



City of South Pasadena

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SOUTH PASADENA, FLORIDA 33707
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A G E N D A

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

WEDNESDAY, SEPTEMBER 9, 2026
COMMISSION CHAMBERS 7:00 P.M.

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL
REPORTS
PEOPLE'S FORUM
AGENDA COMMENT

DISCUSSION ITEMS

PUBLIC HEARING - LEGISLATIVE

1. ORDINANCE NO. 2026-01 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR SEWAGE USAGE; TO INCREASE THE BASE MINIMUM MONTHLY SEWER RATES AND SEWER FLOW CHARGE RATE BY 5.0%; PROVIDING AN EFFECTIVE DATE - SECOND AND FINAL READING.
2. ORDINANCE NO. 2026-02 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR RECLAIMED WATER; TO INCREASE THE MINIMUM MONTHLY RECLAIMED WATER SERVICE CHARGE FOR SINGLE FAMILY RESIDENTIAL CUSTOMERS TO \$13.66 AND TO INCREASE COMMERCIAL AND MUNICIPAL USER SERVICE CHARGES TO \$390.21 PER PERVIOUS ACRE; PROVIDING AN EFFECTIVE DATE - SECOND AND FINAL READING.
3. RESOLUTION NO. 2026-06 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH PASADENA, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR AD VALOREM TAXES FOR THE CITY OF SOUTH PASADENA FOR FISCAL YEAR 2026-2027, PROVIDING FOR AN EFFECTIVE DATE.

REGULAR COMMISSION MEETING
WEDNESDAY, SEPTEMBER 9, 2026 - 7:00 P.M.

4. ORDINANCE NO. 2026-03 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, ADOPTING FISCAL YEAR 2026-2027 BUDGET; PROVIDING AN EFFECTIVE DATE - SECOND READING.

UNFINISHED BUSINESS

NONE

CONSENT AGENDA

Resolutions and Motions of a non-controversial nature may be placed on the Consent Agenda. One motion for approval is required to pass the entire Consent Agenda; however, any item(s) may be removed prior to motion for approval.

5. APPROVAL OF COMMISSION MEETING MINUTES FOR THE MONTH OF AUGUST 2026 ON FILE IN CITY CLERK'S OFFICE
AGENDA MEETING, AUGUST 18, 2026; ADMINISTRATIVE WORKSHOP, AUGUST 18, 2026; AND REGULAR COMMISSION MEETING, AUGUST 25, 2026.

NEW BUSINESS

6. MOTION - TO APPROVE EXTENSION OF CONTRACT FOR LEGAL SERVICES WITH GRAYROBINSON, P.A. FOR SERVICES AS CITY ATTORNEY FOR THE PERIOD OF OCTOBER 1, 2026 THROUGH SEPTEMBER 30, 2027.

ADJOURN

This meeting is open to the public. Ordinances may be inspected by the public in the office of the City Clerk at City Hall from 8:00 a.m. to 4:00 p.m. Monday through Friday with the exception of holidays. Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of South Pasadena is committed to providing reasonable accommodation for access for the disabled. In accordance with the Americans with Disabilities Act and F.S. 286.26, anyone needing assistance with regard to this meeting should contact the City Clerk's Office in writing at least 48 hours prior to the meeting. For more information or assistance please contact the City Clerk's office at 727-347-4171.

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance: NO. 2026-01

Date Submitted: 08/26/2026

Resolution:

Agenda Meeting Date: 09/01/2026

Motion:

Regular Meeting Date: 09/09/2026

Information Only
No Action Needed:

Submitted By: COMM. NEIDINGER

Discussion:

Written By: 

Subject Title: (If Ordinance or Resolution, state number and title in full.)

ORDINANCE NO. 2026-01 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR SEWAGE USAGE; TO INCREASE THE BASE MINIMUM MONTHLY SEWER RATES AND SEWER FLOW CHARGE RATE BY 5.0%; PROVIDING AN EFFECTIVE DATE.

Motion Proposed:

TO PASS ORDINANCE NO. 2026-01 ON FIRST READING

AUGUST 25, 2026

TO PASS AND ADOPT ORDINANCE NO. 2026-01 ON SECOND AND FINAL READING

SUBMIT ORIGINAL TO CITY CLERK FOR INCLUSION ON AGENDA BY WEDNESDAY.

