



City of Tarpon Springs, Florida

Board of Commissioners
324 East Pine Street
Post Office Box 5004
Tarpon Springs, Florida 34688-5004
(727) 938-3711
<http://www.ctsfl.us/agenda.htm>

REGULAR SESSION AGENDA TUESDAY, JUNE 8, 2021 6:30 PM – City Hall Auditorium

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION: TARPON ELEMENTARY STORMWATER POSTER CONTEST

PUBLIC COMMENTS

PRESENTATIONS:

1. HURRICANE SEASON 2021 (MAYOR ALAHOUZOS)
2. PUBLIC ART ANNUAL PLAN
3. SOUTH SPRING BOULEVARD SHORELINE UPDATE

CONSENT AGENDA:

4. SATISFACTION AND RELEASE OF LIENS
5. SPECIAL EVENT: SHOP THE DOCKS – SEPTEMBER, OCTOBER, NOVEMBER, AND DECEMBER 2021
6. AUTHORIZE EXECUTION OF LICENSE AGREEMENT FOR PARK USE
7. INCREASE TO FILE NO. 210034-C-AM UTILIZING U. S. COMMUNITIES PURCHASING ALLIANCE CONTRACT NO. 15-JLP-023 FOR HVAC PRODUCTS, INSTALLATION, SERVICES AND RELATED PRODUCTS AND SERVICES
8. AWARD FILE NO. 210157-N-JL SINGLE SOURCE PURCHASE OF CITY WIDE INTERNET AND RELATED SERVICES
9. INTERNAL AUDIT CHARTER

SPECIAL CONSENT AGENDA:

10. AUTHORIZE EXECUTION OF CONTRACT FOR PURCHASE OF PROPERTY – LOTS 9, 10, 21 AND 22 OF BLOCK 9 INNESS PARK EXTENSION

ORDINANCES AND RESOLUTIONS:

11. APPLICATION 21-22 – 41680 US HIGHWAY 19
 - A. ORDINANCE 2021-04 REZONING (1ST READING)
 - B. ORDINANCE 2021-05 LAND USE AMENDMENT (1ST READING)
12. APPLICATION 21-34 – S. DISSTON AVENUE
 - A. ORDINANCE 2021-06 LAND USE AMENDMENT (1ST READING)
 - B. ORDINANCE 2021-07. REZONING (1ST READING)
13. RESOLUTION 2021-30. APPLICATION 21-35 CONDITIONAL USE FOR SHORT TERM RENTAL – 12 W. ORANGE STREET
14. RESOLUTION 2021-33 LIBRARY CONSTRUCTION GRANT APPLICATION
15. RESOLUTION 2021-32 HOPE DAY

MISCELLANEOUS:

16. DISCUSSION - BOARD OF COMMISSIONERS RULES OF PROCEDURE

BOARD AND STAFF COMMENTS:

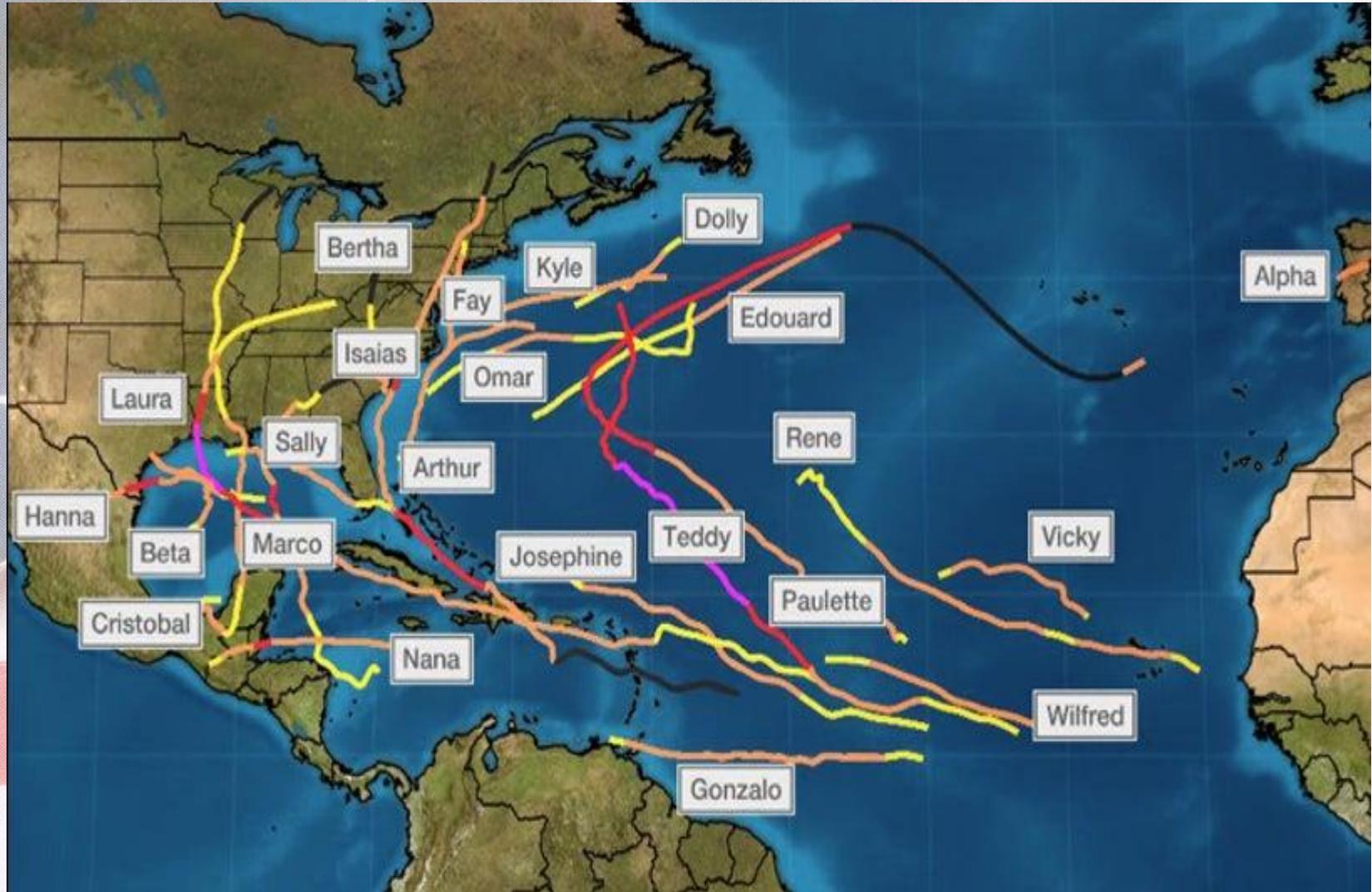
ADJOURNMENT

City of Tarpon Springs Emergency Management



Hurricane Season 2021

2020 Hurricane Season



What can we expect?

2021 HURRICANE SEASON #SKYTOWER

NOAA OUTLOOK



	FORECAST	AVERAGE
NAMED STORMS	13-20	14
HURRICANES	6-10	7
MAJOR HURRICANES	3-5	3

60% OF ABOVE NORMAL ACTIVITY



2021 HURRICANE SEASON

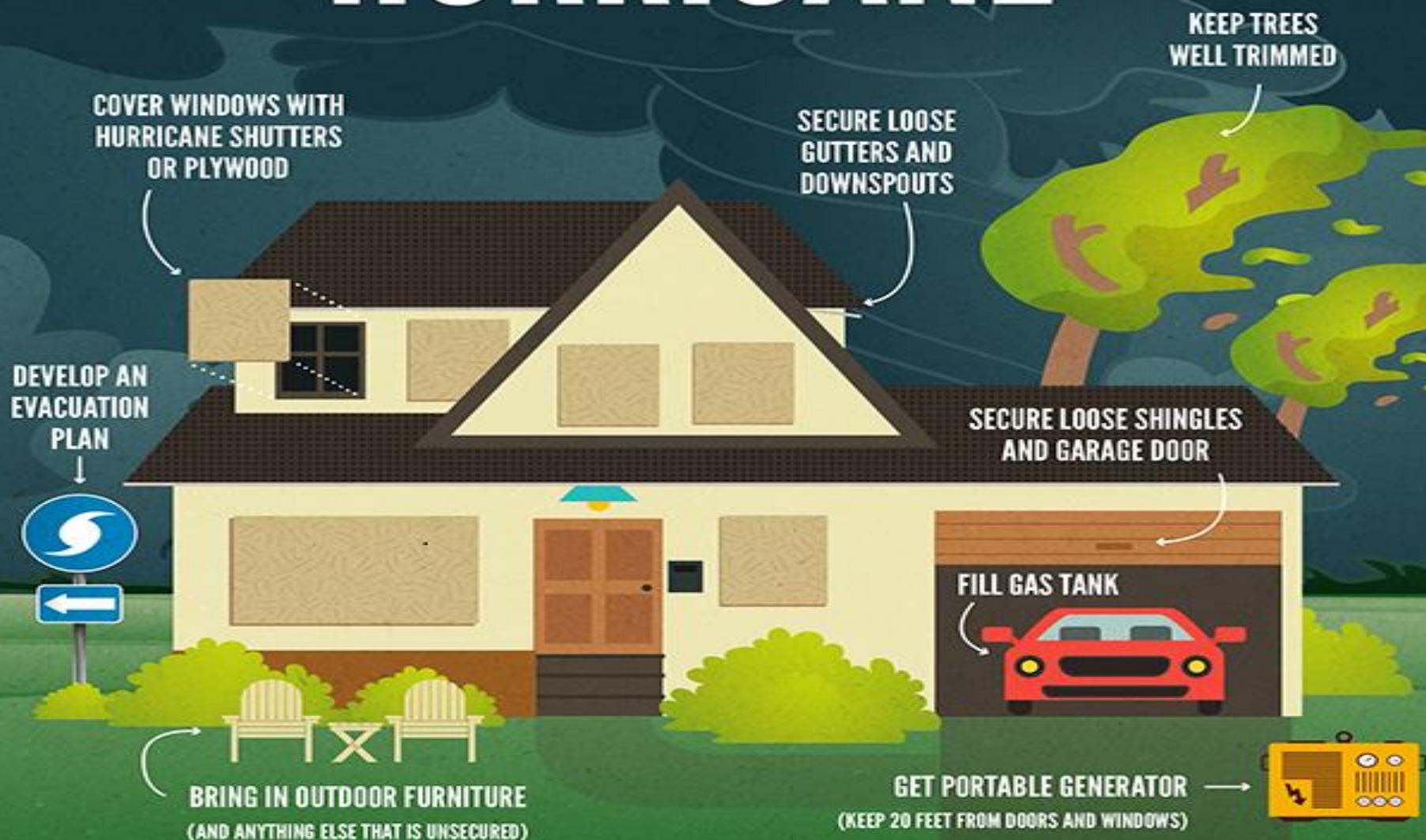
ATLANTIC STORM NAMES

- 
- ~~ANA~~
 - BILL
 - CLAUDETTE
 - DANNY
 - ELSA
 - FRED
 - GRACE
 - HENRI
 - IDA
 - JULIAN
 - KATE
 - LARRY
 - MINDY
 - NICHOLAS
 - ODETTE
 - PETER
 - ROSE
 - SAM
 - TERESA
 - VICTOR
 - WANDA

What can we expect?



PREPARE YOUR HOUSE FOR A HURRICANE





HURRICANE PREPAREDNESS TIPS

Review your emergency plan

Review your plan with everyone in your household and make sure everyone knows about the safest location in the home.



Check your supplies

Be sure to you have necessities such as water, blankets, first aid kits, flashlights, batteries, radios and any pet care items.



Set up an out-of-town contact

It's important to have an out-of-state friend or family member as a contact, so they can check on your whereabouts.



Secure important documents

Make sure documents such as insurance cards, IDs and other pertinent information are placed in a secured water-proof container.



Figure out your evacuation route

Make sure you know your evacuation route before the storm hits and keep a full tank of gas.



Be aware of your vehicle's surroundings

Make sure your vehicle is safe. If possible, move your vehicle away from trees or other objects that may damage it in a storm.



Follow official instructions

Follow all instructions from your local authorities regarding evacuation or other safety procedures. Check radio, television or other media for emergency information.



Important Documents

Make copies of all important documents:
Upload or store originals in safe, secure location

Use a waterproof case to store all important documents

- At minimum include:
- ✓ Deeds, titles, wills
 - ✓ Insurance policies
 - ✓ Medical records / Prescriptions
 - ✓ ID (Birth Certificate / Passport)

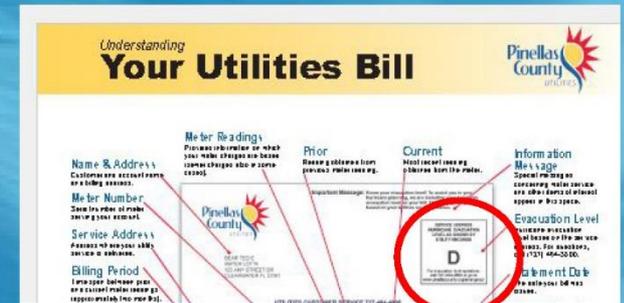


Know YOUR Evacuation Zone



Where can I find my evacuation zone?

- Pinellas County Utility Bill
- Pinellas County Property Appraiser www.pcpao.org
- Storm Surge Protector web-based application www.pinellascounty.org/emergency
- Automated phone system (727) 453-3150 (landlines)
- Ready Pinellas mobile app



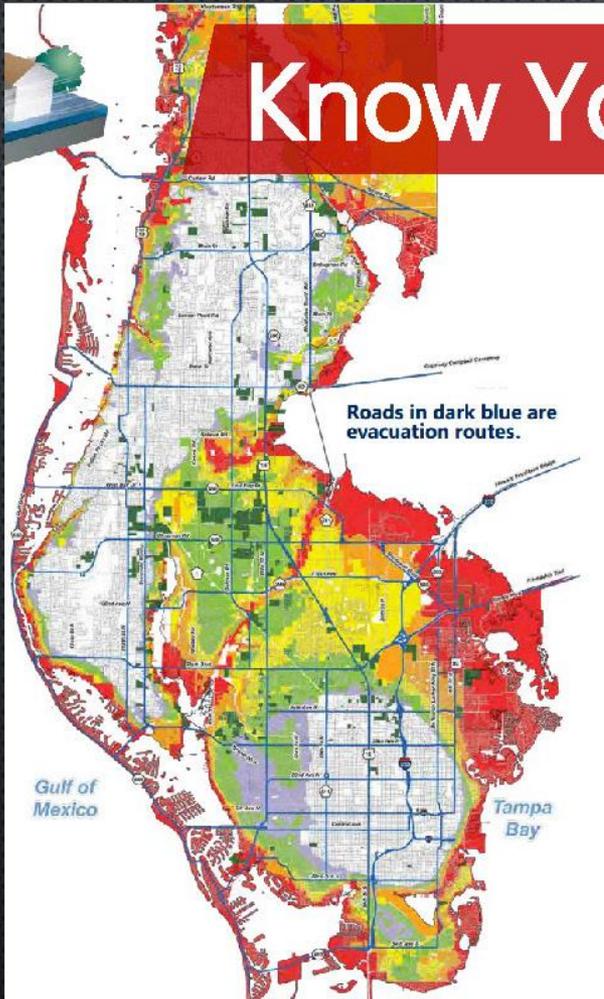
Latest Notice of Proposed Property Taxes (TRIM Notice)

Evacuation Zone	Flood Zone	Plat Book/Page
(NOT the same as a FEMA Flood Zone) B	(NOT the same as your evacuation zone) Compare Preliminary to Current FEMA Maps	46/65



Know YOUR Evacuation Zone

Know Your Zone!



EVACUATION GUIDELINES

(mobile homes **MUST** always evacuate)

Potential Surge Heights (in feet)

-  Mobile Home Parks
(mobile homes **MUST** always evacuate)
- A** Up to 11' Evacuate red areas and all mobile homes
- B** Up to 15' Evacuate red and orange areas and all mobile homes
- C** Up to 20' Evacuate red and orange areas and all mobile homes
- D** Up to 28' Evacuate red, orange, yellow and green areas and all mobile homes
- E** Up to 35' Evacuate red, orange, yellow, green and purple areas and all mobile homes
-  Areas shown in white are non-evacuation zones.

 Evacuation Routes



Hurricane Shelters

TARPON SPRINGS MIDDLE SCHOOL WILL NO LONGER BE USED AS A SHELTER

Shelters will be:

- o Carwise Middle School in Palm Harbor- 3301 Bentley Dr, Palm Harbor
- o Palm Harbor Middle School- 1800 Tampa Rd, Palm Harbor
- o Palm Harbor University High School- 1900 Omaha St, Palm Harbor

SURVIVING THE STORM... IT'S EVERYONE'S RESPONSIBILITY

SPECIAL NEEDS

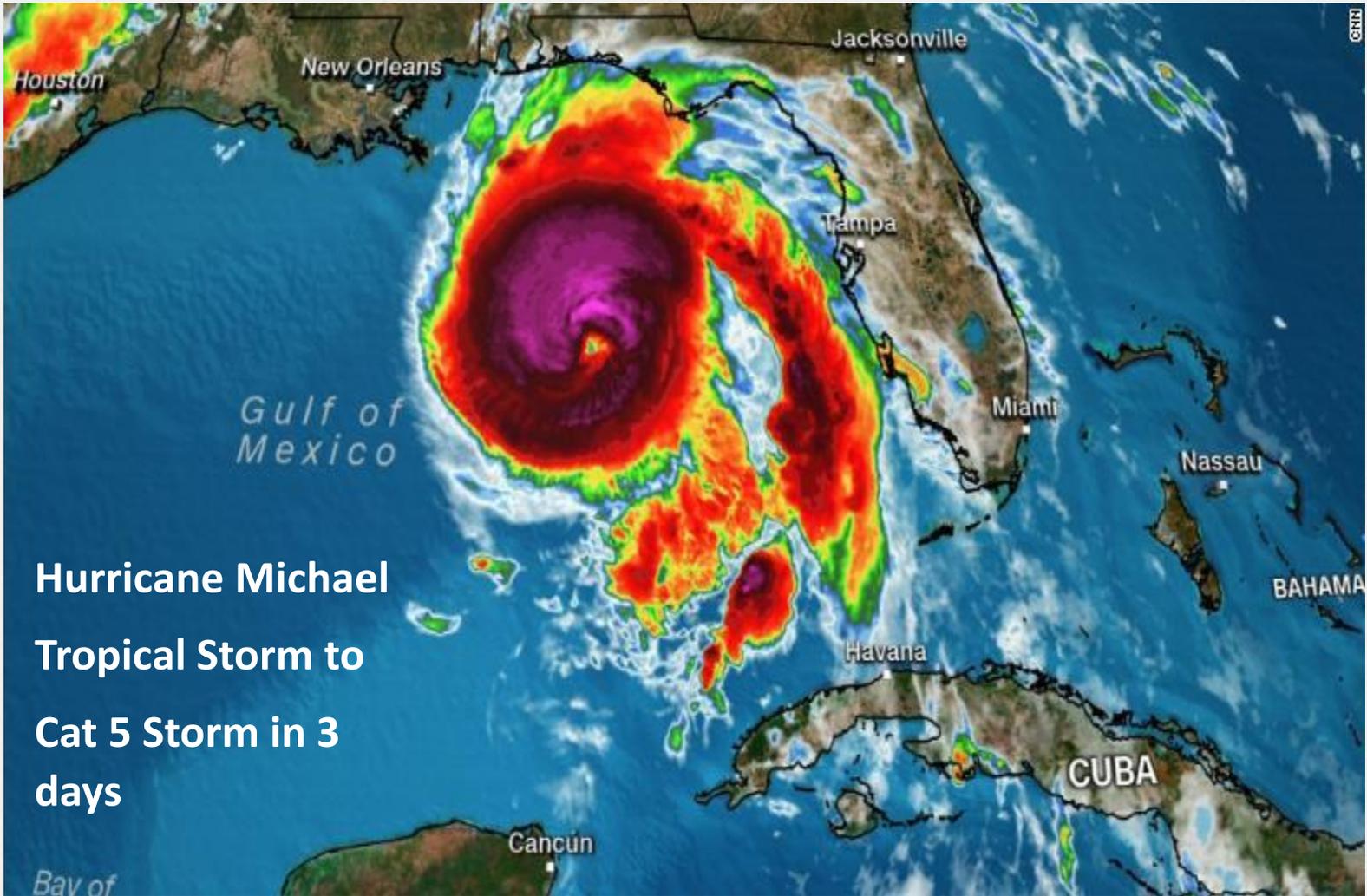
Caring for Our Most Vulnerable Citizens



Residents of all ages with special needs, those without transportation, and the elderly require extra attention and preparation in order to stay protected in weather emergencies.

Though Pinellas County government has education programs in place to help these citizens prepare and find safe shelter, the responsibility for storm preparation rests with individuals and their families or caregivers. That planning needs to happen early. **DO NOT WAIT UNTIL THE STORM IS RAGING.** Emergency personnel may not be able to respond when high winds make road travel hazardous. Plan for safe shelter now.





Hurricane Michael
Tropical Storm to
Cat 5 Storm in 3
days

Social Media

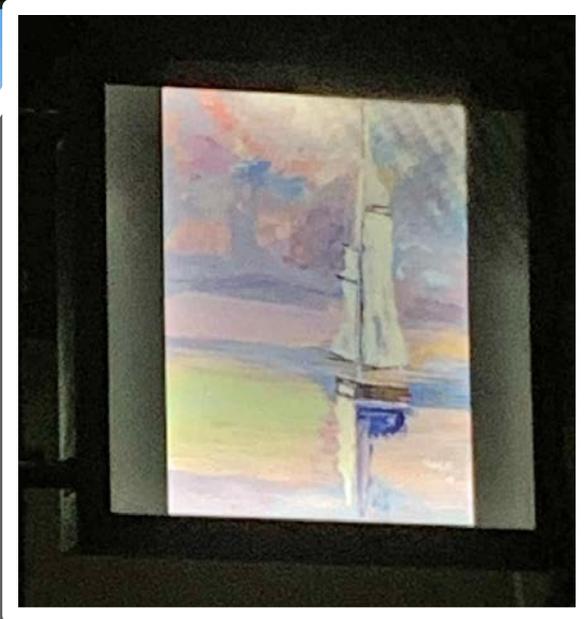
Stay informed!

- o www.twitter.com/pinellasEM
- o www.facebook.com/pinellascountyn
- o <http://ctsfl.us/>
- o Like Tarpon Springs Fire Rescue on Facebook
- o <https://www.pinellascounty.org/alertpinellas/default.htm>



The background of the image is a close-up, slightly blurred view of the United States flag, showing the stars and stripes. The flag is draped and appears to be waving, with the colors of the stripes and stars clearly visible. The lighting is soft, creating a gentle glow across the fabric.

QUESTIONS?



Annual Plan and Budget Request for 2021-2022
City of Tarpon Springs Board of Commissioners
Presented on June 6, 2021

Budget = FY2021

Fund Balance	\$237,751
Expended Amounts FY 2021 to date	
Historic Mural*	\$17,000.
Story Time Plaque	\$ 478.
Illuminated Art Box	\$ 438.
Story Time/Naiads/AMA preservation	\$ 3,831.
Bike Rack Repair (2)	\$ 800.
Sisler Field Mural	\$ 1,300.
Expenditures:	- \$23,847.



**Historic Mural (\$50,000 total fee: -\$16,500 paid in FY 2019, \$16,500 paid in FY 2020. Balance remaining \$17,000 was paid upon completion in FY2020.*

Projected Expenses FY2022*



Fund Balance **\$237,751**

Projects discussed by PAC for consideration by BOC

Maintenance – Naiads, AMA, Story Time \$ 3,831

Mural on city property (Danforth/Golf Course) \$ 1,400

Black Heritage project \$135,000

Illuminated Art Box project expansion \$ 16,700

Illuminated Art Box inserts \$ 3,656

Fund Balance **\$237,751**

Total proposed expenses for FY 2022* **-\$160,587**

Balance at end of FY 2022 **\$ 78,564**

**Projected expenses to September 30, 2022*

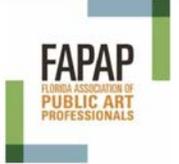
2020-2021 Accomplishments



- Installation of Glenna Goodacre “Story Time” sculpture and plaque at Cultural Heritage Center
- Solar-powered illuminated art boxes on the Sponge Docks (15/20 installed on Sponge Docks; placement of remaining 5 solar boxes and additional boxes and locations under discussion)
- Indianos mural / Cultural Center (completed)
- Christopher Still mural in the newly renovated lobby of AdventHealth (completed)
- Sisler Field Mural (one completed, another in progress)
- Black Heritage Project (in progress)
- David Danforth mural at Golf Course (awaiting artist proposal)

Recognition

January 2021



Monthly News & Updates

Visit the FAPAP Website

Call to Artists

City of Tarpon Springs
Tarpon Springs, FL

Request for Proposals:
Paint Me Out to the Ball Game – Sisler Field
Mural Project



Budget: \$1,000

Deadline: February 26, 2021

Application Submissions: email Dianne Wood at dwood@ctsf.us

Call to Artists (RFP)

In the Spotlight

Illuminated Light Box Tour Tarpon Springs, FL

The Illuminated Art Box Project incorporates the latest solar-powered technology to provide the City of Tarpon Springs' Sponge Docks with a captivating art gallery to enhance the visitor experience both day and night. The Tarpon Springs Public Art Committee (TSPAC) selected thirty works from a local "call to artists" out of more than 130 entries. Most of the original art is available for sale with contact information within the project brochure. The Tarpon Springs Public Art Committee hopes residents and visitors will enjoy the inspirational gallery of art during their visit to our historic Sponge Dock.



Barbara Mamouzelos
Egrets Socially Distanced

Illuminated Light Box Brochure

Glenna Goodacre, *Storybook Time and Naiads* Tarpon Springs, FL

The City of Tarpon Springs and the Public Art Committee are thrilled to have "Storybook Time," by renowned artist Glenna Goodacre installed at the Cultural Center, 101 South Pinellas Avenue. Captured in their expressions, as is Goodacre's signature style, is the timeless joy and wonder to be shared through reading together. The installation honors the site of the first library in Tarpon Springs established 1916 and as a gateway to the City's current library. The bronze mother and



photo credit: Tarpon Arts



The Tarpon Springs Public Art Projects were prominently featured in the January 2021 newsletter of the prestigious Florida Association of Public Art Professionals.

Outdoor Sculpture



Installation of
Glenna Goodacre
sculpture
“Story Time”
with plaque



Murals

Tarpon Springs artist Elizabeth Indianos' historic and cultural mural "This Plot, This Earth" was painted on a prepared wall in the Cultural Heritage Center that underwent a major renovation



Murals



This Blessed Plot, This Earth
Elizabeth Indians

- | | | | |
|--|--|---|---|
| ① Monarch Butterflies (migrate along Gulf Coast) | ⑪ White-Tailed Deer | ⑳ Homes & Fish Camps on the Bayou & Mullet Skiffs | ⑳ Steamboat "Mary Disston," 1880s |
| ② Early Indians in Florida & Indian Mounds | ⑫ Pileated Woodpecker | ㉑ Meyer House | ㉑ Fleming House, 1887 |
| ③ Seminole Mother Wearing Hibiscus & Baby | ⑬ Wood Ducks | ㉒ Wood Stork, Laughing Gull & Osprey | ㉒ Clemson House, 1902 |
| ④ Great Blue Heron, Oysters & Striped Fox Conch Seashell | ⑭ Seminole Chief Billy Bowlegs | ㉓ Cowboys are in Saw Palmettos & Brush (Inspired by Painter Fredric Remington "Florida Cracker Boys") | ㉓ Safford House, 1883 |
| ⑤ Racoon & Eastern Lubber Grasshopper | ⑮ Gray Squirrel | ㉔ White-Tailed Deer | ㉔ Greek Sponge Diver & Epiphany Divers |
| ⑥ Seminole Princess | ⑯ Orange Belt Railroad, 1888 | ㉕ Floating Aquatic Lily Pads | ㉕ Annie Doris Dabbs (Union Academy Community) |
| ⑦ Seminole Alligator Wrestler | ⑰ Florida Black Bear | ㉖ American White Water-Lily | ㉖ Florida Panther |
| ⑧ Spanish Conquistadors | ⑱ Vinson House | ㉗ Anhinga with Pin Fish | ㉗ Brown Pelican |
| ⑨ Anclote Lighthouse, 1887 | ⑲ Barred Owl | ㉘ Feral Hogs | ㉘ Eastern Diamondback Rattlesnake |
| ⑩ Jumping Tarpon | ㉚ Coconut Palms, Palmettos, Pines & Moss | ㉙ Brown Booby | ㉙ American Alligator |



An informational "key" detailing the historic figures, flora and fauna was printed on high quality aluminum and installed next to the mural in the Cultural Heritage Center.

Murals



Christopher Still mural in the newly renovated lobby of AdventHealth

Murals



Renovations at the hospital have been progressing despite the many challenges of COVID. We can't thank AdventHealth and all of our first responders enough for all they have done to care for our community. Joe Kokolakis and his team at Kokolakis Contracting have been hard at work remodeling the hospital. As restrictions have been lifted, we have been able to move forward with filming the video about the making of the painting. The Pinkham Family band has written and performed an original piece of music about Tarpon Springs that will be featured in the video. Former news anchor John Wilson will be narrating the video. We are proud to call Tarpon Springs home and we look forward to sharing the beauty and history of our great city with you. We would like to thank the Public Art Committee and the City of Tarpon Springs for their support. And we would like to thank Jason Dunkel and his team at AdventHealth North Pinellas for making this project possible.

Sisler Field

New mural at Sisler Field

- BY JEFF ROSENFELD Suncoast News staff

Apr 29, 2021 Updated May 3, 2021



TARPON SPRINGS – A Tampa artist recently finished painting a baseball-themed mural at Tarpon’s historic Sisler Field following a call to artists by the city’s Public Art Committee.

PAC officials designated one building on the west side of the park for an original mural for the field, located at 901 Bayou Ave, and Monica Swartley’s design, featuring a realistic pile of scuffed baseballs, was unanimously chosen.

The ballfield has a long and storied history — it’s named after Major League Baseball Hall of Famer George Sisler, a contemporary of Babe Ruth, and it’s been reported that the Bambino himself once played there.

Swartley, a Connecticut native who specializes in realistic paintings and utilizes a hyper-realistic style, said she was thrilled to be able to work in Tarpon and contribute her work to the historic site.

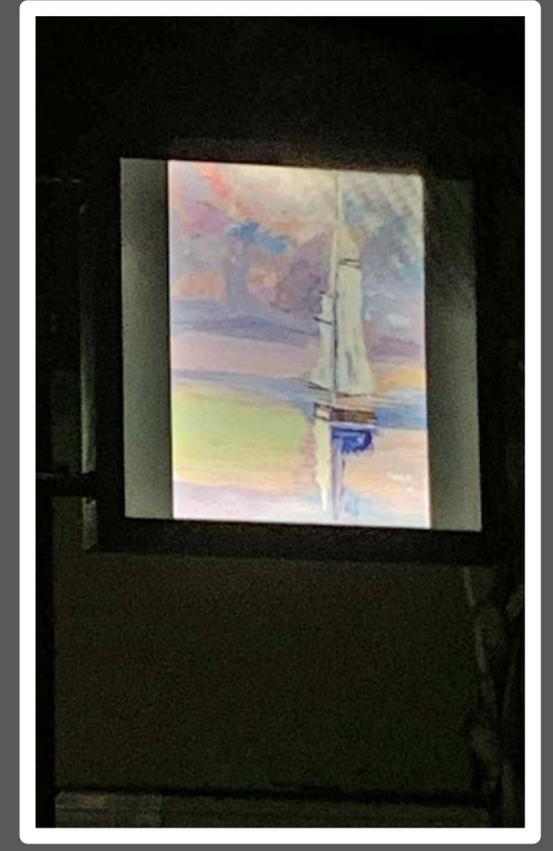
“It was my absolute pleasure to work with the Tarpon Springs Public Art Committee in the creation of this mural,” Swartley said via email. “I am honored and grateful to be able to contribute to such a beautiful community through my work.”

According to PAC officials, a softball mural is being considered for the opposite side of the building, and Swartley has been asked to present a proposal for that project, also.



Art Boxes

Fifteen unique solar-powered art boxes containing rotating artworks by local artists were commissioned by the PAC and installed on the Sponge Docks. In addition to creating a lighted art walk on the Docks, the boxes need no wiring and are easy and inexpensive to change out. A second “Call to Artists” is in progress and response has been positive. A second phase possibly using hard-wired boxes is under discussion.



David Danforth Mural

The PAC has requested a proposal for a shark mural at the Municipal Golf Course. We are awaiting a proposal from the artist for that project.



Black Heritage Project

The early history of Tarpon Springs is unique in that it demonstrated a symbiotic relationship between black sponge hookers and Greek sponge divers. To date, this facet of Tarpon history has not been represented in public art.



Black Heritage Project

The PAC has convened a “blue ribbon” Selection Panel consisting of Tina Bucavalas, Annie Dabbs, Rodrigo Davis, Dudley Salley, Milton Smith, Lynn Whitelaw and Teresa Wilkins. These individuals bring a wide spectrum of knowledge to the project.

The PAC will issue a “Call to Artists” to solicit proposals for art projects in any media for installation on city-owned property, possibly in two complementary locations – the Sponge Docks and the Union Academy neighborhood. All creative options are open.

The Selection Panel had its first meeting on May 27, 2021 at the Tarpon Springs Public Library.



The Tarpon Springs Public Art Committee wishes to thank the Board of Commissioners and City Staff for continued support and encouragement. We are excited as we begin another phase of contributing art to enhance the City's visual experience and sense of place.



“The mission of the Tarpon Springs Public Art Program is to enrich community through art in our surroundings.”



Project Administration Department

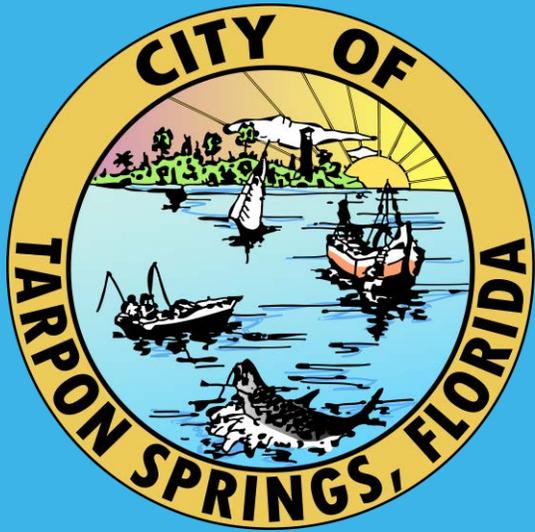
324 East Pine Street
Tarpon Springs FL 34689
(727) 942-5638

Memorandum

Date: June 3, 2021
To: Mark LeCouris, City Manager
From: Bob Robertson, P.E., Project Administration Department Director
Subject: Spring Boulevard Shoreline Update

Doug Stoker, P.E., Lead Engineer with Cardno will present a discussion of options for the Spring Boulevard Shoreline at the June 8, 2021 Regular Session of the Board of Commissioners. The discussion will highlight some of the results of the recent geotechnical and topographical survey as well as some recent discussions with permitting agencies.

The slides from Mr. Stoker's presentation are attached for your reference.



