

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
SEPTEMBER 11, 2008**

**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 28, 2008.

IV. PUBLIC HEARINGS

◆ OMB

P1 RESOLUTION NO. 08-22. ADOPTING A TENTATIVE MILLAGE RATE FOR FY 08/09.

FIRST READING AND FIRST PUBLIC HEARING

NOTE: This Resolution establishes City millage rate for fiscal year 2008-2009 property taxes, which will be billed by the County Tax Collector in November. The proposed rate is the same millage rate as this fiscal year or 4.5478 per \$1,000 of next taxable value. The proposed millage rate of 4.5478 relative to the roll-back rate of 4.9756 represents an overall tax decrease of 8.60%.

(reference material — resolution)

- P2 **ORDINANCE NO. 3641. AN APPROPRIATIONS AND TAX LEVY ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA, COVERING THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; BEING AN ORDINANCE APPROPRIATING FUNDS REQUIRED FOR THE PURPOSE OF MEETING THE GENERAL OPERATING EXPENSES OF THE CITY FOR SALARIES, WAGES, FEES NECESSARY OR PROPER, DISBURSEMENTS AND OTHER EXPENDITURES NECESSARY OR PROPER FOR THE OPERATION OF THE CITY GOVERNMENT, THE WATER AND SEWERAGE UTILITY SYSTEM AND FOR THE PURPOSE OF MEETING DEBT RETIREMENT REQUIREMENTS AND CAPITAL IMPROVEMENTS DURING SAID FISCAL YEAR.**

FIRST READING AND FIRST PUBLIC HEARING

NOTE: This Ordinance legally appropriates the City budget for the fiscal year October 1, 2008 through September 30, 2009. It reflects the changes as discussed at Council's Budget Workshop.

(reference material — Ordinance)

◆ **COMMUNITY DEVELOPMENT**

- P3 **CONSIDERATION OF A CONDITIONAL USE FOR "HEIGHT-BUILDINGS AND STRUCTURES OVER 50 FEET" AND A PRELIMINARY SITE PLAN APPROVAL FOR A 71-ROOM "HOTEL" IN THE "B-1" GENERAL COMMERCIAL DISTRICT THAT ABUTS A RESIDENTIAL ZONING DISTRICT, FOR A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 11000 U.S. HIGHWAY 19. (CU 2008-22/MS 2008-65 Host Associates, LLC./Jeff Sloman P.E.)**

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant is proposing the development of a 71-room hotel, La Quinta Inn & Suites. The applicant is proposing a building height of 77' 5 1/4", which exceeds the permitted building height of 50 feet in the "B-1" General Commercial District. On January 10, 2008, City Council approved the development of a 71-room hotel on this site, Country Inn and Suites, at 50 feet. However, the redesign for the La Quinta Inn & Suites is to accommodate the tower that contains the LaQuinta emblem, a requirement by the franchise. This resulted in an increase in the building height, which exceeded the 50 feet requirement, a Conditional Use in the "B-1" General Commercial District. Therefore, the applicant is requesting a Conditional Use for "Height-buildings and structures over 50 feet" and a Preliminary Site Plan approval. Surrounding land uses are: to the north and west

**CITY COUNCIL AGENDA
SEPTEMBER 11, 2008
PAGE 3**

- P3** is an existing “RPUD” Residential Planned Unit Development, Plantation Gardens, a four-story condominium complex; to the south, Staples, a commercial use; to the east, across U.S. Highway 19, Pinellas Park Square Shopping Center and Burger King. 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. At its meeting on August 7, 2008, the Planning and Zoning Commission recommended APPROVAL of the above requests subject to one condition.

