CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
AUGUST 27, 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 August 11, 2009.

IV. PUBLIC HEARINGS

◆ NEIGHBORHOOD SERVICES

P1 ORDINANCE NO. 3694. AMENDING CHAPTER 12 (HEALTH AND SANITATION), ARTICLE I – PROHIBITED CONDITIONS

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: Chapter 12 (Health and Sanitation), Article I – Prohibited Conditions, Section 12-109 "Maintenance of structures, infrastructure and improvements", is being amended by creating a new subsection. Subsection (C) will require that all infrastructure and improvements, public or private, shall be maintained, kept structurally sound and bear no evidence of excessive deterioration or of obstruction; including but not limited to: water lines, sanitary sewer lines, stormwater drainage, retention ponds, detention ponds, ditches, swales, driveways, driveway aprons, roads, alleys or other legal access. Subsection (C) will also presume that a public nuisance exists when one (1) or more of the aforesaid conditions exist.

(reference material — ordinance, attorney approval letter, *C4 on 8/11/2009 Council agenda*)

V. CONSENT AGENDA

◆ FIRE

C1 AUTHORIZATION FOR MAYOR TO SIGN A CONTRACT WITH PINELLAS COUNTY - Fire Department

NOTE: This authorizes the Mayor to sign an Extension of the Fire Protection Services Agreements for a one (1) year period. The current contract authorizes the City of Pinellas Park to provide Fire Protection Services to the Highpoint area and the Pinellas Park Fire District.

ACTION: (Approve – Deny) Authorization for the Mayor to sign a one year Extension of Fire Protection Services Agreements for the Highpoint area and the Pinellas Park Fire District.

(reference material — Extension of Fire Protection Services Agreements, 8/6/09 letter from City Attorney)

◆ POLICE

C2 AUTHORIZATION FOR THE MAYOR, CITY MANAGER AND POLICE CHIEF TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE FY 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

NOTE: The City is eligible to apply for funding under FY 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Local Government Solicitation through a joint application with the Pinellas County Board of County Commissioners and other local governments within the County. The US Department of Justice is requiring a joint application from all eligible entities within the County. This grant will be administered by the Pinellas County Sheriff's Office on behalf of law enforcement agencies throughout the County. The funds are to be used for qualifying law enforcement programs and equipment purchases. This joint grant application requests $23,342 for use by the Pinellas Park Police Department for the purchase of six in-car video cameras for its Patrol Section. Any additional matching funds required to purchase the cameras would be funded from the Police Department's Confiscated Property Fund. This authorizes the Mayor, City Manager and Police Chief to execute the Memorandum of Understanding for this joint grant application.

(reference material — Memorandum of Understanding, Risk Management approval, Attorney approval letter)

◆ COMMUNITY DEVELOPMENT

C3 <u>APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY SUSAN J. FERRIS AND DEIDRE L. GURNEY</u> (AX09-17) — Annexation of 0.18 acres MOL located at 12493 69th Street North

NOTE: This is a voluntary annexation of 0.18 acres MOL of contiguous residential property located at 12493 69th Street North in the Pinebrook Estates Subdivision.

Susan J. Ferris and Deidre L. Gurney 12493 69th Street North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	$1,092.64	$0.00	$0.00
This is an annexation by petition only. There are no "Special Provisions".			

ACTION: (Approve - Deny) The voluntary annexation of 0.18 acres MOL of property owned by Susan J. Ferris and Deidre L. Gurney and located at 12493 69th Street North.

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

C4 <u>ORDINANCE NO. 3696</u>. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 12493 69TH STREET NORTH (Susan J. Ferris and Deidre L. Gurney – AX09-17)

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.18 acres MOL of contiguous residential property. The Owners' single family home is located on this site in the Pinebrook Estates Subdivision.

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

C5 <u>RESOLUTION NO. 09-26.</u> APPROVING PARTICIPATION IN THE FLORIDA CITY COUNTY MANAGEMENT ASSOCIATION DISASTER RECOVERY TEAM, AUTHORIZING THE CITY MANAGER TO IMPLEMENT NECESSARY ACTIONS.

FIRST AND FINAL READING

NOTE: This resolution authorizes the City to participate in the Florida City County Management Association Disaster Recovery Plan through participation in

C5 the provision of equipment, vehicles and/or personnel, if available, at the time of request as coordinated at the Regional level.

(reference material — resolution, attorney approval letter)

VI. REGULAR AGENDA

◆ COMMUNITY DEVELOPMENT

R1 **APPOINTMENT TO PLANNING & ZONING COMMISSION — One Regular Member**

NOTE: A vacancy on the Planning & Zoning Commission was created by the resignation of Mr. Ralph Marlow in June 2009. Mr. Marlow has been with the Commission since July 2004. His term expires in July 2010. Five applicants were interviewed: Mr. Gary Henkel, Mr. Scott Birbeck, Mr. Dean Braden, Mr. Louis Bommattei and Mr. Jon West. The members of the Board selected Mr. Louis Bommattei.

Attached are the applications of Mr. Gary Henkel, Mr. Scott Birbeck, Mr. Dean Braden, Mr. Louis Bommattei and Mr. Jon West.

ACTION: (Approve - Deny) Appointment of Mr. Louis Bommattei to serve on the Planning & Zoning Commission to fill the unexpired term of Mr. Ralph Marlow with term to expire July 2010.

(reference material — applications, excerpts of Planning & Zoning minutes of 8/06/2009)

R2 **AUTHORIZATION FOR THE CITY MANAGER TO SIGN A GROUND LEASE AGREEMENT, A SUBLEASE OF IMPROVEMENTS AND AN OPTION TO PARTIALLY RELEASE OR TERMINATE GROUND LEASE 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 decent housing for low income and very low income elderly under HUD'S section 202 Program by providing access to housing for such persons at affordable prices through the long term leasing of land under the housing.

R2 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 apartments by the Lessees, the Lessees shall construct, at the Lessees' expense, a new Senior Citizens Center/Annex on property adjacent to the property being leased by the Lessor to the Lessees in a minimum gross building size of 4,368 square feet. Upon issuance of a Certificate of Occupancy by the City for the Senior Citizens Center/Annex, the City will execute a Sublease of Improvements for the Senior Citizens Center/Annex for the same 80 year term as the lease with St. Giles Manor II, Inc. and the St. Giles Episcopal Church, Inc.

Once the HUD Instruments of Security no longer secure the Senior Citizens Center/Annex, the City will execute an Option to Partially Release or Terminate Ground Lease as to the Senior Citizens Center/Annex parcel with St. Giles Manor II, Inc. and St. Giles Episcopal Church, Inc.

ACTION: (Approve - Deny) Authorization for the City Manager to sign a Ground Lease Agreement, a Sublease of Improvements and an Option to Partially Release or Terminate Ground Lease between the City and St. Giles Manor II, Inc. and St. Giles Episcopal Church, Inc.

(reference material — ground lease, sublease of improvements, option to partially release or terminate ground lease; ***back-up to follow***)

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.

August 2009

In matters of style, swim with the current. In matters of principal, stand like a rock.

Thomas Jefferson (1743-1826)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
JULY 2009 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	SEPTEMBER 2009 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					1
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9	10	11 7:00 PM Agenda Session *7:30 PM City Council Meeting	12	13 FL League of Cities State Conference	14 FL League of Cities State Conference	15 FL League of Cities State Conference
16	17	18	19	20 *6:00 PM “Meet Your Mayor & Council”	21	22 Ramadan Begins
23 30	24 31	25 7:30 PM City Council Workshop	26 NFL Punt, Pass & Kick Registration/Competition Wednesdays	27 7:00 PM Agenda Session *7:30 PM City Council Meeting	28	29

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

September 2009

Ask not what your country can do for you;
ask what you can do for your country.

John F. Kennedy (1917-1963)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 Brush Site Closed Labor Day City Offices & Library Closed	8 7:30 PM City Council Workshop	9 Pancake Breakfast Senior Center - 9 AM 7625 59th St.	10 7:00 PM Agenda Session *7:30 PM City Council Meeting	11 Patriot Day	12
13 Grandparent's Day	14	15	16	17 *6:00 PM "Meet Your Mayor & Council"	18	19 Rosh Hashanah Begins Pride In The Park Fall Clean-Up (727) 541-0711
20 Ramadan Ends Rosh Hashanah Ends Pride In The Park Fall Clean-Up (727) 541-0711	21 Eid-Al-Fitr	22 Autumn Begins 7:30 PM City Council Workshop	23	24 7:00 PM Agenda Session *7:30 PM City Council Meeting	25	26
27	28 Yom Kippur	29	30			

AUGUST 2009

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OCTOBER 2009

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THINGS TO DO

THINGS TO DO

THINGS TO DO

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