



The Tampa City Council

Tampa City Council Chambers

City Hall

315 E. Kennedy Blvd., Third Floor

Tampa, Florida 33602

REGULAR ACTION SUMMARY

DATE: 12/05/2013

TIME: 9:00 A.M.

ATTENTION: THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES AND FOR NOTIFICATION ON MATTERS PERTAINING TO CITY DEPARTMENTS. THE OFFICIAL ACTIONS OF THE CITY COUNCIL ARE RECORDED IN THE PROCEEDINGS OF THE CITY COUNCIL MINUTE BOOKS.

For further information, please contact the Office of the City Clerk, Old City Hall, 315 E. Kennedy Blvd., Third Floor, Tampa, Florida 33602 – Telephone No. (813) 274-8397 – Fax No. (813) 274-8306 – E-Mail Address: ctyclerk@tampagov.net

MEETING CALLED TO ORDER – CHARLIE MIRANDA, CHAIR

Invocation
Pledge of Allegiance
Roll Call

Adoption of Minutes

- (Minutes of the regular session held on November 21, 2013.)

Motion: (Cohen-Suarez) That said minutes be adopted. Motion carried.

APPROVAL OF THE AGENDA\ADDENDUM TO THE AGENDA:

PUBLIC COMMENTS: (30 MINUTES ALLOTTED FOR ANY MATTERS OTHER THAN PUBLIC HEARINGS – 3 MINUTES PER SPEAKER – PREFERENCE SHALL BE GIVEN TO SPEAKERS WISHING TO ADDRESS ITEMS ON THE AGENDA.)

1. 9:00 a.m. File No. E2013-48 - (Five-minute Presentation) – Verbal presentation by Michael Pastrich, President and CEO of the Florida Orchestra

Michael Pastreich, President and CEO of the Florida Orchestra, to appear and make a five-minute presentation. - (Original motion initiated by Capin-Montelione on November 7, 2013.)

Motion: (Reddick-Cohen) That the PowerPoint presented by Chair Miranda regarding said item be received and filed. Motion carried.

REQUESTS BY THE PUBLIC FOR RECONSIDERATION OF LEGISLATIVE MATTERS

9:00 A.M. - STAFF REPORTS AND UNFINISHED BUSINESS - (ITEMS 2 THROUGH 5) - (UP TO FIVE [5] MINUTES PER AGENDA ITEM)

2. File No. E2013-8 CH 16 (Verbal presentation by Dennis Rogero, Chief of Staff, and Steve Michellini, Land Use Consultant)

Dennis Rogero, Chief of Staff, to appear and provide a report, regarding the earmarking of Community Investment Tax (CIT) fund in the amount of \$1.5 million for the renovation of the Cuscaden Pool; further, that staff had been requested to begin preparation of the necessary bid documents to begin the process of renovating the pool, using available funds in the current year's

budget. - (Original motion initiated by Reddick-Capin on November 7, 2013.)

Motion: (Reddick-Cohen) That the Administration be requested to consider building a completely new inside of Cuscaden Pool, due to its current deteriorated condition and structural damage, while retaining its outside historical fabric; further, that the Administration be requested to appear before Council on January 23, 2014, under Staff Reports and provide a cost estimate for modernizing the pool and retaining its historic character. Motion carried.

3. File No. E2013-8 CH 16 (Verbal presentation by Greg Bayor, Director of Parks & Recreation)

Greg Bayor, Director of the Parks and Recreation Department to appear and provide a report regarding implementation of a policy for water feature parks in the Parks and Recreation Program. - (Original motion initiated by Montelione-Reddick on November 7, 2013.)

9:00 A.M. - STAFF REPORTS AND UNFINISHED BUSINESS - (ITEMS 2 THROUGH 5) - (UP TO FIVE [5] MINUTES PER AGENDA ITEM)

4. File Nos. E2012-8 CH 27 and E2013-8 CH 6

Legal Department to **appear and provide a report and draft ordinance** regarding an amendment to Chapter 6, Business Regulations, of the City Code regarding regulating the sale of alcoholic beverages on premise establishments only; further, that the Legal Department be requested to: a) change the hours of operation to midnight instead of 3:00 a.m., but include the addition of a business permit for extended or flex hours to 3:00 a.m.; b) require all future businesses to comply with the new code; and c) require all existing businesses with no listed hours on the site plan to comply with the new provision; further, that the Legal Department be requested to prepare a matrix of the proposed change that: a) outlines the effects, remedies and sanctions of the change; b) contains a flow chart outlining how to apply for a permit; and c) outlines the consequences of a violation. - (Original motion initiated by Capin-Suarez on October 17, 2013 and corrected by motion initiated by Capin-Mulhern on November 14, 2013.)

Legal Department **to appear and provide a report** regarding the number and name of entities that would be affected by the Business Regulations Code change that already have land use for their type of operation on their site plan and how much time it would take to implement the change. - (Original motion initiated by Suarez-Cohen on October 17, 2013.)

Legal Department **to appear and include a discussion** regarding whether or not compliance with already approved parking conditions could be a component of the ordinance and be incorporated into the discussion regarding business regulations pertaining to the 3:00 a.m. issues. - (Original motion initiated by Cohen-Capin on October 24, 2013.)

Motion: (Capin-Mulhern) That said item be continued to a workshop to be held on February 27, 2014, at 9:00 a.m., with public hearings to follow. Motion failed with Suarez, Reddick, Montelione and Miranda voting no.

Motion: (Montelione-Reddick) That Council tables the discussion regarding any task force to review alcoholic beverage permitting until January 23, 2014. Motion carried.