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR SEWAGE USAGE; TO INCREASE THE BASE MINIMUM MONTHLY SEWER RATES AND SEWER FLOW CHARGE RATE BY 5.0%; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to gradually adjust rates to cover the cumulative effects of the increases in sewer processing rates and any new annual processing charges; and

WHEREAS, the City of St. Petersburg has proposed increasing processing fees by 4.89% for Fiscal Year 2027 from \$7,179 per million gallons (PMG) to \$7,530 PMG; and

WHEREAS, the City of South Pasadena's projected sewer processing volume for Fiscal Year 2027 is 152 million gallons or higher; and

WHEREAS, the St. Petersburg processing charges for 2027 will cost an estimated \$1,462,500 based on expected processing volumes of 152 million gallons; and

WHEREAS, no change in Sewer Fees for Fiscal Year 2026 would result in an estimated \$53,401 cash flow deficit; and

WHEREAS, the City Commission desires to have the Sewer Enterprise Fund at or near a breakeven cash flow; and

WHEREAS, The City Commission desires to recover the additional \$53,401 in additional costs, and

WHEREAS, a recommended 5.0% increase in variable and fixed charges is expected to generate \$1,950,000 in Sewer Fee Revenue resulting in no deficit; and

WHEREAS, in order to cover the increased sewer processing charges for Fiscal Year 2027, it is imperative that revenue from sewer fees be raised.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of South Pasadena, Florida as follows:

Section 1. FINDINGS AND USAGE RATE INCREASE. As a result of the findings of the City Commission set forth above, that effective November 1, 2026, the Base and Minimum monthly charge and Flow Charge rates for sewer service shall be increased by 5.0%. Subsection 169-22A of Appendix Chapter A198 of the Code of Ordinances, the schedule of base and flow rates for sewer service, is amended to read as follows:

Base and minimum monthly charge of:

Single family and multi-family units,
including mobile homes \$ 9.05 per unit

Commercial, institutional, public and all others
5/8" meter \$ 9.05
1" meter \$ 23.24
1 ½" meter \$ 52.31
2" meter \$ 92.95
3" meter \$ 209.14
4" meter \$ 371.81
6" meter \$ 836.52
8" meter \$1,487.13

In addition to the base rates set above, all accounts shall pay an additional flow charge of \$11.00 per 1,000 gallons, based on potable water use.

Section 2. EFFECTIVE DATE. The amended sewer usage rates established hereunder shall be utilized for the October 2026 meter readings to calculate billings beginning November 1, 2026.

Arthur Penny, Mayor

ATTEST:

Carley Lewis, City Clerk

PASSED ON FIRST READING _____ AUGUST 25TH _____, 2026.

PASSED AND ADOPTED ON SECOND AND FINAL READING _____, 2026.

THIS IS TO CERTIFY THAT I, the undersigned City Clerk did cause the noticing of the above ordinance in accordance with Chapter 166.041 of the Florida Statutes.

Carley Lewis, City Clerk

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

City Attorney

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance: NO. 2026-02

Date Submitted: 08/26/2026

Resolution:

Agenda Meeting Date: 09/01/2026

Motion:

Regular Meeting Date: 09/09/2026

Information Only
No Action Needed:

Submitted By: COMM. NEIDINGER

Discussion:

Written By:

Subject Title: (If Ordinance or Resolution, state number and title in full.)

ORDINANCE NO. 2026-02 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR RECLAIMED WATER; TO INCREASE THE MINIMUM MONTHLY RECLAIMED WATER SERVICE CHARGE FOR SINGLE FAMILY RESIDENTIAL CUSTOMERS TO \$13.66 AND TO INCREASE COMMERCIAL AND MUNICIPAL USER SERVICE CHARGES TO \$390.21 PER PERVIOUS ACRE; PROVIDING AN EFFECTIVE DATE.

Motion Proposed:

TO PASS ORDINANCE NO. 2026-02 ON FIRST READING

AUGUST 25, 2026

TO PASS AND ADOPT ORDINANCE NO. 2026-02 ON SECOND AND FINAL READING

SUBMIT ORIGINAL TO CITY CLERK FOR INCLUSION ON AGENDA BY WEDNESDAY.