ACTION: (Approve – Deny) A request for a Conditional Use for “Height-Buildings and structures over 50 feet” and a Preliminary Site Plan Approval for a 71-room “Hotel” in the “B-1” General Commercial District that abuts a residential zoning district for a parcel of land generally located at 11000 US Highway 19, subject to the following condition:

1. All previous conditions of approval, listed in Section II A of this report, shall remain in full force and effect.

(reference material — staff report, excerpts of P&Z minutes of 8/7/08, application, map, site plan)

- P4** **CONSIDERATION OF AN EXPANSION TO A CONDITIONAL USE FOR AN “AUTOMOBILE DEALER-NEW CARS AND USED CARS” IN THE “B-1” GENERAL COMMERCIAL ZONING DISTRICT BY ADDING 0.23 ACRES TO THE SITE FOR THE EXPANSION OF THE VEHICLE DISPLAY AREA WITH VARIANCES TO INCREASE THE MAXIMUM FENCE AND WALL HEIGHT, FOR A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 8501 U.S. HIGHWAY 19. (CU 2008-24/BOA 2008-41 Southerlin Imports, LLC./Roland Dove, P.E.)**

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant proposes the expansion of AutoWay Toyota’s new car dealership to include two vacant parcels and, if approved, the vacated portion of an alley, a companion case to this request (V 2008-6), a total of 0.23 acres MOL of land southeast of the site to be utilized for a vehicle display area. The applicant proposes the construction of a fence and/or wall along the following property lines: an eight-foot-high, solid wall located in the front yard setback along the east property line functionally abutting a mobile home park and abutting single family dwellings along the south property line; and a six-foot-high, chain link fence located in the front yard setback along the west property line functionally abutting an automobile dealer. Therefore, the applicant is requesting variances to increase the maximum height of a fence and wall in the front yard setback and along the

- P4** property lines to eight feet. Surrounding uses are: to the north, Tampa Bay Regional Planning Council, Help a Child and vacant commercial land; to the south, West Coast Car and Truck Sales and a single family dwelling; to the east, Golden Gate Mobile Home Park; to the west of the proposed vehicle display area, West Coast Car and Truck Sales; and to the west of U.S. Highway 19, a vacant commercial building and AutoWay Toyota's temporary storage yard and future site for their new car dealership. 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. At its meeting on August 7, 2008, the Planning and Zoning Commission recommended APPROVAL of the above requests subject to conditions.

ACTION: (Approve – Deny) A request for an expansion to a Conditional Use for an “Automobile Dealer-New Cars and Used Cars” and “Automotive Repair Facility (Major)” in the “B-1” General Commercial Zoning District by adding 0.23 acres to the site for the expansion of the vehicle display area with variances to increase the maximum fence and wall height for a parcel of land generally located at 8501 US Highway 19, subject to the following conditions:

1. The maximum fence height shall not exceed six feet in the west, front yard setback.
2. The maximum wall height shall not exceed eight feet in the east, front yard setback and south property line.
3. The variances are for the six-foot-high, chain link fence and eight-foot-high, solid wall only.
4. All previous conditions of approval, as noted in Section II A of this report, shall remain in full force and effect.

(reference material — staff report, excerpts of P&Z minutes of 8/7/08, application, map, site plan)

- P5** **RESOLUTION NO. 08-24. A RESOLUTION VACATING AN APPROXIMATELY 20-FEET-WIDE BY 52-FEET-LONG PORTION OF AN APPROXIMATELY 20-FEET-WIDE BY 609-FEET-LONG NORTH/SOUTH RIGHT-OF-WAY (AN ALLEY) GENERALLY LOCATED BETWEEN 40TH WAY NORTH AND 40TH STREET NORTH AND SOUTH OF 84TH AVENUE NORTH, SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST. (V 2008-6 Sutherland Imports, LLC and Arthur Pollard of Spring Engineering, Inc.)**

PUBLIC HEARING, FIRST AND FINAL READING

P5 NOTE: The applicant is requesting the vacation of an approximately 20-foot-wide by 52-foot-long portion of an approximately 20-foot-wide by 609-foot-long north/south right-of-way (an alley). The right-of-way and abutting properties are being combined in order to provide additional land area for a proposed expansion to Autoway Toyota's auto sales center and parking/storage area. No City Divisions or private utilities have raised objections to the proposal provided that easements are retained or utilities are relocated at the expense of the applicant. The Planning and Zoning Commission, at their meeting of August 7, 2008, 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 that easements are retained or utilities are relocated at the expense of the applicant.

