

**City Council Meeting
Agenda Packet
Tuesday, February 15, 2011
7:00 pm**



City of Gulfport Florida
Regular City Council Meeting Agenda
Tuesday, February 15, 2011

City Hall – 2401 53rd Street South, Gulfport, FL 33707

7:00 p.m.

Call to Order

Invocation given by Councilmember David Hastings

Pledge of Allegiance

Roll Call:

Presentation:

Introduction - Officer Robert McLaughlin, Community Resource Officer.

1. Public Session.

2. City Manager Report.

3. City Attorney Report.

4. City Clerk Report.

5. Consent:

a. Consider approval of the Council Meeting Minutes of January 18, 2011 and the Workshop Meeting Minutes of January 27, 2011.

b. 2011-04, A resolution of the City of Gulfport, Florida, authorizing the City Manager to purchase a new standby generator and automatic transfer switch from Tradewinds Power Corporation for the Senior Center; and providing for an effective date.

c. 2011-05, A resolution of the City of Gulfport, Florida, authorizing the City Manager to enter into a contract with Allied Roofing, Inc. for the city hall, parks department and sanitation workroom buildings re-roof bid; and providing for an effective date.

d. 2011-06, A resolution of the City of Gulfport, Florida, appointing a member to serve on the Gulfport Teen Council; providing for term of appointment; and providing for an effective date.

6. Ordinances:

2011-02, Second Reading and Public Hearing: An ordinance of the City of Gulfport, Florida, amending Chapter 7, Buildings, Article 1, Building Codes, Section 7-3, Fence Regulations Generally, amending Section 7-3(g)(1); providing for the repeal of

ordinances, or parts of ordinances, in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.

7. Resolution:

2011-07, A resolution of the City of Gulfport, Florida, authorizing the City Attorney to record within the Public Records of Pinellas County, Florida, City Council Resolution No. 1983-19; and providing for an effective date.

8. Old Business.

9. New Business.

10. Council Reports.

11. Adjournment.

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 893-1000 or fax a written request to (727) 893-1008. Posted: February 11, 2011.

Presentations

**Agenda Item No. 1
Public Session**

**Agenda Item No. 2
City Manager Report**

**Agenda Item No. 3
City Attorney Report**

**Agenda Item No. 4
City Clerk Report**



GULFPORT CITY COUNCIL

AGENDA MEMORANDUM

FROM: Robert Vincent, Chief of Police

DATE: 2/15/2011

Presentation

SUBJECT: Introduction of Community Resource Officer

RECOMMENDATION: (or)
DIRECTION REQUESTED:

BACKGROUND:

Funding in the form of a Department of Justice Community Oriented Policing Services grant has allowed the police department to add one sworn position. The police chief has decided to deploy this officer as a specialized community policing resource.

Officer Robert McLaughlin has been selected for this assignment based on a demonstrated commitment to our problem oriented policing philosophy. He has been with the Gulfport Police Department for three years, following his retirement from the St. Petersburg Police Department where he worked as a property crimes detective and community police officer.

The primary mission for Officer McLaughlin will be to establish relationships with community partners, most particularly in the 49th Street redevelopment area. He will then serve as a liaison between these resources and his fellow officers in working to identify and resolve problems in the area.

ANALYSIS:

NA. Presentation only.

FINANCIAL IMPACT:

NA. Presentation only.

MOTION: NA

**Consent
Agenda Item No. 5-a
Minutes**



City of Gulfport Florida
Regular City Council Meeting Minutes
Tuesday, January 18, 2011

The Regular Meeting of the Gulfport City Council was held on Tuesday, January 18, 2011 in the City Hall, City Council Chambers, located at 2401 - 53rd Street South, Gulfport, Florida.

Michael J. Yakes, Mayor, called the meeting to order at 7:00 p.m. The invocation was given by Vice Mayor King, followed by the Pledge of Allegiance.

Mayor Yakes reviewed the City Council's policy regarding meeting procedures and public comment.

Roll Call:

Present were Councilmembers David Hastings, Jennifer Salmon and Samuel Henderson; Vice Mayor Michele King; Mayor Michael J. Yakes; City Manager James O'Reilly; City Attorney Andrew Salzman and City Clerk Lesley DeMuth.

1. Public Session.

Jeri Reed, 5213 – 11th Avenue S., spoke on the January Crime Awareness Meeting and the painting of the interior of the Neighborhood Center by the So49 group and the Crime Awareness program volunteers.

Metria Jones, 2611 Quincy Street S., spoke on the disappointment with council in not unanimously agreeing to give the Davis's the Spirit of Gulfport Award.

Al Davis, 2790 – 45th Street S., read a portion of a letter from former Secretary of the Interior Nat Reed, and an email from Tom Seal. Information was provided to council for their review.

Edith Bailey, 5925 Shore Blvd S., asked council about possibly waiving the \$65.00 per hour room rental fee for people who would like to hold meetings outside their home.

Lee Stapella, 3025 York Street S., spoke about guidelines on what sorts of things can be happening in government buildings used for public purpose and open to the public. She asked if the City had usage guidelines for our public buildings by groups.

Mayor Yakes asked City Manager O'Reilly to research the information requested.

