

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
FEBRUARY 11, 2010**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

II. PUBLIC COMMENT AND CORRESPONDENCE

CITIZENS COMMENTS ARE INVITED ON ITEMS OR CONCERNS NOT ALREADY SCHEDULED ON TONIGHT'S AGENDA. PLEASE LIMIT COMMENTS TO THREE MINUTES.

AT THIS TIME STAFF MEMBERS WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of January 28, 2010.

IV. PUBLIC HEARINGS

◆ POLICE

P1 ORDINANCE NO. 3718. AMENDING CHAPTER 4 (ALCOHOLIC BEVERAGES)

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: Chapter 4 (Alcoholic Beverages), Section 109 (A) 3, definition of "public place" is being clarified and amended to describe property within the City of Pinellas Park open to the general public that includes but is not limited to: curtilage, parking areas, grassy areas and/or other open areas of any commercial establishment.

(reference material — Ordinance, C2 on 1/28/2010 Council agenda)

◆ COMMUNITY DEVELOPMENT

- P2 **RESOLUTION NO. 10-04. A RESOLUTION VACATING PORTIONS OF UNUSED, UNDEVELOPED RIGHTS-OF-WAY GENERALLY LOCATED WITHIN THE 100-FOOT-WIDE, PROGRESS ENERGY EASEMENT RUNNING NORTHWEST TO SOUTHEAST THROUGH GATEWAY CENTER COMMERCE PARK, SOUTH OF GATEWAY BOULEVARD AND NORTHWEST OF GANDY BOULEVARD IN SECTION 27, TOWNSHIP 30, RANGE 16. (V 2008-04 City of Pinellas Park)**

PUBLIC HEARING, FIRST AND FINAL READING

NOTE: The City of Pinellas Park is requesting the vacation of portions of unused, undeveloped rights-of-way in the Golden Acres Subdivision, including 82nd Avenue, 83rd Avenue, 84th Avenue, and 34th Street, generally located within the 100-foot-wide, Progress Energy easement running northwest to southeast through Gateway Center Commerce Park, south of Gateway Boulevard and northwest of Gandy Boulevard in Section 27, Township 30, Range 16. The rights-of-way currently serve no useful purpose as the development intended for this area never came to fruition. Progress Energy has no objection provided a utility easement is retained. Progress Energy requires a particular easement agreement specifying rights and privileges for the operation and maintenance of transmission lines. The restrictive easement agreement is being executed by a separate instrument. The remaining utility agencies and City Divisions have no objection to the proposed vacation. The Planning and Zoning Commission, at their meeting of January 7, 2010, recommended APPROVAL of the vacation, based on the following Findings of Fact:

1. The vacation is consistent with the policies of the Comprehensive Plan.
2. The various utility agencies and City Divisions have no objection to the vacation. A restricted easement between Progress Energy and the City, being executed by a separate instrument, will be retained. This agreement shall not interfere with other easements.

(reference material — staff report, resolution, Attorney approval letter, excerpts of the P&Z meeting of January 7, 2010, application, aerial)

- P3 **RESOLUTION NO. 10-05. A RESOLUTION VACATING AN UNIMPROVED RIGHT-OF-WAY, 67TH STREET NORTH, GENERALLY LOCATED NORTH OF TREELAND AVENUE. (V 2010-1 AJ Associates Inc./Andrew Zdzierak)**

PUBLIC HEARING, FIRST AND FINAL READING

NOTE: The applicant is requesting the vacation of an approximately 30-foot-wide by 193-foot-long portion of right-of-way, 67th Street North, north of Treeland

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P3 Avenue. The 30-foot-wide right-of-way is unimproved and not open for public travel. There are utilities located in the right-of-way. The vacation will provide additional land for the future expansion of the abutting business. No City Divisions or private utilities have raised objections to the proposal provided a utility easement is retained and/or utilities are relocated at the expense of the applicant. The Planning and Zoning Commission, at their meeting of January 7, 2010, recommended APPROVAL of the vacation, based on the following Findings of Fact:

1. The vacation is consistent with the policies of the Comprehensive Plan.
2. The various utility agencies and City Divisions have no objection to the vacation provided a utility easement is retained over the west 5 feet of the right-of-way. A restricted easement between Progress Energy and the applicant, being executed by a separate instrument, will be retained. This agreement shall not interfere with other easements.