(reference material — resolution, Attorney approval letter, staff report, excerpts of the P&Z meeting of August 7, 2008, application, map)

P6 **ORDINANCE NO. 3638. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6113 108th AVENUE NORTH (ROY S. HARRIS – AX08-17)**

FIRST READING AND FIRST PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 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)

P7 **ORDINANCE NO. 3639. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 12346 68TH STREET NORTH - (Thornberry and Lovelady AX08-16)**

FIRST READING AND FIRST PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owners' single family rental property is located on the site in the Pinebrook Estates Unit I Subdivision.

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

V. CONSENT AGENDA

◆ COMMUNITY DEVELOPMENT

C1 AUTHORIZATION FOR MAYOR TO SIGN PINELLAS COUNTY
COMMUNITY DEVELOPMENT SPECIFIC PERFORMANCE
AGREEMENT NO. CD08PPK

NOTE: Pinellas County has awarded the City with a Community Development Block Grant (CDBG) of \$150,000 for the installation of sidewalks in the City's Community Redevelopment Area. The estimated total cost of the project is \$200,000 with the City providing a cash match of \$50,000. This project is included in the City's Capital Improvement Program for FY 2008/2009.

ACTION: (Approve – Deny) Authorization for the Mayor to sign the Pinellas County Community Development Specific Performance Agreement No. CD08PPK.

(reference material — Specific Performance Agreement No. CD08PPK, Attorney approval letter)

C2 RESOLUTION NO. 08-26. A RESOLUTION ACCEPTING PINELLAS
COUNTY'S INVITATION TO ADDRESS ISSUES CONCERNING
PLANNING AND ANNEXATION AS PART OF AN INTERLOCAL
SERVICE BOUNDARY AGREEMENT.

FIRST AND FINAL READING

NOTE: In 2007, the Courts overturned the Charter amendment and County Ordinance 00-63, thereby eliminating the annexation planning area boundaries for all municipalities. As a result, Pinellas County has offered to discuss planning service areas and boundaries.

The following issues will be addressed through the process:

1. The process, definition and criteria for voluntary and referendum annexations in replacement or modification of the requirements of Chapter 171, Part I, Fla. Statutes (2007).
2. The establishment of municipal service areas, as defined in Section 171.202(11)(a), Fla. Statutes, within which the City may plan for and annex, as suggested in Exhibit B and conversely, unincorporated service areas as defined in Section 171.202(11)(a), Fla. Statutes, which shall remain unincorporated.

C2

3. Those relevant issues identified and agreed to in the Settlement Agreement between all of the Cities of Pinellas County and Pinellas County, Florida for the Resolution of Issues Related to the Charter Review Committee, dated May 2, 2007.
4. The incorporation and exercise of those joint planning procedures set forth in Section 163.3171, Fla. Statutes (2007), based on boundaries established in paragraph 2 above.
5. The establishment of a term of 10 years for the Interlocal Service Boundary Agreement with a review of such agreement to be performed by the parties after the initial 8 years.

(reference material — proposed City Responding Resolution, County Initiating Resolution, staff report, map, attorney approval letter)

C3 ORDINANCE NO. 3642, AN ORDINANCE AMENDING AN ADOPTED MASTER PLAN CONTROLLING DEVELOPMENT IN AN EXISTING "IPUD" INDUSTRIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 3765 62ND AVENUE NORTH. (PUD 2007-2(R)2/MS 2008-41/BOA 2008-33, JoMar Commerce Park LLC/William Shirley and Tom Radcliffe P.E., Lloveras, Baur & Stevens)

**FIRST READING PRIOR TO PUBLIC HEARING
(PUBLIC HEARING SEPTEMBER 25, 2008 – QUASI JUDICIAL)**

NOTE: The applicant is requesting consideration of the adoption of a revised Master Plan for an existing "IPUD" Industrial Planned Unit Development with underlying "M-1" Light Industrial Zoning on an 8.753 acre (mol) parcel of land generally located at 3765 62nd Avenue. The applicant proposes an outdoor storage area located on the northern portion of Lot Five, for PODS. Views from the north will be shielded by the PODS units that will be stacked along the north property line that will perform the same function as a solid wall. With the addition of an outdoor storage area, the applicant will need to reduce the areas designated for parking. A total of 89 required spaces out of 134 spaces would be eliminated with the outdoor storage use. The applicant has performed a parking calculation based on their use and have determined they will only need 35 parking spaces. This was based on maximum number of employees and customers for their day-to-day operations. In order to provide flexibility, a total of 45 spaces with six additional loading spaces will be kept. Staff has conditioned any approval of this parking variance to run with the current business, not to run with the land. The changes to setbacks for the mechanical equipment are related to conflicts discovered in the field. The condensing units installed on the north side of the building located on Lot Four interfere with dumpster pick-up. The applicant will need to relocate the units to either the west or east side of the building. Depending on final location of

C3 installation, setbacks to property lines will differ; therefore, the applicant is requesting zero setbacks for any elevated mechanical equipment. However, the locations will still meet the Location Design Standards of 25 feet from lot line closest to residential property. 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 land uses are: to the north, Youth Park; to the south, Magnolia Gardens ALF, Highland Park MHP, and vacant residential land; to the east Lake Boisvert, ACT Environmental Solutions, Seal Best Corp., and United Oriental Foods; and to the west, Park Place Center and a workshop/warehouse development. The Planning and Zoning Commission recommended APPROVAL of the request at its meeting of August 7, 2008, subject to the following conditions;

1. All previous conditions of approval shall remain in full force and effect.
2. The requested variance to parking will expire upon the expiration of the current lease between the current lessee and lessor. Said variance may be extended by the lessor by providing the request in writing to the Zoning Division Director at least 30 days prior to the expiration of the lease. . The extension will only be valid for the additional lease term.
3. All elevated mechanical equipment platforms shall have zero setbacks to internal and external property lines and shall have a minimum clearance of 12 feet from grade when placed above City maintained utilities.
4. PODS units will be squarely and neatly stacked along the north property line so as to function as an effective visual screen from the north. No advertising/signage, to include company name or logo, shall be placed on the PODS units northern face.

(reference material — ordinance, Attorney approval, excerpts of P & Z minutes of 8/7/08, staff report, application, map, master site plan)

C4 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY JOHN THORNBERRY AND GREG LOVELADY (AX08-16) — Annexation of 0.14 acres MOL located at 12346 68th Street North.

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located in the Pinebrook Estates Unit I Subdivision.

| | | | |
|--|----------------------------------|------------------------|---------------------|
| John Thornberry and Greg Lovelady 12346 68 th Street North | City Projected Annual Revenue | City Funds Expended | City Fees Waived |
| Year Projected Total | \$960.87 | \$0.00 | \$0.00 |
| There are no special provisions in this Annexation Agreement. | | | |

**CITY COUNCIL AGENDA
 SEPTEMBER 11, 2008
 PAGE 9**

- C4** ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of property owned by John Thornberry and Greg Lovelady and located at 12346 68th Street North.

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

- C5** **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY ROY S. HARRIS (AX08-17) — Annexation of 0.14 acres MOL located at 6113 108th Avenue North.**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6113 108th Avenue North in the Northfield Manor Subdivision.

| Roy S. Harris 6113 108 th Avenue North | City Projected Annual Revenue | City Funds Expended | City Fees Waived |
|---|-------------------------------------|------------------------|---------------------|
| 1-Year Projected Total | \$602.39 | \$0.00 | \$0.00 |
| There are no special provisions in this Annexation Agreement. | | | |

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of property owned by Roy S. Harris and located at 6113 108th Avenue North.