2. City Manager Report: None.

3. City Attorney Report: None.

4. City Clerk Report: City Clerk DeMuth reported that a Meet the Candidates Forum was scheduled for Thursday, February 3rd at City Hall beginning at 7:00 p.m.

5. Consent:

Consider approval of the Council Meeting Minutes of December 21, 2010 and January 4, 2011.

Councilmember Salmon asked to pull the January 4th Minutes from the Consent Agenda.

Motion by Vice Mayor King, second by Councilmember Salmon to pull the January 4th Minutes from the Consent Agenda and approve the December 21, 2010 Minutes.

UNANIMOUS APPROVAL BY ACCLAMATION.

6. Ordinances:

- a. **2011-01, An ordinance of the City of Gulfport, Florida, amending Chapter 2, Administration; creating Article VI, Section 2-45, entitled Voluntary Energy Efficiency and Renewable Energy Program, providing for Definitions; providing for Eligible Participants; providing for Application; providing for Agreement Terms; providing for Administration; providing for Funding; providing for Energy Audit; providing for Non-Ad Valorem Assessments; providing for Recordation; providing for Mortgages; providing for Notice to Purchasers; providing for Limitations; providing for the repeal of ordinances, or parts of ordinances, in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.**

City Clerk DeMuth read Ordinance No. 2011-01 by title only.

City Manager O'Reilly explained the ordinance.

City Attorney Salzman said the most significant change is under the definition of property, a change from "residential" to limiting it only to "commercial property" and said the language in the ordinance is based on the language passed by the legislature in the Florida Statutes.

The city council discussed the ordinance and addressed their concerns regarding the PACE Program. Council also discussed several changes and one correction; adding "commercial" before property outside of the definition and from nonprofit "services" to nonprofit "sources".

City Attorney Salzman advised council against changing the language dramatically because he felt uncomfortable veering to far from what the legislature has implemented at this time. He explained that a lot of the issues raised would be determined by the agreement with the third party administrator as discussed at the previous council meeting. City Attorney Salzman said there are tremendous requirements of indemnification insurance and hold harmless agreements with all of these provisions, and they should ensure the verbiage is correct for certain sections and that it is included; such as sovereign immunity, or if someone were to sue the city they would want to include a provision that the city would want 100% of the defense and attorney's fees and costs to be paid by the administrator.

Mayor Yakes opened for public discussion.

Jeri Reed, 5213 – 11th Avenue S., asked council to consider passage of the PACE program.

Bob Newcomb, 921 Fremont Street S., spoke against rushing to pass the ordinance for two reasons; the program is brand new and has been seriously challenged and there are too many unanswered questions based on the fact that they have not analyzed any criteria specific to Gulfport.

Bryan Hilbert, 2526 – 54th Street S., felt this program was going to be a benefit and looked forward to it also coming to residential properties.

Kirk Vail, 4701 – 29th Avenue S., spoke on clean sustained energy and was in support of the ordinance.

Al Davis, 2790 – 45th Street S., said he had no objection to the ordinance; his concerns were the rush to adopt an ordinance while there were so many unanswered questions as previously stated.

Metria Jones, 2611 Quincy Street S., questioned the benefits verses the costs and wondered how many businesses they were actually talking about.

Margarete Tober, 1513 – 59th Street S., said in its time she felt the PACE program will be good, and referenced a related article from the Florida Bar Journal and read aloud challenges associated with enacting a PACE program.

Lee Stapella, 3025 York Street S., spoke against the rush to enact the PACE program, provided a hand-out of related information, and asked the council to table the ordinance.

Corrine Egan, 2502 Beach Blvd, as a recent resident to the area asked what the city's stand was as far as being a green city, and asked about the process.

Walter Dill, 7050 Sunset Drive S., spoke in favor of the ordinance.

Cathy Harrelson, 231 – 44th Avenue NE, St. Petersburg, spoke on the misconceptions with regard to rushing the ordinance and said the reason why Fannie Mae and Freddie Mac have a problem with PACE is that they do not recognize the improvements as a public benefit, and added, this is a private citizen initiative enacted by a public ordinance.

Bryan Bettencourt, owner of Bettencourt Construction, said that when he heard Gulfport was ready to act on PACE, Bettencourt Construction was ready to do business in Gulfport.

Mario Farias, 5822 – 16th Lane S., St. Petersburg, spoke in support of the PACE program, and said Gulfport needs to have something to attract businesses to the area. He presented the council with petitions of Gulfport's who were in favor of PACE.

Amy Elliot, Eco-City Partners (a PACE provider), spoke about concerns regarding exposure and liability.

Cindy Davis, 2790 – 45th Street S., spoke in favor of green initiatives, but said there were still a lot of questions which had to be answered, and asked if it was right for the city to be asked to accept help to write an RFP by a potential third party administrator.

Carol Hodgen, 5961 Seabird Drive, spoke in favor of the PACE program and thought it is something they should all embrace and welcome in Gulfport.

Edith Daly, 5925 Shore Blvd S., asked for the audience to stand who were in support of PACE for the City Council to see.

Neither hearing nor seeing anyone else who wished to speak, Mayor Yakes closed the public discussion.

Motion by Vice Mayor King, second by Councilmember Henderson to approve Ordinance No. 2011-01 on First Reading with the amendments discussed.