Memorandum from Assistant City Attorney Rebecca M. Kert, Legal Department, regarding

said agenda item and transmitting two draft ordinances for Council's consideration.

Motion: (Montelione-Suarez) That said memorandum be received and filed. Motion carried.

Motion: (Reddick-Cohen) That the email presented by Chair Miranda from Jerry Frankhouser, President of THAN, regarding an alcoholic beverage ordinance be received and filed. Motion carried.

5. [File No. Y2013-45 - \(Placed under Staff Reports and Unfinished Business pursuant to motion adopted by City Council.\) – RESOLUTION NO. 2013-922](#)

[Resolution accepting the proposal of Wharton-Smith, Inc. pertaining to Contract 13-C-00019; Howard F. Curren AWTP Screen and Grit Building No. 1 Bar Screen Replacement, in the amount of \\$2,229,925; authorizing the execution of the Contract by the Mayor of the City of Tampa; providing an effective date.](#)

[ITEMS REMOVED FROM CONSENT AGENDA \(IF ANY\):](#)

[COMMITTEE REPORTS\CONSENT AGENDA \(ITEMS 6 THROUGH 40\):](#)

Ordinances Being Presented For First Reading Consideration (Item 6)

6. [File No. E2013-8 CH 27 – \(Ord. approved on 1st Reading – Mulhern absent at vote\)](#)

[\(Ordinance being presented for first reading consideration\) - An Ordinance of the City of Tampa, Florida, repealing Ordinance No. 2006-242; dissolving the Independence Park Community Development District and providing for an effective date.](#)

Motion: (Suarez-Cohen) That said ordinance be approved on first reading by title only and published. The title of said ordinance was read in full. Motion carried with Mulhern being absent at vote. - (Second reading and adoption to be held on December 19, 2013, at 9:30 a.m.)

Public Safety Committee (Items 7 through 14)

Frank Reddick, Chair
Harry Cohen, Vice-Chair
Mike Suarez, Alternate

7. File No. B2013-43 - (Part 1 of 2 - See Item 8) – RESOLUTION NO. 2013-923

Resolution approving an interlocal agreement between Hillsborough County and the City of Tampa and acceptance of a sub-grant in the amount of \$72,953.10 as provided by the Florida Department of Health for Improving and expanding pre-hospital emergency medical Services; authorizing the execution thereof by the Mayor of the City of Tampa; providing an effective date.

8. File No. B2014-2 (Part 2 of 2 - See Item 7) – RESOLUTION NO. 2013-924

Resolution making certain changes in the budget of the City of Tampa for the fiscal year ending September 30, 2014; approving the appropriation of \$72,953.10 in the Fire Grants Fund for Tampa Fire Rescue Emergency Medical Services (EMS) FY13 expenses; providing an effective date.

9. File No. B2014-2– RESOLUTION NO. 2013-925

Resolution making certain changes in the budget of the City of Tampa for the fiscal year ending September 30, 2014; approving the transfer, reallocation and/or appropriation of \$2,850,000 within the Police Grants Fund for the 2013 Homeland Security Grant Program - Urban Area Security Initiative ; providing an effective date.

10. File No. B2014-2– RESOLUTION NO. 2013-926

Resolution making certain changes in the budget of the City of Tampa for the fiscal year ending September 30, 2014; approving the transfer, reallocation and/or appropriation of \$333,000 within the Police Grants Fund for the United States Department of Transportation, National Highway Traffic Safety Administration, Section 405 Grant; providing an effective date.

11. **File No. F2013-244 - (Part 1 of 2 - See Item 12) – RESOLUTION NO. 2013-927**

Resolution approving an application for, and the acceptance of, grant funds in an amount up to \$150,911 from the State of Florida Department of Transportation (FDOT) for the Tampa Police Department Enhanced DUI Enforcement Project (Project Number K8-14-06-10); authorizing execution thereof by the Mayor of the City of Tampa and providing an effective date.

9:00 A.M. - STAFF REPORTS AND UNFINISHED BUSINESS - (ITEMS 2 THROUGH 5) - (UP TO FIVE [5] MINUTES PER AGENDA ITEM)

12. File No. B2014-2 - (Part 2 of 2 - See Item 11) – RESOLUTION NO. 2013-928

Resolution making certain changes in the budget of the City of Tampa for the fiscal year ending September 30, 2014; approving the transfer, reallocation and/or appropriation of \$150,911 within the Police Grants Fund from the State of Florida Department of Transportation (FDOT) for the Tampa Police Department Enhanced DUI Enforcement Project; providing an effective date.

13. File No. F2013-256 - (Part 1 of 2 - See Item 14) – RESOLUTION NO. 2013-929

Resolution authorizing Modification #1 to Subgrant Agreement between the State of Florida Division of Emergency Management (Division) and the City of Tampa (Recipient) to modify Contract #13-DS-97-08-39-02-475, the State Homeland Security Program (SHSP) 2012 Grant; authorizing execution thereof by the Mayor of the City of Tampa and providing an effective date.

14. File No. B2014-2 - (Part 2 of 2 - See Item 13) – RESOLUTION NO. 2013-930

Resolution making certain changes in the budget of the City of Tampa for the fiscal year ending September 30, 2014; approving the transfer, reallocation and/or appropriation of \$29,678 within the Police Grants Fund for the State of Florida Division of Emergency Management and the City of Tampa, State Homeland Security Program (SHSP) 2012 Grant; providing an effective date.

