

M I N U T E S

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, MAY 14, 2013
COMMISSION CHAMBERS - 7:00 P.M.

MAYOR CALABRIA CALLED THE MEETING TO ORDER AT 7:00 P.M. THE INVOCATION WAS GIVEN BY MAYOR CALABRIA. 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, ATTORNEY DAVID SMITH, PUBLIC WORKS DIRECTOR GARY ANDERSON, FINANCE DIRECTOR JAMES GRAHAM, PUBLIC SAFETY DIRECTOR DAYTON SALTSMAN, COMMUNITY IMPROVEMENT DIRECTOR NEAL SCHWARTZ, DEPUTY CITY CLERK CARLEY LEWIS AND ADMINISTRATIVE SECRETARY VIRGINIA ALVARADO.

PEOPLE' S FORUM

Resident June Fruland, Pasadena Isle, spoke regarding the vacant lot on Pasadena Isle, landscape concerns in front of Waters Pointe, water in the gutters on Shore Drive, and the watering days and times for residents on the island.

AGENDA COMMENT

Resident Larry Galantis, Pasadena Isle, asked what is an aerial platform quint fire apparatus.

Vice Mayor Neidinger replied that it was a fire truck.

Resident Pete Franco, Bay Island, spoke in favor of eliminating the Finance Advisory Committee.

REPORTS

Vice Mayor Neidinger stated that the Pasadena Fundamental School students could not perform at Arbor Day (April 26, 2013) but that she and Horticulturist Leggette went to the school and presented the class and winning poet with gift bags. She said that the vinyl on the Shore Drive billboard will be replaced soon.

Commissioner Penny gave an update on the city's revenues and expenditures for the General, Capital, Sewer and Reclaimed Water funds.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

Commissioner Elson stated that year to date, the city has received permitting revenues in the amount of \$60,015 compared to \$10,600 for the same period last year. He spoke regarding Walmart Market coming to South Pasadena.

Commissioner Howry stated the city is purchasing a new ladder fire truck.

Mayor Calabria proclaimed the following:

- May 18, 2013 as National Kids to Parks Day
- The month of May as Older Americans' Month

Mayor Calabria presented a Certificate of Appreciation to Pinellas County Sheriff's Deputy Frank Schiano in recognition of his reporting the March 16, 2013 Horse & Jockey British Pub fire.

EMERGENCY ITEM

MOTION WAS MADE BY COMMISSIONER PENNY, TO ADD AN EMERGENCY ITEM - RESOLUTION NO. 2013-07 - TO THE AGENDA (attached to Minutes as Exhibit A).

Commissioner Penny said that the reason for adding the emergency item is to affirm the representations made to the residents that the City Commission has decided to remove decreasing the number of current traffic lanes on Pasadena Avenue as a possible element of the South Pasadena Corridor Redevelopment Plan. It is proposed that a resolution be adopted in the form of Resolution 2013-07 which will officially amend the Corridor Redevelopment Plan to remove all such references to reduction of lanes.

He stated this resolution is proposed for consideration and approval on an emergency basis prior to the second and final reading of Ordinance 2012-03 which amends sections of the city's Comprehensive Plan because that ordinance makes reference to the Corridor Redevelopment Plan. The prior amendment Corridor Redevelopment Plan will clarify that it excludes Pasadena Avenue lane reductions.

COMMISSIONER HOWRY SECONDED THE MOTION TO ADD AN EMERGENCY ITEM TO THE AGENDA.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

VOTE:	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	MAYOR CALABRIA	NO

DISPOSITION: APPROVED

Mayor Calabria stated that this item was circulated but the City Attorney rescinded it and said it was an option to place it on the agenda.

Attorney Smith said that this Commission has the authority to do it either way - have an emergency motion to consider it or do it later. He said the thought was that this is controversial so that if this modification was made before the Comprehensive Plan amendment the citizens would understand the Comp Plan does not leave that open ended.

Commissioner Penny asked if Mayor Calabria wanted to reduce the lanes to four on Pasadena Avenue. He stated that the e-mail from City Attorney Ottinger said that we could do it either way and that he felt it was important to the people because one of the main things they wanted was to make sure the reduction of lanes was removed.

Mayor Calabria stated he felt this item was out of order.

