

ST. PETERSBURG CITY COUNCIL  
Consent Agenda  
Meeting of April 16, 2009

TO: City Council Chair & Members of City Council

SUBJECT: City Council Minutes

EXPLANATION: City Council minutes of January 22, February 5, February 12 and February 19, 2009 are submitted for your approval.

A RESOLUTION APPROVING THE MINUTES  
OF THE CITY COUNCIL MEETINGS HELD ON  
JANUARY 22, FEBRUARY 5, FEBRUARY 12  
AND FEBRUARY 19, 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 January 22, February 5, February 12 and February 19, 2009 are hereby approved.

This resolution shall become effective immediately upon its adoption.

APPROVED AS TO FORM  
AND SUBSTANCE:

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City Attorney or Designee

**REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL**

**THURSDAY, JANUARY 22, 2009, AT 3:15 P.M.**

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Chair Jeff Danner called the meeting to order with the following members present: Herbert E. Polson, James R. Kennedy, Jr., William H. Dudley, Leslie Curran, James S. Bennett, Karl Nurse, and Wengay M. Newton, Sr. First Deputy Mayor/City Administrator Tish Elston, City Attorney John Wolfe, Assistant City Attorney Mark Winn, Assistant City Attorneys Macall Dyer and Jacqueline Kovilaritch, City Development Senior Administrator Richard Mussett, City Clerk Eva Andujar and Deputy City Clerk Amelia Preston 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 amended with the following changes:

- REVISE    CB-29    Confirming the reappointment of Betsy Robertson Dosh, and Mary Darling as regular members to the City Beautiful Commission to serve three-year terms ending 12/31/11. *[Revised language and Resolution.]*
  
- ADD        CB-34    Confirming the reappointment of Mary Wyatt Allen and Mary Hilton Cross as regular members to the Health Facilities Authority to serve four-year terms ending 12/31/12.
  
- REVISE    D-1        An ordinance providing an appointment process for District 5 in the event that a resignation is submitted by the District 5 Council Member prior to ten (10) days before the beginning of the qualifying period for the City General Election to be held in 2009 with an effective date of resignation between December 28, 2009 and December 31, 2009.
  
- ADD        F-1        Requesting an update on homeless issues be presented to the Public Services & Infrastructure Committee. (Chair Danner)
  
- ADD        F-2        Referring to the Public Services & Infrastructure Committee for review the City's policy regarding carnivals in City parks. (Council Member Newton)

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ADD F-3 Appointments to Council Committees, appointments and recommendations to various Intergovernmental Agencies and confirming appointments to the Arts Advisory, City Beautiful, International Relations, Public Arts, Social Services Allocation and Consolidated Plan Review Committees. (Chair Danner)

ADD F-4 Requesting City Council approve Resolution requesting the Mayor to order City Staff to expedite the bidding process for construction related projects budgeted for this fiscal year. (Council Member Nurse)

ADD F-5 Requesting Legal draft an amendment to the City Charter to hold an election to fill vacancies by Council Members resigning during the Mayor's election cycle. (Council Member Nurse)

ADD F-6 Referring to the Public Services & Infrastructure Committee for discussion financing a carbon-free future for the City of St. Petersburg through electronic transactions. (Council Member Bennett)

INFO G-1 Budget, Finance & Taxation Committee. (1/15/09)

(a) Resolution approving the release of a Request for Proposals for the FY 2009 Management Evaluation and providing that the Management Evaluation shall be of the Mahaffey Theater.

(b) Resolution of the City Council of the City of St. Petersburg, Florida establishing its intent to reimburse certain capital expenditures incurred with proceeds of a future tax-exempt financing; authorizing distribution and use of a preliminary official statement in connection with the marketing of certain City of St. Petersburg, Florida Public Utility Revenue Bonds; and providing certain other matters in connection therewith.

ADD H-1 Resolution reaffirming previous authorizations for the City Attorney's Office to file certain actions; authorizing the City Attorney to file certain other actions; and superceding other Resolutions which may be in conflict herewith, to the extent of such conflict.

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 Bennett the following resolution be adopted:

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that Council move Consent Items CB-9 through CB-20 (Pier lease agreements/termination of leases) to Reports and that the following resolutions be adopted:

- 09-27 Resolution amending Resolution 2008-384 to change the loan terms on the non-recourse \$2,200,000 loan to SP One, LTD., a Florida Limited Partnership ("SP One") for the acquisition and rehabilitation of the Columbian Apartments ("Development"), located at 518 Third Avenue South.
- 09-28 Accepting proposals from Life Extension Clinics, Inc. dba Life Scan Wellness Centers and Lakeside Occupational Medical Centers Inc., for medical exams and substance testing at an estimated annual cost of \$329,000.
- 09-29 Approving the donation of used laser/ink jet cartridges to the Boca Ciega High School US Army JROTC program for recycling.
- 09-30 Approving the 2008 Annual Report for the Carillon Development of Regional Impact.
- 09-31 Approving the 2008 Annual Report for the Gateway Centre Development of Regional Impact.
- 09-32 Approving the plat of Mt. Vernon Subdivision #2, generally located at 219 - 4th Avenue North. (City File 07-20000016)
- 09-33 Authorizing the Mayor to terminate the existing lease with the Federal Aviation Administration ("FAA") for the Automated Surface Observing System ("ASOS") at Albert Whitted Airport ("Airport") and to execute a No Cost Land on Airport Memorandum of Agreement with the Federal Aviation Administration for the construction, operation and maintenance of an ASOS at the Airport through September 30, 2028. (Requires affirmative vote of at least six (6) members of City Council.)
- 09-34 Authorizing the Mayor to execute a three (3) year Storage Agreement with SRI International, a California non-profit public benefit corporation, for the use of an ±860 square foot portion of Port Lot No. 2. (Requires affirmative vote of at least six (6) members of City Council.)

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Authorizing the Mayor to execute the following Lease Agreements for the use of concession stands/storage buildings within portions of City-owned Parkland for a period of thirty-six (36) months, 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.)

- 09-35 Azalea Junior Football Association, Inc. at Azalea Park located at 1400 72nd St. North, St. Petersburg
- 09-36 Azalea Youth Soccer League, Inc. at Walter Fuller Park located at 7557 26th Avenue North, St. Petersburg.
- 09-37 Northeast Raiders Youth Association, Inc. at Puryear Park located at 5701 Lee Street Northeast, St. Petersburg.
- 09-38 Fossil Park Youth Baseball, Inc. at Fossil Park located at 6635 Dr. M.L. King Jr. Street North, St. Petersburg.

2009 Fiscal Year Festival of States Activities:

- 09-39 Authorizing the Mayor to execute an agreement with the Suncoasters of St. Petersburg, Inc. ("Suncoasters") to provide \$35,000 in cash to the Suncoasters for the production of various Festival of States activities during the 2009 Fiscal Year.
- 09-40 Declaring certain Festival of States events which are to take place April 2 & 18, 2009 to be Special Events within the meaning of Section 16.70.030 1.5 C.1 of the St. Petersburg City Code; delineating boundaries within which the declaration is to be effective.
- 09-41 Authorizing the Mayor to execute a Cooperative Funding Agreement between the City of St. Petersburg and Southwest Florida Water Management District for the design and construction of Terminal Drive South, Emerson Avenue South and Vicinity Storm Drainage Improvements (Terminal Drive, Emerson Avenue South along Pinellas Trail to 22nd Street South (N040). (Engineering Project No. 09017-110, Oracle No. 12073)
- 09-42 Awarding a contract to Pavement Technology, Inc. in the amount of \$117,300.00 for the Citywide Street Asphalt Rejuvenator Application FY2008 (Engineering Project No. 08003-530, Oracle No. 12068)

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- 09-43 Awarding a contract to Enviro-Logical Solutions, Inc. in the amount of \$221,692 for Police Headquarters UST/AST Upgrades consisting of the removal of two underground storage tanks and replacing with two above ground storage tanks. (Engineering Project No. 08044-118, Oracle No. 11647)
- 09-44 Authorizing the Mayor to accept a U.S. Department of Justice grant in the amount of \$8,000 to pay Police Department investigative overtime costs for joint cases with the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives; and to execute all documents necessary to effectuate this transaction; approving a supplemental appropriation in the amount of \$8,000 from the increase in the unappropriated balance of the General Fund (0001) resulting from these additional revenues to the Police Department, Vice & Narcotics (140-1445).
- 09-45 Approving funding for various Arts and Cultural agencies in the amount of \$175,000 for the period of October 1, 2008 through September 30, 2009; and authorizing the Mayor to execute all documents necessary to affect the intent of this Resolution with each agency.
- 09-46 Confirming the reappointment of Charley J. Williams, Jr., Paula S. Orandash, Barbara Page and Jennifer S. French, currently an alternate member, as regular members and Ronald J. Russell, currently a regular member, as an alternate member to the Committee to Advocate for Persons with Impairments to serve three-year terms ending 12/31/2011.
- 09-47 Reappointing Clifford J. Cook as an alternate member to the Code Enforcement Board to serve a three-year term ending December 31, 2011.
- 09-48 Confirming the reappointment of Betsy Robertson Dosh and Mary Darling as regular members to the City Beautiful Commission to serve three-year terms ending 12/31/11.
- 09-49 Confirming the reappointment of Marilyn Green and Susan McClelland as regular members to the Commission on Aging to serve three-year terms ending 12/31/11.
- 09-50 Confirming the reappointment of Carol Jones and the appointment of Chika Berrios as regular members to the International Relations Committee to serve a three-year term ending 12/31/11 and an unexpired three-year term ending 12/31/09, respectively.

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- 09-51        Confirming the reappointments of Charlene Sanders and R. Ali Montsho, as regular members, to the Nuisance Abatement Board to serve three-year terms ending 12/31/11 and confirming the reappointment of Hardy W. Bryan, as an alternate member, to the Nuisance Abatement Board to serve a two-year term ending 11/30/10.
- 09-52        Approving minutes of the October 9 and October 16, 2008 City Council meetings.
- 09-53        Confirming the reappointment of Mary Wyatt Allen and Mary Hilton Cross as regular members to the Health Facilities Authority to serve four-year terms ending 12/31/12.

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

The Clerk read the title of proposed Ordinance 915-G. Councilmember Bennett 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, February 5, 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 Ordinance 915-G, entitled:

**PROPOSED ORDINANCE NO. 915-G**

AN ORDINANCE PROVIDING AN APPOINTMENT PROCESS, BY ELECTION OF THE VOTERS, FOR THE REPLACEMENT COUNCIL MEMBER DISTRICT 5 SINCE A RESIGNATION HAS BEEN SUBMITTED BY THE DISTRICT 5 COUNCIL MEMBER PRIOR TO TEN (10) DAYS BEFORE THE BEGINNING OF THE QUALIFYING PERIOD FOR THE CITY GENERAL ELECTION TO BE HELD IN 2009 WITH AN EFFECTIVE DATE OF RESIGNATION OF 12:01 P.M. ON DECEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR FINDINGS; PROVIDING FOR THE SUNSETTING OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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

**01/22/09**

In connection with a new business item, Councilmember Nurse 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 request an update on homeless issues be presented by Administration to the Public Services and Infrastructure Committee.

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

In connection with a new business item, Councilmember Newton 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 a review of the City's policy regarding carnivals in City parks to the Public Services and Infrastructure Committee.

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

In connection with a new business item, Council Chair Danner made no changes to previous appointments to various intergovernmental agencies and City Committees, appointed Councilmember Dudley to the Co-Sponsored Events Committee (current members are Councilmembers Curran, Danner and Newton), and made the following appointments to Council Committees:

Budget Finance & Taxation - Councilmembers Bennett, Danner, Kennedy, Nurse and Newton.

Housing Services - Councilmembers Curran, Danner, Nurse, Polson and Dudley.

Legislative Affairs & Intergovernmental Relations Committee - Councilmembers Danner, Bennett and Polson.

Public Services & Infrastructure Committee - Councilmembers Curran, Polson, Danner and Newton.

Council Procedures Committee - Councilmembers Bennett, Danner, Polson and Curran.

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

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09-54 Reaffirming previous appointments and recommendations to various intergovernmental as follows: Council representation on the St. Petersburg Chamber of Commerce Board of Governors shall continue on a rotating basis and appointing Councilmembers Danner and Polson to the Metropolitan Planning Organization, Councilmember Kennedy to the Pinellas Planning Council, Councilmembers Danner and Polson to the Pinellas Suncoast Transit Authority, Councilmember Bennett to WORKNET and Tampa Bay Water, Councilmember Dudley to the Suncoast League of Municipalities and to the Pinellas School Collaborative, Councilmember Nurse to the Tampa Bay Regional Planning Council, Councilmembers Bennett and Polson to the Homeless Leadership Network, and recommending to the Pinellas County Board of Commissioners the appointment of Councilmember Curran to the Tourist Development Council (dba CVB) and Councilmember Newton to the St. Petersburg/Clearwater Economic Development.

Roll call. Ayes. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None. (No changes were made to Council representation on the various City Committees, previously appointed Councilmembers will continue to serve until they are replaced.)

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

09-55 Requesting the Mayor expedite the bidding process for construction related projects budgeted for this fiscal year.

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

No action was taken in connection with a new business item requesting Legal draft an amendment to the City Charter to hold an election to fill vacancies by Council Members resigning during the Mayor's election cycle which was deleted by Councilmember Nurse.