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

◆ **OMB**

- C6** **ORDINANCE NO. 3640. AMENDING ORDINANCE 3573 ADOPTING THE BUDGET FOR FISCAL YEAR 2007/2008.**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: In the General Fund, the ordinance amends this year’s budget for some minor housekeeping items such as fuel, telephone, water, etc. For the Police Confiscated Fund, we have appropriated funds (previously approved by Council) for training costs and audio/visual equipment for their training room. In the Capital Projects fund, several water and sewer projects have been deferred to fiscal year 2008/2009. In addition, funds have been added to the budget for the 114th Avenue Bridge. There have been some minor housekeeping budget adjustments in the Capital Projects Fund as well. In total, the City’s budget for this fiscal year will decrease by approximately \$2.2 million.

reference material — ordinance, & budget amendment schedule)

◆ FINANCE

- C7 **RESOLUTION NO. 08-27. AMENDING RESOLUTION NO. 06-36 RELATING TO THE OPERATION OF THE WATER AND SEWER SYSTEMS; REVISING WATER, SEWER AND RECLAIMED WATER RATES; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS CONFLICTING HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This resolution adopts a 9% rate increase for water, sewer, and reclaimed water. This rate increase includes a 3% pass through from Pinellas County on the wholesale water purchase rate. This rate increase will be effective with all billing issued after October 1, 2008.

(reference material — Resolution, Exhibit I)

◆ POLICE

- C8 **AUTHORIZATION FOR MAYOR TO SIGN PINELLAS COUNTY SHERIFF RENEWAL AGREEMENT FOR CRIME SCENE SERVICES**

This contract revises and replaces the contract previously entered into between the City and Pinellas County Sheriff's Office, dated October 1, 2007. The proposed renewal contract has been reviewed by the City Attorney's office, with a \$39,760.27 increase. The cost for this proposed agreement is \$135,074.00 for one year.

ACTION: (Approve-Deny) Authorization for the Mayor to sign the Crime Scene Services Agreement with Jim Coats, as Sheriff of Pinellas County. This Agreement shall commence October 1, 2008 and will conclude September 30, 2009, for the minimum sum of \$135,074.00 to be charged to account 001-211-5-517-62.

(reference material — City Attorney's letter dated 08/18/2008, Risk Management's email dated 7/11/2008 and agreement)

- C9 **AUTHORIZATION FOR SIMUNITION EQUIPMENT PURCHASE FROM CONFISCATED PROPERTY FUND.**

NOTE: This authorizes the purchase of Sixteen Glock 17T Marking Weapons from Lou's Police and Security Equipment, 4149 Palm Avenue, Hialeah, Florida

**CITY COUNCIL AGENDA
SEPTEMBER 11, 2008
PAGE 11**

- C9** 33012 for \$7,264. Request for Quotations were sent to three prospective vendors. Three quotes were received with Lou's Police and Security Equipment, 4149 Palm Avenue, Hialeah, Florida 33012 and OMB Guns, 11227 Strang Line Road, Lenexa, Kansas 66215 proposing the exact same bid. The Florida based company was selected.

This item also authorizes the purchase of twenty AR-15 Boltonly Conversion Kits, personal protective gear (that includes: head gear, throat collars, protective vests, and groin protectors), and 2,000 rounds of marking ammunition for both the Glock 17T and the carbine rifles. All of the above listed equipment is a product of SNT Technologies Corp/SIMUNITION Division of SNC Technologies Inc. of Gardeur, Quebec, Canada and exclusively distributed under sole source in Florida, Georgia, and South Carolina by SRT Supply, 4450 60th Street North, St. Petersburg, Florida 33714. The cost for the conversation kits, personal protective gear, and marking ammunition is \$12,680.65.

The total cost for this agenda item is \$19,944.65.

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.

ACTION: (APPROVE-DENY) Authorization to purchase Sixteen Glock 17T Marking Weapons from Lou's Police and Security Equipment, 4149 Palm Avenue, Hialeah, Florida 33012 for \$7,264 and twenty AR-15 Boltonly Conversion Kits, personal protective gear, and 2,000 rounds of marking ammunition from SRT Supply, 4450 60th Street North, St. Petersburg, Florida 33714 at a cost of \$12,680.65. The total cost for this item is \$19,944.65 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 Russo dated August 28, 2008 and two emails dated August 29, 2008 from Bill Santhouse).