RESOLUTION NO. 2013-07 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING A CORRIDOR REDEVELOPMENT PLAN FOR PASADENA AVENUE AS PREVIOUSLY ADOPTED PURSUANT TO RESOLUTION NO. 2012-13 ON SEPTEMBER 12, 2012.

Attorney Smith read Resolution No. 2013-07 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER HOWRY, SECONDED BY COMMISSIONER PENNY TO PASS RESOLUTION NO. 2013-07.

In response to Mayor Calabria, City Attorney Smith stated the Commission first ruled on the procedural motion as to whether to entertain an emergency consideration. Now there is a separate motion. He said one motion was procedural and the other substantive.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

Commissioner Howry stated the resolution is cleaning up the language in the development plan to remove all references to reducing lanes.

Discussion ensued regarding Resolution No. 2013-07.

Commissioner Elson stated that the intention is good.

Commissioner Neidinger stated that this is cleaning up and it is a major issue.

Mayor Calabria stated the Commission had 19-20 meetings on this corridor plan proposal and he has heard repeatedly that the lane reduction is off the table, but it was never done.

In response to Mayor Calabria, City Attorney Smith said that the resolution is legally sufficient.

In response to Mayor Calabria, City Clerk Braisted stated there was discussion between herself, the City Attorney and David Healey, about whether the resolution should be on the agenda before Ordinance No. 2012-03 is heard because of the reference of reducing lanes.

Mayor Calabria spoke against this item.

Commissioner Penny called the question.

VOTE:	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	MAYOR CALABRIA	NO

DISPOSITION: APPROVED

DISCUSSION ITEMS

MOTION WAS MADE BY MAYOR CALABRIA TO DELAY ITEM NO. 1 UNTIL WE GET THROUGH THE ROUTINE BUSINESS.

DIED FOR LACK OF A SECOND

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

MOTION WAS MADE BY MAYOR CALABRIA TO ALLOW FOR COMMISSION DISCUSSION BEFORE PUBLIC COMMENT.

DIED FOR LACK OF A SECOND

PUBLIC HEARING - LEGISLATIVE

(Continued from the April 9, 2013 Regular Commission Meeting.)

1. ORDINANCE NO. 2012-03 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING THE CITY OF SOUTH PASADENA'S COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES, LAND USE, TRANSPORTATION, INFRASTRUCTURE, COASTAL MANAGEMENT, CONSERVATION, AND CAPITAL IMPROVEMENT ELEMENTS; PROVIDING FOR AN ADDITIONAL FUTURE LAND USE MAP PLAN CATEGORY ENTITLED "PLANNED REDEVELOPMENT-MIXED USE (OVERLAY)"; PROVIDING FOR ADDITIONAL AND AMENDED GOALS, OBJECTIVES AND POLICIES BASED ON AND CONSISTENT WITH THE PASADENA AVENUE CORRIDOR REDEVELOPMENT PLAN; PROVIDING AUTHORIZATION FOR THE USE OF DEVELOPMENT AGREEMENTS SUBJECT TO THE SPECIFIC PROCEDURES AND STANDARDS APPLICABLE THERETO; AMENDING OBJECTIVES AND POLICIES THAT ARE INCONSISTENT WITH THE PLANNED-REDEVELOPMENT MIXED USE OVERLAY BY REPEALING THE PROHIBITION ON INCREASED DENSITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF - SECOND AND FINAL READING.

City Attorney Smith read Ordinance No. 2012-03 by title and approved it as to form and content.

This Ordinance has been properly noticed.

Mayor Calabria opened the public hearing at 7:42 p.m.

The following residents spoke against Ordinance No. 2012-03: Charles Scott, Pasadena Isle, Pete Franco, Bay Island, Terry Dilworth, Bay Island, June Fruiland, Pasadena Isle, Maryann Daugherty, Bay Island.

Commissioner Penny stated that this gives us the opportunity to discuss any changes to the code. He further stated that if the new ordinance is not passed, we cannot consider any opportunity for discussion on any project that might come to the city in the future.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

Discussion ensued regarding Ordinance No. 2012-03.

Commissioner Howry stated this is not something that we've been rushing and that the Commission has been meeting and discussing this for two years.

Mayor Calabria stated that he had 700 objections to this ordinance and those are the voters that elected him Mayor.

The following residents spoke against Ordinance No. 2012-03: Gisela Laubitz, 1432 Durling Drive South, Al Friend, Bay Island.