City Attorney Salzman repeated the amendments after additional discussion which also included the general requirements for the administrator and the preference for Gulfport businesses.

Councilmember Hastings believed it was premature to vote on the ordinance.

ROLL CALL:	VICE MAYOR KING	YES
	COUNCILMEMBER HASTINGS	NO
	COUNCILMEMBER HENDERSON	YES
	COUNCILMEMBER SALMON	YES
	MAYOR YAKES	YES

MOTION CARRIED 4-1.

b. Discussion of proposed ordinance amending fence regulations.

City Manager O'Reilly briefed council on the proposed ordinance utilizing the overhead to indicate the specific areas that would be affected.

The consensus of council was to bring the ordinance forward at a future meeting.

5. Consent: Consider approval of the January 4, 2011 Council Meeting Minutes.

Councilmember Salmon asked that in her comments to the city manager on the last page, that the word "Brownsfields" be changed to "economic development".

Motion by Councilmember Salmon, second by Councilmember Henderson to approve the January 4, 2011 Council Meeting Minutes with the correction.

UNANIMOUS APPROVAL BY ACCLAMATION.

7. Old Business. None.

8. New Business.

Councilmember Henderson said he was contacted by Jordon Offutt of Wells Fargo, and they are sponsoring a children's day on January 22nd and has asked for participation from the Fire and Police Department. City Manager O'Reilly asked that the information be forwarded to him, and he would follow-up with the chiefs.

Councilmember Salmon said PSTA (Pinellas Suncoast Transit Authority) was looking for representation from the group of Belleair, Belleair Bluffs, Gulfport, Kenneth City, Seminole and

South Pasadena and she was interested in the position. The consensus of council was to support Councilmember Salmon in seeking the position. Councilmember Salmon advised council she had forwarded information to the City Manager on the Power Saver and the Federal Energy Efficiency Block Grant Programs, and asked if they might consider contracting with another power and light company. City Manager O'Reilly said the city has a very strong and profitable franchise agreement with Progress Energy. She asked why the city did not have a HUB (historically underutilized business) zone, like they do in St. Petersburg, and City Manager O'Reilly explained Gulfport did not meet the demographics.

Mayor Yakes mentioned the Suncoast League of Cities bus trip to Tallahassee. City Manager O'Reilly pointed out the trip coincides with the February 24th council workshop and suggested the workshop is cancelled.

9. Council Reports.

Vice Mayor King reported she had received emails by residents complaining that dog owners were not cleaning up after their pets in the baseball field area behind the recreation center.

10. Adjournment.

Motion by Councilmember Henderson, second by Vice Mayor King to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION.

Date Approved: _____

Michael J. Yakes, Mayor

Lesley DeMuth, City Clerk

City of Gulfport Florida
City Council Workshop Minutes
Thursday, January 27, 2011

A Workshop Meeting of the Gulfport City Council was held on Thursday, January 27, 2011, in the City Hall, City Council Chambers, located at 2401 53rd Street South, Gulfport, Florida.

Mayor Michael J. Yakes called the Workshop to order at 4:00 p.m. All Councilmembers were present.

1. Discussion of proposed Charter Amendments:

Mayor Yakes stated the workshop is to discuss the proposed charter amendments and is presented in two parts: amendments requiring adoption by ordinance and amendments requiring adoption by referendum. The City Clerk and the City Attorney have brought back the requests and/or recommendations of the City Council for review.

a) Amendments requiring adoption by ordinance.

City Attorney Salzman provided a draft ordinance for Council's review and comment. City Clerk DeMuth advised Council that in the proposed changes she and the City Attorney are requesting that the Charter sections not be re-numbered, and consideration be given to an amendment to Section 702; Duties of the City Attorney which she read.

Council reviewed and discussed each section of the proposed changes to the Charter requiring adoption by ordinance; Sections 304, 306 (a) (1), 307 (c) and (d), 309 (d) (7) and (8), 311 (a), 314 (a), 403, 406, 502, 504, 505 (a) and 702 (d). The following changes were recommended:

Section 403. Acting City Manager. After discussing the appointment process of the acting city manager and the ability Council should have to appoint the most qualified person for this position, City Attorney Salzman will draft the appropriate language to limit the city manager's appointment of an acting city manager, should he be out on a temporary absence, not to exceed thirty (30) days, and provide that Council could make this appointment if the city manager is out of the office continually for a period of 30 days.

At the conclusion of their review, Council was in agreement to have City Attorney Salzman prepare an ordinance for their consideration on First Reading.

b) Amendments requiring adoption by referendum.

Provided for Council's review were the four proposed changes to the Charter requiring a referendum election. Council reviewed and discussed each of the sections; 103, 306 (b), 509 and 1005. The following changes were recommended:

Section 1003. Acquisition and Disposal of Properties. In response to questions on the meaning of "the pendency of the administrative and support facilities use", City Attorney

Salzman explained that once the City no longer uses real property for administrative and support facilities and it becomes vacant property and is not used for any public purpose the City would be allowed to sell that property without referendum approval. City Attorney Salzman felt the language may not be clear and he will bring back new wording for Council's review. City Attorney Salzman will also break Section 1003 into two paragraphs.

