

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
MAY 14, 2009**

**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 April 23, 2009.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 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)

PUBLIC HEARING, SECOND AND FINAL READING

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.

(reference material — ordinance, petition, map, Attorney approval letter, *C3 on 4/23/2009 Council agenda*)

P2 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)

PUBLIC HEARING, SECOND AND FINAL READING

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- P2** 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, *C5 on 4/23/2009 Council agenda*)

- P3** **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)**

PUBLIC HEARING, SECOND AND FINAL READING

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, *C7 on 4/23/2009 Council agenda*)

- P4** **RESOLUTION NO. 09-16. A RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY, 80TH AVENUE NORTH, GENERALLY LOCATED WEST OF 49TH STREET. (V 2009-3 City of Pinellas Park)**

**PUBLIC HEARING, FIRST AND FINAL READING
(QUASI-JUDICIAL)**

NOTE: The City of Pinellas Park is requesting the vacation of the south 30 feet of an approximately 60-foot-wide by 285.8-foot-long portion of right-of-way, 80th Avenue North, generally located west of 49th Street North. The right-of-way currently separates a City-owned parcel and a commercially zoned property. The right-of-way for 80th Avenue has been previously vacated east of 49th Street and its remnant has been used for drainage, Channel 1B-5, to the west, extending in its historical alignment to 52nd Street through City-owned property. By vacating the unimproved right-of-way, the vacation will extend City-owned property by approximately 0.20 acres. The north 30 feet is utilized by the property to the north; therefore, that portion is not being requested for vacation. Verizon has no objection provided a utility easement is retained. The Pinellas Park Water Management District has no objection provided a drainage easement is retained. Progress Energy Transmission Department has facilities in the right-of-way; nonetheless, they have no objection provided a Progress Energy restricted 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

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P4 of April 2, 2009, 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 entire right-of-way. 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 April 2, 2009, application, aerial)

V. CONSENT AGENDA

◆ PUBLIC WORKS

C1 AUTHORIZATION TO PURCHASE UNDER FLORIDA SHERIFF'S ASSOCIATION, FLORIDA ASSOCIATION OF COUNTIES AND FLORIDA FIRE CHIEF'S ASSOCIATION, CONTRACT 08-16-0908-QE065-QE510 - One 2009 Ford Ranger Pick-Up Truck - For Fire Department

NOTE: This 2009 Ford Ranger pick-up truck is a replacement for asset 11222. This new vehicle will be used daily by the Fire Inspectors in performing routine duties throughout the City. The amount budgeted in account 501-221-5-661-09 for this expenditure is \$17,775 and can be found on page 383 of the 08/09 budget book.

ACTION: (Approve - Deny) Authorization to purchase under Florida Sheriff's Association, Florida Association of Counties and Florida Fire Chief's Association, Contract 08-16-0908-QE065-QE510 One 2009 Ford Ranger pick-up truck for the Fire Department from Duval Ford, Jacksonville, Florida, at a total cost of \$14,978 to be charged to the appropriate account.

(reference material — 4-09-09 quotation Duval Ford, capital expenditure request form)

C2 AWARD OF BID 05/005 – UNDERGROUND FUEL TANK REMOVAL AND INSTALLATION – Adams Tank and Lift Inc., Clearwater, FL

NOTE: Bids were legally advertised and bid invitations were mailed to 25 prospective bidders. Six (6) bids were received with Adams Tank & Lift, Inc., (4567 131st Ave., N, Clearwater, FL 33762), being the low bidder with a bid submittal of \$445,136.00. The amount budgeted for this expenditure is \$340,000 and can be found on page 373 of the 08/09 budget and page 401 of the 07/08 budget book. Additional funding is being proposed for the 09/10 budget to provide for construction of this project. This project will be charged to account 301-175-5-758-45. The Florida Department of Environmental Protection has

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- C2** mandated that all Underground Storage Tank Systems must be upgraded with secondary containment by December 31, 2009.

ACTION: (Approve – Deny) Authorization to award Bid 05/005 for the Underground Fuel Tank Removal and Installation to Adams Tank & Lift, Inc., Clearwater, FL, in the amount of \$445,136.00 to be charged to the appropriate account.