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, AMENDING APPENDIX CHAPTER A198 FEES OF THE CODE OF ORDINANCES RELATING TO RATES AND CHARGES FOR RECLAIMED WATER; TO INCREASE THE MINIMUM MONTHLY RECLAIMED WATER SERVICE CHARGE FOR SINGLE FAMILY RESIDENTIAL CUSTOMERS TO \$13.66 AND TO INCREASE COMMERCIAL AND MUNICIPAL USER SERVICE CHARGES TO \$390.21 PER PERVIOUS ACRE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of South Pasadena Reclaimed Water rates are currently \$11.88 monthly for residential customers and \$339.31 per pervious acre per month for commercial customers; and

WHEREAS, Pinellas County Utilities provides the reclaimed water used by the residents of South Pasadena; and

WHEREAS, Pinellas County Utilities has adopted wholesale reclaimed water rate increases from Fiscal Year 2025 through Fiscal Year 2027; and

WHEREAS, there is a 15.00% approved increase from \$760.43 to \$874.50 per million gallons (PMG) for the fiscal year ending in September 2027; and

WHEREAS, the projected increase in reclaimed water costs for Fiscal Year 2027 is approximately \$20,244 with a total cost of \$155,000 based on expected processing volumes of 177 million gallons; and

WHEREAS, a recommended 15.00% increase in Reclaimed Water Fees is expected to generate \$345,000 or an additional \$23,800 annually in Reclaimed Water Revenue; and

WHEREAS, the City Commission desires to cover increases in reclaimed water costs charged by the County and to maintain adequate reserves for capital improvements and replacements to the City reclaimed water system.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of South Pasadena, Florida as follows:

Section 1. FINDINGS AND MONTHLY RATE INCREASE. As a result of the findings of the City Commission set forth above, that effective November 1, 2026, the Base Reclaimed Water Rates shall be increased

by 15.00%. Subsection 192-20 of Appendix Chapter A198 of the Code of Ordinances, the schedule of rates for reclaimed water service, is amended to read as follows:

Water reclamation monthly service charges:

Single family\$ 13.66 per month

Multi-Family, Commercial, Municipal and all others

Multi-Family\$ 390.21 per pervious acre per month

Commercial\$ 390.21 per pervious acre per month

Municipal (Public).....\$ 390.21 per pervious acre per month

Section 2. EFFECTIVE DATE. The amended reclaimed water rates established hereunder shall be utilized for the October 2026 meter readings to calculate billings beginning November 1, 2026.

Arthur Penny, Mayor

ATTEST:

Carley Lewis, City Clerk

PASSED ON FIRST READING _____ AUGUST 25TH _____, 2026.

PASSED AND ADOPTED ON SECOND AND FINAL READING _____, 2026.

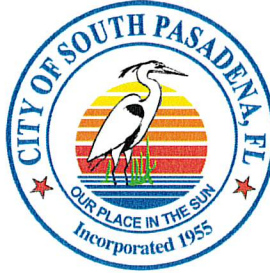
THIS IS TO CERTIFY THAT I, the undersigned City Clerk did cause the noticing of the above ordinance in accordance with Chapter 166.041 of the Florida Statutes.

Carley Lewis, City Clerk

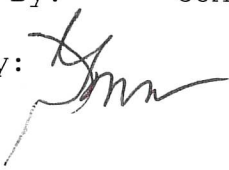
THIS ORDINANCE HAS BEEN APPROVED AS TO FORM AND CONTENT BY THE CITY ATTORNEY.

City Attorney

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance:	Date Submitted:	08/26/2026
Resolution: NO. 2026-06	Agenda Meeting Date:	09/01/2026
Motion:	Regular Meeting Date:	09/09/2026
Information Only	Submitted By:	COMM. NEIDINGER
No Action Needed:	Written By:	
Discussion:		

Subject Title: (If Ordinance or Resolution, state number and title in full.)

RESOLUTION NO. 2026-06 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH PASADENA, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR AD VALOREM TAXES FOR THE CITY OF SOUTH PASADENA FOR FISCAL YEAR 2026-2027, PROVIDING FOR AN EFFECTIVE DATE.

Motion Proposed:

TO PASS RESOLUTION NO. 2026-06

SUBMIT ORIGINAL TO CITY CLERK FOR INCLUSION ON AGENDA BY WEDNESDAY.

RESOLUTION NO. 2026-06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH PASADENA, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR AD VALOREM TAXES FOR THE CITY OF SOUTH PASADENA FOR FISCAL YEAR 2026-2027, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted a proposed millage rate of 5.8106 mills at its July 1, 2026 Regular Commission Meeting; and

WHEREAS, the roll-back millage rate for fiscal year 2026-2027 is 5.2824 mills; and

WHEREAS, the City of South Pasadena's Gross Taxable Property Values have decreased 0.72% to \$907,252,407; and

WHEREAS, the 5.8106 millage rate represents a 10.00% increase over the roll-back rate; and

WHEREAS, a 5.8106 millage rate is expected to generate a deficit of \$532,670 in General Fund cash reserves after inter-fund transfers; and

WHEREAS, the September 30, 2025 General Fund reserves were approximately 7.7 months of operating expenditures; and

WHEREAS, adopting the millage rate of 5.8106 mills is expected to maintain General Fund reserves at approximately 7.2 months of operating expenditures; and

WHEREAS, the General Fund will be required to transfer an estimated \$310,000 to fund budgeted expenditures in the Capital Improvements Fund to help pay for the fire station debt service and other capital projects; and

WHEREAS, the City Commission recognizes that they may lower, but not increase millage at the time of final adoption.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of South Pasadena, Pinellas County, Florida, as follows:

SECTION 1. That there is hereby levied a tentative millage rate of 5.8106 mills for ad valorem taxation of property within the corporate limits of the City of South Pasadena, Florida, for fiscal year 2026-2027. Adoption of the final millage rate shall be made on September 16, 2026 at 7:00 p.m. following the public hearing.

SECTION 2. That this Resolution shall be in full force and effect immediately after its adoption and approval in the manner provided by law.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2026.

Arthur Penny, Mayor

ATTEST:

Carley Lewis, City Clerk

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

City Attorney

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance: NO. 2026-03

Date Submitted: 08/26/2026

Resolution:

Agenda Meeting Date: 09/01/2026

Motion:

Regular Meeting Date: 09/09/2026

Information Only
No Action Needed:

Submitted By: COMM. NEIDINGER

Discussion:

Written By:

Subject Title: (If Ordinance or Resolution, state number and title in full.)

ORDINANCE NO. 2026-03 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, ADOPTING FISCAL YEAR 2026-2027 BUDGET; PROVIDING AN EFFECTIVE DATE.

Motion Proposed:

TO PASS ORDINANCE NO. 2026-03 ON FIRST READING

AUGUST 25, 2026

TO PASS ORDINANCE NO. 2026-03 ON SECOND READING

SUBMIT ORIGINAL TO CITY CLERK FOR INCLUSION ON AGENDA BY WEDNESDAY.

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA,
ADOPTING FISCAL YEAR 2026-2027 BUDGET; PROVIDING AN
EFFECTIVE DATE.

THE CITY OF SOUTH PASADENA DOES ORDAIN:

SECTION 1. The 2026-2027 Budget for the Fiscal Year beginning October 1, 2026 and ending September 30, 2027, establishing the following estimated revenues, estimated appropriations, and transfers:

	GENERAL FUND	CAPITAL IMPROVEMENT FUND	ENTERPRISE FUNDS
<u>ESTIMATED REVENUES:</u>			
AD VALOREM TAX	\$ 5,060,815	\$ -	\$ -
FRANCHISE TAXES	575,500	-	-
UTILITY TAXES	785,500	-	-
SALES & USE TAXES	65,000	780,000	-
LICENSES & PERMITS	837,750	-	-
INTERGOVERNMENTAL	2,258,910	500,000	-
USER FEES - CHARGES FOR SERVICE	-	-	2,295,000
FINES & FORFEITURES	2,800	-	-
INTEREST & MISCELLANEOUS	320,350	1,010,000	127,630
INTERFUND TRANSFERS IN	-	310,000	-
USE OF FUND BALANCE RESERVES	532,670	310,765	-
TOTAL REVENUES, TRANSFERS, & USE OF FUND BALANCE	\$ 10,439,295	\$ 2,910,765	\$ 2,422,630
<u>ESTIMATED APPROPRIATIONS:</u>			
GENERAL GOVERNMENT	1,907,815	8,000	-
PUBLIC SAFETY	6,782,840	939,765	-
PUBLIC WORKS & TRANSPORTATION	1,393,965	1,828,000	-
OTHER PHYSICAL ENVIRONMENT	-	85,000	2,422,630
HUMAN SERVICES	9,500	-	-
CULTURE & RECREATION	35,175	50,000	-
INTERFUND TRANSFERS OUT	310,000	-	-
CONTRIBUTION TO RESERVES	-	-	-
TOTAL APPROPRIATIONS, TRANSFERS, & CONTRIBUTIONS TO RESERVES	\$ 10,439,295	\$ 2,910,765	\$ 2,422,630

SECTION 2. This Ordinance shall take effect following public hearings on the budget on September 9, 2026 second reading of the Ordinance, and final adoption on September 16, 2026, at a Special Commission Meeting.

