



City of South Pasadena

7047 SUNSET DRIVE SOUTH
SOUTH PASADENA, FLORIDA 33707-2819
PH: (727) 347-4171 FAX: (727) 345-0518
www.ci.south-pasadena.fl.us

A G E N D A

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, JANUARY 14, 2014
COMMISSION CHAMBERS 7:00 P.M.

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL
PEOPLE'S FORUM
AGENDA COMMENT
REPORTS

DISCUSSION ITEMS

PUBLIC HEARING

NONE

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.

1. APPROVAL OF COMMISSION MEETING MINUTES FOR MONTH OF DECEMBER, 2013 ON FILE IN CITY CLERK'S OFFICE AGENDA MEETING, DECEMBER 3, 2013; ADMINISTRATIVE WORKSHOP MEETING, DECEMBER 3, 2013; REGULAR COMMISSION MEETING, DECEMBER 10, 2013.

NEW BUSINESS

2. MOTION - TO AUTHORIZE MAYOR CALABRIA TO SIGN CONTRACT WITH TIMOTHY P. DRISCOLL, ESQ. FOR LOCAL HEARING OFFICER/SPECIAL MAGISTRATE SERVICES.

REGULAR COMMISSION MEETING
TUESDAY, JANUARY 14, 2014 - 7:00 P.M.

3. MOTION - TO AUTHORIZE THE FINANCE DEPARTMENT TO PAY \$500 FOR A TABLE OF TEN TO ATTEND PINELLAS COUNTY COMMISSIONER JOHN MORRONI'S LUNCHEON FOR EMERGENCY PERSONNEL SCHEDULED FOR JANUARY 24, 2014 WITH PROCEEDS GOING TO HOSPICE AND THE FLORIDA VETERANS FOUNDATION, WHICH SERVES A MUNICIPAL PURPOSE.

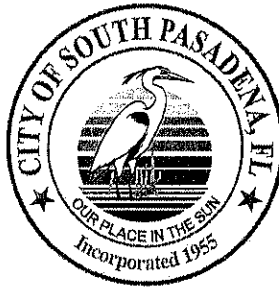
ADJOURN

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.

1. APPROVAL OF COMMISSION MEETING MINUTES FOR MONTH OF DECEMBER, 2013 ON FILE IN CITY CLERK'S OFFICE AGENDA MEETING, DECEMBER 3, 2013; ADMINISTRATIVE WORKSHOP MEETING, DECEMBER 3, 2013; REGULAR COMMISSION MEETING, DECEMBER 10, 2013.

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance:

Date Submitted: 01/02/14

Resolution:

Agenda Meeting Date: 01/07/14

Motion: X

Regular Meeting Date: 01/14/14

Information Only
No Action Needed:

Submitted By: COMMISSIONER HOWRY

Written By:

Discussion:

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

CAL HEARING OFFICER/SPECIAL MAGISTRATE

Motion Proposed:

TO AUTHORIZE MAYOR CALABRIA TO SIGN CONTRACT WITH TIMOTHY P. DRISCOLL, ESQ. FOR LOCAL HEARING OFFICER/SPECIAL MAGISTRATE SERVICES.

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

CONTRACT FOR PROFESSIONAL SERVICES

THIS AGREEMENT made this _____ day of January, 2014, by and between the **CITY OF SOUTH PASADENA, FLORIDA**, a municipal corporation of the State of Florida, hereinafter referred to as the "CITY", as party of the first part and _____, hereinafter referred to as the "SPECIAL MASTER" as party of the second part, both of whom understand as follows:

WITNESSETH:

WHEREAS, the CITY desires to engage Professional Services of the SPECIAL MASTER to serve as the CITY's special magistrate hearing officer for red light camera traffic infractions and for supplemental code enforcement process for the CITY; and

WHEREAS, the CITY desires to set the conditions of engagement and set understandings with respect to such services.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. DUTIES

The CITY engages the SPECIAL MASTER to perform those functions and duties necessary for: (i) supplemental code enforcement process for the City of South Pasadena as set forth and defined in CITY OF SOUTH PASADENA, FLORIDA ORDINANCE NO. 2012-06; and (ii) to perform the duties as the CITY's designated Local Hearing Officer for red light camera traffic infraction hearing conducted pursuant to the requirements of Section 4 of Chapter 2013-160, Laws of Florida amending Chapter 316, Florida Statutes.