South Spring Boulevard Shoreline Options

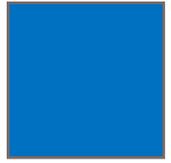
Presented to:
City of Tarpon Springs
Board of Commissioners

June 8, 2021

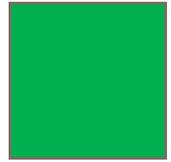
Presented By:
Doug Stoker, P.E. Cardno



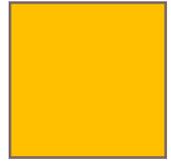
Concerns



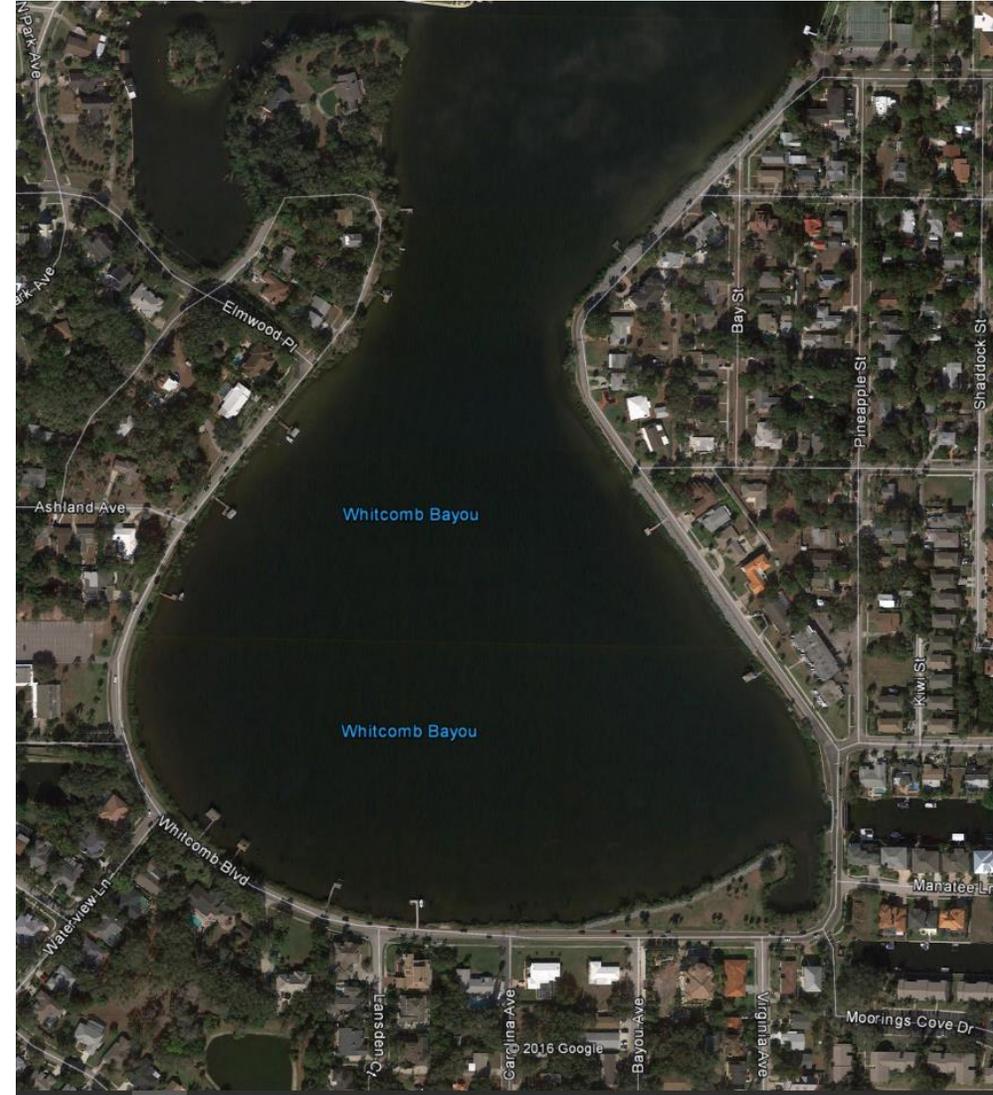
1. Street Flooding and Sea Level Rise



2. Safe Pedestrian Route (east-west trail connectivity)

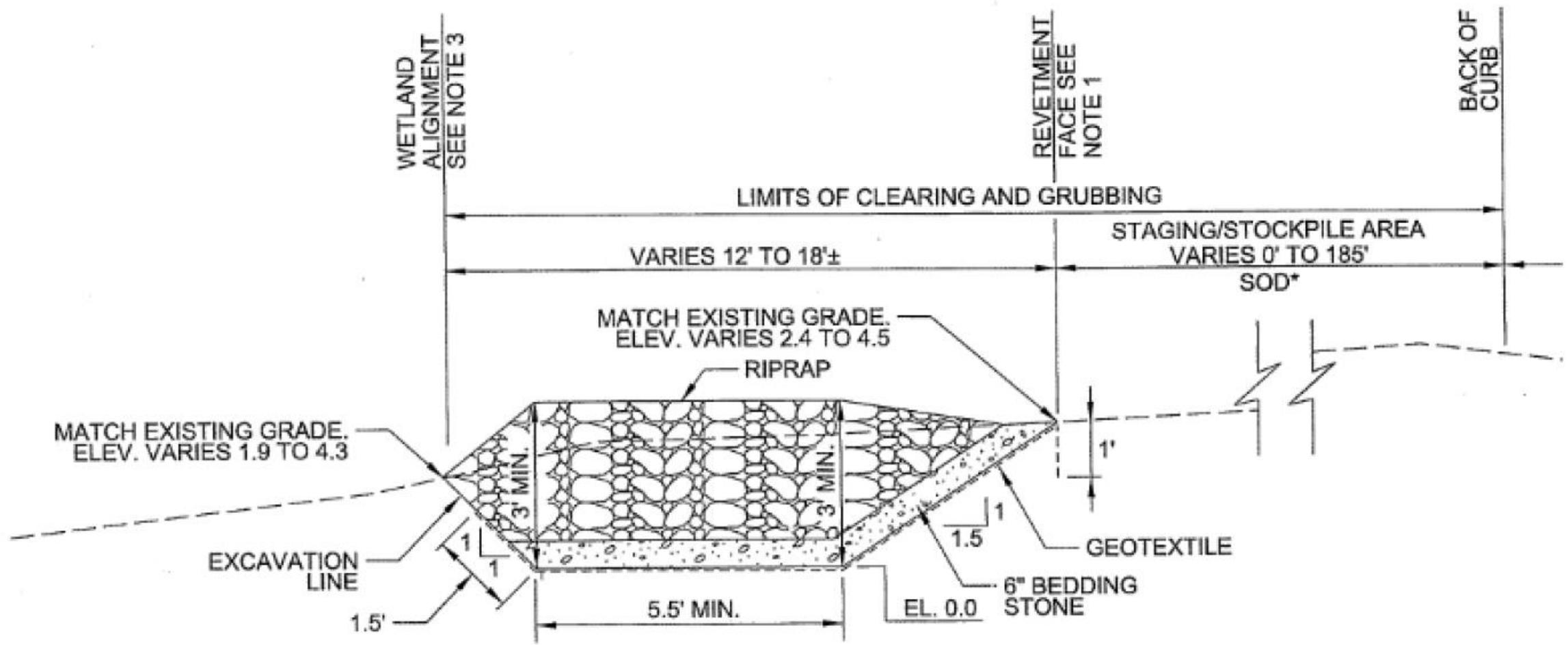


3. Revetment Aesthetics



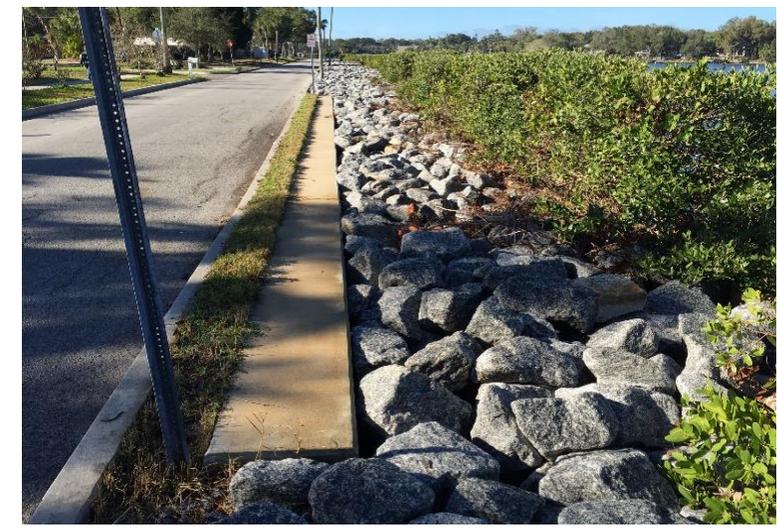


Existing Conditions





Existing Conditions





Street Flooding and Sea Level Rise



Street Flooding



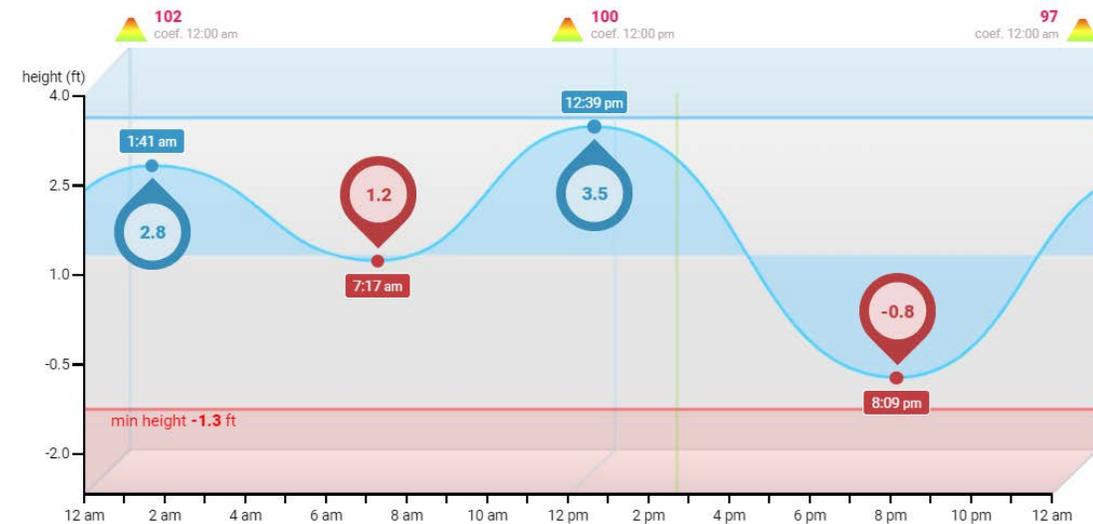


Tide Information

- Mean Higher High Water (MHHW) is the average height of the highest tide recorded at the tide station each day
- Survey elevations are based on NAVD 88 while tide information is typically based on NGVD 29. The conversion from NAVD 88 to NGVD 29 (often referred to as mean sea level in the past) at this project site is +0.85.
- MHHW for the Anclote River is approximately **2.15** (NAVD 88)

Elevations of tidal datums referred to Mean Lower Low Water (MLLW), in FEET:

HIGHEST OBSERVED WATER LEVEL (10/17/1975)	=	3.91
MEAN HIGHER HIGH WATER	MHHW	= 3.00
MEAN HIGH WATER	MHW	= 2.62
MEAN TIDE LEVEL	MTL	= 1.57
* NATIONAL GEODETIC VERTICAL DATUM	NGVD29	= 1.12
MEAN LOW WATER	MLW	= 0.52
MEAN LOWER LOW WATER	MLLW	= 0.00
LOWEST OBSERVED WATER LEVEL (10/21/1975)	=	-0.58

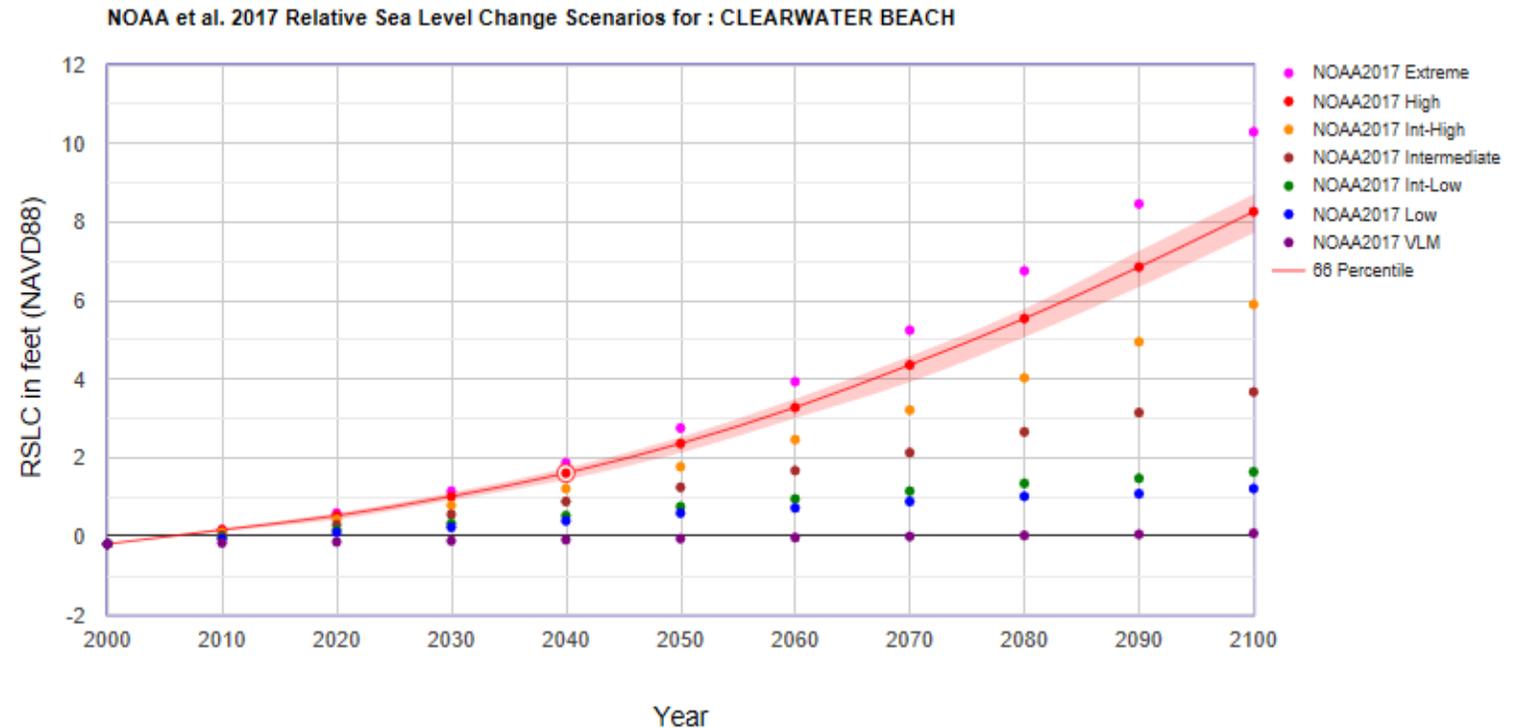




Resiliency – Sea Level Rise (SLR)

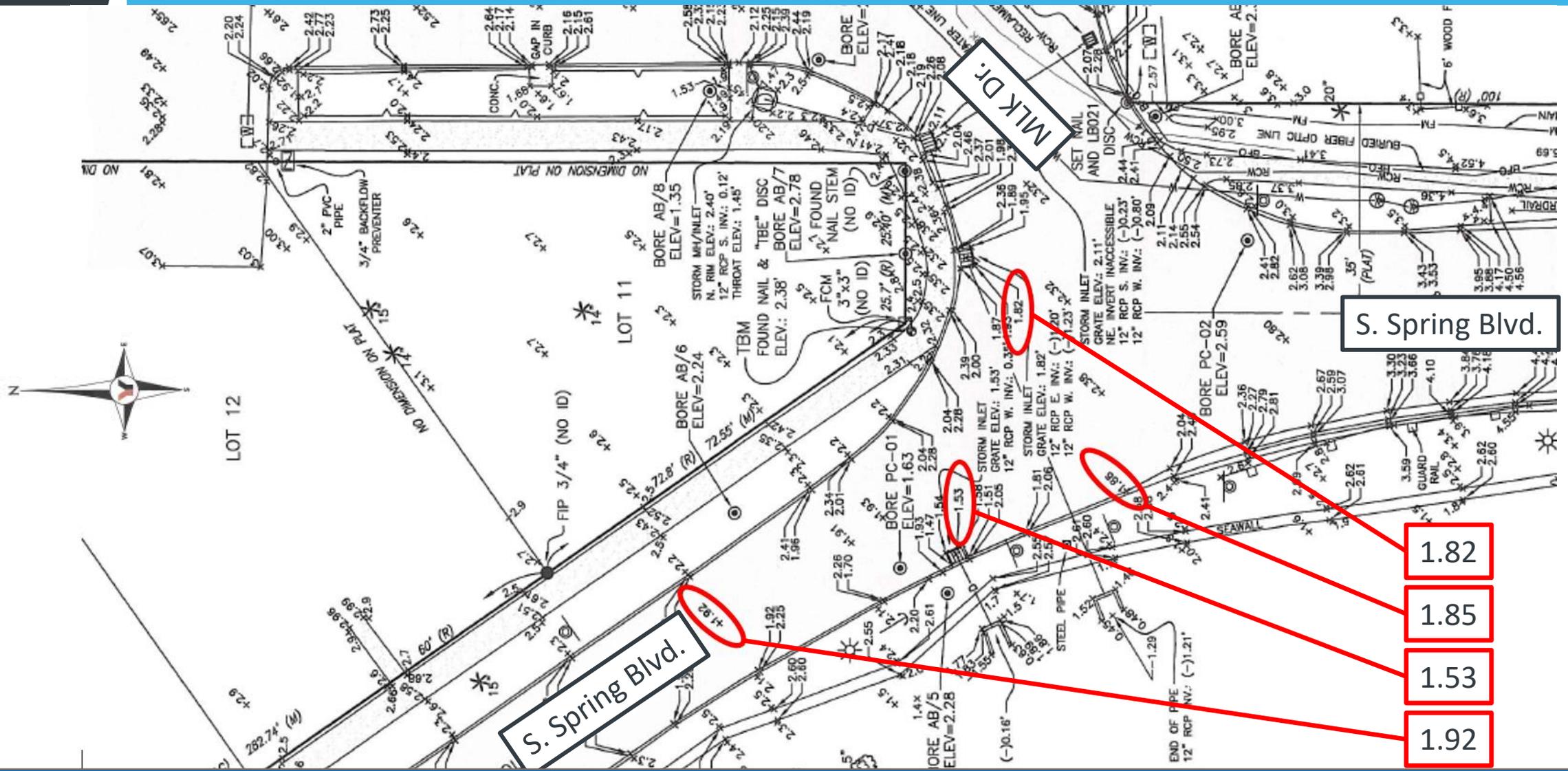
- > Historic data collected from a tide gauge in St. Petersburg show water levels in Tampa Bay have already increased by approximately 7.8 inches since 1946

Year	NOAA Int-Low (feet)	NOAA Intermediate (feet)	NOAA High (feet)
2000*	0	0	0
2030	0.56	0.79	1.25
2040	0.72	1.08	1.77
2050	0.95	1.44	2.56
2060	1.15	1.87	3.48
2070	1.35	2.33	4.56
2080	1.54	2.82	5.71
2090	1.71	3.38	7.05
2100	1.90	3.90	8.50



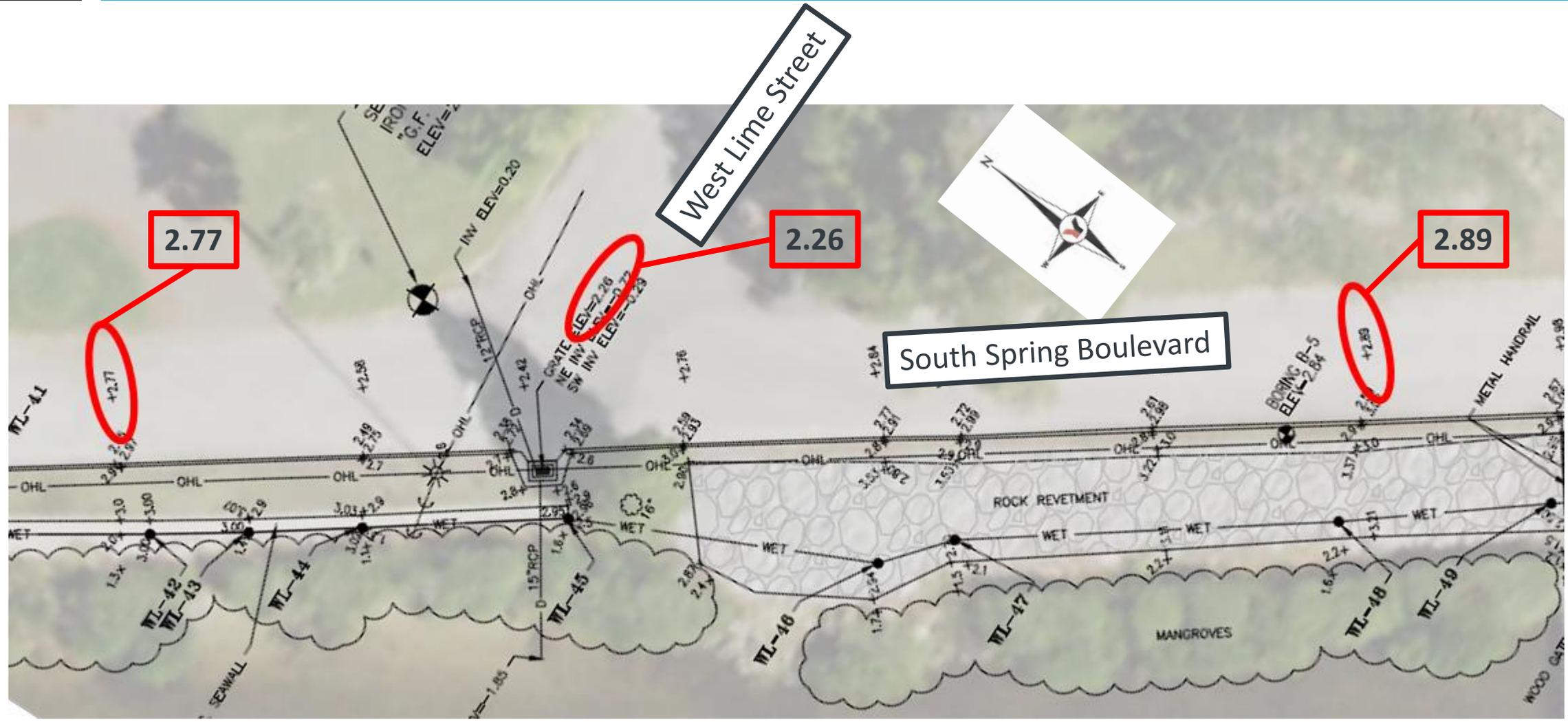


Data Collection





Data Collection





Future Project(s)



What does that mean?



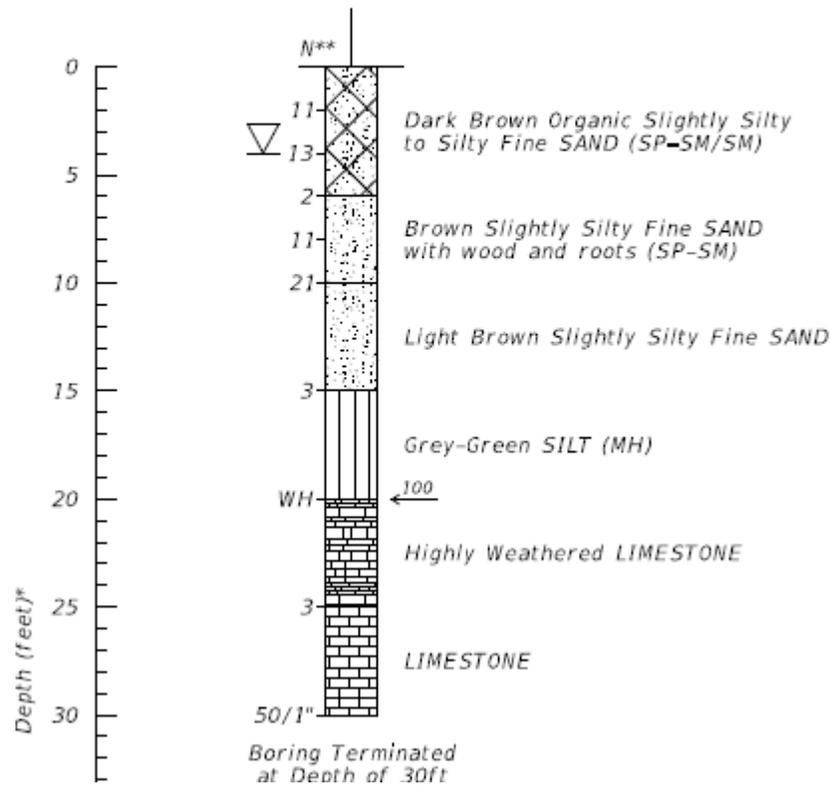
Safe Pedestrian Route



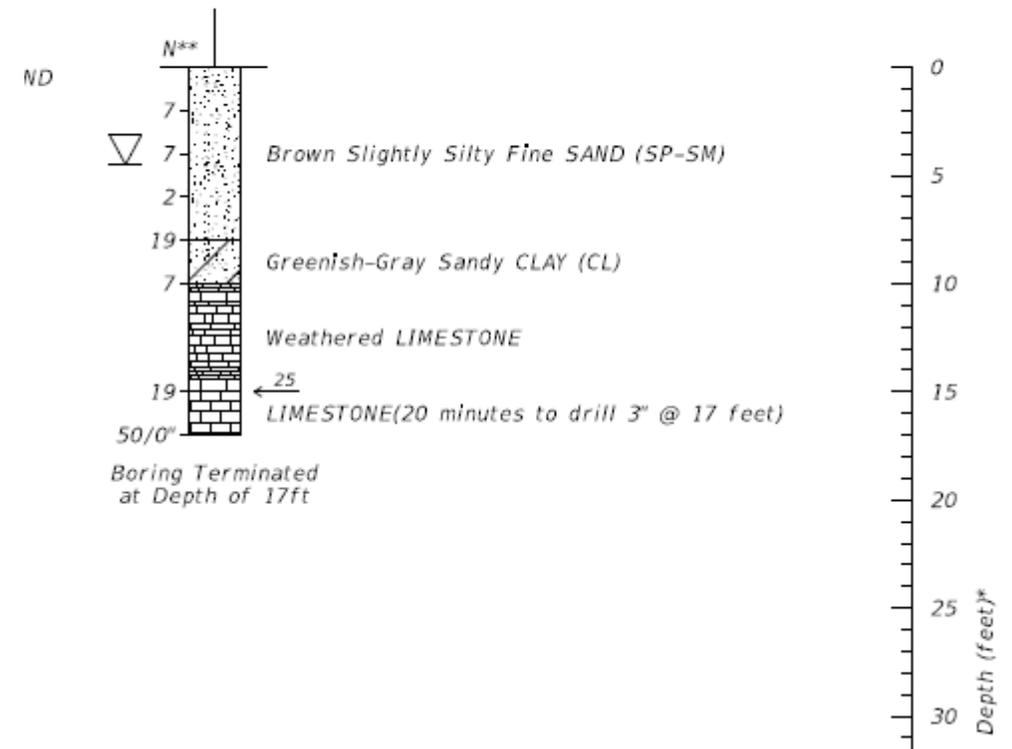
Data Collection



BOR # B-1
 DATE 12/14/2020
 HAMMER Auto
 RIG BR2500
 ***LATITUDE 28.140125
 ***LONGITUDE -82.874439



BOR # B-4
 DATE 12/15/2020
 HAMMER Auto
 RIG BR2500
 ***LATITUDE 28.141947
 ***LONGITUDE -82.762408

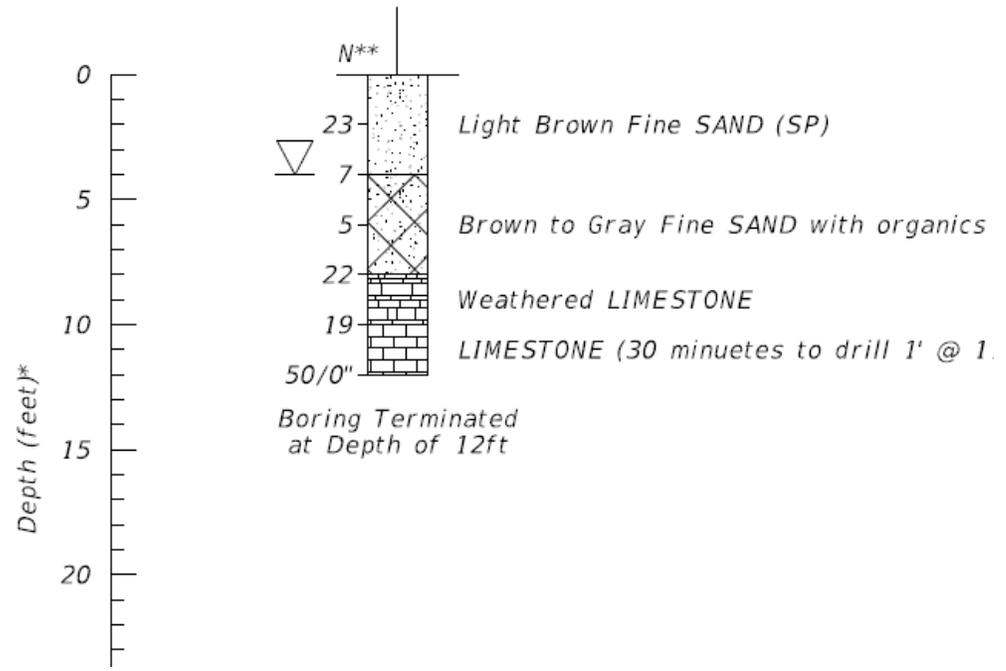




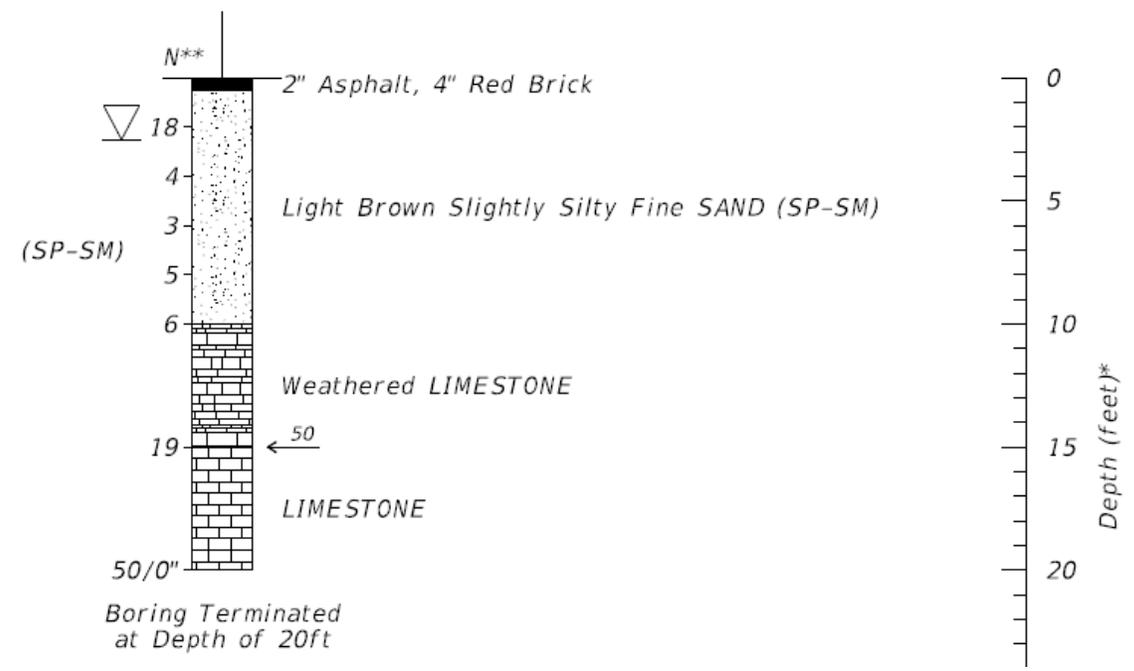
Data Collection



BOR # B-5
 DATE 12/15/2020
 HAMMER Auto
 RIG BR2500
 ***LATITUDE 28.142925
 ***LONGITUDE -82.763178

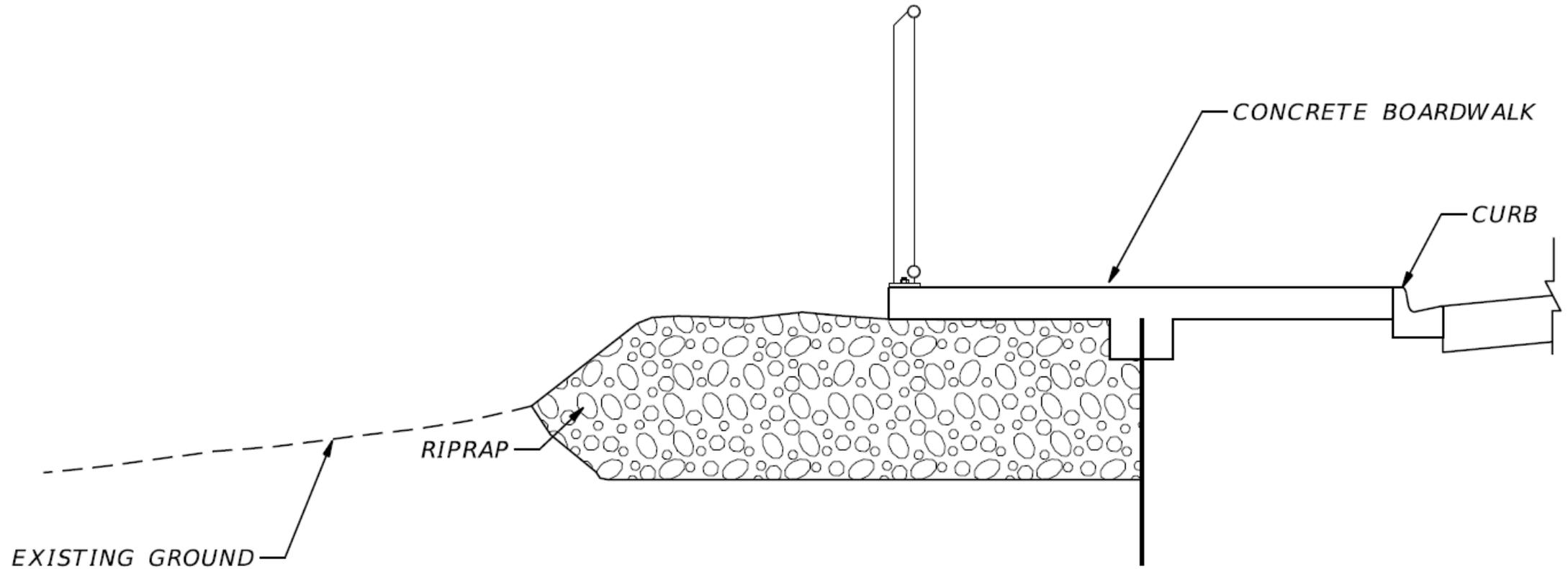


BOR # B-8
 DATE 12/16/2020
 HAMMER Auto
 RIG BR2500
 ***LATITUDE 28.145444
 ***LONGITUDE -82.762467





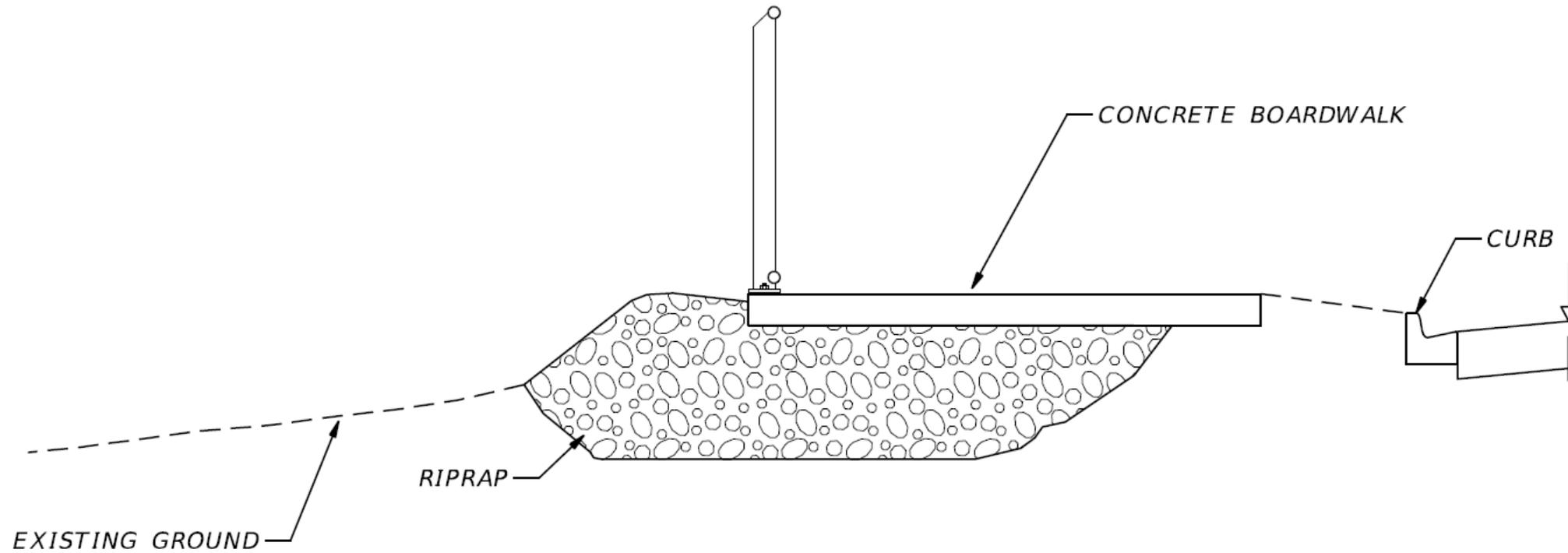
Alternative 1



- High likelihood of USACE approval
- Section will be highly variable to accommodate varied conditions
- \$3.4 million (design/permitting/construction)



