

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
APRIL 23, 2009**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

SERVICE AWARDS (City Employees)

SPECIAL PRESENTATION — CHECK

From Police Volunteers to City – Representing in money number of hours they have worked.

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 April 9, 2009.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 ORDINANCE NO. 3678. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1503.3, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 12755 60TH STREET AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; FROM “M-1” LIGHT INDUSTRIAL TO “M-1” LIGHT INDUSTRIAL WITH AN “IPUD” INDUSTRIAL PLANNED UNIT DEVELOPMENT OVERLAY AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR AN “IPUD” INDUSTRIAL PLANNED UNIT DEVELOPMENT OVERLAY. (PUD 2009-5 Rogers Realty Management, Inc. Theodore P. Rogers, President Owner/Deuel and Associates, Brian A. Barker P.E., Agent)

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**P1 PUBLIC HEARING, SECOND AND FINAL READING
(QUASI JUDICIAL))**

NOTE: Rogers Realty Management, Inc. has applied for a rezoning from “M-1” Light Industrial Zoning District to “M-1” Light Industrial Zoning District with an “IPUD” Industrial Planned Unit Development Overlay and adoption of a Master Plan for a 1.43 acre parcel of land generally located at 12755 60th Street for the development of a two-lot, industrial subdivision. Minor construction is proposed for the parcel, such as dumpster enclosures and minor pavement modifications. The applicant wishes to subdivide the property for a potential sale. Subject to any matters that may be discussed at the hearing, staff has not identified any inconsistencies with the Comprehensive Plan. The proposal should have no adverse effect on adopted levels of service for City infrastructure. Surrounding businesses are: to the north, Mid-County Recycling; to the south, Minton Services; to the east, Industrial Packaging Systems, EMI Filter Company and The Framing Source; and to the west, Robotic Parking Inc.. At its meeting on March 5, 2009, the Planning and Zoning Commission recommended APPROVAL of the above request subject to conditions;

1. Minimum setbacks shall be as illustrated on the “IPUD” Industrial Planned Unit Development Master Plan (Exhibit “B”).
2. Criteria assigned to subdivision in notes on submitted Site Plan, last revised on 2/25/2009, shall be accepted as governing regulations for the development. All regulations not addressed shall revert to Code in effect at the time of “IPUD” Industrial Planned Unit Development Master Plan adoption.

(reference material — ordinance, Attorney approval letter, excerpts of P & Z minutes of 3/5/09, staff report, application, aerial map, master site plan)

V. CONSENT AGENDA

◆ POLICE

C1 AUTHORIZATION FOR ONE CARGO TRAILER, ONE PORTABLE GENERATOR AND FOUR PORTABLE LIGHT STANDS FROM CONFISCATED PROPERTY FUND.

NOTE: This authorizes the purchase of one cargo trailer from J.O’Dell Trailer LLC, 8050 Ulmerton Road, Largo, Florida for \$3,609, one Honda portable generator from Benders Lawn and Power Equipment for \$1,799.95, and four portable light stands from Lowe’s Home Improvement, 7301 Park Bl, Pinellas Park for \$259.92 for a total project cost of \$5,668.87. Request for quotations were sent to three prospective vendors for each item to be purchased. The lowest bid was selected for each item.

Pursuant to Florida Statute 932.704(3)(a), this is to certify that this proposed expenditure complies with the State – required provisions for expenditure of these funds.

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- C1** ACTION: (APPROVE-DENY) Authorization to purchase one cargo trailer from J.O'Dell Trailer LLC, 8050 Ulmerton Road, Largo, Florida, one Honda portable generator from Benders Lawn and Power Equipment, and four portable light stands from Lowe's Home Improvement, 7301 Park Bl, Pinellas Park for \$259.92. The total cost for the project is \$5,668.87 and will be appropriated from the Confiscated Property Fund Balance to Confiscated Property Fund Operating Account 104-212-5-621-08.

(reference material — RFQ prepared by Sergeant Schofield dated January 21, 2009. Quotes for the cargo trailer from J.O'Dell, Advantage Hitches and Trailer Sales, Express Trailers. Quotes for generator from Benders Lawn and Power Equipment, Northern Tool and Equip Co., and Speedway Sales. Quotes for the lights from Lowe's, Grainger, and American Contractor Supply.)