(reference material — staff report, resolution, Attorney approval letter, excerpts of the P&Z meeting of January 7, 2010, application, aerial)

V. CONSENT AGENDA

◆ COMMUNITY DEVELOPMENT

C1 RESOLUTION NO. 10-06. GRANTING CERTAIN PERMIT FEE WAIVERS TO OWNERS OF A SINGLE-FAMILY DWELLING DURING A THREE WEEK PERIOD BEGINNING MONDAY, MARCH 8, 2010 THROUGH FRIDAY, MARCH 26, 2010, IN CONJUNCTION WITH PRIDE IN THE PARK ACTIVITIES; PROVIDING PERMITS ISSUED WITHOUT CHARGE SHALL BE VALID PER SECTION 18-906 OF THE LAND DEVELOPMENT CODE; PROVIDING THAT PERMIT FEE WAIVERS SHALL ONLY BE GRANTED FOR SINGLE-FAMILY DWELLINGS.

FIRST AND FINAL READING

NOTE: This resolution provides a waiver of certain permit fees for the purpose of encouraging owners of a single-family dwelling to undertake renovation projects in conjunction with the community's Pride in the Park celebration.

(reference material — resolution)

C2 AUTHORIZATION FOR MAYOR TO SIGN A LETTER OF INTENT TO APPLY FOR A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN, FOR THE SAFE HAVENS: SUPERVISED VISITATION AND SAFE EXCHANGE GRANT PROGRAM

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- C2** NOTE: Community Action Stops Abuse, Inc. (CASA) proposes to collaborate with the City of Pinellas Park to develop and submit an application for funding from the United States Department of Justice (USDOJ), Office on Violence Against Women (OVW), in the amount of \$400,000.00 to be expended over a three-year period to enhance and expand services at their Visitation Center. This agency serves a county-wide constituency through its Visitation Center, which is located in Pinellas Park. CASA's Visitation Center provides children with an opportunity to visit a non-residential parent who has been estranged from the child due to separation or divorce. CASA's supervised visits and monitored exchanges provide safety with a special focus on the needs of children from homes where violence, substance abuse and mental health problems occur. Participants are accepted via referrals from the Family, Domestic Violence and Dependency courts. This is a "pass-through" grant. As such, the City of Pinellas Park would serve as the applicant and administrator for the grant, with CASA serving as the subcontractor providing these services. CASA Staff will provide detailed administration and reporting for the grant. The City of Pinellas Park could receive funding from the grant to compensate for City participation as well as any training and travel required of City personnel for this grant. The City would not be required to provide any matching funds for the grant. Further, submission of the Letter of Intent does not obligate the City to submit the grant application. Should we proceed with development of an application, that application along with a Memorandum of Understanding, grant Assurances and Certifications will be presented to City Council for approval prior to that submission.

ACTION: (Approve – Deny) Authorization for the Mayor to sign a Letter of Intent to the US Department of Justice, Office on Violence Against Women.

(reference material — letter of intent)

◆ **POLICE**

- C3** **AUTHORIZATION FOR DONATION — To C.A.S.A (Community Action Stops Abuse, Inc.) and the Catholic Charities Diocese of St. Petersburg (for Pinellas Hope).**

NOTE: The Pinellas Park Police Department is obligated to donate 15% of confiscated funds. This donation will be used to support CASA's visitation center that provides court ordered supervised visitation and a monitored exchange program for families who have experienced violence. This donation will also provide homeless people with support services necessary to obtain self-sufficiency and improved quality of life.

ACTION: (Approve-Deny) Authorization for donation to C.A.S.A., Inc in the amount of \$10,000 and Catholic Charities Diocese of St. Petersburg (for Pinellas Hope) in the amount of \$10,000. The total amount to be donated is \$20,000 from

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- C3** the Confiscated Property Fund Balance to Confiscated Property Fund Operating Account 104-212-5-331-09.

