

M I N U T E S

AGENDA MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, JUNE 4, 2013
COMMISSION CHAMBERS 9:00 A.M.

MAYOR CALABRIA CALLED THE MEETING TO ORDER AT 9:00 A.M. THE INVOCATION WAS GIVEN BY COMMISSIONER PENNY. ALL PARTICIPATED IN THE PLEDGE TO THE FLAG.

ROLL CALL: COMMISSIONERS BRUCE HOWRY, MAX ELSON, ARTHUR PENNY, VICE MAYOR GAIL NEIDINGER AND MAYOR DAN CALABRIA. ALSO PRESENT: CITY CLERK MARY BRAISTED, CITY ATTORNEY DAVID OTTINGER, PUBLIC WORKS DIRECTOR GARY ANDERSON, PUBLIC SAFETY DIRECTOR DAYTON SALTSMAN AND FINANCE DIRECTOR JAMES GRAHAM.

DISCUSSION ITEMS

PUBLIC HEARING - LEGISLATIVE

1. ORDINANCE NO. 2013-01 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING ORDINANCE NO. 2012-01, THE CITY'S FISCAL 2012-2013 BUDGET, TO INCREASE THE TRANSPORTATION CAPITAL IMPROVEMENTS BUDGET BY \$40,000 PROVIDING ADDITIONAL FUNDING FOR THE SUNSET DRIVE RE-PAVING AND CURBING PROJECT AT AN ESTIMATED COST OF \$89,954; AND TO RECOGNIZE A \$1,000 DONATION TO THE SOUTH PASADENA SCHOLARSHIP FUND AND TO INCREASE THE GENERAL FUND HUMAN SERVICES BUDGET BY \$1,000, THEREBY PROVIDING AUTHORIZATION TO INCREASE THE FISCAL 2012-2013 SCHOLARSHIP AWARD TO \$2,000, PROVIDING FOR AN EFFECTIVE DATE - SECOND AND FINAL READING - PENNY.

Mayor Calabria stated that Pasadena Cove donated \$500 to the scholarship fund and questioned why their donation was not included in the budget amendment.

Finance Director Graham stated that this ordinance can be amended. He explained that the \$500 that was donated is being budgeted under Miscellaneous Revenues. He said that he wanted to increase the line item for that expenditure to \$2,000 without affecting our fund balance.

Mayor Calabria stated that he is going to start a program to try to increase the Scholarship fund by asking residents to contribute.

TO BE PLACED ON REGULAR MEETING AGENDA

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UNFINISHED BUSINESS

(Continued from the May 14, 2013 Regular Commission Meeting.)

2. MOTION - TO RATIFY AND APPROVE THE MOTLEY RICE LLC CONTRACT OF INVESTIGATION AND REPRESENTATION IN CONNECTION WITH THE CITY OF SOUTH PASADENA'S CLAIM TO RECOVER DAMAGES RESULTING FROM THE DEEPWATER HORIZON OIL SPILL IN 2010 - CALABRIA.

Mayor Calabria read his letter addressed to Motley Rice LLC (attached to Minutes as Exhibit A). He said that he feels we cannot take action on this item until we get a response.

City Attorney Ottinger stated that the firm said that they would respond.

TO BE PLACED ON REGULAR MEETING AGENDA

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 MAY, 2013 ON FILE IN CITY CLERK'S OFFICE
AGENDA MEETING, MAY 7, 2013; ADMINISTRATIVE WORKSHOP MEETING, MAY 7, 2013; REGULAR COMMISSION MEETING, MAY 14, 2013; ADMINISTRATIVE WORKSHOP MEETING, MAY 21, 2013.

TO BE PLACED ON REGULAR MEETING CONSENT AGENDA

4. ACCEPTANCE OF FINANCIAL REPORTS FOR THE MONTHS OF JANUARY, FEBRUARY, MARCH, 2013 (ON FILE IN THE FINANCE DEPARTMENT).

TO BE PLACED ON REGULAR MEETING CONSENT AGENDA

NEW BUSINESS

5. RESOLUTION NO. 2013-08 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, TO AUTHORIZE PARTICIPATION IN THE FLORIDA MUNICIPAL INVESTMENT TRUST AND TO AUTHORIZE OFFICERS OF THE CITY OF SOUTH PASADENA TO WIRE TRANSFER FUNDS TO AND FROM THE FLORIDA MUNICIPAL INVESTMENT TRUST FUND - PENNY.

TO BE PLACED ON REGULAR MEETING AGENDA

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6. RESOLUTION NO. 2013-09 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING RESOLUTION NO. 2001-14 REVISING THE POLICY FOR THE DONATION OF FUNDS BY THE CITY COMMISSION - NEIDINGER.