Parks, Recreation and Cultural Committee (Items 15 through 16)

Mary Mulhern, Chair

Lisa Montelione, Vice-Chair

Frank Reddick, Alternate

15. File No. B2013-9– RESOLUTION NO. 2013-931

Resolution authorizing a First Amendment to the lease and license agreement between the City of Tampa and the Boys and Girls Club of Tampa Bay, Inc.; expanding the leased premises and licensed

area and providing additional use rights as it pertains to a portion of Bobby Hicks Park; authorizing the Mayor to execute and the City Clerk to attest the First Amendment to lease and license agreement; providing for an effective date.

16. File No. E2013-8 CH 28

Special Event Permit: Flan Fest - Centennial Park, Ybor City - February 22, 2014.

Motion: (Montelione-Cohen) That Council approves said special event permit. Motion carried.

Public Works Committee (Items 17 through 24)

Mike Suarez, Chair

Mary Mulhern, Vice-Chair

Yvonne Yolie Capin, Alternate

17. File No. B2013-45– RESOLUTION NO. 2013-932

Resolution approving the authorization of assignment of contracts between the City of Tampa and HSA Engineers and Scientists to Conestoga-Rovers & Associates, Inc; providing an effective date.

9:00 A.M. - STAFF REPORTS AND UNFINISHED BUSINESS - (ITEMS 2 THROUGH 5) - (UP TO FIVE [5] MINUTES PER AGENDA ITEM)

18. File No. X2013-720– RESOLUTION NO. 2013-933

Resolution approving the "Single Source" proposal of Xylem Water Solutions USA, Inc. for the purchase of Flygt Pump Products in the estimated amount of \$530,000 for use by the Water and Wastewater Departments; authorizing the Director of Purchasing to purchase said property, supplies, materials or services; providing an effective date.

19. File No. Y2007-33– RESOLUTION NO. 2013-934

Resolution authorizing Amendment No. 29 by Task Order No. 48 pertaining to the agreement between the City of Tampa and CH2M Hill Constructors, Inc. for Tier 2 services to Contract 6-C-73, to finalize Tier 2 costs established for UCAP Task Order No. 41, PLC/SCADA Upgrades Master Planning and Wireless Communications Feasibility Study by providing for a deduct of \$18,294.55; authorizing the Mayor to execute said Task Order on behalf of the City of Tampa; providing an effective date.

20. File No. Y2009-20 – RESOLUTION NO. 2013-935

Resolution authorizing Change Order No. 4 Final to Contract 09-C-00029, furnish and install miscellaneous Water Mains 2" to 42" Diameter - FY09 Contract a between the City of Tampa and Dallas 1 Corp., dba Dallas 1 Construction & Development, Inc. a decrease of \$1,831,121.57, and payment in the amount of \$100; providing an effective date.

21. File No. Y2011-39 – RESOLUTION NO. 2013-936

Resolution authorizing Change Order No. 1-Final to Contract 11-C-00006, Sulphur Springs Pump Station Improvements between the City of Tampa and Wharton-Smith, Inc. an increase of \$57,758.17, and payment in the amount of \$66,844.17; providing an effective date.

22. **File No. Y2012-51 – RESOLUTION NO. 2013-937**

Resolution authorizing Change Order No. 1-Final to Contract 12-C-00059, South Tampa Reclaimed Water System Maintenance - SLBE (Re-bid) between the City of Tampa and L & L Site Services, LLC a decrease of \$15,985.80, and payment in the amount of \$200; providing an effective date.

23. **File No. Y2013-46 – RESOLUTION NO. 2013-938**

Resolution affirming, ratifying and confirming award of Contract 13-C-54; David L. Tippin Water Treatment Facility Caustic Soda Piping Improvements to Odyssey Manufacturing Company in the amount of \$206,500; ratifying the execution of the Contract by the Mayor of the City of Tampa; providing an effective date

24. **File No. Y2013-47 – RESOLUTION NO. 2013-939**

Resolution accepting the proposal of U.S. Water Services Corporation pertaining to Contract 13-C-00016; Wastewater Miscellaneous Pump Station Repairs, in the amount of \$538,290; authorizing the execution of the Contract by the Mayor of the City of Tampa; providing an effective date.

9:00 A.M. - STAFF REPORTS AND UNFINISHED BUSINESS - (ITEMS 2 THROUGH 5) - (UP TO FIVE [5] MINUTES PER AGENDA ITEM)

Finance Committee (Items 25 through 26)

Harry Cohen, Chair
Mike Suarez, Vice-Chair
Lisa Montelione, Alternate

25. File No. B2013-1 – RESOLUTION NO. 2013-940

Resolution authorizing settlement in the amount of Fifty Thousand Dollars (\$50,000) of that certain lawsuit filed in the Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, Florida, by Maurice Mobley, Plaintiff, Case No. 13-CA-00560, Division F.

26. File No. B2013-6

Christine Glover, Director of Internal Audit, transmitting audit report: "Department of Revenue and Finance - Budget Division - Community Investment Tax - Audit 13-08 - October 28, 2013."

Motion: (Cohen-Suarez) That said audit report be received and filed. Motion carried.

Building, Zoning and Preservation Committee (Items 27 through 38)

Lisa Montelione, Chair
Yvonne Yolie Capin, Vice-Chair
Mary Mulhern, Alternate

27. File No. B2013-19 – RESOLUTION NO. 2013-941

Resolution approving a Tampa Bay Trade and Protocol Council agreement between the City of Tampa, Hillsborough County, the Tampa Port Authority, the Hillsborough County Aviation Authority, the Tampa Bay Convention and Visitors Bureau, Inc., the University of South Florida, the University of Tampa, and the Greater Tampa Chamber of Commerce, Inc. ("Agency"), for the performance of

certain professional services for consideration in an amount not to exceed \$40,000; authorizing the Mayor to execute said agreement; providing an effective date.