C10 AUTHORIZATION FOR EQUIPMENT PURCHASE FROM CONFISCATED PROPERTY FUND.

NOTE: The electronic traffic homicide mapping equipment will replace and upgrade existing equipment. This equipment is used to electronically measure and map out traffic homicide scenes and other major case investigations. This equipment will be purchased from VS Visual Statement Inc., 900-175 2nd Avenue, Kamloops, British Columbia, V2C5W1 for \$10,653.18.

**CITY COUNCIL AGENDA
SEPTEMBER 11, 2008
PAGE 12**

- C10** The two portable crime scene body shields are used to screen fatality victims from public view. The portable body shields will be purchased from Lynn Peavey Company, P.O. Box 14100, Lenexa, Kansas, 66285 for \$2,181.

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.

ACTION: (APPROVE-DENY) Authorization to purchase electronic traffic homicide mapping equipment from VS Visual Statement Inc., for \$10,653.18 and two portable body shields from Lynn Peavey Company, Lenexa, Kansas for \$2,181. The total amount for both expenditures is \$12,834.18 to be appropriated from the Confiscated Property Fund Balance to Confiscated Property Fund Operating Account 104-212-5-621-08.

(reference material — Quote from VS Visual Statement, Inc., Quote CSI Mapping, Quote Southern California Collision Consultants, Email from Michael Piacenza dated 8/4/2008, Memorandum from Officer Piacenza to Sergeant Schofield dated July 31, 2008, Quote from Lynn Peavey Company dated 8/21/2008, and Quote from TVI Corporation dated 8/22/08)

◆ **NEIGHBORHOOD SERVICES**

- C11** **RESOLUTION NO. 08-25. LOT MOWING LIENS, PROGRAM #218.**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This Resolution is pursuant to the City of Pinellas Park lot mowing/land clearing program. The properties listed on Exhibit “A” have been cleared by the City after due notice to the owners went unheeded. The owners are being billed for the work done, and this Resolution authorizes the City Clerk to record a lien against the properties whose owners have failed to pay.

(reference material — Resolution, Exhibit “A”, Attorney approval letter)

- C12** **AUTHORIZATION FOR MAYOR TO SIGN AN AMENDMENT TO THE BUSINESS ASSISTANCE PARTNERSHIP AGREEMENT (BAPA) – FY 2008/09 Business Assistance Program**

NOTE: This authorizes the Mayor to sign an Amendment to the Business Assistance Partnership Agreement (BAPA) for one full year, effective October 1, 2008, and terminating September 30, 2009, and provides that the City and County shall each pay to the Pinellas Park/Gateway Chamber of Commerce, Inc., f/k/a Pinellas Park/Mid-County Chamber of Commerce, Inc., the sum of \$17,500

- C12** annually, in equal quarterly payments of \$4,362, as their respective one-third share of the cost of the program. The Chamber is to contribute its one-third share partly in money and in-kind. The City's cost, not to exceed \$17,500, has been approved in the draft FY 2008/09 budget to be charged to account 001-815-5-517-62.

ACTION: (Approve-Deny) Authorization for the Mayor to sign an Amendment to the Business Assistance Partnership Agreement (BAPA) through September 30, 2009, with the City's cost not to exceed \$17,500, to be charged to the appropriate account.

(reference material — FY 2008/09 amendment, City Attorney approval letter, FY 2007/08 amendment, FY 2006/07 amendment, and FY 2005/06 agreement))

◆ **PUBLIC WORKS**

C13 AWARD OF BID 06/002 – ROAD CONSTRUCTION OF THREE TURNING LANES – MTM Contractors, Inc.

NOTE: Bids were legally advertised and bid invitations were mailed to 355 prospective bidders. Seven (7) bids were received with MTM Contractors, Inc. (6550 53rd Street North, Pinellas Park, FL 33781) being the low bidder with a bid submittal of \$650,880.93.