ATTEST:

Arthur Penny, Mayor

Carley Lewis, City Clerk

THIS IS TO CERTIFY that I, the undersigned Clerk, did cause the noticing of the above Ordinance in accordance with Chapters 166.041 and 200.065 of the Florida Statutes.

Carley Lewis, City Clerk

PASSED ON FIRST READING _____ AUGUST 25TH, 2026.

PASSED ON SECOND READING _____, 2026.
(First Public Hearing)

PASSED AND ADOPTED ON THIRD AND FINAL READING _____ 2026.
(Second Public Hearing)

Carley Lewis, City Clerk

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

City Attorney

5. APPROVAL OF COMMISSION MEETING MINUTES FOR THE MONTHS OF
AUGUST 2026 ON FILE IN CITY CLERK'S OFFICE

AGENDA MEETING, AUGUST 18, 2026; ADMINISTRATIVE WORKSHOP,
AUGUST 18, 2026; AND REGULAR COMMISSION MEETING, AUGUST 25,
2026.

CITY OF SOUTH PASADENA



AGENDA SUBMITTAL FORM

Ordinance:	Date Submitted:	08/26/2026
Resolution:	Agenda Meeting Date:	09/01/2026
Motion: X	Regular Meeting Date:	09/08/2026
Information Only	Submitted By:	MAYOR PENNY
No Action Needed:	Written By:	
Discussion:		

Subject Title: (If Ordinance or Resolution, state number and title in full.)

EXTENSION OF CONTRACT FOR LEGAL SERVICES WITH GRAYROBINSON, P.A. FOR SERVICES AS CITY ATTORNEY

Motion Proposed:

TO APPROVE EXTENSION OF CONTRACT FOR LEGAL SERVICES WITH GRAYROBINSON, P.A. FOR SERVICES AS CITY ATTORNEY FOR THE PERIOD OF OCTOBER 1, 2026 THROUGH SEPTEMBER 30, 2027.

SUBMIT ORIGINAL TO CITY CLERK FOR INCLUSION ON AGENDA BY WEDNESDAY.

EXTENSION TO AGREEMENT FOR LEGAL SERVICES

This Extension to Agreement for Legal Services shall extend and amend that certain Agreement for Legal Services ("Contract") by and between the City of South Pasadena, Florida (the "City") and GrayRobinson, PA (the "Firm") dated October 1, 2014 which is attached hereto as Exhibit A.

By prior actions of the City Commission and the Firm, the City and the Firm have extended the expiration date of the Contract to September 30, 2026.

The City and the Firm now desire and agree to extend the term of the Contract for one (1) year to expire on September 30, 2027 with all terms and conditions of the Contract remaining the same and including that beginning on October 1, 2026 and each year thereafter, the Firm's professional hourly fees and retainer will increase automatically by the change in consumer price index for all urban consumers for Tampa-St. Petersburg-Clearwater as of July of that year.

"CITY"

"FIRM"

City of South Pasadena, Florida

GrayRobinson, PA

Arthur Penny, Mayor

By: _____
Nikki Day, B.C.S., Shareholder

Dated: _____

Dated: _____

Agreement for Legal Services

This Agreement is entered into on the 1st day of October 2014, between the City of South Pasadena, Florida hereinafter referred to as "City" and the law firm of Gray Robinson Attorneys at Law, herein after referred to as the "Firm."

TERM

The services called for in this agreement shall commence on October 1, 2014 and shall terminate on September 30, 2015. The City reserves the right to terminate without cause upon 60 days written notice. The City Attorney serves at the pleasure of the City Commission and can be terminated for cause without notice upon a majority vote of the City Commission. In the event Attorney David Ottinger leaves the Firm the City shall have the option of terminating the agreement without notice.