◆ **COMMUNITY DEVELOPMENT**

- C2** **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY MYRNA MARTINEZ AND MARCO MORALES - (AX09-9) — Annexation of 0.12 acres MOL located at 6600 67th Way North**

NOTE: This is a voluntary annexation of 0.12 acres MOL of contiguous residential property located at 6600 67th Way North in the Alston Park Subdivision.

Myrna Martinez and Marco Morales 6600 67 th Way North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$920.48	\$0.00	\$0.00
This is an annexation by petition only. There are no "Special Provisions".			

ACTION: (Approve - Deny) The voluntary annexation of 0.12 acres MOL of contiguous residential property owned by Myrna Martinez and Marco Morales and located at 6600 67th Way North.

(reference material — petition, data sheet, comment sheet, revenue sheet, map)

- C3** **ORDINANCE NO. 3681. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6600 67th Way North (Myrna Martinez and Marco Morales – AX09-9)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.12 acres MOL of contiguous residential property. The Owners' single family home is located on this site in the Alston Park Subdivision.

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C3 (reference material — ordinance, petition, map, Attorney approval letter)

C4 **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY DARRELL D. PALMER - (AX09-7) — Annexation of 0.14 acres MOL located at 6182 108th Avenue North.**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6182 108th Avenue North in the Northfield Manor Subdivision.

Darrell D. Palmer 6182 108 th Avenue North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$1,114.22	\$0.00	\$0.00
This is an annexation by petition only. There are no “Special Provisions”.			

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of property owned by Darrell D. Palmer and located at 6182 108th Avenue North in the Northfield Manor Subdivision.

(reference material — petition, data sheet, comment sheet, revenue sheet, map)

C5 **ORDINANCE NO. 3679. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6182 108TH AVENUE NORTH - (Darrell D. Palmer – AX09-7)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.22 acres MOL of contiguous residential property. The Owner’s single family home is located on this site in the Northfield Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter)

C6 **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY ARNALDO AND YADIRA VEGA - (AX09-8) — Annexation of 0.14 acres MOL located at 6172 108th Avenue North.**

This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6172 108th Avenue North in the Northfield Manor Subdivision.

Arnaldo and Yadira Vega 6172 108 th Avenue North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$1,124.21	\$0.00	\$0.00
This is an annexation by petition only. There are no “Special Provisions”.			

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- C6** ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of contiguous residential property owned by Arnaldo and Yadira Vega and located at 6172 108th Avenue North.

(reference material — petition, data sheet, comment sheet, revenue sheet, map)

- C7** **ORDINANCE NO. 3680. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6172 108TH AVENUE NORTH - (Arnaldo and Yadira Vega - AX09-8)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owners' single family residence is located on this site in the Northfield Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter)

- C8** **RESOLUTION NO. 09-15. A RESOLUTION DECLARING A CERTAIN PARCEL OF CITY-OWNED PROPERTY TO BE SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO TAKE THE NECESSARY STEPS TO EFFECT A SALE.**

FIRST AND FINAL READING

NOTE: The City has recently acquired the real property located at 8805 58th Lane North through a foreclosure action resulting from unpaid code enforcement liens. Subsequent to the City acquiring the property, the City was approached by Habitat For Humanity of Pinellas County, Inc. to purchase the property for their real estate rehabilitation program (Operation Rehabitat). As a result, City division heads were asked whether they had any municipal use for the property. When it was determined that no division had a use for it, an appraisal was ordered from C. Sattler and Associates, Inc. which indicated that the fair market value of the parcel was Sixty Nine Thousand Dollars (\$69,000). Habitat for Humanity of Pinellas County, Inc. has submitted a written cash offer on the property in the amount of Forty Seven Thousand Five Hundred Dollars (\$47,500.) with no contingencies. It is their plan to rehabilitate the structure and put a family in the home as soon as repairs and upgrades are complete.