In regard to a questions on the Beach Boulevard Greenway, City Manager O'Reilly stated there are protections in place for the Greenway, and explained the property is zoned Recreation/Open Space. If Council wanted to declare the property as a park, without changing the zoning and land use, Council's have designated parks in the past by Resolution. City Clerk DeMuth suggested consideration of an amendment to the property deed rather than the use of a Resolution so it is recorded. City Manager O'Reilly advised he will bring forward a Resolution requesting an amendment to the deed.

Section 306 (b). Filling of Vacancies.

City Attorney Salzman explained the section and after discussions on how the proposed language applies to the vacancy of Councilmembers and the vacancy of the Mayor, it was determined that City Attorney Salzman should provide additional language in Section 304 to clarify that the Vice Mayor will assume the duties of Mayor only until the next general election.

Councilmember Henderson stated that Council had discussed having the Charter consist of referendum items only, and asked if they wanted to talk about the structure of the Charter. City Attorney Salzman recommended that after the referendum on the proposed changes, a subsequent referendum be held asking that all future Charter changes be required to be done by referendum.

2. Any other business.

In response to a request by Councilmember Salmon to send a letter to the City of St. Petersburg, City Manager O'Reilly stated Mayor Yakes had already taken that action. Mayor Yakes advised Council he will be attending the funeral services for the St. Petersburg Police Officers. Councilmember Henderson asked there be a moment of silence at Tuesday's Council meeting, and Councilmember Hastings said he would handle this as part of his invocation.

3. Adjournment.

Motion by Councilmember Hastings, second by Councilmember Henderson to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION.

Date Approved: _____

Michael J. Yakes, Mayor

Lesley DeMuth, City Clerk

Consent
Agenda Item No. 5-b
Resolution No. 2011-04



GULFPORT CITY COUNCIL

AGENDA MEMORANDUM

FROM: Don Sopak, Public Works Director

DATE: February 15, 2011

AGENDA ITEM: 5-b

RESOLUTION NO: 2011-04

SUBJECT: Senior Center Standby Generator

RECOMMENDATION:

That City Council consider approving this resolution authorizing the City Manager to purchase a new 80 KW standby generator and new automatic transfer switch for the Senior Center from the Tradewinds Power Corporation for \$69,374.

BACKGROUND:

On January 6, 2008 City Council authorized the City Manager to enter into contract with the Florida Department of Elderly Affairs for the Senior Center Fixed Capital Outlay Project a \$225,000 grant for repairs and improvement to the Senior Center. They also approved the \$56,250 in matching funds required for the grant.

The scope of work for the approved improvements included a new standby generator for the Senior Center portion of the building.

ANALYSIS:

The purchase is a contract Tradewinds Power Corporation has with the Florida Sheriffs Association / Florida Association of Counties. They were awarded the low bid for the generator on bid #10-18-0907 specification #82. The new Tradewinds generator model TP80-11 UL 2200 will be powered by a Perkins tier 3 diesel engine with a 150 gallon fuel tank.

Tradewinds Power Corporation was also awarded the specification #86 bid for the automatic transfer switch model TT84SE-400-FS. The generator and transfer switch will be assembled and installed by Tradewinds Power Corporation.

FINANCIAL IMPACT:

75% of the cost for the generator and transfer switch will be paid by the Senior Center Fixed Capital Outlay Grant and 25% will be paid by the City with the approved funds.

MOTION:

I move to approve/deny this resolution that authorizes the City Manager to purchase a new 80 KW standby generator and new automatic transfer switch for the Senior Center from the Tradewinds Power Corporation for \$69,374.

RESOLUTION NO. 2011-04

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE A NEW STANDBY GENERATOR AND AUTOMATIC TRANSFER SWITCH FROM TRADEWINDS POWER CORPORATION FOR THE SENIOR CENTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On January 6, 2008, City Council authorized the City Manager to enter into a contract with the Florida Department of Elderly Affairs for the Senior Center Fixed Capital Outlay Project; a \$225,000 grant for repairs and improvements to the Senior Center.

WHEREAS, The scope of work for the approved improvements included a new standby generator for the Senior Center portion of the building.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA:

Section 1. The City Manager is hereby authorized to purchase a new 80 KW standby generator and new automatic transfer switch for the Senior Center from Tradewinds Power Corporation for \$69,374 using the Florida Sheriffs Association/Florida Association of Counties bid #10-18-0907 specifications #82 and #86.

Section 2. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 15th day of February, 2011 by the Council of the City of Gulfport, Florida.

Michael J. Yakes, Mayor

ATTEST:

Lesley DeMuth, City Clerk

Consent
Agenda Item No. 5-c
Resolution No. 2011-05



GULFPORT CITY COUNCIL

AGENDA MEMORANDUM

FROM: Don Sopak, Public Works Director

DATE: February 15, 2011

AGENDA ITEM: 5-c

RESOLUTION NO: 2011-05

SUBJECT: City Hall, Parks Department and Sanitation Workroom Buildings Re-Roof.

RECOMMENDATION: Staff is requesting City Council authorize the City Manager to enter into contract with Allied Roofing, Inc. for the City Hall, Parks Department and Sanitation Workroom Buildings Re-Roof bid # 2001-01 for \$170,270.