SECTION 2. TERM

The Term of this Agreement shall commence on the date hereof and shall continue until either the CITY or the SPECIAL MASTER give written notice to terminate subject to the transition period set forth in SECTION 4 hereof.

SECTION 3. CONDITIONS AND COMPENSATION

- A. All fees will be billed on an hourly basis at the rate of _____ per hour. Time is billed by the tenth (1/10) of an hour (0.1 hour = 6 minutes, etc.).
- B. SPECIAL MASTER will be reimbursed for all reasonable out-of-pocket expenses associated with the services performed pursuant to his duties as described above for the CITY, excluding mileage for travel to and from City Hall where hearings will be conducted.

- C. The SPECIAL MASTER shall bill the CITY monthly for fees, costs and expenses incurred during the previous month. All invoices will be paid within thirty (30) days of receipt by the CITY.

SECTION 4. TERMINATION AND TRANSITION

In the event either the CITY or the SPECIAL MASTER give notice of termination of this agreement the parties hereto agree to a sixty (60) day transition period from the date of notice before the termination shall be deemed effective to provide time for appointment of a replacement to the SPECIAL MASTER.

SECTION 5. REPRESENTATION AND CONFLICTS

The SPECIAL MASTER recognizes the need for neutrality in the hearing process, and that timely and effective hearing times are an essential element of this contract.

Therefore, the SPECIAL MASTER expressly understands and agrees that in the event of an actual or a potential conflict of interest between the SPECIAL MASTER and any other person or organization who may appear before the SPECIAL MASTER, the SPECIAL MASTER will promptly notify all parties when such conflict of interest becomes known, and provide a duly qualified substitute hearing officer should any party request a recusal of the SPECIAL MASTER.

The SPECIAL MASTER shall perform his duties in accordance with Florida Statutes and Ordinances of the CITY governing both local code enforcement procedures and adjudication of red light camera traffic infractions.

SECTION 6. GENERAL PROVISIONS

- A. The text herein shall constitute the entire agreement between the parties.
- B. This agreement shall be binding upon and inure to benefit of the heirs at law of the SPECIAL MASTER.
- C. SPECIAL MASTER shall have the status of an independent contractor of the CITY and shall not be considered to be an employee of the CITY in performance of duties under this Agreement.

IN WITNESS WHEREOF, the parties have caused this Contract to be signed and executed, both in duplicate, the day and year first above written.

CITY OF SOUTH PASADENA,
a Florida municipal corporation

ATTEST:

By: _____
Dan Calabria, Mayor

By: _____
Carley Lewis, City Clerk

"SPECIAL MASTER"

WITNESS:

Signature of Witness

Typed/Printed Name of Witness

RAHDERT, STEELE, REYNOLDS & DRISCOLL, P. L.
ATTORNEYS AT LAW

THE ALEXANDER BUILDING
535 CENTRAL AVENUE
ST. PETERSBURG, FLORIDA 33701-3703

GEORGE K. RAHDERT
ALISON M. STEELE
THOMAS E. REYNOLDS (1948-2010)
TIMOTHY P. DRISCOLL
ANNE H. ARSENAULT
DERRICK L. CLARKE

TELEPHONE
(727) 823-4191

FACSIMILE
(727) 823-6189

OF COUNSEL
JESSE L. SKIPPER

December 16, 2013

Carley Lewis
City Clerk
City of South Pasadena, Florida
7047 Sunset Drive South
South Pasadena, FL 33707-2819

Re: Red Light Camera Hearing Officer

Dear Ms. Lewis:

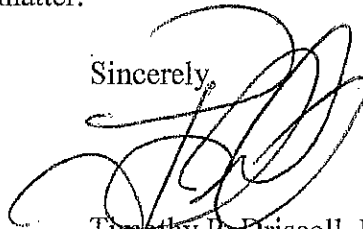
Please accept the enclosed proposal for the City's red light camera hearing officer position, as requested by City Attorney, David Ottinger. I am available and interested in serving in the position.