(reference material — bidder’s list, bid book available for review)

- C3** **CHANGE ORDER NO. 1 AND FINAL PAYMENT ON CONTRACT 06/002 FOR ROAD CONSTRUCTION OF THREE LEFT TURN BAYS — MTM Contractors, Inc., Pinellas Park, FL**

NOTE: Change Order No. 1 is recommended for approval so that the final payment can be processed and the contract closed out. The amount budgeted for this project is \$650,880.93. The total adjusted contract amount is \$580,394.63, which is \$70,486.30 under the budgeted amount. The decrease in the contract amount represents a decrease of the original contract amount by 10.82%. The final payment for the left turn bay at 49th Street and 110th Avenue is \$23,634.82 and should be charged to 301-481-5-780-39. The final payment for the left turn bay at 66th Street and 118th Avenue is \$19,512.20 and should be charged to account 301-481-5-780-47, and the final payment for the left turn bay at 66th Street and 82nd Avenue is \$17,987.14 and should be charged to account 301-481-5-780-58, for a total final payment of \$61,134.16.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1, Contract 06/002, Road Construction of Three Left Turn Bays, a decrease in the contract amount of \$70,486.30 for a total adjusted contract amount of \$580,394.63, and authorization for final payment of \$61,134.16 to MTM Contractors, Inc., Pinellas Park, FL, to be charged to the appropriate accounts.

(reference material — final invoice, Change Order No. 1)

- C4** **AUTHORIZATION FOR FINAL PAYMENT ON PURCHASE UNDER CITY OF TAMPA BID NO. 71072908 CONTRACT FOR HOT IN PLACE ASPHALTIC CONCRETE RECYCLING - from H.I.P Paving, LLC, Safety Harbor, FL**

NOTE: This action is recommended so that final payment can be processed and the contract completed. The Hot In Place Asphaltic Concrete Recycling was purchased under the City of Tampa Bid No. 71072908 and the total amount of this contract is \$167,437.00. The final payment amount of \$16,743.70 is to be charged to account 301-481-5-714-06.

ACTION: (Approve-Deny) Authorization to make the final payment for Hot In Place Asphaltic Concrete Recycling services, City of Tampa Bid No. 71072908,

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- C4** to Hot In Place Asphaltic Concrete Recycling, Safety Harbor, Florida, in the amount of \$16,743.70 to be charged to the appropriate account.

(reference material — final invoice)

- C5** **CHANGE ORDER NO. 1 FOR RENEWAL CONTRACT NO. 2, PROJECT 07/010 – ANNUAL CITY WIDE SANITARY AND STORM SEWERS CLEANING / TELEVISIONING AND RELINING PROJECT — Insituform Technologies, Inc.**

NOTE: Change Order No. 1 is recommended for the Annual City Wide Sanitary and Storm Sewers Cleaning / Televising and Relining Project 07/010. This change of \$275,540 represents an increase in the original contract amount of 35.6%, bringing the total adjusted contract amount to \$1,050,000. The increase is comprised of two parts: an increase of \$130,540 for storm sewers, and an increase of \$145,000 for sanitary sewers. This Change Order will allow for additional sanitary sewer and drainage pipe relining and will bring the amount up to the budgeted amount. The account to be charged for the storm sewers is 301-382-5-761-65 and can be found on page 376 of the 08/09 Budget Book. The account to be charged for the sanitary sewers is 301-381-5-755-89, and can be found on page 377 of the 08/09 Budget Book.

ACTION: (Approve - Deny) Authorization for approval and acceptance of Change Order No. 1 for Renewal Contract No. 2 for the Annual City Wide Sanitary and Storm Sewers Cleaning / Televising and Relining Project 07/010, for an increase in the adjusted contract amount of \$275,540, for a total adjusted contract amount of \$1,050,000, to be charged to the appropriate accounts.

(reference material — change order)

◆ **COMMUNITY DEVELOPMENT**

- C6** **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.

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- C6** 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)

- C7** **AUTHORIZATION FOR THE MAYOR TO SIGN A CONTRACT FOR SALE OF REAL PROPERTY WITH HABITAT FOR HUMANITY OF PINELLAS COUNTY, INC.** -- For City-owned property located at 8805 58th Lane North

NOTE: City staff has inquired of all Divisions and found that none has any municipal use for this recently acquired property through foreclosure action. An appraisal was performed by C. Sattler and Associates, Inc. which indicated the value of the property to be Sixty-Nine Thousand Dollars (\$69,000.). Subsequent to the appraisal being done, Habitat for Humanity of Pinellas County, Inc. has submitted a written cash offer on the property for Forty-Seven Thousand Five Hundred Dollars (\$47,500.) in its “As-Is” condition with no contingencies. They will rehabilitate the structure and make it available to a family as soon as the repairs and upgrades are complete.

ACTION: (Approve - Deny) Authorization for Mayor to sign a Contract For Sale Of Real Property for a City-owned parcel located at 8805 58th Lane North.

(reference material — Contract, attorney approval letter)

- C8** **AUTHORIZATION FOR MAYOR TO SIGN A DISTRIBUTION EASEMENT WITH FLORIDA POWER CORPORATION DOING BUSINESS AS PROGRESS ENERGY FLORIDA, INC.** – On City-owned property located in recently vacated 80th Avenue right-of-way west of 49th Street

NOTE: Progress Energy has provided the City with a Letter of No Objection for the vacation of this portion of 80th Avenue right-of-way; providing this Distribution Easement was a condition of that Letter of No Objection.