BACKGROUND:

The existing roofs on the City Hall, Parks Department and Sanitation Workroom buildings were installed when the buildings were constructed in 1994. Lately the buildings have been experiencing many leaks due to the age of the roof systems. The roofing material has splits, blisters, numerous repairs and open pitch pockets. The architectural firm Renker Eich Parks Architects was approved by City Council on November 2, 2010 to provide construction documents and services for re-roofing the approximately 17,790 square feet of roofs. The existing R-value of the roofing system is R-11.

The roofing replacement will be using; a built-up or SBS modified roofing system, white granular finish that would give a LEED heat island roof credit if using LEED Standards, with additional insulation bringing at up to an R-30 value, a 20 year no dollar limit warranty including replacement perimeter flashing, reusing existing skylights and lighting arrestor system, and adding skylight guards to prevent anyone from falling through the skylight to the floor below or breaking into the spaces below.

ANALYSIS:

An Invitation to Bid was advertised on January 16, 2011. The following bid proposals were received on February 8, 2011 and read aloud in City Hall Council Chambers:

<u>Bidder Name</u>	<u>Total Cost</u>
Allied Roofing, Inc. 4105 W. Cayuga St. Tampa, FL 33614	\$170,270

United Roofing 5978 SE 68 th St. Ocala, FL 34472	\$166,400
RF Lusa and Son's Sheet Metal, Inc. 1724 Fairbanks St. Lakeland, FL 33805	\$253,000
Southern Roofing Company, Inc. 1727 W. Cypress St. Tampa, FL 33606	\$219,858
Crowther Roofing & Sheet Metal, Inc. 2543 Rockfill Road Fort Myers, FL 33916	\$224,708
Quality Roofing of Florida, Inc. 6515 N. 50 th St. Tampa, FL 33610	\$183,800
Gulf States Industries, Inc. 7222 Washington St. New Port Richey, FL 34652	\$191,000
The Docobo Corporation 5425 Crenshaw Road Tampa, FL 33634	\$188,400

Although the Invitation to Bid required the bid to be made by a Licensed General Contractor some bids were submitted by Licensed Roofing Contractors and those bids were rejected, including United Roofing. Renker Eich Parks Architects the architect for the project, evaluated the low-bid proposal submitted by Allied Roofing, Inc. reviewed their licenses and references submitted and recommends that the City of Gulfport award the City Hall, Parks Department and Sanitation Workroom Buildings Re-Roofing Project to Allied Roofing, Inc.

FINANCIAL IMPACT:

\$333,500 was budgeted for Fiscal Year 2010-11 in the Capital Projects Fund Account Number 300-0000-519-63-03 for replacing the City Hall, Parks Department and Sanitation Workroom Building's roofs. \$25,826 was used for the design and architectural services. If this \$170,270 is approved, the remaining balance would be \$138,904.

MOTION:

Move to approve/deny this resolution authorizing the City Manager to enter into contract with Allied Roofing, Inc. for the City Hall, Parks Department and Sanitation Workroom Buildings Re-Roof bid # 2001-01 for \$170,270.

RESOLUTION NO. 2011-05

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ALLIED ROOFING, INC. FOR THE CITY HALL, PARKS DEPARTMENT AND SANITATION WORKROOM BUILDINGS RE-ROOF BID; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The existing roofs on the City Hall, Parks Department and Sanitation Workroom Buildings were installed when the buildings were constructed in 1994; and

WHEREAS, The architectural firm Renker Eich Parks Architects was approved by City Council on November 2, 2010 to provide construction documents and services for re-roofing the approximately 17,790 square feet of roofs; and

WHEREAS, An Invitation to Bid was advertised and sealed bids were received on February 8, 2011, and read aloud in the City Hall Council Chambers.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA:

Section 1. The City Manager is hereby authorized to enter into a contract with Allied Roofing, Inc., for the City Hall, Parks Department and Sanitation Workroom Buildings Re-roof Bid in the amount of \$170,270.00.

Section 2. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 15th day of February, 2011 by the Council of the City of Gulfport, Florida.

Michael J. Yakes, Mayor

ATTEST:

Lesley DeMuth, City Clerk

Consent
Agenda Item No. 5-d
Resolution No. 2011-06



GULFPORT CITY COUNCIL MEMORANDUM

FROM: Lesley DeMuth, City Clerk

AGENDA ITEM: 5-d

DATE: February 15, 2011

RESOLUTION: 2011-06

SUBJECT: Teen Council Appointments

BACKGROUND:

The Gulfport Teen Council consists of ten members; seven regular members and three alternate members. Members of the Teen Council serve a one-year term concurrent with the school year. A Teen Council Member needs to be appointed for the 2010-2011 School Year to fill a vacant Alternate position.

ANALYSIS:

The City has received an application from a Teen who is interested in serving on the Teen Council.

FINANCIAL IMPACT:

None.

MOTION:

Move to approve Resolution No. 2011-06.

RESOLUTION NO. 2011-06

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE GULFPORT TEEN COUNCIL; PROVIDING FOR TERM OF APPOINTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, vacancies have occurred on the Gulfport Teen Council; and

WHEREAS, the City has received applications from interested Teens wishing to serve on the Teen Council and the City Council is desirous of making an appointment to fill a vacancy.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA:

Section 1. The City Council hereby appoints the following member to serve on the Gulfport Teen Council for a term expiring August 2011:

Dallas Totilo, Alternate

Section 2. This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 15th day of February, 2011 by the Council of the City of Gulfport, Florida.