28. File No. B2013-32 – RESOLUTION NO. 2013-942

Resolution approving an agreement between the City of Tampa and the Tampa Hillsborough Economic Development Corporation (on behalf of the Tampa Hillsborough Film and Digital Media Commission) for the performance of certain professional services for consideration in an amount not to exceed \$65,000; authorizing the Mayor to execute said agreement; providing an effective date.

29. File No. B2013-40 – RESOLUTION NO. 2013-943

Resolution approving an agreement between the City of Tampa and G. Steven Pfeiffer for the provision of legal services for a Land Use Hearing Officer as may be required by the City Attorney, in an amount not to exceed \$10,000.00 per agreement; authorizing the execution thereof by the Mayor of the City of Tampa; providing for an effective date.

30. File No. B2013-44 – RESOLUTION NO. 2013-944

Resolution accepting a Quit Claim Deed for roadway purposes given by Palma Ceia Golf & Country Club, Inc., to the City of Tampa for roadway improvements for South Bendelow Trail located in Tampa, Florida; providing an effective date.

9:00 A.M. - STAFF REPORTS AND UNFINISHED BUSINESS - (ITEMS 2 THROUGH 5) - (UP TO FIVE [5] MINUTES PER AGENDA ITEM)

31. File No. B2013-53 – RESOLUTION NO. 2013-945

Resolution authorizing the Mayor to execute and the City Clerk to attest a subordination and agreement Not to Sue between the City of Tampa and the United States of America to facilitate the relocation of an injured veteran through the purchase of his property by the government; providing for an effective date.

32. File No. D2013-4 – RESOLUTION NO. 2013-946

Resolution approving a plat of K-Bar Ranch - Parcel Q - Phase 2, as more particularly described in Section 1 of this resolution, contingent upon certain conditions; authorizing the Chairman of the City Council and the City Clerk to execute a proper Certificate of the Plat; and approving and authorizing the Mayor to execute and the City Clerk to attest to a subdivision agreement between Lennar Homes, LLC and the City of Tampa; providing for an effective date.

33. File No. D2013-4

Resolution approving a plat of Basset Creek Estates – Phases 2C & 2D, as more particularly described in Section 1 of this resolution, contingent upon certain conditions; authorizing the Chairman of the City Council and the City Clerk to execute a proper certificate of the plat; and authorizing the Mayor to execute and the City Clerk to attest to a subdivision agreement among the City of Tampa and K-Bar 184, LLC and Krusen-Douglas, LLC, for and on behalf of the City of Tampa; providing an effective date.

Motion: (Cohen-Suarez) That said resolution be continued to December 19, 2013, per the written request from Assistant City Attorney Ron Wigginton, Legal Department. Motion carried.

Motion: (Reddick-Cohen) That the memorandum presented by Chair Miranda from Assistant City Attorney Ron Wigginton, Legal Department, requesting a continuance of said item be received and filed. Motion carried.

34. File No. E2013-40

Resolution authorizing the Mayor to execute and the City Clerk to attest a release of easement

renouncing, discontinuing and abandoning any City claim to certain water and wastewater easements encumbering real property in the vicinity of 10697 Wild Tamarind Drive, in Tampa, Florida; providing an effective date.

Motion: (Cohen-Suarez) That said resolution be continued to December 19, 2013, per the written request from Assistant City Attorney Ron Wigginton, Legal Department. Motion carried.

Motion: (Reddick-Cohen) That the memorandum presented by Chair Miranda from Assistant City Attorney Ron Wigginton, Legal Department, requesting a continuance of said item be received and filed. Motion carried.

35. File No. E2013-40 – RESOLUTION NO. 2013-947

Resolution approving the execution of an easement deed by the City in favor of Verizon Florida LLC for telecommunications service on property located at 601 N. Florida Avenue, Tampa, Florida; providing an effective date.

36. File No. E2013-40 – RESOLUTION NO. 2013-948

Resolution authorizing the Mayor to execute and the City Clerk to attest a release of easement renouncing, discontinuing and abandoning any City claim to a platted easement encumbering real property in the vicinity of 5202 South MacDill Avenue, Tampa, Florida; providing an effective date.

9:00 A.M. - STAFF REPORTS AND UNFINISHED BUSINESS - (ITEMS 2 THROUGH 5) - (UP TO FIVE [5] MINUTES PER AGENDA ITEM)

37. File No. E2013-40 – RESOLUTION NO. 2013-949

Resolution authorizing the Mayor to execute and the City Clerk to attest a release of easement renouncing, discontinuing and abandoning any City claim to certain utility and drainage easements lying within a vacated portion of Marion Street, in Tampa, Florida; providing an effective date.

38. File No. E2013-40 – RESOLUTION NO. 2013-950

Resolution authorizing the Mayor to execute and the City Clerk to attest a release of easement renouncing, discontinuing and abandoning any City claim to certain platted utility easements encumbering real property in the vicinity of 5022 West Homer Avenue, Tampa, Florida; providing an

effective date.

Transportation Committee (Items 39 through 40)

Yvonne Yolie Capin, Chair

Frank Reddick, Vice-Chair

Harry Cohen, Alternate

39. File No. X2013-913 – RESOLUTION NO. 2013-951

Resolution approving additional expenditures within an existing award between the City of Tampa and Jnandal Maintenance Services of Brandon, LLC for the furnishing of brick street repair services in the estimated amount of \$60,000 for a cumulative total of \$120,000 for use by the Department of Public Works/Right-of-Way Division; providing an effective date.