In connection with a new business item, Councilmember Bennett 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 a presentation from Bob Alexander and Environmental Climate Exchange concerning green city options such as solar gas capturing through a patented electronic payment/carbon credit system to the Public Services and Infrastructure Committee for discussion.

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

In connection with a Budget, Finance and Taxation Committee, Councilmember Bennett moved with the second of Councilmember Kennedy that the following resolution be adopted:

09-56 Resolution approving the release of a Request for Proposals for the FY 2009 Management Evaluation and providing that the Management Evaluation shall be of the Mahaffey Theater.

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

09-57 Resolution of the City Council of the City of St. Petersburg, Florida establishing its intent to reimburse certain capital expenditures incurred with proceeds of a future tax-exempt financing; authorizing distribution and use of a preliminary official statement in connection with the marketing of certain City of St. Petersburg, Florida Public Utility Revenue Bonds; and providing certain other matters in connection therewith.

Roll call. Ayes. Polson. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. None. Councilmember Bennett 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 January 15, 2009 Budget, Finance and Taxation Committee report.

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

In connection with a Public Services and Infrastructure Committee report, 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 receive and file the January 15, 2009 Public Services and Infrastructure Committee report.

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

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The Clerk read the title of proposed Ordinance 914-G and Economic Development Director David Goodwin made a presentation. The Chair asked if there were any persons present wishing to be heard and there was no response. Councilmember Bennett 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 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.

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 Legal item, City Attorney John Wolfe made a presentation. Councilmember Curran moved with the second of Councilmember Kennedy that the following resolution be adopted:

09-58 Reaffirming previous authorizations for the City Attorney's Office to file certain actions; authorizing the City Attorney to file certain other actions; superceding other Resolutions which may be in conflict herewith, to the extent of such conflict.

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

In connection with report items E-1 through E-12, Downtown Facilities Director Chris Ballestra made a presentation. Councilmember Bennett moved with the second of Councilmember Curran that the following resolutions be adopted:

09-59 Authorizing the Mayor to execute a Lease Agreement between the City of St. Petersburg and Hui Panjia d/b/a/ Hong Kong, for Space No. 1016 at The Pier for a three (3) year term commencing November 1, 2008 and expiring October 31, 2011.

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- 09-60 Authorizing the Mayor to execute a Lease Agreement between the City of St. Petersburg and Morrow's Incorporated d/b/a Café Morrow, for Space No. 1014 & 1014A at The Pier for a three (3) year and six (6) months term commencing April 1, 2008 and expiring September 30, 2011.
- 09-61 Authorizing the Mayor to execute a Lease Agreement between the City of St. Petersburg and Morrow's Incorporated d/b/a Morrow's, for Space No. 1019 at The Pier for a three (3) year and six (6) months term commencing April 1, 2008 and expiring September 30, 2011.
- 09-62 Authorizing the Mayor to execute a Lease Agreement between the City of St. Petersburg and DC2 Enterprises, Inc. d/b/a Wheel Fun Rentals, for Space No. EX100 at The Pier for a one (1) year and six (6) months term commencing February 1, 2009 and expiring August 31, 2010.
- 09-63 Approving the termination of the lease between the City of St. Petersburg, Florida ("City") and Rainforest Gifts, Inc. ("Tenant") for Space No. 1002 at The Pier previously set to expire on November 30, 2009; and authorizing the Mayor to execute a new Lease Agreement for Space No. 1002 at The Pier for a one (1) year term commencing December 1, 2008 and expiring November 30, 2009.
- 09-64 Approving the termination of the lease between the City of St. Petersburg, Florida ("City") and Burger Bay, Inc. ("Tenant") for Space No. 1018 at The Pier previously set to expire on January 31, 2010; and authorizing the Mayor to execute a new Lease Agreement for Space No. 1018 at The Pier for a one (1) year and six (6) months term commencing January 1, 2009 and expiring June 30, 2010.
- 09-65 Approving the termination of the lease between the City of St. Petersburg, Florida ("City") and JOMAT INC. ("Tenant") for Space No. 1017 at The Pier previously set to expire on October 31, 2010; and authorizing the Mayor to execute a new Lease Agreement for Space No. 1017 at The Pier for a one (1) year and ten (10) months Term commencing January 1, 2009 and expiring October 31, 2010.
- 09-66 Approving the termination of the lease between the City of St. Petersburg, Florida ("City") and The Corner Cottage, Inc. ("Tenant") for Space No. 1005 at The Pier previously set to expire on September 30, 2009; and authorizing the Mayor to execute a new Lease Agreement for Space No. 1005 at The Pier for a one (1) year term commencing January 1, 2009 and expiring December 31, 2009.

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- 09-67 Approving the termination of the license agreement between the City of St. Petersburg, Florida ("City") and Dolphin Landings, A Charter Boat Center, Inc., d/b/a Boating at The Pier ("Tenant") for Space No. EX600 in the North Yacht Basin previously set to expire on February 28, 2009; and authorizing the Mayor to execute a new License Agreement for Space No. EX600 at The Pier for a one (1) year term commencing January 1, 2009 and expiring December 30, 2009.
- 09-68 Authorizing the Mayor to execute a Lease Agreement between the City of St. Petersburg, Florida ("City") and Bay Breeze Boutique, Inc., ("Tenant") for Space No. 1010 at The Pier for a one (1) year term commencing December 1, 2008 and expiring November 30, 2009.
- 09-69 Authorizing the Mayor to execute a Lease Agreement between the City of St. Petersburg, Florida ("City") and Just Hats II, Inc., ("Tenant") for Space No. 1003 at The Pier for a one (1) year term commencing December 1, 2008 and expiring November 30, 2009.
- 09-70 Approving the termination of the Lease Agreement between the City of St. Petersburg, Florida ("City") and A. Hayden Enterprises, LLC d/b/a NY Pizza & Deli ("Tenant") for Space No. 1021 at The Pier previously set to expire on September 30, 2010; and authorizing the Mayor to execute all documents necessary to effectuate this transaction.

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

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

1. Gonzales J. Ortez, 3724 76<sup>th</sup> Street North, commented on past Mayors and Councils, the subsidizing of private enterprises, i.e. International Museum, Bay Plaza, Stadium, etc. He commented on Police Officer Mattison and alleged corruption at the stadium.
2. Ken Glowger, 1416 1<sup>st</sup> Street North, asked Council to amend the Police Alarm Ordinance to remove the requirement for a permit and associated fee which he feels is a tax.
3. Debra Rosenfield Schroder, 108 7<sup>th</sup> Street North #3, discussed homelessness and offered to assist the City with issues related to homelessness.

