

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
MAY 28, 2009**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

**PROCLAMATIONS**

**RETIREMENT AWARD — Danny Glidden, Fire**

**SPECIAL PRESENTATION — DO THE RIGHT THING**

**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 May 14, 2009.

**IV. PUBLIC HEARINGS**

**◆ OMB**

**P1 ORDINANCE NO. 3682. AMENDING ORDINANCE 3641 ADOPTING THE BUDGET FOR FISCAL YEAR 2008/2009.**

**PUBLIC HEARING, SECOND AND FINAL READING**

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, C9 on 5/14/2009 Council agenda)

**CITY COUNCIL AGENDA**

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◆ **CITY CLERK**

- P2 **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".**

**PUBLIC HEARING, SECOND AND FINAL READING**

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, *RI on 5/14/2009 Council agenda*)

V. **CONSENT AGENDA**

◆ **POLICE**

- C1 **ORDINANCE NO. 3685. AN ORDINANCE AMENDING CHAPTER 9 (TRAFFIC) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY CREATING A NEW SEC. 9-113 "GOLF CARTS ON CITY ROADWAYS"; ALLOWING FOR GOLF CART TRAVEL ON DESIGNATED MUNICIPAL ROADWAYS; PROVIDING FOR REGULATION OF THE USE OF GOLF CARTS ON DESIGNATED MUNICIPAL ROADWAYS; PROVIDING FOR EQUIPMENT REQUIREMENTS; PROVIDING FOR INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: Chapter 9 (Traffic) of the Code of Ordinances is being amended by permitting golf cart travel within proposed designated roadways which are subject to the jurisdiction of the City and not a County, State or Federal roadway; as depicted on the map on file in the City Clerk's Office.

(reference material — city attorney approval letter, amended ordinance)

◆ **PUBLIC WORKS**

- C2 **FINAL PAYMENT AND TERMINATION OF CONTRACT 06/015, MEDIAN AND GROUNDS MAINTENANCE PROGRAM – J & R Lawn Service, Inc.**

**CITY COUNCIL AGENDA**

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- C2** NOTE: This action is recommended so that final payment can be processed and the contract terminated. The final payment due on the contract is \$1,262.76. The accounts to be charged will be 001-731-5-516-55 in the amount of \$628.48 and 001-731-5-413-00 in the amount of \$634.28.

ACTION: (Approve - Deny) Authorization to make the final payment for median and grounds maintenance to J & R Lawn Service, Inc. of Seminole, Fl, in the amount of \$1,262.76 to be charged to the appropriate accounts.

(reference material — final invoice, attorney letter dated 5/6/2009, public works administrator letter dated 5/6/2009)

◆ **COMMUNITY DEVELOPMENT**

- C3** **ORDINANCE NO. 3684. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6076 108<sup>TH</sup> AVENUE NORTH (J. Michael Joslin – AX09-12)**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property and 1.74 acres MOL of right-of-way property. The Owner's double-wide mobile home is located on this site in the Greentree Manor Subdivision.

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

- C4** **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY J. MICHAEL JOSLIN - (AX09-12) — Annexation of 0.14 acres MOL located at 6076 108<sup>th</sup> Avenue North**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6076 108<sup>th</sup> Avenue North in the Greentree Manor Subdivision.

J. Michael Joslin 6076 108 <sup>th</sup> Avenue North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$540.28	\$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 J. Michael Joslin and located at 6076 108<sup>th</sup> Avenue North.

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

- C5 **RESOLUTION NO. 09-18. AUTHORIZING THE CITY MANAGER TO APPLY AND CONTRACT FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 – STATE SOLICITATION WITH THE OFFICE OF CRIMINAL JUSTICE GRANTS, FLORIDA DEPARTMENT OF LAW ENFORCEMENT; PROVIDING FOR COMPLIANCE WITH THE JUSTICE ASSISTANCE GRANT PROGRAM AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; AND PROVIDING FOR AN EFFECTIVE DATE.**

**FIRST AND FINAL READING**

NOTE: The City is eligible to make application to the Florida Department of Law Enforcement (FDLE) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program – American Recovery and Reinvestment Act of 2009 (ARRA) – State Solicitation through the Pinellas County Department of Justice & Consumer Services for qualified law enforcement program purposes. The Pinellas Park Police Department proposes to purchase non-lethal tasers to replace and upgrade its inventory of 110 older-model tasers for which manufacturer service and support is scheduled to end within the next year. This grant application requests \$105,370.00 from the Justice Assistance Grant program. There is no local match requirement for this grant. The resolution authorizes the City Manager or his designee to execute documents necessary for the application, award and reporting required for the grant, should the grant be awarded.

