



# City of South Pasadena

7047 SUNSET DRIVE SOUTH  
SOUTH PASADENA, FLORIDA 33707  
PH: (727) 347-4171 FAX: (727) 345-0518  
WWW.MYSOUTHPASADENA.COM

## A G E N D A

AGENDA MEETING  
SOUTH PASADENA, FLORIDA

TUESDAY, FEBRUARY 3, 2015  
COMMISSION CHAMBERS 9:00 A.M.

CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE  
ROLL CALL

## PROPOSED AGENDA FOR THE FEBRUARY 10, 2015 REGULAR COMMISSION MEETING

### DISCUSSION ITEMS

#### PUBLIC HEARING - LEGISLATIVE

1. ORDINANCE NO. 2015-01 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, REPEALING ORDINANCE NO. 95-11 AND AMENDING ARTICLE II OF CHAPTER 46 OF THE CODE OF ORDINANCES, TO REVOKE THE CITY'S ELECTION OF THE FLORIDA MUNICIPAL PENSION TRUST FUND FOR EMPLOYEES HIRED AFTER MARCH 1, 2015, ESTABLISHING THE CITY'S REENTRY INTO THE FLORIDA RETIREMENT SYSTEM, AND AUTHORIZING THE PARTICIPATION OF SAID PLAN, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE - SECOND AND FINAL READING - ELSON.

#### PUBLIC HEARING -QUASI-JUDICIAL

#### RECOMMENDATIONS BY THE PLANNING & ZONING BOARD

2. TO APPROVE/DENY REQUEST FROM JAMES F. LANDERS (DILLON ALDERMAN, REPRESENTATIVE) FOR A SPECIAL EXCEPTION USE PERMIT PURSUANT TO SECTION 130-12 C (3) (A) OF THE CITY CODE OF ORDINANCES AND FOR A SUBDIVISION PURSUANT TO SECTIONS 130-46, 130-50 AND 130-51 OF THE CITY CODE OF ORDINANCES FOR THE PURPOSE OF CONSTRUCTING NINE RESIDENTIAL TOWNHOUSE UNITS AT PREMISES KNOWN AS 7002, 7010, AND 7014 GREVILLE AVENUE SOUTH IN THE CITY OF SOUTH PASADENA, FLORIDA.

AGENDA MEETING

TUESDAY, FEBRUARY 3, 2015 - 9:00 A.M.

**UNFINISHED BUSINESS**

NONE

**CONSENT AGENDA**

Resolutions and Motions of a non-controversial nature may be placed on the Consent Agenda. One motion for approval is required to pass the entire Consent Agenda; however, any item(s) may be removed prior to motion for approval.

3. APPROVAL OF COMMISSION MEETING MINUTES FOR MONTH OF JANUARY, 2015 ON FILE IN CITY CLERK'S OFFICE AGENDA MEETING, JANUARY 6, 2015; ADMINISTRATIVE WORKSHOP MEETING, JANUARY 6, 2015; REGULAR COMMISSION MEETING, JANUARY 13, 2015; ADMINISTRATIVE WORKSHOP MEETING, JANUARY 20, 2015.

**NEW BUSINESS**

4. RESOLUTION NO. 2015-01 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, REINSTATING MEMBERSHIP IN THE FLORIDA RETIREMENT SYSTEM AND PROVIDING AN EFFECTIVE DATE - ELSON.
5. RESOLUTION NO. 2015-02 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING RESOLUTION NO. 2009-14 REGARDING THE APPROVAL OF TRAVEL FOR MEMBERS OF THE CITY COMMISSION - PENNY.
6. MOTION - TO APPROVE CONTRACT FOR INTERIM TRAFFIC INFRACTION ENFORCEMENT OFFICER - PENNY.

ADJOURN

Ordinances may be inspected by the public in the office of the City Clerk at City Hall from 8:00 a.m. to 4:00 p.m. Monday through Friday with the exception of holidays. In accordance with Florida Statutes, you are hereby notified that if a person decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting or hearing as noticed in this notice, he will need to insure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based. Any persons who may need such a record can arrange for a court reporter to attend the public hearing.

In accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact the Clerk's Office at (727) 347-4171 at least 72 hours prior to the meeting.



ORDINANCE NO. 2015-01

AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, REPEALING ORDINANCE NO. 95-11 AND AMENDING ARTICLE II OF CHAPTER 46 OF THE CODE OF ORDINANCES, TO REVOKE THE CITY'S ELECTION OF THE FLORIDA MUNICIPAL PENSION TRUST FUND FOR EMPLOYEES HIRED AFTER MARCH 1, 2015, ESTABLISHING THE CITY'S REENTRY INTO THE FLORIDA RETIREMENT SYSTEM, AND AUTHORIZING THE PARTICIPATION OF SAID PLAN, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the city previously opted out of the Florida Retirement System (FRS) for employees hired after January 1, 1996 over concerns it was disadvantageous to the City and its employees, and

WHEREAS, over the last fifteen years the average contribution rate for general employees under the FRS has been approximately 7.96% which is less than the 10% contribution rate paid by the city under the Florida Municipal Pension Trust Fund, and

WHEREAS, the city has not realized a significant savings following its withdrawal from the FRS, and

WHEREAS, it is the recommendation of the Finance Department that the Florida Retirement System offers a superior pension benefit and will be an employment incentive to both current employees and future applicants.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of South Pasadena, Florida:

SECTION 1. Article II Chapter 46 of the Code of Ordinances Sections 46-9 through 46-14 inclusive are amended in their entirety as follows:

**ARTICLE II**  
**PENSION PLANS FOR GENERAL EMPLOYEES**

**46-9 Applicability**

The City of South Pasadena maintains several different pension plans for the benefit of city employees. General employees shall be all employees of the city, who are not required to be certified firefighters (as defined in F.S. 633.35) as a condition of employment with the city. Nothing in this Article shall pertain to those city employees who are certified firefighters, as a condition of their employment with the city.

**46-10 Florida Retirement System**

All general employees shall be entitled to the benefits of the Florida Retirement System. The city does hereby adopt the terms, conditions, bylaws, benefits, and privileges pertaining to the Florida Retirement System for and on behalf of city employees covered under this pension plan. The city shall comply with all of the requirements and provisions of Florida Statutes, Chapter 121, for those employees who are members of the Florida Retirement System.

**46-11 Florida Municipal Pension Trust Fund**

Employees hired between January 1, 1996 and March 1, 2015 shall be permitted to elect to continue their participation in the Florida Municipal Pension Trust Fund. Employees hired after March 1, 2015 shall not be entitled to participate in the Florida Municipal Pension Trust Fund. The city shall comply with the terms, conditions, bylaws, benefits and privileges pertaining to the Florida Municipal Pension Trust Fund for and on behalf of city employees covered under this pension plan in accordance with the provisions of any plan or agreement governing the administration of the Florida Municipal Pension Trust Fund.

**46-12 Execution of Agreements**

A. The Mayor is hereby authorized and directed to execute all necessary agreements and amendments thereto with the administrator of the Florida Retirement System, which agreements shall provide for such methods of administration

of the plan by the city as are found by the administrator of the Florida Retirement System to be necessary and proper.

- B. The Mayor is hereby authorized and directed to execute all necessary agreements and amendments thereto with the Florida Municipal Pension Trust Fund.

#### **46-13 Appropriations to Pay Contributions and Assessments**

- A. There shall be appropriated from available funds, derived from the general fund, such amounts at such times as may be required to promptly pay the contributions and assessments required of the city as an employer by applicable state laws, or regulations, which shall be paid to the lawfully designated administrator of the Florida Retirement System.
- B. There shall be appropriated from available funds, derived from the general fund, such amounts as may be required to promptly pay defined contributions and expense payments, required of the city as employer and member of the Florida Municipal Pension Trust Fund, which shall be paid to the lawfully designated administrator of the Florida Municipal Pension Trust Fund.

#### **46-14 Custodian of Funds; Reporting and Withholding Agent**

- A. The Director of Finance is hereby designated the custodian of all the appropriated funds for the employer's contributions as provided in § 46-13 hereof.
- B. The Director of Finance is hereby made the withholding and reporting agent, charged with the duty of maintaining records for the purposes of this Article.
- C. The Director of Finance shall keep such records and make such reports as may be required by applicable state laws, regulations or agreements for each of the two (2) separate pensions systems.

