nurse moved with the second of Councilmember Newton that the following resolution be adopted:

11/21/08

08-594 Awarding a contract to Tampa Contracting Services, Inc. in the amount of \$635,719.00 for construction of the Booker Lake Regional Stormwater Treatment Facility. (Engineering Project No. 05042-110; Oracle Nos. P361041 and 10593)

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Polson. Nays. None. Absent. Danner. Kennedy.

The Clerk read the title of proposed Ordinance 068-HL. Councilmember Polson moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, December 4, 2008, at 9:00 a.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance 068-HL, entitled:

PROPOSED ORDINANCE NO. 068-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE CRESCENT LAKE WATER TOWER (LOCATED AT 1320 5TH STREET NORTH) AS A LOCAL LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Polson. Nays. None. Absent. Danner. Kennedy.

Councilmember Curran moved with the second of Councilmember Dudley that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council add to the Agenda a time sensitive New Business item concerning a playground/play lot at 3rd Avenue and 49th Street South as submitted by Councilmember Newton.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with a new business item, Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

11/21/08

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer a discussion of a playground/play lot at 3rd Avenue & 49th Street South for Westminister Heights to the Public Services and Infrastructure Committee.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with a Housing Services Committee report, Housing Development Coordinator Stephanie Lampe made a presentation. Councilmember Curran moved with the second of Councilmember Polson that the following resolution be adopted:

08-595 Accepting the State Housing Initiatives Partnership ("SHIP") Affordable Housing Advisory Committee's Affordable Housing Incentives Recommendations Report; authorizing the Administration to amend the SHIP Local Housing Assistance Plan ("LHAP") to include the strategies recommended in the Report; to forward the amended LHAP to the Florida Housing Finance Corporation; and authorizing the Mayor to execute all documents necessary to effectuate this resolution.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy. Councilmember Curran moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the November 17, 2008 Housing Services Committee report.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with a Budget, Finance and Taxation Committee report, First Deputy Mayor/City Administrator Tish Elston made a presentation. Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

08-596 Approving year-end supplemental appropriations, appropriation transfers, and increased authorizations in various funds for FY08 and providing for designations within the General Operating Fund.

08-597 Approving supplemental appropriations for FY09; providing these supplemental appropriations and appropriations transfer to be included in the General Operating Fund and various Other Funds for FY09; and approving increases in the authorization levels of various Internal Service Funds.

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Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy. (This item includes Report Item G-6, Year-End Appropriation Adjustments - FY08 Operating Budgets & Capital Improvement Program Budgets & Adjustments to the FY09 Budget.) First Deputy Mayor/City Administrator Tish Elston recognized Beckye Simpson for her years of service to the City as its Budget Director. Councilmember Danner moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the November 18, 2008 Budget, Finance and Taxation Committee report.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with a Public Services and Infrastructure Committee, Councilmember Curran moved with the second of Councilmember Polson that the following resolution be adopted:

08-598 Resolution approving eight Neighborhood Partnership Grant Applications; authorizing the Mayor to execute agreements and all other documents necessary to effectuate completion of these Neighborhood Partnership Grant Projects; and approving a supplemental appropriation of \$2,240.00 from the unappropriated balance of the General Capital Improvement Fund resulting from these additional revenues provided to satisfy contractual matching requirements.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy. Councilmember Curran moved with the second of Councilmember Newton that the following resolution be adopted:

08-599 Approving the Westminster Heights Neighborhood Plan be scheduled for public hearing.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy. Councilmember Danner moved with the second of Councilmember Polson that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the November 18, 2008 Public Services and Infrastructure Committee report.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

11/21/08

In connection with a Co-Sponsored Events Committee report, Councilmember Danner moved with the second of Councilmember Newton that the following resolution be adopted:

08-600 Approving applications for Co-Sponsored Event Status In Name Only for the Wunsch Family Foundation, Inc. for an event entitled the Last Friday Concert Series to be held November 28, 2008 in Williams Park from 6:00 p.m.-10:00 p.m.; the Winky Wright Foundation, Inc. for an event entitled the T.D. Cassaway Walk to be held January 31, 2009 in North Straub Park from 7:00 a.m.-4:00 p.m., and the Huntington's Disease Society of America, Inc. for an event to be entitled Care 2 Cure Concert to be held February 28, 2009 in North Straub Park from 5:00 p.m.-9:00 p.m.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy. The Clerk read the title of proposed Ordinance 906-G. Councilmember Curran moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Thursday, December 4, 2008, at 9:00 a.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance 906-G, entitled:

PROPOSED ORDINANCE NO. 906-G

AN ORDINANCE PROVIDING FOR THE SALE AND CONSUMPTION OF BEER AND WINE IN A PORTION OF WILLIAMS PARK FOR AN EVENT TO BE HELD BEGINNING ON DECEMBER 26, 2008 AND CONTINUING ON THE LAST FRIDAY OF EACH MONTH THROUGH THE END OF SEPTEMBER, 2009; PROVIDING EXEMPTIONS FROM CITY CODE SECTIONS PROHIBITING BEER AND WINE FROM BEING SOLD AND CONSUMED IN CITY PARKS; AND PROVIDING AN EFFECTIVE DATE.

Roll call. Ayes. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. Kennedy.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

11/21/08

1. Tom Reynolds, 535 Central Avenue, spoke concerning the Tierra Verde Annexation (Item G-4) and put into the record a copy of his November 20 letter regarding the notice to the Property Appraiser. Stated the annexation agreements adopted by Council today are either development orders/agreements, within the meaning of the statutes, and have not been properly advertized, heard or acted upon by Council and we believe them to be invalid.

There being no further business, the meeting was adjourned at 1:17 p.m.

James S. Bennett, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Eva Andujar, City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, DECEMBER 4, 2008, AT 8:35 A.M.

* * * * *

Chair James S. Bennett called the meeting to order with the following members present: Herbert E. Polson, James R. Kennedy, Jr., William H. Dudley, Leslie Curran, Karl Nurse, Wengay M. Newton, Sr. and Jeff Danner. Mayor Rick Baker, First Deputy Mayor/City Administrator Tish Elston, Deputy Mayor David Metz, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, City Clerk Eva Andujar and Deputy City Clerk Cathy Davis were also in attendance.

Chair Bennett introduced Ms. Robin Reed, with the Historic Old NE Neighborhood Association, who provided Council with a copy of Souvenirs of St. Pete - Views from the Vinoy. The book, written by the neighborhood association, is about heritage education for children.

Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda with the following changes:

- MOVE CB-3 Awarding a contract to Caladesi Construction Company in the amount of \$158,613.50 for construction of the Walter Fuller parking lot. (Engineering Project No. 08229-017; Oracle No. 11171) [*Moved to Reports as G-3*]

- REVISE CB-5 Setting December 18, 2008 as the public hearing date for Preliminary Assessment on Lot Clearing Numbers 1444, 1445, and 1446.

- MOVE CB-9 Approving a grant agreement with WestCare Gulfcoast-Florida, Inc., a Non-Departmental Agency, in the amount of \$125,000 for the period of October 1, 2008 through September 30, 2009 and authorizing the Mayor to execute the grant agreement and all documents necessary to effectuate this transaction. [*Moved to Reports as G-4*]

- ADD CB-10 Resolution rescheduling the second reading and second public hearing date for Ordinance 894-G (City File LGCP/EAR-2008) from December 18, 2008 to May 21, 2009. [*Moved to Reports as G-2*]

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- REVISE F-2 Ordinance 068-HL approving the designation of the Crescent Lake Water Tower as a local historic landmark, located at 1320 5th Street North. (City File HPC 07-02) (*Agenda language change only*)
- ADD F-3 Ordinance 906-G providing for the sale and consumption of beer and wine in a portion of Williams Park for an event to be held beginning on December 26, 2008 and continuing on the last Friday of each month through the end of September, 2009.
- ADD I-3 Requesting City Council refer to the Public Services & Infrastructure Committee the City's use of St. Augustine grass. (Council Member Nurse)
- ADD I-4 Requesting City Council refer to the Public Services & Infrastructure Committee Chapter 16, the City's landscaping and irrigation ordinance. (Council Member Nurse)
- ADD I-5 Requesting the Mayor reconsider closing the Enoch Davis Utility Accounts office. (Council Member Nurse)
- ADD I-6 Requesting Council approval of the Council Procedures Committee Agenda. (Vice Chair Danner)