40. File No. Y2012-4 – RESOLUTION NO. 2013-952

Resolution approving Final Payment in the amount of \$1,149.70 to Design-Build Engineers & Contractors, Inc. for Contract 12-C-01102, Sidewalk Restoration and Construction, Citywide FY12; providing an effective date.

ITEMS BEING SET FOR PUBLIC HEARINGS BY COUNCIL CONSENT - (ITEMS 41 THROUGH 42)

41. File No. E2013-8 CH 27

Petition for review filed by King Davenport request a review hearing regarding a decision of the Variance Review Board, VRB 13-82, pertaining to property at 1419 W. Rambla Street.

Motion: (Montelione-Suarez) That Council schedules a review hearing on January 23, 2014, at 10:30 a.m. Motion carried.

42. **File No. SUI 14-03**

Petition for review filed by Victoria Row requesting a review hearing regarding a decision of the Zoning Administrator pertaining to property at 3702 E. Osborne Avenue, Tampa, Florida.

Motion: (Montelione-Suarez) That Council schedules a review hearing on January 23, 2014, at 10:30 a.m. Motion carried.

9:30 A.M. – PUBLIC HEARINGS – SECOND READING ON PROPOSED ORDINANCES – (ITEMS 43 THROUGH 52) – (Quasi-judicial proceedings require witness to be sworn in prior to testifying pursuant to Resolution No. 2004-667)

43. File No. C13-12 – ORDINANCE NO. 2013-166 (Mulhern absent at vote)

(Ordinance adopted on second reading) - An ordinance lying, closing, discontinuing and abandoning an alleyway lying north of West Cleveland Street, south of Grand Central Avenue, east of South Magnolia Avenue, and west of South Cedar Avenue, in Plan of Washington's Subdivision, a subdivision in the City of Tampa, Hillsborough County, Florida, the same being more fully described in Section 1 hereof, subject to certain easement reservations, covenants, conditions and restrictions more particularly set forth herein; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Montelione-Cohen on November 21, 2013.)

44. File No. V13-86

(Ordinance being presented for second reading and adoption – An ordinance approving a special use permit (s-2) for alcoholic beverage sales – restaurant (on premises consumption only) and making lawful the sale of beer and wine at or from that certain lot, plot or tract of land located at 1003 West Hillsborough Avenue, Tampa, Florida, as more particularly described in Section 2; that all ordinances or parts of ordinances in conflict are repealed; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Suarez-Cohen on November 21, 2013 including the revisions outlined by Gloria Moreda, Planning & Development, be made to the site plan between first and second readings of the ordinance.)

Motion: (Cohen-Suarez) That Council allows said ordinance and exhibit C-1 to be substituted per the written request from City Attorney Rebecca Kert, Legal Department. Motion carried.

ORDINANCE NO. 2013-167 (Mulhern absent at vote)

Councilmember Reddick presenting a **substitute ordinance** approving a special use permit (S-2) for alcoholic beverage sales – restaurant (on premises consumption only) and making lawful the sale of beer and wine at or from that certain lot, plot or tract of land located at 1003 West Hillsborough Avenue, Tampa, Florida, as more particularly described in Section 2; that all ordinances or parts of ordinances in conflict are repealed; providing an effective date.

Motion: (Suarez-Reddick) That the memorandum presented by Chair Miranda from Assistant City Attorney Rebecca Kert, Legal Department, requesting substitution of the ordinance and amended exhibit C-1 be received and filed. Motion carried.

45. File No. V13-116 – ORDINANCE NO. 2013-168 (Mulhern absent at vote)

(Ordinance adopted on second reading - An ordinance approving a Special Use Permit (S-2) for alcoholic beverage sales - small venue (on premises consumption) and making lawful the sale of beer and wine at or from that certain lot, plot or tract of land located at 2205 West Swann Avenue, Tampa, Florida, as more particularly described in Section 2; that all ordinances or parts of ordinances in conflict are repealed; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Reddick-Cohen on November 21, 2013 including the revisions outlined by Gloria Moreda, Planning & Development, be made to the site plan between first and second readings of the ordinance.)

9:30 A.M. – PUBLIC HEARINGS – SECOND READING ON PROPOSED ORDINANCES – (ITEMS 43 THROUGH 52) – (Quasi-judicial proceedings require witness to be sworn in prior to testifying pursuant to Resolution No. 2004-667)

46. File No. VAC14-01 – ORDINANCE NO. 2013-169 (Mulhern absent at vote)

(Ordinance adopted on second reading - An ordinance vacating, closing, discontinuing and abandoning an alleyway lying north of arch street, south of LaSalle Street, east of St. Peter Avenue and west of Armenia Avenue, in Bayamo Subdivision, a subdivision in the City of Tampa, Hillsborough County, Florida, the same being more fully described in Section 1 hereof, subject to certain easement reservations, covenants, conditions and restrictions more particularly set forth herein; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Mulhern-Suarez on November 21, 2013.)

47. File No. Z13-51 – ORDINANCE NO. 2013-170 (Mulhern absent at vote)

(Ordinance adopted on second reading – An ordinance rezoning property in the general vicinity of 4117 East Hillsborough Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential single-family) and CI (commercial intensive) to CI (commercial intensive); providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Reddick-Mulhern.)

48. File No. Z13-69 – ORDINANCE NO. 2013-171 (Mulhern absent at vote)

(Ordinance adopted on second reading) – An ordinance rezoning property in the general vicinity of 105 and 107 South MacDill Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) CN (commercial neighborhood) to PD (planned development, store front residential/office, medical and all CN uses); providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Suarez-Reddick on November 14, 2013 including that the site plan be amended to include the revisions specified by Abbye Feeley, Land Development Coordination and to include the addition of a hedge along the western boundary of the property and to leave the stucco on the western side of the wall unfinished to allow painting by the two adjacent property owners, as agreed by the petitioner.)