Mayor Calabria stated the Mayor's Advisory Committee, at their January, 2010 meeting, suggested this be taken before the residents and businesses.

There being no further public comment, Mayor Calabria closed the public hearing at 8:19 p.m.

Commissioner Neidinger stated she feels the business corridor is in terrible need of improvement. She further stated there are over 12 empty lots and buildings. She said that she feels it is time to encourage development and the current plan does not allow for that type of discussion.

Commissioner Elson stated this allows us to discuss possible changes and it is not about residential areas. He said this is about commercial properties bordering Pasadena Avenue.

Mayor Calabria read from the city's March 10, 2008 Comprehensive Plan (attached to Minutes as Exhibit B).

MOTION WAS MADE BY MAYOR CALABRIA TO REJECT THE MOTION (ORDINANCE) IN ITS ENTIRETY.

DIED FOR LACK OF A SECOND

MOTION WAS MADE BY COMMISSIONER HOWRY, SECONDED BY COMMISSIONER ELSON TO PASS ORDINANCE NO. 2012-03 ON SECOND READING AND FINAL READING.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

MOTION WAS MADE BY COMMISSIONER PENNY TO AMEND ORDINANCE NO. 2012-03 AS FOLLOWS:

SECTION 1. DENSITY/INTENSITY AND OTHER STANDARDS TO READ: AS SET FORTH IN THE CITY'S LAND DEVELOPMENT REGULATIONS, BASED ON THE PASADENA AVENUE CORIDOR REDEVELOPMENT PLAN AND CORRESPONDING SPECIAL AREA PLAN.

SECTION 2. POLICY 101.103 TO READ: THE PURPOSE, USE CHARACTERISTICS, LOCATION CHARACTERISTICS, AND TRAFFIC GENERATION RATES FOR EACH OF THE CITY'S LAND USE PLAN CATEGORIES SHALL BE CONSISTENT WITH THOSE SET FORTH IN THE PINELLAS PLANNING COUNCIL COUNTYWIDE RULES.

SECTION 5. FIRST PARAGRAPH TO READ: THE COMPREHENSIVE PLAN, LAND USE, GOAL 101, OBJECTIVE 101.10 AND POLICIES 101.1001, 101.1002, AND 101.1003 ON PG. 1-5 ARE DELETED OR REPLACED AS FOLLOWS:

OBJECTIVE 101.10

COORDINATE ALL DEVELOPMENT AND REDEVELOPMENT, INCLUDING ANY IMPROVEMENTS TO OR REDESIGN OF S.R. 693, PURSUANT TO APPROPRIATE CONGESTION MANAGEMENT TECHNIQUES AND PROJECT DEVELOPMENT REQUIREMENTS THAT WILL MONITOR ANY INCREASED DENSITY OR INTENSITY TO INSURE THAT IT DOES NOT OVERBURDEN S.R. 693.

POLICY 101.1001

IN PARTICULAR, ALL DEVELOPMENT AND REDEVELOPMENT SHALL CONSIDER THE POTENTIAL IMPACT ON EMERGENCY MANAGEMENT PLANS AND HURRICANE EVACUATION BASED ON THE CURRENT PINELLAS COUNTY LOCAL MITIGATION STRATEGY AND THE STATEWIDE REGIONAL EVACUATION STUDY (SRES) FOR THE TAMPA BAY REGION.

SECTION 6. POLICY 101.1202 TO READ: ADD RESIDENTIAL USES THAT ARE ACCESSORY TO A COMMERCIAL USE AS A PERMITTED USE IN THE COMMERCIAL GENERAL LAND USE CATEGORY.

SECTION 7. POLICY 103.103 TO READ: PURSUE AND IMPLEMENT, AS DETERMINED FEASIBLE CONSISTENT WITH THE ANALYSIS REQUIRED BY THE DEPARTMENT OF TRANSPORTATION, THE REDESIGN OF PASADENA AVENUE TO IMPROVE ITS SAFETY, FUNCTION AND APPEARANCE TO ASSIST IN ACHIEVING THE RECOMMENDATIONS OF THE CORRIDOR REDEVELOPMENT PLAN.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

COMMISSIONER NEIDINGER SECONDED THE MOTION TO AMEND
ORDINANCE NO. 2012-03.

Mayor Calabria questioned how the amendments came about.

