

M I N U T E S

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, JUNE 11, 2013
COMMISSION CHAMBERS 7:00 P.M.

MAYOR CALABRIA CALLED THE MEETING TO ORDER AT 7:00 P.M. THE INVOCATION WAS GIVEN BY COMMISSIONER PENNY. ALL PARTICIPATED IN THE PLEDGE TO THE FLAG.

ROLL CALL: COMMISSIONERS MAX ELSON, ARTHUR PENNY, VICE MAYOR GAIL NEIDINGER AND MAYOR DAN CALABRIA. ABSENT: COMMISSIONER BRUCE HOWRY. ALSO PRESENT: CITY CLERK MARY BRAISTED, CITY ATTORNEY DAVID OTTINGER, FINANCE DIRECTOR JAMES GRAHAM, DEPUTY CHIEF MARK MADDALENA, COMMUNITY IMPROVEMENT DIRECTOR NEAL SCHWARTZ AND ADMINISTRATIVE SECRETARY VIRGINIA ALVARADO.

PEOPLE'S FORUM

Resident Billie Williams, Pasadena Isle, spoke regarding past audits and asked where the city's money is being spent.

Resident Larry Galantis, Pasadena Isle, questioned the Request for Proposal (RFP) process regarding the city hiring the consultant for the Redevelopment Plan.

City Attorney Ottinger explained that the State's Consultants Competitive Negotiation Act allows for certain consulting services to be negotiated rather than going out for an RFP.

Resident Paul Schiano, Harbourside, stated that he is currently a member of the Planning & Zoning Board and that he would like to continue on the Board.

Resident Fred Held, Bay Island, read a prepared statement on decorum at meetings (attached to Minutes as Exhibit A).

AGENDA COMMENT

There was no participation under Agenda Comment.

REPORTS

Commissioner Elson announced that Community Improvement Director Schwartz recently received the Building Official of the Year Award. He stated that the city collected \$21,862 in permitting fees this year compared to \$4,900 for the same time last year.

REGULAR COMMISSION MEETING
TUESDAY, JUNE 11, 2013 - 7:00 P.M.

Commissioner Penny stated the Finance Department is busy working on the budget (FY 2013-2014).

Vice Mayor Neidinger stated the city is working on getting a response from Verizon and Bright House regarding undergrounding wires.

Mayor Calabria stated the Administration Department is working on redesigning the city's website. He proclaimed the month of June 2013 as Hurricane Awareness Month and Civility Month.

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.

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

This Ordinance has been properly noticed.

Mayor Calabria opened the public hearing 7:18 p.m. There being no public comment, Mayor Calabria closed the public hearing at 7:19 p.m.

Mayor Calabria encouraged residents to contribute to the scholarship fund. He stated that Pasadena Cove recently donated \$500 to the fund.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON, TO ADOPT ORDINANCE NO. 2013-01 ON SECOND AND FINAL READING.

REGULAR COMMISSION MEETING
TUESDAY, JUNE 11, 2013 - 7:00 P.M.

MOTION WAS MADE BY MAYOR CALABRIA, SECONDED BY COMMISSIONER ELSON TO AMEND ORDINANCE NO. 2013-01 AS FOLLOWS:

SECTION 1 OF ORDINANCE NO. 2012-01 GENERAL FUND-MISCELLANEOUS REVENUE IS HEREBY INCREASED BY \$1,500, FROM \$47,770 TO \$49,270 AND GENERAL FUND - FUND BALANCE IS HEREBY DECREASED BY \$500 FROM \$680,055 TO \$679,555.

VOTE TO AMEND ORDINANCE NO. 2013-01:

COMMISSIONER ELSON	AYE
COMMISSIONER PENNY	AYE
VICE MAYOR NEIDINGER	AYE
MAYOR CALABRIA	AYE

UNANIMOUSLY APPROVED

VOTE TO ADOPT ORDINANCE NO. 2013-01 AS AMENDED:

COMMISSIONER PENNY	AYE
VICE MAYOR NEIDINGER	AYE
COMMISSIONER ELSON	AYE
MAYOR CALABRIA	AYE

UNANIMOUSLY APPROVED

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 stated this item was continued from the May 14, 2013 Regular Commission Meeting. He spoke regarding the timing for filing the lawsuit and a response letter from Motley Rice. He said that if the city receives a monetary award, it would be subject to a 33% contingency fee. He questioned that if Gray Robinson is representing us as our City Attorney, then why would they be representing us as a contingency partner in the lawsuit. Mayor Calabria stated that he is waiting for a response from Motley Rice regarding a conflict check and suggested this item be continued.

REGULAR COMMISSION MEETING
TUESDAY, JUNE 11, 2013 - 7:00 P.M.

In response to Mayor Calabria, City Attorney Ottinger stated that Gray Robinson did an internal check there is no conflict. He further stated that Gray Robinson is ethically obligated to make sure there is no conflict with BP.