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4. Ingrid Comberg, 620 5<sup>th</sup> Street North, spoke concerning comments provided previously and requested a response from the City concerning her Risk Management claim.

There being no further business, the meeting was adjourned at 5:08 p.m.

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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, FEBRUARY 5, 2009, AT 8:32 A.M.**

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

- ADD C-12 Authorizing the Mayor to negotiate and execute an agreement between the City of St. Petersburg and Saint Pete Environmental Research Center for the Energy Conversion Project at the City's Southwest Water Reclamation Facility; and authorizing the Mayor to negotiate and execute an agreement, if necessary, with Progress Energy Florida, Inc. to facilitate the operation of the Energy Conversion Project at the City's Southwest Water Reclamation Facility.
- ADD G-1 Referring to the Budget, Finance and Taxation Committee for review the City's Capital Improvement Projects Budget. (Councilmember Nurse)
- ADD G-2 Appointing a member of City Council to the Pier Stakeholders Group. (Chair Danner)
- ADD G-3 Amending the resolutions pertaining to the number of City Council Members on the Budget, Finance and Taxation Committee and the Public Services and Infrastructure Committee. (Chair Danner)
- ADD G-4 Requesting City Council change the start time of the February 19, 2009 meeting from 3:00 p.m. to 4:00 p.m. (Chair Danner)

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- ADD G-5 Requesting City Council select an impartial third party to conduct and facilitate the political debates between qualified candidates for the offices of Mayor and City Council for the 2009 Primary and General Elections. (Councilmember Bennett)
- INFO H-3 Housing Services Committee. (1/29/09)
- (a) Resolution approving an amendment to the Energy Conservation Program – Childs Park Neighborhood Strategy (“ECP”) within the City’s State Housing Initiatives Partnership (“SHIP”) Local Housing Assistance Plan (“LHAP”) for FY 2006 - FY 2009 to modify the provisions related to assistance to authorize the City to provide grants for assistance amounts of \$1 to \$3,000, and to continue to provide non-interest bearing, forgiven or amortized loans for assistance amounts between \$3,001 and \$15,000 per household; and to modify the previously authorized items eligible for funding to permit ECP funds to be utilized to make additional energy conservation improvements as deemed necessary by the Mayor; providing that all provisions of the ECP, as amended, not modified herein shall remain in full force and effect; authorizing the Mayor to execute all documents necessary to effectuate the amendment and to expend funds in accordance with the LHAP, as amended.
- ADD H-4 Legislative Affairs & Intergovernmental Relations Committee Update on the Federal Stimulus Package.
- (a) Resolution of the City Of St. Petersburg supporting President Obama’s American Recovery And Reinvestment Plan And the creation of The Office Of Urban Policy.
- ADD I-2 Resolutions authorizing the Mayor and City Clerk to certify and file the maps in accordance with Chapter 95, Florida Statutes for:
- (a) Sunrise Drive South.
  - (b) Sunrise Drive South Right-of-Way.

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

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

- 09-71       Renewing blanket purchase agreements with Bernie Marble Construction, Inc. d/b/a Emmett McCabe Trucking and J & K Enterprises of Largo, Inc. for road and landscape materials at an estimated annual amount of \$253,163.
  
- 09-72       Awarding a blanket purchase agreements to Acuity Brands Lighting, Inc., Full Spectrum Solutions, Inc. and Dynamic Lighting, Inc. for inductive street lighting fixtures for the Internal Services Administration at an estimated annual cost of \$244,000.
  
- 09-73       Approving the purchase of resurfacing services from E.J. Breneman, L.P. for the Engineering and Capital Improvements Department to at a total cost of \$435,725.00.
  
- 09-74       Authorizing the Mayor to execute Amendment No. 1 to Task Order No. 05-1-ERD/SWT to the Agreement between the City of St. Petersburg and Environmental Research and Design in an amount not to exceed \$105,322.66 for services during the construction of Booker Lake Regional Stormwater Treatment Facility, for a total not to exceed amount of \$310,004.53. (Engineering Project No. 05042-110; Oracle No. P361041)
  
- 09-75       Authorizing the Mayor to execute a Local Agency Program Agreement between the City of St. Petersburg, Florida and the State of Florida Department of Transportation ("FDOT") for participation by FDOT in the design activities of the City of St. Petersburg - Pinellas Trail Traffic Control Project ("Project") in an amount not to exceed \$30,577; and authorizing a supplemental appropriation of \$30,577 from the increase in the unappropriated balance of the Bicycle/Pedestrian Safety Improvements Fund (3004) resulting from these additional revenues. (FDOT Financial Project No. 424532-3-38-01)
  
- 09-76       Authorizing the Mayor to execute Amendment Number 1 to Task Order Number 02-12-TBE/GC to the Agreement between the City of St. Petersburg and TBE Group, Inc. in an amount not to exceed \$40,055.68 for construction phase services for replacement of Grand Canal Boulevard Northeast Bridge, for a total not to exceed amount of \$140,048.68. (Engineering Project No. 06056-110; Oracle No. 10679)

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- 09-77 Authorizing the Mayor to accept a State of Florida, Division of Emergency Management federally funded subgrant in the amount of \$321,211 for the specific purposes of performing eligible activities as identified in the Office for Domestic Preparedness Fiscal Year 2008-09 State Homeland Security Grant Program consistent with the Department of Homeland Security State Strategy; and to execute a grant agreement with the State of Florida Division of Emergency Management and all other documents necessary to effectuate this transaction; and approving a supplemental appropriation of \$321,211 from the increase in the unappropriated balance of the General Fund resulting from these additional revenues to the Fire Department.
- 09-78 Setting February 19, 2009 as the public hearing date for Preliminary Assessment on Lot Clearing Numbers 1447, 1448, 1449, and 1450.
- 09-79 Setting February 19, 2009 as the public hearing date for Preliminary Assessment on Building Demolition Numbers 353 and 354.
- 09-80 Setting February 19, 2009 as the public hearing date for Preliminary Assessment on Building Securing Numbers 1107, 1108, 1109, 1110, 1111, and 1112.
- 09-81 Approving minutes of the November 6 and November 17, 2008 City Council meetings.
- 09-82 Authorizing the Mayor to negotiate and execute an agreement between the City of St. Petersburg and Saint Pete Environmental Research Center for the Energy Conversion Project at the City's Southwest Water Reclamation Facility; and authorizing the Mayor to negotiate and execute an agreement, if necessary, with Progress Energy Florida, Inc. to facilitate the operation of the Energy Conversion Project at the City's Southwest Water Reclamation Facility.

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

In connection with a report item, Recreation Director Sherry McBee made a presentation and Mayor Baker provided comments. Councilmember Nurse moved with the second of Councilmember Bennett that the following resolution be adopted:

- 09-83 Approving the Administration's recommendations to offer contracts to Iron Girl and Women's Running for the staging running events in downtown St. Petersburg.