I will be able to schedule regular hearing days or special days, as needed. I have provided a proposed rate of \$175.00 per hour for all services.

I have extensive municipal experience, as well as litigation and hearing officer experience. Please let me know if you have any questions about this proposal.

Thank you for your assistance in this matter.

Sincerely,



Timothy P. Driscoll, Esq.

Enclosure (Proposal for Services)

Timothy P. Driscoll, Esquire
RAHDERT, STEELE, REYNOLDS & DRISCOLL, P.L.
535 Central Avenue
St. Petersburg, Florida 33701
(727) 823-4191
tdriscoll@rahdertlaw.com

PROPOSAL FOR SERVICES

CITY OF SOUTH PASADENA, FLORIDA

Submitted December 16, 2013

Rahdert, Steele, Reynolds
& Driscoll, P.L.

s/Timothy P. Driscoll
Timothy P. Driscoll, Esq.
Vice President

POSITION

Hearing Officer, City of South Pasadena, Florida

PERSON PROVIDING SERVICES

Timothy P. Driscoll, Esq. of RAHDERT, STEELE, REYNOLDS & DRISCOLL, P.L.

QUALIFICATIONS AND EXPERIENCE

PROFESSIONAL

Mr. Driscoll was admitted to the Florida Bar in May of 1986. He is admitted to practice before the Federal District Courts for the Southern and Middle Districts of Florida, and the 11th Circuit Court of Appeals. He is licensed to practice in all Florida courts.

Mr. Driscoll has been certified by the Supreme Court of Florida as a circuit court civil mediator since 1994.

Mr. Driscoll is a member of the St. Petersburg Bar Association.

EDUCATION

Mr. Driscoll obtained his Juris Doctorate law degree from Stetson University College of Law in 1985. He obtained a Bachelor of Arts degree in finance, cum laude, from the University of South Florida in 1983. He received a partial academic scholarship to Stetson and was a member of the moot court board. He was a finalist in national moot court competition.

Mr. Driscoll has attended numerous continuing education seminars relating to the practice of municipal law and has been a speaker at the Florida League of Cities Convention.

EXPERIENCE

City Attorney for City of Gulfport, Florida from May, 1990 to July, 2009;

City Attorney for City of St. Pete Beach, Florida from January, 2004 to February, 2008.

Mr. Driscoll has extensive experience in municipal law. For over 19 years, he was the City Attorney for the City of Gulfport, Florida, a city with a population of approximately 13,000. Gulfport is a full service municipality with its own fire department, police department, municipal marina, building, sanitation and public works departments. Additionally, the city has undertaken

a significant number of capital projects, necessitating legal services. These include the construction of a theater, municipal services building, police substation/community center, and municipal dock, along with extensive renovation and improvements to the library, recreation center, marina, fire department building and municipal parks. The city currently has two redevelopment areas, including one with tax increment financing in place. These carry with them the legal requirements for the community redevelopment agency responsible for overseeing those areas. Both of these areas were created during Mr. Driscoll's tenure as city attorney. Gulfport also has a municipal beach and many adjacent waterways, requiring knowledge of the laws relating to bodies of water.

As the city attorney, he was responsible for advising the city in all of its affairs. Representation included attendance at all City Council meetings, attendance as needed at meetings of other city boards, handling of city litigation, prosecution of code enforcement cases, review and drafting of contracts, preparation and review of ordinances and resolutions, consulting with city council members and city staff, and issuance of legal opinions and rendering of legal advice. He has defended numerous legal actions against the city, including auto accident cases, slip and fall cases, employment cases, zoning cases, environmental matters and condemnation cases. He has also prosecuted zoning, code enforcement and nuisance cases, along with other civil matters.