Michael J. Yakes, Mayor

ATTESTED:

Lesley DeMuth, City Clerk

Agenda Item No. 6
Ordinance No. 2011-02



GULFPORT CITY COUNCIL AGENDA MEMORANDUM

FROM: James E. O'Reilly, City Manager

DATE: February 15, 2011

AGENDA ITEM: 6

ORDINANCE NO.: 2011-02

SUBJECT: 2nd reading of an amendment to the City of Gulfport's fence regulations, providing for the capability of an interior lot properly owner adjacent to a corner lot to construct a fence up to six (6) feet in height in the front of the interior lot's main structure along the boundary of the corner lot; while meeting all required setbacks and criteria for such fence placement as it refers to the rear boundary of the corner lot.

RECOMMENDATION:

Staff recommends City Council approve Ordinance 2011-02 on second reading; amending Chapter 7 - ARTICLE I. BUILDING CODES*- Section. 7-3. Fence regulations generally, subsection (g) (1) - *Residential districts* (including all districts used or zoned for residential purposes); of the City of Gulfport Code of Ordinances. City Council approved Ordinance 2011-02 on first reading on February 1, 2011.

BACKGROUND:

In response to a request from Mayor Yakes, City Council directed City staff to bring forth language to address the issue of permitted fence height and location in respect to a shared property line between a corner lot and an adjacent interior lot within the City's fence ordinance.

Subsequently, staff provided information and materials at the January 18, 2011 City Council meeting to address the issue. Following a staff presentation, City Council directed staff to bring forth such an ordinance. The proposed ordinance amends Chapter 7 of the City's Code of Ordinances to reflect appropriate language. The amendment expands upon the ability of the adjacent interior lot property owner to install a fence on a shared property line with an adjacent corner lot. The adjacent interior lot property owner would be afforded the utilization of present fence regulations on the common boundary as they presently apply to the rear boundary of the corner lot.

ANALYSIS:

The amendment presented would provide for the ability of the interior lot properly owner adjacent to a corner lot to construct a fence up to six (6) feet in height in the front of the interior lot's main structure along the common boundary of the corner lot.

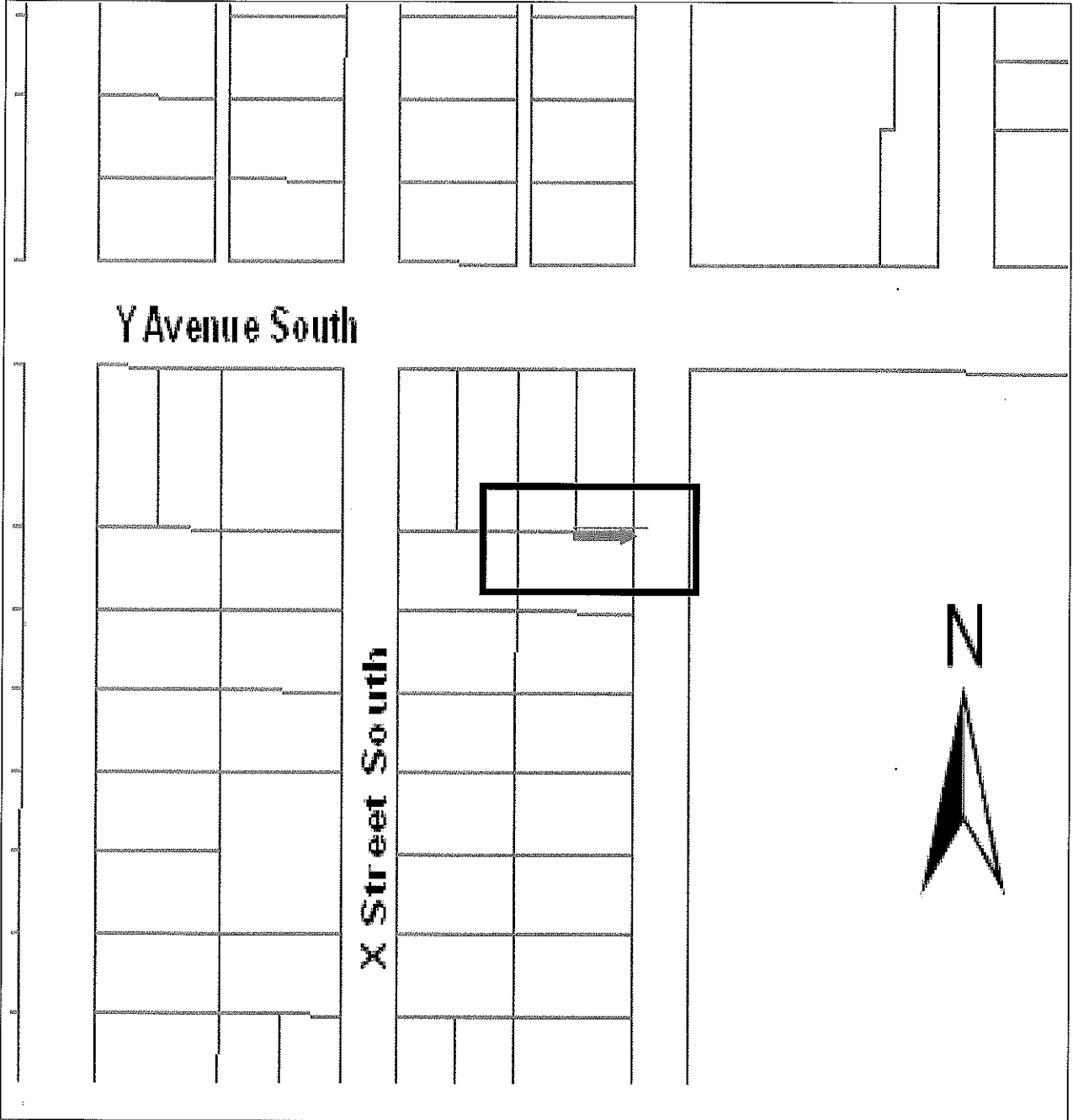
Staff recommends that all presently required setbacks and criteria for such fence placement as they refer to the rear boundary of the adjacent corner lot remain in effect and be applicable to the now permitted fence on the adjacent interior lot.