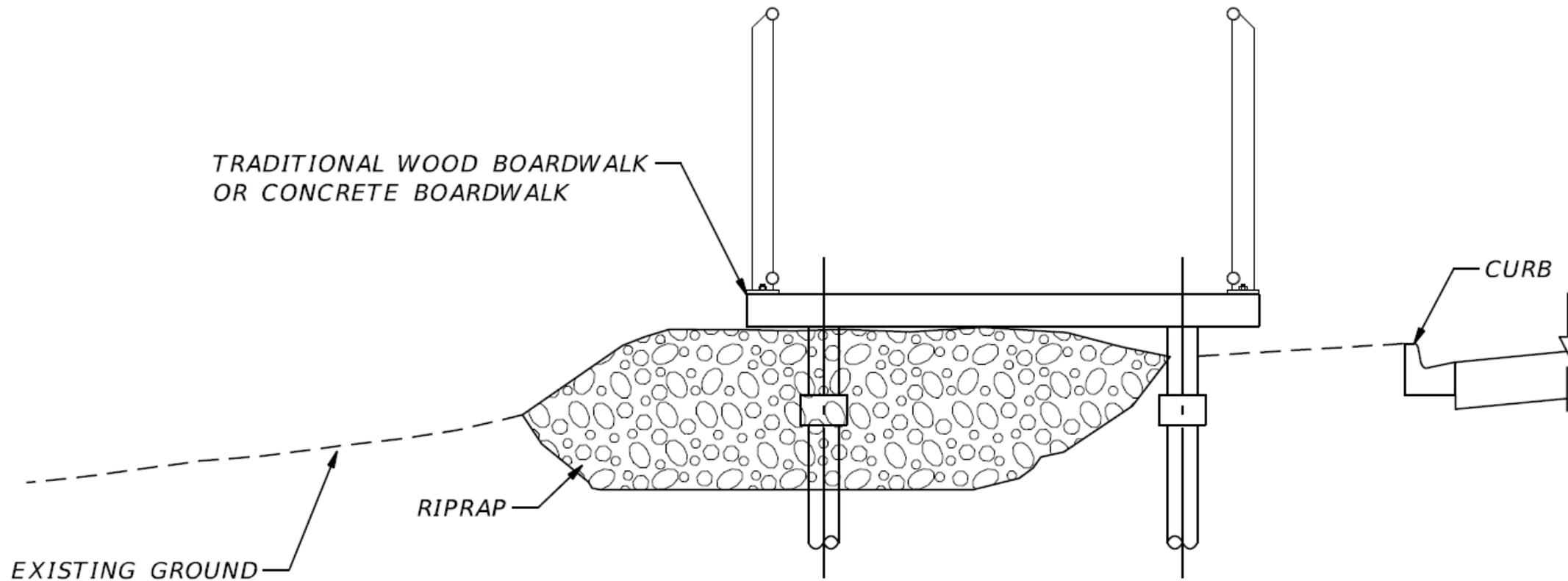
Alternative 2



- Long term viability of constructing a sidewalk atop unconfined rip rap is questionable
- Highly variable section means that some additional wall may be required
- \$1.2 million (design/permitting/construction)



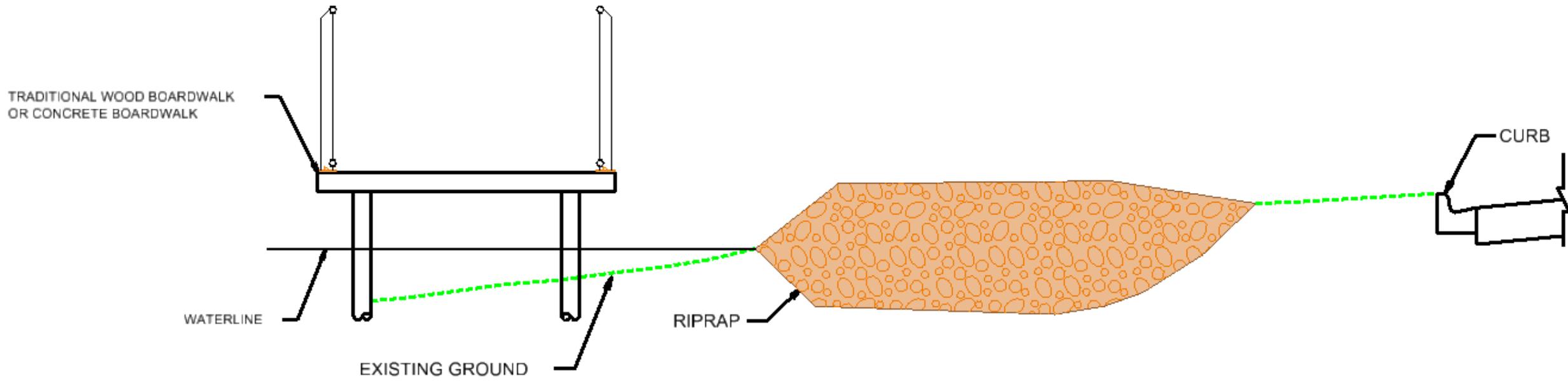
Alternative 3



- Would require removal and replacement of rip rap for pile installation
- USACE may not approve impact to bedding stone and geotextile fabric
- Concrete deck: \$2.3 million (design/permitting/construction)
- Timber boardwalk: \$1.9 million (design/permitting/construction)



Alternative 4



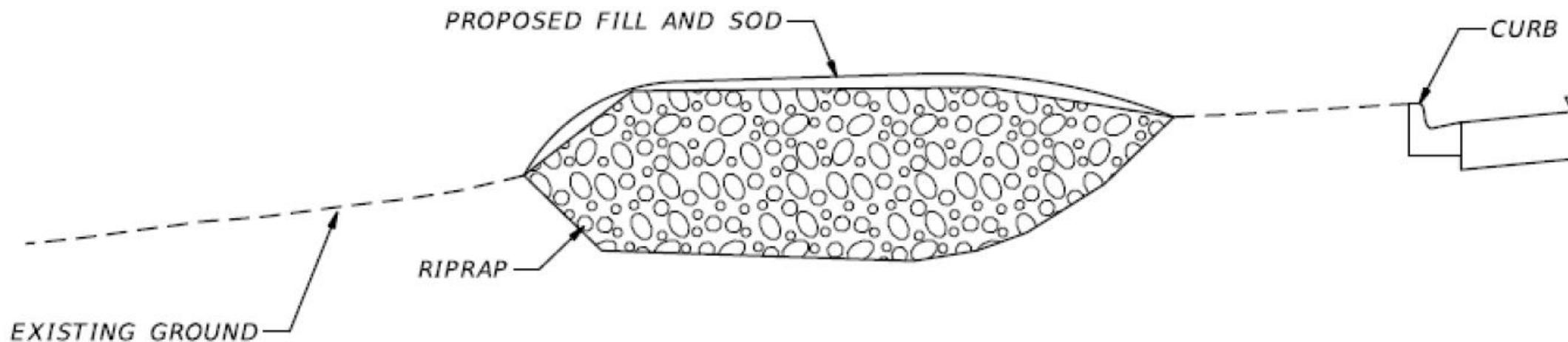
- Fill is not desirable - Avoidance/Reduction/Elimination
- Boardwalk is preferred but may conflict with docks (4 foot wide typical - may widen with ADA justification)
- Need sovereign lands determination and approval/lease from State Lands Division
- Concrete deck: \$2.3 million (design/permitting/construction)
- Timber boardwalk: \$1.9 million (design/permitting/construction)



Revetment Aesthetics



Alternative 5



- Fill on top of geotextile fabric
- Could be sod or landscaping
- \$650,000 (design/permitting/construction)



Environmental Permitting



- > FDEP
 - Prefers avoidance / reduction / elimination
 - Sea grass survey required
 - Aquatic Preserve
 - Will require submerged land lease

- > USACE (including NMFS/FWS)
 - Prefers avoidance and minimization
 - Section 408 determination necessary – engineering review based upon plans
 - Regulatory review required for anything below the mean high water line
 - Sea grass survey required
 - Nationwide permit likely for any efforts including roadway (stormwater discharge)

- > Pinellas County
 - Water and navigation permitting



Questions and Next Steps?

OFFICE OF THE CITY CLERK

INTER-DEPARTMENTAL MEMO

TO: HONORABLE MAYOR AND BOARD OF COMMISSIONERS

SUBJECT: SATISFACTION/RELEASE OF LIENS REGULAR SESSION June 8, 2021

Authorization is requested for the Mayor to execute Satisfaction and/or Release of Lien for the properties listed below. All monies owed the City for delinquent utility liens, street, and/or lot mowing assessments including interest and/or penalties, or administrative fees have been paid in full.

OWNER'S NAME	TYPE OF LIEN	ACCOUNT NUMBER
RACETRAC PETROLEUM, INC	UTILITY LIEN	64731-280007499
MATTHEW MARSTON	UTILITY LIEN	60851-271304245
MATTHEW MARSTON	UTILITY LIEN	48885-271304744
ZOIE COE	CODE ENFORCEMENT	19-80000664
SANFORD FUEL, LLC	CODE ENFORCEMENT	21-80000212
GARY M. KINNEY	CODE ENFORCEMENT	17-80000323
JOHN H. AARON, III	CODE ENFORCEMENT	18-80000721
INGRID M. JONES	CODE ENFORCEMENT	18-80000585
INGRID M. JONES	CODE ENFORCEMENT	19-80000875



**Public Works Department
Office of the Director**

Tom Funcheon
Public Works Director

To: Mayor and Board of Commissioners

From: Tom Funcheon, Public Works Director

Date: June 8, 2021

Subject: Special Event – Tarpon Springs Merchants Association
Shop the Docks
September 18, October 16, November 20 & December 18, 2021

Recommendation:

That the Mayor and Board of Commissioners approve the Tarpon Springs Merchants Associations' special event application for the "Shop the Docks" on September 18, October 16, November 20 & December 18, 2021, on Dodecanese Blvd. sidewalk area near the Sponge Exchange and the sponge diver statue.

If a change in the event date is necessary due to inclement weather, the City Manager will authorize/designate a rain date.

Background:

This event has been approved by the Special Events Review Committee based on previous events.

The hours of the event will be from 10:00 a.m. to 4:00 p.m., with setup beginning at 8:30 a.m. and cleanup ending by 5:30 p.m. The event will consist of vendors, food, and music. Proceeds will be used to pay event expenses and advertise future events.

The event sponsor will be responsible for all set-up and clean-up.

Approval of this event authorizes the Sponsor/User the use of City property for said special event with the understanding that they must operate and carry out the needs and functions of the event within the confines and requirements established and approved by the Special Events Committee, the B.O.C. and the Sponsor's application on record.

**City of Tarpon Springs
Application for Special Events**

Event Information:

Date of Application: May 25, 2021

Name of Event: Shop the Docks

Date(s) of Event: September 18, October 16, November 20 and December 18, 2021

Alternate Date(s): N/A

Hours of Event: 10:00 AM to 4:00 PM

Set up/break down time needed: Setup – 8:30 AM Teardown – 5:30 PM

Type/Purpose of Event: Fundraiser for the Tarpon Springs Merchants Association.

Location of Event (include map for parade/procession routes with assembly and disband points): Vendors will be set up on the sidewalk near the Diver statue on the north side of the Sponge Docks (Dodecanese Ave) and also on the sidewalk in front of the Sponge Exchange on the west side.

If Closure of a City Parking Lot is needed, please check: Mother Meres ___ Tarpon Ave. ___ Orange St. ___ Court/Lemon ___

Other:

Disposition of Proceeds: Pay for expenses of event and for advertising for future events.

Applicant Information:

Name of Organization: Tarpon Springs Merchants Association

Registered Nonprofit Org.: Yes No

Organizations Address: P O Box 2793, Tarpon Springs FL 34688

Individual to Contact: Carol Rodriguez (Telephone #) 845-661-5118 (email) carolaer@ymail.com

Alternative Contact: Reggie Gibson (Telephone #) 727-543-1593 (email) tarponsspringsflorida@gmail.com

General Information:

Number of Vendors: 12-15 (Sponsor is required to keep a list of vendors, and must be able to produce upon request.)

Location for Designated Vendor Parking (Please complete Vendor Designated Parking Form and attach to application): Parking lots and side streets.

Approximate Number of Attendees: 100-150 Entrance Fee:\$ N/A

Location for Attendee Parking: Parking lots and side streets

Will Private Security be Provided: Yes No Name of Private Company: N/A – no police needed
Will the Following be Provided: Traffic Control: Yes No Crowd Control: Yes No
Will Music be Provided: Yes No Hours of Play: event hours Band: DJ: Other:

Individual

Type & Location of Toilet Facilities: Public restrooms in City parking lot & Sponge Exchange

Tent or Other Structure: Yes No Type of Structure: Pop Up Tent

How will Structure be Secured: As Required

Solid Waste Collection/Disposal: Yes No Dumpster: Rolloff: Other: The

Merchants Association will make sure garbage is taken care of.

If parade # of: Participants: Animals Floats: Bands: Other:

Amusement/Carnival Rides: Yes No Name of Company Providing Rides:

Types of Rides: Is Diagram of Layout Attached:

Yes No

Will Food/Beverages be Served: Yes No Cooked on Site: Catered: Sold:

Given Away:

Will Alcoholic Beverages be Served: Yes No Type of Alcoholic Beverages:

Event Sponsor is responsible to ensure that all food/alcohol vendors have all necessary licenses as required by the Department of Business and Professional Regulations, Division of Hotels & Restaurants and/or Division of Alcohol and Tobacco, Department of Health, Environmental Health Division or any other applicable State Agency.

Equipment/Miscellaneous (please check if needed):

Barricades: How many: 2

Cones: How many:

Portable Stage: Location:

Electricity Needed: Where: The location of where the vendors will be.

Public Restrooms: Hours of Opening/Closing: Open at 8:30 AM until regular closing time

Street Banners: Locations: City approved locations

Additional City Trash Cans: 4

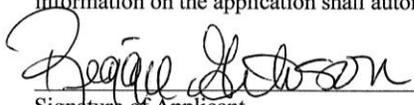
Directional Parking Signs: Locations:

Other:

Is a check made payable to the City of Tarpon Springs for the Application Fee & Deposit Attached: Yes

No

I (we) have read and completed this application and it is true and correct to the best of my (our) knowledge; I (we) have read the general instructions for this application and the City of Tarpon Springs Ordinance #88-25 and agree to conform with the provisions as set forth therein. I (we) understand that knowingly providing false information on the application shall automatically void the application and cancel the event.


Signature of Applicant

5-25-21
Date



PAUL SMITH
PUBLIC SERVICES DIRECTOR

Public Services Department

"At Your Service"

Memorandum

Date: June 8, 2021
To: Honorable Mayor and Board of Commissioners
Through: Mark LeCouris, City Manager
From: Paul Smith, Public Services Director
Subject: Authorize Mayor and City Manager to Execute a License Agreement with Camp Gladiator for Specified Exercise Class Use of the area in front of the Bandshell at Craig Park

Recommendation

It is recommended that the Board of Commissioners authorize the Mayor and City Manager to execute the attached License Agreement with Camp Gladiator for Specified Exercise Class Use of the area in front of the Bandshell at Craig Park.

Background

Camp Gladiator is a group fitness class that operates on Tuesday and Thursday mornings in the area in front of the Bandshell at Craig Park. The Camp is for all ages and fitness levels, from beginner to seasoned athlete. All workouts are go at your own pace and certified Trainers provide modifications as needed. The organization's stated goal is to positively impact the physical fitness and ultimately the lives of as many people as possible.

In 2019, the Board approved Ordinance 2019-05 (copy attached) to address *commercial activity* that is not sanctioned by the City occurring on public land and in City parks. This Ordinance creates a legal and regulated means to allow and recognize any potential commercial activity that occurs on public land and in City parks in order to provide for the health, safety, and welfare of its citizens, residents, and visitors.

Pursuant to the ordinance, the following commercial activities on any public lands (including parks) owned by or dedicated to the City would require a franchise or license agreement granted by the City:

- (1) Retail and wholesale of food, beverage or any other products;
- (2) Vendor, vending or caterer operations;
- (3) Rental of any products or equipment, such as chairs, bicycles, umbrellas, blankets, kayaks, jet skis, sailboats, motorized and unmotorized boats;
- (4) **Recreation programs**, including camps, schools, athletic teams, yoga, karate, aerobics or any other exercise classes or athletic instructions.

The attached license agreement provides the framework to meet the conditions of Ordinance 2019-05 and has been reviewed by the City Attorney and signed by the applicant on behalf of Camp Gladiator.

LICENSE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of June, 2021, by and between the **CITY OF TARPON SPRINGS**, a Florida municipal corporation, hereinafter referred to as "City," and the **EMILY FOSTER d/b/a CAMP GLADIATOR**, hereinafter referred to as "Camp."

WITNESSETH:

1. In consideration of the mutual covenants and promises contained herein, City does hereby agree to the non-exclusive use of certain City facilities by Camp as described herein, to wit:

The concrete apron immediately in front of the bandshell at Craig Park (hereinafter referred to as "Camp Facility").

2. This Agreement shall extend from June 1, 2021 to May 31, 2022 and may be automatically renewed for an additional one (1) year period by an exchange of letters evidencing such intent between the parties; provided, however, City may cancel this Agreement at will and in its sole discretion upon thirty (30) days written notice to Camp.

3. Camp shall use the Camp Facility for exercise classes on Tuesday and Thursday mornings from 9:00 a.m. until 11:00 a.m. and for no other purpose.

4. Camp shall pay City \$50.00 every five weeks beginning June 1, 2021. Payment shall be made payable to the City of Tarpon Springs and mailed directly to 400 S. Walton Avenue, Tarpon Springs, FL 34689.

5. Camp shall comply with all City ordinances and regulations.

6. Camp shall not erect or install banners, signs or tents at the Camp Facility.

7. Camp shall not sell products at the Camp Facility.

8. Camp shall not by virtue hereof be deemed to have become the tenant of City, as to any of the premises herein referred to, nor to have been given or accorded as against City the possession of any thereof; but as to such of the premises as it is hereunder entitled to use it shall be deemed merely to be a licensee permitted to enter therein solely for the purpose of exercising therein the rights and privileges hereby granted. Upon any termination of this Agreement, City shall have the right, through such means as it sees fit, to remove and exclude therefrom Camp and any of Camp's employees or members without being deemed guilty of any unlawful entry, trespass, or injury of any sort whatsoever.

9. Camp is hereby authorized and directed to make, keep and maintain reasonable rules and regulations regarding the use of the facility by members of Camp, and Camp agrees to keep the premises in a sanitary and clean condition and to keep the premises in as good condition as it is now, ordinary wear, tear and damage by the elements excepted.

10. City retains the right to schedule events or meetings that don't conflict with Camp's business or activities on Tuesday and Thursday mornings.

11. Camp agrees to and will at all times indemnify, save and hold harmless City from all liability, and claims, demands, damages and costs of every kind and nature, including attorney fees at trial or appellate levels, and all court costs arising out of injury to or death of persons (including Camp's members) and damage to any and all property, including loss of use thereof, resulting from or in any manner arising out of or in connection with any activities or use of the above facilities by Camp, its agents, servants or employees, or resulting from or in any manner arising out of its relationship with

City, excepting only liability resulting from the sole negligence of City. Camp shall, upon request from City, defend and satisfy any and all suits arising from its use of the premises.

12. Camp, at its own expense, shall keep in force during the entire time of this Agreement, or at any time it is using the facility, insurance issued by a responsible insurance company and in a form acceptable to City, for the protection of City against all liabilities, judgments, costs, damages and expenses which may accrue against, be charged to, or recovered from City, by reason of damage to property of City, injury to or death of any person or persons on account of any activities of Camp or use of City facilities or premises operation, including products liability, in a policy or policies in a combined single limit of not less than ONE MILLION DOLLARS (\$1,000,000) naming City as an additional insured on such policy. Camp will provide to City a certificate reflecting such insurance, in a form satisfactory to City, each calendar year of this Agreement.

13. Camp shall fully comply with the provisions of the Americans with Disabilities Act in the conduct of its activities on the premises, and shall not unreasonably deny access or participation based on physical disability. Camp agrees to indemnify/hold harmless City from all claims, damages, causes of actions costs, including but not limited to court costs and attorney's fees and staff time, in any action or proceeding brought alleging a violation of the Americans with Disabilities Act relative to organization activities.

14. Camp shall not discriminate in any manner and agrees that no person shall be excluded from participating in its exercise classes on the basis of race, color,

religion, national origin or ancestry, age, sex, sexual orientation, disability, genetic information, veterans status or gender identity.

15. This Agreement may not be assigned or transferred in any manner by Camp and any such assignment or transfer is expressly prohibited.

16. In the event that City is assessed for ad valorem taxes, or any other expenses or costs or assessments of any type arising from Camp's use of the facility, Camp shall, within ten days of notice of such tax assessment, expense or other cost, reimburse City in full for such costs. Failure to reimburse City as above called for shall be deemed a material breach of this Agreement and shall subject this Agreement to immediate cancellation and termination.

17. This Agreement shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first written above.

ATTEST:

CITY OF TARPON SPRINGS
a Florida municipal corporation

Irene Jacobs, City Clerk

By: _____
Chris Alahouzos, Mayor

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

By: _____
Mark LeCouris, City Manager

CAMP:

A handwritten signature in blue ink, appearing to read 'Emily Foster', written in a cursive style.

EMILY FOSTER d/b/a CAMP GLADIATOR



Memorandum

Date: February 26, 2019

To: Honorable Mayor and Board of Commissioners

Through: Mark LeCouris, City Manager

From: Paul Smith, Public Services Director
Craig Dolan, Recreation Superintendent

Subject: Ordinance 2019-05; Commercial Activity on Public Land Including City Parks

Recommendation

Approve Ordinance 2019-05 to make specific changes to the *City Code of Ordinances, Chapter 12.5: - Parks and Recreation* regulating activity on public land and City parks.

Background

The Code of Ordinances of the City of Tarpon Springs currently requires *recreation permits* for individuals actively using City parks. While this requirement was based in preserving park space for use, it is recommended that the requirement be deleted for several reasons, including the need for overall encouragement of recreational park usage and the impracticability of enforcement.

Additionally, there is a need to better address *commercial activity* that is not sanctioned by the City occurring on public land and in City parks. This Ordinance is proposed to update and create a legal and regulated means to allow and recognize any potential commercial activity that occurs on public land and in City parks in order to provide for the health, safety, and welfare of its citizens, residents, and visitors.

Per this proposed ordinance, the following commercial activities on any public lands (including parks) owned by or dedicated to the City would require a franchise or license agreement granted by the City:

- (1) Retail and wholesale of food, beverage or any other products;
- (2) Vendor, vending or caterer operations;
- (3) Rental of any products or equipment, such as chairs, bicycles, umbrellas, blankets, kayaks, jet skis, sailboats, motorized and unmotorized boats;
- (4) Recreation programs, including camps, schools, athletic teams, yoga, karate, aerobics or any other exercise classes or athletic instructions.

The ordinance provides for an exemption through special permitting, such as the special events process.

ORDINANCE 2019-05

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING CHAPTER 12.5: - PARKS AND RECREATION, ARTICLE 1 - IN GENERAL, SECTION 12.5-6 – DELETING THE RECREATION CARD REQUIREMENT AND REQUIRING A FRANCHISE OR LICENSE AGREEMENT FOR COMMERCIAL ACTIVITY ON PUBLIC LAND AND USE OF CITY PARKS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Code of Ordinances of the City of Tarpon Springs currently requires recreation permits for recreation uses in City parks, however, city staff has recommended that that requirement be deleted; and

WHEREAS, the Board of Commissioners of the City of Tarpon Springs desires to update the Code of Ordinances to better reflect the policies of the Tarpon Springs Recreation Division; and

WHEREAS, the Board of Commissioners of the City of Tarpon Springs desires to update the Code of Ordinances to better address commercial activity that is not sanctioned by the City occurring on public land and in City parks; and

WHEREAS, the Board of Commissioners of the City of Tarpon Springs desires to provide for the health, safety, and welfare of its citizens, residents and visitors; and

WHEREAS, the Board of Commissioners of the City of Tarpon Springs desires to update the Code of Ordinances to create a legal and regulated means to allow and recognize any potential commercial activity that occurs on public land and in City parks in order to provide for the health, safety, and welfare of its citizens, residents, and visitors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TARPON SPRINGS THAT:

SECTION 1. That Chapter 12.5: - Parks and Recreation, Article I – In General, Section 12.5-6, shall hereinafter be amended to read as follows:

ARTICLE I – IN GENERAL

§12.5-6. – COMMERCIAL ACTIVITY ON PUBLIC LAND AND USE OF CITY PARKS.

(a) The following commercial activities on any public lands owned by or dedicated to the City or any parks located in the City are prohibited, except for any commercial activities performed under a franchise or license agreement granted by the City or any business conducted by the City:

- (1) Retail and wholesale of food, beverage or any other products;
- (2) Vendor, vending or caterer operations;
- (3) Rental of any products or equipment, such as chairs, bicycles, umbrellas, blankets, kayaks, jet skis, sailboats, motorized and unmotorized boats;
- (4) Recreation programs, including camps, schools, athletic teams, yoga, karate, aerobics or any other exercise classes or athletic instructions.

(b) Notwithstanding the prohibitions set forth in subsection (a) of this section, the city manager or his designee may suspend the operation of this section through the issuance of a special permit.

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

SECTION 3. In the event a court of competent jurisdiction finds any part or provision of this Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

SECTION 4. The keeper of Code of Ordinances for the City of Tarpon Springs is directed to include this Ordinance in the Code of Ordinances and may renumber and reclassify the same as may be required for inclusion in the Code of Ordinances of the City of Tarpon Springs.

SECTION 5. This ordinance shall take effect immediately upon its passage and adoption in the manner provided by law.



CITY OF TARPON SPRINGS, FL

Purchasing Department

324 East Pine Street
P.O. Box 5004
Tarpon Springs, Florida 34688-5004
(727) 942-5615
Fax (727) 937-1766

MEMORANDUM

TO: Honorable Mayor and Board of Commissioners
THRU: Janina Lewis, CPPO, NIGP-CPP, Procurement Services Director *gl*
FROM: Anthony McGee, NIGP-CPP, CPPB, MBA, Senior Procurement Analyst *AM*
DATE: 6/08/2021
SUBJECT: Increase to File No. 210034-C-AM Utilizing U.S. Communities Purchasing Alliance Contract No. 15-JLP-023 for HVAC Products, Installation, Services and Related Products and Services

RECOMMENDATION:

Increase to File No. 210034-C-AM, U.S. Communities Purchasing Alliance Contract No. 15-JLP-023 for HVAC Products, Installation, Services and Related Products and Services with Trane U.S. Inc. formerly known as Tampa Bay Trane from an annual amount of \$75,000.00 to \$125,000.00 an increase of \$50,000.00 through September 30, 2022 for City wide use. Purchase orders will only be issued against approved budgets.

BACKGROUND:

On October 13, 2020, the Board awarded File No. 210034-C-AM for HVAC Product, Installation, Services and Related Products and Services to Tampa Bay Trane for the period October 14, 2020 through September 30, 2022. On January 26, 2021 the Board approved a name change from Tampa Bay Trane to Trane U.S. (see attached memo).

The purpose of this contract is to provide replacement and additional HVAC equipment, products, installations and other services.

The U.S. Communities Purchasing Alliance is jointly sponsored by the Association of School Business Officials International (ASBO), the National Association of Counties (NACO), the National League of Cities (NLC), and the United States Conference of Mayors (USCM). U.S. Communities pools the purchasing power of public agencies, achieves bulk volume discounts on behalf of public agencies and competitively solicits quality products through a lead public agency.

FUNDING: Funding will be identified as orders are placed.

Accepted by: _____
City Manager

Attest: _____
City Clerk



Public Works Department

Tom Funcheon
Public Works Director

To: Janina Lewis, Procurement Services Director

From: Tom Funcheon, Public Works 

Date: May 28, 2021

Re: Increase File No. 210034-C-CM, Trane U.S.

Recommendation:

To increase File No. 210034-C-CM from an estimated annual amount of \$75,000 to \$125,000, an annual increase of \$50,000 for HVAC products, installations and services & repairs.

Background:

The \$50,000 increase will bring us in line to what has been the annual approved amount over the last four years.



CITY OF TARPON SPRINGS, FL

Procurement Services

324 East Pine Street
P.O. Box 5004
Tarpon Springs, Florida 34688-5004
(727) 942-5615
Fax (727) 937-1766

MEMORANDUM

TO: Honorable Mayor and Board of Commissioners
THRU: Jay Jackus, CPPO, CPPB, Procurement Services Director
FROM: Anthony McGee, CPPB, MBA, Senior Procurement Analyst
DATE: 01/26/2021
SUBJECT: Approve Name Change Tampa Bay Trane, File No. 210034-C-AM

RECOMMENDATION:

Approve Name Change from Tampa Bay Trane Federal Employer Identification Number (FEIN 59-1274990) to Trane U.S. Inc. Federal Employer Identification Number (FEIN 25-0900465) for HVAC Product, Installation, Services and Related Products and Services.

BACKGROUND:

On October 25, 2020, the Board awarded File No. 210034-C-AM for HVAC Product, Installation, Services and Related Products and Services to Tampa Bay Trane for the period October 14, 2020 through September 30, 2022. The purpose of this contract is to provide replacement and additional HVAC equipment, products, installations and other services.

The name change is required since Trane U.S. Inc. acquired the assets and locations of Tampa Bay Trane facilities in Tampa, Florida.

FUNDING: Funding will be identified at the time orders are placed.

Accepted by: 
City Manager

Attest: 
City Clerk





CITY OF TARPON SPRINGS, FL

Purchasing Department

324 East Pine Street
P.O. Box 5004
Tarpon Springs, Florida 34688-5004
(727) 942-5615
Fax (727) 937-1766

MEMORANDUM

TO: Honorable Mayor and Board of Commissioners
THRU: Jay Jackus, CPPO, CPPB, Procurement Services Director 
FROM: Anthony McGee, CPPB, MBA, Senior Procurement Analyst
DATE: 10/13/2020
SUBJECT: Award File No. 210034-C-AM Utilizing U.S. Communities Purchasing Alliance Contract No. 15-JLP-023 for HVAC Products, Installation, Services and Related Products and Services

RECOMMENDATION:

Award File No. 210034-C-AM, HVAC Products, Installation, Services and Related Products and Services to Tampa Bay Trane utilizing U.S. Communities Purchasing Alliance Contract No. 15-JLP-023 for the period October 14, 2020 through September 30, 2022 in an annual amount not to exceed \$75,000 for City wide use. Purchase orders will only be issued against approved budgets.

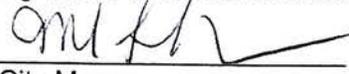
BACKGROUND:

The purpose of this contract is to provide replacement and additional HVAC equipment, products, installations and other services.

The U.S. Communities Purchasing Alliance is jointly sponsored by the Association of School Business Officials International (ASBO), the National Association of Counties (NACO), the National League of Cities (NLC), and the United States Conference of Mayors (USCM). U.S. Communities pools the purchasing power of public agencies, achieves bulk volume discounts on behalf of public agencies and competitively solicits quality products through a lead public agency.

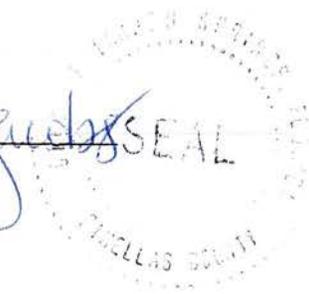
FUNDING: Funding will be identified as orders are placed.

Accepted by: _____


City Manager

Attest: _____


City Clerk





CITY OF TARPON SPRINGS, FL

Procurement Services

324 East Pine Street
P.O. Box 5004
Tarpon Springs, Florida 34688-5004
(727) 942-5615
Fax (727) 937-1766

MEMORANDUM

TO: Honorable Mayor and Board of Commissioners

FROM: Anthony McGee CPPB, MBA, Senior Procurement Analyst *AM*

Thru: Jay Jackus, CPPO, CPPB, Procurement Services Director *JJ*

DATE: 10/13/2020

SUBJECT: Reject All Bids for Bid No. 200159-B-AM HVAC Repair & Maintenance Contract

RECOMMENDATION:

Reject the all bids submitted for Bid No. 200159-B-AM, HVAC Repair & Maintenance Contract for the reasons stated in the background.

BACKGROUND:

The City has been under contract with Tampa Bay Trane (Trane) to provide HVAC Repairs and Maintenance since April of 2017. In an effort to provide local air conditioning contractors an opportunity to bid on City work, the Board directed staff to solicit bids prior to the current contract expiring. Licensed air conditioning contractors within the City were contacted and advised of the upcoming bid opportunity. Of those contacted, one company, Cool Seasons downloaded the bid package but failed to submit a bid. In addition, with over 106 units and related equipment, it takes approximately six (6) months to one (1) year for a new company to familiarize themselves with the locations and associated equipment while Trane is already familiar with the City. Therefore, it is staffs intent to contract with Tampa Bay Trane under the U. S. Communities contract that was awarded previously (under a separate agenda item). Tampa Bay Trane also manages the City's Building Control System (under a separate contract), and their technicians are cross-trained to handle mechanical, and technical issues which will result in a cost savings as we will no longer have to contract and pay two separate vendors for potentially the same issue (see attached memo).

FUNDING: No fiscal impact



**Public Works Department
Office of the Director**

Thomas Funcheon
Public Works Director

To: Jay Jackus, Procurement Services Director
From: Tom Funcheon, Public Works Director
Date: October 13, 2020
Re: Reject Bid (No. 200159-B-AM) and Renew Existing Contract (No. 170109-C-CM)

RECOMMENDATION:

We recommend rejecting the HVAC Repair and Maintenance Contract, and awarding the renewal to Tampa Bay Trane utilizing the U.S. Communities Purchasing Alliance Contract No. 15JLP-023 in an amount not to exceed \$150,000.

The current contract with Tampa Bay Trane allows for this two-year renewal, which is an overall lower cost than the bid we are rejecting.

BACKGROUND:

While we knew we had the option of a two-year renewal with Tampa Bay Trane, we made the decision to go out for bid in order to give an opportunity to a Tarpon based company, and at the same time lower the overall City cost. However, no bids were received from any Tarpon vendors.

With over 106 units/related equipment, it takes approximately six (6) months to one (1) year for a new company to become familiar with the locations and associated equipment, therefore, requiring City staff to take additional time away from their normal duties and responsibilities to escort these new technicians around the City.

Trane also has twenty-seven (27) technicians available within fifteen (15) miles of City Hall. Our experience with their response time has been excellent. It's extremely important to maintain this with facilities that operate 24/7, and are multi-use buildings.

Additionally, Trane manages the Building Control System (under a separate agreement) and their technicians are crossed trained to handle mechanical and technical issues. This will provide a cost savings as we will no longer have to contract and pay two separate vendors for potentially the same issue.

We have twenty-four (24) units/associated equipment that could be bid-out for replacement.

2020 Air Conditioner Units

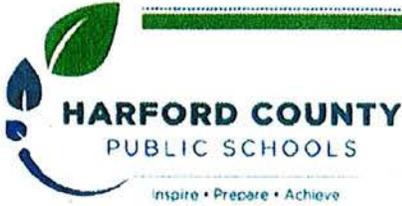
Location	Brand	Model	Condition/Grade Key-10 is Best Condition	Possible Non- Exclusive Replacement Units
Cemetery	Trane	2TWR3018A1000AA	7	*
City Clerk	Trane	4TWR4036G1000AA	10	
City Clerk	Rheem	RAKAO37JAZ	4	
City Clerk	Haier	NOT LEGIBLE	3	
City Hall Overhang	Carrier	38ARZ012-501	6	
City Hall Overhang	Carrier	38AE-012-500	5	
City Hall Overhang	Carrier	NOT LEGIBLE	4	
City Hall Overhang	Carrier	NOT LEGIBLE	4	
City Hall Overhang	Trane	TSH30063RA	10	
City Hall Roof	Daikin (RTU#1)	DPS006AHHY2DW	7	
City Hall Roof	Trane (RTU#2)	4TCC4042A1000A	10	
City Hall Roof	Trane (RTU#3)	4TCC4042A1000A	10	
City Hall Roof	Trane (RTU#4)	TCC018F100BF	4	
City Hall Roof	Trane (RTU#5)	TCC030F100BE	5	
City Hall Roof	Trane (RTU#6)	TCC018F100BG	5	
City Hall Roof	Trane (RTU#7)	TCD048C300BD	5	
City Hall Roof	Daikin (RTU#8)	DPS010AHCY2DV	7	
City Hall Roof	Trane	4TTR4042L1000BA	10	
City Hall Roof	Rheem	13AJA24101	4	
City Hall Smoking Area	American Std.	2A7C0060A3000AA	5	
City Hall Smoking Area	Trane	TTB012C1000A2	3	
City Hall South Side	Trane	TTBO24C100A2	5	
City Hall South Side	Trane	TTA060D300A1	4	

City Hall South Side	Trane	4TWR4024G1000AA	10	
City Hall South Side	Trane	TTA120H300AA	10	
City Hall South Side	Trane	TTA120H300AA	10	
City Hall South Side	Trane	4TTR4060L1000AA	10	
Community Center	Ameristar	2A6M3036A1000AA	5	
Community Center	Trane	BTD736A100BO	3	
Community Center	General Electric	UNKNOWN	3	
Community Center	Rheem	13AJA42A01	5	
Community Center	Trane	4TTR6061C1000AA	7	
Community Center	Lennox	14ACX-060-230-14	5	
Community Center	Goodman	GSZ140601KD	7	
Community Center	Rheem	RAKA-060CAS	4	
Community Center	Trane	4TTR6030J1000AA	4	
Community Center	American Std.	TTA120A300DA	4	
Community Center	Trane	THE60DBBEY0V3L	10	
Cops & Kids	Trane	4TTR4036L000AA	10	*
Cops & Kids	Bard	W42AZ-A10	10	*
Cops & Kids	Bard	42WAA00N	2	*
Craig Park Rec Ctr	American Std.	2A6B30481000AA	3	*
Craig Park Rec Ctr	Grandaire	WCH3482GKA1	3	*
Craig Park Rec Ctr	Goodman	GS4304481CB	4	*
Craig Park School House	Weather King	13AJA2AH61	10	*
Cultural Center	American Star	2A6B0060A100AB	4	
Cultural Center	Samsung Minisplit x6	AR18KSFPDWQX	10	
Cultural Center	Trane	4TTR4048L1000A	10	

Cultural Center	Weather King	RH0541D	3	
Cultural Center	Trane	TWD760B100A0	4	
Dixie Hwy Lift Station	(Office) Revolv	NL03C00AFAAA1B	9	*
Dixie Hwy Lift Station	(LS) Goodman	GSC130481BB	7	*
Fire Station 70	Comfort Maker	C2A342GKA100	5	
Fire Station 70	Payne	PA1ZNA02400ACAA	2	
Fleet	Trane	2TTB3036A1000CA	7	*
Golf Course	Nordyne	JS5BD024KA	5	*
Golf Course	Goodman	GSZ130361BC	7	*
Golf Course	Trane	4TTR6061C1000AA	10	*
Golf Course	American Std.	C03681ROAH00000000 0	5	*
Heritage Museum	American Std.	7BOO36B100A1	5	
Heritage Museum	Trane	4TTA4060A3000AA	10	
Heritage Museum	Trane	4TTA3060D3000CA	5	
Heritage Museum	Trane	4TTR4060A3000AA	10	
Heritage Museum	American Std.	2A7A1036A1000AA	3	
Heritage Museum	American Std.	4TWB3036C1000A	5	
Heritage Museum	American Std. Rooftop	A1M000000000000000 E	7	
Library	Carrier	38AK5028-600	7	
Library	Carrier	38AK5028-600	7	
Library Interior Unit	Carrier	39NA072BCF18GR	5	
Marina	Trane	4TTR40364000AA	10	*

Old Police Dept.	Goodman x5/Roof Top x2 = 7 Total		9	*
Old Police Dept.	Goodman	GSX13031BD	9	*
Old Police Dept.	Goodman	GSX130301BD	9	*
Old Police Dept.	Goodman	GSX130301BD	9	*
Old Police Dept.	Goodman	GSX130301BD	9	*
Parks/Sanitation	Trane	4TTR4043L1000AA	10	*
Procurement (Stores Clerk)	Mitsubishi Minisplit	MUZ-HM24NAZ	10	*
Public Safety Bldg.	Carrier	30GTN GTR040-420	7	
Public Safety Bldg.	Samsung Minisplit (dispatch) x2		10	
Roads & Streets	Trane	4TWB3060B1000BA	5	
Roads & Streets	Trane	4TWB3060B1000BA	5	
Roads & Streets	American Std.	2A6M3036A1000AA	5	
Safford House	Trane	4TTR4060A300AA	10	
Safford House	American Std.	7A0036A100A1	4	
Safford House	American Std.	7A0048B100A0	4	
Sisler Field	Unit Inside Bldg.	NO ACCESS	6	*
Train Depot Museum	Trane	2TTBOO36A1000AA	5	
Train Depot Museum	Trane	2TTB0048A1000AA	5	
Train Depot Museum	Trane	TTBO24C100A2	3	
Train Depot Museum	Trane	2TTBOO48A1000AA	5	
Train Depot Museum	Trane	2TTBOO36A1000AA	5	

Union Academy	Trane	4TTR4060L1000AA	10	
Union Academy	Samsung Minisplit	AR18KSWSJWKX	10	
Union Academy	Payne	PH13NR048000AHAA	4	
Union Academy	Payne	PH16WA060-B	9	
Union Academy	TempStar	N2A300AKA200	4	
Union Academy	Payne	PH16NA036	6	
Union Academy	Rheem	RPKB036JAZ	3	
Union Academy	Rheem	RPKB036JAZ	3	
Union Academy	Trane	2TTB3060A1000CA	6	
Utility Billing	American Std.	2A6M3036A1000AA	5	
WWTP	Trane	4TTR4048L1000AA	5	
WWTP	Bard	WZHA1-A00	5	
WWTP	American Std.	7B0048C1C0A0	1	
WWTP	International Comfort	NAC024AKC3	1	
WWTP	Trane (rooftop)	TSC060G4RGBA	10	



Sean W. Bulson, Ed.D., Superintendent of Schools
102 S. Hickory Avenue, Bel Air, Maryland 21014
Office: 410-838-7300 • www.hcps.org • fax: 410-893-2478

RFP #15-JLP-023 RENEWAL #2
October 1, 2020 – September 30, 2022

This contract renewal is made and entered into this 19th day of August, 2019, by Harford County Public Schools, 102 South Hickory Avenue, Bel Air, Maryland (hereafter referred to as Owner) and Trane, a corporation located at 800 Beaty Street, in the city of Davidson, and State of North Carolina, (hereafter referred to as Contractor).

WHEREAS, Owner and Contractor have entered into an Agreement dated September 29, 2015 (hereafter referred to as the Contract), for the Contractor to provide comprehensive HVAC Products, Installation, Services and Related Products and Services in accordance with RFP #15-JLP-023.

WHEREAS, the original Contract term will expire on September 30, 2020;

THEREFORE, for and in consideration of the mutual promises to each other, as in hereinafter set forth, the parties hereto do mutually agree to renew the Contract as per the conditions set forth in the original Contract, as follows:

1. Owner chooses to offer the second and final option to renew this contract for two (2) year for the time period from October 1, 2020 through September 30, 2022.
2. Pricing structures and related pricing terms will remain the same as the original terms and conditions.
3. All other terms, conditions and provisions of the Contract remain in effect.
4. There is no renewals remaining for this Contract.

WHEREAS, the parties hereto desire to set the terms of the renewal to writing;

IN WITNESS WHEREOF, Owner and the Contractor have executed the renewal agreement the day and year written above.

HARFORD COUNTY PUBLIC SCHOOLS

By: [Signature]
Signature

Name: Bobbie Wilkerson, CPPO, CPPB

Title: Supervisor of Purchasing

Date: 8/19/2019

TRANE

By: [Signature]
Signature

Name: Alan L. Fullerton

Title: VICE PRESIDENT - SALES

Date: 8/15/19



CITY OF TARPON SPRINGS, FL

Procurement Services

324 East Pine Street
P.O. Box 5004
Tarpon Springs, Florida 34688-5004
(727) 942-5615
Fax (727) 937-1766

MEMORANDUM

TO: Honorable Mayor and Board of Commissioners
FROM: Janina Lewis, CPPO, NIGP-CPP, Procurement Services Director *JL*
DATE: 06/08/2021
SUBJECT: Award File No. 210157-N-JL, Single Source Purchase of City Wide Internet and Related Services

RECOMMENDATION:

Award File No. 210157-N-JL, Single Source Purchase Citywide Internet and Related Services to Frontier Communications of America and Charter Communications, Inc. (Spectrum) for services through June 24, 2022 in an amount not to exceed \$75,000 for City wide use. Purchase orders will only be issued against approved budgets.

BACKGROUND:

The city currently uses Spectrum and Frontier Services for internet related services. The request for single source purchase to each of these vendors is to maintain continuous support to operate the city wide internet infrastructure. These services are essential for:

- Network equipment, such as webcams, fuel pumps, SCADA, air conditioning and heat systems, etc, all of these devices require a static IP to access them as well.
- All Police and Fire communications require static IP addresses for security.
- Our financial system is in the cloud and requires static IP addresses and VPN tunnels

Pricing offered by both providers is the Government pricing rate. In May of 2021, Frontier and Spectrum were contacted to discuss negotiating lower rates for services and to achieve better pricing/efficiency for the City based on a long term solution, and again the rates provided to the City are the basic rates for Government pricing. There is no negotiating the rates.

Disruption in service or change of providers would cause changes to the City's static IP addresses which is the foundation of our City's technological infrastructure (see attached memo).

FUNDING: Funding will be identified on an as needed basis.

Accepted by: _____
City Manager

Attest: _____
City Clerk



City of Tarpon Springs, Florida

Suzanne Linton
IT Director

MEMORANDUM

DATE: May 26, 2021
TO: Janina Lewis Procurement Director
FROM: Suzanne Linton, IT Director
RE: City Internet Services

ok
sml

Recommendation

Authorize the single source purchase of Internet Services to Spectrum and Frontier Services in the amount of \$75,000 for City wide usage.

Background

The city currently uses Spectrum and Frontier Services for internet related services. The request for Single source purchase to each of these vendors is to maintain continuous support to operate the city-wide internet and communication infrastructure. The current providers use established Static IP Addresses. The static IP is a permanently fixed number IP address assigned by an ISP (Frontier or Spectrum). A simple way to think about a static IP is that it is an address for your business or residence on the Internet. Much like a physical street address, a static IP is able to tell other computers or servers on the Internet exactly where a specific computer is located or connected to the Internet. This is essential for:

- Network equipment, such as webcams, fuel pumps, Scada, air conditioning and heat systems, etc. all these devices require a static IP to access them as well.
- All Police and Fire communications require static IP addresses for security.
- All firewall policies are configured based upon our existing static IP addresses and their secondary and tertiary redundant static IP addresses. A change would require IT to reconfigure all firewall policies. (There are hundreds of them which are multi-faceted)

- IT can secure and split internet traffic by routing it depending on what static IP the traffic is coming in on
- Our City needs a VPN for vendors and employees to have remote access to our business network. When a VPN tunnel is created, a specific permanent Internet protocol (IP) address is required.
- Our financial system is in the cloud and requires static IP addresses and VPN tunnels

Pricing offered by our providers is the Government pricing rate.

In May of 2021, Frontier was contacted to increase bandwidth and achieve better pricing and efficiency for the City, based on a long-term solution. Our City Account Executive/Enterprise Business Acquisition representative for Frontier, explained the pricing the City currently receives is the basic published rates for a municipalities and commercial entities. She stated that the City of Tarpon Springs is paying the same rates as the County and State. There are no negotiating lower rates. The only way to achieve lower rates is to cut services or redesign which is more costly.

In May of 2021, Spectrum was contacted to discuss negotiating lower rates for services and again the rates provided to the City are the basic rates for Government pricing. There is no negotiating the rates.

In May of 2021, Florida Department of Management Services, Division of State Technology, was contacted to inquire as to the availability of any special State contract pricing for Internet Services. They advised that the State does not currently have contracts in place with Frontier, Bright House, or Comcast for Internet Services.

Disruption in service or change of providers would cause changes to the City's static IP addresses which is the foundation of our City's technological infrastructure. Internet static IP addresses would be taken from a different pool and would require a multi-faceted extensive change to our communication platform for all City-Wide technological systems. It is not practical and would not be cost effective to make a change due to the extensive manpower and down time resulting from the change.

Funding

Funds are budgeted under individual department accounts for the services they utilize.



City of Tarpon Springs Office of the Internal Auditor

Internal Audit Charter:

Purpose and Mission:

The purpose of internal auditing is to provide independent, objective assurance and consulting services designed to add value and improve an organization's operations. The mission of the Internal Audit office is to enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight.

Standards for the Professional Practice of Internal Auditing:

The Internal Auditor's office will conform to the International Professional Practices Framework (The "Standards") promulgated by the Institute of Internal Auditors (The "IIA"), commonly referred to as the "red book" standards. If conformity to certain portions of the Standards is not possible, the Internal Auditor will disclose any effect it has on the work product to the City Manager and the Board of Commissioners (The "BOC"). The office will also abide by the IIA's Code of Ethics.

Authority and Structure:

The Internal Auditor's office operates under the authority of Article II, Section 14 of the Tarpon Springs City Charter (See Appendix), and at the direction and discretion of the BOC¹. The BOC will function in the capacity of an audit committee. The Internal Auditor's office is led by the Internal Auditor (The "IA") and reports functionally to the BOC, and administratively to the City Manager. To establish, maintain, and assure that the Internal Auditor's office has sufficient authority to fulfill its duties, the BOC will:

- Approve the Internal Audit Charter.
- Approve the Internal Audit Manual.
- Approve a risk-based internal audit plan.
- Approve the Internal Auditor's budget and/or resource plan.
- Receive communications from the Internal Auditor concerning performance relative to his plan and other matters.

¹ Nothing in this audit charter shall supersede or diminish the authority or effect of the Tarpon Springs City Charter.

- Actively participate in discussions about the Internal Auditor's performance and ultimately approve decisions regarding his remuneration, employment, and other human resource related issues.
- Make appropriate inquiries of management and the Internal Auditor to determine whether there is inappropriate scope or resource limitations.

The Internal Auditor will have unrestricted access to, and communicate and interact directly with, members of the BOC including private meetings without the City Manager or his representatives present. The BOC authorizes the Internal Auditor to:

- Have full, free, and unrestricted access to all functions, records, property, and personnel pertinent to carrying out any engagement, subject to accountability for confidentiality and safeguarding of records and information.
- Allocate resources, set frequencies, select subjects, determine scopes of work, apply techniques required to accomplish audit objectives, and issue reports.
- Obtain assistance from the necessary personnel within the City of Tarpon Springs, as well as other specialized services from outside the City of Tarpon Springs, in order to complete an engagement.

Independence and Objectivity:

The Internal Auditor will ensure that the Internal Audit office remains free from all conditions that threaten the ability of the IA to carry out his responsibilities in an unbiased manner, including matters of audit selection, scope, procedures, frequency, timing, and report content. If the Internal Auditor determines that independence or objectivity may be impaired in fact or appearance, the details of impairment will be disclosed to the City Manager and the BOC.

The Internal Auditor will have no direct operational responsibility or authority over any of the activities audited. Accordingly, the IA will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair their judgment, including:

- Assessing specific operations for which they had responsibility within the previous year.
- Performing any operational duties for the City of Tarpon Springs or its affiliates.
- Initiating or approving transactions external to the Internal Audit office.
- Directing the activities of any City of Tarpon Springs employee not employed by the Internal Auditor office, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

In circumstances where the Internal Auditor has or is expected to have roles and/or responsibilities that fall outside of internal auditing, safeguards will be established to limit impairments to independence or objectivity. The Internal Auditor will:

- Disclose any impairment of independence or objectivity, in fact or appearance, to the City Manager and BOC.
- Exhibit professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined.
- Make balanced assessments of all available and relevant facts and circumstances.
- Take necessary precautions to avoid being unduly influenced by their own interests or by others in forming judgments.
- Confirm to the BOC, at least annually, the organizational independence of the Internal Audit office.
- Disclose to the BOC any interference and related implications in determining the scope of internal auditing, performing work, and/or communicating results.

Scope of Internal Audit Activities:

The scope of internal audit activities encompasses, but is not limited to, objective examinations of evidence for the purpose of providing independent assessments to the BOC and City management. Internal audit assessments include evaluating whether:

- Risks relating to the achievement of the City of Tarpon Spring's strategic objectives are appropriately identified and managed.
- The actions of the City of Tarpon Springs City Manager, employees, and contractors are in compliance with the appropriate policies, procedures, and applicable laws, regulations, and governance standards.
- Operations or programs are being carried out effectively and efficiently.
- Established processes and systems enable compliance with policies, procedures, laws, and regulations.
- Information and the means used to identify, measure, analyze, classify, and report such information are reliable and have integrity.
- Resources and assets are acquired economically, used efficiently, and adequately protected.

The Internal Auditor will report periodically to the BOC regarding:

- The Internal Audit office's conformance with the IIA Standards, and action plans to address any significant conformance issues.
- Significant risk exposures and control issues, including fraud risks, governance issues, and other matters requiring the attention of, or requested by, the BOC.
- Results of audit engagements or other activities.
- Resource requirements.
- Any response to risk by management that may be unacceptable to BOC.
- Changes to scope, or any item that materially alters an audit engagement.

The Internal Auditor also coordinates activities, where possible, and considers relying upon the work of other internal and external assurance and consulting service providers as needed. The

Internal Auditor may perform advisory and related client service activities (aka. "Non-Audit Services"), the nature and scope of which will be agreed upon with the BOC, provided the Internal Audit office does not assume management responsibility.

Opportunities for improving the efficiency of governance, risk management, and control processes may be identified during engagements. These opportunities will be communicated to the appropriate level of management.

Responsibility:

The Internal Auditor has the responsibility to:

- Submit, at least annually, to the City Manager and the BOC a risk-based internal audit plan for review and approval.
- Communicate to the BOC the impact of resource limitations on the internal audit plan.
- Review and adjust the internal audit plan, as necessary, in response to changes in the City's business, risks, operations, programs, systems, and controls.
- Communicate to the City Manager and the BOC any significant interim changes to the internal audit plan.
- Ensure each engagement of the internal audit plan is executed, including the establishment of objectives and scope, the assignment of appropriate and adequately supervised resources, the documentation of work programs and testing results, and the communication of engagement results with applicable conclusions and recommendations to appropriate parties.
- Follow up on engagement findings and corrective actions, and report periodically to the City Manager and the BOC any corrective actions not effectively implemented.
- Ensure the principles of integrity, objectivity, confidentiality, and competency are applied and upheld.
- Ensure the Internal Audit office collectively possesses or obtains the knowledge, skills, and other competencies needed to meet the requirements of the Internal Audit Charter.
- Ensure trends and emerging issues that could impact the City of Tarpon Springs are considered and communicated to the City Manager and the BOC as appropriate.
- Ensure emerging trends and successful practices in internal auditing are considered.
- Establish and ensure adherence to policies and procedures designed to guide the Internal Audit office.
- Ensure adherence to City of Tarpon Spring's relevant policies and procedures, unless such policies and procedures conflict with the Internal Audit Charter. Any such conflicts will be resolved or otherwise communicated to the City Manager and the BOC.

Quality Assurance and Improvement Program:

The Internal Audit office will maintain a quality assurance and improvement program that covers all aspects of the internal audit function. The program will include an evaluation of the Internal Audit office's conformance with the IIA Standards.

The Internal Auditor will communicate to the City Manager and the BOC on the Internal Audit office's quality assurance and improvement program, including results of external assessments conducted at least once every five years by a qualified, independent assessor or assessment team from outside the City of Tarpon Springs.

Appendix:

City Charter:

Article II, Section 14. - Internal auditor.

The board of commissioners shall appoint an internal auditor who shall serve at the pleasure of the board of commissioners and who shall perform such duties and functions as the board of commissioners may direct, including but not limited to the following:

- (a) Audits of all departments for compliance with city written policies and procedures, federal, state, and local laws, and maintain compliance as may be required by the state Auditor-General;
- (b) Develop and maintain an internal audit manual, outlining the objectives and procedures of the position;
- (c) Prepare an annual internal audit calendar;
- (d) Review all revenue sources and monitor payments to and from the city;
- (e) Review utility billing calculations, city receipts, and disbursements for accuracy;
- (f) Review the means for verifying and safeguarding all city assets;
- (g) Recommend and assist in improvements of controls to assure compliance with all applicable laws and regulations;
- (h) Perform special examinations, prepare studies, and report as directed by the Board of Commissioners.
- (i) Through audits, recommend improvements to ensure city resources are being used economically and efficiently. Report all findings or non-compliance issues to the City Manager and the Board of Commissioners.

The internal auditor shall be a charter officer and a full-time employee of the city, and shall be exempt from civil service.

(Ord. 83-24, adopted by electorate 10-18-83; Am. Ord. 87-51, passed 11-3-87; Ref. of 12-8-87; Am. Ord. 94-17, passed 6-21-94; Res. 95-15, passed 4-4-95; Res. 2000-17, passed 3-21-00; Am. Ord. 2004-34, passed 3-8-05 ; Am. Ord. 2019-20, § 6, passed 12-10-19, adopted by electorate 3-17-20)



MARK G. LECOURIS
CITY MANAGER

City of Tarpon Springs, Florida

Office of the City Manager
324 E. Pine Street
Tarpon Springs, FL 34689
(727) 938-3711

June 4, 2021

To: Mayor, Vice-Mayor and Commissioners

From: Mark G. LeCouris, City Manager

Subject: City Purchase of Lots 9, 10, 21 and 22 of Block 9, Inness Park Extension

Recommendation:

That the Board of Commissioners approved the execution of the attached contract for purchase of lots 9, 10, 21 and 22 of block 9, Inness Park Extension, contingent upon a survey and appraisal that is acceptable to the City.

Background:

Staff learned that the American Legion Post 46 Inc. intended to sell the above named property located on Tarpon Drive, south of the present Gulf Road Fire Station and four lots currently owned by the City. This lot would be a natural extension of the preserved land owned by the City for a future passive park, preserved greenspace or possibly storm-water needs for a future new fire station.

Post 46 agreed to a purchase price of \$40,000 (just market value on the Property Appraiser's records is \$39, 121), which would include a release of the reverter clause on the present Gulf Road Fire Station land. This language is found in the contract under "Additional Terms".

According to Renea Vincent, Planning and Zoning Director, the property being purchased is zoned single family, residential. The wetlands on the property may restrict the property to one home. Other permitted uses include community assembly, community gardens, Emergency Services facilities, Family Care Homes, Public Parks and Recreation facilities and schools. Again, our intent is to preserve the land for the purposes stated above.

Funding of the purchase is proposed to come from the Land Preservation Fund, which presently has \$50,000 in the budget. A boundary survey has been received and is pending review by staff. A copy has been included in this package. Approval would be contingent on receiving a land survey and appraisal that is acceptable to the City.

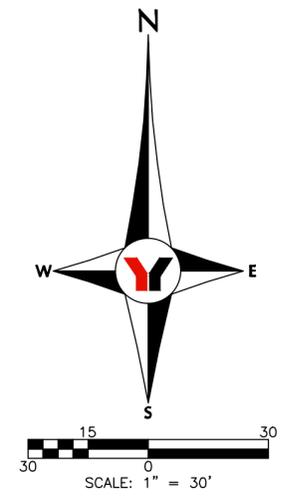
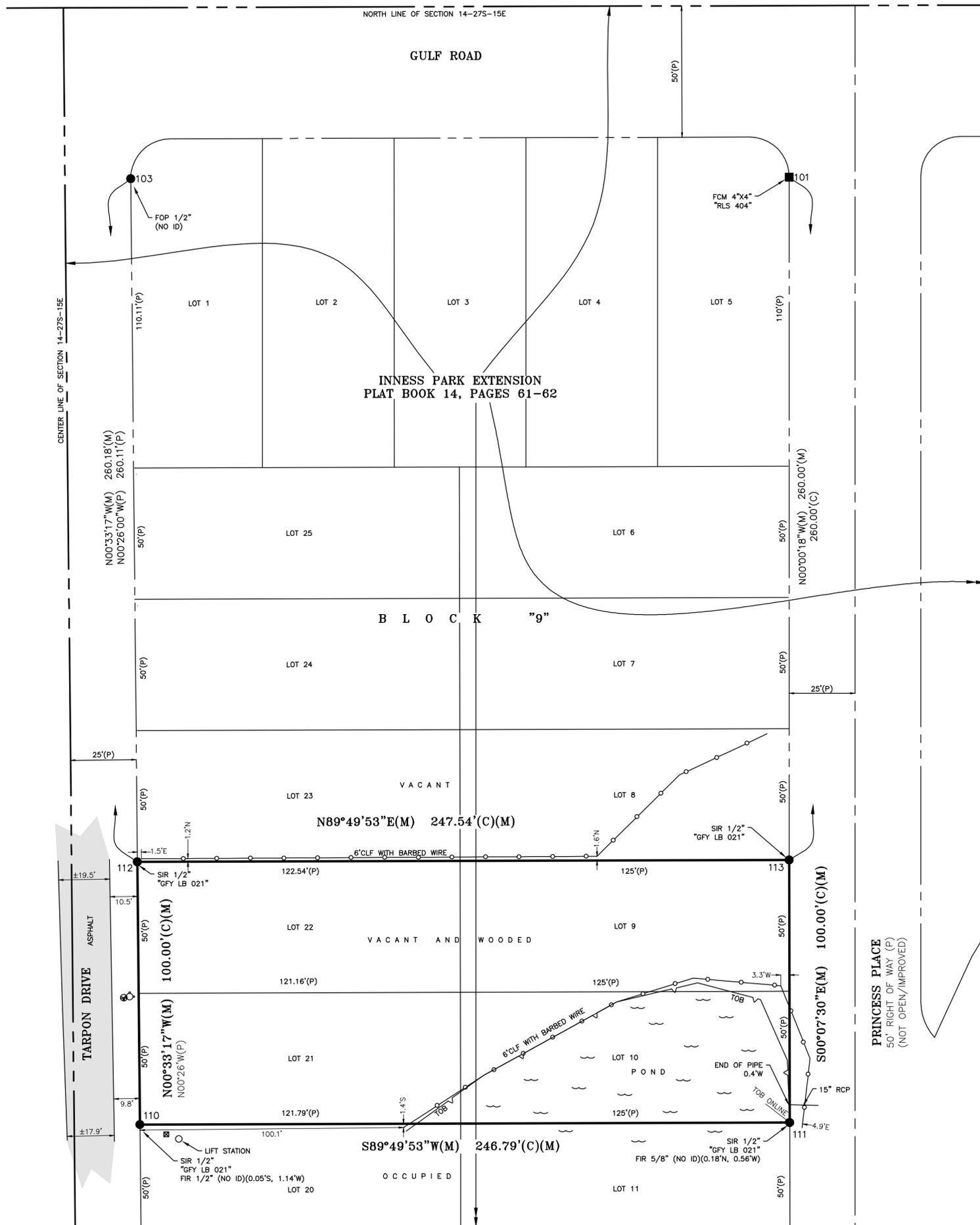
A BOUNDARY SURVEY OF:

Lots 9, 10, 21 and 22, Block 9, INNESS PARK EXTENSION, as recorded in Plat Book 14, Pages 61 and 62, of the Public Records of Pinellas County, Florida.

Tarpon Springs, Florida

NOTES:

- This survey is a graphic depiction of the current boundary and visible improvements in accordance with the legal description shown hereon and may not reflect ownership.
- There may be additional easements, reservations, restrictions and/or other matters of record affecting this property that are not shown hereon that may (or may not) be found in the public records of this county. The undersigned has not performed an independent search for additional records.
- This map is intended to be displayed at a scale of 1" = 60' or smaller.
- The printed dimensions shown on this survey supersede any scaled dimensions; there may be items drawn out of scale to graphically show their location.
- "Certification" is understood to be an expression of professional opinion by the surveyor and mapper based on the surveyor and mapper's knowledge and information, and that it is not a guarantee or warranty, expressed or implied.
- This survey has been exclusively prepared for the named entities shown hereon and is not transferable. No other person or entity is entitled to rely upon and/or re-use this survey for any purpose without the expressed, written consent of George F. Young, Inc. and the undersigned professional surveyor and mapper.
- Unauthorized copies and/or reproductions via any medium of this survey or any portions thereof are expressly prohibited without the written consent of George F. Young, Inc. and the undersigned Professional Surveyor and Mapper.
- Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
- This survey is valid as to the last date of field survey and not the signature date (if any).
- This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of a Florida licensed Surveyor and Mapper.
- Bearings and coordinates shown on this map are based on Florida State Plane Coordinate System, West Zone, as referenced to the North American Datum of 1983(2011) adjustment and are shown in U.S. Survey Feet. Control for this survey was established using Real Time Kinematic-Global Positioning System (RTK GPS) observations with correction signals provided by Florida Department of Transportation, FPRN Network, with subsequent checks to published horizontal control stations. Basis of Bearings: N00°33'17"W along the East right of way line of Tarpon Drive.
- This survey prepared without the benefit of a title search. No instruments of record reflecting ownership, easements or rights of way were furnished to the undersigned, unless otherwise shown hereon.
- No information on adjoining property owners or adjoining property recording information was provided to the surveyor.
- This survey shows visible, above ground features. No underground features, including but not limited to foundations, structures, installations, or improvements have been located, except as shown hereon.
- Forty-eight (48) hours before digging, boring, pile-driving, planting, etc. Notify Sunshine 811 by calling 811 so that underground utilities may be field spotted.
- George F. Young, Inc. and the undersigned make no representations or guarantees pertaining to easements, rights-of-way, set back lines, reservations and/or agreements.
- The record plat, INNESS PARK EXTENSION, dedicates a 5 foot easement across each lot for public utilities. Said easement is not specific in location and is not graphically shown hereon.



LEGEND	
	FIRE HYDRANT
	MISC. POST WITH ELECTRIC METER
	VALVE COVER, WATER

ABBREVIATIONS	
(C)	CALCULATED
CLF	CHAIN LINK FENCE
FCM	FOUND CONCRETE MONUMENT
FIR	FOUND IRON ROD
FOP	FOUND OPEN PIPE
ID	IDENTIFICATION
LB	LICENSED BUSINESS
LS	LICENSED SURVEYOR
(M)	MEASURED
(P)	PLAT
PLS	PROFESSIONAL LAND SURVEYOR
PRM	PERMANENT REFERENCE MONUMENT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
RCP	REINFORCED CONCRETE PIPE
SIR	SET IRON ROD
TOB	TOP OF BANK

COORDINATE TABLE		
POINT #	NORTHING	EASTING
101	1386132.7120	407272.9710
103	1386132.1470	407022.9370
110	1385771.9860	407026.4230
111	1385772.7120	407273.2120
112	1385871.9820	407025.4550
113	1385872.7120	407272.9940

NO.	BY	DATE	DESCRIPTION
1			
2			
3			
4			
5			

INITIALS	DATE
LP	5/27/21
GMK	6/1/21
NMC	6/1/21
	5/27/21

PREPARED FOR:
CITY OF TARPON SPRINGS



George F. Young, Inc.
299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701
PHONE (727) 822-4317 FAX (727) 822-2919
BUSINESS ENTITY LB21 WWW.GEORGEFYOUNG.COM
CIVIL & TRANSPORTATION ENGINEERING GEOLOGY GIS LANDSCAPE ARCHITECTURE
PLANNING SURVEYING SUBSURFACE UTILITY ENGINEERING
GAINESVILLE LAKEWOOD RANCH ORLANDO ST. PETERSBURG TAMPA

NICHOLAS M. CIRCELLO PSM LS 4898
DATE **MAY 27TH, 2021**

**INNESS PARK EXTENSION
BOUNDARY SURVEY**

SECTION 14, TOWNSHIP 27S., RANGE 15E.

JOB NO.
19Y11709SS
SHEET NO.
1 OF 1

FILE: P:\project\year\19Y11709SS\DWG\19Y11709SS-607.dwg
LOGIN: Kims, Greg
PLOTED: 6/2/2021 12:57 PM

[Interactive Map of this parcel](#)

[Sales Query](#)

[Back to Query Results](#)

[New Search](#)

[Tax Collector Home Page](#)

[Contact Us](#)

14-27-15-43074-009-0090

[Compact Property Record Card](#)

[Tax Estimator](#)

Updated June 1, 2021

[Email](#) [Print](#)

[Radius Search](#)

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
AMERICAN LEGION POST 46 PO BOX 1956 TARPON SPRINGS FL 34688-1956	TARPON DR TARPON SPRINGS



[Property Use:](#) 1000 (Vacant Commercial Land) Current Tax District: TARPON SPRINGS (TS) Total Heated SF: Total Gross SF:

[\[click here to hide\] Legal Description](#)

INNESS PARK EXTENSION BLK 9, LOTS 9, 10, 21 & 22

File for Homestead Exemption			2021 Parcel Use	
Exemption	2021	2022		
Homestead:	No	No	Homestead Use Percentage: 0.00%	
Government:	No	No	Non-Homestead Use Percentage: 100.00%	
Institutional:	No	No	Classified Agricultural: No	
Historic:	No	No		

Parcel Information [Latest Notice of Proposed Property Taxes \(TRIM Notice\)](#)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone <small>(NOT the same as a FEMA Flood Zone)</small>	Flood Zone <small>(NOT the same as your evacuation zone)</small>	Plat Book/Page
01016/0052		121030275031	A	Compare Preliminary to Current FEMA Maps	14/61

2020 Final Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2020	\$39,121	\$37,915	\$37,915	\$39,121	\$37,915

[\[click here to hide\] Value History as Certified \(yellow indicates correction on file\)](#)

Year	Homestead Exemption	Just/Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municipal Taxable Value
2019	No	\$34,468	\$34,468	\$34,468	\$34,468	\$34,468
2018	No	\$32,916	\$32,916	\$32,916	\$32,916	\$32,916

2020 Tax Information

[2020 Tax Bill](#) Tax District: TS
2020 Final Millage Rate 20.0018

Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our new [Tax Estimator](#) to estimate taxes under new ownership.

Ranked Sales (What are Ranked Sales?) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	V/I
No recent sales on record				

2020 Land Information

Seawall: No

Frontage:

View: None

Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Wasteland/Marsh (96)	100x175	1000.00	0.4000	1.0000	\$400	AC
Vacant Commercial (10)	100x73	6.25	7300.0000	1.0000	\$45,625	SF

[\[click here to hide\] 2021 Extra Features](#)

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
No Extra Features on Record					

[\[click here to hide\] Permit Data](#)

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
No Permit Data Found			



Vacant Land Contract

- 1* 1. **Sale and Purchase:** AMERICAN LEGION POST 46 INC., a Florida non-profit corporation ("Seller")
 2* and CITY OF TARPON SPRINGS, FLORIDA, a municipal corporation of the State of Florida ("Buyer")
 3 (the "parties") agree to sell and buy on the terms and conditions specified below the property ("Property")
 4 described as:
 5* Address: Vacant commercial land at Tarpon Drive, Tarpon Springs, Florida 34689
 6* Legal Description: _____
 7 Lots 9, 10, 21 and 22, of Block 9, INNESS PARK EXTENSION, according to the plat thereof recorded in Plat
 8 Book 14, Page 61, of the Public Records of Pinellas County, Florida.
 9 _____
 10 _____
 11* SEC ___/TWP / ___/ RNG ___ of Pinellas County, Florida. Real Property ID No.: 14-27-15-43074-009-0090
 12* including all improvements existing on the Property and the following additional property: N/A
 13* _____
- 14* 2. **Purchase Price:** (U.S. currency) \$ 40,000.00
 15 All deposits will be made payable to "Escrow Agent" named below and held in escrow by:
 16* Escrow Agent's Name: Trask Daigneault LLP
 17* Escrow Agent's Contact Person: David E. Platte, Esq.
 18* Escrow Agent's Address: 1001 S. Fort Harrison Avenue, Suite 201, Clearwater, FL 33756
 19* Escrow Agent's Phone: 727-733-0494
 20* Escrow Agent's Email: david@cityattorneys.legal
- 21 (a) Initial deposit (\$0 if left blank) (Check if applicable)
 22* accompanies offer
 23* will be delivered to Escrow Agent within 5 days (3 days if left blank)
 24* after Effective Date \$ 100.00
- 25 (b) Additional deposit will be delivered to Escrow Agent (Check if applicable)
 26* within _____ days (10 days if left blank) after Effective Date
 27* within _____ days (3 days if left blank) after expiration of Feasibility Study Period..... \$ _____
- 28* (c) Total Financing (see Paragraph 6) (express as a dollar amount or percentage)..... \$ _____
 29* (d) Other: _____ \$ _____
- 30 (e) Balance to close (not including Buyer's closing costs, prepaid items, and prorations)
 31* to be paid at closing by wire transfer or other Collected funds..... \$ 39,900.00
- 32* (f) (Complete only if purchase price will be determined based on a per unit cost instead of a fixed price.) The
 33* unit used to determine the purchase price is lot acre square foot other (specify): _____
 34* prorating areas of less than a full unit. The purchase price will be \$ _____ per unit based on a
 35 calculation of total area of the Property as certified to Seller and Buyer by a Florida licensed surveyor in
 36 accordance with Paragraph 8(c). The following rights of way and other areas will be excluded from the
 37* calculation: _____
- 38 3. **Time for Acceptance; Effective Date:** Unless this offer is signed by Seller and Buyer and an executed copy
 39* delivered to all parties on or before May 17, 2021, this offer will be withdrawn and Buyer's deposit, if
 40 any, will be returned. The time for acceptance of any counter-offer will be 3 days after the date the counter-offer is
 41 delivered. The "Effective Date" of this contract is the date on which the last one of the Seller and Buyer has
 42 signed or initialed and delivered this offer or the final counter-offer.
- 43* 4. **Closing Date:** This transaction will close on or before June 30, 2021 ("Closing Date"), unless specifically
 44 extended by other provisions of this contract. The Closing Date will prevail over all other time periods including, but
 45 not limited to, Financing and Feasibility Study periods. However, if the Closing Date occurs on a Saturday,
 46 Sunday, or national legal holiday, it will extend to 5:00 p.m. (where the Property is located) of the next business
 47 day. In the event insurance underwriting is suspended on Closing Date and Buyer is unable to obtain property
 48 insurance, Buyer may postpone closing for up to 5 days after the insurance underwriting suspension is lifted. If
 49 this transaction does not close for any reason, Buyer will immediately return all Seller provided documents and
 50 other items.
- 51 5. **Extension of Closing Date:** If Paragraph 6(b) is checked and Closing Funds from Buyer's lender(s) are not
 52 available on Closing Date due to Consumer Financial Protection Bureau Closing Disclosure delivery requirements

Buyer (Signature) and Seller (____) (____) acknowledge receipt of a copy of this page, which is 1 of 8 pages.

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53 ("CFPB Requirements), if applicable, then Closing Date shall be extended for such period necessary to satisfy
54 CFPB Requirements, provided such period shall not exceed 10 days.

55 **6. Financing: (Check as applicable)**

56* (a) Buyer will pay cash for the Property with no financing contingency.

57* (b) This contract is contingent on Buyer qualifying for and obtaining the commitment(s) or approval(s) specified
58* below ("Financing") within _____ days after Effective Date (Closing Date or 30 days after Effective Date,
59* whichever occurs first, if left blank) ("Financing Period"). Buyer will apply for Financing within _____ days
60* after Effective Date (5 days if left blank) and will timely provide any and all credit, employment, financial, and
61* other information required by the lender. If Buyer, after using diligence and good faith, cannot obtain the
62* Financing within the Financing Period, either party may terminate this contract and Buyer's deposit(s) will be
63* returned.

64* (1) **New Financing:** Buyer will secure a commitment for new third party financing for \$ _____
65* or _____% of the purchase price at (Check one) a fixed rate not exceeding _____% an
66* adjustable interest rate not exceeding _____% at origination (a fixed rate at the prevailing interest rate
67* based on Buyer's creditworthiness if neither choice is selected). Buyer will keep Seller and Broker fully
68* informed of the loan application status and progress and authorizes the lender or mortgage broker to
69* disclose all such information to Seller and Broker.

70* (2) **Seller Financing:** Buyer will execute a first second purchase money note and mortgage to
71* Seller in the amount of \$ _____, bearing annual interest at _____% and payable as follows:
72*

73 The mortgage, note, and any security agreement will be in a form acceptable to Seller and will follow
74 forms generally accepted in the county where the Property is located; will provide for a late payment fee
75 and acceleration at the mortgagee's option if Buyer defaults; will give Buyer the right to prepay without
76 penalty all or part of the principal at any time(s) with interest only to date of payment; will be due on
77 conveyance or sale; will provide for release of contiguous parcels, if applicable; and will require Buyer to
78 keep liability insurance on the Property, with Seller as additional named insured. Buyer authorizes Seller
79 to obtain credit, employment, and other necessary information to determine creditworthiness for the
80 financing. Seller will, within 10 days after Effective Date, give Buyer written notice of whether or not Seller
81 will make the loan.

82* (3) **Mortgage Assumption:** Buyer will take title subject to and assume and pay existing first mortgage to
83*

84* LN# _____ in the approximate amount of \$ _____ currently payable at
85* \$ _____ per month, including principal, interest, taxes and insurance, and having a
86* fixed other (describe) _____
87* interest rate of _____% which will will not escalate upon assumption. Any variance in the mortgage
88* will be adjusted in the balance due at closing with no adjustment to purchase price. Buyer will purchase
89* Seller's escrow account dollar for dollar. If the interest rate upon transfer exceeds _____% or the
90* assumption/transfer fee exceeds \$ _____, either party may elect to pay the excess, failing
91* which this contract will terminate; and Buyer's deposit(s) will be returned. If the lender disapproves Buyer,
92* this contract will terminate; and Buyer's deposit(s) will be returned.

93* 7. **Assignability: (Check one)** Buyer may assign and thereby be released from any further liability under this
94* contract, may assign but not be released from liability under this contract, or may not assign this contract.

95* 8. **Title:** Seller has the legal capacity to and will convey marketable title to the Property by statutory warranty
96* deed special warranty deed other (specify) _____, free of liens, easements,
97* and encumbrances of record or known to Seller, but subject to property taxes for the year of closing; covenants,
98* restrictions, and public utility easements of record; existing zoning and governmental regulations; and (list any
99* other matters to which title will be subject) N/A
100* provided there exists at closing no violation of the foregoing.

101* (a) **Title Evidence:** The party who pays for the owner's title insurance policy will select the closing agent and pay
102* for the title search, including tax and lien search (including municipal lien search) if performed, and all other
103* fees charged by closing agent. Seller will deliver to Buyer, at

104* (Check one) Seller's Buyer's expense and
105* (Check one) within _____ days after Effective Date at least 10 days before Closing Date,
106* (Check one)

107* (1) a title insurance commitment by a Florida licensed title insurer setting forth those matters to be
108* discharged by Seller at or before closing and, upon Buyer recording the deed, an owner's policy in the

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109 amount of the purchase price for fee simple title subject only to the exceptions stated above. If **Buyer** is
110 paying for the owner's title insurance policy and **Seller** has an owner's policy, **Seller** will deliver a copy to
111 **Buyer** within 15 days after Effective Date.

112* (2) an abstract of title, prepared or brought current by an existing abstract firm or certified as correct by an
113 existing firm. However, if such an abstract is not available to **Seller**, then a prior owner's title policy
114 acceptable to the proposed insurer as a base for reissuance of coverage may be used. The prior policy will
115 include copies of all policy exceptions and an update in a format acceptable to **Buyer** from the policy
116 effective date and certified to **Buyer** or **Buyer's** closing agent together with copies of all documents
117 recited in the prior policy and in the update. If such an abstract or prior policy is not available to **Seller**,
118 then (1) above will be the title evidence.

119* (b) **Title Examination:** After receipt of the title evidence, **Buyer** will, within 10 days (10 days if left blank) but
120 no later than Closing Date, deliver written notice to **Seller** of title defects. Title will be deemed acceptable to
121 **Buyer** if (i) **Buyer** fails to deliver proper notice of defects or (ii) **Buyer** delivers proper written notice and **Seller**
122* cures the defects within 30 days (30 days if left blank) ("Cure Period") after receipt of the notice. If the
123 defects are cured within the Cure Period, closing will occur within 10 days after receipt by **Buyer** of notice of
124 such cure. **Seller** may elect not to cure defects if **Seller** reasonably believes any defect cannot be cured within
125 the Cure Period. If the defects are not cured within the Cure Period, **Buyer** will have 10 days after receipt of
126 notice of **Seller's** inability to cure the defects to elect whether to terminate this contract or accept title subject
127 to existing defects and close the transaction without reduction in purchase price.

128 (c) **Survey:** **Buyer** may, at **Buyer's** expense, have the Property surveyed and must deliver written notice to
129 **Seller**, within 5 days after receiving survey but not later than 5 days before Closing Date, of any
130 encroachments on the Property, encroachments by the Property's improvements on other lands, or deed
131 restriction or zoning violations. Any such encroachment or violation will be treated in the same manner as a
132 title defect and **Seller's** and **Buyer's** obligations will be determined in accordance with Paragraph 8(b).

133 (d) **Ingress and Egress:** **Seller** warrants that the Property presently has ingress and egress.

134 9. **Property Condition:** **Seller** will deliver the Property to **Buyer** at closing in its present "as is" condition, with
135 conditions resulting from **Buyer's** Inspections and casualty damage, if any, excepted. **Seller** will not engage in or
136 permit any activity that would materially alter the Property's condition without the **Buyer's** prior written consent.

137 (a) **Inspections: (Check (1) or (2))**

138* (1) **Feasibility Study:** **Buyer** will, at **Buyer's** expense and within 30 days (30 days if left blank)
139 ("Feasibility Study Period") after Effective Date and in **Buyer's** sole and absolute discretion, determine
140 whether the Property is suitable for **Buyer's** intended use. During the Feasibility Study Period, **Buyer** may
141 conduct a Phase 1 environmental assessment and any other tests, analyses, surveys, and investigations
142 ("Inspections") that **Buyer** deems necessary to determine to **Buyer's** satisfaction the Property's
143 engineering, architectural, and environmental properties; zoning and zoning restrictions; subdivision
144 statutes; soil and grade; availability of access to public roads, water, and other utilities; consistency with
145 local, state, and regional growth management plans; availability of permits, government approvals, and
146 licenses; and other inspections that **Buyer** deems appropriate. If the Property must be rezoned, **Buyer** will
147 obtain the rezoning from the appropriate government agencies. **Seller** will sign all documents **Buyer** is
148 required to file in connection with development or rezoning approvals. **Seller** gives **Buyer**, its agents,
149 contractors, and assigns, the right to enter the Property at any time during the Feasibility Study Period for
150 the purpose of conducting Inspections, provided, however, that **Buyer**, its agents, contractors, and assigns
151 enter the Property and conduct Inspections at their own risk. **Buyer** will indemnify and hold **Seller**
152 harmless from losses, damages, costs, claims, and expenses of any nature, including attorneys' fees,
153 expenses, and liability incurred in application for rezoning or related proceedings, and from liability to any
154 person, arising from the conduct of any and all Inspections or any work authorized by **Buyer**. **Buyer** will
155 not engage in any activity that could result in a construction lien being filed against the Property without
156 **Seller's** prior written consent. If this transaction does not close, **Buyer** will, at **Buyer's** expense, (i) repair
157 all damages to the Property resulting from the Inspections and return the Property to the condition it was in
158 before conducting the Inspections and (ii) release to **Seller** all reports and other work generated as a
159 result of the Inspections.

160 Before expiration of the Feasibility Study Period, **Buyer** must deliver written notice to **Seller** of **Buyer's**
161 determination of whether or not the Property is acceptable. **Buyer's** failure to comply with this notice
162 requirement will constitute acceptance of the Property as suitable for **Buyer's** intended use in its "as is"
163 condition. If the Property is unacceptable to **Buyer** and written notice of this fact is timely delivered to
164 **Seller**, this contract will be deemed terminated, and **Buyer's** deposit(s) will be returned.

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- 165* (2) **No Feasibility Study:** Buyer is satisfied that the Property is suitable for Buyer's purposes, including
 166 being satisfied that either public sewerage and water are available to the Property or the Property will be
 167 approved for the installation of a well and/or private sewerage disposal system and that existing zoning
 168 and other pertinent regulations and restrictions, such as subdivision or deed restrictions, concurrency,
 169 growth management, and environmental conditions, are acceptable to Buyer. This contract is not
 170 contingent on Buyer conducting any further investigations.
- 171 (b) **Government Regulations:** Changes in government regulations and levels of service which affect Buyer's
 172 intended use of the Property will not be grounds for terminating this contract if the Feasibility Study Period has
 173 expired or if Paragraph 9(a)(2) is selected.
- 174 (c) **Flood Zone:** Buyer is advised to verify by survey, with the lender, and with appropriate government agencies
 175 which flood zone the Property is in, whether flood insurance is required, and what restrictions apply to
 176 improving the Property and rebuilding in the event of casualty.
- 177 (d) **Coastal Construction Control Line ("CCCL"):** If any part of the Property lies seaward of the CCCL as
 178 defined in Section 161.053, Florida Statutes, Seller will provide Buyer with an affidavit or survey as required
 179 by law delineating the line's location on the Property, unless Buyer waives this requirement in writing. The
 180 Property being purchased may be subject to coastal erosion and to federal, state, or local regulations that
 181 govern coastal property, including delineation of the CCCL, rigid coastal protection structures, beach
 182 nourishment, and the protection of marine turtles. Additional information can be obtained from the Florida
 183 Department of Environmental Protection, including whether there are significant erosion conditions associated
 184 with the shore line of the Property being purchased.
- 185* Buyer waives the right to receive a CCCL affidavit or survey.
- 186 **10. Closing Procedure; Costs:** Closing will take place in the county where the Property is located and may be
 187 conducted by mail or electronic means. If title insurance insures Buyer for title defects arising between the title
 188 binder effective date and recording of Buyer's deed, closing agent will disburse at closing the net sale proceeds to
 189 Seller (in local cashier's check if Seller requests in writing at least 5 days before closing) and brokerage fees to
 190 Broker as per Paragraph 21. In addition to other expenses provided in this contract, Seller and Buyer will pay the
 191 costs indicated below.
- 192 (a) **Seller Costs:**
 193 Taxes on deed
 194 Recording fees for documents needed to cure title
 195 Title evidence (if applicable under Paragraph 8)
 196 Estoppel Fee(s)
 197* Other: \$425.00 Settlement Fee
- 198 (b) **Buyer Costs:**
 199 Taxes and recording fees on notes and mortgages
 200 Recording fees on the deed and financing statements
 201 Loan expenses
 202 Title evidence (if applicable under Paragraph 8)
 203 Lender's title policy at the simultaneous issue rate
 204 Inspections
 205 Survey
 206 Insurance
 207* Other: \$425 Settlement Fee
- 208 (c) **Prorations:** The following items will be made current and prorated as of the day before Closing Date: real
 209 estate taxes (including special benefit tax liens imposed by a CDD), interest, bonds, assessments, leases, and
 210 other Property expenses and revenues. If taxes and assessments for the current year cannot be determined,
 211 the previous year's rates will be used with adjustment for any exemptions.
- 212 (d) **Special Assessment by Public Body:** Regarding special assessments imposed by a public body, Seller will
 213 pay (i) the full amount of liens that are certified, confirmed, and ratified before closing and (ii) the amount of the
 214 last estimate of the assessment if an improvement is substantially completed as of Effective Date but has not
 215 resulted in a lien before closing; and Buyer will pay all other amounts. If special assessments may be paid in
 216* installments, Seller Buyer (Buyer if left blank) will pay installments due after closing. If Seller is
 217 checked, Seller will pay the assessment in full before or at the time of closing. Public body does not include a
 218 Homeowners' or Condominium Association.
- 219 (e) **PROPERTY TAX DISCLOSURE SUMMARY:** BUYER SHOULD NOT RELY ON THE SELLER'S CURRENT
 220 PROPERTY TAXES AS THE AMOUNT OF PROPERTY TAXES THAT BUYER MAY BE OBLIGATED TO
 221 PAY IN THE YEAR SUBSEQUENT TO PURCHASE. A CHANGE OF OWNERSHIP OR PROPERTY

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IMPROVEMENTS TRIGGERS REASSESSMENTS OF THE PROPERTY THAT COULD RESULT IN HIGHER PROPERTY TAXES. IF YOU HAVE ANY QUESTIONS CONCERNING VALUATION, CONTACT THE COUNTY PROPERTY APPRAISER'S OFFICE FOR FURTHER INFORMATION.

- (f) **Foreign Investment in Real Property Tax Act ("FIRPTA"):** If Seller is a "foreign person" as defined by FIRPTA, Seller and Buyer will comply with FIRPTA, which may require Seller to provide additional cash at closing.
- (g) **1031 Exchange:** If either Seller or Buyer wish to enter into a like-kind exchange (either simultaneously with closing or after) under Section 1031 of the Internal Revenue Code ("Exchange"), the other party will cooperate in all reasonable respects to effectuate the Exchange including executing documents, provided, however, that the cooperating party will incur no liability or cost related to the Exchange and that the closing will not be contingent upon, extended, or delayed by the Exchange.

11. Computation of Time: Calendar days will be used when computing time periods, except time periods of 5 days or less. Time periods of 5 days or less will be computed without including Saturday, Sunday, or national legal holidays specified in 5 U.S.C. 6103(a). Other than time for acceptance and Effective Date as set forth in Paragraph 3, any time periods provided for or dates specified in this Contract, whether preprinted, handwritten, typewritten or inserted herein, which shall end or occur on a Saturday, Sunday, or national legal holiday (see 5 U.S.C. 6103) shall extend until 5:00 p.m. (where the Property is located) of the next business day. **Time is of the essence in this contract.**

12. Risk of Loss; Eminent Domain: If any portion of the Property is materially damaged by casualty before closing or Seller negotiates with a governmental authority to transfer all or part of the Property in lieu of eminent domain proceedings or an eminent domain proceeding is initiated, Seller will promptly inform Buyer. Either party may terminate this contract by written notice to the other within 10 days after Buyer's receipt of Seller's notification, and Buyer's deposit(s) will be returned, failing which Buyer will close in accordance with this contract and receive all payments made by the governmental authority or insurance company, if any.

13. Force Majeure: Seller or Buyer will not be required to perform any obligation under this contract or be liable to each other for damages so long as the performance or non-performance of the obligation is delayed, caused, or prevented by an act of God or force majeure. An "act of God or force majeure" is defined as hurricanes, earthquakes, floods, fire, unusual transportation delays, wars, insurrections, and any other cause not reasonably within the control of Seller or Buyer and which by the exercise of due diligence the non-performing party is unable in whole or in part to prevent or overcome. All time periods, including Closing Date, will be extended for the period that the act of God or force majeure is in place. However, in the event that such act of God or force majeure event continues beyond 30 days, either party may terminate this contract by delivering written notice to the other, and Buyer's deposit(s) will be returned.

14. Notices: All notices will be in writing and delivered to the parties and Broker by mail, personal delivery, or electronic means. **Buyer's failure to timely deliver written notice to Seller, when such notice is required by this contract, regarding any contingency will render that contingency null and void, and this contract will be construed as if the contingency did not exist. Any notice, document, or item delivered to or received by an attorney or licensee (including a transactions broker) representing a party will be as effective as if delivered to or received by that party.**

15. Complete Agreement; Persons Bound: This contract is the entire agreement between Seller and Buyer. **Except for brokerage agreements, no prior or present agreements will bind Seller, Buyer, or Broker unless incorporated into this contract.** Modifications of this contract will not be binding unless in writing, signed or initialed, and delivered by the party to be bound. Electronic signatures will be acceptable and binding. This contract, signatures, initials, documents referenced in this contract, counterparts, and written modifications communicated electronically or on paper will be acceptable for all purposes, including delivery, and will be binding. Handwritten or typewritten terms inserted in or attached to this contract prevail over preprinted terms. If any provision of this contract is or becomes invalid or unenforceable, all remaining provisions will continue to be fully effective. Seller and Buyer will use diligence and good faith in performing all obligations under this contract. This contract will not be recorded in any public record. The terms "Seller," "Buyer," and "Broker" may be singular or plural. This contract is binding on the heirs, administrators, executors, personal representatives, and assigns, if permitted, of Seller, Buyer, and Broker.

16. Default and Dispute Resolution: This contract will be construed under Florida law. This Paragraph will survive closing or termination of this contract.

- (a) **Seller Default:** If Seller fails, neglects, or refuses to perform Seller's obligations under this contract, Buyer may elect to receive a return of Buyer's deposit(s) without thereby waiving any action for damages resulting

Buyer  (____) and Seller (____) (____) acknowledge receipt of a copy of this page, which is 5 of 8 pages.

332
 333* N/A N/A
 334 Seller's Sales Associate Email Address Buyer's Sales Associate Email Address
 335
 336* N/A N/A
 337 Seller's Sales Associate Phone Number Buyer's Sales Associate Phone Number
 338
 339* N/A N/A
 340 Listing Brokerage Buyer's Brokerage
 341
 342* N/A N/A
 343 Listing Brokerage Address Buyer's Brokerage Address
 344

345 22. Addenda: The following additional terms are included in the attached addenda and incorporated into this Contract
 346 (Check if applicable):
 347* A. Back-up Contract
 348* B. Other _____
 349

350* 23. Additional Terms: _____
 351 (A) Buyer's performance of this Contract is contingent upon approval by the Board of Commissioners of the City
 352 of Tarpon Springs, Florida by a supermajority.
 353 _____
 354 (B) This Contract is subject to the provisions of Section 2-216 of the City of Tarpon Springs Code of Ordinances.
 355 _____
 356 (C) This Contract is subject to the provisions of Section 166.045, Florida Statutes.
 357 _____
 358 (D) As additional consideration for this Contract, prior to or on the Closing Date, Seller shall, at Seller's sole cost
 359 and expense, record a document satisfactory to Buyer in the Public Records of Pinellas County, Florida, releasing
 360 the land referred to in the deed recorded in Official Records Book 1987, Page 450, of the Public Records of
 361 Pinellas County Florida, from the terms and conditions of the reverter clause in said deed.
 362 _____
 363 _____
 364 _____
 365 _____

366 COUNTER-OFFER/REJECTION

367* Seller counters Buyer's offer (to accept the counter-offer, Buyer must sign or initial the counter-offered terms and
 368 deliver a copy of the acceptance to Seller).
 369* Seller rejects Buyer's offer

370 This is intended to be a legally binding contract. If not fully understood, seek the advice of an attorney before
 371 signing.

372* Buyer: Mack G. LeCouris City Manager Date: 05-13-2021
 373* Print name: Mack G. LeCouris City Manager
 374* Buyer: _____ Date: _____
 375* Print name: _____

376 Buyer's address for purpose of notice:
 377* Address: 324 East Pine Street, Tarpon Springs, Florida 34689
 378* Phone: _____ Fax: _____ Email: _____

379* Seller: AMERICAN LEGION POST 46 INC., a Florida non-profit corporation Date: _____
 380* Print name: _____
 381* Seller: _____ Date: _____
 382* Print name: _____

383 **Seller's address for purpose of notice:**
384* **Address:** 1254 South Pinellas Avenue, Tarpon Springs, Florida 34689
385* **Phone:** _____ **Fax:** _____ **Email:** _____

386* **Effective Date:** _____ **(The date on which the last party signed or initialed and delivered the**
387 **final offer or counter-offer.)**

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Buyer ML () () and Seller () () acknowledge receipt of a copy of this page, which is 8 of 8 pages.

VAC-13 Rev 2/20

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STAR**
SOFTWARE

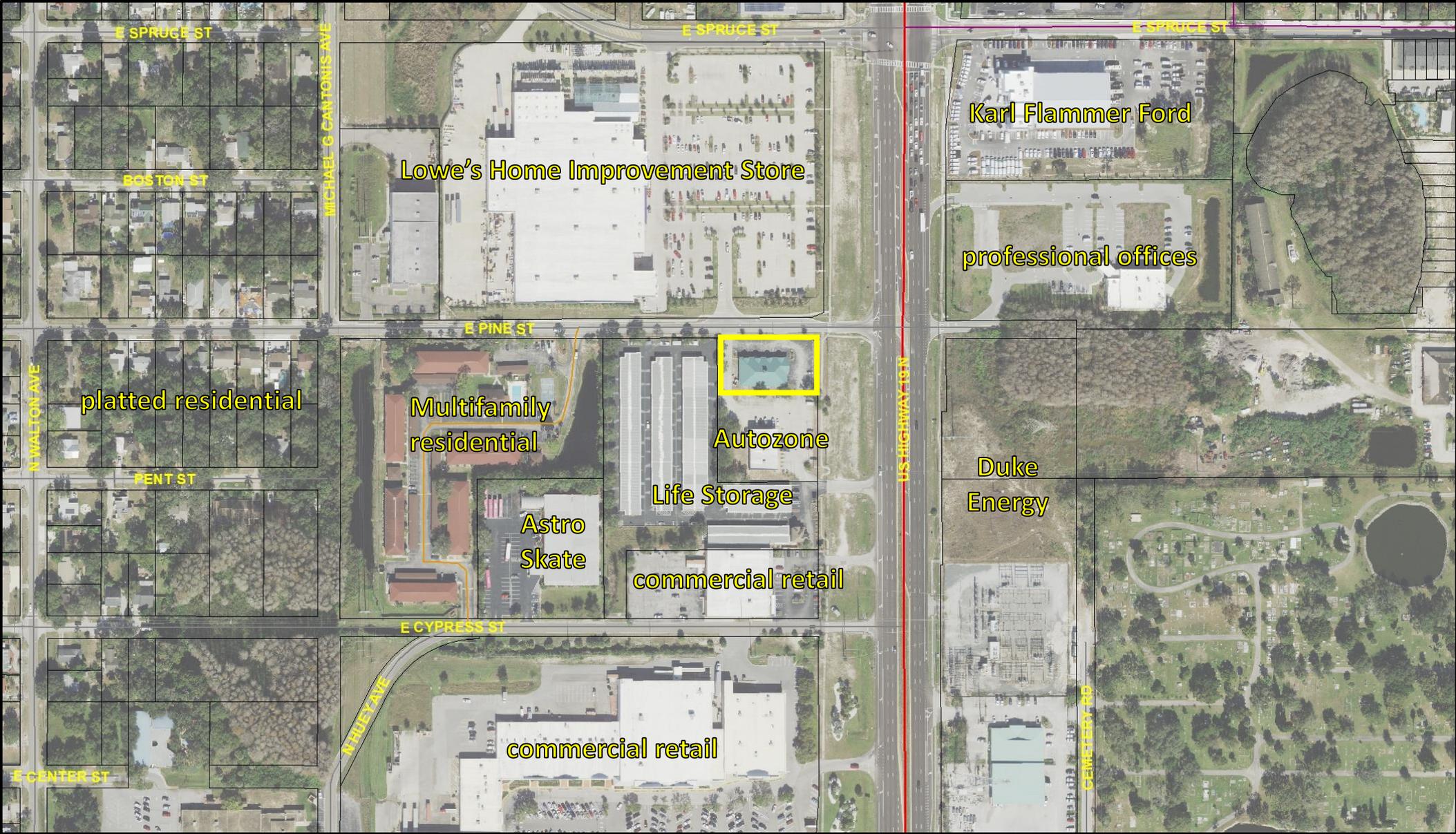
ARMANDO FLORES

#21-22

Board of Commissioners – June 8, 2021



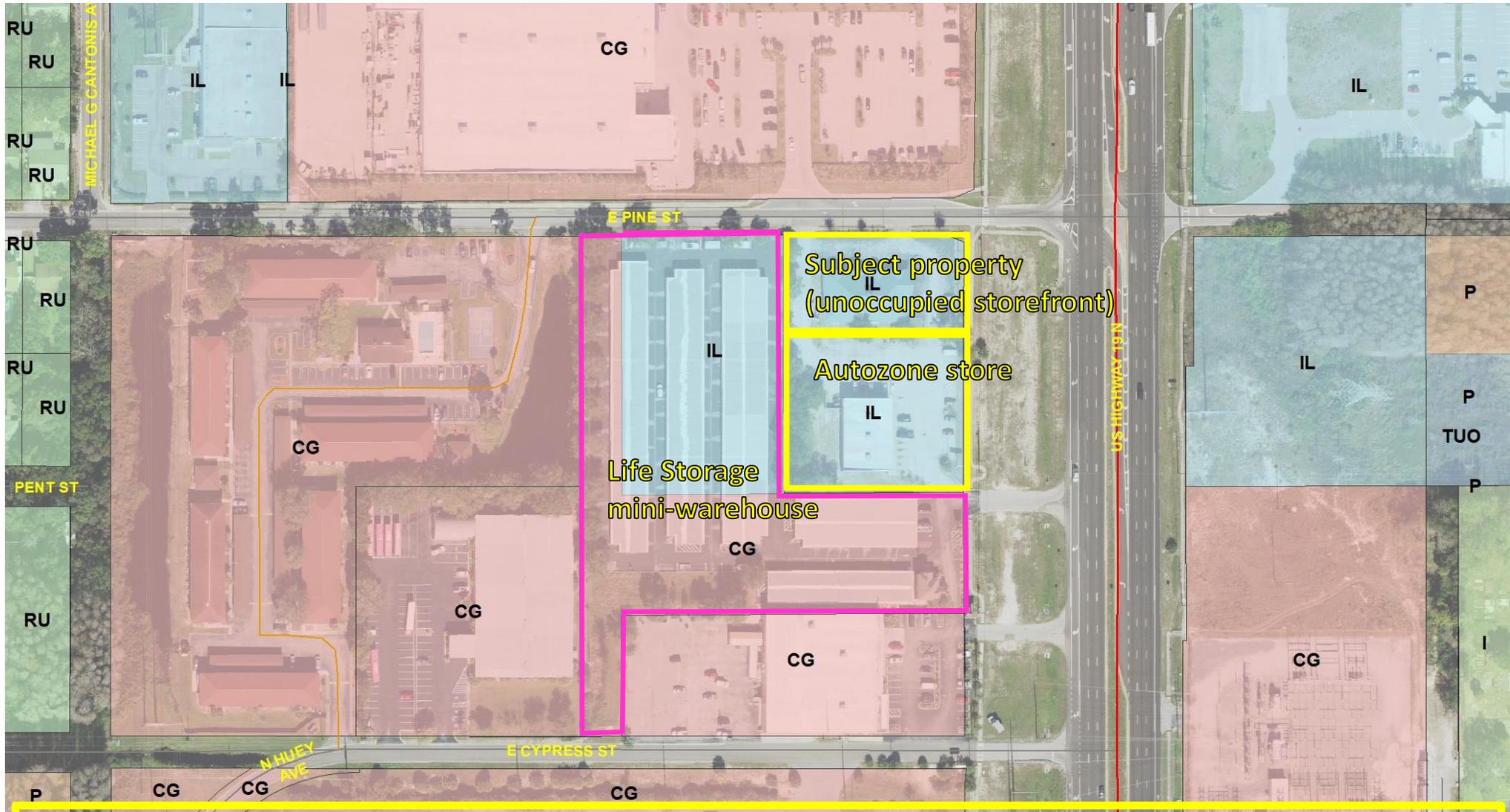
LOCATION & CONTEXT



SUMMARY OF REQUEST

- **#21-22** – Future Land Use Map Amendment (FLUM) & Rezoning
 - Land Use:
 - Current: Industrial Limited (IL)
 - Proposed: Commercial General (CG)
 - Zoning:
 - Current: Industrial Restricted (IR)
 - Proposed: Highway Business (HB)
 - Property Features
 - 0.61 acres (26,633 square feet)
 - Built property with one commercial building and parking lot
- **Applicant**: Armando Flores III
- Request is to allow the re-designation of the property to reflect the past and desired continued establishment of commercial use.

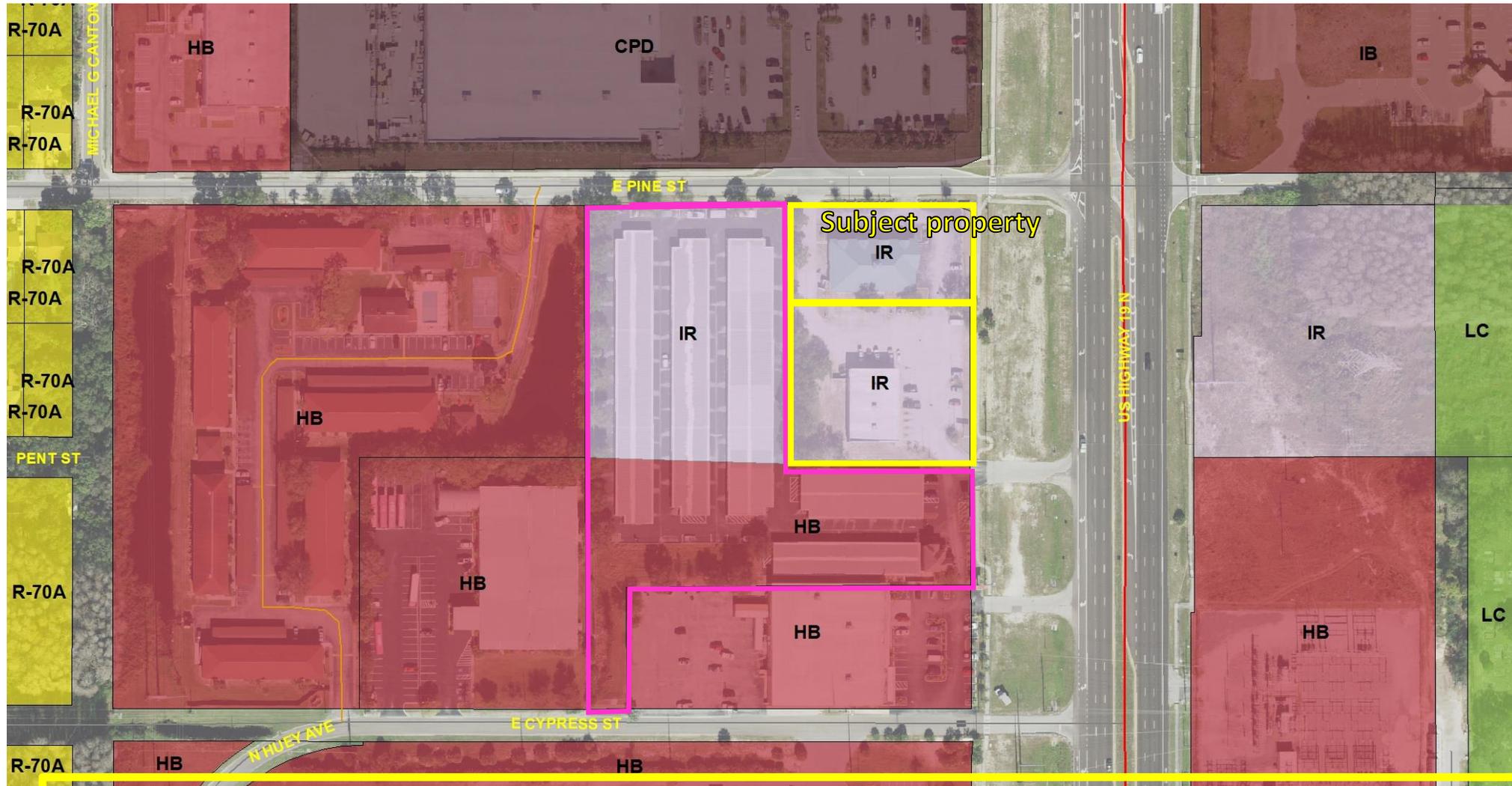
SURROUNDING LAND USE



Area bounded by yellow recommended to go to Commercial General Future Land Use Map category

Area bounded by pink recommended to go to Industrial Limited Future Land Use Map category

SURROUNDING ZONING



Area bounded by yellow recommended to go to Highway Business zoning district

Area bounded by pink recommended to go to Industrial Restricted zoning district

REVIEW CRITERIA – FLUM AMENDMENT

- 1) Consistent with the applicable Comprehensive Plan policies –
 - The location and built condition of the property is suitable for inclusion in the Commercial General FLUM category that is appropriate for commercial uses along U.S. Highway 19.
 - This area of U.S. 19 has transitioned from a previous long-standing industrial land designation to construction of commercial and office uses with the City’s growth and demand for additional goods and services.
 - The property was most recently occupied by a commercial retail use. The applicant has requested a land use designation appropriate to continuance of that use.
 - The property is currently served by City Utilities.
- 2) Consistent with the Countywide Plan –
 - A change to the “Retail & Services” countywide designation is expected to be consistent with the Countywide Plan.

REVIEW CRITERIA - REZONING

- 1) Consistency with the City's Comprehensive Plan
- 2) Available uses and compatibility –
 - 1) The Highway Business (HB) available uses are generally compatible with existing commercial uses and the U.S. Highway 19 corridor in this area.
- 3) Provision for efficient and orderly development –
 - 1) The property is located in an area of existing commercial development along the west side of the U.S. Highway 19 corridor.
 - 2) The property is served with City facilities.
- 4) The amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities –
 - 1) The property is served with City facilities.
 - 2) The building has most recently been used for commercial retail and is suited to that use. Any proposed change of use will undergo review, but the uses available in HB zoning for this relatively small property (just over half an acre) are not expected to result in significant increases in impacts to public facilities.

PRELIMINARY STAFF RECOMMENDATION

#21-22 - *Approval* of the following:

- Ordinance 2021-05 Future Land Use Map amendment from IL (Industrial Limited) to CG (Commercial General)
- Ordinance 2021-04 Zoning Atlas amendment from IR (Industrial Restricted) to HB (Highway Business)

Public Notice Provided – no responses were received

PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board, at their meeting of May 17, 2021 recommended approval of each of the following ordinances with one member dissenting:

- Ordinance 2021-05 Future Land Use Map amendment from IL (Industrial Limited) to CG (Commercial General)
- Ordinance 2021-04 Zoning Atlas amendment from IR (Industrial Restricted) to HB (Highway Business)

Dissenting board member was concerned about the potential for establishment of “adult entertainment uses,” a permitted use in the HB zoning district (Land Development Code Sec. 25.12(B)(1)).

There was no public comment on this item.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
MAY 17, 2021 / JUNE 8, 2021

STAFF REPORT, May 20, 2021

Application No. / Project Title: 21-22 / Armando Flores III

Staff: Patricia L. McNeese, AICP
Principal Planner

Applicant / Owner: Armando Flores III / The Alliance Group of Tampa Bay, LLC

Property Size: 0.61 acres

Current Zoning: Industrial Restricted (IR)

Proposed Zoning: Highway Business (HB)

Current Land Use: Industrial Limited (IL)

Proposed Land Use: Commercial General (CG)

Location / Parcel ID: 41680 U.S. Highway 19 North / Parcel ID: 07-27-16-89920-000-0030

BACKGROUND SUMMARY:

The subject property is located at the southwest corner of U.S. Highway 19 and East Pine Street. It is developed with a building and parking lot, and, was most recently occupied by a furniture store. The property is located in an industrial land use and zoning designation. The property owner is requesting a change to the land use and zoning to allow the continuance of the retail use of the property under a more appropriate zoning designation.

PRELIMINARY STAFF RECOMMENDATION:

Staff recommends **approval** of the following:

- Ordinance 2021-05 amending the Future Land Use Map (FLUM) from Industrial Limited (IL) to Commercial General (CG), and,
- Ordinance 2021-04 amending the Official Zoning Atlas from Industrial Restricted (IR) to Highway Business (HB).

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board heard this item at their regular meeting of May 17, 2021 with six board members in attendance. The Board voted to recommend approval of both of the above listed ordinances with one member dissenting. The dissenting board member was concerned with the potential for establishment of "adult entertainment uses," a permitted use in the Highway Business district (Section 25.12(B)(1) of the Land Development Code). There was no public comment on the item.



CURRENT PROPERTY INFORMATION:

Use of Property:	Currently unoccupied commercial building and parking lot
Site Features:	Commercial building, parking lot, landscaping
Vehicle Access:	The property has two driveway curb cuts to East Pine Street. It also shares two driveway connections with the adjacent parcel to the south

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	Commercial Planned Development (CPD)	Commercial General (CG)
South:	Industrial Restricted (IR)	Industrial Limited (IL)
East:	Industrial Restricted (IR)	Industrial Limited (IL)
West:	Industrial Restricted (IR)	Industrial Limited (IL)

ZONING DISTRICT SUMMARY (EXISTING / PROPOSED):

Dimensional Regulations	Current Zoning: IR	Proposed Zoning: HB
Max. Density	0 dwelling units/acre	15 dwelling units/acre
Lot Standards:		
Min. Lot Area	5,000 square feet	10,000 square feet
Min. Lot Width	50 feet	80 feet
Min. Lot Depth	80 feet	100 feet
Max. Height	40 feet	35 feet
Setbacks:		
Front Yard	10 feet	30 feet
Side Yard	10 feet	10 feet
Side Street	10 feet	15 feet
Rear Yard	25 feet	25 feet
Maximum Floor Area Ratio	0.50	0.40



PLANNING CONSIDERATIONS:

When considering this application, the following general site conditions, planning concepts, and other facts should be noted:

1. This northeasterly portion of the City bordering the Anclote River and Pinellas Trail (old Seaboard Coastline Railroad corridor) was predominated by industrial type land uses in the past. A transition to more retail centered uses has taken place, especially along U.S. Highway 19. A 2008-era change from industrial to retail for the development of the Lowe’s Home Improvement Center was a significant part of this shift in land use.
2. The subject property, as well as the adjacent parcel to the south, are occupied by retail buildings (empty storefront, and, the Autozone store, respectively). Both of these properties are more appropriately categorized as commercial retail rather than industrial. The property to the south and west, occupied by the Life Storage mini-warehouse use is currently located in a split-zoning situation with both industrial and commercial retail designations and is more appropriately categorized as industrial. Staff has contacted the owners of the Autozone and Life Storage and will be bringing forth future amendments to recommend redesignations of these properties.
3. The allowable uses, densities and intensities of the requested FLUM and zoning categories for the subject property are more appropriate to its existing built condition and, more consistent with the envisioned use of the site going forward.

REVIEW STANDARDS / STAFF ANALYSIS – COMPREHENSIVE PLAN MAP AMENDMENT

Future Land Use Map Amendment

The Future Land Use Map amendment is a legislative decision of the Board of Commissioners. The standards for the current and proposed future land use categories are summarized below:

FUTURE LAND USE - CITY	Current FLU: Industrial Limited (IL)	Proposed FLU: Commercial General (CG)
Intent:	“Industrial land use categories provide for the concentration of industrial activity at locations with appropriate infrastructure and relatively low impact to surrounding land uses” (Objective 2.5)	“Commercial land use categories provide for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis” (Objective 2.4)
Primary Uses:	Office, research/development (light and heavy), manufacturing (light and medium), wholesale/distribution, storage/warehouse (light)	Office, convenience shopping, and personal services oriented to a particular neighborhood or geographic segment of the community
Max. Density:	0 dwelling units/acre	15 dwelling units/acre
Max. Floor Area Ratio (FAR):	0.60	0.45
Max. Impervious Surface Ratio (ISR):	0.85	0.85



Staff Analysis: The property has been built and used for retail services in the past. The current designation of Industrial Limited is not ideal for the property as built since it may not be readily adaptable to house the uses listed above. Its frontage on U.S. Highway 19 makes it more appropriate for a Commercial General designation. Although this area of Tarpon Springs has seen a shift of industrial land to commercial retail, most notably with the development of the Lowe’s Home Improvement store, this change is focused on the highway. The proposed land use designation recognizes and responds to that changing dynamic. The existing built industrial just north of Spruce Street and along the Pinellas Trail is retained as a viable continuation of the industrial base in this area. In addition, the City still has sufficient industrial area designations, including the recent addition of an industrial subdivision that is actively building, located north of the Anclote River. The change to a Commercial designation for this relatively small parcel (just under 2/3 acres) is appropriate, especially given the existing improvements on the property. The property is already served by City public facilities and is built out. No new impacts to the City’s public facilities are expected. The proposed amendment is consistent with the City’s Comprehensive Plan. The Future Land Use Element of the Comprehensive Plan can be found at this link: <https://www.ctsfl.us/wp-content/uploads/2020/11/Future-Land-Use-Element-FLUE-2020.pdf>. Policy 2.5.1 covering the Industrial Limited (IL) category can be found on PDF page 44. Policy 2.4.3 covering the Commercial General (CG) category can be found on PDF page 43.

Countywide Plan Map Amendment

The property is designated as Employment (E) on the Countywide Plan Map. A Countywide Plan Map amendment to the Retail & Services (R&S) category will be required. The property is not in the Coastal High Hazard Area. Countywide Rules for the locational characteristics and traffic generation characteristics of the current and proposed Countywide Map designations are summarized below:

COUNTYWIDE MAP	Current Plan Category: Employment (E)	Proposed Plan Category: Retail & Services
Purpose:	“intended to recognize areas develop with, or appropriate to be developed with, a wide range of employment uses, including primary industries..., allowing for flex space, and for uses that have minimal external impacts” (Policy 2.3.3.9)	“Intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses...” (Policy 2.3.3.8)
Max. Density:	0 dwelling units/acre	24 dwelling units/acre
Max. Floor Area Ratio:	0.65	0.55
Max. Impervious Surface Ratio:	0.85	0.90
Traffic Generation Characteristics:	206 trips per day per acre	433 trips per day per acre



REVIEW STANDARDS / STAFF ANALYSIS - REZONING:

Section 207.03(A) of the Tarpons Springs Comprehensive Zoning and Land Development Code provides standards for zoning map amendments. These standards, along with planning staff's analysis are provided below:

1. The amendment is consistent with the goals, objectives and policies of the Tarpon Springs Comprehensive Plan.

Staff Analysis: See above analysis of the Future Land Use Map (FLUM) amendment to Commercial General (CG). The proposed Highway Business zoning district is consistent with the Commercial General (CG) Future Land Use Map category.

2. The available uses to which the property may be put are appropriate to the property in question and are compatible with the existing and planned uses in the area.

Staff Analysis: The property is occupied by an existing commercial building and parking lot. It fronts on U.S. Highway 19 and is situated in an area of commercial activity, at a substantial distance from residential land uses. The Highway Business district lists 30 uses permitted by-right and 21 conditional uses (latter only available if approved by the Board of Commissioners). The range of permitted uses include retail, office, personal services, recreational uses, service stations, hotels and similar uses typical of those occupying the U.S. Highway 19 corridor. The property itself is bordered on the north by the Lowe's Home Improvement Center, to the south by the Autozone retail store, and, to the west by the Life Storage mini-warehouse. Commercial Planned Development (CPD) and HB zoning designations predominate along this western side of the U.S. Highway 19 corridor. The uses available in the HB district are appropriate to the subject property and are compatible with the existing and planned uses on this corridor.

The available uses for the existing IR zoning designation can be found at this link:

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodetid=COOR_APC_OZOLADECO_ARTIIDIRE_S25.17IRINREDI

The available uses for the requested HB designation can be found at this link:

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodetid=COOR_APC_OZOLADECO_ARTIIDIRE_S25.12HBHIBUDI

3. The amendment shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.

Staff Analysis: The property is developed and is currently served by the City. There will be no additional cost to the City to continue to provide public facilities.

4. The amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities, including transportation, waste and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities. Compliance with the adopted Levels of Service standards can be demonstrated if necessary.



Staff Analysis: The property is developed and is currently served by the City. The previous retail sales establishment (furniture store) that last occupied the property is a conditional use under the current zoning of Industrial Restricted (IR). The store was closed and vacated over six months ago and the conditional use has therefore ceased (Section 209.00(N)). The applicant has stated that the rezoning is requested to “properly describe what the building has been used for all along,” indicating that re-establishment of a retail sales establishment is desired.

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on March 4, 2021 for completeness and conformance to the Comprehensive Zoning and Land Development Code and the Comprehensive Plan. The TRC determined that the application was complete and ready for processing. There were no further comments from the TRC.

PUBLIC CORRESPONDENCE:

The property owners within 500 feet were sent written notification in accordance with Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code and Chapter 166.041, Florida Statutes. Notice was advertised in the *Tampa Bay Times*. Staff has not received any responses to these notices.

ATTACHMENTS:

1. Slide show presentation with applicable maps
2. Applicant letter
3. Survey
4. Ordinance 2021-05
5. Ordinance 2021-04

THE ALLIANCE GROUP OF TAMPA BAY VII, LLC

4714 TANNERY AVENUE
TAMPA, FLORIDA 33624

TELEPHONE (813) 407-3787

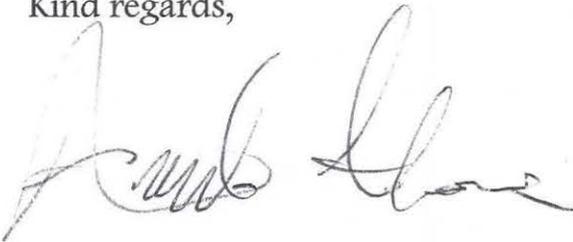
City of Tarpon Spring
324 East Pine Street
Tarpon Springs, FL

Re: Rezoning 41680 US Hwy 19, Tarpon Springs

To whom it may concern regarding the subject property:

TAG VII, LLC does not plan to make any changes to the property or to the use thereof. Right now it is zoned Industrial with a special exception allowing Retail. We are simply trying to rezone to a zoning and land use that properly describes what the building has been used for all along.

Kind regards,

A handwritten signature in cursive script, appearing to read "Armando Flores III".

Armando Flores III
manager

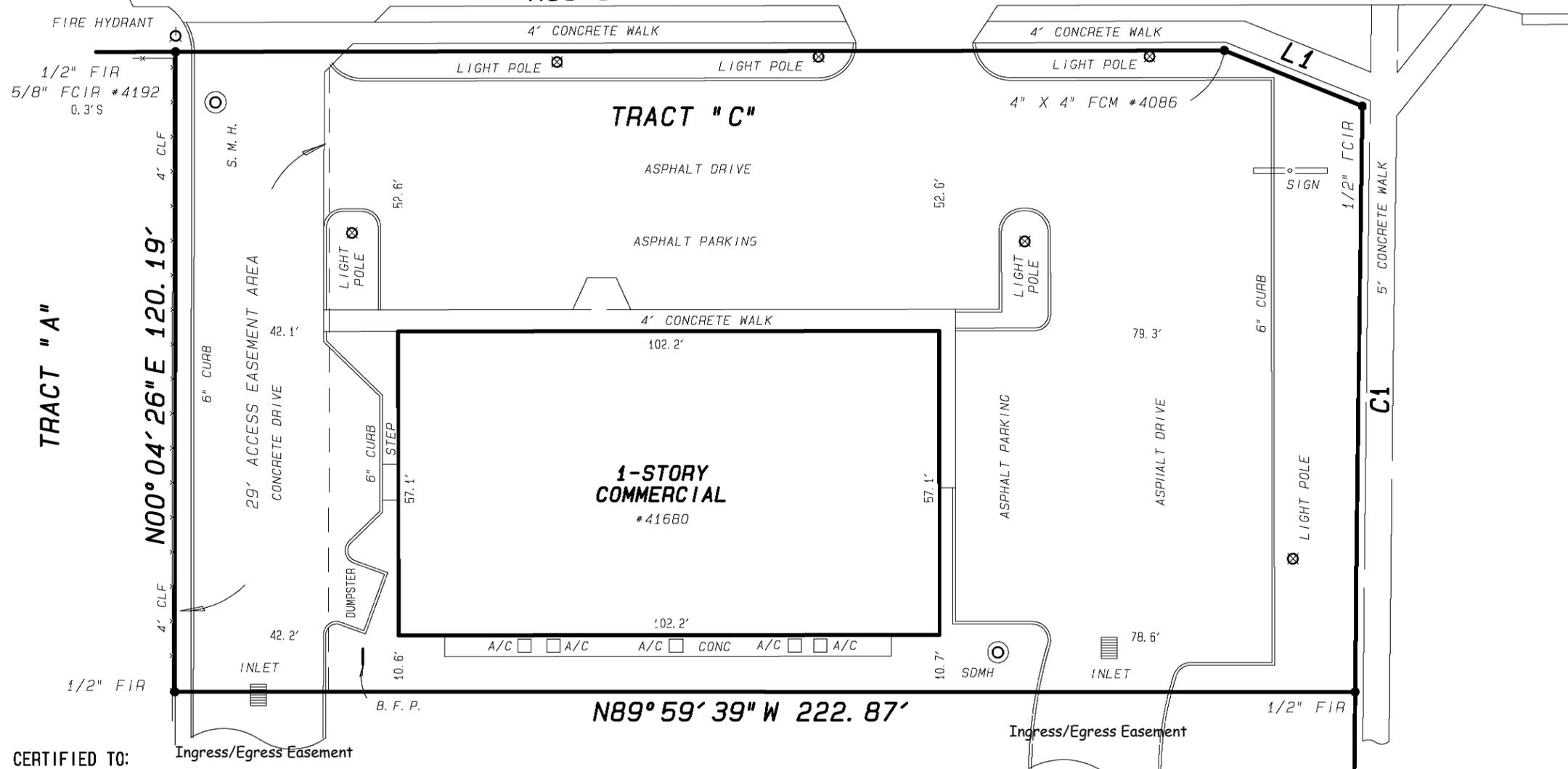
BOUNDARY SURVEY

Curve #	Radius	Delta	Length	Tangent	Chord/Brg
C1	24680.58'	0° 15' 19"	110.02'	55.01'	110.02' N00-42-43.3E

LINE #	BEARING	LENGTH
L1	N68° 04' 58" W	28.06'

PINE STREET
(40' RIGHT-OF-WAY)

N89° 55' 23" E 198.06'



U.S. HIGHWAY 19 NORTH
(RIGHT-OF-WAY VARIES)

- SURVEYOR'S REPORT/NOTES:**
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE POLICY. THERE MAY BE SETBACKS, EASEMENTS, RESTRICTIONS, AND/OR OTHER MATTERS OF RECORD WHICH COULD AFFECT THE PROPERTY AND/OR BOUNDARIES.
 - THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY R/W OF PINE STREET BEARING N89° 55' 23" E.
 - ELEVATIONS SHOWN HEREON ARE BASED ON N.A.V.D. 1988.
 - BENCHMARK: GPS DETERMINED.
 - CALCULATED INFORMATION IS BASED ON (A) CONCEPTUAL RECREATION OF PLAT INTENT, (B) INFORMATION REQUIRED TO SET RECORD CORNERS, &/OR (C) COMPILED DATA FROM SURROUNDING PLATS, DEEDS, AND CERTIFIED CORNER DOCUMENTS.
 - ALL PROPERTY DIMENSIONS ARE RECORDED UNLESS NOTED OTHERWISE.
 - DIMENSIONS ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
 - PHYSICAL ADDRESS: 41680 U.S. HIGHWAY 19, TARPON SPRINGS, FLORIDA 34689.
 - THIS DRAWING DOCUMENTS THE BOUNDARIES AND IMPROVEMENTS AS THEY EXISTED 10-19-2020. THE SURVEYOR MAKES NO WARRANTY, WRITTEN OR OTHERWISE, AS TO THE ACCURACY AND/OR DISPOSITION OF THE BOUNDARIES BEYOND THAT DATE.
 - THE SURVEYOR ACCEPTS NO LIABILITY FOR CONSTRUCTION, ADDITIONS, AND/OR IMPROVEMENTS HEREAFTER ERECTED.
 - ELEVATIONS ARE SHOWN THUS: +0.00
 - UNDERGROUND FEATURES SUCH AS UTILITIES, FOOTERS AND STEMWALLS ARE NOT LOCATED.

- LEGEND:**
- ⊙ = CENTERLINE
 - Δ = CENTRAL ANGLE
 - A = ARC LENGTH
 - A/C = AIR CONDITIONER
 - (C) = CALCULATED
 - C.B.S. = CONCRETE BLOCK STRUCTURE
 - CH. = CHORD
 - CLF = CHAIN LINK FENCE
 - CONC. = CONCRETE
 - CB/CH = CHORD BEARING/CHORD
 - ELEV. = ELEVATION
 - FCM = FOUND CONCRETE MONUMENT
 - FDH = FOUND DRILL HOLE
 - FCIR = FOUND CAPPED IRON ROD
 - FIR = FOUND IRON ROD
 - FND = FOUND
 - FNT = FOUND NAIL & TIN
 - FOEP = FOUND OPEN END PIPE
 - FPP = FOUND PINCHED PIPE
 - L.L.F. = LOWEST LIVING FLOOR
 - (M) = MEASURED
 - N/A = NOT APPLICABLE
 - O.R.B. = OFFICIAL RECORDS 300K
 - (P) = PLAT
 - P.B. = PLAT BOOK
 - PG. = PAGE
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT
 - R = RADIUS
 - (R) = RECORD
 - SDH = SET DRILL HOLE
 - SNT = SET NAIL & TIN
 - SCIR = SET 1/2" CAPPED IRON ROD #5545
 - U.E. = UTILITY EASEMENT
 - x— = FENCE LINE

CERTIFIED TO:
ALLIANCE GROUP OF TAMPA BAY VII LLC

TRACT "B"



GRAPHIC SCALE - FEET

CERTIFICATION:
I HEREBY CERTIFY THAT A SURVEY OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY DIRECT SUPERVISION AND THAT THE SURVEY COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5-17 F.A.C., PURSUANT TO SECTION 472.027, FLORIDA STATUTES. ALSO, THE SKETCH SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION OF SAID PROPERTY TO THE BEST OF MY KNOWLEDGE AND BELIEF.
SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

REVISIONS	DRAWN BY: WGM	CREW CHIEF: MBF
1:	CHECKED BY: MBF	F.B. FILE
2:	SCALE: 1" = 25'	FIELD WORK: 10/19/20
3:	JOB NO. 201022H	DATA FILE: 201022
4:		

LEGAL DESCRIPTION: (SECTION 07, TOWNSHIP 27 SOUTH, RANGE 16 EAST)
TRACT "C", TARPON PINES ASSOCIATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120, PAGES 64 - 66, OF THE PUBLIC RECORDS OF PINELAS COUNTY, FLORIDA.

MOHAMMAD B. FAR
8131 Meadowview Place, New Port Richey, Florida 34653
Phone: (727) 375-1740 Fax: (727) 375-1740
FLOOD INSURANCE RATE MAP INFORMATION:
COMMUNITY PANEL NUMBER: 12103C-0038-G DATED: 09/03/2003
THE PROPERTY APPEARS TO BE IN FLOOD ZONE "X"
THE BASE 100 YEAR FLOOD ELEVATION IS N/A MEAN SEA LEVEL.

NOT FOR PUBLIC RELEASE

MOHAMMAD B. FAR, P.L.S. #5545 DATE
NOT VALID UNLESS SIGNED, DATED, AND STAMPED WITH AN ELECTRONIC SEAL.

ORDINANCE 2021-05

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR 0.61 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED AT 41680 U.S. HIGHWAY 19 NORTH, TARPON PINES ASSOCIATES TRACT C, ON THE SOUTHWEST CORNER OF U.S. HIGHWAY 19 NORTH AND EAST PINE STREET, FROM, LAND USE DESIGNATION IL (INDUSTRIAL LIMITED) TO LAND USE DESIGNATION CG (COMMERCIAL GENERAL); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of said property totaling 0.61 acres, MOL, has applied to amend the Future Land Use Map designation of the property from IL (Industrial Limited) category to CG (Commercial General) category; and,

WHEREAS, the permitted uses within the CG, Commercial General, land use designation are compatible with the surrounding and existing land uses; and,

WHEREAS, the property owner has also applied to re-zone the property from the IR (Industrial Restricted) zoning district to the HB (Highway Business) zoning district; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this application on May 17, 2021; and,

WHEREAS, this Ordinance has been duly advertised in accordance with the requirements of Chapter 171, F.S. and the Tarpon Springs Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with Chapter 163, Part II, Florida Statutes.
2. The Board of Commissioners finds that this amendment to RL, Residential Low, land use designation is appropriate.

Section 2. LAND USE PLAN DESIGNATION

The Future Land Use Map of the Future Land Use Plan Element of the Tarpon Springs Comprehensive Plan is hereby amended to Industrial Limited for the property described as

“Tract C, Tarpon Pines Associates, according to the plat thereof, as recorded in Plat Book 120, Page 64 through 66, of the Public Records of Pinellas County, Florida.”

Section 3. EFFECTIVE DATE

This Ordinance shall be effective upon approval in conjunction with approval of Ordinance 2021-04.

ORDINANCE 2021-04

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF TARPON SPRINGS FOR 0.61 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED AT 41680 U.S. HIGHWAY 19 NORTH, TARPON PINES ASSOCIATES TRACT C, ON THE SOUTHWEST CORNER OF U.S. HIGHWAY 19 NORTH AND EAST PINE STREET, FROM, ZONING DESIGNATION IR (INDUSTRIAL RESTRICTED) TO ZONING DESIGNATION HB (HIGHWAY BUSINESS); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner of record of said parcel has requested to amend to the zoning district designation of said parcel from IR (Industrial Restricted) to HB (Highway Business); and,

WHEREAS, the applicant is also requesting a change to the Future Land Use designation from IL (Industrial Limited) category to CG (Commercial General) category; and,

WHEREAS, the proposed HB, Highway Business, zoning district is consistent with the proposed future land use category of CG (Commercial General); and,

WHEREAS, the planned uses within the HB District are compatible with surrounding and existing land uses; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this rezoning Ordinance on May 17, 2021; and,

WHEREAS, published legal notice of this Ordinance has been provided pursuant to the requirements of Chapter 166.041, F.S. and Section 206 of the Tarpon Springs Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with the Tarpon Springs Comprehensive Plan.
2. That available uses to which the property may be put are appropriate to the property in question and are compatible with the existing and planned uses in the area.

3. That the amendment shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.
4. That the amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Section 2. ZONING ATLAS AMENDMENT

That the Official Zoning Atlas of the City of Tarpon Springs is hereby amended for the property described as “Tract C, Tarpon Pines Associates, according to the plat thereof, as recorded in Plat Book 120, Page 64 through 66, of the Public Records of Pinellas County, Florida.”

Section 3. EFFECTIVE DATE

This Ordinance shall be effective upon approval and in conjunction with approval of Ordinance 2021-05.

LIVE EDGE SLABS, LLC

#21-34

Board of Commissioners – June 8, 2021





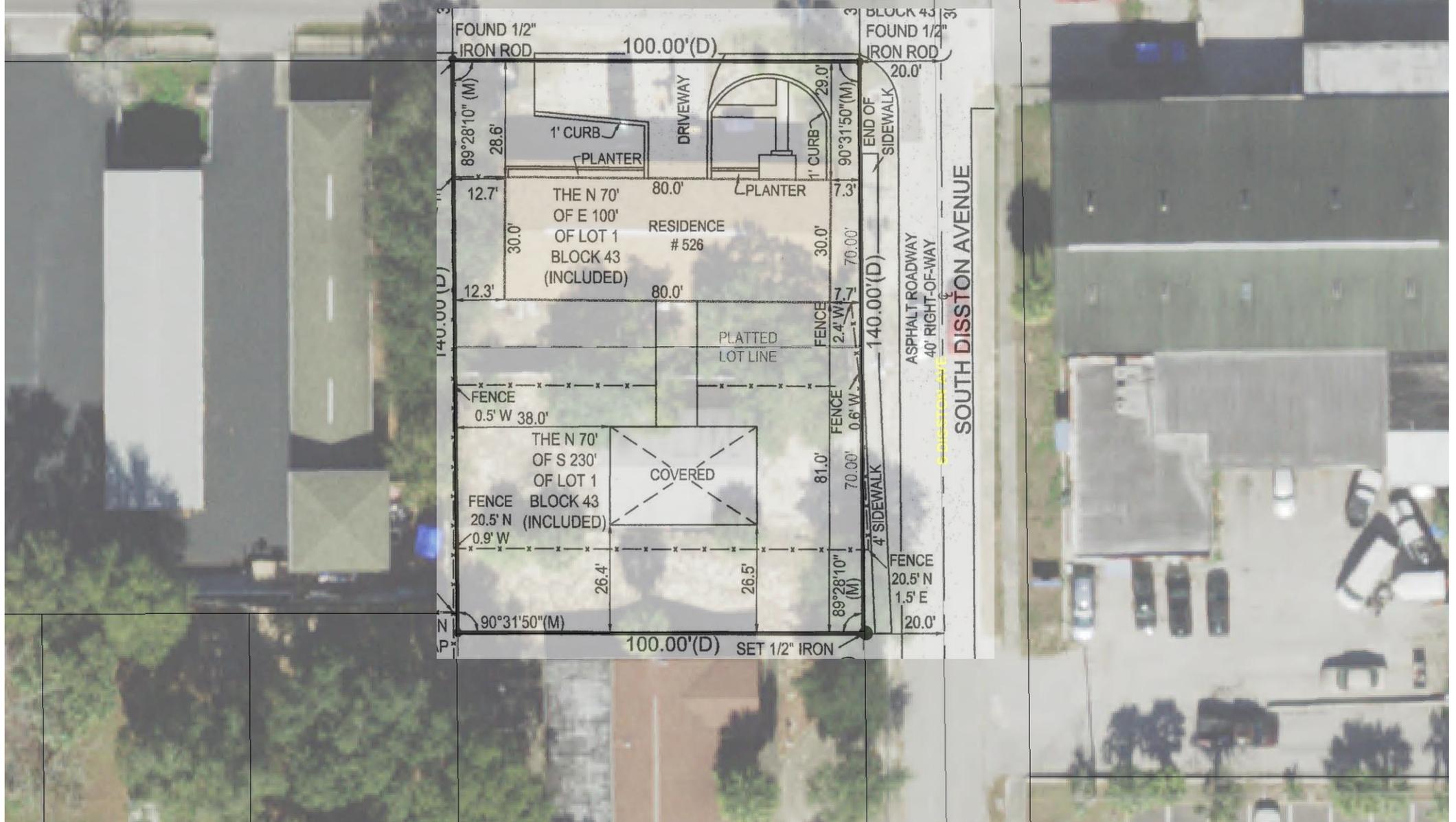
LOCATION & CONTEXT



LOCATION & CONTEXT



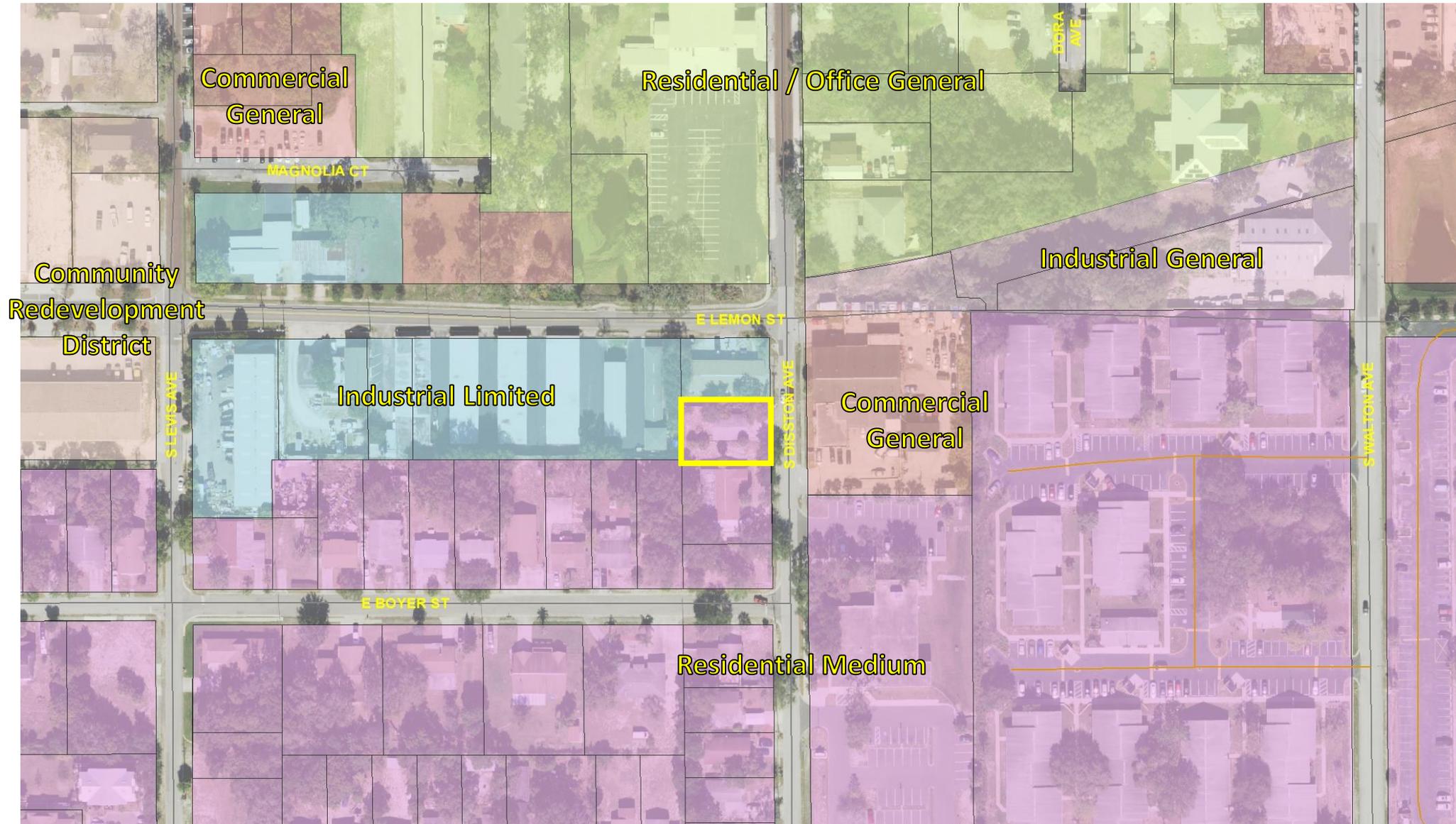
LOCATION & CONTEXT



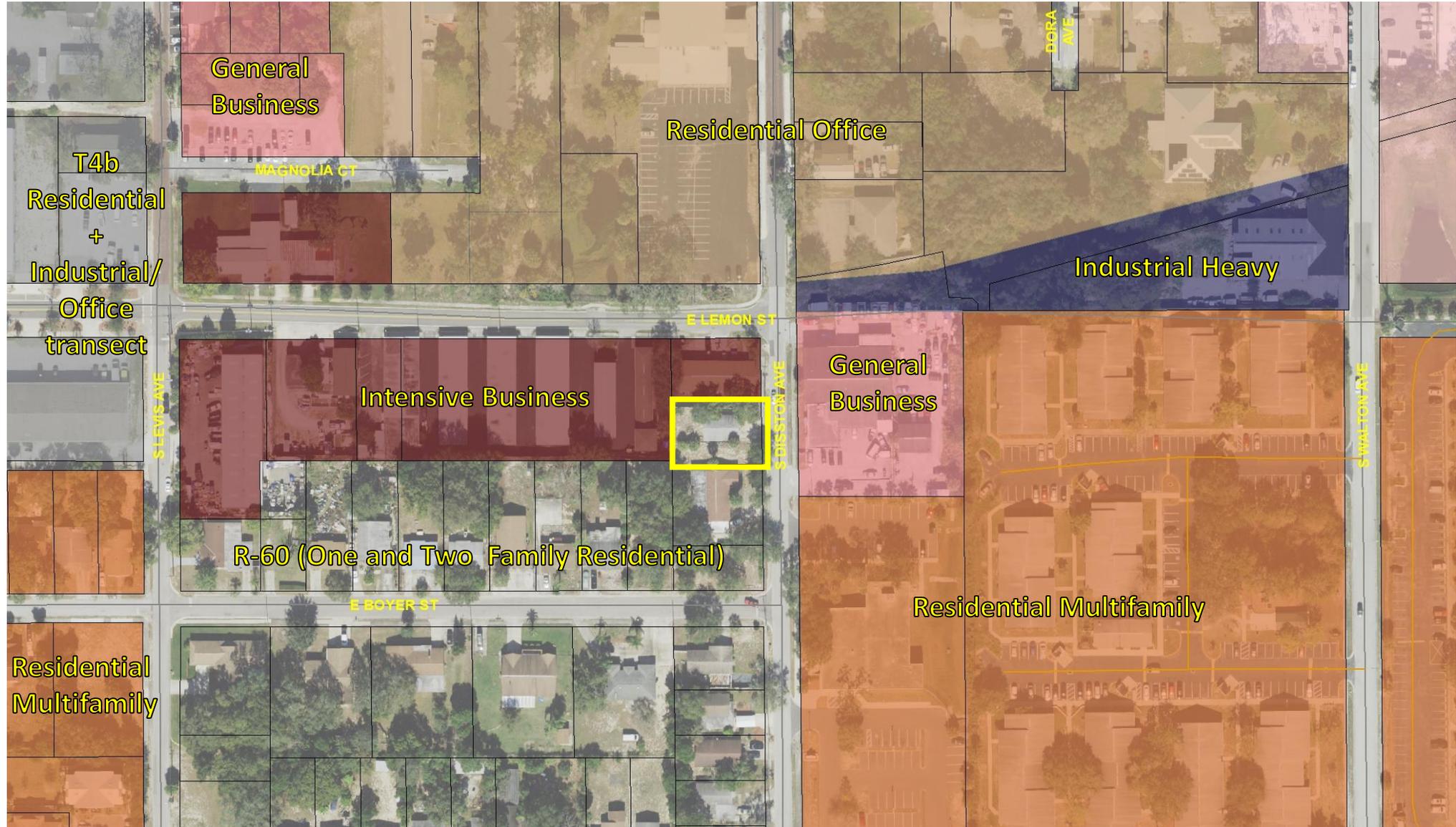
SUMMARY OF REQUEST

- **#21-34** – Future Land Use Map Amendment (FLUM) & Rezoning
 - Land Use:
 - Current: Residential Medium (RM)
 - Proposed: Industrial Limited (IL)
 - Zoning:
 - Current: One and Two Family Residential (R-60)
 - Proposed: Intensive Business (IB)
 - Property Features
 - 6,970 square feet in size
 - Occupied by open shelter, mowed grass/few trees
- **Applicant**: Live Edge Slabs Holdings, LLC
- Request is to allow expansion of the existing business through consolidation with the property to the north located in the IL FLUM category and IB zoning district.

SURROUNDING LAND USE



SURROUNDING ZONING



REVIEW CRITERIA – FLUM AMENDMENT

- 1) Consistent with the applicable Comprehensive Plan policies –
 - The location of the property lends itself to inclusion with the adjacent industrial area and “Industrial Limited” is the least intense of the City’s industrial designations that will accommodate the applicant’s request.
 - City facilities are currently available to serve the property.
- 2) Consistent with the Countywide Plan –
 - An expansion of the Countywide “Employment” designation is expected to be consistent with the Countywide Plan.

REVIEW CRITERIA - REZONING

- 1) Consistency with the City's Comprehensive Plan
- 2) Available uses and compatibility –
 - 1) The Intensive Business (IB) available uses are generally compatible with the neighborhood character.
 - 2) The alignment of this lot with the industrial properties on the north side of this block tend to make it less ideal for single family dwelling development.
 - 3) The applicant will be required to complete a full Site Plan process.
- 3) Provision for efficient and orderly development –
 - 1) The property is located in a developed area, will reasonably expand employment with no significant impact to the character of the neighborhood.
 - 2) City facilities are available to serve the property.
- 4) The amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities –
 - 1) City facilities are available.
 - 2) As a warehouse/construction materials use traffic may increase with employee and delivery trips, but the amount is expected to be negligible and compatible with the area.

PRELIMINARY STAFF RECOMMENDATION

#21-34 - *Approval* of the following:

- Ordinance 2021-07 Future Land Use Map amendment from RM (Residential Medium) to IL (Industrial Limited)
- Ordinance 2021-06 Zoning Atlas amendment from R-60 (One and Two Family Residential) to IB (Intensive Business)

Public Notice Provided – one response was received in support of the request.

PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board, at their meeting of May 17, 2021 unanimously recommended approval of each of the following ordinances:

- Ordinance 2021-07 Future Land Use Map amendment from RM (Residential Medium) to IL (Industrial Limited)
- Ordinance 2021-06 Zoning Atlas amendment from R-60 (One and Two Family Residential) to IB (Intensive Business)

There was no public comment on this item at the meeting.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
MAY 17, 2021 / JUNE 8, 2021

STAFF REPORT, May 22, 2021

Application No. / Project Title: 21-34 / Live Edge Slabs

Staff: Patricia L. McNeese, AICP
Principal Planner

Applicant / Owner: Live Edge Slabs Holdings, LLC / (same)

Agent: Bradley D. Kent

Property Size: 0.16 acres (6,970 square feet)

Current Zoning: One and Two Family Residential (R-60)

Proposed Zoning: Intensive Business (IB)

Current Land Use: Residential Medium (RM)

Proposed Land Use: Industrial Limited (IL)

Location / Parcel ID: West side of South Disston Avenue between East Lemon Street and East Boyer Street / Parcel ID: 12-27-15-89982-043-0109

BACKGROUND SUMMARY:

The subject property is located on South Disston Avenue directly behind (south of) 526 East Lemon Street which is also owned and occupied by the applicant. The subject property is built with a small storage shelter and is fenced. The property is currently located in a residential designation. The property owner is requesting a change to the land use and zoning to an industrial designation consistent with that of his property to the north.

PRELIMINARY STAFF RECOMMENDATION:

Staff recommends **approval** of the following:

- Ordinance 2021-07 amending the Future Land Use Map (FLUM) from Residential Medium (RM) to Industrial Limited (IL), and,
- Ordinance 2021-06 amending the Official Zoning Atlas from One and Two Family Residential (R-60) to Intensive Business (IB).

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board, at their regular meeting of May 17, 2021, unanimously recommended approval of both of the above listed ordinances. There was no public comment on the item at the meeting.



CURRENT PROPERTY INFORMATION:

Use of Property:	Open shelter structure, otherwise vacant
Site Features:	Shelter, perimeter fencing, mowed land with few trees.
Vehicle Access:	The property is accessed from South Disston Avenue.

SURROUNDING ZONING & LAND USE:

	Zoning:	Land Use:
North:	Intensive Business (IB)	Industrial Limited (IL)
South:	One and Two Family Residential (R-60)	Residential Medium (RM)
East:	General Business (GB)	Commercial General (CG)
West:	Intensive Business (IB)	Industrial Limited (IL)

ZONING DISTRICT SUMMARY (EXISTING / PROPOSED):

Dimensional Regulations	Current Zoning: R-60	Proposed Zoning: IB
Max. Density	15 dwelling units/acre	15 dwelling units/acre
Lot Standards:		
Min. Lot Area	5,000 square feet	5,000 square feet
Min. Lot Width	40 feet	50 feet
Min. Lot Depth	n/a	80 feet
Max. Height	30 feet	35 feet
Setbacks:		
Front Yard	20/25 feet	10 feet
Side Yard	5 feet	10 feet
Side Street	7.5 feet	10 feet
Rear Yard	20 feet	10 feet
Maximum Floor Area Ratio	n/a	0.40



PLANNING CONSIDERATIONS:

When considering this application, the following general site conditions, planning concepts, and other facts should be noted:

1. This general area is occupied by a mix of warehouse, office and residential uses. The owner’s adjacent building at 526 East Lemon appears to be a repurposed residential building. That building is now a warehouse where the applicant’s “Live Edge Slabs” business is housed (see applicant’s narrative description of the business, included with this packet).
2. The surrounding properties to the east, west and north, including the entire north half of this block, are occupied by industrial type uses including light manufacturing and warehouse. Businesses adjacent to the subject property include the Hoffman’s Mini Storage (west side) and the Mike’s Place Automotive Services (directly across the street). The south half of this block is occupied by older single family residences fronting on, and accessing, Boyer Street.

REVIEW STANDARDS / STAFF ANALYSIS – COMPREHENSIVE PLAN MAP AMENDMENT

Future Land Use Map Amendment

The Future Land Use Map amendment is a legislative decision of the Board of Commissioners. The standards for the current and proposed future land use categories are summarized below:

FUTURE LAND USE - CITY	Current FLU: Residential Medium (RM)	Proposed FLU: Industrial Limited (IL)
Intent:	“intended for areas in close proximity to urban activity centers, and generally intended for areas that are to be developed in a medium density residential manner. This category is generally intended to serve as a transition between less urban and more urban residential and mixed use areas” (Policy 2.2.6)	“Industrial land use categories provide for the concentration of industrial activity at locations with appropriate infrastructure and relatively low impact to surrounding land uses” (Objective 2.5)
Primary Uses:	Residential	Office, research/development (light and heavy), manufacturing (light and medium), wholesale/distribution, storage/warehouse (light)
Max. Density:	15 dwelling units/acre	0 dwelling units/acre
Max. Floor Area Ratio (FAR):	0.50	0.60
Max. Impervious Surface Ratio (ISR):	0.75	0.85



Staff Analysis: The property is adjacent to, and surrounded by, intensive business uses. It is juxtapositioned so that it geographically aligns with the north half of this developed city block such that the only residence directly adjacent to it is on the south side. Consolidation of this property with the existing business to the north expands an existing warehouse/construction materials business that is compatible with this area. The property appears to be less suitable for establishment of a single family home given the surrounding intensive business uses and the orientation of this lot to South Disston Avenue, amidst this industrial activity. The Industrial Limited category is the least intensive industrial designation available and will limit potential impacts to the neighborhood. City public facilities are available to serve this property. No new impacts to the City’s public facilities are expected. The proposed amendment is consistent with the City’s Comprehensive Plan. The Future Land Use Element of the Comprehensive Plan can be found at this link: <https://www.ctsfl.us/wp-content/uploads/2020/11/Future-Land-Use-Element-FLUE-2020.pdf>. Policy 2.2.6 covering the Residential Medium (RM) category can be found on PDF page 37. Policy 2.5.1 covering the Industrial Limited (IL) category can be found on PDF page 44.

Countywide Plan Map Amendment

The property is designated as Residential Medium (RM) on the Countywide Plan Map. A Countywide Plan Map amendment will be required to amend the designation to Employment (E), consistent with the surrounding area. Countywide Rules for the locational characteristics and traffic generation characteristics of the current and proposed Countywide Map designations are summarized below:

COUNTYWIDE MAP	Current Plan Category: Residential Medium (RM)	Proposed Plan Category: Employment (E)
Purpose:	“to depict those areas of the county that are now developed, or appropriate to be developed, in a medium-density residential manner;” (Policy 2.3.3.4)	“intended to recognize areas develop with, or appropriate to be developed with, a wide range of employment uses, including primary industries..., allowing for flex space, and for uses that have minimal external impacts” (Policy 2.3.3.9)
Max. Density:	15 dwelling units/acre	0 dwelling units/acre
Max. Floor Area Ratio:	0.50	0.65
Max. Impervious Surface Ratio:	0.75	0.85
Traffic Generation Characteristics:	96 trips per day per acre	206 trips per day per acre

REVIEW STANDARDS / STAFF ANALYSIS - REZONING:

Section 207.03(A) of the Tarpons Springs Comprehensive Zoning and Land Development Code provides standards for zoning map amendments. These standards, along with planning staff’s analysis are provided below:



1. The amendment is consistent with the goals, objectives and policies of the Tarpon Springs Comprehensive Plan.

Staff Analysis: See above analysis of the Future Land Use Map (FLUM) amendment to Industrial Limited (IL). The proposed Intensive Business zoning district is consistent with the proposed Industrial Limited (IL) Future Land Use Map category.

2. The available uses to which the property may be put are appropriate to the property in question and are compatible with the existing and planned uses in the area.

Staff Analysis: The property is vacant with the exception of an open wood shelter structure. It is situated directly behind the applicant's existing warehouse. The property is adjacent to, and surrounded by, intensive business uses along the northern half of this developed city block. Consolidation of this property with the existing business to the north expands an existing warehouse/construction materials business that is compatible with this area. The property appears to be less suitable for establishment of a single family home given the surrounding intensive business uses and the orientation of the lot frontage towards South Disston Avenue, amidst the existing industrial activity.

The Intensive Business (IB) district allows 20 uses permitted by right such as offices, construction materials/service, landscaping, light printing, mini-warehouses, personal services, minor repair and rental, retail sales and wholesale trades. These uses are not expected to cause a substantial change to the existing neighborhood with respect to impacts. The property development will also undergo a full Site Plan review and will be required to address any potential impacts, including placement of a vegetated buffer along the south property line. Conditional uses with a higher potential for neighborhood impacts such as eating establishments, heavy printing, manufacturing and major repair facilities are also allowable in the IB district. An applicant for a conditional use would be required to seek approval from the Board of Commissioners and show additional evidence of neighborhood compatibility for those uses. The uses available in the IB district are appropriate to the subject property and are compatible with the existing and planned uses along this Lemon Street industrial strip.

The available uses for the existing R-60 zoning designation can be found at this link:

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeId=COOR_APC_OZOLADECO_ARTIIDIRE_S25.03R-R-ONTWFAREDI

The available uses for the requested IB designation can be found at this link:

https://library.municode.com/fl/tarpon_springs/codes/code_of_ordinances?nodeId=COOR_APC_OZOLADECO_ARTIIDIRE_S25.13IBINBUDI

3. The amendment shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.

Staff Analysis: The property is developed and is currently served by the City. There is potable water availability from the South Disston Avenue side and sewer is available from an existing line that extends along the rear property line (the line traverses the middle of this City block). There will be no additional cost to the City to continue to provide public facilities.



- 4. The amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities, including transportation, waste and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities. Compliance with the adopted Levels of Service standards can be demonstrated if necessary.**

Staff Analysis: City facilities are currently available to serve the property. The proposed and allowable uses permitted by right are not expected to result in significant increases in traffic. The development of this property under the IB zoning will not adversely impact nor exceed the City's capacity to continue service at this location.

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on April 1, 2021 for completeness and conformance to the Comprehensive Zoning and Land Development Code and the Comprehensive Plan. The TRC determined that the application was complete and ready for processing. There were no further comments from the TRC.

PUBLIC CORRESPONDENCE:

The property owners within 500 feet were sent written notification in accordance with Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code and Chapter 166.041, Florida Statutes. Notice was advertised in the *Tampa Bay Times*. Staff has received one response in support of the request. The response is included with the agenda item packet.

ATTACHMENTS:

1. Slide show presentation with applicable maps
2. Applicant narrative description and request
3. Property survey
4. Citizen comment email
5. Ordinance 2021-05
6. Ordinance 2021-04

Patricia McNeese

From: BRAD KENT <bkent0711@aol.com>
Sent: Monday, May 10, 2021 9:41 AM
To: Patricia McNeese
Cc: Joann Hoffman; Bradley Kent jr
Subject: Disston Ave Kent Warehouse

External Email - Use caution with links and attachments

Pat-

Per our conversation requesting a narrative on our intentions, please accept the following:

As most know, my son and I have started a successful wood table and wood slab business here in Tarpon Springs called Live Edge Slabs, LLC. Because of its overwhelming success, we have run out of space.

We recently leased 451 E Lemon St as additional warehouse and storage space from George Zutes. That space is also filled at this time.

Our intention is to build a steel warehouse to house additional slabs and finished tables. It's important to note that we don't use any heavy machinery. All of the planing, milling, and shaping of the tree slabs is done in Costa Rica prior to their arrival at our warehouse.

We sometimes finish sand and oil the tables for customers depending on their request. We also attach legs that are made elsewhere. To keep our environment safe as a work environment, all of our work is done with hand sanders that are attached to portable HEPA Festool vacuum machines. There is no dust as a result and all machines are portable, and on wheels. We do not use large commercial drum sanders, planers, or chain saws at any time.

Our finishing process is solvent free and wiped on with a rag. The finish is called Odies Oil and is made of beeswax and lemon oil. It is non-flammable and food safe. No spraying of any solvents is done at any time. We don't even offer those finishes.

The warehouse would be to store additional slabs, finished tables and to attach legs and finish. We do not need additional employees at this moment but this is possible in the future. We have an agreement with the church directly across the street for employee parking, and also have any necessary parking for them down at 451 E Lemon St. We purchased a street legal 6 passenger golf cart for the employees to commute back and forth to the existing warehouse. This process would continue.

Aesthetically, the warehouse would be 2800 square feet (my understanding is 40% max of the lot space), it would be air conditioned, and the same color as our existing building at 526 E Lemon. We care a lot about our neighborhood and Tarpon Springs. We now employ 6 people and contribute significant sales tax revenue to our area.

The warehouse will have a large 12' x 12' roll up door on the street side. Also on the side facing our existing building. It will have (2) regular doors, one on each side. Here's a preliminary photo from the builder (see below).

It's my understanding from our conversation that this information is all you need for the meeting on the 17th which we will be present at. We hope that we can continue to be a successful business and employer in the much needed revitalization of this portion of Tarpon Springs.

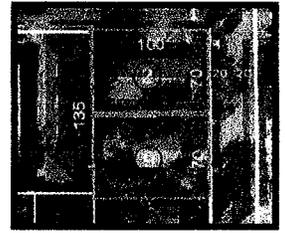
Please don't hesitate to call me if you need anything further.

Regards,

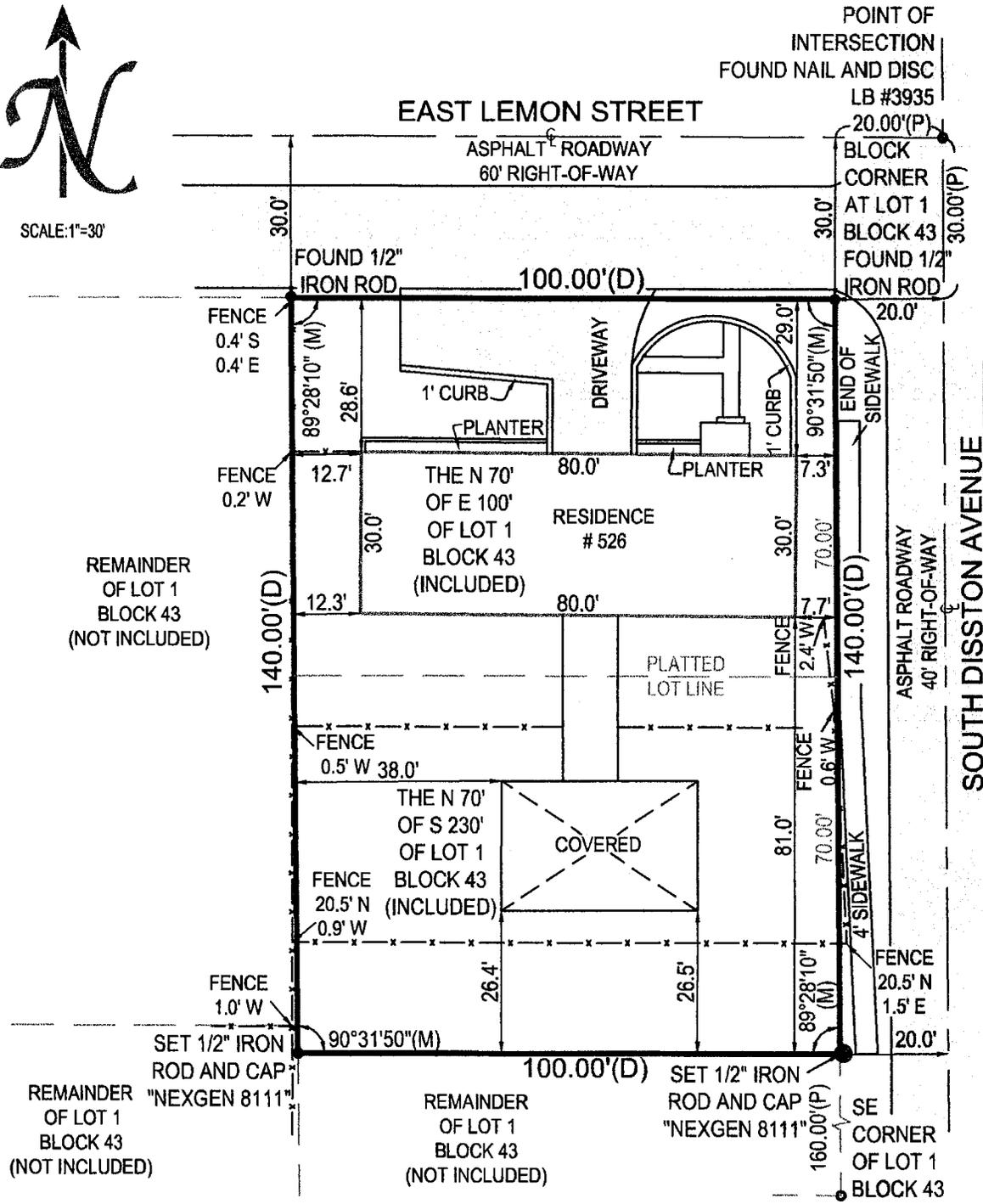
526 EAST LEMON STREET, TARPON SPRINGS, FL. 34689



SCALE: 1"=30'



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)

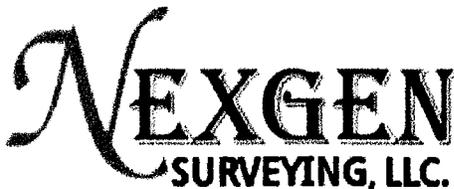


- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 06-25-2020
 Drawn By: Oleg
 Order #: 93312
 Last Revision Date: 06-25-2020
 Boundary Survey prepared by: LB8111
 NexGen Surveying, LLC
 5601 Corporate Way, Suite #103
 West Palm Beach, FL 33407
 561-508-6272



Patricia McNeese

From: Joann Hoffman <jhoffman825@gmail.com>
Sent: Tuesday, May 11, 2021 3:55 PM
To: Patricia McNeese
Subject: Re: #21-34

External Email - Use caution with links and attachments

Dear Planning and Zoning Department and Tarpon Springs Board of Commissioners:

My name is Joann Hoffman, 522 E. Lemon St, Tarpon Springs.

I am sending this correspondence in reference to an upcoming public hearing regarding future land use map amendment and rezoning. My property, Hoffman's Mini Storage, Inc is adjacent to the applicant referenced above. I am in favor and recommend the city to approve the LUA from RM to IL and a rezoning from R-60 to IB to allow for expansion of Live Edge Slabs, LLC. Thank you for your consideration to this request.

Respectfully,

Joann Hoffman
Hoffman's Mini Storage, Inc.
522 E. Lemon St.
Tarpon Springs, FL 34689

ORDINANCE 2021-07

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR 0.16 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED ON THE WEST SIDE OF SOUTH DISSTON AVENUE BETWEEN EAST LEMON STREET AND EAST BOYER STREET, FROM LAND USE DESIGNATION RM (RESIDENTIAL MEDIUM) TO LAND USE DESIGNATION IL (INDUSTRIAL LIMITED); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of said property totaling 0.16 acres, MOL, has applied to amend the Future Land Use Map designation of the property from RM (Residential Medium) category to IL (Industrial Limited) category; and,

WHEREAS, the permitted uses within the IL, Industrial Limited, land use designation are compatible with the surrounding and existing land uses; and,

WHEREAS, the property owner has also applied to re-zone the property from the R-60 (One and Two Family Residential) zoning district to the IB (Intensive Business) zoning district; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this application on May 17, 2021; and,

WHEREAS, this Ordinance has been duly advertised in accordance with the requirements of Chapter 171, F.S. and the Tarpon Springs Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with Chapter 163, Part II, Florida Statutes.
2. The Board of Commissioners finds that this amendment to RL, Residential Low, land use designation is appropriate.

Section 2. LAND USE PLAN DESIGNATION

The Future Land Use Map of the Future Land Use Plan Element of the Tarpon Springs Comprehensive Plan is hereby amended to Industrial Limited for the property described as:

“The North 70 feet of the South 230 feet of the East 100 feet of Lot 1, Block 43, Map of the Town of Tarpon Springs, Florida, a subdivision lying in Section 13, Township 7 South, Range 15 East, as shown on the plat recorded in Plat Book 4, Page 8, of the Public Records of Hillsborough County, of which Pinellas County, Florida was formerly a part.”

Section 3. EFFECTIVE DATE

This Ordinance shall be effective upon approval in conjunction with approval of Ordinance 2021-06.

ORDINANCE 2021-06

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF TARPON SPRINGS FOR 0.16 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED ON THE WEST SIDE OF SOUTH DISSTON AVENUE BETWEEN EAST LEMON STREET AND EAST BOYER STREET, FROM ZONING DESIGNATION R-60 (ONE AND TWO FAMILY RESIDENTIAL) TO ZONING DESIGNATION IB (INTENSIVE BUSINESS); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner of record of said parcel has requested to amend to the zoning district designation of said parcel from R-60 (One and Two Family Residential) to IB (Intensive Business); and,

WHEREAS, the applicant is also requesting a change to the Future Land Use designation from RM (Residential Medium) category to IL (Industrial Limited) category; and,

WHEREAS, the proposed IB, Intensive Business, zoning district is consistent with the proposed future land use category of IL, Industrial Limited; and,

WHEREAS, the planned uses within the IB District are compatible with surrounding and existing land uses; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this rezoning Ordinance on May 17, 2021; and,

WHEREAS, published legal notice of this Ordinance has been provided pursuant to the requirements of Chapter 166.041, F.S. and Section 206 of the Tarpon Springs Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. FINDINGS

1. That the Board of Commissioners finds that this Ordinance is consistent with the Tarpon Springs Comprehensive Plan.
2. That available uses to which the property may be put are appropriate to the property in question and are compatible with the existing and planned uses in the area.

3. That the amendment shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.
4. That the amendment will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide public facilities including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Section 2. ZONING ATLAS AMENDMENT

That the Official Zoning Atlas of the City of Tarpon Springs is hereby amended for the property described as:

“The North 70 feet of the South 230 feet of the East 100 feet of Lot 1, Block 43, Map of the Town of Tarpon Springs, Florida, a subdivision lying in Section 13, Township 7 South, Range 15 East, as shown on the plat recorded in Plat Book 4, Page 8, of the Public Records of Hillsborough County, of which Pinellas County, Florida was formerly a part.”

Section 3. EFFECTIVE DATE

This Ordinance shall be effective upon approval and in conjunction with approval of Ordinance 2021-07.

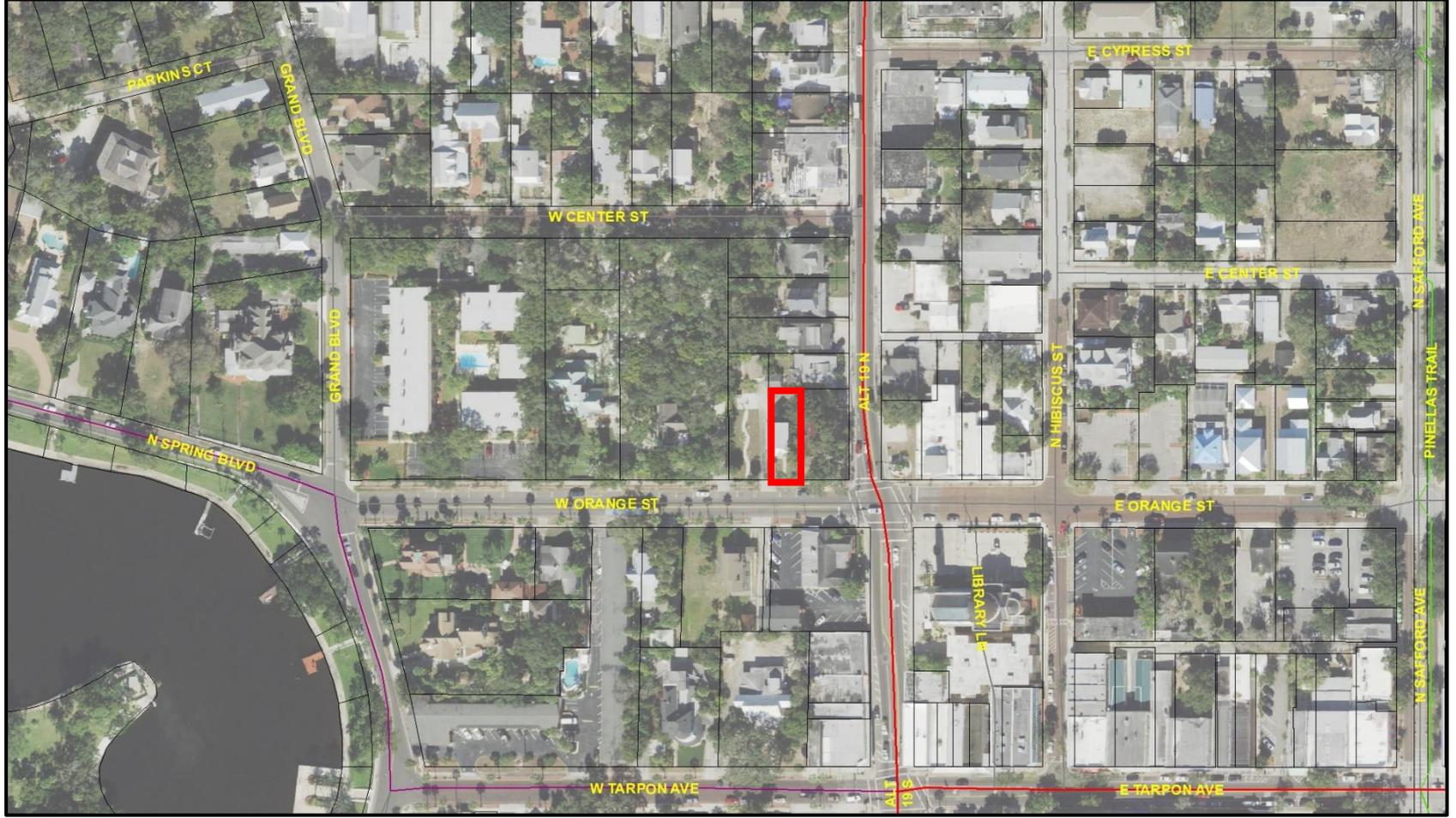
ELSTEPHMAR, LLC – CONDITIONAL USE #21-35

Planning and Zoning Board – May 17, 2021

Board of Commissioners – June 8, 2021



LOCATION & CONTEXT



SUMMARY OF REQUEST

- **#21-1** – Conditional Use for Short-Term/Seasonal Rental
 - Property Size: 4,560 square feet
 - Current Land Use: Community Redevelopment District
 - Current Zoning: T5d North Pinellas Ave transect district
 - Current Use of Property: Office

- **Applicant:** Carol Niotas

REVIEW CRITERIA – CONDITIONAL USE

- 1) **Conformance with the Land Development Code.** The property appears to comply with the standards of the T5d transect district. Although there is no minimum driveway width requirement in that code, the driveway width appears to be under the recommended width of eight (8) feet. Parking for at least two vehicles is available along the driveway and at the rear of the property.

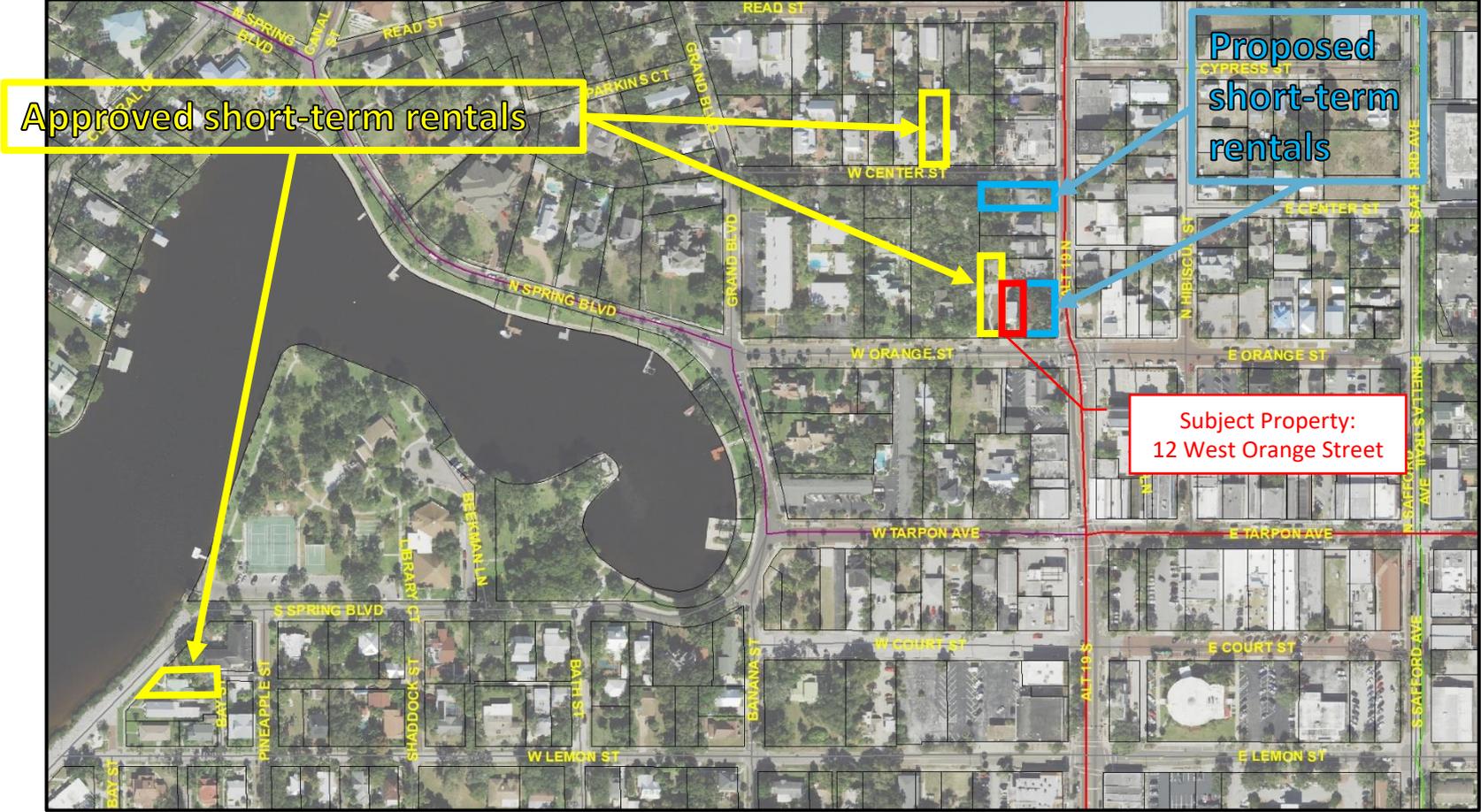
LOCATION & CONTEXT



REVIEW CRITERIA – CONDITIONAL USE

- 2) **The proposed use is appropriate to the property in question and compatible with the area.** The proposed use is appropriate for the property and compatible with the uses in the surrounding developed area characterized by mixed uses in the downtown area. The property is near two existing approved short-term rental properties and two additional properties for which short term rental requests have been received.

NEARBY TOURIST HOMES/SHORT-TERM RENTALS



REVIEW CRITERIA – CONDITIONAL USE

- 3) **The use is consistent with the Comprehensive Plan.** *The use is consistent with the City's Comprehensive Plan.*
- 4) **The use will not adversely impact historical or environmental resources.** *The property is a contributing-altered structure within the City's historic district but the exterior will not be physically altered. The property is not located within an environmentally sensitive area.*
- 5) **The use will not adversely affect adjoining property values.** *The proposed use is located in the downtown area and is consistent with the surrounding development, including adjacent short-term rentals and mixed uses. It is not expected to adversely affect property values in the area.*
- 6) **The use will not adversely impact nor exceed the City's capacity to serve with public facilities.** *The property is served with public facilities and this project will not negatively affect the City's ability to continue to provide those services.*
- 7) **The use shall provide for efficient and orderly development.** *The proposed project makes appropriate use of an existing structure originally built as a residence in the City's downtown area and it is already served by public facilities and infrastructure, thereby providing for orderly and efficient development.*



PRELIMINARY STAFF RECOMMENDATION

#21-35 – *Approval* of Resolution 2021-30 granting conditional use approval for operation of a short term/seasonal rental in the T5d transect district of the Special Area Plan subject to the following:

1. The property shall remain a single family residence rented as a single living unit.
2. The change of use from a general office space to a residential dwelling shall require compliance with National Fire Prevention Association (NFPA) 101 Life Safety Code Chapter 24, regarding number of Means of Escape and the installation of Smoke & Carbon Monoxide Detectors.
3. A minimum of one (1) Fire Extinguisher shall be provided on each occupied floor. Each Extinguisher shall be conspicuously mounted, maintained, and inspected annually in accordance with \NFPA 10 Standard for Portable Fire Extinguishers.
4. The applicant shall obtain and maintain a City of Tarpon Springs business tax receipt for the use. If the business tax receipt lapses for a period of more than six (6) months, a new review of the conditional use will be required.

Public Notice Provided – No responses were received.

PLANNING & ZONING BOARD RECOMMENDATION

#21-35 – The Planning and Zoning Board heard this item at their regular meeting of May 17, 2021 and recommended **approval** of Resolution 2021-30 with the recommended conditions. One board member recused himself from the vote. There was no public comment.

Public Notice Provided – No responses were received.



CITY OF TARPON SPRINGS
PLANNING & ZONING BOARD / BOARD OF COMMISSIONERS
MAY 17, 2021 / JUNE 8, 2021

STAFF REPORT, May 21, 2021

Application No. / Project Title: 21-35 / Elstephmar, LLC
Staff: Patricia L. McNeese, AICP
Principal Planner
Applicant / Owner: Carol Niotas / Elstephmar, LLC
Property Size: 4,560 square feet
Current Zoning: T5d (North Pinellas Ave) transect
Current Land Use: Community Redevelopment District (CRD)
Location / Parcel ID: 12 West Orange Street / 12-27-15-89982-064-0306

BACKGROUND SUMMARY:

The applicant is seeking conditional use approval to operate a short term/seasonal rental use in the building at 12 West Orange Street. The Land Development Code (LDC) Section 241.00(A) (213) defines a short term/seasonal rental as follows:

“A dwelling unit that may also be used to provide temporary lodging accommodations for compensation to transient residents, especially motor tourists or travelers. A transient resident shall mean a visitor to the community who does not use the dwelling as a principal residence, who is neither gainfully employed in the community nor a student currently enrolled in a school located in the community or who resides in the dwelling for 6 weeks or less.”

The subject property was built in 1910 according to the Pinellas County Property Appraiser and its current use is general office. The change in use from office to residential may trigger required modifications to the structure’s interior pursuant to the fire and building occupancy codes. The property conforms to the current required dimensional criteria for the T5d transect. It appears that the required parking can be accommodated on site. The property is in close proximity to other short term/seasonal rental and tourist home uses.

PRELIMINARY STAFF RECOMMENDATION:

Staff is recommending **approval** of Resolution 2021-30 with the following conditions:

1. The property shall remain a single family residence rented as a single living unit.



2. The change of use from a general office space to a residential dwelling shall require compliance with National Fire Prevention Association (NFPA) 101 Life Safety Code Chapter 24, regarding number of Means of Escape and the installation of Smoke & Carbon Monoxide Detectors.
3. A minimum of one (1) Fire Extinguisher shall be provided on each occupied floor. Each Extinguisher shall be conspicuously mounted, maintained, and inspected annually in accordance with \NFPA 10 Standard for Portable Fire Extinguishers.
4. The applicant shall obtain and maintain a City of Tarpon Springs business tax receipt for the use. If the business tax receipt lapses for a period of more than six (6) months, a new review of the conditional use will be required.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board heard this item at their regular meeting of May 17, 2021 with six board members attending. They voted unanimously to recommend approval, with one board member recusing himself from the vote. There was no public comment on the item.

CURRENT PROPERTY INFORMATION:

Use of Property:	General office
Site Features:	Two-story principal building, outbuilding at the rear of the property, driveway and mowed yard
Vehicle Access:	The property is accessed from West Orange Street

SURROUNDING ZONING & LAND USE:

	Zoning (Existing Use):	Land Use:
North:	T5d (single family residence)	Community Redevelopment District
South:	T5d (offices and apartments)	Community Redevelopment District
East:	T5d (single family short term/seasonal rental requested)	Community Redevelopment District
West:	T5d transect (single family short term/seasonal rental approved)	Community Redevelopment District

PLANNING CONSIDERATIONS:

When considering this application, the following general site conditions, planning concepts, and other facts should be noted:

1. The proposed short term/seasonal rental is located within close proximity to other approved and requested short term/seasonal rentals in both the Special Area Plan



(SAP) and nearby Residential Multifamily (RM) districts. The SAP allows short term/seasonal rentals with no distance separation requirements.

2. The property is located very close to North Pinellas Avenue in the City's downtown area.
3. The property will undergo a change of use from office to residential. As such, the minimum building and fire codes for the change of occupancy will need to be met.
4. The existing driveway on the property appears to be substandard due to an insufficient width along the west side. There is sufficient space for parking of at least two vehicles.

REVIEW STANDARDS / STAFF ANALYSIS – CONDITIONAL USE

Pursuant to Section 209.01, Standards for Review of Conditional Uses, of the Tarpon Springs Land Development Code (LDC), no conditional use shall be recommended for approval or receive a final action of approval unless a positive finding, based upon substantial competent evidence either presented at a public hearing held by the Board or reviewed personally by the Board members, is made on each of the following standards:

1. Conformance with the requirements of the Land Development Code.

Analysis: The building is existing and includes sufficient area for parking, although the driveway appears to be very narrow, probably less than eight feet wide. The residence is in compliance with the dimensional standards of the T5d transect district.

2. The use to which the property may be put is appropriate to the property in question and is compatible with existing and planned uses in the area.

Analysis: The property is located in the City's Special Area Plan (SAP) district in the downtown area. This district contemplates short term/seasonal rental uses in close proximity to downtown and the sponge docks. The area is characterized by a variety of uses including office, commercial, single family residential and multi-family residential. The single family residence located to the north of the subject property is accessed from North Pinellas Avenue and all other adjacent properties are occupied by mixed uses or short term rentals. It is concluded that establishment of this short term rental will not have a significant negative impact on the general neighborhood character.

3. The conditional use is consistent with the goals, objectives and policies of all Elements of the City Comprehensive Plan.

Analysis: The conditional use is consistent with the goals, objectives, and policies of all elements of the City's Comprehensive Plan.



4. The conditional use will not result in significant adverse impacts to the environment or historical resources.

Analysis: The property is a contributing-altered resource in the City's Historic District and was originally built as a residence. The applicant has not proposed any alterations to the exterior of the principal structure or to the property. Therefore, the proposal will not negatively impact the City's Historic District. The use is not proposed on an environmentally sensitive site.

5. The conditional use will not adversely affect adjoining property values.

Analysis: The proposed short term rental is located within an area of mixed uses within the City's downtown area. The property will continue to be subject to all applicable City codes and ordinances governing not only land use, but noise, nuisances, property maintenance and other similar codes. These standards will help ensure that the proposed conditional use will fit the character of the neighborhood and will not adversely affect property values.

6. The conditional use will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide available public facilities, including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Analysis: The property is already served by the City. The development will not require the extension of new public services to the site, and will not adversely affect the ability of the City to provide adequate public facilities. Standards for fire protection, triggered by the principal structure's change of occupancy, are addressed in the recommended conditions and are proposed to augment the City's efficiency in serving this use.

7. The conditional use shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.

Analysis: The proposed conditional use is located within an area of higher density within the downtown area. It will not adversely affect growth patterns or the ability of the City to provide public facilities.

TECHNICAL REVIEW COMMITTEE:

The Technical Review Committee (TRC) reviewed this project on April 1, 2021 for completeness and conformance to the Comprehensive Zoning and Land Development Code



and the Comprehensive Plan. The TRC determined that the application was complete and ready for processing. There were no further comments from the TRC.

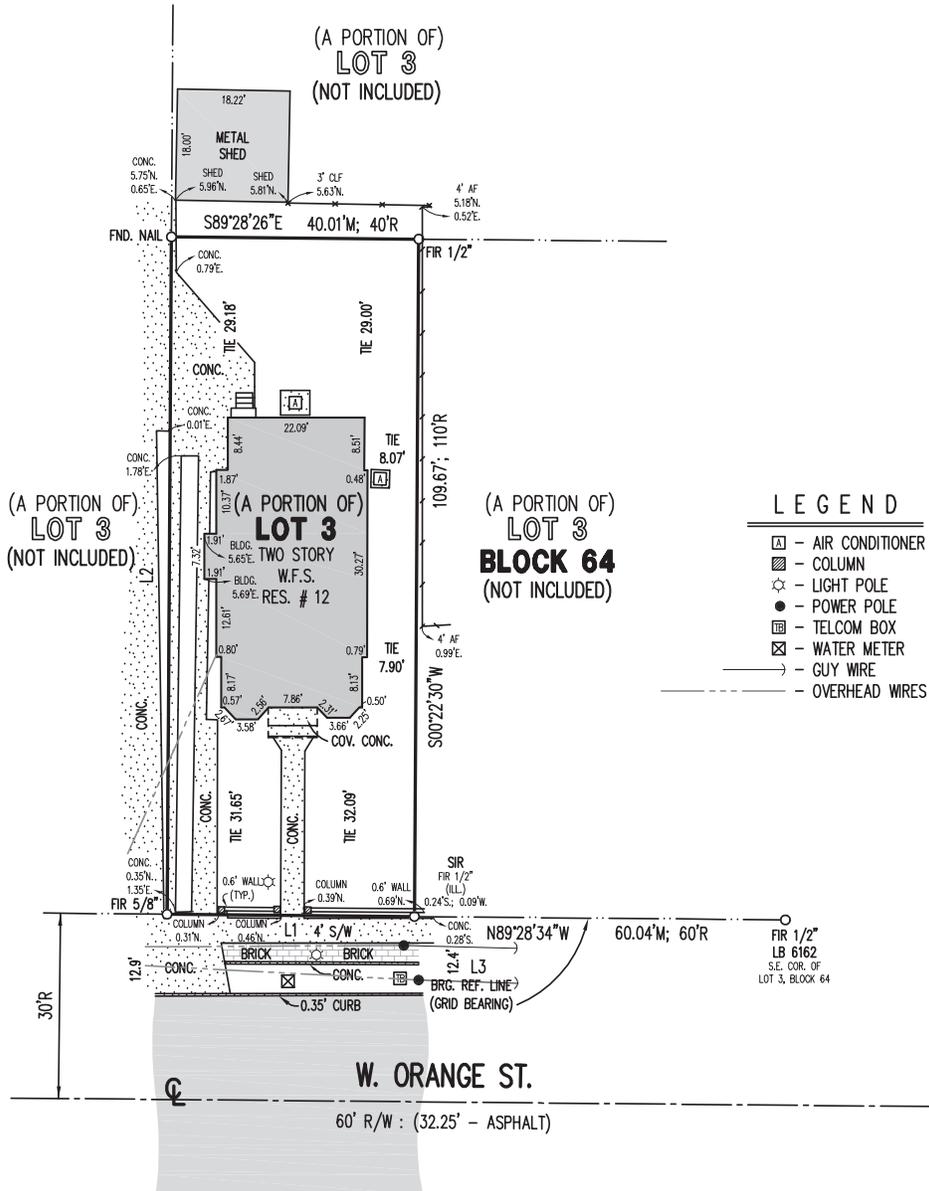
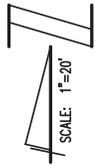
PUBLIC CORRESPONDENCE:

The property owners within 500 feet were sent written notification in accordance with Section 206.00(J)(4) of the City of Tarpon Springs Comprehensive Zoning and Land Development Code. Staff has not received any responses to these notices.

ATTACHMENTS:

1. Location/Aerial Maps
2. Survey
3. Resolution 2021-30

BOUNDARY SURVEY - SHEET 1 OF 2



LEGAL DESCRIPTION

- LINE L1
N89°28'34"W - 40.01'M; 40°R
- LINE L2
N00°22'30"E - 109.67'M; 110°R
- LINE L3
N89°28'34"W - 100.05'M; 100°R

BEGINNING 60 FEET WEST OF THE SOUTHEAST CORNER OF LOT 3, BLOCK 64, OFFICIAL MAP OF THE CITY OF TARPON SPRINGS, RUNNING THENCE NORTH 110 FEET, THENCE WEST 40 FEET, THENCE EAST 40 FEET ALONG THE NORTH SIDE OF ORANGE STREET TO THE POINT OF BEGINNING, AS SHOWN ON PLAT RECORDED IN PLAT BOOK G, PAGES 800 AND 801, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, ALSO BEING DESCRIBED AS BEGINNING 60 FEET WEST OF THE SOUTHEAST CORNER OF LOT 3, BLOCK 64, OFFICIAL MAP OF THE CITY OF TARPON SPRINGS, RUNNING THENCE NORTH 110 FEET, THENCE WEST 40 FEET, THENCE SOUTH 110 FEET, THENCE EAST 40 FEET ALONG THE NORTH SIDE OF ORANGE STREET TO THE POINT OF BEGINNING, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 4, PAGE 78 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

FLOOD ZONE

THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE X, IN ACCORDANCE WITH THE FIRM MAP OF THE CITY OF TARPON SPRINGS, PINELLAS COUNTY, COMMUNITY NUMBER 120259 (MAP NUMBER 12103C-0019-G), MAP DATED SEPTEMBER 3, 2003.

PREPARED FOR

EISTEPH MAR, LLC; CAROL NOTIAS

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CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE SURVEY SHOWN HEREON SUBSTANTIALLY MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING DESCRIBED IN THE STATE OF FLORIDA RULE 5J-17, F.A.C. FURTHERMORE, THIS CERTIFICATION SHALL NOT EXTEND TO ANY OTHER PERSONS OR PARTIES OTHER THAN THOSE NAMED ON THIS SURVEY AND SHALL NOT BE VALID AND BINDING AGAINST THE UNDERSIGNED SURVEYOR WITHOUT THE

UNOFFICIAL COPY
FOR INFORMATIONAL PURPOSES ONLY FOR THE CERTIFIED PARTIES

JOB NUMBER: 210087	DATE SURVEYED: 3-9-2021
DRAWING FILE: 210087.DWG	DATE DRAWN: 3-18-2021
LAST REVISION: N/A	X REFERENCE: N/A



M.A.
LB 1834

**GEORGE A. SHIMP II
AND ASSOCIATES, INCORPORATED**
LAND SURVEYORS LAND PLANNERS
3301 DeSOTO BOULEVARD, SUITE D
PALM HARBOR, FLORIDA 34683
PHONE (727) 784-5496 FAX (727) 786-1256

RESOLUTION NO. 2021-30

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #21-35 REQUESTING A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A SEASONAL/SHORT-TERM RESIDENTIAL RENTAL AT 12 WEST ORANGE STREET, LOCATED ON THE NORTH SIDE OF WEST ORANGE STREET BETWEEN NORTH PINELLAS AVENUE AND GRAND BOULEVARD, IN THE T5D DISTRICT OF THE SPECIAL AREA PLAN; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tarpon Springs has received an application for a Conditional Use to allow for operation of a short term/seasonal rental in the T5d transect district of the City's Special Area Plan (SAP); and,

WHEREAS, Table 4F of the Transect-Based Infill Code for the Sponge Docks and Community Redevelopment Area requires conditional use approval for such uses within the T5de transect district; and,

WHEREAS, the Planning and Zoning Board held a public hearing on this application at its meeting of May 17, 2021 and recommended approval; and,

WHEREAS, the Board of Commissioners must approve, deny or approve subject to conditions, each application for conditional use approval; and,

WHEREAS, written legal notice of this action has been provided in accordance with Article XII of the Comprehensive Zoning and Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, THAT:

SECTION 1: FINDINGS

Application #21-35 meets the criteria for approving a Conditional Use as set forth in Section 209.01 of the Land Development Code.

SECTION 2: CONDITIONAL USE APPROVAL

Application #21-35 under Resolution 2021-30, requesting Conditional Use approval to allow establishment of a tourist home at 12 West Orange Street in the T5d North Pinellas Ave transect district is approved with the following conditions:

1. The property shall remain a single family residence rented as a single living unit.

2. The change of use from a general office space to a residential dwelling shall require compliance with National Fire Prevention Association (NFPA) 101 Life Safety Code Chapter 24, regarding number of Means of Escape and the installation of Smoke & Carbon Monoxide Detectors.
3. A minimum of one (1) Fire Extinguisher shall be provided on each occupied floor. Each Extinguisher shall be conspicuously mounted, maintained, and inspected annually in accordance with NFPA 10 Standard for Portable Fire Extinguishers.
4. The applicant shall obtain and maintain a City of Tarpon Springs business tax receipt for the use. If the business tax receipt lapses for a period of more than six (6) months, a new review of the conditional use will be required.

SECTION 3: EFFECTIVE DATE

This Resolution shall be effective upon adoption.



CITY OF TARPON SPRINGS, FLORIDA

Tarpon Springs Public Library

138 East Lemon Street
Tarpon Springs, FL 34689
(727) 943-4922
tarponlibrary.org

MEMORANDUM

TO: HONORABLE MAYOR AND BOARD OF COMMISSIONERS
THROUGH: MARK LECOURIS, CITY MANAGER
FROM: CARI RUPKALVIS, LIBRARY DIRECTOR
DIANE WOOD, CULTURAL & CIVIC SERVICES DIRECTOR
SUBJECT: PUBLIC LIBRARY CONSTRUCTION GRANT APPLICATION
DATE: 6/3/2021

RECOMMENDATION:

It is recommended that the Board approve Resolution 2021-33 to submit an application for a Public Library Construction Grant.

BACKGROUND:

The Tarpon Springs Public Library's current building on Lemon Street was constructed in 1996 and opened to the public in January 1997. Since that time, the population of Tarpon Springs has grown from about 20,000 to just over 25,000. In addition, the way in which patrons utilize the Library has changed over the years with increased demand for digital content, new technology, interactive spaces, and special collections. As we approach the Library's 25th anniversary on Lemon Street in 2022, an enhanced and remodeled facility is needed to better serve our community. The Library Board and Friends of the Library are in support of the Library pursuing this grant opportunity.

The Florida Department of State, Division of Library and Information Services provides state funding, which is determined annually by the Florida Legislature, for public library construction including remodeling and/or expansion of existing facilities. Funds are awarded on a dollar-for-dollar match of the grant amount up to a total maximum grant award of \$500,000. The Finance Department has confirmed that matching funds are available in the Library Impact and Library Memorial (donations) accounts.

RESOLUTION No. 2021-33

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR PUBLIC LIBRARY CONSTRUCTION GRANT FUNDS, PROVIDING REQUIRED ASSURANCES, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of State, Division of Library and Information Services provides funding for public library construction under provision of F.S. 257; and

WHEREAS, a Public Library Construction Grant of up to \$500,000 will enable the Tarpon Springs Public Library to provide increased services to the community; and

WHEREAS, the application to obtain such grant funds requires authorization from the Board of Commissioners, as the governing body of the City of Tarpon Springs, for the submission of the grant application with certain assurances as stated in the following sections of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, THAT:

Section 1. The submission of a Public Library Construction Grant application to the Florida Department of State, Division of Library and Information Services for the Tarpon Springs Public Library is hereby authorized.

Section 2. The City Manager is hereby authorized to sign the grant application and provide required certifications.

Section 3. This City assures that the required dollar-for-dollar match of the grant request will be available and unencumbered at the time of the grant award.

Section 4. This City assures that funding is sufficient and will be available in order that the project will result in a completed library building.

Section 5. The City assures that upon completion of the project, sufficient funds will be available to operate the Tarpon Springs Public Library.

Section 6. The City assures that the Tarpon Springs Public Library building will be used exclusively for the public library purposes for which it was constructed or altered and any proposed changes in that use occurring within 20 years of the completion of the construction project will be submitted to the Division for approval.

Section 7. This Resolution shall be effective upon adoption.

RESOLUTION No. 2021-32

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, ESTABLISHING JUNE 18 AS “HOPE DAY” IN TARPON SPRINGS; RECOGNIZING AND HONORING THE PIONEERS AND FOUNDERS OF THE CITY; AND COMMEMORATING THE IMPORTANCE OF THE TRADITIONS THAT DEFINE TARPON SPRINGS AND CHERISH THE CITY’S HOPE FOR THE FUTURE.

WHEREAS, the City of Tarpon Springs is blessed with the natural beauty of its many parks, bayous, waterways, and the Anclote River, and

WHEREAS, the area surrounding the City of Tarpon Springs has always been inhabited with people of many cultures exhibiting a pioneering spirit and a strong resolve to preserve its way of life and HOPE for the future, and

WHEREAS, this area was known in its early years for its farming, timber, citrus, cattle, fishing, and sponging industries, and

WHEREAS, it also served as a winter destination for many wealthy northern families who appreciated the beauty of the area and saw HOPE in the warm climate and spring waters, and

WHEREAS, the City of Tarpon Springs was incorporated on February 12, 1887, and

WHEREAS, the U.S. Government recognized the town’s strategic importance when, during the Spanish American War, it established a deep-water channel to the center of its working waterfront, and

WHEREAS, in 1905, the first helmeted divers of Greek origin arrived in Tarpon Springs to work in the sponge industry in the “HOPE” it would better their lives and that of their families more so than from where they came, and

WHEREAS, those first sponge divers set sail June 18, 1905 aboard the *Elpis*, or *HOPE*, and

WHEREAS, other peoples of Euro-American and Afro-Caribbean ancestry joined to create what became known as the Tarpon Springs “Sponge Capital of the World,” and

WHEREAS, the sponge industry quickly became the center of commerce in Tarpon Springs until its demise in the late 1940’s, and

WHEREAS, many other such industries rose and declined while the City of Tarpon Springs and its residents continued to HOPE and persevere, and

WHEREAS, the commercial fishing and other industries eventually prospered, and

WHEREAS, the sponge industry endured, and its remaining boats and operators are a testimonial to the resolve of its residents and businesses to carry on the traditions of the past, and maintain HOPE for the future, and

WHEREAS, the City of Tarpon Springs has persevered over the past 135 years to sustain its values and identity as established by its earliest inhabitants.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, THAT:

The City of Tarpon Springs recognizes June 18, 2021, as a day of HOPE (*Elpis*) and renewal signifying that tomorrow will be better and brighter than today, and

That we must all work together to preserve the natural beauty, to continue the traditions, and to maintain a “hometown” way of life in the City of Tarpon Springs.

This resolution shall be effective immediately upon adoption.

Early Sponge Boat Photos

(Courtesy of the Tarpon Springs Historical Society)



RESOLUTION 2021-22

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, ADOPTING CERTAIN RULES OF PROCEDURE FOR THE BOARD OF COMMISSIONERS; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the Board of Commissioners of the City of Tarpon Springs, Florida, in accordance with Section 8 of the Charter of the City of Tarpon Springs shall determine its own rules of procedure in order to conduct business; and

WHEREAS, the Board of Commissioners deems that it is desirable to establish certain rules of procedure pertaining to the conduct of its business and to repeal any previously existing resolutions establishing or addressing rules of procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

Section 1. That the following rules of procedure are hereby established and declared to be in effect immediately upon passage of this Resolution, said Resolution of procedure to remain in effect until rescinded, altered or modified by subsequent Resolution of the Board of Commissioners:

**RULES OF PROCEDURE
OF THE BOARD OF COMMISSIONERS
OF THE CITY OF TARPON SPRINGS**

ARTICLE I. GENERALLY.

1. Appointment of Vice Mayor; Presiding Member in Case of Absences.

At the first meeting of the Board of Commissioners in April of each year, the City Commission, by resolution, shall appoint a Vice Mayor. If both the Mayor and Vice Mayor are absent for any meeting, the most senior member of the City Commission shall preside at such meeting.

The Commission shall select a Vice-Mayor at the first meeting in April. The following nomination and selection process shall be used for the annual selection of the Vice Mayor:

- (a) The nomination process shall be explained to the Commission and to the public by the Mayor or Parliamentarian.
- (b) The Chair opens the floor for nomination.

- (c) Each member of the Commission, upon recognition by the Chair, shall have a right to place a nomination for the honorary office of Vice Mayor the name of any other Commissioner or themselves before nominations are closed.
- (d) When all nominations have been made, the Chair will so announce and declare nominations closed.
- (e) If only one Commissioner is nominated, that person will be declared by the Chair to be elected and shall serve until a successor is elected.
- (f) If more than one nomination has been made, selection of Vice Mayor will be accomplished by motion.
- (g) If no nominations are made or if no nominee is elected by a majority vote, the most senior Commissioner shall be appointed as Vice Mayor.

2. Filling of Vacancies to City Commission.

In the event of a vacancy on the City Commission which may be filled by appointment by the Board of Commissioners, pursuant the City Charter, nominations to fill said vacancy shall be solicited at a regular session.

The following nomination and selection process shall be used for the selection of a Commissioner:

- (a) The nomination process shall be explained to the Commission and to the public by the Mayor or Parliamentarian.
- (b) The Chair opens the floor for nomination.
- (c) Each member of the Commission, upon recognition by the Chair, shall have a right to place a nomination for Commissioner before nominations are closed.
- (d) When all nominations have been made, the Chair will so announce and declare nominations closed.
- (e) If only one Commissioner is nominated, that person will be declared by the Chair to be appointed and shall serve until a successor is elected.
- (f) If more than one nomination has been made, selection of the Commissioner will be accomplished by motion.

3. Requests for Information.

All requests for information from city staff or of the City Manager shall be coordinated through the office of the City Manager. In no event shall any member of the City Commission issue direct orders to any member of the city staff under the City Manager, City Clerk, City Attorney or Internal Auditor. The City Manager, City Clerk, City Attorney and Internal Auditor shall respond to all reasonable requests for information and opinions made by any individual Commissioner as well as a majority of the Board of Commissioners. However, individual requests by City Commissioners not in the routine course of city affairs, or which require an unusual amount of time to answer, must first be approved by a majority vote of the Board of Commissioners. Information requested by any individual Commissioner of any charter officer shall be submitted to that Commissioner only, but such officer may, in his or her discretion, provide copies thereof to the remainder of the Board of Commissioners.

4. Individual Opinions.

- (a) Individual members of the City Commission must not represent their own views or recommendations as those of the City Commission unless the majority of the Board of Commissioners has officially voted to approve such action. City Commissioners making recommendations or expressing their views not then approved by a majority of the Board of Commissioners shall indicate that such is expressed as a private citizen. Public statements or opinions should contain no promises to the public that may be construed to be binding on the city.
- (b) Individual members of the City Commission shall refrain from expressing their position on a matter to be considered at an upcoming Commission meeting. Commission members are encouraged to consider the input/comments of the other Commission members and the public before expressing their position on matters to be considered at Commission meetings.
- (c) If any Mayor or Commissioner wishes to provide additional information or explanation, it is to be given to the City Manager to be added in the agenda backup, in order to be available to the public.

5. Mail.

All mail to the Mayor and the Commissioners arriving at City Hall received pursuant to law or in connection with the transaction of official business by the City of Tarpon Springs shall be copied immediately and provided to the other Commissioners and made available to the press, with the following exceptions:

- (a) Mail from governmental agencies, addressed to the Mayor, clearly intended for the chief administrative officer of the city which requires administrative action or staff action, will be delivered to the City Manager with informational copy to the Mayor.

- (b) Publications and lengthy agenda materials for other boards upon which the Mayor or Commissioners serve will not be copied. Only the agendas will be circulated. However, upon request of the Mayor or any Commissioner, the supporting documentation for any particular item on such agenda shall be provided to the Mayor or requesting Commissioner.
- (c) Mail with the words similar to "Personal," "Confidential" or "For the Addressee Only" will be delivered unopened to the addressee. All other mail will be opened by the Board of Commissioners Office secretary.
- (d) The Mayor and Commissioners receiving individually addressed mail will be responsible for replying, asking the Board of Commissioners Office secretary, City Clerk, City Manager or City Attorney to reply, or placing the matter on the agenda for formal Commission consideration.
- (e) The City Manager will be responsible for seeing that mail addressed to the Mayor or other City Commissioners is properly answered or placed on the agenda.
- (f) The City Manager will answer individual complaint letters.
- (g) The City Manager will discuss malicious mail with the Mayor and respond accordingly.

6. Use of Office; Expenditure of Funds.

- (a) The use of the office of the City Commission shall be allocated in such a way that all Commissioners have equal and free access to the use thereof, including the files and documents located therein. The Mayor shall have priority for the use of the Commission office. All long distance telephone calls, postage, and use of the city supplies shall be logged appropriately. All documents which are provided by law to be public records shall be made available to any person for inspection and copying, subject to the provisions of F.S. Ch. 119, and other applicable provisions of law. Each Commissioner shall be entitled to reasonable assistance from the secretary for the City Commission. Each Commissioner shall also be entitled to business cards paid for at the expense of the city.
- (b) The expenditure of other funds budgeted for use by the City Commission, such as for flowers, donations, and the like, shall be authorized by the Mayor and City Manager.

7. Files and Records.

Files and records kept by individual members of the City Commission shall be delivered to the City Clerk upon the termination of such individual's term of office, if such files and records have been kept in City Hall or other buildings publicly owned or used. All such files and records kept outside of city owned or used property may be kept by the Mayor or such individual Commissioner at the termination of his or her term of office, so long as it is understood that the city owns such records.

8. Appointments to Ad Hoc Committees.

- (a) The Board of Commissioners may establish such ad hoc committees as it deems appropriate. Each Ad Hoc Committee shall consist of at least five members. The name, purpose, number of members and duration of an ad hoc committee shall be as established by the Board of Commissioners.
- (b) Each Commissioner may appoint one member to Ad Hoc Committees. Any members not initially appointed, replacements, alternates, or ex-officio members shall be nominated and selected as follows: Each member of the City Commission may submit one nomination for each vacant seat of an Ad Hoc Committee. Each Commissioner shall be entitled to one vote for each vacant seat. In the event that no nominees obtain a majority vote, a runoff of the nominees for each vacant seat beginning with groups of those receiving the most votes will take place immediately.

9. Annual Review of Rules of Procedure.

The Board of Commissioners shall review these Rules of Procedure for any desired updates in June of each year.

ARTICLE II. AGENDA

1. Agenda Preparation.

The City Manager, City Clerk, City Attorney or the Mayor or any Commissioner may place an item on the regular agenda for action. The deadline for necessary information shall be 12:00 p.m. on the Wednesday preceding the Tuesday meeting. Agendas shall be distributed no later than 5:00 p.m. on the Thursday preceding the Tuesday meeting. The City Manager will advise the Board of Commissioners by telephone of any agenda materials added after the agenda package is made public.

2. Order of Items; Consent Agenda.

- (a) The order of the agenda shall be as follows:
 - 1. Call to order by Mayor;
 - 2. Roll call by City Clerk;
 - 3. Invocation and Pledge of Allegiance;
 - 4. Public comment;
 - 5. Consent Agenda and approval of minutes of last meeting;
 - 6. Special Consent Agenda;
 - 7. Public hearings (must start at 7:30 p.m.);
 - 8. Resolutions;
 - 9. Presentations; and
 - 10. Commissioners and staff comment. The Mayor may defer order regarding public comments.
- (b) At the meeting, the Mayor may deviate from the agenda upon request of any affected citizen, or a public official for exigent circumstances.

- (c) The City Manager is directed to prepare a consent agenda listing therein those items deemed by the City Manager to be noncontroversial (Minutes, Satisfactions, Attorney Invoices, and other items). Prior to the approval of the items on the consent agenda, any item therein may be withdrawn by a City Commissioner, the City Manager, the City Attorney, or City Clerk. Such withdrawal shall be nondebtable. After such items have been withdrawn from the consent agenda, the Board of Commissioners may consider a motion to adopt the items listed in the consent agenda in a single motion.

3. Quasi-judicial Hearings.

The following procedure and order of appearance will be followed to conduct quasi-judicial hearings and may be modified at the direction of the Commission in any specific proceeding.

1. Introduction of item; explanation of quasi-judicial procedures; inquiry as to ex-parte contacts and conflicts of interest; swearing of witnesses.
2. If appropriate, the Ordinance/item will be read by the City Attorney, by title only.
3. Motion/Second to place the item on the table. The Mayor has flexibility to call for a motion after the public hearing.
4. Staff presentation.
5. Commission questions of staff.
6. Cross examination of staff by applicant and affected parties.
7. Applicant's presentation.
8. Commission questions of applicant.
9. Cross examination by staff or affected parties.
10. Affected parties' presentation.
11. Commission questions of affected parties.
12. Cross examination by staff or applicant.
13. Open public hearing for comments by proponents and then opponents.
14. Close the public hearing.
15. Applicant's rebuttal
16. Staff response and summary.
17. Commission discussion.
18. Roll call vote.

4. Staff Duties.

The City Manager shall prepare the order of items on the agenda. The City Manager shall take all necessary steps to avoid unnecessary duplication of supporting documentation for items on the agenda. Each item placed on the agenda shall have sufficient supporting documentation to enable the City Commissioners to prepare for discussion on that item.

5. Modifications.

No item placed on the agenda may be removed without the consent of the person placing such item on the agenda. The Mayor may declare that such item is deleted or deferred, and no vote shall be required in that event. An Addendum to the agenda may be prepared with the approval of the Mayor or City Manager prior to any session of the City Commission. At the time during the meeting when an item is called, and the affected person is not yet present, the Mayor may delay hearing on the matter until a reasonable time has elapsed, in order to afford such person an opportunity to be present during such hearing.

6. Distribution of Agenda Packets.

The agenda packet is made available to the members of the City Commission at a predesignated location or electronically, as soon as possible. The City Manager shall be responsible for notifying affected individuals of a particular item on the agenda. Such notice need not be in writing, but may be by telephone if conditions warrant.

ARTICLE III. MEETINGS

1. Time of Meetings; Duration.

- (a) The Board of Commissioners shall meet in regular session on the second and fourth Tuesdays of each month at 6:30 p.m., in the City Commission Chambers in City Hall. The Mayor or simple majority of the Board of Commissioners or the City Manager may call a special session, work session or open public hearing. The time for such meeting shall be set forth in the notice thereof. A minimum of 24 hours notice shall be required before any special session, work session or open public hearing of the City Commission. Work sessions are primarily designed for information gathering and guidance, and no formal commission decision approving or disapproving an item may be made. Only staff members shall be included in the work session discussion, unless prior arrangements are made through the City Manager, City Clerk or City Attorney. An open public hearing may be called on an item or items upon which the commission seeks public input or comment. Such hearings are intended mostly for the Commission to receive public input. Staff members and consultants hired by the city may be included in the open public hearings for purposes of making a presentation upon which the public may comment or provide input. Staff and consultants hired by the city may be called upon to answer questions of the public at an open public hearing. Open public hearings are primarily designed for public input to be received by the Commission, and no formal Commission decision approving or disapproving an item may be made.
- (b) Meetings shall begin promptly at 6:30 p.m., unless otherwise noticed. Meetings shall end no later than 11:00 p.m., unless a simple majority votes to continue past such time.
- (c) In the event a public hearing cannot be concluded at the meeting scheduled, the Mayor shall, at such meeting, continue said public hearing to a date and time certain if possible. If no time and date certain is possible at such public hearing, notices of such public hearing as required by law shall again be given. In the event that an applicant has elected to defer an item prior to a meeting, the Mayor shall first announce at the beginning of the meeting that such item is deferred and the reason for such deferment. The Mayor shall also state the date at which such item shall be considered.

2. Notice of Special Meetings.

The City Manager shall cause the local press and social media to be notified in the event of a special meeting with reasonable notice to the press under the circumstances.

3. Seating Arrangement on the Dais.

The Mayor shall sit in the center of the dais with the City Manager being seated to the Mayor's left. The City Attorney shall be seated at the Mayor's right. The Vice Mayor shall sit at the left of the City Manager, and the most senior member of the remaining three Commissioners shall sit at the immediate right of the City Attorney. The next senior member of the City Commission shall sit at the far left of the Commission table and the Chief of Police shall sit at the far right.

4. Invocation.

The Mayor may invite any clergyman present or any member of the Board of Commissioners or City Attorney to give the invocation at a Regular Session.

5. Minutes.

The City Clerk shall prepare the minutes of the preceding meeting including work sessions, for approval at the following regular session, whenever possible. The minutes shall not be read in full, but shall only be approved in their entirety, subject to corrections made by the City Commission. Any Commissioner may desire a verbatim transcript of a portion of any meeting. In the preparation of the minutes of any meeting, the City Clerk may, in the Clerk's discretion, state the general topic of discussion, rather than a summary of the comments of each speaker and each Commissioner. The minutes shall fully and thoroughly set forth the precise action taken by the City Commission. Prior to the approval of the minutes, the City Clerk is authorized to correct such defects in grammar or clarify the intent of any particular motion if such was reasonably contemplated.

6. Points of Order.

The Mayor shall determine all points of order, subject to the right of any Commissioner to appeal to the City Commission. If any appeal is taken, the question shall be "shall the decision of the Mayor be sustained?" The City Attorney shall be the parliamentarian of the City Commission, whose recommendation shall be considered on all such appeals. All meetings shall be subject to Robert's Rules of Order.

7. Waiver of Rules.

The vote of a simple majority of the City Commission may waive any provision of these rules at any meeting.

8. Public Comments; Preservation of Order and Decorum.

- (a) The City Manager shall note on the agenda, and the Mayor shall inform members of the public that no speaker shall have the right to address the Board of Commissioners for more than four minutes on any particular item. Members of the public present at the meeting may donate their time to a speaker to extend the speaker's time, but such donation shall forfeit the donator's right to speak. The speaker shall identify the persons who have donated their speaking time. Each donation shall extend the speaker's time an additional two (2) minutes. In no event shall the speaker's time be extended beyond ten (10) minutes of total speaking time. Any deviation from this rule must be approved by the consensus of a majority of the Board, but no vote need be taken to waive this requirement.
- (b) Each person addressing the City Commission shall approach the podium, shall give his or her name and address in an audible tone of voice. All remarks shall be addressed to the City Commission as a body, and not to any member thereof. All speakers, including City Commission shall be recognized by the Mayor. No person, other than members of the City Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through members of the City Commission. No questions shall be asked to individual Commission members, except through the Mayor. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the City Commission may be requested to leave the meeting and may forthwith be barred from further attendance at that meeting.
- (c) The Mayor shall preserve order and decorum, and shall prevent attacks on personalities or the impugning of motives of Commission members or others, and shall prevent digression from the question under discussion. The Mayor shall ensure that no boisterous conduct, such as cheering, clapping, or the like, shall be permitted during debate. The Chief of Police or his or her designate shall be the sergeant-at-arms of the City Commission.

9. Board and Staff Comments.

At the conclusion of the agenda, individual Commissioners, the City Manager, City Clerk, and City Attorney may announce to members present or make comments for the record about items not set forth on the agenda. However, no person shall be permitted to raise controversial issues involving substantial contemplation unless such items shall first be placed on the agenda for consideration. In the case of notice required to any particular individual, no person shall be permitted to discuss such item, without the opportunity for the affected person to be notified in advance.

Article IV. ORDINANCES AND RESOLUTIONS

1. Definitions; General Requirements for Adoption.

Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. A proposed ordinance or resolution shall be read by the City Attorney by title only, unless the Mayor or any Commissioner desires that such ordinance or resolution be read in full. Resolutions may be adopted on first reading. The City Clerk shall also place in such notice that a verbatim transcript of such hearing may be required by any person appealing a decision made by the Board of Commissioners. After the adoption of any emergency ordinance, the City Clerk shall publish the title of such ordinance in a duly qualified newspaper, advising the public that such ordinance has been adopted as an emergency ordinance.

2. General Procedure for Adoption of Ordinances.

(a) The procedure for approval of ordinances on first reading (except emergency ordinances and quasi-judicial matters) shall be as follows:

1. Mayor directs City Attorney to read the ordinance by title only on first reading (unless a Commissioner desires that the ordinance be read in full);
2. At the first public reading of an ordinance, the City Attorney will state the date of the second reading;
3. Comments from the City Manager and staff;
4. Comments from the public;
5. Motion to approve;
6. Second on the motion;
7. Discussion and question by City Commission; and
8. Roll call vote.

(b) The procedure at public hearing (second reading) shall be as follows:

1. Mayor directs City Attorney to state the date of publication of the pertinent notices of public hearing, and a reading of the ordinance by title only on the second reading (unless any Commissioner desires that the ordinance be read in full);
2. Comments from the City Manager and staff;
3. Comments from the citizens most directly affected;
4. Comments from other members of the public;
5. Close of public hearing;
6. Motion to approve;
7. Second on the motion;
8. Comments and questions from the City Commission;
9. Mayor states debate closed; and
10. Roll call vote.

In the event of a continuance of the public hearing, the Mayor shall state such for the minutes.

3. Procedure for Adoption of Resolutions.

The following procedure shall apply for the adoption of resolutions:

- (a) Mayor directs City Attorney to read resolution by title only (unless a Commissioner desires that such resolution be read in full);
- (b) Comments from the City Manager and staff;
- (c) Comments from the affected property owners, if any;
- (d) Comments from the public;
- (e) Motion to approve;
- (f) Second on the motion;
- (g) City Commission discussion and questions; and
- (h) Roll call vote.

4. Procedure for Adoption of Unique Resolutions or Ordinances.

The procedure for adoption of special types of ordinances and resolutions, such as annexation ordinances, resolutions or ordinances calling elections, ordinances considering the rezoning of land area greater than five percent of the total land area of the city, ordinances establishing revised business tax receipts, resolutions adopting the millage rate and the budget, resolutions considering special assessments, and any other special or unique ordinance or resolution, shall be as required by general law. The failure to provide public notice required by these rules shall not invalidate the action taken, if such notice is not required by Florida Statute or city ordinance. The budget of the City may be adopted by ordinance or by resolution.

5. Motions; Procedure for Voting.

- (a) All motions shall be set forth in the affirmative. No motion shall be considered which states that the Commission "not take action." A motion to "table" an action is permitted. A motion to table an item, if passed, shall serve to defer the item indefinitely until the Commission decides to reconsider the item. All motions shall require a second. Motions and seconds may be withdrawn or amended with the approval of the proponents thereof.
- (b) A roll call vote will be held on every motion. The City Clerk shall call the roll in order of inverse seniority, with the Mayor voting last. The Mayor shall declare the results of any vote, noting the Commissioners voting against the motion.
- (c) The Mayor may make a motion or second any motion but, prior thereto, shall pass the gavel to the Vice Mayor or the most senior member of the Commission present at such time. In the event that the Mayor passes the gavel, the Mayor shall not chair the discussion of the particular item until the vote is announced. In no event shall the Commissioner making a motion or a second to a motion chair the discussion on that motion.
- (d) The City Attorney is the Parliamentarian.

6. Reconsideration.

Any member of the Commission who voted with the prevailing side may move to reconsider any action of the entire Commission, provided that the motion be made at the same meeting at which the action was taken. A motion to reconsider shall be in order at any time during the meeting at which the action was taken, except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject or matter at the same meeting. Motions to reconsider made after the meetings may only be approved upon a finding that new evidence or a mistake of fact exists. When a motion for reconsideration is adopted, the matter shall be placed on the next available agenda, and all public notice requirements shall be met. The reconsideration of land development code applications shall be made in accordance with the requirements of § 218.00 of the Land Development Code. Commission action may be rescinded by a majority vote.

7. Post-Adoption Procedures.

- (a) In the event an ordinance or resolution is passed, such ordinance or resolution shall be signed by the Mayor and Board of Commissioners, attested by the City Clerk, and approved as to form by the City Attorney. The City Clerk shall also state the vote of each individual Commissioner on such ordinance or resolution. However, memorial resolutions shall be signed in duplicate by all members of the City Commission and in black ink. The City Clerk is authorized to determine which member of the bereaved family shall be entitled to receive the duplicate original memorial resolution. Thereafter, the City Clerk shall secure the original of such ordinance or resolution in a vault or other secure location to ensure that injury or deterioration to such original document is minimized.
- (b) The City Clerk shall receive a copy of all documents presented or distributed at any meeting, and the original of any such document whenever possible. Copies of the pertinent ordinance or resolution shall be distributed by the City Clerk to all affected departments. The City Clerk shall number the ordinance or resolution in consecutive order of adoption, commencing with the first meeting in January of each year, and ending with the last meeting in December of each year, even though the action taken at the first meeting in January shall be by the Board of Commissioners of the previous year. The City Clerk shall also send a copy of such ordinance to the Company the city uses for codification into the code of ordinances of the city. The Code Book can be found electronically; however, hard copies are kept in the City Clerk's Office (City Clerk & Public Viewing), Auditorium, City Manager's Office, and the Library if the Code Book cannot be accessed electronically.

Section 2. That this Resolution shall become effective immediately upon its passage and adoption.