From January of 2004 to February, 2008 Mr. Driscoll also was the city attorney for the City of St. Pete Beach, Florida, a city with a population of approximately 10,000. St. Pete Beach is also a full service city, with a municipal police and fire department, public works, and leisure services. During his tenure as city attorney, the city developed a new recreation center and municipal pool. Legal services provided to St. Pete Beach have included the same services provided to the City of Gulfport. Mr. Driscoll also represented the City in additional cases involving extensive zoning and certiorari challenges, ADA access and citizen referenda power. During his tenure, as a result of citizen initiative, the City of St. Pete Beach City Charter was amended to require voter approval of comprehensive plan amendments. He also attended all Board of Adjustment meetings and advised the board on all matters.

Mr. Driscoll's experience includes representation of municipal commissioners from the cities of Pinellas Park and Redington Beach. He has provided legal representation to the Cities of Tarpon Springs, Treasure Island and Indian Shores. He participated in the Charter Review Commission litigation involving the cities in Pinellas County. He has represented homeowners' associations, individuals, groups and corporations in matters concerning land use and other governmental and municipal matters, both in court and before municipal and other governmental boards and commissions.

Mr. Driscoll's litigation experience includes a variety of civil matters, including all municipal matters, land use, civil rights, environmental, administrative, financing, contracts, debt collection, foreclosure, personal injury, construction, fraud, condominiums, evictions, bankruptcy, land use, condemnation, labor and various business disputes.

His transaction experience includes drafting and negotiating agreements, sales and purchases of real property, sales and purchases of businesses, incorporations, condominiums,

and rendering of all types of legal advice to municipal, business and individual clients. As a title agent for the Fund, he has issued numerous title insurance policies and handled numerous real estate closings.

Mr. Driscoll has successfully mediated a wide variety of legal matters, as a certified civil mediator. He has served as a hearing officer for the Pinellas County School Board, as a volunteer, since 1995. He presides over school expulsion hearings and has rendered numerous decisions for the School Board on such matters. He has volunteered his services to assist the Mayors Council of Pinellas County by providing legal services without fees. He has also served as a hearing officer in various municipal proceedings, including labor matters.

As a city attorney, Mr. Driscoll has been solely responsible for representing and advising on a daily basis the Cities of St. Pete Beach and Gulfport. Mr. Driscoll personally attended all meetings of the City Council and City Commission, as well the appointed boards. All advice rendered to the cities was provided by Mr. Driscoll, personally, which provides for continuity and prevents duplicative work.

FIRM

Rahdert, Steele, Reynolds & Driscoll, P.L. is a full-service law firm, whose partners have been providing legal services in the area for over 30 years. The firm has an extensive list of corporate and individual clients who have been served over the years in nearly all phases of the law. The firm provides representation in all types of litigation, real estate and estate matters. The resumes of the firm's attorneys are provided as an attachment to this proposal.

SERVICES

Mr. Driscoll is available to provide services to the City of South Pasadena, Florida as a hearing officer in all matters, including red light camera citation challenges.

FEE PROPOSAL

Services can be provided on an hourly basis at the rate of \$175.00. This rate shall be exclusive of all clerical, copying, telephone, fax, and other costs associated therewith. All charges are billed at actual costs, with no mark-ups.

REFERENCES

References are available from current and former mayors Michael J. Yakes, Gulfport, Ward Friszolowski, St. Pete Beach, Bill Mischler, Pinellas Park, and Mary Maloof, Treasure Island, as well as the Mayor and Commissioners of Tarpon Springs. You may also contact the City Manager in Gulfport, James O'Reilly and in St. Pete Beach, Michael Bonfield.

Letters of recommendation are available on request.

PERSONAL

Mr. Driscoll has been a Tampa Bay area resident since 1972, and has never resided outside the State of Florida.

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance:

Date Submitted: 01/02/14

Resolution:

Agenda Meeting Date: 01/07/14

Motion: X

Regular Meeting Date: 01/14/14

Information Only
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Submitted By: COMMISSIONER HOWRY

Written By:

Discussion:

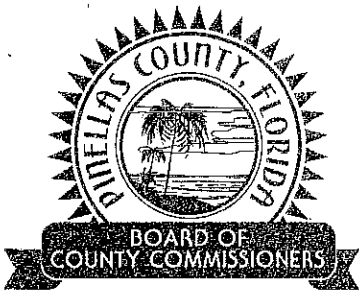
Subject Title: (If Ordinance or Resolution, state number and title in full.)

JOHN MORRONI'S LUNCHEON FOR EMERGENCY PERSONNEL

Motion Proposed:

TO AUTHORIZE THE FINANCE DEPARTMENT TO PAY \$500 FOR A TABLE OF TEN TO ATTEND PINELLAS COUNTY COMMISSIONER JOHN MORRONI'S LUNCHEON FOR EMERGENCY PERSONNEL SCHEDULED FOR JANUARY 24, 2014 WITH PROCEEDS GOING TO HOSPICE AND THE FLORIDA VETERANS FOUNDATION, WHICH SERVES A MUNICIPAL PURPOSE.

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



JOHN MORRONI
COMMISSIONER

PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS

PHONE (727) 464-3568 • FAX (727) 464-3022 • 315 COURT STREET • CLEARWATER, FLORIDA 33756
www.pinellascounty.org

2013 DEC -9 PM 2:09
CITY OF
SOUTH PASADENA, FL

November 19, 2013

Dear Mayor *Day* ~~Alabria~~,

The 19th Annual Appreciation Luncheon for Emergency Personnel will be held on **Friday, January 24, 2014 beginning at 11:30 a.m. at the Hilton St. Petersburg Carillon Park.**

We are pleased to announce that the proceeds of this year's luncheon will be donated to the *Suncoast Hospice and the Florida Veterans Foundation*. Your participation will be an integral part of the success of this event as we continue our tradition of honoring the men and women of Law Enforcement, EMS and Fire Service.

Enclosed you will find the invitations, response cards and return envelopes. Please distribute these to the Commission members. As you may recall, with your help, last year's luncheon reached capacity with over 500 guests.

As always, I look forward to seeing you at the luncheon and thank you in advance for your help in making this year's Appreciation Luncheon another successful event.

Sincerely,

John Morroni
John Morroni
Pinellas County Commissioner

**COMMISSIONER
JOHN MORRONI'S**

Nineteenth Annual
Appreciation Luncheon

*for
Emergency
Personnel*

January 24, 2014

Cash bar available

Luncheon: 11:30 p.m. - 1:30 p.m.

Hilton St. Petersburg

Carillon Park

950 Lake Carillon Drive
St. Petersburg, Florida

Proceeds to benefit

*Suncoast Hospice
Florida Veterans Foundation*

Business Attire Required

\$50.00 per person

SPONSORSHIPS

FOR

COMMISSIONER JOHN MORRONT'S

19th ANNUAL APPRECIATION LUNCHEON

FOR

EMERGENCY PERSONNEL

FRIDAY, JANUARY 24, 2014

11:30

HILTON ST. PETERSBURG CARILLON PARK

SPONSORSHIPS

- PLATINUM SPONSOR:** \$5,000
Prominently located seating for 10
Program listing
Recognition
- GOLD SPONSOR:** \$2,500
Seating for 10
Program listing
Recognition
- SILVER SPONSOR:** \$1,000
Seating for 10
Program listing
Recognition
- RESERVED TABLES:** \$500
Seating for 10

LUNCHEON INVITATIONS WILL FOLLOW IN A SEPARATE MAILING.

Please make checks payable to: Appreciation Luncheon.

Send to: Elizabeth Wadsworth, CPA
3118 Gulf to Bay Blvd., Ste. 130
Clearwater, FL 33759

For more information call: (727) 791-3356

Please respond by January 17, 2014