Mayor Calabria suggested that the word "only" be inserted in Section 1 before the words "city residents". He stated that he feels it is impossible to believe that we are subsidizing non-residents of the city for their social events.

Commissioner Penny questioned whether this would be in conflict with the recreational reimbursement resolution that allows residents to be reimbursed for activities outside of the city.

Vice Mayor Neidinger questioned whether the word "only" would affect the South Pasadena Community Band as there are members that are not residents of the city and they perform in Treasure Island.

Finance Director Graham suggested that this item be discussed at an Administrative Workshop meeting. He said that there is a resolution for Recreational Reimbursement that is separate from this resolution. He stated that the Civic Association's reimbursement for bus transportation is paid from the Recreational Reimbursement line item.

Vice Mayor Neidinger stated she would like to withdraw Resolution No. 2013-09 from being placed on the Regular Commission Meeting agenda and discuss this at an Administrative Workshop.

DISPOSITION: WITHDRAWN

7. RESOLUTION NO. 2013-10 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING RESOLUTION NO. 2006-09 REVISING THE RULES OF PROCEDURE FOR CITY COMMISSION MEETINGS - PENNY.

Commissioner Penny stated he would like to withdraw Resolution No. 2013-10 from being placed on the Regular Commission Meeting agenda.

DISPOSITION: WITHDRAWN

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8. MOTION - TO AUTHORIZE MAYOR CALABRIA TO SIGN INTERLOCAL SERVICE AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF SOUTH PASADENA FOR TRAFFIC CONTROL SIGNALS AND RELATED DEVICES - HOWRY.

TO BE PLACED ON REGULAR MEETING AGENDA

9. MOTION - TO APPOINT TWO MEMBERS TO THE PLANNING & ZONING BOARD, FOR THREE YEAR TERMS, ACCORDING TO BALLOT AND RANKING - ELSON.

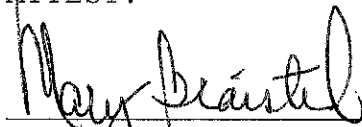
TO BE PLACED ON REGULAR MEETING AGENDA

There being no further discussion, the meeting was adjourned at 9:25 a.m.



Dan Calabria, Mayor

ATTEST:



Mary Braisted, City Clerk

06-04 13g



City of South Pasadena

2013 MAY 23 AM 11:30

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COPY cc MFB JG

T. David Hoyle, Esq.
MotleyRice LLC
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464

May 24, 2013

Re: South Pasadena Contract of representation

Dear Mr. Hoyle,

At the most recent meeting of the City Commission of South Pasadena this contract was presented for review and approval by the Commission. Based on the discussion that took place it was decided to postpone any action until the Commission obtained additional information, relative to the following:

Your letter to me dated April 29, which revealed that the deadline for "presentment" or "presentation" of your claim "...may have passed before the County (sic) retained our firms." This was surprising in light of the urgency in the instructions from our city attorney to immediately sign and return the Contract to your firm by fax by 4:30 PM on the same day it was received, which provided no opportunity for discussion or review by the City Commission. Nevertheless, at the direction of our city attorney, the contract was signed and faxed as directed. We had been advised that this action was required because of the impending "deadline of either April 20 or 22." Therefore, please explain the reason for your letter and whether or not our claim was timely filed.

In addition, we also received a letter dated May 3, from Lisa Saltzburg of your firm on a separate issue confirming that our claim was filed "...on your behalf on April 19, 2013." This letter made no reference whatsoever to any filing deadlines.

Finally, on review of the contract we note the following underscored sentence that appears on page 1: "Any such co-counsel will first conduct a conflict check to ensure there is no conflict with the City. If any such conflict arises such co-counsel will immediately be terminated from the agreement."

Please provide us with a copy of the conflict check you received or any correspondence you received in this regard from GrayRobinson.

Thank you for your prompt response to this request and please send a copy of your response to my home address, 7068 S. Shore Dr. S., South Pasadena, FL, 33707, since I am not present at City Hall on a daily basis.

Sincerely,

Tom Calhoun
Mayor, City of South Pasadena

CC: Mary Braisted, City Clerk

Agenda Meeting
6/4/13
Exhibit A

- MAYOR _____
- V.MAYOR _____
- COMM _____
- COMM _____
- COMM _____
- CITY CLERK _____
- CITY ATTORNEY _____
- FINANCE _____
- PUBLIC WORKS _____
- PUBLIC SAFETY _____
- COMM IMPROVEMENT _____