City Clerk Braisted stated that that the amendments
incorporate the changes that were made in the red line
version (December 4, 2012) of Ordinance No. 2012-03.

Mayor Calabria stated that he objected to the practice and
the conduct of how this meeting was conducted tonight.

Commissioner Penny called the question.

VOTE ON MOTION TO AMEND ORDINANCE NO. 2012-03:

COMMISSIONER PENNY	AYE
VICE MAYOR NEIDINGER	AYE
COMMISSIONER HOWRY	AYE
COMMISSIONER ELSON	AYE
MAYOR CALABRIA	NO

DISPOSITION: APPROVED

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2012-03 ON SECOND AND
FINAL READING AS AMENDED:

VOTE:	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	MAYOR CALABRIA	NO

DISPOSITION: APPROVED

UNFINISHED BUSINESS

NONE

CONSENT AGENDA

MOTION WAS MADE BY VICE MAYOR NEIDINGER, SECONDED BY
COMMISSIONER PENNY TO PASS THE ENTIRE CONSENT AGENDA.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

2. APPROVAL OF COMMISSION MEETING MINUTES FOR MONTH OF APRIL, 2013 ON FILE IN CITY CLERK'S OFFICE
AGENDA MEETING, APRIL 2, 2013; ADMINISTRATIVE WORKSHOP MEETING, APRIL 2, 2013; REGULAR COMMISSION MEETING, APRIL 9, 2013; ADMINISTRATIVE WORKSHOP MEETING, APRIL 16, 2013.
3. ACCEPTANCE OF FINANCIAL REPORTS FOR THE MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER 2012 (ON FILE IN THE FINANCE DEPARTMENT).

UNANIMOUS APPROVAL BY ACCLAMATION

NEW BUSINESS

4. 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.

Attorney Smith read Ordinance No. 2013-01 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY VICE MAYOR NEIDINGER TO PASS ORDINANCE NO. 2013-01 ON FIRST READING.

Mayor Calabria stated that in addition to his contribution to the scholarship fund, the city also received \$500 from Pasadena Cove. He encouraged residents to contribute to the fund.

VOTE:	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	MAYOR CALABRIA	AYE

UNANIMOUSLY APPROVED

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

5. RESOLUTION NO. 2013-04 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING RESOLUTION NO. 2004-11 TO INCREASE THE AMOUNT OF THE SOUTH PASADENA SCHOLARSHIP AWARD FROM \$1,000 TO \$2,000.

Attorney Smith read Resolution No. 2013-04 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER HOWRY TO PASS RESOLUTION NO. 2013-04.

VOTE:	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	MAYOR CALABRIA	AYE

UNANIMOUSLY APPROVED

6. RESOLUTION NO. 2013-05 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, URGING THE ADMINISTRATION AND CONGRESS OF THE UNITED STATES TO PRESERVE THE CURRENT TAX-EXEMPT STATUS OF MUNICIPAL BONDS, AND REJECT ANY PROPOSAL THAT WOULD REDUCE OR ELIMINATE THE FEDERAL TAX EXEMPTION ON INTEREST EARNED FROM TAX-EXEMPT MUNICIPAL BONDS.

Attorney Smith read Resolution No. 2013-05 by title and approved it as to form and content.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO PASS RESOLUTION NO. 2013-05.

VOTE:	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	MAYOR CALABRIA	AYE

UNANIMOUSLY APPROVED

7. RESOLUTION NO. 2013-06 - A RESOLUTION OF THE CITY OF SOUTH PASADENA, FLORIDA, REPEALING RESOLUTION NO. 92-10 AND DISSOLVING THE FINANCE ADVISORY COMMITTEE.

Attorney Smith read Resolution No. 2013-06 by title and approved it as to form and content.

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY VICE MAYOR NEIDINGER TO PASS RESOLUTION NO. 2013-06.

VOTE:	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	MAYOR CALABRIA	AYE

UNANIMOUSLY APPROVED

8. MOTION - TO AWARD THE CONTRACT FOR THE PURCHASE OF AN AERIAL PLATFORM QUINT FIRE APPARATUS FOR THE FIRE DEPARTMENT TO SUTPHEN CORPORATION, AT A COST NOT TO EXCEED \$850,446.63.