(reference material — resolution, authorization letter, grant application, FDLE announcement letter, Pinellas County solicitation, program announcement, ARRA requirements, attorney approval letter)

**VI. REGULAR AGENDA**

◆ **COMMUNITY DEVELOPMENT**

- R1 **CONSIDERATION OF A REQUEST FOR A WAIVER TO THE REQUIREMENT THAT “ALL OF THE PROPERTY ON THE SAME BLOCKFACE WHERE THE PROPOSED ESTABLISHMENT IS TO BE LOCATED, AS WELL AS THE BLOCKFACE ON THE OPPOSITE SIDE OF THE COLLECTOR STREET WHERE THE PROPOSED ESTABLISHMENT IS TO BE LOCATED, SHALL BE ZONED “ROR”, “CN”, “GO”, “B-1”, “CH”, “M-1”, “IH”, “MXD”, “MXD-1”, “MXD-2”, OR “TC” FOR A PARCEL OF LAND GENERALLY LOCATED AT 10196 66<sup>TH</sup> STREET NORTH. (MS 2009-34 LGR Commercial Properties LLC/Margarita Kellen and Angie Butler)**

(QUASI-JUDICIAL)

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- R1** NOTE: The applicant is requesting a waiver to the requirement that zoning on the properties on the same and opposite blockface where the proposed establishment is to be located must be “ROR”, “CN”, “GO”, “B-1”, “CH”, “M-1”, “IH”, “MXD”, “MXD-1”, “MXD-2”, or “TC”, for a parcel of land in the “CPUD” Commercial Planned Unit District with an underlying “B-1” General Commercial District.

The “blockface rule” was established to separate residentially zoned districts from commercially zoned districts that would have the potential to obtain alcoholic beverage licenses. In order to satisfy the “blockface rule”, the properties located on the same and opposite blockfaces would need to be zoned “ROR”, “CN”, “GO”, “B-1”, “CH”, “M-1”, “IH”, “MXD”, “MXD-1”, “MXD-2”, or “TC”.

It does not appear that the character of the immediately surrounding development would be adversely affected by allowing the applicant to obtain an alcoholic beverage license for the sale of beer and wine for off-site consumption (2 APS) nor would it adversely impact the public interest or adjacent properties. Surrounding properties are: to the north and functionally abutting, Litho Tec Printing and Bank of America; to the south and abutting the Master Drainage Pond, single family dwellings; to the east and functionally abutting, CVS, McDonald’s, Astro Skate; and to the west and abutting, Oceanside Senior Apartments. Subject to any matters that may be discussed at this 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.

**ACTION:** (Approve – Deny) A waiver to the blockface rule that properties on the same and opposite blockface where the proposed establishment is to be located be zoned “ROR”, “CN”, “GO”, “B-1”, “CH”, “M-1”, “IH”, “MXD”, “MXD-1”, “MXD-2”, or “TC” for a parcel of land generally located at 10196 66<sup>th</sup> Street North.

(reference material — staff report, application, aerial, site plan)

- R2** **AUTHORIZATION FOR THE MAYOR TO SIGN AN ADDENDUM TO AN ANNEXATION AGREEMENT DATED FEBRUARY 9, 2006 BETWEEN THE CITY OF PINELLAS PARK AND MS. LORI JACKSON — For property located at 7061 68<sup>th</sup> Street North - AX06-16**

NOTE: At the time the Property was annexed, Ms. Jackson requested and received a waiver of City land development fees in the amount of \$1,200.00 for a period of 24 months from the date of her annexation into the City. Due to the downturn in the economy, Ms. Jackson was unable to develop her property within that 24 month time frame. This addendum serves as a request for an extension of that original time frame from 24 months to September 30, 2009.