Mayor Calabria stated that he discussed this with Attorney David Kean, Motley Rice, and they agreed that they would look into this and that he is waiting to hear back.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY VICE MAYOR NEIDINGER TO CONTINUE THE 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 TO THE JULY 1, 2013 REGULAR COMMISSION MEETING.

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

UNANIMOUSLY APPROVED

CONSENT AGENDA

MOTION WAS MADE BY COMMISSIONER ELSON, SECONDED BY COMMISSIONER PENNY TO PASS THE ENTIRE CONSENT AGENDA.

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

UNANIMOUS APPROVAL BY ACCLAMATION

REGULAR COMMISSION MEETING
TUESDAY, JUNE 11, 2013 - 7:00 P.M.

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.

MOTION WAS MADE BY VICE MAYOR NEIDINGER, SECONDED BY COMMISSIONER PENNY TO PASS RESOLUTION NO. 2013-08.

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

UNANIMOUSLY APPROVED

6. 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.

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

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

UNANIMOUSLY APPROVED

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

The City Commission ranked the applicants.

REGULAR COMMISSION MEETING
TUESDAY, JUNE 11, 2013 - 7:00 P.M.

City Clerk Braisted tallied the scores. As there was a tie for the second member, the Commission ranked the applicants again. City Clerk Braisted tallied the scores (attached to Minutes as Exhibit B). There was a second tie.

Commissioner Penny suggested delaying the vote until all five Commission members are present.

City Attorney Ottinger stated that the vote for the alternate member could take place at the July 1, 2013 Regular Commission Meeting.

MOTION WAS MADE BY VICE MAYOR NEIDINGER, SECONDED BY COMMISSIONER PENNY TO APPOINT PAUL SCHIANO AS REGULAR MEMBER TO THE PLANNING AND ZONING BOARD FOR A THREE YEAR TERM ACCORDING TO BALLOT AND RANKING AND THAT THE ALTERNATE MEMBER BE APPOINTED AT THE JULY 1, 2013 REGULAR COMMISSION MEETING.

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

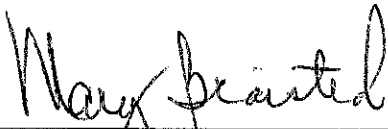
UNANIMOUSLY APPROVED

There being no further discussion, the meeting was adjourned at 7:38 p.m.



Dan Calabria, Mayor

ATTEST:



Mary Braisted, City Clerk
06-11.13r

Rules Form
#7 "UNDER AGENDA COMMENTS"

RESOLUTION
2006-09 - RULES OF PROCEDURE

AFTER LAST MONTHS REGULAR COMMISSION MEETING, "AN EPISODE ON HOW NOT TO PRESERVE ORDER & DECURUM" I AGREE THAT THE CITY COMMISSION SHOULD UPHOLD ITS RULES OF PROCEDURE & MAKE SURE THE RULES ARE ENFORCED. ANY CITY RESIDENT SHOULD BE TREATED EQUALLY, WHETHER THE PRESIDING OFFICER AGREES WITH THEM OR NOT. IF THE COMPLAINING CITY RESIDENT IS OUT OF ORDER THEY SHOULD BE TOLD SO AND IF THEY CONNTINUE TO BE OUT OF ORDER THEY SHOULD BE REMOVED FROM THE CHAMBERS. IF CLAPPING OCCURS OR HISSING AND BOOING, SIMILAR RULES SHOULD PREVAIL. EVERY CITY RESIDENT AND TAX PAYER SHOULD BE TREATED ALIKE & IF ANY COMMISSION MEMBERS ARE OUT OF RDER, THEY SHOULD BE HELD TO THE SAME RULES ^{THAT} ~~THE~~ THE CITY RESIDENTS ARE. THE PRESIDING OFFICER MUST REMAIN NUTURAL AND SHOW HIS FAIRNESS TO PRESERVE STRICT ORDER & DECORUM. FOR EXAMPLE IF YOUR MOTHER WAS IN THE AUDIENCE & OUT OF ORDER, YOU WOULD HAVE TO TELL HER SHE WAS OUT OF ORDER & IF SHE DIDN'T STOP, SHE WOULD BE REMOVED FROM THE CHAMBERS. LET'S BE HONEST WITH OURSELVES, WHEN YOUR AN ELECTED OFFICIAL YOU REPRESENT ALL THE PEOPLE IN OUR CITY NOT JUST THE PEOPLE YOU PERSONALLY AGREE OR LIKE. A PRESIDING OFFICER MUST BE UNBIAS~~E~~D AND FAIR. ABIDE BY ROBERTS RULES OF ORDER NOT YOUR OWN AND HAVE A PROFESSIONAL MEETING BY FOLLOWING THE ^{RULES} ~~RULES~~ OF PROCEDURE. UNDER RESOLUTION²⁰⁰⁶⁻⁰⁹