MOTION WAS MADE BY COMMISSIONER HOWRY, SECONDED BY COMMISSIONER PENNY TO AWARD THE CONTRACT FOR THE PURCHASE OF AN AERIAL PLATFORM QUINT FIRE APPARATUS FOR THE FIRE DEPARTMENT TO SUTPHEN CORPORATION, AT A COST NOT TO EXCEED \$850,446.63.

VOTE:	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	MAYOR CALABRIA	AYE

UNANIMOUSLY APPROVED

9. 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.

MOTION WAS MADE BY COMMISSIONER ELSON, SECONDED BY COMMISSIONER HOWRY 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.

Mayor Calabria read City Attorney Ottinger's memo (attached to Minutes as Exhibit C) in response to his questions. He

REGULAR COMMISSION MEETING
TUESDAY, MAY 14, 2013 - 7:00 P.M.

spoke regarding the time frame for signing the contract. He stated that he had concerns with Gray Robinson receiving a contingency fee (33%).

Commissioner Howry questioned whether Mayor Calabria wanted to withdraw the request for the money.

Mayor Calabria stated that Gray Robinson is our City Attorney and we contract with them and pay them. He further stated that he cannot approve their participating as a contingency partner in this lawsuit.

Commissioner Howry stated that we may want to continue this item until we get more information.

Attorney Smith stated the lawsuit has been filed and this action is to ratify the contract.

THE MAKER AND SECOND OF THE MOTION AGREED TO REMOVE THE ORIGINAL MOTION AND TO CONTINUE IT TO THE JUNE 11, 2013 REGULAR COMMISSION MEETING IN ORDER TO CLARIFY WHETHER OR NOT THIS IS A CONFLICT OF INTEREST AND THAT IF IT IS, GRAY ROBINSON SHOULD NOT PARTICIPATE IN THE CONTINGENCY FEE IF IT'S SUCCESSFUL AND IF IT WAS FILED TIMELY.

VOTE:	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER HOWRY	AYE
	MAYOR CALABRIA	AYE

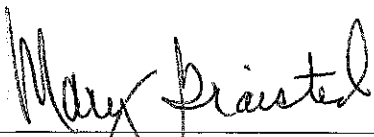
UNANIMOUSLY APPROVED

There being no further discussion, the meeting was adjourned at 9:15 p.m.



Dan Calabria, Mayor

ATTEST:



Mary Braisted, City Clerk
05-14.13r

RESOLUTION NO. 2013-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING A CORRIDOR REDEVELOPMENT PLAN FOR PASADENA AVENUE AS PREVIOUSLY ADOPTED PURSUANT TO RESOLUTION NO. 2012-13 ON SEPTEMBER 12, 2012.

WHEREAS, the City Commission approved Resolution No. 2012-13 adopting the "South Pasadena Corridor Redevelopment Plan, Phase One Summary Report", hereinafter referred to as the Corridor Redevelopment Plan; and

WHEREAS, the City Commission has considered amendments to the City's Comprehensive Plan policies as set forth in Ordinance No. 2012-03, based in part on the Corridor Redevelopment Plan; and

WHEREAS, the City Commission has held public hearings and public meetings in consideration of the amendments to the Comprehensive Plan and their relationship to the Corridor Redevelopment Plan; and

WHEREAS, the City Commission has received comments from external review agencies on the proposed Comprehensive Plan amendments, which comments are being addressed in proposed revisions to Ordinance No. 2012-03 at second reading; and

WHEREAS, there has been considerable public sentiment expressed in relationship to certain provisions in the Corridor Redevelopment Plan related to the potential redesign of Pasadena Avenue; and

WHEREAS, that public sentiment does not support the reduction of Pasadena Avenue from six (6) to four (4) through travel lanes; and

WHEREAS, the City Commission desires that this public sentiment be recognized, and that the provisions of the Corridor Redevelopment Plan be amended accordingly prior to the adoption of Ordinance No. 2012-03.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of South Pasadena, Florida, that the City of South Pasadena Corridor Redevelopment Plan Phase One Summary Report

dated January, 2012 and attached hereto as Exhibit "A", is hereby amended as set forth following:

SECTION 1. All references in the Corridor Redevelopment Plan Phase One Summary Report proposing to consider changing Pasadena Avenue from six (6) to (4) lanes are hereby deleted.

SECTION 2. All corresponding references to "preferred section redesign", "preferred roadway option" or like terminology, and all illustrations depicting such change from six (6) to four (4) lanes are hereby deleted.

SECTION 3. In replacement of the above-referenced deletions, the following language will be added under the paragraph titled "Opportunity for Improvement" on pg. 16:

"The City will continue to explore, in conjunction with the Department of Transportation, and other interested parties, mutually acceptable means to improve:

- Traffic safety, movement and access management;
- Provisions for public transit;
- Pedestrian accessibility and safety;
- Provisions to accommodate bicyclists; and
- Street furnishings, traffic equipment signage, and landscaping".

SECTION 4. Any future changes proposed to Pasadena Avenue will be approved by the City Commission, after notice and consideration at public hearing.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2013.

Dan Calabria, Mayor

ATTEST:

Mary Braisted, City Clerk

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

RES 2013-07-2

COPY FOR CITY CLERK
5/14/2013

CITY OF SOUTH PASADENA



COMPREHENSIVE PLAN

Goals, Objectives and Policies

Reg Comm Mtg
5/14/13
Exhibit B

March 10, 2008

LAND USE

GOAL 101

Provide for future growth and development that proceeds on an orderly and well-designed manner, and ensures organization of land uses in a form that will best serve the needs of the residents.

OBJECTIVE 101.1

Limit the City's ultimate population, based upon the adequacy of existing services, traffic considerations, and density concerns relating to development height, bulk and density.

POLICY 101.101

Regulations which will govern land use categories included on the future land use map, subdivisions, signage, and areas subject to seasonal or periodic flooding shall continue to be strictly enforced.

POLICY 101.102

The City shall enforce standards such as dwelling units per acre (DUPA), Floor Area Ratios (FAR), Impervious Surface Ratios (ISR), and densities or intensities of use for each future land use category as follows:

Residential Low	Max. of 5.0 (DUPA)
Residential Low Medium	Max. of 10.0 (DUPA)
Residential Medium	Max. of 15.0 (DUPA)
Residential High	Max. of 15.5 (DUPA)
Commercial General	FAR of 0.55, ISR of 0.90
Commercial General-Water Dependent	FAR of 0.50, ISR of 0.90
Institutional	Max. of 10.0 DUPA FAR of 0.65, ISR of 0.85
Institutional-Public	Max. of 1.0 DUPA FAR of 0.65, ISR of 0.85
Recreation/Open Space	FAR of 0.25, ISR of 0.60
Preservation	

HOUSING

GOAL 301

To preserve neighborhoods and to protect and enhance neighborhood amenities while meeting the needs of future residents.

OBJECTIVE 301.1

Continue to enforce land use regulations which provide for a variety of standard housing units for existing and anticipated residents.

POLICY 301.101

Investigate the possible availability of federal, state and local housing subsidy programs.

POLICY 301.102

Coordinate land use planning with the projected population to anticipate and meet housing needs.

POLICY 301.103

Develop and enforce impact evaluation standards for residential projects as part of the permit review process.

OBJECTIVE 301.2

Maintain and improve existing housing quality and neighborhoods.

POLICY 301.201

Encourage the development of "clean up, fix up, paint up" campaigns through the City Beautification Committee.

POLICY 301.202

Develop and adopt a minimum housing code.

POLICY 301.203

Rigidly enforce building and safety codes.

OBJECTIVE 301.3

Encourage private sector entities to provide nondiscriminatory access to housing within the City.

POLICY 301.301

Support fair housing laws and practice.

(FIRST VERSION - OCT. 9, 2012 / SECOND VERSION - MAY 12, 2013)

1. Ord. 2012-03 - Planned Redevelopment - Mixed use. (Commission Mtg. Agenda, April 9, 2013) Consistent with Pasadena Avenue Redevelopment Plan. Deleting objectives & policies inconsistent with the Planned-Development Mix use overlay.
2. "Providing for Repealing" - By repealing the prohibition on increased density.
3. Section 5 - Repeals objectives 101.1001, 101.1002 and 101.1003
4. Section 6 - Policy 101.1201, Deletes "without increasing density."
Policy 101.1202, Deletes (Adds residential uses) "that are accessory to a commercial use."
5. Section 10 - Policy 403.101, (Require on-site) "or approved off-site" (water retention on all new or remodeled development in the City.) What is definition of "approved off-site" and where are they located?
6. Section 11 - Policy 502.106 - Coastal Management Policy, 502.106 - new definition of Coastal High Hazard Area -
What does this involve? Was it filed with any agency? Which one(s)?
When?
7. Section 12 - Policy 502.206, "as suitable for reduced density and intensity"
DELETED
8. Section 13 - Objective 502.4, "The City shall not increase residential density beyond the number of existing residential units as of September 6, 1989 unless the increase is a result of annexation." DELETED
9. Section 14 - Policy 504.402, "Encourage coastal cities using Corey Causeway as an evacuation route to reduce densities within their cities."
DELETED -- WHY?
10. Section 16 - Objective 901.4 "The citizens shall not use public funds to subsidize or encourage development in the Coastal High Hazard Areas of the City" DELETED
Objective 901.401 "South Pasadena shall strongly discourage any development which would result in higher density in the Coastal High Hazard Area and where possible shall remove this area from development through transfer of development rights to outside the Coastal High Hazard area." DELETED

WHY?

WHY?

WHY?

(?)

WHY?

WHY?

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Questions:

While meetings were held by a former mayor and the consultant with Mortgage Investors Corp. Colliers-Arnold, Inc. and Palms of Pasadena Hospital - other than a form thank you letter sent to those 3 entities, there is no record of the purpose of those meetings, the identities of who they met with, or what was discussed at those meetings. What occurred at those meetings?

WHY IS THERE NO MENTION OF burying utility lines throughout the city, beautification and increased safety of pedestrian crosswalks?

I plan to schedule personal discussions with the FDOT to solicit their help and cooperation in revitalizing Pasadena Avenue, including a stop light at Bay Islands...*(more to be discussed using Minutes at Admin Workshops from which commissioners will be quoted).*

Note: Our Public Works Department is currently in discussions with one or more utilities relative to burying utility wires - why can't we wait until we learn what we need to know about this project and how the utilities might work together with us to accomplish this major breakthrough project? How can we make decisions relating to factors about which we lack important information?

As I recall, this exercise began on the premise that some kind of super high speed bus service would be passing through our City and somehow have a very negative effect on our residents and businesses. However, what we are being asked to approve is a proposal that does not provide anything resembling factual information with respect to this as yet unknown high speed bus service.

There is a complete absence of any reference whatsoever, *not a syllable* or a comma, to any discernible benefit to the residents of South Pasadena who will be burdened with expenses and obligations for the foreseeable future which will result from these proposals, and will change both the character and nature of South Pasadena forever.

WITHDRAWN AMENDMENT? -LANE REDUCTION
-BIKE LANES

In summary, I believe we have a great deal more work to do before we consider passing any Ordinance of this nature. There are parts of this Ordinance that should remain in a new attempt to address ^ethese challenges that face our City. However, the focus must be on a plan that addresses the character and nature of South Pasadena and its residents, AND should not involve any form of subsidy to private parties and any proposals they submit to help us in this effort. To do otherwise will surely involve tax increases that we cannot afford, simply because a huge percentage of our residents are retired and on fixed incomes. It's unconscionable to even think about adding to their financial burdens at this time in their lives and will not result in attracting new multi-story commercial businesses and residences.

"DROP DEAD DATE" (?)

MEMO

TO: MAYOR AND COMMISSION

FROM: CITY ATTORNEY DAVID OTTINGER

SUBJECT: RATIFICATION OF LEGAL SERVICES AGREEMENT FOR
BP OIL SPILL CLAIM

DATE: MAY 2, 2013

The three year statute of limitations where parties damaged by the BP oil spill could bring independent legal actions was due to expire on April 20, 2013 (the 3rd anniversary of the initial well blow-out). We were able to provide historical financial information for the City to the Motley Rice law firm in South Carolina to evaluate whether South Pasadena had sufficient damages to justify filing a claim. The firm recommended that the City file an independent law suit in federal court prior to the expiration of the statute of limitations and requested that the City enter into its regular contingent fee legal services contract to authorize it to prepare the complaint for filing with the court.

There being no time to call a special meeting to approve that contract and a contract providing payment of legal fees and costs only out of any recovery, I recommended that the contract be executed to permit the filing of a timely claim. Due to the immediate unavailability of Mayor Calabria, Vice Mayor Neidinger executed the contract on behalf of the City. This did enable the law firm to complete the federal court pleadings to file the case on Friday, April 19, 2013.