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- R2** ACTION: (Approve – Deny) Authorization for the Mayor to sign an addendum to the annexation agreement dated February 9, 2006 between The City of Pinellas Park and Ms. Lori Jackson for her property located at 7061 68<sup>th</sup> Street North.

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

- R3** **CONSIDERATION OF THE 2008 ANNUAL REPORT FOR THE GATEWAY CENTRE DEVELOPMENT OF REGIONAL IMPACT (MS 2009-12 – TARPON RIDGE, INC.)**

NOTE: The developer of Gateway Centre DRI, Tarpon Ridge, Inc. (Grady Pridgen) has filed the 2008 Annual Report. Tampa Bay Regional Planning Council has issued their Annual Report Summary finding the DRI to be in compliance with the development order.

ACTION: (Accept-Reject) the Gateway Development of Regional Impact 2008 Annual Report with a finding that the project is in compliance with the DRI Development Order.

(reference material — 2008 annual report, staff memo, application, map)

◆ **FINANCE**

- R4** **RESOLUTION NO. 09-19. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, APPROVING A REQUEST FROM WASTE MANAGEMENT, INC. OF FLORIDA, FOR A RESIDENTIAL COLLECTION SCHEDULE CHANGE; PROVIDING AN EFFECTIVE DATE.**

**FIRST AND FINAL READING**

NOTE: In a letter dated April 7, 2009, Waste Management, Inc. of Florida has requested a residential collection schedule change to Section 2, Frequency of Collection, in the Solid Waste Collection and Recycling contract with the City. Currently they provide residential collection six (6) days a week in the City and they are proposing to collect all solid waste and recycling on two (2) collection days (Wednesday and Saturday). Since Waste Management is an integral part of the proposed WMIF Countywide residential route collection changes, they feel they can be more efficient and effective for all of its customers if they are working in one centralized area per day. Waste Management also feels that with their residential collection trucks, drivers, helpers and supervisors working in close proximity will help the City experience faster response times for any issues that arise.

(reference material — resolution)

**R5     RECEIPT OF THE 2007-2008 FINANCIAL AUDIT – Cherry, Bekaert and Holland, St. Petersburg**

NOTE: Representatives from the City's independent auditors, Cherry, Bekaert and Holland, will present the 2007-2008 Auditor's Report. The Finance Administrator will present a brief summary of the City's fiscal year 2007-2008 Financial Statements.

ACTION: (Accept-Refuse) The 2007-2008 Financial Statement and Auditor's Report as presented by Cherry, Bekaert and Holland.

(reference material — 2007-2008 Financial Statements which included the Auditor's Report; Client Advisory Comments, SAS 61 Letter, Single Audit which includes internal control comments.)

**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.**

# May 2009

How wonderful it is that nobody need wait a single moment before starting to improve the world.



Anne Frank (1929-1945)

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

APRIL 2009							JUNE 2009																									
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Whit Sunday (Pentecost)

Memorial Day (obsvd)  
City Offices & Library Closed

7:30 PM City Council Workshop

Ascension (Orthodox)  
7:00 PM Agenda Session  
\*7:30 PM City Council Meeting

Shavuot Begins

Shavuot Ends

7:30 PM City Council Workshop

Pancake Breakfast Senior Center - 9 AM  
7625 59th St.

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

Ascension Day

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

Mother's Day

# 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

	1	2	3	4	5	6 <small>Kiwanis Club of Pinellas Park Fishing Derby</small>																																																																																												
7  <small>Pentecost Trinity Sunday</small>	8	9  <small>7:30 PM City Council Workshop</small>	10	11  <small>7:00 PM Agenda Session *7:30 PM City Council Meeting</small>	12	13																																																																																												
14  <small>Flag Day</small>	15	16	17	18  <small>*6:00 PM "Meet Your Mayor &amp; Council"</small>	19	20																																																																																												
21  <small>Father's Day Summer Begins</small>	22	23  <small>7:30 PM City Council Workshop</small>	24	25  <small>7:00 PM Agenda Session *7:30 PM City Council Meeting</small>	26	27																																																																																												
28  <small>AfterSchool PlayCamp Registration Begins</small>	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></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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