SERVICES

The Firm agrees to devote a sufficient amount of time to represent the City adequately and agrees that the services rendered under this agreement are personal to the Firm and may not be assigned, either directly or indirectly, to any other person or law firm. While this agreement is with the Firm of Gray Robinson, the City Attorney of record shall be David Ottinger. David Smith shall be Assistant City Attorney. Attorney Ottinger shall be available to respond to a request for legal services promptly and shall advise the City of who can be contacted in the event he is not available. All attorneys representing the City shall remain members in good standing of the Florida Bar.

During the term of this agreement the Firm shall be the sole source provider of general legal services to the City and may be requested to represent the City in litigation including administrative, judicial or other proceedings.

The Firm shall perform the following legal services under a retainer agreement. These services shall not be billed at an hourly rate but performed for a flat rate of \$3,500 per month.

Services included in retainer:

1. Prepare for and attend all meetings of the City Commission including workshops, agenda meetings, regular, special and emergency meetings and answer questions and give legal

advice as needed. Prepare for and attend meetings of the Planning and Zoning Board and provide legal advice as needed.

2. Prepare ordinances, resolutions, contracts, interlocal agreements, leases, deeds, easements and franchise agreements together with and any other legal documents needed by the City. Research needed in order to prepare these documents shall be included in the retainer.
3. Verbally answer routine legal questions of Department Heads and City Commission members that do not require extensive legal research.
4. Keep the City Commission and Department Heads aware of legal requirements for compliance with new laws and regulations.
5. If requested report to the EOC in the event of an emergency.

The Firm shall perform the following additional legal services at the hourly rate **of \$195.00** per hour:

1. Attend and provide legal guidance at committee meetings for Charter Review, Community Redevelopment Agency or any other committee or board convened by the City Commission when requested by the City Commission.
2. Conduct union negotiations and executive sessions, represent the City in prosecution of City Code Violations in county court and before boards and magistrates.
3. Represent the City in union grievance proceedings, unemployment hearings and workman's compensation cases or Chapter 163 hearings with other local governments.
4. Prepare written legal opinion when requested by a department Head or member of the City Commission.
5. Any and all litigation in State or Federal Court at trial and appellate level, including preparation of pleadings, discovery, appearances in court and in mediation or arbitration, preparation of briefs or any other activity associated with the prosecution or defense of a case.
6. Any other legal duties assigned by the City Commission.

Billing

The Firm agrees to keep and maintain accurate time records showing the time expended by each attorney on a detailed billing statement giving a brief description of what was being done and who requested the work. Bills should reflect but not charge for time spent on retainer items to allow the parties to evaluate the fairness of the agreement at the conclusion of the term. No time or mileage shall be billed for travel to and from the City. The minimum billing increment shall be 1/10 of an hour. The Firm shall submit an invoice at the end of each month showing the retainer amount and the hourly billing. Bills shall also include costs such as filing fees, court reporter's fees, process service charges and any other direct cost of representation without markup. No fees shall be charged for copies, office supplies, telephone charges, or postage. In no event shall the Firm charge for support staff such as paralegals or secretarial services or for charges incurred for computer research.

No expenses shall be charged for travel without prior consent of the City.

INSURANCE

The Firm shall purchase and maintain at the Firm's expense Lawyer's Professional Liability coverage insuring the Legal Provider against liability arising out of acts or omissions in furnishing professional services pursuant to this agreement in the minimum amount of \$1,000,000. Firm shall provide tail coverage following the termination of this agreement.

NOTICE

Notices and billing should be sent to the following:

For the City
City of South Pasadena
7047 Sunset Drive
South Pasadena, FL 33707

For the Firm
David Ottinger
Gray Robinson, P.A.
401 East Jackson Street
Suite 2700
Tampa, Florida 33602

PAYMENT

The City shall remit payment within 10 days of receipt of the monthly statement. If items are in dispute the balance of the bill shall be paid while the disputed items are resolved.

AGREEMENT

This agreement constitutes the entire agreement between the parties and any modification must be in writing signed by an authorized representative of each party. In the event any term or paragraph or provision of this Agreement or its application to any circumstances shall be deemed invalid or unenforceable, the remainder of this agreement shall be valid and enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF THEY HAVE EXECUTED THIS AGREEMENT.

ATTEST:



By:

Title: DAVID OTTINGER, DIRECTOR
Gray Robinson Attorneys at Law

ATTEST:



By:

Arthur Penny
Arthur Penny, Vice Mayor
City of South Pasadena