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

Councilmember Curran moved with the second of Councilmember Danner that the following resolutions be adopted:

- 08-601 Awarding an annual cooperative purchase agreement to J.H. Williams Oil Company, Inc. for gasoline and diesel fuel for city consumption and resale at an estimated annual cost of \$6,063,000.
- 08-602 Awarding a contract to Reynolds Inliner, LLC in the amount of \$550,000 for Cured in Place Stormwater Pipe Rehabilitation FY 2008. (Engineering Project No. 07078-110; Oracle Nos. 10688, 11613 & 12072)
- 08-603 Renewing a blanket purchase agreement with 3M Company for reflective sign materials for the Stormwater, Pavement and Traffic Operations Department at an estimated annual cost of \$115,500.

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- 08-604 Authorizing the Mayor to execute Task Order Number 04-12-AED/W to the agreement between the City of St. Petersburg and Advanced Engineering & Design, Inc. in the amount not to exceed \$32,015 for the construction phase of engineering services for the Pinellas Bayway Force Main Replacement. (Engineering Project No. 03103-111; Oracle Project No. P26003S and 12055)
- 08-605 Awarding a contract to Stamper Construction Company in the amount of \$411,595.00 for construction of the Willis S. Johns Center Improvements. (Engineering Project No. 08219-017; Oracle No. 11628)
- 08-606 Setting December 18, 2008 as the public hearing date for Preliminary Assessment on Lot Clearing Numbers 1444, 1445, and 1446.
- 08-607 Setting December 18, 2008 as the public hearing date for Preliminary Assessment on Building Demolition Number 352.
- 08-608 Setting December 18, 2008 as the public hearing date for Preliminary Assessment on Building Securing Number 1106.
- 08-609 Accepting a grant from the Juvenile Welfare Board ("JWB") in the amount of \$351,880 ("Grant") for the operation of a South County Truancy Interdiction Center; authorizing the Mayor to execute an agreement with JWB, a Program Agreement with the Police Athletic League of St. Petersburg, Inc. to perform the City's duties under the Grant and all other documents necessary to effectuate this transaction; and approving a supplemental appropriation in the amount of \$351,880 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues to the South County Truancy Center Project.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

Mayor Baker presented a proclamation declaring December 6, 2008 a day of Community Play as required by our 2008 Playful City designation. City Services Administrator Clarence Scott provided comments. Mayor Baker recognized Neighborhood Partnership Director Suzie Ajoc for her efforts in facilitating the development of the City's parks.

In connection with a public hearing concerning the application of MCImetro Access Transmission Services, LLC, Assistant Information Communication Services Director John Armbruster made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Danner moved with the second of Councilmember Dudley that the following resolution be adopted:

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08-610 Approving the application of MCImetro Access Transmission Services, LLC, for a Certificate of Registration as a provider of communication services.

Roll call. Ayes. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. Curran.

The Clerk read the title of proposed Ordinance 906-G and City Attorney John Wolfe made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Danner moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 906-G, entitled:

PROPOSED ORDINANCE NO. 906-G

AN ORDINANCE PROVIDING FOR THE SALE AND CONSUMPTION OF BEER AND WINE IN A PORTION OF WILLIAMS PARK FOR AN EVENT TO BE HELD BEGINNING ON DECEMBER 26, 2008 AND CONTINUING ON THE LAST FRIDAY OF EACH MONTH THROUGH THE END OF SEPTEMBER, 2009; PROVIDING EXEMPTIONS FROM CITY CODE SECTIONS PROHIBITING BEER AND WINE FROM BEING SOLD AND CONSUMED IN CITY PARKS; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll call. Ayes. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. Curran.

Chair Bennett recognized Representative Darryl Rouson who asked Council to be considerate and sensitive to issues of diversity concerning opportunities for minorities when hiring outside counsel whose staff does not reflect the diversity of the City. He expressed concern with the hiring of Mr. John R. Kiefner by the City Attorney's office.

The Clerk administered the oath to those present wishing to present testimony in connection with the quasi-judicial proceedings.

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The Clerk read the title of proposed Ordinance 068-HL and Ms. Kimberly Hinder, representing the City (the owner and applicant) made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Cross examination and rebuttal were waived by Ms. Hinder. Councilmember Danner moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 068-HL, entitled:

PROPOSED ORDINANCE NO. 068-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE CRESCENT LAKE WATER TOWER (LOCATED AT 1320 5TH STREET NORTH) AS A LOCAL LANDMARK AND ADDING THE PROPERTY TO THE LOCAL REGISTER PURSUANT TO SECTION 16.30.070, CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley.
Nays. None. Absent. None.

No action was taken in connection with an oral update concerning the Pinellas Planning Council presented by Councilmember Kennedy.

In connection with a report item, Urban Design & Historic Preservation Manager Rick MacAulay made a presentation. Councilmember Nurse moved with the second of Councilmember Danner that the following resolution be adopted:

08-611 Resolution rescheduling the second reading and second public hearing date for Ordinance 894-G (City File LGCP/EAR-2008) from December 18, 2008 to May 21, 2009.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley.
Nays. None. Absent. None.

In connection with a report item, Internal Services Administrator Michael Connors made a presentation. Councilmember Curran moved with the second of Councilmember Polson that the following resolution be adopted:

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08-612 Awarding a contract to Caladesi Construction Company in the amount of \$158,613.50 for construction of the Walter Fuller parking lot. (Engineering Project No. 08229-017; Oracle No. 11171)

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley.
Nays. None. Absent. None.

In connection with a report item, Police Administration Services Manager Regina Williams made a presentation. Councilmember Newton moved with the second of Councilmember Kennedy that the following resolution be adopted:

08-613 Approving a grant agreement with WestCare Gulfcoast-Florida, Inc. ("WestCare"), a Non-Departmental Agency, in the amount of \$125,000 for the period of October 1, 2008 through September 30, 2009 and authorizing the Mayor to execute the grant agreement and all documents necessary to effectuate this transaction.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley.
Nays. None. Absent. None.

In connection with a new business item, Councilmember Kennedy made a presentation. Councilmember Curran moved with the second of Councilmember Nurse that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer taxi cab safety and licensing to the Public Services and Infrastructure Committee for review.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Kennedy. Dudley. Nays. None.
Absent. Polson.

In connection with a new business item, Councilmember Nurse made a presentation. Councilmember Curran moved with the second of Councilmember Polson that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer the issue of tarped cars to the Public Services and Infrastructure Committee.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley.
Nays. None. Absent. None.

12/4/08

In connection with a new business item, Councilmember Nurse made a presentation. Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer the City's use of St. Augustine grass to the Public Services and Infrastructure Committee for review.

Roll call. Ayes. Curran. Bennett. Nurse. Danner. Polson. Kennedy. Dudley. Nays. Newton. Absent. None.

In connection with a new business item, Councilmember Nurse made a presentation. Councilmember Nurse moved with the second of Councilmember Curran that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer the City's landscaping and irrigation ordinance to include types of plants in the medians and trees in the right-of-way to the Public Services and Infrastructure Committee for review.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a new business item, Councilmember Nurse made a presentation. First Deputy Mayor/City Administrator Tish Elston indicated Mayor Baker is amenable to not closing the Enoch Davis Utility Office and to include the cost in the Rate Study. Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer the outsourcing to Amscot to a Workshop for further discussion and that Council approve the following resolution:

08-614 Providing for an increase in authorization for the Billing and Collection Internal Service Fund in order to provide sufficient funds to reinstate the Utility Bill Paying Services at the Enoch Davis Center.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

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In connection with a new business item, Council Vice Chair Danner made a presentation. Councilmember Danner moved with the second of Councilmember Newton that the following resolution be adopted:

08-615 Approving the December 4, 2008 Council Procedures Committee Agenda.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley.
Nays. None. Absent. None.

City Attorney John Wolfe announced the scheduling of an Attorney/Client Session, in the case of the City of St. Petersburg v. Fresco's Ristorante, LLC, to be held on December 11, 2008, at 4:30 p.m.

In connection with the Open Forum portion of the agenda, the following person(s) came forward:

1. Kathleen Ford, 7477 18th Street NE, discussed the Wachovia article in the St. Petersburg Times. She recommended Council look at all policies since Mayor Baker assumed office and review all investment policies and strategies.
2. Tee Lassiter, 937 Union Street South, spoke concerning the Enoch Davis Utility office and the Amscot contract.
3. Rodney Bennett, 658 60th Avenue South, spoke concerning the Enoch Davis Utility office and the Amscot contract.
4. Hamilton Hanson, 204 37th Avenue North #342, suggested the issue of a baseball stadium and the use of public funds be put on the ballot. He presented Council with a POWW petition and requested they sign and mail them in.
5. Keith Young, 2600 4th Street South, supports keeping the Enoch Davis Utility office open and suggested using Weeki Wachee funds to pay for staffing of the facility.

There being no further business, the meeting was adjourned at 11:49 a.m.

James S. Bennett, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Eva Andujar, City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, DECEMBER 11, 2008, AT 3:02 P.M.

* * * * *

Chair James S. Bennett called the meeting to order with the following members present: Herbert E. Polson, James R. Kennedy, Jr., William H. Dudley, Leslie Curran, Karl Nurse, Wengay M. Newton, Sr. and Jeff Danner. Mayor Rick Baker, First Deputy Mayor/City Administrator Tish Elston, City Attorney John Wolfe, Assistant City Attorney Mark Winn, Assistant City Attorney Jeanne Hoffmann, and City Clerk Eva Andujar were also in attendance.

Councilmember Curran moved with the second of Councilmember Newton that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the agenda as submitted.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

Assistant Director Midtown Economic Development Shirmatee Ojah Maharaj recognized the 2009 United Way Campaign Department Coordinators for their efforts in working with the various departments and exceeding the City's 2009 goal of \$150,000 (raised \$157,834). She presented Mayor Baker with a University of Florida Gator T-shirt. Mayor Baker provided comments and thanked City employees for their efforts and contributions to the United Way.

Fire Chief James Large recognized Fire Fighter/EMT Albert Vildostegui and Lt. William Duff recipients of the Fire Department Firefighter and Fire Officer of the Year Awards. Fire Rescue Chief Ward presented the Bert Smith Paramedic of the Year Award to Paramedics Henrique Chipelo and Pete Hill.

Councilmember James Kennedy recognized the graduates of the St. Petersburg Citizens Police Academy. Police Officer Tonia Nave provided comments.

Golf Courses Director Jeff Hollis recognized the Committee to Advocate for Persons with Impairments (CAPI) for their generous donation of a single rider golf cart for use at Mangrove Bay and Cypress Links Golf Courses which allows individuals with disabilities the opportunity to play a round of golf from their cart. CAPI Chair Lois Maroney provided comments on their intent to apply for America's Accessible City Award through the National Organization on Disability. Mr. Hollis thanked Community Affairs Director Theresa Jones, Ms. Barbie Van Camp, Assistant

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City Attorney Jeannine Williams and Councilmember Kennedy for their support. Councilmember Kennedy presented a Sunshine Ambassador Award to Mr. Al Landers for submitting his idea of purchasing a single rider golf cart to the City.

Councilmember James Kennedy presented the Sunshine Ambassador Award to Founder and Operator of Benedict Haven Dolores Casalado for outstanding goodwill and contributions to the community. Benedict Haven is a private, non profit, residential facility for adults with mental illnesses which provides a full continuum of care and support services. Ms. Casalado provided comments and the need for funds to continue their programs.

Recreation Director Sherry McBee recognized Recreation staff Supervisor II Chris Wolf, Supervisor I Melanie Lane and Recreation Administration Support Coordinator Kerry Bittner for their efforts in the City's successful completion of the Juvenile Welfare Board (JWB) Agency Self Study and Efficacy Tool (ASSET) re-accreditation process. This is the third time the Recreation Department has completed the three-year certification which allows the Recreation Department to continue to be eligible to apply for JWB Grants. The Recreation Department was recognized and presented with the Juvenile Welfare Board ASSET Accreditation Award at their monthly meeting held on October 8, 2008.

Chair James Bennett and Mayor Baker recognized the Second Time Arounders Marching Band who represented the State of Florida in the Macy's Thanksgiving Day Parade.

Internal Services Administrator Michael Connors commented on the Certificate of Achievement for Excellence in Financing Reporting awarded to the City of St. Petersburg by the Government Finance Officers Association of the United States and Canada for its 2007 Comprehensive Annual Financial Report (CAFR). Mayor Baker recognized First Deputy Mayor/City Administrator Tish Elston and the staff who implemented Oracle and presented the Certificate of Achievement for Excellence in Financing Reporting to Finance Director Jeff Spies. Mr. Spies provided comments and recognized his staff for their efforts.

Councilmember Wengay Newton presented the Sunshine Ambassador Award to Office on Aging Manager Jay Morgan who recently received the Dr. Carter Osterbind Outstanding Member Award at the Florida Conference on Aging for more than 30 years of continually improving services for older adults.

Tampa Bay Area Regional Transportation Authority (TBARTA) Acting Executive Director Robert Clifford made a PowerPoint presentation updating Council on TBARTA's progress.

Marketing Director Beth Herendeen introduced Mr. Jerry Ulcek, Representative of the Federal Communications Commission, who made a PowerPoint presentation concerning the digital TV transition coming in February 2009.

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In connection with a correspondence item, Mr. Hal Freedman, Preserve our Wallets and Waterfront (POWW) Chair, presented Council with two boxes of signed petitions (approximately 25%) for two POWW referenda for the 2009 General Election ballot.

In connection with a Legal item concerning two local bills, Government Services Manager Laura Tuleen and Chief Assistant City Attorney Mark Winn made a presentation. Councilmember Curran moved with the second of Councilmember Newton that the following resolutions be adopted:

- 08-616 Opposing any special exemptions or exceptions to the uniform method of annexation set forth in Chapter 171, Florida Statutes.
- 08-617 Supporting a Special Act to sunset the Pinellas Park Water Management District or amend legislation that would amend the District boundaries to remove the City properties from the District.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

In connection with a Legal item, Chair Bennett announced that Council would enter into an attorney/client session, pursuant to Florida Statute 286.011(8), in the lawsuit styled City of St. Petersburg v. Fresco's Ristorante, LLC, a Florida Limited Liability Corporation, Case No. 07-1692-CI-19 and announced those individuals attending the session.

The meeting was recessed at 5:24 p.m.

The meeting was reconvened at 6:02 p.m. with the following members: Chair Bennett and Councilmembers Polson, Dudley, Curran, Nurse, Newton and Danner. Absent: Councilmember Kennedy. Councilmember Danner moved with the second of Councilmember Curran that the following resolution be adopted:

- 08-618 A counterproposal to Fresco's Ristorante LLC's proposed settlement agreement accepting the terms of the proposed settlement agreement with the additional condition that there be an amendment to the lease, effective May 1, 2009, which adds a requirement that there be an annual renewal of the lease for each of the next five years upon mutual agreement of both parties to the lease.

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Roll call. Ayes. Curran. Bennett. Danner. Dudley. Nays. Nurse. Newton. Polson. Absent. Kennedy.

There being no further business, the meeting was adjourned at 6:10 p.m.

James S. Bennett, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Eva Andujar, City Clerk