The project funding is provided from three accounts; the 82nd Ave. Eastbound Left Hand Turn at 66th Street (SR 693) portion is budgeted at \$940,000 and the actual bid amount is \$210,314.79 chargeable to account # 301-481-5-737-58, the 110th Avenue Westbound Left-Turn Lane at 49th Street (CR 611) portion is budgeted at \$465,000 and bid amount is \$223,983.98 chargeable to account # 301-481-5-780-39, the 118th Avenue Eastbound Left-Turn Lane at 66th Street (SR 693) portion is budgeted at \$483,000 and bid amount is \$216,582.16 chargeable to account # 301-481-5-780-47. The total project bid amount is \$650,880.93. The total amount budgeted for this project is \$1,888,000.00 found on page 400 of the FY 07/08 adopted budget. The reason for the difference in the budgeted and contract amounts is that the original budget allowed for traffic signalization upgrades which were not required.

ACTION: (Approve-Deny) Authorization to award Bid 06/002 for the Road Construction of Three Turning Lanes to MTM Contractors, Inc., Pinellas Park, FL, in the amount of \$650,880.93 to be charged to the appropriate accounts.

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

C14 AUTHORIZATION TO PURCHASE UNDER FLORIDA SHERIFF'S ASSOCIATION, FLORIDA ASSOCIATION OF COUNTIES AND FLORIDA FIRE CHIEF'S ASSOCIATION, CONTRACT 07-15-0827-QE510 – Two (2) Tradewinds Mobile Generators – For Sewer Division

NOTE: These two (2) Tradewinds 80KW mobile generators are additions to the fleet. These mobile generators will be used to provide emergency power as needed for lift stations throughout the City. When not being used in this capacity, these generators will be used City wide. The amount budgeted in account 501-322-5-661-09 for this expenditure is \$66,000 and can be found on page 413 of the 07/08 budget book. The total cost of these generators exceeds the budgeted amount by \$3,452 due to an upgrade in size to better accommodate the needs of the City. Additional costs have been approved by the OMB Administrator.

ACTION: (Approve – Deny) Authorization to purchase under Florida Sheriff's Association, Florida Association of Counties and Florida Fire Chief's Association, Contract 07-15-0827-QE510 – Two (2) 80KW mobile generators from Tradewinds Power Corp., Sebring, Florida, at a total cost of \$69,452 to be charged to the appropriate account.

(reference material — 08-26-08 quotation Tradewinds Power Corp, 08-27-08 e-mail OMB Administrator, capital expenditure request form)

C15 ORDINANCE NO. 3643. AMENDING CHAPTER 12 (HEALTH AND SANITATION) CITY CODE OF ORDINANCES CREATING A NEW ARTICLE V – DISASTER ACCESS AND DEBRIS REMOVAL

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: Chapter 12 Section 12-501 (Health and Sanitation) City Code of Ordinances is being amended creating a new Article V, Disaster Access and Debris Removal, and renumbering existing Articles V and VI to become Articles VI and VII. The Disaster Access and Debris Removal Ordinance is designed to advise property owners of their duties and responsibilities with respect to disaster debris, to provide for an efficient system for collection and removal of disaster debris and to eliminate threats to health, safety and welfare created by disaster debris.

(reference material — ordinance, 8-26-08 letter from City Attorney)

VI. REGULAR AGENDA

◆ NEIGHBORHOOD SERVICES

R1 REQUEST FOR REDUCTION OR ELIMINATION OF SPECIAL HEARING MASTER (SM) LIEN NO. 08-07-5302 – 3801 67th Avenue (Diep Van & Kim Yen Thi Nguyen)

NOTE: Diep Van Nguyen, owner of the property located at 3801 67th Avenue, and his attorney, Thaddeus Freeman, have requested a reduction or elimination of the \$9,600.00 Special Hearing Master (SM) Lien No. 08-07-5302 on his property. On July 23, 2008, the Special Hearing Master recommended that SM Lien No. 08-07-5302 be reduced to the amount of \$3,000.00, provided the reduced amount is paid by a date determined by City Council. The City's estimated cost in handling this case is 2,183.14.