(reference material — memo from Captain Haworth dated February 1, 2010, Certification memo, CASA documentation)

- C4** **AUTHORIZATION TO FUND POLICE TRAINING FROM CONFISCATED PROPERTY FUND.**

NOTE: Since 2000, The Pinellas Park Police Department has benefited from a police chaplain program and Officer John McNeil has served in that position. In his role as the department's chaplain, he serves the police department and members of the community assisting with situations that create emotional, mental and spiritual burdens that adversely affect them and their family and loved ones. Officer McNeil knows that a police officer's job is an extremely difficult one. As an eighteen year veteran with our police department and a part-time minister, he has a unique insight to the special stresses, tensions and emotional burdens associated with a career in law enforcement and the effects that they pose on the officers and their families. Officer McNeil creates a relationship with officers where they will feel free to turn to him for counsel at any time. He makes himself available to listen to problems and concerns within the department and to share the grief, sorrows and joys both individually and collectively with members of the police department. In-state training opportunities for police chaplains are rare thus the need to travel to Georgia. Officer McNeil's last police chaplain training opportunity was in February 2007.

Chief Thomas is requesting funding through our Confiscated Property Fund.

If approved, Officer John McNeil will attend Region 8's International Conference of Police Chaplains Regional Training Seminar in St. Simons, Georgia March 15 – 18, 2010. The cost for this training that is inclusive of the conference registration, hotel, and per diem is \$530.99.

Pursuant to Florida Statute 932.7055(5)(c1), this is to certify that this proposed expenditure complies with the State-required provisions for expenditure of these funds.

ACTION: (Approve-Deny) Authorization to fund police chaplain training for one police employee from the Confiscated Property Fund Balance to Confiscated Property Fund Training Account 104-212-5-535-03 in the amount of \$530.99.

(reference material — City of Pinellas Park's two page travel form, Region 8 International Conference of Police Chaplains Regional Training Seminar announcement and daily training schedule)

- C5** **AUTHORIZATION FOR PURCHASE UNDER GSA CONTRACT — Ten in-car Kustom Signals G3 Video Systems for Uniformed Patrol Vehicles**

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- C5** NOTE: This authorizes the purchase of ten Kustom Signals G3 in-car video systems under GSA Contract 07F-0192N from Lakota Contracting, 3225 W. Rapid Street, Rapid City, SD 57702. Seventy-four percent of the cost, \$36,842, is from two grants from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and twenty-six percent, \$12,708 is from the Police Department's Confiscated Property Fund. The total amount for this purchase is \$49,550.

Pursuant to Florida Statute 932.7055 (5)(c1), this is to certify that this proposed expenditure complies with the State – required provisions for expenditure of these funds.

ACTION: (Approve-Deny) Authorization to purchase, under GSA Contract 07F-0192N, from Lakota Contracting, ten Kustom Signal G3 in-car video systems for uniform patrol vehicles at a cost of \$49,550 to be charged to the appropriate accounts.

(reference material — Quote from Lakota Contracting dated 1/29/2010, equipment brochure, and email from Purchasing Director dated 2/1/2010)

◆ **PUBLIC WORKS**

- C6** **CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 05/005 UNDERGROUND STORAGE TANK REMOVAL AND INSTALLATION — Adams Tank and Lift Inc., Clearwater, FL**

NOTE: Change Order No.1 is recommended for approval so that the final payment can be processed and the contract closed out. The decrease in the contract amount represents a decrease of the original contract amount by 8.1%. The account to be charged is 301-175-5-758-45. The final contract amount is \$36,197 under the original contract amount.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1 and final payment for project 05/005 Underground Storage Tank Removal and Installation, a decrease in the contract amount of \$36,197 for a total adjusted contract amount of \$408,939 and authorization for final payment of \$47,688.90 to Adams Tank and Lift, Inc. to be charged to the appropriate account.