ACTION: (Approve - Deny) Authorization for Mayor to sign a Distribution Easement with Florida Power Corporation doing business as Progress Energy Florida, Inc on City-owned property located in recently vacated 80th Avenue right-of-way west of 49th St.

(reference material — Distribution Easement, attorney letter)

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◆ **OMB**

- C9 ORDINANCE NO. 3682. AMENDING ORDINANCE 3641 ADOPTING THE BUDGET FOR FISCAL YEAR 2008/2009.**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: Basically this budget amendment performs some minor maintenance on the non CIP portion of the budget. For the CIP budget, some projects have been deferred to FY 2009/2010 along with, again, some minor maintenance. Overall the City's budget for this year will decrease by \$3.2 million that will result in a total budget of \$114.8 million.

(reference material — ordinance, & budget amendment schedule)

◆ **FINANCE**

- C10 RESOLUTION NO. 09-17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO POLICIES AND PROCEDURES FOR THE SELECTION AND EVALUATION OF PROFESSIONAL SERVICES PURSUANT TO SECTION 287.055, FLORIDA STATUTES; AMENDING AND REVISING THE CITY'S PROCEDURES; REPEALING RESOLUTIONS NO. 78-58 AND 91-31 IN THEIR ENTIRETIES; PROVIDING AN EFFECTIVE DATE.**

FIRST AND FINAL READING

NOTE: The purpose of this Resolution is to set forth procedures for the review and selection of qualified consultants to provide engineering, architectural, landscape architectural or surveying and mapping services to the City of Pinellas Park. Nothing herein shall be construed to be in conflict with the provisions of Section 287.055, Florida Statutes; rather, this Resolution shall be for the purpose of clearly setting forth selection procedures required by Section 287.055 Consultants' Competitive Negotiation Act.

(reference material — resolution)

VI. REGULAR AGENDA

◆ **CITY CLERK**

- R1 ORDINANCE NO. 3683. AN ORDINANCE AMENDING ORDINANCE NO. 3673, BY AMENDING THE CITY'S ADMINISTRATIVE FEE SCHEDULE; AS LISTED ON PAGE 14, OF EXHIBIT "A".**

FIRST READING PRIOR TO PUBLIC HEARING

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- R1** NOTE: The City has a current Administrative Fee Schedule which provides for fees for services rendered by the City. This Ordinance has been prepared to amend the fees of Program Fees for Youth Recreation Programs as listed on Page 14 of Exhibit "A".

(reference material — Ordinance)

◆ **LIBRARY AND RECREATION**

R2 **REAPPOINTMENT TO LIBRARY BOARD — Katherine Egolf**

NOTE: Katherine Egolf's term as a Library Board member will expire June 30, 2009. She has expressed an interest in continuing to serve on the Board for another three year term. Ms. Egolf has been a member for fifteen years and maintains a good attendance record. The Library Board recommends her reappointment with a term to expire June 30, 2012.

ACTION: (Accept-Deny) Reappointment of Katherine Egolf with a term to expire June 30, 2012.

(reference material — none)

R3 **REAPPOINTMENT TO LIBRARY BOARD (TEEN MEMBER) — Corey Panabaker**

NOTE: The term of Corey Panabaker as a Teen member of the Library Board will expire May 31, 2009. She has expressed an interest in continuing to serve on the Board for another one-year term. Ms. Panabaker has maintained a good attendance record during the past year and the Library Board recommends her reappointment with a term to expire May 31, 2010.

ACTION: (Approve – Deny) The reappointment of Corey Panaker as a Teen Board member to serve for a one-year term beginning June 1, 2009 and expiring on May 31, 2010.

(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

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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.

June 2009

It is one of the most beautiful compensations of life that no man can sincerely try to help another without helping himself.

Ralph Waldo Emerson (1803-1882)



Sunday Monday Tuesday Wednesday Thursday Friday Saturday

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7 Pentecost Trinity Sunday	8	9 7:30 PM City Council Workshop	10	11 7:00 PM Agenda Session *7:30 PM City Council Meeting	12	13																																																																																											
14 Flag Day	15	16	17	18 *6:00 PM "Meet Your Mayor & Council"	19	20																																																																																											
21 Father's Day Summer Begins	22	23 7:30 PM City Council Workshop	24	25 7:00 PM Agenda Session *7:30 PM City Council Meeting	26	27																																																																																											
28 AfterSchool PlayCamp Registration Begins	29	30			<p>MAY 2009</p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td></td><td>1</td><td>2</td><td></td></tr> <tr><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr> <tr><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr> <tr><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td></tr> <tr><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td></tr> <tr><td>31</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table>	S	M	T	W	T	F	S					1	2		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31							<p>JULY 2009</p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td></tr> </table>	S	M	T	W	T	F	S				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
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