ACTION: (Approve-Deny) The request for a reduction of SM Lien No. 08-07-5302, against Diep Van & Kim Yen Thi Nguyen and the property located at 3801 67th Avenue, to the reduced amount of \$3,000.00, provided this reduced amount is paid by September 28, 2008, otherwise the lien will automatically revert back to the original amount of \$9,600.00.

(reference material — 7.28.08 recommendation letter from Special Hearing Master; 7.23.08 excerpt from Special Hearing Master minutes; 7.16.08 File Information memo; application and exhibits from Attorney Thaddeus Freeman; History of Events)

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

VIII. 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.

September 2008

See Inside Back Cover
for Frequently Called Telephone Numbers
City Council Workshops are Subject to Cancellation

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--|--|---|--|--|---|---|---|---|---|---|--|--|--|--|---|---|--|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--|--|--|--|--|--|--|---|---|---|---|---|---|---|--|--|--|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--|
| | 1 Brush Site Closed Labor Day City Offices & Library Closed | 2 Ramadan Begins | 3 | 4 | 5 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 Grandparent's Day | 8 | 9 7:30 PM City Council Workshop | 10 Pancake Breakfast Senior Center - 9 AM 7625 59th St. | 11 Patriot Day 7:00 PM Agenda Session *7:30 PM City Council Meeting | 12 | 13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | 15 | 16 *7:00 PM "Meet Your Mayor & Council" | 17 | 18 | 19 | 20 Pride In The Park Fall Clean-Up (727) 541-0711 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 Pride In The Park Fall Clean-Up (727) 541-0711 | 22 Autumn Begins | 23 7:30 PM City Council Workshop | 24 | 25 7:00 PM Agenda Session *7:30 PM City Council Meeting | 26 | 27 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28 | 29 | 30 Ramadan Ends Rosh Hashanah Begins | | | <p>AUGUST 2008</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>OCTOBER 2008</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 | |
| 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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Library Card Sign-Up
Month
www.ala.org

National Chicken Month
www.eatchicken.com

National 5-A-Day Month
www.5aday.org

US Treasury
Department
Established:
September 2, 1789

Televised LIVE on Channel 15
Pinellas Park TV
CHANNEL 15
Keep up with Pinellas Park events
on Bright House Channel 15

October 2008

See Inside Back Cover
for Frequently Called Telephone Numbers
City Council Workshops are Subject to Cancellation

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--|--|--|---|---|--|--|
| <p>SEPTEMBER 2008</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</p> | <p>NOVEMBER 2008</p> <p>S M T W T F S</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30</p> | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 NFL Punt, Pass & Kick Sectionals | 8 Rosh Hashanah Ends | 9 Eid-Al-Fitr | 10 | 11 Children's Safety Festival England Bros. Band Shell |
| | | 7:30 PM City Council Workshop | Pancake Breakfast Senior Center - 9 AM 7625 59th St. | Yom Kippur 7:00 PM Agenda Session *7:30 PM City Council Meeting | | |
| 12 | 13 Columbus Day (obsvd) City Offices OPEN | 14 Succoth Begins *7:00 PM "Meet Your Mayor & Council" | 15 | 16 National Boss Day | 17 | 18 |
| 19 Puerto Rican Patron Saints Festival NOON - 9 PM England Bros. Band Shell | 20 | 21 7:30 PM City Council Workshop | 22 Succoth Ends | 23 7:00 PM Agenda Session *7:30 PM City Council Meeting | 24 United Nations Day | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 Hallowe'en Treats You Can Trust Halloween Treat Trail 6 - 10 PM England Bros. Band Shell | |

Halloween Safety Month
www.preventblindness.org

National Crime Prevention Month
www.ncpc.org

Positive Attitude Month
www.springboardtraining.com

Patent Issued For First Adding Machine:
October 11, 1887

Televised LIVE on Channel 15



Keep up with Pinellas Park events on Bright House Channel 15