Steve Hill

Reg Comm Mtg
6/11/13
Exhibit A

Tally Sheet

PLANNING & ZONING BOARD

RANKING SHEET

<u>APPLICANT</u>	<u>RANK</u>	
JOSEPH COLLINS	<u>6</u>	- (6)
PAUL SCHIANO	<u>12</u>	Regular
CYNTHIA SKIPWITH	<u>6</u>	(6)

Mary Braisted
Signature

EACH PERSON IS RANKED ON A SCALE FROM ONE TO THREE WITH THREE BEING THE HIGHEST. EACH APPLICANT MUST RECEIVE A NUMBER. NO NUMBER MAY BE USED MORE THAN ONCE. THE APPLICANT WITH THE HIGHEST TOTAL WILL BE APPOINTED AS REGULAR MEMBER AND THE SECOND HIGHEST WILL BE APPOINTED AS ALTERNATE TO THE PLANNING & ZONING BOARD FOR A THREE YEAR TERM.

PLANNING & ZONING BOARD

RANKING SHEET

<u>APPLICANT</u>	<u>RANK</u>
✓ JOSEPH COLLINS	<u>2</u> (2)
PAUL SCHIANO	<u>3</u>
✓ CYNTHIA SKIPWITH	<u>1</u> (1)

Max V. Edson
Signature

EACH PERSON IS RANKED ON A SCALE FROM ONE TO THREE WITH THREE BEING THE HIGHEST. EACH APPLICANT MUST RECEIVE A NUMBER. NO NUMBER MAY BE USED MORE THAN ONCE. THE APPLICANT WITH THE HIGHEST TOTAL WILL BE APPOINTED AS REGULAR MEMBER AND THE SECOND HIGHEST WILL BE APPOINTED AS ALTERNATE TO THE PLANNING & ZONING BOARD FOR A THREE YEAR TERM.

PLANNING & ZONING BOARD

RANKING SHEET

<u>APPLICANT</u>	<u>RANK</u>	
✓ JOSEPH COLLINS	<u>1</u>	(1) (1)
PAUL SCHIANO	<u>3</u>	
✓ CYNTHIA SKIPWITH	<u>2</u>	(2)

Don Colahan
Signature

EACH PERSON IS RANKED ON A SCALE FROM ONE TO THREE WITH THREE BEING THE HIGHEST. EACH APPLICANT MUST RECEIVE A NUMBER. NO NUMBER MAY BE USED MORE THAN ONCE. THE APPLICANT WITH THE HIGHEST TOTAL WILL BE APPOINTED AS REGULAR MEMBER AND THE SECOND HIGHEST WILL BE APPOINTED AS ALTERNATE TO THE PLANNING & ZONING BOARD FOR A THREE YEAR TERM.

PLANNING & ZONING BOARD

RANKING SHEET

<u>APPLICANT</u>	<u>RANK</u>	
✓ JOSEPH COLLINS	<u>1</u>	①
PAUL SCHIANO	<u>3</u>	
✓ CYNTHIA SKIPWITH	<u>2</u>	②



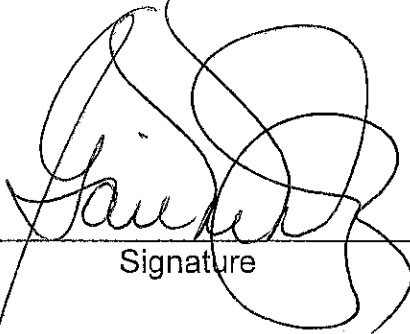
Signature

EACH PERSON IS RANKED ON A SCALE FROM ONE TO THREE WITH THREE BEING THE HIGHEST. EACH APPLICANT MUST RECEIVE A NUMBER. NO NUMBER MAY BE USED MORE THAN ONCE. THE APPLICANT WITH THE HIGHEST TOTAL WILL BE APPOINTED AS REGULAR MEMBER AND THE SECOND HIGHEST WILL BE APPOINTED AS ALTERNATE TO THE PLANNING & ZONING BOARD FOR A THREE YEAR TEARM.

PLANNING & ZONING BOARD

RANKING SHEET

<u>APPLICANT</u>	<u>RANK</u>
✓ JOSEPH COLLINS	<u>2</u> (2)
PAUL SCHIANO	<u>3</u>
✓ CYNTHIA SKIPWITH	<u>1</u> (1)


Signature

EACH PERSON IS RANKED ON A SCALE FROM ONE TO THREE WITH THREE BEING THE HIGHEST. EACH APPLICANT MUST RECEIVE A NUMBER. NO NUMBER MAY BE USED MORE THAN ONCE. THE APPLICANT WITH THE HIGHEST TOTAL WILL BE APPOINTED AS REGULAR MEMBER AND THE SECOND HIGHEST WILL BE APPOINTED AS ALTERNATE TO THE PLANNING & ZONING BOARD FOR A THREE YEAR TEARM.