

**CITY OF TEMPLE TERRACE, FLORIDA  
MAYOR AND CITY COUNCIL  
MINUTES**

**Regular Meeting  
Tuesday, May 18, 2010  
Council Chambers-City Hall**

Having been duly advertised as required by law, the regular meeting of the Mayor and City Council of the City of Temple Terrace, Florida, was held on Tuesday, May 18, 2010, in the Council Chambers at City Hall.

**PRESENT WERE:** Mayor Joe Affronti, Sr., and Council Members Alison Fernandez, Ron A. Govin, Ken Halloway, Mark A. Knapp, and Mary Jane Neale, City Manager Kim Leinbach, City Clerk Lisa Small, and City Attorney Mark Connolly.

**ALSO PRESENT WERE:** Public Information Officer Michael Dunn, Leisure Services Director James Chambers, Public Works Director Joe Motta, Human Resources Director Woody Hubbard, Police Chief Ken Albano, Fire Chief Keith Chapman, Community Development Director Charles Stephenson, Finance Director Diane Reichard, Code Compliance Director Joe Gross, Assistant City Engineer Michael Hall, Planner Leslie Sykes, Planner Kelly Bray, Acting Deputy City Clerk Jeannie Barlow, Joe Bell, Joyce McKenzie, William Neylan, Michael Lant, Mark Sneed, and several other persons.

Mayor Affronti called the City Council Meeting to order at 6:12 p.m., after which he led the Pledge of Allegiance to the flag and offered a brief invocation.

**Proclamations, Recognitions, and Special Presentations:**

**1. Proclamation – “Emergency Medical Services Week.”**

Mayor Affronti presented a Proclamation to Fire Chief Keith Chapman, proclaiming May 16-22, 2010, as “Emergency Medical Services Week” in Temple Terrace, and May 19, 2010, as “Emergency Medical Services for Children,” and urged the community to observe this week with appropriate programs, ceremonies, and activities.

**2. Proclamation – “National Public Works Week.”**

Mayor Affronti presented a Proclamation to Public Works Director Joe Motta, proclaiming May 16-22, 2010, as “National Public Works Week,” and called on all citizens and civic organizations to acquaint themselves with the issues involved in providing our Public Works and to recognize the contributions these Public Works officials make every day to the health, safety, comfort and quality of life.

**Minutes of Previous Meetings:**

Upon motion of Council Member Neale, seconded by Council Member Fernandez, and unanimously carried, the **MINUTES** of the May 4, 2010, Council Meeting were **APPROVED**.

**Public Hearings:**

**1. Zoning Reclassification – Terrace Club Apartments – Presenter: Leslie Sykes, Planner, Community Development Department.**

Mayor Affronti opened the Public Hearing on the Zoning Reclassification of Terrace Club Apartments.

Utilizing a PowerPoint presentation, Planner Leslie Sykes presented zoning reclassification application (RZP# 10-01) of Terrace Club Apartments, pertaining to 7402 Heritage Hills Drive. The Planner noted the property, which is approximately 4.77 acres and located on the south side of Temple Terrace Highway, approximately 600 feet east of Temple Park Drive, currently has no zoning designation; the Future Land Use designation is Residential - 18. She displayed several photographs to provide a visual reference to the property. She commented that property to the north is commercially zoned, while properties adjacent on the south, east, and west are all residentially zoned.

Planner Sykes reported the zoning reclassification application was reviewed by the City's Development Review Committee (DRC) and reviewed for consistency by the Hillsborough County City-County Planning Commission; in addition, because the property is residential, it was also reviewed by the Hillsborough County School Board. She continued that the property was publicly noticed, there were no public objections; therefore, staff recommends approval.

Council Member Fernandez commented that when she read through the analysis, it talks about zoning for future potential use. While there is an apartment complex there now, she questioned, down the road, where they would guide future development. Planner Sykes responded they would look to the Future Land Use designation, which is Residential-18, which means up to 18 units per acre. Because the property is surrounded by residences, she said it is most appropriate for that use, and particularly multi-family use, which is the logical buffer between commercial use and single family residential. The City Manager interjected that when doing these zoning reclassifications, they try to parallel the zoning of the annexed property with what it was previously in the County, which is the case with this zoning reclassification application and the next one.

There being no further persons wishing to speak, Mayor Affronti closed the Public Hearing.

**2. Zoning Reclassification – Cedar Center Offices – Presenter: Leslie Sykes, Planner, Community Development Department.**

Mayor Affronti opened the Public Hearing on the Zoning Reclassification of Cedar Center Offices.

Utilizing a PowerPoint presentation, Planner Leslie Sykes presented zoning reclassification application (RZP# 10-02) for Cedar Center Offices, located at 7401, 7403 and 7405 Temple Terrace Highway, noting the property was annexed into the City on June 6, 2006. She said the property is approximately one acre and is located approximately 200 feet east of Temple Park Drive on the south side of Temple Terrace Highway. She mentioned Comprehensive Plan Amendment CPA #06-02, adopted by the Council in the Fall of 2006, re-designated the property from Residential-9 in Hillsborough County to Office/Institutional in the City of Temple Terrace as a Future Land Use designation.

Planner Sykes reviewed adjacent properties, noting there are commercial properties to the north and west and multifamily to the south and east. She commented the property was reviewed by the City's Development Review Committee (DRC) and reviewed for consistency by the Hillsborough County City-County Planning Commission. She continued that the property was publicly noticed, there were no public objections; therefore, staff recommends approval.

There being no one wishing to address the Council regarding this topic, Mayor Affronti closed the Public Hearing.

**There were no Persons Wishing to be Heard on Items NOT Listed on the Agenda. There was no Correspondence, Communications, or Petitions, and no Presentations or Site Plan Reviews before the Council for consideration and action.**

**Resolutions for Consideration and Action:**

The City Manager briefly reviewed the proposed Resolutions for consideration and action.

Upon motion of Council Member Fernandez, seconded by Council Member Neale, and unanimously carried, **Resolutions E-1 and E-2** were adopted by consent, as follows:

**RESOLUTION NO. 049-10**, awarding the contract to rehabilitate Master Pump Station SB to the low bidder, TLC Diversified, Inc., in the amount of \$748,000; payment for said contract to be made from account 450-1931-535.63-33.

**RESOLUTION NO. 050-10**, approving Change Order No. 1 to the contract with Pepper Contracting Services, Inc., for the 56<sup>th</sup> Street Minor Improvements Project in the amount of \$15,025.34; payment to be made from account 130-3099-541.63-11 (Street Improvement Funds/Gas Tax Money).

**Proposed Ordinances for Consideration and Action:**

Following the Second and Final reading of the caption of the proposed ordinance to voluntarily annex into the City the property located on the southeast corner of Temple Terrace Highway and North 78<sup>th</sup> Street (7851 Temple Terrace Highway), Mayor Affronti called for comments from the public concerning the ordinance. Hearing no comments from the public, Mayor Affronti called for a motion to adopt the ordinance.

Following **SECOND** and **FINAL** reading, by caption, upon motion of Council Member Halloway, seconded by Council Member Knapp, **Ordinance No. 1269** was **ADOPTED** being: **AN ORDINANCE OF THE CITY OF TEMPLE TERRACE, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF A PARCEL OF REAL PROPERTY AND THE ABUTTING RIGHT-OF-WAY ON TEMPLE TERRACE HIGHWAY, LYING WITHIN THE UNINCORPORATED AREA OF HILLSBOROUGH COUNTY, GENERALLY**

**LOCATED ON THE SOUTHEAST CORNER OF THE TEMPLE TERRACE HIGHWAY AND N. 78<sup>TH</sup> STREET INTERSECTION, AND THE ABUTTING RIGHT-OF-WAY ON TEMPLE TERRACE HIGHWAY, WITH AN ADDRESSABLE LOCATION OF 7851 TEMPLE TERRACE HIGHWAY, AND AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF; REDEFINING THE CORPORATE BOUNDARIES TO REFLECT SAID ANNEXATION; PROVIDING A SEVERABILITY CLAUSE, EFFECTIVE DATE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.** Vote on the motion for adoption being: Council Members Fernandez, Govin, Halloway, Knapp, and Neale voting "aye," no "nay."

Following **FIRST and FINAL** reading, by caption, upon motion of Council Member Govin, seconded by Council Member Halloway, **Ordinance No. 1270** was **ADOPTED** being: **AN ORDINANCE OF THE CITY OF TEMPLE TERRACE, FLORIDA, REZONING A 4.77 ACRE +/- PARCEL, LOCATED ON THE SOUTH SIDE OF TEMPLE TERRACE HIGHWAY APPROXIMATELY 600 FEET EAST OF TEMPLE PARK DRIVE, WITH AN ADDRESSABLE LOCATION OF 7402 HERITAGE HILLS DRIVE, LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, TO CITY OF TEMPLE TERRACE R-MFA (ALTERNATE RESIDENTIAL-MULTI-FAMILY), TO PLACE THE APPROPRIATE CITY ZONING CLASSIFICATION ON SAID PROPERTY; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A SEVERABILITY CLAUSE, EFFECTIVE DATE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.** Vote on the motion for adoption being: Council Members Fernandez, Govin, Halloway, Knapp, and Neale voting "aye," no "nay."

Following **FIRST and FINAL** reading, by caption, upon motion of Council Member Neale, seconded by Council Member Halloway, **Ordinance No. 1271** was **ADOPTED** being: **AN ORDINANCE OF THE CITY OF TEMPLE TERRACE, FLORIDA, REZONING AN APPROXIMATE 1.0 ACRE +/- PARCEL, LOCATED APPROXIMATELY 400 FEET EAST OF TEMPLE PARK DRIVE ON THE SOUTH SIDE OF TEMPLE TERRACE HIGHWAY, WITH AN ADDRESSABLE LOCATION OF 7405-B TEMPLE TERRACE HIGHWAY, LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, TO CITY OF TEMPLE TERRACE C-O (COMMERCIAL OFFICE), TO PLACE THE APPROPRIATE CITY ZONING CLASSIFICATION ON SAID PROPERTY; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A SEVERABILITY CLAUSE, EFFECTIVE DATE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.** Vote on the motion for adoption being: Council Members Fernandez, Govin, Halloway, Knapp, and Neale voting "aye," no "nay."

**There was no Unfinished Business to come before the Council for consideration and action.**

**City Manager's Report:**

The City Manager reported several weeks ago Council authorized a Quality Targeted Industry (QTI) and asked Community Development Director to provide Council with the results.

Community Development Director Charles Stephenson announced that they have received and approved building plans for Genzyme Genetics, a world-leader in the bio-tech industry, and they are moving forward with construction in the Tampa Oaks II building, on Tampa Oaks Boulevard, which has been vacant for several years. He continued that they have committed to taking the full top floor of the building, which is about 30,000 square feet. He commented this is great news for the City that this business has chosen to relocate in Temple Terrace. In response to questions, he stated they are currently located in Tampa and employ approximately 60 people, with eventual plans to employ about 300.

The City Manager announced that in keeping with good news, the Final Reading on the Annexation of M & B Products, Inc., known as the Dairy Farm, is scheduled to occur on June 1<sup>st</sup>.

The City Manager acknowledged a very fine report on Social Networking prepared by Public Information Officer Mike Dunn. He said this was an issue raised by the Council in their annual Goal Setting Session. He requested that Council review the report as a preliminary step in determining whether Council is interested in pursuing this further.

The City Manager commented that the Council should acknowledge the accomplishments of King High School's baseball team, stating it has been fifty years since they have been in a tournament like this and the first time to be in the championship portion of the tournament. He commended the team for doing such a great job, noting Council Member Knapp's personal investment in the team.

In the course of the Holland litigation, the City Attorney reported it has been brought to his attention that the Minutes of the City Council Meeting of January 5, 2010, require revision. He continued that on Page 11 of those Minutes, where the City Council was considering the request by Mr. Holland to reduce the lien that accrued under the Municipal Code Enforcement Board (MCEB), there is a Scrivener's error where the MCEB Case referred to in the Minutes is shown as 07-081, when the correct MCEB Case No. is 07-0181. He requested the City Council make a motion, which must be approved by a two-thirds vote, to amend the previously approved Minutes of the January 5, 2010, City Council Meeting, to reflect the accurate Municipal Code Enforcement Board Case No. 07-0181, rather than 07-081, as being the subject of City Council's Resolution 004-10(m).

Upon motion of Council Member Govin, seconded by Council Member Neale, **RESOLUTION NO. 051-10(m)** was **ADOPTED**, amending the previously approved Minutes of the January 5, 2010, City Council Meeting, to reflect the accurate Municipal Code Enforcement Board Case of 07-0181, rather than 07-081, as being the subject of City Council's Resolution 004-10(m). Vote on the motion being: Council Members Fernandez, Govin, Halloway, Knapp, and Neale voting "aye," no "nay."

**New Business:**

**1. Temple Terrace Redevelopment Agency Recommendations.**

The City Attorney offered to present a recap of the recommendation coming from the Temple Terrace Redevelopment Agency for clarification.

The City Attorney stated the City Council is being asked to adopt a Resolution approving the form and execution of a Second Amendment to the Master Developer's Agreement and all Exhibits thereto, including, among others, the Operating Agreement and Assignment Agreement, with certain modifications:

- A change to Section 2(c), which would be an obligation by the Developer to complete Building K, as part of what would be Phase II, by July 1, 2014;
- The creation of a new Exhibit "C-1" to show precisely what is included in Phase II, which would include Main Street north of what is Phase I, along with Buildings J and K;
- Additional modifications include typographical errors found in the documents – a change of a date of June 31 to June 30, references to spaces being needed in certain documents; labeling of Exhibits, certain Exhibits labeled in J will become K; the REOA (Reciprocal Easement Operating Agreement), which was initially contemplated as K, will be L;
- In the REOA, paragraph 12.4, the term "of" shall be changed to "or" (middle of third line from bottom of paragraph).

The City Attorney also stated that relative to the Representation and Warranties Agreement, originally included as an Exhibit as part of the Assignment and Assumption Agreement, the City agrees as to its form and that it will be executed prior to the conveyance of the Phase I property to the new Joint Venture Entity.

Upon motion of Council Member Neale, seconded by Council Member Holloway, **RESOLUTION NO. 052-10(m)** was **ADOPTED**, accepting the recommendation of the Temple Terrace Redevelopment Agency Resolution CRA -128(m), as outlined by the City Attorney, and that relative to the Representation and Warranties Agreement, originally included as an Exhibit as part of the Assignment and Assumption Agreement, the City agrees to its form and that it will be executed prior to the conveyance of the Phase I property to the new Joint Venture Entity. Vote on the motion being: Council Members Fernandez, Govin, Holloway, Knapp, and Neale voting "aye," no "nay."

Council Member Holloway addressed the Council regarding the proposed Arts Education Center. He reviewed that Vlass will construct the building shell, allotting 14,000 square feet for the interior, and the City will be designing the interior. He said he strongly believes the approach on this is to develop a multi-purpose, multi-function theater for the performing arts to be center point of the development, which is constrained by the 14,000 square feet. He expressed deep concern that the City's current design has, as a centerpiece, nothing more than a downtown annex to the recreation center, and following that design, the City would not have a multi-purpose cultural center or fully functional, fully equipped theater for the performing arts, a recognizable and respected place for business conferences, trade shows, and meetings, a center for quality live entertainment, or a crowd-drawing, crowd-pleasing place where things are happening. Citing other examples, he expressed concern that what they will have will be unable to keep down taxpayer subsidies, and that all of the things they will not have are the things they discussed 10 years ago as desirable goals and objectives. He continued that instead they choose to build out another recreation center and squander another opportunity that may never come again.

Council Member Holloway reviewed the concept goes back ten or more years; within that period, two professional architectural consulting firms came up with almost identical conclusions that the project was desirable and feasible, but only if the City was prepared to commit the time, energy, and resources to provide a fully functional, fully equipped multi-purpose theater for the performing arts.

Council Member Halloway mentioned the items necessary to attract quality performers and large audiences include adequate elevated theater seating, proper acoustic, balanced, functional stage, fly lofts, dressing and costuming rooms, backstage passage ways, and loading docks; an important feature was an on-site management office. He said he thought the City was on track to deliver all of this, but finds that isn't so and would like to turn this around and get back on track. He said he would like for the City to look at other design options, including the Collman Karsky study done several years ago in the Ram/Pinnacle era, adding that is obviously something that cannot be done with only 14,000 square feet. He also mentioned the Largo Cultural Center as a model, to demonstrate what the City could have. While the cost estimate would be about \$4 million, he suggested that in addition to committing the entire CIT (Community Investment Trust) Funds, they would need sponsorships, which he believed could be accomplished through a 501(c)(3) partnership, such as the one in existence when Fred Singleton was involved.

Council Member Halloway emphasized his belief that this is an opportunity that should not be overlooked. He pointed out the space now designated for children's activities equates to the total size of the seating area in the auditorium and yet these activities are already taking place in the Family Recreation Center, asserting this would be a duplication. He said he would like to direct the City Manager to personally investigate the feasibility of an architectural design to focus on the development of a fully functional performing arts theater and report the findings back to the Council, adding that he hopes the Council will back him on this request, because it deserves consideration.

Council Member Fernandez said she does not understand why he would state this is another recreation center, because the plan clearly shows the stage receding, raised ceiling, and studio space that can provide space for performers to practice; in addition, the Family Recreation Center is land-locked with no way to expand crowded areas, such as the fitness center. She continued that one of the thoughts is to pull the dance classes to the Arts Education Center, free up space at the Family Recreation Center to make it totally recreation, and put the artistic endeavors in one place, which does not make it another recreation center; it makes it more palatable to the community as a whole. She suggested in the past when attempting to sell this idea as strictly theater space, it did not have the support of the entire community; the community wants to see full use, citing the example of adult dance classes in the daytime when children are in school, and after school, children can have their dance classes, with room for the Masque Theater performances, and space to rent on the weekend if Masque doesn't have it booked. She said she has questioned whether the 14,000 square foot size is marketable, but she does not see how this is another recreation center.

Mayor Affronti said his understanding all along was that they did not want a single-use facility; they wanted a community center that would have multiple uses and events. He reviewed the current design, which has 250 seats for a theater, space for classrooms, art shows, recitals, and all different types of things that would appeal to all citizens.

Council Member Neale commented that the only flaw she sees is the lack of a fly loft. She questioned whether a footing could be put in, so that a fly loft could be added in the future and what that additional cost would be. She suggested the fly loft and retractable seats could be added after or as the building is built if money can be raised, but stage would have to be built to support another floor. She said she believed from the beginning this was to be a multi-cultural facility, and not just a theater. She added she would also like it to have a wooden floor for real dance lessons.

Council Member Halloway said he did not advocate a single function; he advocated a multi-function center with a readily convertible, fully functional performing arts theater as its focal point. He expressed concern that if they wait until the future to build a fly loft or to install retractable seats, it will never be done. He said they should focus on the entertainment value of a fully functional theater, explaining that his reasons for stating it was recreation center annex is that it is primarily designed for recreation center activities, being owned, operated, planned, and controlled by the recreation center.

Council Member Govin said he understands Council Member Halloway's passion, reminding Council that he (Council Member Govin) was the person who worked with Mr. Singleton on the initial concept, which Council at that time voted down. He said he believes this is an adequate theater, with dressing rooms, a nice sized stage, receiving areas, etc., adding that they should look into the possibility of fly lofts to see if it can be done. He reminded Council that one of the critical things is to pull people into the redevelopment area at all times of the day; a theater as a theater will not pull in people at all times of day; other uses can pull people on a continuous basis. He concurred that if they had 20,000 square feet, they could emulate Largo, Dunedin, and other facilities that have more space. He concluded that he believes this facility will make the City very proud and will draw a lot of performing groups. Council Member Halloway interjected Masque was just one performing group; if they can build a real legitimate theater, they can attract the kind of performers who will draw a crowd.

Mayor Affronti suggested the City Manager put together costs and feasibility of a fly loft and bring it back to Council. The City Manager said that he hears consensus of Council to continue in the current direction, with possible enhancements of it being built to hold a fly loft and retractable seating. Council Member Govin suggested bringing a list of additional options with a price tag, and they can see if there is enough interest in the community. Council Member Halloway commented it will take some fundraising, but if they organize as they did with Town Center, Inc., it becomes doable.

Council Member Knapp pointed out the irony that they had the theater "done," money allocated, private funds put together, and then the organization wanted it moved off the River. Council Member Halloway added they wanted it moved to the center of the new downtown.

There being no further business to be considered, upon proper motion, the meeting was adjourned at 7:02 p.m.

Joseph A. Affronti, Sr.  
Mayor

Alison M. Fernandez, Council Member

Ron A. Govin, Council Member

Ken Halloway, Council Member

Attest:

Mark A. Knapp, Council Member

Melissa E. Small, MMC  
City Clerk

Mary Jane Neale, Council Member