(reference material — change order, final invoice)

VI. REGULAR AGENDA

◆ **PUBLIC WORKS**

- R1** **SELECTION OF A CITY COUNCIL MEMBER TO SERVE ON SELECTION BOARD FOR REVIEW AND EVALUATION OF PROPOSALS FOR CHOOSING A KAYAK/CANOE OUTPOST CONCESSION — RFP # 10/020**

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- R1** NOTE: In accordance with Resolution 78-58/91-93 and Section 287.055 Florida Statutes (Consultant Competitive Negotiating Act), a Selection Board consisting of not more than seven members (one of whom is to be a City Council Member) will be used to review proposal for consultant services and to make a recommendation to City Council and the City Manager. City Council will select the Council Member who will serve on the Selection Board for review and evaluation of the proposals received in response to the request for proposals (RFP) for a Kayak/Canoe Outpost Concession.

ACTION: (Approve – Deny) Selection of City Council Member _____ to serve on the Selection Board for review and evaluation of proposals for a Kayak/Canoe Outpost Concession.

(reference material — none)

◆ **FIRE**

- R2** **AUTHORIZATION FOR THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT WITH THE TOWN OF KENNETH CITY — Fire Department**

NOTE: This authorizes the City Manager to sign an Interlocal Agreement to Provide Fire Protection Services to the Town of Kenneth City pending a contract that has been approved by the attorneys for both parties.

ACTION: (Approve-Deny) Authorization for the City Manager, as approved by the City Attorney, to enter into and execute an Interlocal Agreement to Provide Fire Protection Services to the Town of Kenneth City as described in the reference letter to Mayor Zemaitis.

(reference material — Letter to Mayor Zemaitis dated February 1, 2010.)

VI. COMMENTS BY COUNCIL MEMBERS AND QUESTIONS – COUNCIL TO COUNCIL

VII. ADJOURNMENT

PLEASE NOTE that if a person decides to appeal any decision made by City Council with respect to any matter considered at the above-cited meeting, the person 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 maintains a tape recording of all public hearings. In the event that you wish to appeal a decision, the tape may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section 286.0105, Florida Statutes).

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FOR PERSONS WITH HEARING IMPAIRMENT — An interpreter for persons with hearing impairment will be made available upon requests made at least 72 hours in advance. Also, an Assistive Hearing Device (amplifier) is available from the City Clerk for use in Council Chambers and all meeting rooms throughout the City. This agenda document is available in the following accessible formats: Braille, Large Print, Audio Tape, and Electronic File on Computer Disks.

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday



	1	2	3	4	5	6
		Groundhog Day				
7	8	9	10	11	12	13
		7:30 PM City Council Workshop	Pancake Breakfast Senior Center - 9 AM	7:00 PM Agenda Session *7:30 PM City Council Meeting	Lincoln's Birthday	
14	15	16	17	18	19	20
Chinese New Year Valentine's Day	Great Lent begins Eastern Orthodox Washington's Birthday (obsvd) Presidents' Day	Shrove Tuesday Organ Concert City Auditorium	Lent Begins Ash Wednesday	*6:00 PM "Meet Your Mayor & Council"	Little Women: The Musical Performing Arts Center	APPLE Orientation Little Women: The Musical Performing Arts Center
21	22	23	24	25	26	27
Little Women: The Musical Performing Arts Center		7:30 PM City Council Workshop	APPLE Session I	7:00 PM Agenda Session *7:30 PM City Council Meeting		
28					<p>JANUARY</p> <p>S M T W T F S</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>31</p>	<p>MARCH</p> <p>S M T W T F S</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p>
Purim						

February

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday



	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
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APPLE Session 2

APPLE Session 3
Pancake Breakfast Senior Center - 9 AM

7:00 PM Agenda Session
*7:30 PM City Council Meeting

Pride In The Park Spring Clean-Up

Daylight Saving Time Begins

Organ Concert City Auditorium

St. Patrick's Day
APPLE Session 4

*6:00 PM "Meet Your Mayor & Council"

Fire Fighters/MDA Chili Blaze - 6 PM

Country In The Park 10 AM - 10 PM

Palm Sunday

First Day of Passover

APPLE Session 6

March

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO