

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of March 5, 2009

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of December 18, 2008, January 8 and January 15, 2009 are submitted for your approval.

A RESOLUTION APPROVING THE MINUTES
OF THE CITY COUNCIL MEETINGS HELD ON
DECEMBER 18, 2008, JANUARY 8 AND
JANUARY 15, 2009; 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 December 18, 2008, January 8 and January 15, 2009 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, DECEMBER 18, 2008, AT 3:05 P.M.

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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, City Clerk Eva Andujar and Deputy City Clerk Cathy Davis 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 as amended with the addition of a Water Rate Stabilization Fund Resolution (as part of the Budget, Finance & Taxation Report) with the following changes:

- MOVE CA-1 Renewing an agreement with Connecticut General Life Insurance Company dba CIGNA HealthCare of Florida, Inc. for group health insurance at an estimated annual premium of \$33,672,907. *[Moved to Budget, Finance & Taxation Committee Report as H-2 (a)]*

- DELETE CB-1 Awarding a blanket purchase agreement to Resource Efficiency Solutions, Inc. for inductive street lighting fixtures for the Internal Services Administration at an estimated annual cost of \$173,138.

- MOVE CB-7 Authorizing the Mayor to consent to the assignment of the Lease Agreement between the City of St. Petersburg and Thomas W. Merrifield d/b/a Advertising Air Force, a Florida sole proprietorship, to Aerial Banners North, Incorporated, a New Jersey corporation authorized to do business in the state of Florida. Requires affirmative vote of at least six (6) members of City Council. *[Moved to Reports as F-3]*

- ADD CB-14 Authorizing the Mayor to quit claim the interest incorrectly conveyed to the City in Lot 1, Block 1 of Harborage at Bayboro to the Michael Dale Mastry Trust and to accept a Perpetual and Exclusive Easement, containing ±4,313 square feet, at no cost to the City, from the Harborage Marina, L.L.C., a Delaware limited liability company.

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- ADD CB-15 Authorizing The Pinellas County Combined Mutual Aid Agreement ("Agreement") to provide for voluntary cooperation, emergency operational assistance, and traffic enforcement or crash investigation on contiguous ways, by and among law enforcement agencies in Pinellas County, including the Sheriff's Office, various municipalities, The School Board of Pinellas County and The University Of South Florida; and authorizing the Mayor and Chief of Police to execute the Agreement.
- ADD D-2 Proclamation recognizing the National Homeless Persons' Memorial.
- ADD D-3 Resolution of Bereavement to the Family of Emily Rogers Coeyman.
- REVISE E-8 Amending City Code Chapter 20 implementing the Fire False Alarm Program. *[Revised Ordinance]*
- ADD F-2 Update on Emergency Ordinances related to the provision of additional parking for 2008 post season games at Tropicana Field.
- ADD G-1 Respectfully requesting a Citywide Small Business Summit be scheduled to give small business owners a platform to share their needs and concerns. (Councilmember Curran)
- ADD G-2 Respectfully requesting City Council refer to the Budget, Finance & Taxation Committee the St. Petersburg Museum of History HVAC System. (Council Member Kennedy)
- INFO H-2 Budget, Finance & Taxation Committee. (12/11/08)
- (a) Renewing an agreement with Connecticut General Life Insurance Company dba CIGNA HealthCare of Florida, Inc. for group health insurance at an estimated annual premium of \$33,672,907.
 - (b) Resolution revising Resolution Nos. 2007-386, 2005-602, 2005-148, 2002-51, 2000-198, 99-125 and 97-990, relating to the City of St. Petersburg Investment Plan for municipal funds; and providing for the temporary, for the year 2008, suspension of a portion of Section 4 of the plan relating to the rebalancing of those funds managed by outside investment firms. [DELETED]
 - (c) Water Rate Stabilization Fund Resolution.

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- INFO H-5 Committee of the Whole. [12/16/08 & 12/18/08 *(Oral)*]
(a) Resolution rejecting all responses to the RFP for a Management Review Study.
- DEFER I-1 Approving the issuance of the City of St. Petersburg Public Utility Revenue Bonds Series 2009, not to exceed \$30,000,000 for the purpose to acquire, construct and erect certain improvements to the public utility system, and approving documents associated therewith.
- ADD I-2 Proposed settlement of James D. Ramage claim.

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:

- 08-619 Awarding a three-year blanket purchase agreement to Motorola, Inc., a sole source supplier, for public safety radios for the Fire and Police Departments at an estimated total cost of \$787,936.
- 08-620 Approving the purchase of replacement tandem axle tractor cabs and chassis, from Kenworth of Central Florida, Inc. for the Sanitation Department at a total cost of \$613,020.
- 08-621 Authorizing the Mayor to execute a Supplemental Joint Participation Agreement between the City of St. Petersburg and the Florida Department of Transportation which provides \$750,000 for wharf and infrastructure repair at the Port and requires City matching funds in the amount of \$750,000.
- 08-622 Authorizing the Mayor to accept a Florida Division of Emergency Management ("Division") grant in the amount of \$750,000 ("Grant") in support of mitigation activities at the PARC ("Recipient") property that will result in protection from natural hazards ("Project"); to execute a Division Grant Agreement for the Project; to execute a Grant Management Agreement with Recipient, a Florida non-profit corporation, which will provide for the duties and obligations of the City and Recipient for management of the Grant and Project; and to execute all documents necessary to effectuate these transactions; approving a supplemental appropriation in the amount of \$750,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues.

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- 08-623 Renewing a blanket purchase agreement with Infinite Energy, Inc. for natural gas for city owned facilities at an estimated annual cost of \$173,060.
- 08-624 Authorizing the Mayor to execute a Lease Agreement with St. Pete Chess Club Corporation, a Florida not-for-profit corporation, for the use of commercially zoned, City-owned property, which is classified as Park Property located at approximately 601 Mirror Lake Drive, St. Petersburg, for a period of three (3) years at an aggregate rent of \$36.00; and to waive the reserve for replacement requirement. Requires affirmative vote of at least six (6) members of City Council.
- 08-625 Authorizing the Mayor to execute a Lease Agreement with the St. Petersburg Junior Football Athletic Association, Inc., a Florida not-for-profit corporation, for the use of a concession stand/storage area and press box within a portion of the City-owned Campbell Park located at 1312 - 5th Avenue South, St. Petersburg, for a period of three (3) years at an aggregate rent of \$36.00; and to waive the reserve for replacement requirement. Requires affirmative vote of at least six (6) members of City Council.
- 08-626 Authorizing the Mayor to execute a First Amendment to Lease Agreement with National Association of Professional Baseball Leagues, Inc., a Florida not-for-profit corporation, for the use of the office building and twenty-eight (28) parking spaces within a portion of City-owned Progress Energy Park located at 201 Bayshore Drive S.E. for a period of one (1) year at a rental rate of \$1,500.00 per month, with the right to request a renewal for an additional term of one (1) year, subject to approval by City Council. Requires affirmative vote of at least six (6) members of City Council.
- 08-627 Authorizing the Mayor to execute a Lease Agreement with VK, Inc., a Florida for profit corporation, for the use of City-owned property at Albert Whitted Airport for an initial term of four (4) years with the option to lease the land and aeronautical hangar located thereon for three (3) additional terms of five (5) years each; and authorizing the Mayor to execute subsequent renewals under the same basic terms and conditions. Requires affirmative vote of at least six (6) members of City Council.
- 08-628 Approving the plat of Andover Bay, a 3.7 acre tract being replatted as part of a 62-unit multi-family residential project, including five (5) workforce housing units. The property is generally located at the west end of 39th Avenue North, west of 74th Street North. (City File 07-20000005)

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- 08-629 Authorizing the Mayor to execute a Lease Agreement between the City of St. Petersburg, Florida ("City") and Cha Cha Coconuts of St. Petersburg, Ltd., ("Tenant") for Space No. 5001 at The Pier for a four (4) year term commencing December 1, 2008 and expiring November 30, 2012.
- 08-630 Awarding a contract to Rowland, Inc. in the amount of \$499,785.50 for the 16th Street South and Vicinity Stormwater Management Improvements; authorizing a supplemental appropriation in the amount of \$401,000 from the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) to the 16 SS & Vicinity SDI Project (CP41032). (Engineering Project No. 03045-111; Oracle No. CP41032)
- 08-631 Approving all programs/projects approved by the Chief of Police as a part of the FY2009 Forfeiture Fund Award Program; authorizing the Mayor to execute agreements and all other documents necessary to effectuate these awards; authorizing a supplemental appropriation of \$27,007.00 from the unappropriated balance of the Law Enforcement Trust Fund (1023) to fund the awards.
- 08-632 Approving minutes of the September 18, September 25 and October 2, 2008 City Council meetings.
- 08-633 Approving the indigent status of MLK Holiday & Legacy Association, Inc. and authorizing the waiver of City fees and costs for its 24th Annual National Dr. Martin Luther King, Jr. Holiday Parade.
- 08-634 Authorizing the Mayor to quit claim the interest incorrectly conveyed to the City in Lot 1, Block 1 of Harborage at Bayboro to the Michael Dale Mastry Trust and to accept a Perpetual and Exclusive Easement, containing \pm 4,313 square feet, at no cost to the City, from the Harborage Marina, L.L.C., a Delaware limited liability company.
- 08-635 Authorizing The Pinellas County Combined Mutual Aid Agreement ("Agreement") to provide for voluntary cooperation, emergency operational assistance, and traffic enforcement or crash investigation on contiguous ways, by and among law enforcement agencies in Pinellas County, including the Sheriff's Office, various municipalities, The School Board of Pinellas County and The University Of South Florida; and authorizing the Mayor and Chief of Police to execute the Agreement.

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

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Chair Bennett extended condolences to the family of Jay Moore who passed away yesterday.

Chair Bennett presented the following resolution of Memorial Tribute to the Family of Emily Rogers Coeyman:

Whereas, our Lord in His infinite wisdom has called home a devoted and committed community activist; and

Whereas, we are profoundly grieved at the passing of a friend, and the loss to this City of an outstanding citizen and consummate public servant; and

Whereas, Emily Rogers Coeyman was committed to ensuring that her voice was heard on issues that affected the community at large; and

Whereas, Emily Rogers Coeyman was inducted into the *Senior Hall of Fame* by the City of St. Petersburg in 1988; earned recognition as a long standing member of the *Citizens Advisory Committee* of the Metropolitan Planning Organization; and recipient of the *Grassroots Citizen of the Year* award by the Tiger Bay Club; and

Whereas, Emily Rogers Coeyman was known throughout the county for her dedication and commitment to the oversight of municipal and civic agendas; and

Whereas, Emily Rogers Coeyman has been revered by many as an iconic figure in St. Petersburg City Council Chambers; and

Whereas, Emily Rogers Coeyman, has been regarded as the Dean of political watchdogs in our local government with a respect that has been sought after by numerous local media outlets; and

Whereas, Emily Rogers Coeyman was an enthusiastic, hard working individual who steadfastly served our community; and

Whereas, the Mayor has requested to join with City Council in this resolution;

Now, Therefore, Be It Resolved that we express to the family of Emily Rogers Coeyman our heartfelt condolences in this deep hour of grief, with the hope that they will take some measure of consolation in the knowledge that she gave herself wholeheartedly to the service of this community.

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Be It Further Resolved that a plaque be mounted on Emily Roger Coeyman's designated chair, and a copy of this resolution is spread upon the minutes of the City Council, and a copy thereof, properly embossed, inscribed, and transmitted to the family of Emily Rogers Coeyman.

Chair Bennett introduced Executive Director of the YWCA Joyce Pritchard, representing the Pinellas County Homeless Coalition and the Homeless Leadership Network. Chair Bennett presented a proclamation proclaiming December 21, 2008 National Homeless Persons' Memorial Day. Mayor Baker provided comments concerning the Pancake Breakfast fund raising event at Pinellas Hope to raise money for the small units being constructed at Pinellas Hope.

Chair Bennett introduced Ms. Pat Mason who invited Council to the Transitions 2009 First Night Event and introduced Mr. Brett Craig, President of Transitions Optical, and thanked him for their support of First Night. Mr. Craig and Mayor Baker provided comments.

Mr. Trey Littlefield, Director of Government and Media Relations for The Pinellas Association of Retarded Children (PARC), provided comments concerning the City's acceptance of a Florida Division of Emergency Management Grant for PARC and thanked Council for their support.

The Deputy Clerk read the titles of proposed Ordinances 069-HL, 907-G, 908-G, 909-G, 910-G, 911-G, 912-G, and 913-G. 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 Thursday, January 8, 2009, 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 Ordinances 069-HL, 907-G, 908-G, 909-G, 910-G, 911-G, 912-G, and 913-G entitled:

PROPOSED ORDINANCE NO. 069-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE MERHIGE RESIDENCE (LOCATED AT 404 SUNSET DRIVE SOUTH) 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.

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PROPOSED ORDINANCE NO. 907-G

AN ORDINANCE AMENDING SECTIONS 8-1 THROUGH 8-182 AND 8-401 THROUGH 8-493 OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR AMENDMENTS TO DEFINITIONS; PROVIDING FOR CONSTRUCTION SITE MAINTENANCE REQUIREMENTS; PROVIDING FOR HOURS AND DAYS OF OPERATION FOR CONSTRUCTION SITES; PROVIDING FOR AMENDMENTS TO THE FLORIDA BUILDING CODE AND UPDATING THE FLORIDA BUILDING CODE 2004 WITH AMENDMENTS; MODIFYING REQUIREMENTS FOR CONTRACTORS; AMENDING REQUIREMENTS FOR MOVING BUILDINGS; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 908-G

AN ORDINANCE AMENDING SECTIONS 12-4 THROUGH 12-11 OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR COLLECTIONS; PROVIDING FOR AMENDMENTS TO CERTIFICATE OF OCCUPANCY REQUIREMENTS; PROVIDING FOR PLAN REVIEW AND REINSPECTION FEES; PROVIDING FOR NEW FEES FOR SERVICES PROVIDED; MODIFYING CERTAIN FEES TO REFLECT THE ACTUAL COST OF THE SERVICE PROVIDED; PROVIDING FOR TYPOGRAPHICAL CORRECTIONS AND CLARIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 909-G

AN ORDINANCE OF THE CITY OF ST. PETERSBURG REPEALING CHAPTER 18, MOBILE HOME AND MOBILE HOME PARKS; DELETING THIS CHAPTER FROM THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

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PROPOSED ORDINANCE NO. 910-G

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 26 ARTICLE V OF THE CITY CODE PROVIDING FOR THE REGULATION OF BICYCLES GENERALLY; PROVIDING FOR THE REGULATION OF PUBLIC UTILITY BICYCLES AND PUBLIC UTILITY BICYCLE RACKS; PROVIDING FOR PUBLIC UTILITY BICYCLE RENTAL OPERATIONS; CLARIFYING INCONSISTENT AND AMBIGUOUS TERMINOLOGY; AMENDING SECTION 25-8 TO BE CONSISTENT WITH CHAPTERS 16, 26 AND 28; AND PROVIDING FOR AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 911-G

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 28 OF THE CITY CODE; AUTHORIZING THE USE OF MOTORIZED NON-GASOLINE POWERED VEHICLES FOR HIRE; PROVIDING FOR THE REGULATION OF MOTORIZED NON-GASOLINE POWERED VEHICLES FOR HIRE; AND PROVIDING AN EFFECTIVE DATE

PROPOSED ORDINANCE NO. 912-G

AN ORDINANCE AMENDING THE FIRE CODE, CHAPTER 13 OF THE ST. PETERSBURG CITY CODE; MAKING THE FIRE CODE CONSISTENT WITH STATE LAW AND BEST INDUSTRY PRACTICES; REVISING AND UPDATING PRACTICES AND PROCEDURES; CORRECTING, CLARIFYING AND REMOVING INCONSISTENT OR AMBIGUOUS PROVISIONS; REMOVING SECTIONS PRE-EMPTED BY STATE LAW; AND PROVIDING AN EFFECTIVE DATE.

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PROPOSED ORDINANCE NO. 913-G

AN ORDINANCE AMENDING CHAPTER 20, ARTICLE VI, SECTION 20-147, OF THE ST. PETERSBURG CITY CODE RELATING TO FALSE ALARMS; AMENDING ALL SECTIONS TO APPLY TO FALSE FIRE ALARMS; ADDING, AMENDING AND DELETING DEFINITIONS; CORRECTING AND CLARIFYING INCONSISTENT OR AMBIGUOUS TERMINOLOGY; MAKING MINOR TECHNICAL CORRECTIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

In connection with a report item, Economic Development Director David Goodwin made a presentation. Councilmember Dudley moved with the second of Councilmember Kennedy that the following resolutions be adopted:

- 08-636 Approving an Economic Development Program to be called the “Quick Action Matching Incentive Program” to provide additional incentives for high value companies to expand or relocate in the City and to retain and create jobs.
- 08-637 Approving a Quick Action Matching Incentive Program Agreement between the City and Jabil Circuit, Inc., Jabil Global Services, Inc., and Jabil Defense and Aerospace Services, LLC and authorizing the Mayor to execute the Agreement and all other documents necessary to effectuate this transaction.

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

No action was taken in connection with a report item concerning an update on Emergency Ordinances 890-G, 900-G and 902-G (which were allowed to sunset) related to the provision of additional parking for the 2008 post season games at Tropicana Field. A presentation was provided by Development Services Director Julie Weston and Transportation Planning Director Joseph Kubicki.

In connection with a report item, Downtown Facilities Director Chris Ballestra made a presentation. Councilmember Nurse moved with the second of Councilmember Curran that the following resolution be adopted:

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BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council approve the following resolution with the lease going out to bid upon expiration:

08-638 Authorizing the Mayor to consent to the Assignment of the Lease Agreement between the City and Thomas W. Merrifield d/b/a Advertising Air Force, a Florida Sole Proprietorship, to Aerial Banners North, Incorporated, a New Jersey Corporation authorized to do business in the State of Florida.

Councilmember Dudley 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 waive its rule and allow the public to speak to this issue.

Roll call. Ayes. Newton. Dudley. Nays. Curran. Bennett. Nurse. Danner. Polson. Kennedy. Absent. None. Roll call on the Resolution 08-638. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

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

08-639 Requesting Administration schedule a Citywide Small Business Summit to address issues faced by small businesses and to determine what assistance, if any, the City can provide to assist them survive in this economic climate.

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

In connection with a new business item, Councilmember Kennedy 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 to the Budget, Finance and Taxation Committee a review and discussion of funding options to assist the St. Petersburg Museum of History replace their HVAC System.

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

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In connection with Council Procedures Committee reports, Councilmember Curran moved with the second of Councilmember Dudley that the following resolution be adopted:

08-640 Approving the 2009 Council Meeting Schedule.

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Kennedy. Dudley. Nays. None. Absent. Polson. 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 December 4, 2008 report and receive the December 12, 2008 Council Procedures Committee oral report.

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

In connection with a Budget, Finance and Taxation Committee report, Human Resources Director Gary Cornwall made a presentation. Councilmember Kennedy moved with the second of Councilmember Nurse that the following revised resolution be adopted:

08-641 Approving the renewal of an agreement with Connecticut General Life Insurance Company d/b/a CIGNA Healthcare of Florida, Inc. For group health insurance for employees and retirees at an estimated annual premium not to exceed \$33,888,890 for the Human Resources Department and authorizing the Mayor to execute all documents necessary to effectuate this transaction.

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

08-642 Authorizing the use of funds from the Water Rate Stabilization Fund for the construction of Water System Improvements and approving the transfer of \$1,876,000 from the unappropriated balance of the Water Cost Stabilization Fund to the Water Resources Capital Improvement Fund.

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 resolution be adopted:

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BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive and file the December 11, 2008 Budget, Finance and Taxation Committee report.

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

In connection with a Public Services and Infrastructure Committee report, 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 December 11, 2008 Public Services and Infrastructure Committee report.

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

In connection with a Housing Services Committee report, 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 receive and file the December 16, 2008 Housing Services Committee report.

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

In connection with Committee of the Whole report, Councilmember Danner moved with the second of Councilmember Curran that the following resolution be adopted:

08-643 Rejecting all responses to the Request for Proposal (RFP) for a Management Study of The Pier and Mahaffey Theater because of cost, that Administration prepare a new RFP for the Mahaffey Theater with a reduced scope of services concentrating on marketing and such other items that can be included without exceeding the budgeted amount of the Management Study, include in the RFP that the experience of the respondents to the RFP shall be judged by the company and the principals of the company, and that the revised RFP be submitted to the Budget, Finance & Taxation Committee for review.

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Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None. Councilmember Polson 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 December 16, 2008 and receive the December 18, 2008 Committee of the Whole reports.

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

In connection with a Legal item, Assistant City Attorney Joseph Patner made a presentation. Councilmember Polson moved with the second of Councilmember Kennedy that the following resolution be adopted:

08-644 Approving the proposed settlement of the claim of James D. Ramage and Donna Ramage in the amount of \$100,000.

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

The meeting was recessed at 5:38 p.m.

The meeting was reconvened at 6:03 p.m. with all members present.

In connection with a public hearing confirming the ordering of alley paving improvements, Engineering Director Thomas Gibson made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Polson moved with the second of Councilmember Curran that the following resolution be adopted:

08-645 Confirming the ordering of alley paving improvements within the Special Assessment District described as between Central and First Avenues North, from 65th Street west for approximately 404 feet to meet existing alley paving and approving the levy of special assessments on the abutting property owners. (Engineering Project No. 08005-110; Oracle No. 11921)

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

In connection with a public hearing confirming the ordering of maintenance dredging of Tinney Creek and Vicinity Canals Projects, Engineering Director Thomas Gibson made a

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presentation. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Nathaniel Kidder, 275 96th Avenue North (Lot 275), representing Bay Oaks Condo Association, stated he never received a petition to participate in the dredging project and that the Condo Association is opposed. Stated it is unfair to assess individuals who do not benefit from the dredging improvements.
2. Andrew Smith, 9640 2nd Street North, spoke in favor of the project.

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

- 08-646 Confirming the ordering of maintenance dredging improvements within the Special Assessment District described as Tinney Creek from the west property line of Water Lot A to the southeast property corner abutting the canal at 114 - 98th Avenue North; Water Lot A, and a portion of the South Channel from Sun Isle Drive to Tinney Creek; and approving the levy of special assessments on the abutting property owners. (Engineering Project No. 08066-110; Oracle No. 11975)
- 08-647 Authorizing the Mayor to execute Change Order No. 1 in the amount of \$270,700.00 to the contract with Marine Contracting Group, Inc. for the SAD Dredging of Tinney Creek & Vicinity Canals Project (08066-110) in conjunction with Arterial Channel Dredging Projects: "A" (Project No. 06101-110; Oracle No. 11043), "C" (Project No. 06046-110; Oracle No. 10682), "P" (Project No. 06047-110; Oracle No. 10683), "Q" (Project No. 05091-110; Oracle No. 10543), and the Special Assessment District Dredging of Butterfly Lake (Project No. 05104-110; Oracle No. 11870) for a total cost of \$1,493,200.00. *(Not a Public Hearing item)*

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None. Councilmember Kennedy presented a Sunshine Ambassador Award to Mr. Andrew Smith who initiated the dredging petition.

In connection with a public hearing concerning the Westminster Heights Neighborhood Plan, Neighborhood Partnership Director Susan Ajoc made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Polson moved with the second of Councilmember Kennedy that the following resolution be adopted:

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08-648 Accepting the Westminster Heights Neighborhood Plan and authorizing the Mayor to initiate projects and programs identified in the plan.

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

In connection with a public hearing designating a new State of Florida Brownfield 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 there was no response. Councilmember Curran moved with the second of Councilmember Danner that the following resolution be adopted:

08-649 Designating a new State of Florida Brownfield Area in the City of St. Petersburg, Florida, on property bounded by Gandy Boulevard, I-275, 28th Street North, and 94th Avenue North, legally described as Gateway Centre Business Park Addition One Tract A, on property currently owned by Jabil Circuit, Inc.

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

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:

1. Lisa Marie Korson Reve, 433 Rotary Place NE, stated neither she nor her realtor were notified of the overgrowth and that the City had no access to her rear yard which is fenced. She objected to the assessment.
2. Helen Woodard, 1941 45th Street South, stated she cleared one third of the property when she stopped due to rain. Ms. Woodard objected to being charged for overgrowth on the other side of her fence.
3. John R. Lestini, 725 34th Avenue NE, spoke concerning properties at 2840 1st Avenue South (Dakota Venture I LLC) and 1761 15th Avenue South (Guinness Venture I LLC). Stated notices were sent to his partner when they were in litigation concerning the transfer of these properties and he was not notified.
4. Loretha Copeland, 1778 Yale Street South, stated the property was foreclosed more than a year ago. She did receive the City notice.

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

12/18/08

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council defer the preliminary lot clearing assessments for properties located at 433 Rotary Place NE, 1941 45th Street South, 2840 1st Avenue South, 1761 15th Avenue South and 1778 Yale Street South until Council is provided with documentation indicating that the work was done and approve the following resolutions with the exception of the properties contested as listed above:

- 08-650 Confirming and approving preliminary assessment rolls for Lot Clearing Nos. 1444, 1445 and 1446 and providing for an interest rate of 12% per annum from the date of this resolution.
- 08-651 Assessing the costs of demolition listed on Building Demolition No. 352 (DMO 352) 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.
- 08-652 Assessing the costs of securing listed on Securing Building Nos. 1106 (SEC 1106) 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. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None.

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

The City read the title of proposed Ordinance 683-L (PC-705) previously adopted on January 24, 2008. A presentation was made by Urban Design & Historic Preservation Manager Rick MacAulay, representing the City. The applicant/property owner was not in attendance. Chief Assistant City Attorney Winn stated that before proceeding with the public hearing, Council must move to reconsider Ordinance 683-L. 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 reconsider proposed Ordinance 683-L.

12/18/08

Roll call. Ayes. Curran. Bennett. Nurse. Newton. Danner. Polson. Kennedy. Dudley. Nays. None. Absent. None. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Gerald Cyr, 5615 Skimmer, Apollo Beach, representing Snug Harbor, spoke in support of the proposed ordinance.
2. Dorothy Bailey, 11351 San Fernando Blvd. North, spoke on behalf of her father, William J. Bailey who lives at the property, stated that grading in the vicinity of his property has caused flooding and standing water.

Cross examination and rebuttal were waived by Mr. MacAulay. Councilmember Kennedy 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 683-L, entitled:

PROPOSED ORDINANCE NO. 683-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; CHANGING THE LAND USE DESIGNATION. OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF SAN FERNANDO BOULEVARD NE, APPROXIMATELY 180 FEET SOUTH OF GANDY BOULEVARD, FROM RESIDENTIAL URBAN TO PLANNED REDEVELOPMENT-MIXED USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

be re-adopted after final reading and third public hearing.

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

The Clerk read the titles of proposed Ordinances 688-L and 715-Z. A presentation was made by Urban Design & Historic Preservation Manager Rick MacAulay, representing the City who is also the applicant. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Kennedy moved with the second of Councilmember Danner that the following resolution be adopted:

12/18/08

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinances 688-L and 715-Z, entitled:

PROPOSED ORDINANCE NO. 688-L

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR THE CITY OF ST. PETERSBURG, FLORIDA; ESTABLISHING PLANNED REDEVELOPMENT-MIXED USE FUTURE LAND USE FOR LANDS GENERALLY LOCATED ON THE NORTH SIDE OF ULMERTON ROAD AND EAST OF 34TH STREET/ EVERGREEN AVENUE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

PROPOSED ORDINANCE NO. 715-Z

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA; ESTABLISHING CCS1 (CORRIDOR COMMERCIAL SUBURBAN) AS THE OFFICIAL ZONING MAP DESIGNATION FOR LANDS GENERALLY LOCATED ON THE NORTH SIDE OF ULMERTON ROAD AND EAST OF 34TH STREET/EVERGREEN AVENUE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS THEREOF; 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.

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

1. John Kozak, 2639 Dr. M. L. King Jr. Street, spoke concerning the Merrifield lease at Albert Whitted Airport.

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2. Melissa Newton, 5420 4th Avenue South, and Gloria Shingles, 5256 2nd Avenue South, thanked Council for accepting/approving the Westminster Neighborhood Plan.

There being no further business, the meeting was adjourned at 8:04 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, JANUARY 8, 2009, AT 8:36 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, City Attorney John Wolfe, Assistant City Attorney Mark Winn, City Clerk Eva Andujar and Deputy City Clerk Amelia Preston were also in attendance.

In connection with the confirmation of the Committee of the Whole selection of Council Chair and Vice Chair, Councilmember Kennedy moved with the second of Councilmember Nurse that the following resolution be adopted:

09-01A Confirming the selection of Councilmember Jeff Danner as Council Chair and Councilmember Leslie Curran as Council Vice Chair for 2009.

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

The Honorable John C. Lenderman, Judge of the Circuit Court, administered the Oath of Office to Councilmember Jeff Danner, as Council Chair, and to Councilmember Leslie Curran, as Council Vice Chair. Mayor Baker provided comments concerning Councilmember Bennett's contributions as Council Chair this past year.

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 as amended with the following changes and that Public Hearing Item D-5, proposed Ordinance 911-G, be heard first:

REVISE CA-9 (c) Lake Coronado and Vicinity Storm Drainage Improvements:
(a) Awarding a contract, in part, to Terra Excavating, Inc. in the amount of \$4,769,980.95 for Lake Coronado and Vicinity Storm Drainage Improvements; approving the transfer of \$694,800 from the unappropriated balance of the Stormwater Operating Fund (4011) to the Stormwater Drainage Capital Projects Fund (4013); and approving a supplemental appropriation in the amount of \$694,800 from the increase in the unappropriated balance of the

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Stormwater Drainage Capital Projects Fund (4013) resulting from the transfer, to the Lake Coronado (SDI) Project (10684). (Engineering Project No. 06043-110, Oracle Project No. 10684)

- (c) Authorizing the Mayor to execute a Second Amendment to the Cooperative Funding Agreement between the City of St. Petersburg and Southwest Florida Water Management District for the design and construction of Lake Coronado and Vicinity Storm Drainage Improvements (7th Street South to 11th Street South, 58th Avenue South to 60th Avenue South) (L398). (Engineering Project No. 06043-110, Oracle No. 10684)

- MOVE CB-2 *To Reports as Item E-4 and DELETED:* Authorizing the Mayor to execute a First Amendment to the January 30, 2006 Property Disposition Agreement with SunTrust Bank, a Georgia Banking Corporation ("SunTrust"), to amend the size of the bank building to be constructed by SunTrust; to accept the reconveyance of a portion of the bank site at nominal cost; to provide for the re-establishment of an east/west alley between 23rd Street South and 22nd Street South; to pay any necessary and customary costs associated with the reconveyance of not more than \$2500; to execute all documents necessary to effectuate same; and to make non-substantive changes to the documents.
- REVISE D-2 Ordinance 908-G amending City Code Chapter 12 regarding fees, to modify fees related to permitting and fire services. (*Revised Ordinance*)
- REVISE D-7 Ordinance 913-G amending City Code Chapter 20 implementing the Fire False Alarm Program.
- ADD G-1 Requesting Administration prepare an Ordinance on Crime Prevention through environmental design. (Council Member Nurse)
- ADD G-2 Rescheduling the January 22, 2009 Public Hearing portion of the agenda to begin at 3:00 p.m. (Chair Danner)
- ADD G-3 Requesting Administration provide the Public Safety, Services & Infrastructure Committee an update on the status of the City's potential alternative energy projects. (Councilmember Nurse)

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

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

- 09-1 Renewing an agreement with Standard Insurance Company for group ancillary insurance at an estimated annual premium of \$821,397.

- 09-2 Accepting proposals from CompBenefits Company for voluntary dental DHMO and vision insurances at an estimated annual premium of \$613,206 and from CompBenefits Insurance Company for voluntary dental PPO at an estimated annual premium of \$184,232; and authorizing the Mayor to execute all documents necessary to effectuate this transaction. CompBenefits Insurance Company and CompBenefits Company (collectively "CompBenefits") insurances are sold under the branded name of Humana Specialty Benefits.

- 09-3 Renewing a blanket purchase agreement with P & L Electric, Inc. for city street lighting installation and maintenance for the Internal Services Administration at an estimated annual cost of \$686,750.

- 09-4 Authorizing the Mayor to accept a grant from the U.S. Department of Housing and Urban Development for the City's Neighborhood Stabilization Program ("NSP"); and approving a supplemental appropriation of \$9,498,962 from the increase in the unappropriated balance of the NSP (1114).

- 09-5 Awarding a contract to Marine Contracting Group, Inc. in the amount of \$546,019.50 for the construction of City Port Structural Rehabilitation - Phase 2. (Engineering Project No. 01072-217; Oracle No. 11665)

Grand Central District Complete Streets Project:

- 09-6 Awarding a contract to Florida Safety Contractors, Inc. in the amount of \$774,010.11 for Grand Central District Complete Street Central Avenue Intersections at 20th, 22nd and 28th Streets. (Engineering Project No. 07072-112, Oracle No. 11503) (FPN 413005 1 38/58 01)

- 09-7 Authorizing the Mayor to execute Supplement No. 2 to the Local Agency Program Agreement between the City of St. Petersburg, Florida, and the State of Florida Department of Transportation ("FDOT") for construction activities of the Grand Central District Complete Streets Project ("Project") in an amount not to exceed \$198,000; and approving a supplemental appropriation in the amount of \$198,000 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants

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Improvements Fund resulting from these additional revenues to the Grant Central District Project (11503). (FDOT Financial Project No. 413005-1-38/58-01)(Engineering Project No. 07072-112)

- 09-8 Awarding a contract to Cone Graham, Inc. in the amount of \$1,611,834.05 for Grand Canal Boulevard NE Bridge Replacement over Grande Canal (Bridge No. 157202), east of Kansas Avenue. (Engineering Project No. 06056-110; Oracle No. 10679)
- 09-9 Awarding a contract to Overstreet Paving, Inc. in the amount of \$3,730,000.00 for Citywide Street Milling and Resurfacing FY2009 and Resurfacing Mangrove Bay Golf Course Parking Lot. (Engineering Project Nos. 09003-130, 08003-830, 08042-119 and 09010-111; Oracle Project No. 12068, Oracle Project No.11674, Oracle Project No. 12143 and Operating Fund 4061.630.2477)

Lake Coronado and Vicinity Storm Drainage Improvements:

- 09-10 Awarding a contract, in part, to Terra Excavating, Inc. in the amount of \$4,769,980.95 for Lake Coronado and Vicinity Storm Drainage Improvements; approving the transfer of \$694,800 from the unappropriated balance of the Stormwater Operating Fund (4011) to the Stormwater Drainage Capital Projects Fund (4013); and approving a supplemental appropriation in the amount of \$694,800 from the increase in the unappropriated balance of the Stormwater Drainage Capital Projects Fund (4013) resulting from the transfer, to the Lake Coronado (SDI) Project (10684). (Engineering Project No. 06043-110, Oracle Project No. 10684)
- 09-11 Authorizing the Mayor to execute Amendment 1 to Task Order No. 02-3-PWI/GC to the Agreement between the City of St. Petersburg and Parsons Water & Infrastructure, Inc. in an amount not to exceed \$73,522.00 for services during construction of the Lake Coronado and Vicinity Storm Drainage Improvements. (Engineering Project No. 06043-110, Oracle No. 10684)
- 09-12 Authorizing the Mayor to execute a Second Amendment to the Cooperative Funding Agreement between the City of St. Petersburg and Southwest Florida Water Management District for the design and construction of Lake Coronado and Vicinity Storm Drainage Improvements (7th Street South to 11th Street South, 58th Avenue South to 60th Avenue South) (L398). (Engineering Project No. 06043-110, Oracle No. 10684)

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- 09-13 Awarding an annual cooperative purchase agreement to Allied Universal Corp. for sodium hydroxide for the Water Resources Department at an estimated annual cost of \$302,000.
- 09-14 Authorizing the Mayor to declare the Annual Green Thumb Festival, which is held on the last weekend of April, be the day designated for St. Petersburg's annual observation of Arbor Day.
- 09-15 Approving the application for "In Name Only" for Tampa Bay Hepatitis & Liver Disease Support Group, Inc. for an awareness program to be held May 19, 2009 in South Straub Park from 10:00 a.m. to 2:00 p.m.
- 09-16 Awarding a contract to D.R. Swanson Company in the amount of \$124,887.00 for construction of the Walter Fuller Overlook Structures (Engineering Project No. 08229-017; Oracle No. 11171); rescinding unencumbered appropriations in the Recreation and Culture Capital Improvements Fund (3029) in the amounts of \$16,750 from the Walter Fuller Park Improvement FY08 Project (11171) and \$9,000 from the Willis S. Johns Center Improvements Project (11628); and approving the transfer of \$25,750 from the unappropriated balance of the Recreation and Culture Capital Improvements Fund (3029), resulting from these rescissions to the Arts in Public Places Fund (1901).
- 09-17 Authorizing the Mayor to execute Supplement No. 1 to the Local Agency Program Agreement between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT") in an amount not to exceed \$35,571 for the increased construction cost for the Pinellas Point Area Bicycle Lanes Project; approving a supplemental appropriation in the amount of \$35,571 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Improvements Fund (3004) resulting from these additional revenues to the Pinellas Point Project (12274). (FPN 413107-1-58-01) (Engineering Project No. 09006-112, Oracle No. 12274)
- 09-18 Authorizing the Mayor to execute Supplement No. 2 to the Local Agency Program Agreement ("Agreement") between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT") in an amount not to exceed \$229,372 for increased construction cost for the Skyway Trail Project; and approving a supplemental appropriation of \$229,372 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Improvements Fund (3004) resulting from these additional revenues to the Bike - Sky Way Trail FY05 Project (10101). (FPN 406484-7-38/58/A8-01) (Engineering Project No. 07070-112, Oracle No. 10101)

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- 09-19 Authorizing the Mayor to execute Supplement No. 1 to the Local Agency Program Agreement between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT") in an amount not to exceed \$12,754 for the increased construction cost for the Lake Maggiore Bicycle Lanes Project; and approving a supplemental appropriation in the amount of \$12,754 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Grants Improvements Fund (3004) resulting from these additional revenues to the Lake Maggiore Bicycle Lanes Project (12163). (FPN 413105-1-58-01) (Engineering Project No. 09007-112, Oracle No. 12163)
- 09-20 Approving the increase to pension benefits for retirees and beneficiaries receiving benefits under the Employees' Retirement System ("Plan").
- 09-21 Declaring the 24th Annual National Dr. Martin Luther King, Jr. Drum Major for Justice Parade which is to take place on January 19, 2009, to be a special event within the meaning of Section 16.70.030.1.5. C. 1. of the St. Petersburg City Code; and delineating boundaries and time within which the declaration is to be effective.
- 09-22 Authorizing the Mayor to delegate signature authority to the City Administrator for the purpose of executing documents concerning Disaster Relief Funding for Federal and State Assistance for Tropical Storm Fay.

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

The meeting was recessed at 8:55 a.m.

The meeting was reconvened at 9:05 a.m. with all members present.

The Clerk read the title of proposed Ordinance 911-G and Development Services Director Julie Weston made a presentation. Councilmember Nurse moved with the second of Councilmember Bennett that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council amend the west boundary from 20th Street to 32nd Street.

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

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BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 911-G, entitled:

PROPOSED ORDINANCE NO. 911-G

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING CHAPTER 28 OF THE CITY CODE; AUTHORIZING THE USE OF MOTORIZED NON-GASOLINE POWERED VEHICLES FOR HIRE; PROVIDING FOR THE REGULATION OF MOTORIZED NON-GASOLINE POWERED VEHICLES FOR HIRE; AND PROVIDING AN EFFECTIVE DATE

be adopted on second and final reading as amended.

The Chair asked if there were any persons present wishing to be heard and there was no response. Roll call. Ayes. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None.

The Clerk read the title of proposed Ordinance 907-G and Development Services Director Julie Weston 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:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 907-G, entitled:

PROPOSED ORDINANCE NO. 907-G

AN ORDINANCE AMENDING SECTIONS 8-1 THROUGH 8-182 AND 8-401 THROUGH 8-493 OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR AMENDMENTS TO DEFINITIONS; PROVIDING FOR CONSTRUCTION SITE MAINTENANCE REQUIREMENTS; PROVIDING FOR HOURS AND DAYS OF OPERATION FOR CONSTRUCTION SITES; PROVIDING FOR AMENDMENTS TO THE FLORIDA BUILDING CODE AND UPDATING THE FLORIDA BUILDING CODE 2004 WITH AMENDMENTS; MODIFYING REQUIREMENTS FOR CONTRACTORS; AMENDING REQUIREMENTS FOR MOVING BUILDINGS; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

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

The Clerk read the title of proposed Ordinance 908-G and Development Services Director Julie Weston made a presentation. Councilmember Dudley 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 908-G, entitled:

PROPOSED ORDINANCE NO. 908-G

AN ORDINANCE AMENDING SECTIONS 12-4 THROUGH 12-11 OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR COLLECTIONS; PROVIDING FOR AMENDMENTS TO CERTIFICATE OF OCCUPANCY REQUIREMENTS; PROVIDING FOR PLAN REVIEW AND REINSPECTION FEES; PROVIDING FOR NEW FEES FOR SERVICES PROVIDED; MODIFYING CERTAIN FEES TO REFLECT THE ACTUAL COST OF THE SERVICE PROVIDED; PROVIDING FOR TYPOGRAPHICAL CORRECTIONS AND CLARIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading as amended.

The Chair asked if there were any persons present wishing to be heard and there was no response. Roll call. Ayes. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None.

The Clerk read the title of proposed Ordinance 909-G and Chief Assistant City Attorney Mark Winn made a presentation. 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 proposed Ordinance 909-G, entitled:

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PROPOSED ORDINANCE NO. 909-G

AN ORDINANCE OF THE CITY OF ST. PETERSBURG
REPEALING CHAPTER 18, MOBILE HOME AND MOBILE HOME
PARKS; DELETING THIS CHAPTER FROM THE CITY CODE;
AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

The Chair asked if there were any persons present wishing to be heard and there was no response. Roll call. Ayes. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None.

The Clerk read the title of proposed Ordinance 910-G and Development Services Director Julie Weston made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Kennedy 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 910-G, entitled:

PROPOSED ORDINANCE NO. 910-G

AN ORDINANCE OF THE CITY OF ST. PETERSBURG
AMENDING CHAPTER 26 ARTICLE V OF THE CITY CODE
PROVIDING FOR THE REGULATION OF BICYCLES
GENERALLY; PROVIDING FOR THE REGULATION OF PUBLIC
UTILITY BICYCLES AND PUBLIC UTILITY BICYCLE RACKS;
PROVIDING FOR PUBLIC UTILITY BICYCLE RENTAL
OPERATIONS; CLARIFYING INCONSISTENT AND AMBIGUOUS
TERMINOLOGY; AMENDING SECTION 25-8 TO BE
CONSISTENT WITH CHAPTERS 16, 26 AND 28; AND
PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading.

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

The Clerk read the title of proposed Ordinance 912-G and Chief Assistant City Attorney Mark Winn made a presentation. Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

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BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 912-G, entitled:

PROPOSED ORDINANCE NO. 912-G

AN ORDINANCE AMENDING THE FIRE CODE, CHAPTER 13 OF THE ST. PETERSBURG CITY CODE; MAKING THE FIRE CODE CONSISTENT WITH STATE LAW AND BEST INDUSTRY PRACTICES; REVISING AND UPDATING PRACTICES AND PROCEDURES; CORRECTING, CLARIFYING AND REMOVING INCONSISTENT OR AMBIGUOUS PROVISIONS; REMOVING SECTIONS PRE-EMPTED BY STATE LAW; AND PROVIDING AN EFFECTIVE DATE.

be adopted on second and final reading.

The Chair asked if there were any persons present wishing to be heard and there was no response. Roll call. Ayes. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None.

The Clerk read the title of proposed Ordinance 913-G and Chief Assistant City Attorney Mark Winn made a presentation. 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 proposed Ordinance 913-G, entitled:

PROPOSED ORDINANCE NO. 913-G

AN ORDINANCE AMENDING CHAPTER 20, ARTICLE VI, SECTION 20-147, OF THE ST. PETERSBURG CITY CODE RELATING TO FALSE ALARMS; AMENDING ALL SECTIONS TO APPLY TO FALSE FIRE ALARMS; ADDING, AMENDING AND DELETING DEFINITIONS; CORRECTING AND CLARIFYING INCONSISTENT OR AMBIGUOUS TERMINOLOGY; MAKING MINOR TECHNICAL CORRECTIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

be adopted on second and final reading as amended.

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The Chair asked if there were any persons present wishing to be heard and there was no response. Roll call. Ayes. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None.

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

The Clerk read the title of proposed Ordinance 069-HL. A presentation was made by Ms. Kimberly Hinder, representing the City/Applicant. The property owner, Ms. Joanna Rosen, was present to answer questions. 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 and Ms. Rosen. Councilmember Kennedy moved with the second of Councilmember Bennett that the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that proposed Ordinance 069-HL, entitled:

PROPOSED ORDINANCE NO. 069-HL

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA, DESIGNATING THE MERHIGE RESIDENCE (LOCATED AT 404 SUNSET DRIVE SOUTH) 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. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None.

In connection with a report item concerning an oral update on the Pinellas Suncoast Transit Authority (PSTA), Metropolitan Planning Organization (MPO) and Tampa Bay Area Regional Transportation Authority (TBARTA), Council Chair Danner deferred his presentation to a future meeting.

In connection with a report item concerning an oral report on the Pinellas Planning Council, Councilmember Kennedy made a presentation.

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In connection with a report item concerning Project A8110, Economic Development Manager Sophia Sorolis made a presentation. Councilmember Kennedy moved with the second of Councilmember Bennett that the following resolution be adopted:

09-23 Recommending that Project A8110 (“Project), a company engaged in computer related manufacturing, be approved as a Qualified Target Industry Business pursuant to Section 288.106, Florida Statutes; finding that the commitments of local financial support necessary for the Project exist, committing \$34,000 as the City’s share of the local financial support for the Project under the Tax Refund Program for Qualified Target Industry Businesses to be paid to the Florida Economic Development Trust Fund, subject to appropriation and conditioned on the Project meeting statutory requirements, and authorizing the Mayor to execute all documents necessary to effectuate this resolution.

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

The Clerk read the title of proposed Ordinance 914-G. 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 Thursday, January 22, 2009, at 3:00 p.m., or as soon thereafter as the same may be heard, be set as the time for the public hearing on proposed Ordinance 914-G, entitled:

PROPOSED ORDINANCE NO. 914-G

AN ORDINANCE AMENDING THE ENTERPRISE ZONE DEVELOPMENT AGENCY SECTIONS 2-301 THROUGH 2-307 OF THE ST. PETERSBURG CITY CODE TO BE CONSISTENT WITH CURRENT STATE LAW; MAKING MINOR TECHNICAL CORRECTIONS; ADDING ALTERNATE COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

In connection with a new business item, Councilmember Nurse made a presentation concerning a request to Administration to draft an ordinance on crime prevention through environmental design for convenience stores. Council Chair Danner indicated he will schedule

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a Council Workshop to address this issue to include a review of existing enforcement, options to require the installation of video cameras, etc.

In connection with a new business item rescheduling the January 22, 2009 Public Hearing portion of the Council agenda, Councilmember Bennett moved with the second of Councilmember Curran that the following resolution be adopted;

09-24 Rescheduling the January 22, 2009 Public Hearing portion of the City Council Agenda from 6:00 p.m. to 3:00 p.m.

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

In connection with a new business item, 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 request Administration update the Public Services and Infrastructure Committee on the status of the City's potential alternative energy projects.

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

In connection with an oral Legislative Affairs & Intergovernmental Relations Committee report, Governmental Services Manager Laura Tuleen made a presentation and recommended deferring action on the draft resolution concerning the Federal Economic Stimulus Program. Councilmember Polson moved with the second of Councilmember Curran that the following resolution be adopted:

09-25 Supporting the Tampa Bay Area Regional Transportation Authority's (TBARTA) position concerning the Central Florida Commuter Rail Project.

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

09-26 Supporting the current funding of \$303 million which has been appropriated for Affordable Housing in the FY 2008-2009 Budget and encouraging the Governor and the Legislature not to reduce the amount of this appropriation.

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

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BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council receive the January 6, 2009 Legislative Affairs & Intergovernmental Relations Committee report.

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

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

1. Manuel Raimi & Merdick Green, d/b/a Arbor Home Development, Inc. 212 Coe Road, Belleair, introduced themselves to City Council and stated they desire to do work under the Neighborhood Stabilization Program.
2. Tee Lassiter, 937 Union Street South, stated people are hurting and homeless. Suggested the City fence in City property to allow the public to resolve conflict via a boxing ring.
3. Mattie Wright, 3634 2nd Avenue South, spoke concerning the passing of Emily Rogers Coeyman and thanked Councilmember Nurse for his actions concerning the utility office at Enoch Davis Center
4. Ingrid Comberg, 620 5th Street North, spoke concerning the purchase of a commercial building in the Round Lake area, 4½ years ago becoming victims of extortion and her subsequent claim with Risk Management.
5. Hamilton Hanson, 204 37th Avenue North, stated that giving away \$34,000 of taxpayer money (Agenda item E-3) is not thinking outside the box and commented on the importance of this year's elections.

There being no further business, the meeting was adjourned at 11:23 a.m.

Jeff Danner, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Eva Andujar, City Clerk

REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL

THURSDAY, JANUARY 15, 2009, AT 3:04 P.M.

Chair Jeff Danner called the meeting to order with the following members present: Herbert Polson, James Kennedy, William Dudley, Leslie Curran, James S. Bennett, and Karl Nurse. Absent: Wengay Newton. Deputy Mayor Dave Metz, City Attorney John Wolfe, Chief Assistant City Attorney Mark Winn, Deputy City Clerks Amelia Preston and Cathy Davis were also in attendance.

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 as submitted.

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

Council Chair Danner introduced Dr. William "Bill" Parson who is a retired Professor of History and Russian Studies from Eckerd College and writing a book on Peter Demens who is the founding father of the City of St. Petersburg. He introduced Inna Povedskaya, a Russia Guest and author of a new book entitled "The American from Vesjegonsk." She introduced her husband Alexander Khokhlov and son Alexander, Jr. She provided greetings from Russia and stated that she met Dr. Parson for the first time in 1988 and they have been working together on research for her book.

Councilmember Bennett presented the following Resolution of Memorial Tribute to the family of Richard Shireman:

Whereas, our Lord in His infinite wisdom has called home a devoted friend and community activist; and

Whereas, we are profoundly grieved at the passing of a friend, and the loss to this City of an outstanding citizen and consummate public servant; and

Whereas, Richard Shireman worked tirelessly with the Crawfordsville, Indiana Police Department for a decade prior to serving as a Lutheran pastor from 1999 to 2005; and

Whereas, Richard Shireman's commitment to serving others continued as he worked with fervor as an employee of Operation Par of St. Petersburg and a member of the first Street Homeless Outreach Team in Pinellas County; and

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Whereas, Richard Shireman was known as a compassionate and kind individual who celebrated the human spirit by giving of himself and making a significant difference in the lives of others; and

Whereas, Richard Shireman has been revered by many as one who believed in society's moral obligation to serve those who are less fortunate and led his life accordingly; and

Whereas, Richard Shireman will be sorely missed by many as a dedicated, enthusiastic and caring member of our community; and

Whereas, the Mayor has requested to join with City Council in this Resolution;

Now, Therefore, Be It Resolved that we express to the family of Richard Shireman our heartfelt condolences in this deep hour of grief, with the hope that they will take some measure of consolation in the knowledge that he gave himself wholeheartedly to the service of this community.

Be It Further Resolved that a copy of this Resolution is spread upon the minutes of the City Council, and a copy thereof, properly embossed, inscribed, and transmitted to the family of Richard Shireman.

Social Services Manager Rhonda Abbott shared that there would be a Memorial Service for Richard Shireman to be held in Williams Park on January 20, 2009 at 6:00 p.m.

Development Services Director Julie Weston commented briefly on the awards for the Land Development Regulations from the Suncoast Section of the American Planning Association and Tampa Bay Chapter of the American Institute of Architects. American Institute of Architects Tampa Bay Chapter President Andrew Hayes presented Mr. Bob Jeffrey with the Architects Award of Excellence for all of his hard work for the year 2008.

Suncoast Chapter of the American Planning Association of Florida Chair Tony LaCola presented Mayor Baker with The Best in Planning Award for the Land Development Regulations for the City of St. Petersburg. Mayor Baker shared that there was extensive public input in this process. Council Member Nurse shared that the last time the entire City was rezoned was in 1977.

Associate Director for the Pinellas Unit Amanda Gillispie made a presentation on behalf of the American Cancer Society/Pinellas Unit – Suncoast Area. She gave an update on 2009 Events scheduled in St. Petersburg as follows: The “Diamonds in the Sky Gala” to be held at the Coliseum on May 9, 2009; “Making Strides against Breast Cancer” held in Straub Park each October and eight “Relays for Life Prevention which are co-sponsored by the City. She stated their recovery program in Pinellas County is listed as No. 1 in the State of Florida and asked the public get involved, to donate, participate, volunteer and advocate for the American Cancer Society.

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Council Chair Danner introduced Brandi Burns with IRS and Stakeholder Partnership Education and Communications Division (SPEC), who is the Relationship Manager for Pinellas County and the Wealth Building Coalition. She made a presentation and shared information concerning the Federal Earned Income Tax Credit which can assist individuals earning \$42,000 and under and stated that with the economy the way that it is the public is encouraged to contact them regarding the Earn Income Tax Tool kit. (Website: www.IRS.gov) Councilmember Bennett thanked them for their work in assisting people with the tax credits.

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

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council refer a review of the Non-Permitted Improvements Policies to the Public Services & Infrastructure Committee for update.

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

There being no further business, the meeting was adjourned at 4:03 p.m.

Jeff Danner Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Amelia Preston, Deputy City Clerk