2/5/09

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

The Clerk read the title of proposed Ordinance 915-G. Councilmember Bennett 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 915-G, entitled:

**PROPOSED ORDINANCE NO. 915-G**

AN ORDINANCE PROVIDING AN APPOINTMENT PROCESS, BY ELECTION OF THE VOTERS, FOR THE REPLACEMENT COUNCIL MEMBER DISTRICT 5 SINCE A RESIGNATION HAS BEEN SUBMITTED BY THE DISTRICT 5 COUNCIL MEMBER PRIOR TO TEN (10) DAYS BEFORE THE BEGINNING OF THE QUALIFYING PERIOD FOR THE CITY GENERAL ELECTION TO BE HELD IN 2009 WITH AN EFFECTIVE DATE OF RESIGNATION OF 12:01 P.M. ON DECEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR FINDINGS; PROVIDING FOR THE SUNSETTING OF THIS ORDINANCE; 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. The following person(s) came forward:

1. Gonzales J. Ortez, 3724 76<sup>th</sup> Street North, spoke in opposition to the proposed ordinance.

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

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

No action was taken in connection with an oral report on the Pinellas Planning Council provided by Councilmember Kennedy.

2/5/09

In connection with a Budget, Finance and Taxation Committee report, Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

09-84        Reallocating \$150,000 from the 3031 City Facilities Capital Improvement Fund (Penny for Pinellas) to be used to replace the St. Petersburg Museum of History's HVAC System.

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

09-85        Accepting staff's recommendation to eliminate non-departmental funding and to reassign allocations for the FY10 Budget to the respective departments, advise departments of additional funding requests as part of the Arts/Cultural allocation process; quantify operating savings associated with social service agencies and include the savings in the respective department's operating budget and advise agencies of additional funding requests subject to the Social Services allocation process and reconsider/revise the lease agreements with the Pier Aquarium and the St. Petersburg Museum of History.

Roll call. Ayes. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. Polson. 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 Council receive and file the January 29, 2009 Budget, Finance and Taxation Committee report.

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

In connection with a Public Services and Infrastructure Committee report, Councilmember Bennett 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 January 29, 2009 Public Services and Infrastructure Committee report.

2/5/09

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

In connection with a Housing Services Committee report, Councilmember Curran moved with the second of Councilmember Dudley that the following resolution be adopted:

09-86 Approving an amendment to the Energy Conservation Program - Childs Park Neighborhood Strategy ("ECP") within the City's State Housing Initiatives Partnership ("SHIP") Local Housing Assistance Plan ("LHAP") for FY 2006 - FY 2009 to modify the provisions related to assistance to authorize the City to provide grants for assistance amounts of \$1 to \$3,000, and to continue to provide non-interest bearing, forgiven or amortized loans for assistance amounts between \$3,001 and \$15,000 per household; and to modify the previously authorized items eligible for funding to permit ECP funds to be utilized to make additional energy conservation improvements as deemed necessary by the Mayor; providing that all provisions of the ECP, as amended, not modified herein shall remain in full force and effect; authorizing the Mayor to execute all documents necessary to effectuate the amendment and to expend funds in accordance with the LHAP, as amended.

Roll call. Ayes. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. Polson. 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 receive and file the January 29, 2009 Housing Services Committee report.

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

In connection with a Legislative Affairs & Intergovernmental Relations Committee update on the Federal Stimulus Package, Councilmember Curran moved with the second of Councilmember Nurse that the following resolution be adopted:

09-87 Supporting President Obama's American Recovery and Reinvestment Plan and the creation of the Office of Urban Policy.

Roll call. Ayes. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Nays. None. Absent. Polson. Government Services Manager Laura Tuleen made a presentation.

2/5/09

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

09-88            Establishing and reaffirming the number of members for Council Committees as follows: Budget, Finance and Taxation, Public Services and Infrastructure and Legislative Affairs & Intergovernmental Relations Committees - 4 members each; Housing Services and Council Procedures Committees - 5 members each; and the Chair designating each alternate as the first, second or third alternate with the alternate with the lowest number serving for any absent regular member of the Committee.

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

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 refer a review of the City's Capital Improvement Projects Budget to the Budget, Finance and Taxation Committee.

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

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

09-89            Recommending the appointment of Councilmember Curran to the Pier Stakeholders Group with Councilmember Nurse as an alternate.

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

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

09-90            Changing the start time of the February 19, 2009 City Council meeting from 3:00 p.m. to 4:00 p.m.

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

**2/5/09**

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

09-91           Selecting the League of Women Voters as the impartial third party to conduct and facilitate the political debates for the City of St. Petersburg Municipal Elections.

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

In connection with a Legal item, Assistant City Attorney Jacqueline Kovilaritch made a presentation, Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

09-92           Approving the issuance of not to exceed \$16,000,000 City of St. Petersburg Health Facilities Authority Variable Rate Revenue Bonds (Presbyterian Retirement Communities Project), Series 2009 pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended.

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

In connection with a Legal item, Assistant City Attorney Jeanne Hoffmann made a presentation, Councilmember Newton moved with the second of Councilmember Curran that the following resolutions be adopted:

09-93           Authorizing the Mayor and the City Clerk to certify and file the map of Sunrise Drive South between 39<sup>th</sup> and 46<sup>th</sup> Avenues South, in St. Petersburg, attached hereto as Exhibit "A," in the Office of the Clerk of the Circuit Court of Pinellas County in accordance with Section 95.361, Florida Statutes.

09-94           Authorizing the Mayor and the City Clerk to certify and file the map of Sunrise Drive South right-of-way between 39<sup>th</sup> and 46<sup>th</sup> Avenues South, in St. Petersburg, attached hereto as Exhibit "A," in the Office of the Clerk of the Circuit Court of Pinellas County in accordance with Section 95.361, Florida Statutes.

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

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

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1. Gonzales J. Ortez, 3724 76<sup>th</sup> Street North, spoke concerning the appointment process, by election of the voters, for the replacement Council Member in Council District 5 and expressed concern with the resignation effective date of the current Council Member.
2. Joe Calmano, 550 1<sup>st</sup> Avenue South #314, lives at Lutheran Apartments and walks two hours at night in downtown St. Petersburg and it is becoming very dangerous as a result of bicycles and skateboards on the sidewalk. He asked Council to post signs regarding the prohibition of bicycles and skateboards on sidewalks per the City's ordinance and enforce same.
3. Robert Gordon, 2335 13<sup>th</sup> Street South, stated a year ago his son and girlfriend were murdered and has not heard from the Police Department concerning the status of the investigation. Stated the only time he and his wife hear from the Police Department is when they initiate the call. Police Chief Harmon apologized for the Department not keeping in touch concerning the case and stated at least once a month, if requested by the family, the Police Department will call and provide an update and ask if there is any additional information. He assured Mr. Gordon that the Police Department will continue to work on his son's case.

There being no further business, the meeting was adjourned at 11:10 a.m.

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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, FEBRUARY 12, 2009, AT 3:04 P.M.**

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

Councilmember Polson 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.

Delete E-1 George E. Burdick Residual Trust.

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

Councilmember Newton presented the following Resolution of Memorial Tribute to the family of Lorian Williams:

Resolution of Memorial Tribute  
To the Family of  
Lorian Williams

Whereas, our Lord has called from us Lorian Williams, a consummate professional and community liaison; and

Whereas, we are shocked and profoundly grieved at the passing of a friend and the loss to this city of an outstanding role model, friend and entrepreneur; and

Whereas, Lorian Williams gave to St. Petersburg many years of unselfish service as a community ambassador bringing together people from all walks of life as a skillful event planner and dynamic leader; and

Whereas, Lorian Williams will always be remembered for her untiring commitment of advancing causes s throughout our community that enhanced minority goals; and

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Whereas, Lorian Williams has left an indelible impression upon the hearts and minds of those who were privileged to call her friend; and

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

Now, Therefore, Be It Resolved by the Mayor and City Council of the City of St. Petersburg, Florida, that we, for ourselves and for the citizens she served so well, in sorrow publicly acknowledge the debt of gratitude this city owes to Lorian Williams for her untiring and steadfast devotion to making St. Petersburg a better place to live, work and play;

Be It Further Resolved that we express to the family of Lorian Williams, our heartfelt condolences 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 and that she earned in full measure the respect and admiration of her fellow citizens.

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 Lorian Williams.

Mayor Baker commented briefly stating that Lorian Williams was a friend and was very active in the St. Petersburg Area Chamber of Commerce and the community.

Councilmember Bennett introduced John Long, President & CEO of the St. Petersburg Area Chamber of Commerce, Steve Raymond Board Chairman, Jim Albright, Past Board Chairman, Lisa Wannamacher, Board Member and Sid Morgan Chairman Elect of the St. Petersburg Area Chamber of Commerce. Councilmember Bennett then congratulated Mr. Long and the Chamber on their national designation as one of the top three Chamber of Commerce in the Nation for 2008.

Mr. Long provided a brief presentation regarding the St. Petersburg Area Chamber of Commerce award winning designation and notable accomplishments. Councilmember Bennett and Mayor Baker presented Mr. Long with the City's Sunshine Ambassador Award for his invaluable contributions to the City of St. Petersburg. Sid Morgan, St. Petersburg Area Chamber of Commerce President Elect, commented briefly regarding the grand opening of Humana Cares Center at the Carillion Center. Mr. Morgan stated Humana wanted to select a City that was innovative to place their innovative operations in. Mr. Morgan also informed the Council that the new center would bring 250 to 300 jobs to the Carillion area.

Councilmember Kennedy presented a Sunshine Ambassador Award to Allison Kerns who has been selected as the MDA Muscular Dystrophy Goodwill Ambassador for the State of Florida. Mr. & Mrs. Kerns, parents of Allison Kerns, thanked Councilmember Kennedy, Mayor Baker and members of City Council for the Sunshine Ambassador award.

2/12/09

In connection with an award item presenting a Proclamation recognizing Special Olympics week, Council Chair Danner deferred the item until a later date.

There being no further business, the meeting was adjourned at 3:30 p.m.

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Jeff Danner Chair-Councilmember  
Presiding Officer of the City Council

ATTEST: \_\_\_\_\_  
Cathy E. Davis, Deputy City Clerk

**REGULAR SESSION OF THE CITY COUNCIL HELD AT CITY HALL**

**THURSDAY, FEBRUARY 19, 2009, AT 4:03 P.M.**

\* \* \* \* \*

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

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 approve the agenda as amended with the following changes:

- ADD CA-2 Moved to Reports as Item E-2: Awarding a blanket purchase agreement to Resource Efficiency Solutions, Inc. for induction light system retrofit kits for the Internal Services Administration in an amount not to exceed \$640,635; approving a transfer of \$640,635 from the unappropriated balance of the General Fund (Energy Conservation Designation) to the General Capital Improvement Fund; and approving a supplemental appropriation in the amount of \$640,635 from the increase in the unappropriated balance of the General Capital Improvement Fund, resulting from the transfer, to the Energy Enhancements FY08 Project (11616)
  
- MOVE CB-6 To Reports as Item E-3: Confirming the reappointment of Harry L. Harvey and Lorraine Perry, resident category, as regular members to the St. Petersburg Housing Authority to serve four-year terms ending November 30, 2012.
  
- ADD D-2 Amending Section 10-7 of the St. Petersburg City Code, providing for the time period in which a candidate for elective office must fill an application to qualify.

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- ADD D-3 Setting March 5, 2009 as the public hearing date for the following proposed Ordinances:
- Convenience Business/Convenience Store Safety Ordinances:
- (a) Ordinance creating a new Section 20-52 of the St. Petersburg City Code to authorize the City to enforce the statutory requirements and procedures for convenience business safety; creating a new Section 16.50.120.4 to require all uses regulated by this section to comply with provisions of Chapter 20 regarding convenience businesses and convenience stores.
  - (b) Ordinance creating a new Section 20-53 of the St. Petersburg City Code to establish security requirements and procedures for convenience store safety.
- ADD E-1 Legislative Affairs & Intergovernmental Relations (LAIR) Update on the Federal Stimulus Package. *(Oral)*
- ADD F-1 Requesting Administration draft a letter to the County Health Department to address safety concerns of public feeding. (Councilmember Kennedy)
- ADD F-2 Referring to the Public Services & Infrastructure Committee or the Budget, Finance and Taxation Committee for review, cost recovery for Emergency Response Services. (Councilmember Kennedy)
- ADD F-3 Referring to the Public Services & Infrastructure Committee the Lien Amnesty Program from the Codes Compliance Department for review and discussion. (Chair Danner)
- ADD F-4 Referring to the Public Services and Infrastructure Committee for review, bicycles on sidewalks policy. (Councilmember Nurse)
- ADD F-5 Referring to the Public Services and Infrastructure Committee for discussion, community gardens zoning. (Councilmember Nurse)

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

2/19/09

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

- 09-95           Renewing a blanket purchase agreement with H & H Liquid Sludge Disposal, Inc., for sludge removal and disposal for the Water Resources Department at an estimated annual cost of \$1,003,000.
  