Motion: (Reddick-Cohen) That the letter presented by Chair Miranda from Jean Wilkinson regarding said item be received and filed. Motion carried.

49. File No. Z13-70 – ORDINANCE NO. 2013-172 (Mulhern absent at vote)

(Ordinance adopted on second reading) – An ordinance rezoning property in the general vicinity of 7201 North Boulevard, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential single-family) to PD (planned development, hay barn, accessory use to Lowry Park Zoo); providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Capin-Suarez on November 14, 2013.)

50. File No. Z13-71 – ORDINANCE NO. 2013-173 (Mulhern absent at vote)

(Ordinance adopted on second reading – An ordinance rezoning property in the general vicinity of 5112 North Habana Avenue and 2906, 2908 and 2910 West Crest Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential single-family) to PD (planned development, office, medical); providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Reddick-Suarez on November 14, 2013.)

9:30 A.M. – PUBLIC HEARINGS – SECOND READING ON PROPOSED ORDINANCES – (ITEMS 43 THROUGH 52) – (Quasi-judicial proceedings require witness to be sworn in prior to testifying pursuant to Resolution No. 2004-667)

51. File No. Z13-74

(Ordinance being presented for second reading and adoption – An ordinance rezoning property in the general vicinity of Royal Hampton Boulevard south of County Line Road to property line with Grand Hampton/Hammocks, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) PD-A (planned development alternative) and AS-1 (Hillsborough County) to PD-A (planned development, alternative, residential single-family detached, attached, and semi-detached); providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Suarez-Capin on November 14, 2013 including that the site plan be amended to include the revisions specified by Abbye Feeley, Land Development Coordination.)

(Ord. approved on 1st Reading – Mulhern absent at vote)

Councilmember Montelione presenting an ordinance rezoning property in the general vicinity of Royal Hampton Boulevard south of County Line Road to property line with Grand Hampton/Hammocks, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) PD-A (planned development alternative) and AS-1 (Hillsborough County) to PD-A (planned development, alternative, residential single-family detached, attached, and semi-detached); providing an effective date.

Motion: (Montelione-Suarez) That said ordinance be placed back on first reading and published; further, that revisions as stated by Abbye Feeley, Planning & Development, and agreed to by Gina Grimes, petitioner’s representative, be made to the site plan between first and second readings of the ordinance. The title of the ordinance was read in full. Motion carried with Mulhern being absent at vote. - (Second reading and adoption to be held on December 19, 2013, at 9:30 a.m.)

Motion: (Reddick-Cohen) That the site plan and handout describing the type of housing submitted by Gina Grimes, petitioner’s representative, be received and filed. Motion carried.

52. **File No. Z13-77 – ORDINANCE NO. 2013-174 (Mulhern and Reddick absent at vote)**

(Ordinance adopted on second reading) – An ordinance rezoning property in the general vicinity of 8315 North 9th Street A/B, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential single-family) to RM-16 (residential multi-family); providing an effective date. - *(Original motion to approve said ordinance on first reading had been initiated by Mulhern-Reddick on November 14, 2013.)*

9:30 A.M. - PUBLIC HEARING - (ITEM 53) - (Quasi-judicial proceedings require witness to be sworn in prior to testifying pursuant to Resolution No. 2004-667)

53. File No. Z12-49 - (See Items 54 and 60)

Continued public hearing from November 21, 2013 on petition of St. Joseph's Women's Hospital requesting to rezone property at various locations from PD, RS-50 and RO-1 to PD.) - (Per memorandum dated November 5, 2013 from City Attorney Julia Mandell, which is to be heard in conjunction with the development agreement and the public hearing to vacate.)

(Ordinance being presented for first reading consideration) - An ordinance rezoning property in the general vicinity of 3030 West Dr. Martin Luther King Jr. Boulevard, 4102, 4110 and 4220 North Gomez Avenue, 2902 – 2908 and 2905 – 2907 West St. Isabel Street, 2905 West Lake Avenue, and 4201 – 4215 North MacDill Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential single-family), RO-1 (residential office) and PD (planned development, hospital, medical office, parking) to PD (planned development, hospital, medical office, surface parking); providing an effective date.

Motion: (Capin-Suarez) That said public hearing be continued to December 12, 2013, at 6:00 p.m., per the written request from City Attorney Julia Mandell, Legal Department. Motion carried.

Motion: (Reddick-Cohen) That the memorandum presented by Chair Miranda from City Attorney Julia Mandell, Legal Department, requesting a continuance of said item be received and filed. Motion carried.

9:30 A.M. - PUBLIC HEARINGS - (ITEM 54) - (Non Quasi-judicial proceedings)

54. [File No. E2013-8 CH 27 - \(See Items 53 and 60\)](#)

[Continued first public hearing from November 21, 2013 relating to the St. Joseph's Women's Hospital Development Agreement regarding property, the general location which is bounded by St. Isabel Street on the north; MacDill Avenue on the west, West Lake Avenue on the south, and North Gomez Avenue on the east; in the City of Tampa, Florida.](#)

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Motion: (Capin-Suarez) That said public hearing be continued to December 12, 2013, at 6:00 p.m., per the written request from City Attorney Julia Mandell, Legal Department. Motion carried.

Motion: (Reddick-Cohen) That the memorandum presented by Chair Miranda from City Attorney Julia Mandell, Legal Department, requesting a continuance of said item be received and filed. Motion carried.