(reference material — Resolution, attorney approval letter)

VI. REGULAR AGENDA

◆ COMMUNITY DEVELOPMENT

R1 AUTHORIZATION FOR THE CITY MANAGER TO SIGN AN OPTION TO LEASE AND A LEASE AGREEMENT WITH ST. GILES MANOR II, INC. AND THE ST. GILES EPISCOPAL CHURCH, INC. FOR A PORTION OF CITY-OWNED PROPERTY TO BE USED TO CREATE AFFORDABLE HOUSING FOR LOW INCOME AND VERY LOW INCOME ELDERLY PERSONS UNDER HUD'S SECTION 202 PROGRAM

NOTE: The City is proposing to enter into a lease with St. Giles Manor II, Inc. and the St. Giles Episcopal Church, Inc. for a portion of City-owned property in order to increase the availability of affordable housing for low income and very low income elderly under HUD'S section 202 Program. The lease would be for a period of 80 years with annual rent in the amount of One Dollar (\$1.00). The Lessee would construct the building using grant funds from HUD.

Simultaneously with the construction of the apartment complex by the Lessees, the Lessees shall construct, at the Lessees' expense, a new Senior Citizens Center/Annex on property adjacent to property being leased by the Lessor to the Lessees in a minimum gross building size of 4,368 square feet.

ACTION: (Approve - Deny) Authorization for the City Manager to sign an Option to Lease and a Lease Agreement with St. Giles Manor II Inc. and the St. Giles Episcopal Church, Inc.

(reference material — option to lease, lease agreement, *R2 on 4/9/2009 Council agenda*)

R2 AUTHORIZATION FOR THE MAYOR TO SIGN AN ADDENDUM TO AN ANNEXATION AGREEMENT DATED FEBRUARY 12, 2009 BETWEEN THE CITY OF PINELLAS PARK, FLORIDA AND TPA INVESTMENTS, L.L.C. (AX07-48) - For property generally located at 6721 Park Boulevard

NOTE: At the time the Property was annexed the Owner requested, and received, a waiver of City land development fees in the amount of \$170,000.00, for a period of 24 months from the date of their annexation into the City. Due to cutbacks in State Housing Initiatives Partnership (SHIP) funds by the State Legislature, Pinellas County will be unable to provide the developer with their previously agreed upon \$30,000.00 contribution. The developer must have a minimum of a \$200,000.00 local government contribution towards the project to receive the maximum points on their State application. This addendum serves as a request for an increase in the fee waiver from \$170,000.00 to \$200,000.00. The additional Thirty Thousand Dollars will be waived for additional land

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- R2** development fees (\$10,534.27) and a partial waiver/credit (19,465.73) will be given against the \$105,730.00 due for water and sewer connection fees.

ACTION: (Approve – Deny) Authorization for the Mayor to sign an addendum to the annexation agreement dated February 12, 2009 between The City of Pinellas Park, Florida and TPA Investments, L.L.C. for their property generally located at 6721 Park Boulevard.

(reference material — addendum to annexation agreement, breakdown of fees waived, map, Attorney’s approval letter)

◆ **NEIGHBORHOOD SERVICES**

- R3** **NEGOTIATED SETTLEMENT OFFER – CODE ENFORCEMENT BOARD (CEB) LIEN NO. 09-06-03 (Vannthat Chea, 7440 34th Street)**

NOTE: At the Code Enforcement Board meeting on March 19, 2009, the City's contracted debt collection agency, Professional Adjustment Corp. (PAC), advised they had negotiated and agreed upon a settlement offer in the amount of \$5,000.00 for CEB Lien No. 09-06-03, against Vannthat Chea and the property located at 7440 34th Street. The City's total estimated cost in handling this case is \$3,091.93. The Code Enforcement Board recommended that the \$5,000.00 negotiated settlement offer be approved.

ACTION: (Approve-Deny) The negotiated settlement offer of \$5,000.00 for CEB Lien No. 09-06-03, against Vannthat Chea and the property located at 7440 34th Street.

(reference material — 4.10.09 memo from Neighborhood Services Administrator; 3.30.09 recommendation letter from Code Enforcement Board Chairman; 3.19.09 Code Enforcement Board Minutes; 3.03.09 letter from Professional Adjustment Corp.; 1.14.09 application & letter from Vannthat Chea; History of Events)

◆ **LIBRARY AND RECREATION**

- R4** **RECEIPT OF RESIGNATION FROM RECREATION BOARD — Michael C. Lohden**

NOTE: Michael C. Lohden resigned from the Recreation Board effective March 30, 2009. Mr. Lohden has been an active member of the Board since December 2007, and his participation and dedication will be missed.

ACTION: (Accept-Deny) The resignation of Michael Lohden as a member of the Recreation Board with regret.

(reference material — none)

- 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).

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.