SECTION 2. In the event that any section, paragraph, sentence, clause, or phrase of this ordinance shall be declared unconstitutional or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining

sections, paragraphs, sentences, clauses, or phrases of this ordinance.

SECTION 3. This ordinance shall become effective immediately upon final passage.

\_\_\_\_\_  
Dan Calabria, Mayor

ATTEST:

\_\_\_\_\_  
Carley Lewis, City Clerk

PASSED ON FIRST READING \_\_\_\_\_ JANUARY 13TH \_\_\_\_\_, 2015.

PASSED ON SECOND AND FINAL READING \_\_\_\_\_, 2015.

THIS IS TO CERTIFY THAT I, the undersigned City Clerk did cause the noticing of the above ordinance in accordance with Chapter 166.041 of the Florida Statutes.

\_\_\_\_\_  
Carley Lewis, City Clerk

THIS ORDINANCE HAS BEEN APPROVED AS TO FORM AND CONTENT BY THE CITY ATTORNEY.

**§ 130-48 Criteria for review of special exception use permit.**

[Amended 10-17-1989 by Ord. No. 89-31; 4-27-1993 by Ord. No. 93-08; 1-24-1995 by Ord. No. 94-25]

- A. Prior to consideration by the City Commission, all requests for special exception use permits shall be submitted to the Planning and Zoning Board for its review and recommendation. In considering requests for special exception use permits, the Planning and Zoning Board shall make findings on the four criteria listed below and shall make a recommendation for approval or denial. The Commission shall not grant a special exception use permit unless the Commission finds affirmatively on the following four criteria:
- (1) That granting the special exception will not adversely affect the public interest.
  - (2) That the requested use is reasonably compatible with surrounding uses. In making this determination the following factors should be considered:
    - (a) Hours of operation.
    - (b) Traffic generation characteristics.
    - (c) Setbacks and buffering.
    - (d) Proposed FAR and ISR.
  - (3) That the land and building area is adequate for the operation of the use.
  - (4) That approval of the use will not result in reduced land values and detract from surrounding areas.
- B. In making a recommendation, the Planning and Zoning Board may suggest that conditions be attached to the special exception use permit. In granting a special exception use permit, the Commission may attach such reasonable conditions and safeguards as it deems necessary to implement the purposes of this chapter.



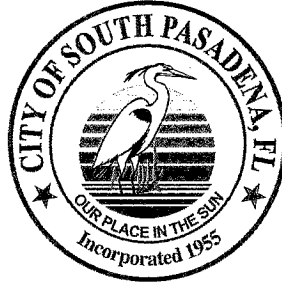
**§ 130-50 Review criteria for subdivision approval.**

[Amended 1-24-1995 by Ord. No. 94-25]

- A. Prior to consideration by the Commission, an application for subdivision approval shall be submitted to the Planning and Zoning Board for its review and recommendation. In considering applications for subdivision approval, the Planning and Zoning Board shall make findings on the criteria listed below and shall make a recommendation for approval or denial. The Commission shall not approve a subdivision unless the Commission finds affirmatively on the following criteria:
- (1) That the plat meets the requirements of Chapter 177 of the Florida Statutes.
  - (2) That the land use and zoning are consistent with the proposed subdivision.
  - (3) That the proposed subdivision will not result in the creation of any nonconforming lots or buildings.
  - (4) That the proposed subdivision meets the requirements for subdivisions as set forth in the City Code.
- B. In making a recommendation, the Planning and Zoning Board may suggest that conditions be attached to the subdivision approval. In granting subdivision approval, the Commission may attach such reasonable conditions and safeguards as it deems necessary to implement the purposes of this chapter. The conditions of approval shall be referenced on the final plat, which shall be signed by the Mayor.

3. APPROVAL OF COMMISSION MEETING MINUTES FOR MONTH OF JANUARY, 2015 ON FILE IN CITY CLERK'S OFFICE AGENDA MEETING, JANUARY 6, 2015; ADMINISTRATIVE WORKSHOP MEETING, JANUARY 6, 2015; REGULAR COMMISSION MEETING, JANUARY 13, 2015; ADMINISTRATIVE WORKSHOP MEETING, JANUARY 20, 2015.

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance: Date Submitted: 01/28/2015

Resolution: NO. 2015-01 Agenda Meeting Date: 02/03/2015

Motion: Regular Meeting Date: 02/10/2015

Information Only Submitted By: COMMISSIONER ELSON

No Action Needed: Written By:

Discussion:

**Subject Title:** (If Ordinance or Resolution, state number and title in full.)

RESOLUTION NO. 2015-01 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, REINSTATING MEMBERSHIP IN THE FLORIDA RETIREMENT SYSTEM AND PROVIDING AN EFFECTIVE DATE.

**Motion Proposed:**

TO PASS RESOLUTION NO. 2015-01

SUBMIT ORIGINAL TO CITY CLERK FOR INCLUSION ON AGENDA BY WEDNESDAY.

RESOLUTION NO. 2015-01

A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, REINSTATING MEMBERSHIP IN THE FLORIDA RETIREMENT SYSTEM AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by resolution adopted on the 12<sup>th</sup> day of October, 1971 the City of South Pasadena established membership in the Florida Retirement System; and

WHEREAS, by resolution adopted the 14<sup>th</sup> day of November, 1995 the City of South Pasadena revoked its membership in the Florida Retirement System; and

WHEREAS, the City of South Pasadena wished to reinstate its membership in the Florida Retirement System; and

WHEREAS, pursuant to the Laws of Florida, the City of South Pasadena declares as its policy and purpose, the reinstatement of election to participate in the Florida Retirement System for all general employees hired on or after January 1, 1996; and

WHEREAS, all general employees of the City of South Pasadena who were participants in the Florida Retirement System before January 1, 1996 remain as participants in the system for as long as they are employees of the City of South Pasadena and all rights, duties, and obligations of the City of South Pasadena and the employees remain in effect; and

WHEREAS, a general employee who is hired on or after March 1, 2015 shall participate in the Florida Retirement System and the City of South Pasadena has an obligation to the system with respect to such employees; and

WHEREAS, it is the intent of the City of South Pasadena to reinstate its membership with the Florida Retirement System for all employees hired on or after March 1, 2015, effective by Ordinance No. 2015-01.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH PASADENA, FLORIDA, AS FOLLOWS:

Section 1. It is hereby declared to be policy and purpose of the City of South Pasadena to reinstate its participation in the Florida Retirement System for all general employees hired on or after March 1, 2015.

Section 2. This Resolution shall remain in full force and effect until supplemented, amended, repealed or otherwise altered.

Section 3. This Resolution repeals all other action in conflict herewith.

Section 4. This Resolution shall take effect upon its passage and approval.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

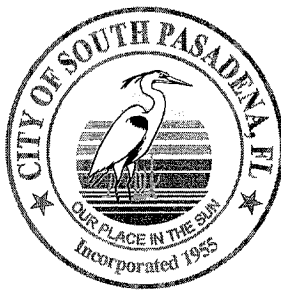
\_\_\_\_\_  
Dan Calabria, Mayor

ATTEST:

\_\_\_\_\_  
Carley Lewis, City Clerk

THIS RESOLUTION HAS BEEN APPROVED AS TO FORM AND CONTENT BY THE CITY ATTORNEY.

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance:		Date Submitted:	01/28/2015
Resolution:	NO. 2015-02	Agenda Meeting Date:	02/03/2015
Motion:		Regular Meeting Date:	02/10/2015
Information Only		Submitted By:	VICE MAYOR PENNY
No Action Needed:		Written By:	
Discussion:			

**Subject Title:** (If Ordinance or Resolution, state number and title in full.)

RESOLUTION NO. 2015-02 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING RESOLUTION NO. 2009-14 REGARDING THE APPROVAL OF TRAVEL FOR MEMBERS OF THE CITY COMMISSION.

**Motion Proposed:**

TO PASS RESOLUTION NO. 2015-02

SUBMIT ORIGINAL TO CITY CLERK FOR INCLUSION ON AGENDA BY WEDNESDAY.

RESOLUTION NO. 2015-02

A RESOLUTION OF THE CITY OF SOUTH PASADENA,  
FLORIDA, AMENDING RESOLUTION NO. 2009-14  
REGARDING THE APPROVAL OF TRAVEL FOR MEMBERS  
OF THE CITY COMMISSION.

WHEREAS, Resolution No. 2009-14 outlines approved travel expenses for members of the City Commission and requires that city-related travel not on the approved list must be approved by the Commission at a Regular Commission Meeting; and

WHEREAS, members of the Commission have periodically requested to attend trainings and events that are not on the approved list of travel expenses; and

WHEREAS, the requirement that travel expenses not on the approved list must be approved by the Commission at a Regular Commission Meeting has created difficulty in meeting registration and payment deadlines; and

WHEREAS, Section 48-6 of the City Code of Ordinances specifies that expenses not listed as preapproved by resolution may be approved by the City Commission by motion and does not include a requirement that the approval must be obtained at a Regular Commission Meeting.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of South Pasadena that Resolution No. 2009-14 be amended to include travel expenses of less than \$100 in the list of approved city-related travel for members of the Commission.

BE IT FURTHER RESOLVED that Resolution No. 2009-14 be further amended to remove the requirement that items not included in the list of approved city-related travel expenses shall be approved at a Regular Commission Meeting and to instead require that items not on the approved list of city-related travel expenses shall be approved by the Commission by motion at any Commission meeting.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Dan Calabria, Mayor

ATTEST:

\_\_\_\_\_  
Carley Lewis, City Clerk

THIS RESOLUTION HAS BEEN APPROVED AS TO FORM AND CONTENT BY THE  
CITY ATTORNEY.



RESOLUTION NO. 2009-14

A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, REPEALING RESOLUTION NO. 98-30 AND ADOPTING A LIST OF APPROVED TRAVEL FOR MEMBERS OF THE CITY COMMISSION.

WHEREAS, City Code of Ordinances Section 48-6 provides that the City Commission will establish a list of approved conferences and meetings that any member of the City Commission may attend and be reimbursed for expenses without further approval of the City Commission; and

WHEREAS, Resolution No. 98-30 included a listing of approved conferences and travel which also approved reimbursement for spouses of Commission members at certain specified meetings and the City Commission has repealed the City Code section that authorized reimbursement for spouses.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of South Pasadena that any Commission member may attend the following conferences and meetings at the expense of the City and without further action of the City Commission:

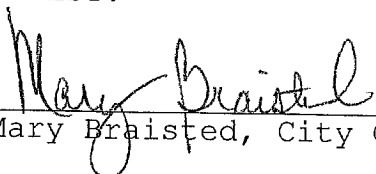
Florida League of Cities Annual Conference; Suncoast League of Cities Mini Conference and monthly luncheon meetings; Florida Institute of Government's Institute for Elected Municipal Officials and Advanced Institute for Elected Municipal Officials; Pinellas County Mayors' Council Annual Holiday luncheon; Legislative Action Day in Tallahassee.

BE IT FURTHER RESOLVED that reimbursement for any other City related travel shall require the approval of the City Commission at a Regular Commission Meeting.

PASSED AND ADOPTED THIS 25th DAY OF August, 2009.

  
Kathleen Peters, Mayor

ATTEST:

  
Mary Braisted, City Clerk

THIS RESOLUTION HAS BEEN APPROVED AS TO FORM AND CONTENT BY THE CITY ATTORNEY. *YMH*

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance: Date Submitted: 01/28/15

Resolution: Agenda Meeting Date: 02/03/15

Motion: X Regular Meeting Date: 02/10/15

Information Only Submitted By: VICE MAYOR PENNY

No Action Needed:

Written By:

Discussion:

**Subject Title:** (If Ordinance or Resolution, state number and title in full.)

INTERIM TRAFFIC INFRACTION ENFORCEMENT OFFICER

**Motion Proposed:**

MOTION - TO APPROVE CONTRACT FOR INTERIM TRAFFIC INFRACTION ENFORCEMENT OFFICER.

**CONTRACT FORTHCOMING**