

COUNCIL MEETING

Municipal Building
175-5th Street North
Second Floor Council Chamber

CITY OF ST. PETERSBURG

**March 20, 2008
3:00 PM**

Welcome to the City of St. Petersburg City Council meeting. To assist the City Council in conducting the City's business, we ask that you observe the following:

1. If you are speaking under the Public Hearings, Appeals or Open Forum sections of the agenda, please observe the time limits indicated on the agenda.
2. Placards and posters are not permitted in the Chamber. Applause is not permitted except in connection with Awards and Presentations.
3. Please do not address Council from your seat. If asked by Council to speak to an issue, please do so from the podium.
4. Please do not pass notes to Council during the meeting.
5. Please be courteous to other members of the audience by keeping side conversations to a minimum.
6. The Fire Code prohibits anyone from standing in the aisles or in the back of the room.
7. If other seating is available, please do not occupy the seats reserved for the hearing impaired.

GENERAL AGENDA INFORMATION

For your convenience, a copy of the agenda material is available for your review at the Main Library, 3745 Ninth Avenue North, and at the City Clerk's Office, 1st Floor, City Hall, 175 Fifth Street North, on the Monday preceding the regularly scheduled Council meeting. There is also a copy of the material located on the podium just outside the Chamber doors on the day of the meeting.

If you are hearing impaired and require the services of an interpreter, please contact the City Clerk, 893-7448, or call our TDD Number, 892-5259, at least 24 hours prior to the meeting and we will provide that service for you.

March 20, 2008
3:00 PM

A. Meeting Called to Order and Roll Call.

Invocation and Pledge to the Flag of the United States of America.

B. Approval of Agenda with Additions and Deletions.

C. Consent Agenda

(see attached)

D. New Ordinances - (First Reading of Title and Setting of Public Hearing)

Setting April 3, 2008 as the public hearing date for the following proposed Ordinance(s):

1. [Approving the vacation of an unimproved alley between 3rd and 4th Streets North, south of 110th Avenue North, and to vacate 206 feet of 110th Avenue North, east of 4th Street North. \(City File 07-33000030\)](#)
2. [Approving a vacation of Blackburn Court between Dr. M.L. King Jr. Street South and 10th Street South, the east one-half of 10th Street South between 5th and 6th Avenues South, and the north 40 feet of 6th Avenue South between Dr. M.L. King Jr. Street South and 10th Street South. \(City File 06-33000028\)](#)

E. Reports

F. New Business

G. Council Committee Reports

1. [Legislative Affairs & Intergovernmental Relations Committee. \(3/7/08\)](#)
2. [Budget, Finance & Taxation Committee. \(3/13/08\)](#)
3. [Committee of the Whole - Weeki Wachee. \(3/13/08\)](#)

H. Legal

I. Public Hearings and Quasi-Judicial Proceedings - 6:00 p.m.

Public Hearings

*NOTE: The following Public Hearing items have been submitted for **consideration** by the City Council. If you wish to speak on any of the Public Hearing items, please obtain one of the YELLOW cards from the containers on the wall outside of Council Chamber, fill it out as directed, and present it to the Clerk. You will be given 3 minutes **ONLY** to state your position on any item but may address more than one item.*

1. [Ordinance 988-V amending Ordinance No. 844-V; amending the description of the portion of 12th Avenue South being vacated; providing for a permanent street closing of that portion.](#)
2. [Confirming the Preliminary Assessment for Lot Clearing Number 1427, 1428, 1429 and 1430.](#)
3. [Confirming the Preliminary Assessment for Building Demolition Number 343.](#)
4. [Confirming the Preliminary Assessment for Building Securing Number 1082, 1083 and 1084.](#)

Second Reading and Second Public Hearings

5. [Proposed amendments to the Local Government Comprehensive Plan. \(City File LGCP/CHHA-2008-01\)](#)
 - (a) Ordinance 860-G implementing new legislative requirements related to the Coastal High Hazard Area (CHHA) by amending the General Introduction, Future Land Use Element, Coastal Management Element and Capital Improvements Element of the Comprehensive Plan.

Quasi-Judicial Proceedings

Swearing in of witnesses. Representatives of City Administration, the applicant/appellant, opponents, and members of the public who wish to speak at the public hearing must declare that he or she will testify truthfully by taking an oath or affirmation in the following form:

"Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?"

*The oath or affirmation will be administered prior to the presentation of testimony and will be administered in mass to those who wish to speak. Persons who submit cards to speak after the administration of the oath, who have not been previously sworn, will be sworn prior to speaking. **For detailed procedures to be followed for Quasi-Judicial Proceedings, please see yellow sheet attached to this agenda.***

6. [Future Land Use Map and Official Zoning Map amendments pertaining to a parcel of land, generally located on the southeast corner of 38th Avenue North and Ithaca Street North, estimated to be 14,016 sq. ft. or 0.32 acres in size. \(City File FLUM-1\)](#)
 - (a) Ordinance 687-L amending the Future Land Use Map designation from Planned Redevelopment-Residential to Residential/Office General.
 - (b) Ordinance 714-Z rezoning the above described property from NT-1 (Neighborhood Traditional) to CRS-1 (Corridor Residential Suburban), or other less intensive use.
 - (c) Resolution requesting amendment to the Countywide Future Land Use Plan, as described above, to comply with the requirements of the Pinellas Planning Council and Pinellas County Board of County Commissioners.

J. Open Forum

*If you wish to address City Council on subjects other than **public hearing or quasi-judicial items listed on this agenda**, please sign up with the Clerk prior to the meeting. Only the individual wishing to speak may sign the Open Forum sheet and only City residents, property owners, or business owners may speak. All issues discussed under Open Forum must be limited to issues related to the City of St. Petersburg government.*

Speakers will be called to address Council according to the order in which they sign the Open Forum sheet. In order to provide an opportunity for all citizens to address Council, each individual will be limited to one appearance per month and each speaker will be given three (3) minutes. The nature of the speakers' comments will determine the manner in which the response will be provided. The response will be provided by City staff and may be in the form of a letter or a follow-up phone call depending on the request.

K. Adjournment



Consent Agenda A
March 20, 2008

NOTE: Business items listed on the yellow Consent Agenda cost more than one-half million dollars while the blue Consent Agenda includes routine business items costing less than that amount.

(Purchasing)

1. [Approving the purchase of replacement vehicles from Duval Motor Co. d/b/a Duval Ford and Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc. at a total cost of \\$1,559,087.](#)
2. [Renewing blanket purchase agreements with Premier Chemicals, LLC and Siemens Water Technologies Corp., sole source suppliers, for wastewater odor control services for the Water Resources Department at an estimated annual amount of \\$610,000.](#)

(Internal Services)

3. [Authorizing the Mayor to execute Change Order No. 2 in the amount of \\$188,358.34 to the contract with APAC - Southeast, Inc. for Resurfacing, Restoring and Rehabilitation of SR 595 \(4th Avenue\) between 5th Avenue North and 3rd Street North, SR 687 \(3rd Street\) from 5th Avenue South to 5th Avenue North, SR 687 \(4th Street\) from 5th Avenue North to 5th Avenue South, for a total cost of \\$9,807,556.40. \(Engineering Project Nos. 02049-110, 02050-110, 02051-110; Oracle Nos. C121423, C121421, C121422\)](#)
4. [Authorizing the Mayor to execute Amendment No. 4 in the amount of \\$17,005.53 to the contract with Hennessy Construction Services Corp. for the Jamestown Apartments and Town Homes for a total cost of \\$4,100,216.71. \(Engineering Project Number 05350-019; Oracle Number 11065\)](#)
5. [Authorizing the Mayor to execute a District Seven Highway Landscape Reimbursement and Maintenance Memorandum of Agreement between the City and the Florida Department Of Transportation for the purpose of performing highway beautification on State Road rights-of-way within the corporate limits of the City of St. Petersburg in Pinellas County, Florida at a maximum reimbursement amount of \\$2,000,000; and approving a supplemental appropriation of \\$2,000,000 from the increase in the unappropriated balance of the General Capital Improvement Fund resulting from these additional revenues.](#)
6. [Authorizing the acceptance of the property insurance coverage proposal submitted by Brown and Brown, Inc.](#)



Consent Agenda B
March 20, 2008

NOTE: The Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council by a single motion. Council questions on these items were answered prior to the meeting. Each Councilmember may, however, defer any item for added discussion at a later time.

(Purchasing)

1. [Approving a change order to St. Petersburg College for Police cadet training in the amount of \\$170,000 which increases the estimated annual amount to \\$260,000.](#)
2. [Awarding blanket purchase agreements to Bernie Marble Construction, Inc. d/b/a Emmett McCabe Trucking, J & K Enterprises of Largo, Inc., All About Hauling, Inc., and Cypress Creek Landscape Supply, Inc., for road and landscape materials at an estimated annual amount of \\$220,205.](#)

(City Development)

3. [Finding that payment of all closing related costs, including documentary stamps, for acquisition of the property herein described serves a City purpose; authorizing the Mayor to purchase one \(1\) improved parcel located at 2253 - 7th Avenue South, St. Petersburg, Florida \(Parcel 20\), for Phase II of the Dome Industrial Park Plan for the sum of \\$110,000; to pay all closing related costs, including documentary stamps, not to exceed \\$5,000; to pay a reimbursement to the seller up to \\$10,000 for re-establishment in accordance with U. S. Department of Housing and Urban Development regulations and applicable Federal statutes.](#)

(Miscellaneous)

4. [Clarifying and approving payment to KPMG for required auditing services for the six Major State Financial Assistance Projects for Fiscal Year 2007.](#)
5. [Approving the minutes of the City Council meeting held on January 24, 2008.](#)
6. [Finding that payment of all closing related costs, including documentary stamps, for acquisition of the property herein described serves a City purpose; authorizing the Mayor to purchase one \(1\) improved parcel located at 656 - 23rd Street South, St. Petersburg, Florida \(Parcel 19\) for Phase II of the Dome Industrial Park Plan for the sum of \\$230,000; to pay all closing related costs, including documentary stamps, not to exceed \\$10,000; to pay, in accordance with U. S. Department of Housing and Urban Development regulations and applicable Federal statutes, 1\) a reimbursement to the seller up to \\$10,000 for re-establishment and 2\) a relocation payment, including moving expenses for tenants up to \\$106,000 in the aggregate.](#)

Note: An abbreviated listing of upcoming City Council meetings.

Budget, Finance & Taxation Committee

Thursday, March 13, 2008, 8:30 a.m., Room 100

Committee of the Whole – Weeki Wachee

Thursday, March 13, 2008, 9:30 a.m., Room 100

CRA/Council Agenda Review (3/20/08 Agenda)

Thursday, March 13, 2008, 1:30 p.m., Room 100

Legislative Affairs & Intergovernmental Relations

Friday, March 21, 2008, 11:00 a.m., Community Resource Room

Council Workshop – RFP Proposals (Redevelopment of Tropicana Field)

Thursday, March 27, 2008, 2:00 p.m., Council Chamber

Council Workshop – Review of Rays’ Stadium Project

Thursday, April 24, 2008, 2:00 p.m., Council Chamber

Council FY09 Budget Workshops

Tuesday, May 13, 2008 & Wednesday, May 14, 2008, 9:00 a.m., Room 100

Council Workshop – Review of Rays’ Stadium Project

Thursday, May 22, 2008, 1:30 p.m., Council Chamber

Ray’s Project Proposal – Public Hearing Dates

April 10 and May 22, 2008, 6:00 p.m.

CITY OF ST. PETERSBURG

Board and Commission Vacancies



Arts Advisory
3 Regular Members
(Terms expire 9/30/09 & 9/30/10)

Civil Service Board
1 Alternate Member
(Term expires 6/30/10)

Code Enforcement Board
1 Regular Member, Subcontractor category
(Term expires 12/31/10)

Commission on Aging
2 Regular Members
(Terms expire 12/31/10)

**Committee to Advocate for Persons with
Impairments (CAPI)**
1 Alternate Member
(Term expires 12/31/10)

Health Facilities Authority
1 Regular Member
(Term expires 12/31/10)

International Relations Committee
3 Regular Members
(Terms expire 12/31/09 & 12/31/10)

Nuisance Abatement Board
3 Regular and 1 Alternate Member
(Terms expire 8/31/08, 12/31/08, 12/31/09 &
12/31/10)

PROCEDURES TO BE FOLLOWED FOR QUASI-JUDICIAL PROCEEDINGS:

1. Anyone wishing to speak must fill out a yellow card and present the card to the Clerk. All speakers must be sworn prior to presenting testimony. No cards may be submitted after the close of the Public Hearing. Each party and speaker is limited to the time limits set forth herein and may not give their time to another speaker or party.
2. At any time during the proceeding, City Council members may ask questions of any speaker or party. The time consumed by Council questions and answers to such questions shall not count against the time frames allowed herein. Burden of proof: in all appeals, the Appellant bears the burden of proof; in variance application cases, the Applicant bears the burden of proof; in rezoning and Comprehensive Plan land use cases, the Owner bears the burden of proof except in cases initiated by the City Administration, in which event the City Administration bears the burden of proof. Waiver of Objection: at any time during this proceeding Council Members may leave the Council Chamber for short periods of time. At such times they continue to hear testimony because the audio portion of the hearing is transmitted throughout City Hall by speakers. If any party has an objection to a Council Member leaving the Chamber during the hearing, such objection must be made at the start of the hearing. If an objection is not made as required herein it shall be deemed to have been waived.
3. Initial Presentation. Each party shall be allowed ten (10) minutes for their initial presentation.
 - a. Presentation by City Administration.
 - b. Presentation by Applicant and/or Appellant. If Appellant and Applicant are different entities then each is allowed the allotted time for each part of these procedures. The Appellant shall speak before the Applicant. In connection with land use and zoning ordinances where the City is the applicant, the land owner(s) shall be given the time normally reserved for the Applicant/Appellant, unless the land owner is the Appellant.
 - c. Presentation by Opponent. If anyone wishes to utilize the initial presentation time provided for an Opponent, said individual shall register with the City Clerk at least one week prior to the scheduled public hearing.
4. Public Hearing. A Public Hearing will be conducted during which anyone may speak for 3 minutes. Speakers should limit their testimony to information relevant to the ordinance or application and criteria for review.
5. Cross Examination. Each party shall be allowed five (5) minutes for cross examination. All questions shall be addressed to the Chair and then (at the discretion of the Chair) asked either by the Chair or by the party conducting the cross examination of the speaker or of the appropriate representative of the party being cross examined. One (1) representative of each party shall conduct the cross examination. If anyone wishes to utilize the time provided for cross examination and rebuttal as an Opponent, and no one has previously registered with the Clerk, said individual shall notify the City Clerk prior to the conclusion of the Public Hearing. If no one gives such notice, there shall be no cross examination or rebuttal by Opponent(s). If more than one person wishes to utilize the time provided for Opponent(s), the City Council shall by motion determine who shall represent Opponent(s).
 - a. Cross examination by Opponents.
 - b. Cross examination by City Administration.
 - c. Cross examination by Appellant followed by Applicant, if different.
6. Rebuttal/Closing. Each party shall have five (5) minutes to provide a closing argument or rebuttal.
 - a. Rebuttal by Opponents.
 - b. Rebuttal by City Administration.

c. Rebuttal by Appellant followed by the Applicant, if different.