FINANCIAL IMPACT:

No financial impact at this time.

MOTION:

A motion to approve/deny an Ordinance 2011-02; amending Chapter 7 - ARTICLE I. BUILDING CODES*- Section. 7-3. Fence regulations generally, subsection (g) (1) - *Residential districts* (including all districts used or zoned for residential purposes); of the City of Gulfport Code of Ordinances on second reading.



**CITY OF GULFPORT, FLORIDA
ORDINANCE NO. 2011-02**

AN ORDINANCE OF THE CITY OF GULFPORT, FLORIDA, AMENDING CHAPTER 7, BUILDINGS, ARTICLE 1, BUILDING CODES, SECTION 7-3, FENCE REGULATIONS GENERALLY, AMENDING SECTION 7-3 (g)(1); PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Gulfport has determined that residential corner lots require flexibility concerning fences; and

WHEREAS, the City Council for the City of Gulfport has determined that it is in the best interest to allow residents to have options when constructing corner lot fences.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULFPORT, FLORIDA AS FOLLOWS:

Section 1. Section 7-3(g)(1), Residential districts (including all districts used or zoned for residential purposes), shall be amended to read as follows:

Fences may be constructed up to six (6) feet in height along the boundary of a lot on that portion line behind the front setback line and behind the front of the main structure. Interior lots that are immediately adjacent to a corner lot may erect a six (6) foot high fence forward of the front setback line and the front of the main structure along the lot line which abuts the corner lot.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This ordinance shall take effect immediately upon its passage and approval, consistent with all requirements of general law.

Section 4. The provisions of this ordinance shall become and be made a part of the City Code of Ordinances and the sections of this ordinance may be renumbered and codified to accomplish this end.

Section 5. If any part of this ordinance is declared invalid by a court of competent jurisdiction, such part or parts shall be severable, and the remaining part or parts shall continue to be in full force and effect.

Michael J. Yakes, Mayor

FIRST READING : February 1, 2011
PUBLISHED : February 2, 2011
SECOND READING/
PUBLIC HEARING : February 15, 2011

I, Lesley DeMuth, City Clerk of the City of Gulfport, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of law and the City Charter this ____ day of _____, 2011.

Lesley DeMuth, City Clerk

Agenda Item No. 7
Resolution No. 2011-07



GULFPORT CITY COUNCIL AGENDA MEMORANDUM

FROM: James E. O'Reilly, City Manager

DATE: February 15, 2011

AGENDA ITEM: 7

RESOLUTION NO.: 2011-07

SUBJECT: Authorization for City Attorney to record Resolution 83 – 19 with the Legal Deeds of the Beach Boulevard Greenway.

RECOMMENDATION:

Staff recommends City Council approve by Resolution, authorization for the City Attorney to record City Council Resolution 83 – 19. Resolution 83 -19 was adopted by City Council on December 20, 1983, dedicating the area now commonly known as the Beach Boulevard greenway or per the resolution that area located from Clymer Park to the Multi-Purpose Senior Center to the citizens of Gulfport for public use. Additionally, Resolution 83 – 19, prohibits the erection of any building or structure on the site in perpetuity.

BACKGROUND:

At the direction of City Council, it was requested that City staff bring forth a method to formalize the prohibitions presently in place in regards to future uses of the Beach Boulevard greenway. Previous City Councils have adopted resolutions addressing issues related to the area; City Council adopted Resolution 83-19 on December 20, 1983 prohibiting erection of structures, consequently City Council adopted Resolution 2001 – 42 on April 17, 2001 providing for “No Parking” on the green space north of the Catherine A. Hickman Theater. Subsequently, City Council’s at times have provided a time certain waiver for this requirement for specific Special Events, held in Clymer Park or the Beach Boulevard Greenway.

The specific areas presented for consideration:

Clymer Park:

East Parcel – Park Lot 9, Veteran City

West Parcel – Park Lot 10, Lake Butler Villa Co’s Addition

23rd Ave – 25th Ave:

East Parcel – Park Lot 7, Veteran City

West Parcel – Park Lot 8, Lake Butler Villa Co’s Addition

25th Ave – 26th Ave: (North of Senior Center)

East Parcel – Park Lot 5, Veteran City

West Parcel – Park Lot 6, Lake Butler Villa Co’s Addition

ANALYSIS:

Authorization to record Resolution 83 – 19, would formally set forth with the deed of the property the City's existing prohibition on the erection of any building or structure upon the property.

The Beach Blvd/Clymer Park parcels presently have the Land Use Designation of Community Redevelopment District (CRD) within the City's Comprehensive Plan. As such, the Waterfront Area Redevelopment Plan, which was written specifically for this redevelopment district, designates land uses within the CRD boundaries. Specific to the subject parcels, all three are designated as Recreation/Open Space in the Waterfront Area Land Use Plan section of the Waterfront Area Redevelopment Plan.

The designated zoning for the subject parcels is Waterfront Redevelopment District. Within this zoning category, the specific zoning designation for the subject parcels is Recreation/Open Space. The permitted uses include Public Recreation Grounds or Parks, the permitted uses and zoning designations would presently provide for formal parking only as an accessory to a public park.

FINANCIAL IMPACT:

No financial impact at this time.

MOTION:

A motion to approve/deny a resolution authorizing the City Attorney to record City of Gulfport Resolution 83 – 19 with the legal deed of the Beach Greenway.

RESOLUTION

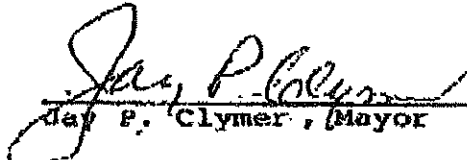
R 83-19

A RESOLUTION DEDICATING A PORTION OF BEACH
BOULEVARD TO THE CITIZENS OF GULFPORT FOR
PUBLIC USE: PROHIBITING BUILDING


It is hereby resolved by the Council of the City of
Gulfport:

That portion of Beach Boulevard, sometimes known as
open space or green area, bounded on the north by Jay P.
Clymer Park, bounded on the east by the northbound lane
of Beach Boulevard, bounded on the south by the Gulfport
Multi Purpose Senior Center, and bounded on the west by
the southbound lane of Beach Boulevard, is hereby dedi-
cated to the citizens of Gulfport for public use;

Further, the erection of any building or structure
upon said land is hereby forbidden perpetually.


Jay P. Clymer, Mayor

I, B.J. Couch, City Clerk of the City of Gulfport,
Florida, do hereby certify that the foregoing Resolution
No. R 83-19 was duly adopted in accord with the provisions
of law this 20 day of December, 1983.


B.J. Couch, City Clerk

RESOLUTION NO. 2001-42

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE RECOMMENDATIONS OF THE ADMINISTRATIVE ADVISORY COMMITTEE ON TRANSPORTATION ISSUES; AND PROVIDING FOR AN EFFECTIVE DATE.

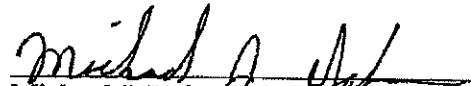
WHEREAS, the Administrative Advisory Committee on Transportation Issues met and made the following recommendation: 1) Install a "No Parking Anytime" sign on the green space north of the Catherine A. Hickman Theater and 2) Install a sign at the entrance to the Theater parking lot that additional parking is available at the Senior Center and the Library.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA:

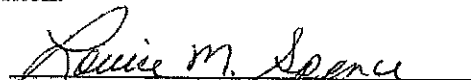
Section 1. The City Council hereby approves authorizes the City Manager to implement the recommendations of the Administrative Advisory Committee on Transportation Issues as follows: 1) Install a "No Parking Anytime" sign on the green space north of the Catherine A. Hickman Theater and 2) Install a sign at the entrance to the Theater parking lot that additional parking is available at the Senior Center and the Library.

Section 2. This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 17th day of April 2001 by the Council of the City of Gulfport, Florida.


Michael J. Yakes, Mayor

ATTESTED by the City Clerk on the date above written.


Louise M. Spence, City Clerk

RESOLUTION NO. 2011-07

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO RECORD WITHIN THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, CITY COUNCIL RESOLUTION NO. 1983-19; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, At the direction of City Council, it was requested that City staff bring forth a method to formalize the prohibitions presently in place in regards to future uses of the Beach Boulevard greenway; and

WHEREAS, Previous City Councils have adopted resolutions addressing issues related to the area; City Council adopted Resolution 83-19 on December 20, 1983 prohibiting erection of structures, and consequently City Council adopted Resolution 2001 – 42 on April 17, 2001 providing for “No Parking” on the green space north of the Catherine A. Hickman Theater.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA:

Section 1. The City Council hereby authorizes the City Attorney to record within the Public Records of Pinellas County, Florida, City Council Resolution No. 1983-19.

Section 2. This resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 15th day of February, 2011 by the Council of the City of Gulfport, Florida.

Michael J. Yakes, Mayor

ATTESTED:

Lesley DeMuth, City Clerk

**Agenda Item No. 8
Old Business**

**Agenda Item No. 9
New Business**

**Agenda Item No. 10
Council Reports**

**Agenda Item No. 11
Adjournment**