**10:00 A.M. – PUBLIC HEARINGS AND SECOND READING ON PROPOSED ORDINANCES –
(ITEMS 55 THROUGH 59) – (Non Quasi-judicial Proceedings)**

55. File No. E2013-29 – ORDINANCE NO. 2013-158 (Mulhern absent at vote)

Second public hearing accepting petitions for voluntary annexation to annex approximately 148 acres of land in unincorporated Hillsborough County generally located west of Bruce B. Downs Boulevard, north of New Tampa Boulevard, east of Interstate 75 and south of East County Line Road.

Motion: (Cohen-Montelione) That said public hearing be closed. Motion carried.

(Ordinance adopted on second reading) – An ordinance relating to the voluntary annexation to the City of Tampa, Florida, a municipal corporation existing under the laws of the State of Florida, of certain unincorporated lands generally located west of Bruce B. Downs Boulevard, north of New Tampa Boulevard, east of Interstate 75 and south of East County Line Road, and consisting of approximately 148 acres of land (“Property”); annexing the property to the City of Tampa upon voluntary petition from the owner of the property; redefining and extending the boundary lines of the City of Tampa to include the property; providing an effective date. - *(Original motion to approve said ordinance on first reading had been initiated by Mulhern-Suarez on November 14, 2013.)*

56. File Nos. E2013-47 (AKA PA13-05) ORDINANCE NO. 2013-175 (Mulhern absent at vote)

Second adoption public hearing on a text amendment to the Tampa Comprehensive Plan to the Housing Element objective and policies to provide guidance on the development of special needs housing and congregate living facilities.

Motion: (Cohen-Montelione) That said public hearing be closed. Motion carried.

(Ordinance adopted on second reading) - An ordinance amending the Tampa Comprehensive Plan, Housing Element, to provide guidance on the development of special needs housing and congregate living facilities; providing for repeal of all ordinances in conflict; providing for severability; providing an effective date. - *(Original motion to approve said ordinance on first reading had been initiated by Capin-Suarez on November 14, 2013.)*

57. File Nos. E2013-47 (AKA PA13-06)

Second adoption public hearing one text amendment to the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Plan categories of Suburban Mixed Use-3 and Suburban Mixed Use-6 to clarify how residential density may be calculated for a project development.

Motion: (Cohen-Suarez) That said public hearing be closed. Motion carried.

ORDINANCE NO. 2013-176 (Mulhern absent at vote)

(Ordinance adopted on second reading - An ordinance amending the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Plan Categories of Suburban Mixed Use-3 and Suburban Mixed Use-6 to clarify how residential density may be calculated for a project development; providing for repeal of all ordinances in conflict; providing for severability; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Capin-Suarez on November 14, 2013.)

**10:00 A.M. – PUBLIC HEARINGS AND SECOND READING ON PROPOSED ORDINANCES –
(ITEMS 55 THROUGH 59) – (Non Quasi-judicial Proceedings)**

58. File No. PA13-02

Second public hearing on an ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property located in the general vicinity of the southwest corner of West Heiter Street and North Webb Avenue, located at 4004 North Webb Avenue, from Residential-10 (R-10) to Residential-20 (R-20).

Motion: (Suarez-Reddick) That said public hearing be closed. Motion carried.

ORDINANCE NO. 2013-177 (Mulhern absent at vote)

(Ordinance adopted on second reading) - An ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property located in the general vicinity of the southwest corner of West Heiter Street and North Webb Avenue, located at 4004 North Webb Avenue, from Residential-10 (R-10) to Residential-20 (R-20); providing for repeal of all ordinances in conflict; providing for severability; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Suarez-Reddick on November 14, 2013.)

59. File Nos. PA13-04

Second adoption public hearing on one map amendment to the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Map, for the property located in the general vicinity west of Bruce B. Downs Boulevard and south of East County Line Road, from Neighborhood Mixed Use-4(3), unincorporated Hillsborough County Future Land Use Plan Category to Suburban Mixed Use-3, Tampa Comprehensive Future Land Use Plan Category.

Motion: (Reddick-Cohen) That said public hearing be closed. Motion carried.

ORDINANCE NO. 2013-178 (Mulhern absent at vote)

(Ordinance adopted on second reading) - An ordinance amending the Tampa Comprehensive Plan, Future Land Use Element, Future Land Use Map, for the property located in the general vicinity west of Bruce B. Downs Boulevard and south of East County Line Road, from Neighborhood Mixed Use-4(3), unincorporated Hillsborough County Future Land Use Plan Category to Suburban Mixed Use-3, Tampa Comprehensive Future Land Use Plan Category; providing for repeal of all ordinances in

conflict; providing for severability; providing an effective date. - *(Original motion to approve said ordinance on first reading had been initiated by Montelione-Suarez on November 14, 2013.)*

10:30 A.M. - PUBLIC HEARINGS - (ITEMS 60 THROUGH 61) - (Non Quasi judicial proceedings)

60. File No. E2013-8 CH 27

Second public hearing relating to the St. Joseph's Women's Hospital Development Agreement regarding property, the general location which is bounded by St. Isabel Street on the north; MacDill Avenue on the west, West Lake Avenue on the south, and North Gomez Avenue on the east; in the City of Tampa, Florida.

Motion: (Montelione-Reddick) That said public hearing be continued to December 12, 2013, at 6:00 p.m., per the written request from City Attorney Julia Mandell, Legal Department, and verbal agreement by the applicant. Motion carried.

Motion: (Reddick-Cohen) That the memorandum presented by Chair Miranda from City Attorney Julia Mandell, Legal Department, requesting a continuance of said item be received and filed. Motion carried.