- 09-96           Accepting a U.S. Environmental Protection Agency ("EPA") grant in the amount of \$666,510 for installing diesel particulate filters on City fleet highway vehicles, increasing usage of biodiesel 20 in all City fleet vehicles, and implementing a public information campaign to promote this program; authorizing the Mayor to execute an EPA Cooperative Agreement and all other documents necessary to effectuate the Grant; and approving a supplemental appropriation in the amount of \$666,510 from the increase in the unappropriated balance of the Fleet Maintenance Operations Fund (5001) resulting from these additional revenues.
  
- 09-97           Awarding blanket purchase agreements to Cemex Construction Materials Florida, LLC and K & R Pumping Inc. for ready mix concrete and related service for an estimated annual amount of \$201,285.
  
- 09-98           Renewing a blanket purchase agreement with Diamond Supply & Fastener, Inc. for fastener replenishment services at an estimated annual cost of \$131,000.
  
- 09-99           Authorizing the Mayor to apply for and administer Florida Boating Improvement Program grants through the Florida Fish and Wildlife Conservation Commission for eight boat ramp locations and to execute all documents necessary to effectuate this transaction.
  
- 09-100          Confirming the levy of special assessments in the total amount of \$23,680.68 for the paving of the alley between 30th Avenue North and 31st Avenue North from Granville Street North to Grove Street North; and approving the final assessment roll of the special assessments on the abutting properties for the cost of the paving. (Engineering Project No. 06034-110; Oracle No. 10844)
  
- 09-101          Confirming the reappointment of Bonnie L. Quick as a regular member to the Commission on Aging to serve a three-year term ending December 31, 2011.
  
- 09-102          Confirming the appointment of Carol L. Carter as a regular member to the City Beautiful Commission to serve a three-year term ending December 31, 2011.

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- 09-103      Confirming the appointment of Renee A. Brown, as a regular member, to the Committee to Advocate for Persons with Impairments to serve an unexpired three-year term ending December 31, 2010.
- 09-104      Approving minutes of the November 21, December 4 and December 11, 2008 City Council meetings.

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

Chair Danner recognized Junior Girl Scout Troop 565. Ms. Savannah Pearson, representing Troop 565, provided comments.

The Clerk read the titles of proposed Ordinances 1000-V, 916-G, 917-G and 918-G. Councilmember Bennett 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, March 5, 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 1000-V, 916-G, 917-G and 918-G, entitled:

**PROPOSED ORDINANCE NO. 1000-V**

AN ORDINANCE APPROVING THE VACATION OF FAIRFIELD AVENUE SOUTH BETWEEN 45<sup>TH</sup> AND 46<sup>TH</sup> STREETS SOUTH, 7<sup>TH</sup> AVENUE SOUTH BETWEEN 43RD AND 46<sup>TH</sup> STREETS SOUTH, AND CERTAIN STREET, DRAINAGE AND UTILITY EASEMENTS WITHIN THE BOUNDARIES OF THE CHILD'S PARK ATHLETIC FIELD COMPLEX; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

**PROPOSED ORDINANCE NO. 916-G**

AN ORDINANCE AMENDING SECTION 10-7 OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR THE TIME PERIOD IN WHICH A CANDIDATE FOR ELECTIVE OFFICE MUST FILE AN APPLICATION TO QUALIFY; AND PROVIDING FOR AN EFFECTIVE DATE.

2/19/09

**PROPOSED ORDINANCE NO. 917-G**

AN ORDINANCE CREATING A NEW SECTION 20-52 OF THE ST. PETERSBURG CITY CODE TO AUTHORIZE THE CITY TO ENFORCE THE STATUTORY REQUIREMENTS AND PROCEDURES FOR CONVENIENCE BUSINESS SAFETY; CREATING A NEW SECTION 16.50.120.4 TO REQUIRE ALL USES REGULATED BY THIS SECTION TO COMPLY WITH PROVISIONS OF CHAPTER 20 REGARDING CONVENIENCE BUSINESSES AND CONVENIENCE STORES; AND PROVIDING FOR AN EFFECTIVE DATE.

**PROPOSED ORDINANCE NO. 918-G**

AN ORDINANCE CREATING A NEW SECTION 20-53 OF THE ST. PETERSBURG CITY CODE TO ESTABLISH SECURITY REQUIREMENTS AND PROCEDURES FOR CONVENIENCE STORE SAFETY; AND PROVIDING FOR AN EFFECTIVE DATE.

Police Chief Chuck Harmon provided comments and stated he will offer, with Council's approval, mini grants of up to \$500 to owner operated convenience stores to purchase electronic locks. Assistant City Attorney Lynn Gordon made a presentation. Roll call. Ayes. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. None.

No action was taken in connection with a report item concerning a Legislative Affairs & Intergovernmental Relations Committee update on the Federal Stimulus Package presented by Government Services Manager Laura Tuleen.

In connection with a report item concerning reappointments to the St. Petersburg Housing Authority, Deputy Mayor Goliath Davis, liaison to the Housing Authority, made a presentation. Councilmember Bennett 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 defer the reappointments to the St. Petersburg Housing Authority to the March 5, 2009 Council meeting.

**2/19/09**

Roll call. Ayes. Kennedy. Dudley. Bennett. Nurse. Danner. Nays. Curran. Newton. Polson. Absent. None. (Councilmember Bennett, with the concurrence of a majority of Council, requested an update on the Graham Rogall Project and the Federal Stimulus Package Impact by the Housing Authority to the Housing Services Committee at its February 26, 2009 meeting. Staff to work with the Housing Authority to schedule presentation before the Committee.)

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

09-105        Awarding a blanket purchase agreement to Resource Efficiency Solutions, Inc. for induction light system retrofit kits for the Internal Services Administration in an amount not to exceed \$640,635; approving a transfer of \$640,635 from the unappropriated balance of the General Fund (Energy Conservation Designation) to the General Capital Improvement Fund; and approving a supplemental appropriation in the amount of \$640,635 from the increase in the unappropriated balance of the General Capital Improvement Fund, resulting from the transfer, to the Energy Enhancements FY08 Project (11616).

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

In connection with a Budget, Finance and Taxation Committee report, Councilmember Kennedy moved with the second of Councilmember Curran that the following resolution be adopted:

09-106        Approving the Schedule for the FY10 Budget Process.

Roll call. Ayes. Kennedy. Dudley. Curran. Bennett. Nurse. Newton. Danner. Polson. Nays. None. Absent. None. 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 Council receive and file the February 12, 2009 Budget, Finance and Taxation Committee report.

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

**2/19/09**

In connection with a Public Services and Infrastructure Committee report, 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 receive and file the February 12, 2009 Public Services and Infrastructure Committee report.

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

In connection with a new business item, Councilmember Kennedy 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 communicate with the Health Department, the Department of Business & Professional Regulation, Division of Hotels & Restaurants, and the Department of Agriculture & Consumer Services regarding the establishment of some type of safety mechanism related to public feeding.

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

In connection with a new business item, 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 Council refer the issue of cost recovery for emergency response services, for further discussion and possible drafting of an ordinance, to the Budget, Finance and Taxation Committee.

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

In connection with a new business item, Councilmember Newton moved with the 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 Codes Compliance Lien Amnesty Program to the Public Services and Infrastructure Committee.

**2/19/09**

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

In connection with a new business item, Councilmember Nurse moved with the 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 a review of the City's bicycle on sidewalk policy's (Section 26-179) potential impact on pedestrians and diners in our downtown sidewalks to the Public Services and Infrastructure Committee.

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

In connection with a new business item, Councilmember Nurse moved with the 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 discussion of appropriate zoning categories and requirements for community gardens to the Public Services and Infrastructure Committee.

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

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

1. Beverly Sloan, 430 Bay Street NE, commented on City Council's recent questioning of Police Chief Harmon. She felt the Chief continues to do a good job.
2. Ed Hotchkiss, 4935 28<sup>th</sup> Street South, stated that the letter concerning public feeding (New Business Item F-1) has nothing to do with health and everything to do with the homeless.
3. Herb Snitzer, 1500 4<sup>th</sup> Street South, stated he agreed with comments made by Mr. Hotchkiss and stated there needs to be a rededication on the part of Council to find a solution to the homeless issue. Suggest Council schedule a workshop to come to terms with the growing homeless population.

2/19/09

4. Hamilton Hanson, 204 37<sup>th</sup> Avenue North, commented on the budget, the shrinking tax base and the recently installed island/median at 9 Street, from approximately 46-42 Avenues, which is not necessary.
5. Judith Nelson, 1257 63<sup>rd</sup> Terrace South, commented on the Housing Authority reappointments and the fact that the Board always supports Mr. Irions' position/request.
6. Winnie Foster, 311 57<sup>th</sup> Avenue South, spoke concerning community gardens, climate change and the homeless.
7. Tee Lassiter, 937 Union Street South, spoke concerning Lawfest scheduled for March 7 at St. Petersburg College Midtown.
8. Mary Cash, 518 3<sup>rd</sup> Avenue South, expressed concern regarding treatment of the homeless.

The meeting was recessed at 5:58 p.m.

The meeting was reconvened at 6:05 p.m. with all members present.

In connection with public hearings concerning the confirmation of preliminary assessments, Councilmember Nurse moved with the second of Councilmember Curran that the following resolutions be adopted:

- 09-107        Confirming and approving preliminary assessment rolls for Lot Clearing Nos. 1447, 1448, 1449 and 1450 and providing for an interest rate of 12% per annum from the date of this resolution.
- 09-108        Assessing the costs of demolition listed on Building Demolition No. 353 and 354 (DMO 353 and 354) 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.
- 09-109        Assessing the costs of securing listed on Securing Building Nos. 1107, 1108, 1109, 1110, 1111 and 1112 (SEC 1107, 1108, 1109, 1110, 1111 and 1112 ) 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.

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

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

In connection with an appeal of the Development Review Commission's (DRC) approval of a site plan to construct a 22-story mixed use development at 136 4<sup>th</sup> Avenue NE (City File 08-31000012), presentations were made by Ms. Julie Weston, representing the City, Dr. Will Michaels and Mr. Peter Belmont, the appellants, and Mr. Don Mastry, representing the applicant, Liberty Bayfront, LLC. The Chair asked if there were any persons present wishing to be heard. The following person(s) came forward:

1. Beverly Sloan, 430 Bay Street NE, spoke in support of the appeal.
2. Todd LaTorre, 3152 12<sup>th</sup> Avenue North, spoke in opposition to the appeal.
3. Steven Galvin, 3161 12<sup>th</sup> Avenue North, spoke in opposition to the appeal.
4. Pam Cichon, 3161 12<sup>th</sup> Avenue North, supports relocation of these two properties and spoke in opposition to the appeal.
5. Marilyn Olsen, 100 Beach Drive NE, expressed concern with the damage to the downtown historic district by the removal of these two historic structures. Asked that the stipulations proposed by Mr. Belmont be approved.
6. Kai Warren, 691 10<sup>th</sup> Avenue South, showed Council photos of other historic structures in the downtown area.
7. Barbara Heck, 106 Giralda Boulevard NE, representing CONA, spoke in support of the appeal and recommended Council approve the stipulations proposed by Mr. Belmont.
8. Priscilla Cooper, 130 4<sup>th</sup> Avenue North, spoke in support of the appeal.
9. Virginia Daniels, 700 Beach Drive NE, read into the record a letter supporting the appeal from Florida Representative Bill Heller

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10. Gene Smith, 222 2<sup>nd</sup> Street North, spoke in opposition to the appeal.
11. Katy Anderson, 4510 6<sup>th</sup> Avenue North, spoke in support of the appeal and the need to preserve buildings at their present location. If they have to be moved, recommended they be moved to a location in the downtown area.
12. Maureen Stafford, 756½ Bay Street NE, spoke in support of the appeal. Buildings should be relocated in the downtown area which is a more appropriate location for these homes.
13. Punit Shah, 798 Nina Drive, Tierra Verde, representing the applicant Liberty Bayfront, spoke in opposition to the appeal and urged Council not to approve the appeal.
14. Beth Connors, St. Petersburg, spoke in support of the appeal. Stated Council can amend the site plan and recommended they do so.

Cross examination was waived by Ms. Weston and provided by Messrs. Belmont and Mastry. Mr. Mastry objected to the Community Preservation Commission information (presented by Mr. Belmont during his cross examination), be considered by City Council in their deliberations. Rebuttal was waived by Ms. Weston and provided by Messrs. Belmont and Mastry. Councilmember Bennett moved with the second of Councilmember Kennedy that the following amended resolution (DRC approved by a 7-0 vote) be adopted:

- 09-110 Denying the appeal and upholding the Development Review Commission's approval of a site plan to construct a 22-story mixed use development with hotel commercial and structured parking with a variance to airport zoning, located at 136 4<sup>th</sup> Avenue NE, and making findings of fact.

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

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

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9. Clyde Bradford, 2450 2<sup>nd</sup> Avenue South, spoke in opposition to the confirmation of preliminary assessment of \$214.45 for property located at 2530 2<sup>nd</sup> Avenue South, Herman Bradford Estate (LCA 1448). Mr. Bradford stated that during this time an eviction proceeding was ongoing and he was prohibited by the Police Department from going onto the property. Ms. Elston indicated staff will review and can defer/eliminate lien if justified.

There being no further business, the meeting was adjourned at 9:02 p.m.

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

ATTEST: \_\_\_\_\_  
Eva Andujar, City Clerk