10:30 A.M. - PUBLIC HEARINGS - (ITEMS 60 THROUGH 61) - (Non Quasi judicial proceedings)

61. File No. PA13-03

Continued second public hearing from November 7, 2013 on an ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property located in the general vicinity of 3705 West Carmen Street from Residential-20 (R-20) to Community Commercial-35 (CC-35); providing for repeal of all ordinances in conflict.

Motion: (Reddick-Cohen) That said public hearing be closed. Motion carried.

ORDINANCE NO. 2013-179 (Mulhern absent at vote)

(Ordinance adopted on second reading - An ordinance amending the Tampa Comprehensive Plan, Future Land Use Map, for the property located in the general vicinity of 3705 West Carmen Street, from Residential-20 (R-20) to Community Commercial-35 (CC-35); providing for repeal of all ordinances in conflict; providing for severability; providing an effective date. - (Original motion to approve said ordinance on first reading had been initiated by Capin-Suarez on November 14, 2013.)

10:30 A.M. - PUBLIC HEARING [INCLUDING REVIEW HEARING] - (ITEM 62) - (Quasi judicial proceedings require witness to be sworn in prior to testifying pursuant to Resolution No. 2004-667)

62. File No. V13-110 - (Not Heard - No Affidavit Filed)

Review hearing on petition for review filed by Yolandi Proenza requesting a review hearing regarding a decision of the Zoning Administrator pertaining to property at 1912 W. Fern Street.

Motion: (Reddick-Suarez) That said review hearing be re-scheduled on January 23, 2014, at 10:30 a.m. Motion carried.

INFORMATION REPORTS AND NEW BUSINESS BY COUNCIL MEMBERS:

63. File No. E2013-48

Chair Miranda read the following statement prior to Council's recess for a closed session at 11:30 a.m., to be held in the 8th floor conference room, City Attorney's Office, Old City Hall:

Notice is hereby given that Tampa City Council is going into a closed session pursuant to Section 286.011(8), Florida Statutes, for approximately 30 minutes. The meeting will convene in City Council chambers, and will move to the conference room on the eighth floor of City Hall for the closed session.

The Council will discuss settlement negotiations or strategy sessions related to litigation expenditures for the case of *Michael Disser and Soho Saloon, LLC v. City of Tampa and Gloria Moreda*, United States Federal District, Middle District of Florida, Case No. 8:13-cv-885-T-24-EAJ. The meeting will be attended by City Council Chair Charlie Miranda and Council members Harry Cohen; Mike Suarez, Mary Mulhern, Yvonne Yolie Capin, Frank Reddick, and Lisa J. Montelione; and attorneys Julia Mandell, Jerry Gewirtz, Martin Shelby, Toyin Aina-Hargrett, Robin Silverman, and Rebecca Kert.

Following the closed session, the City Council will reconvene in open session in City Council Chambers so the Chair can announce termination of the closed session and the Council will take any formal action it deems necessary.

At 12:51 p.m., Council reconvened and Chair Pro-Tem Cohen announced that the closed session was terminated.

INFORMATION REPORTS AND NEW BUSINESS BY COUNCIL MEMBERS:

64. File No. E2013-48

Motion: (Capin-Reddick) That the Junior League of Tampa be scheduled on January 9, 2014, at 9:00 a.m., to make a five-minute presentation regarding their initiative of abolishing human trafficking. Motion carried.

65. File No. E2013-48

Motion: (Capin-Suarez) That Sherry Silk, Executive Director of the Humane Society of Tampa Bay, be scheduled on January 23, 2014, to give a five-minute recap of 2013. Motion carried.

MOTION TO RECEIVE AND FILE ALL DOCUMENTS:

66. File No. E2013-48

Motion: (Reddick-Cohen) That the handout submitted by Ed Tillou regarding global warming be received and filed. Motion carried.

67. File No. E2013-48

Motion: (Reddick-Cohen) That the Addendum to the Final Agenda presented by Chair Miranda be received and filed. Motion carried.

68. File No. E2013-48

Motion: (Reddick-Cohen) That the Speaker Sign-In Sheets presented by Chair Miranda be received and filed. Motion carried.

GENERAL PUBLIC COMMENT:

FINAL ADJOURNMENT:

Shirley Foxx-Knowles, CMC

City Clerk

MARK YOUR CALENDARS (UPDATED)

DUE TO UPCOMING HOLIDAYS, SUBMISSION DEADLINES FOR AGENDA ITEMS IN THE OFFICE OF THE CITY CLERK:

Tuesday: Dec. 31st @ 10:00 a.m. FOR THURSDAY: Jan. 9, 2014 @ 9:00 a.m.

CANCELLATION OF THE FOLLOWING CITY COUNCIL SESSIONS DUE TO CITY COUNCIL BEING ON VACATION AND UPCOMING HOLIDAYS:

Thursday: Dec. 26th @ 9:00 a.m. (Council's Winter Vacation)

Thursday: Jan. 2, 2014 @ 9:00 a.m. (Council's Winter Vacation)

UPCOMING WORKSHOP SESSIONS OF COUNCIL:

Thursday: Jan. 30, 2014 @ 9:00 a.m.

UPCOMING EVENING SESSIONS OF COUNCIL:

Thursday: Dec. 12th @ 6:00 p.m.

Thursday: Jan. 16, 2014 @ 6:00 p.m.

COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETINGS:

The meetings of the Community Redevelopment Agency (CRA) will be held on the second Thursday of each month at 9:00 a.m. in the City Council Chambers with the exceptions notated below:

Thursday: Dec. 12th @ 9:00 a.m.

Thursday: Jan. 16, 2014 @ 9:00 a.m.