

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
SEPTEMBER 9, 2010**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

SPECIAL RECOGNITION

Davis Field All Star Teams – Dizzy Dean World Series

SPECIAL PRESENTATION — PLAQUE

To City Council from the Boys and Girls Club

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 26, 2010.

IV. PUBLIC HEARINGS

◆ OMB

P1 RESOLUTION NO. 10-18. A RESOLUTION DECREASING THE REVENUE 0.00% FROM AD VALOREM TAXATION OF PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF PINELLAS PARK, FLORIDA, TO \$13,329,945.

FIRST READING AND PUBLIC HEARING

NOTE: This Resolution establishes the City millage rate for fiscal year 2010-2011 property taxes, which will be billed by the County Tax Collector in November. The proposed rate is 5.1067 mills, which represents an 0.00% decrease over the rolled-back rate, and is consistent with the proposed budget.

(reference material — Resolution, City Attorney approval letter)

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- P2 ORDINANCE NO. 3744. AN APPROPRIATIONS AND TAX LEVY ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA, COVERING THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011; 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, PROVIDING FOR SEVERABILITY.**

FIRST READING AND PUBLIC HEARING

NOTE: This Ordinance legally appropriates the City budget for the fiscal year October 1, 2010 through September 30, 2011. It reflects the changes as discussed at Council's Budget Workshop.

(reference material — Ordinance, City Attorney approval letter)

V. CONSENT AGENDA

◆ COMMUNITY DEVELOPMENT

- C1 ORDINANCE NO. 3745. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF PROPERTY GENERALLY LOCATED AT 6920 71ST Avenue North — (Megan Sheehan, Jason Walsten and Carole Butcher — AX10-21)**

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 home is located on this site in the Pinellas Park 2nd Addition Subdivision.

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

- C2 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY MEGAN SHEEHAN, JASON WALSTEN AND CAROLE BUTCHER (AX10-21) — Annexation of 0.14 acres MOL located at 6920 71st Avenue North.**

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- C2** NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6920 71st Avenue North in the Pinellas Park 2nd Addition Subdivision.

Megan Sheehan, Jason Walsten and Carole Butcher 6920 71 st Avenue North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$878.50	\$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 Megan Sheehan, Jason Walsten and Carole Butcher located at 6920 71st Avenue North in the Pinellas Park Second Addition Subdivision.

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

- C3** **ORDINANCE NO. 3746.** AN ORDINANCE AMENDING AN ADOPTED MASTER PLAN CONTROLLING DEVELOPMENT OF AN EXISTING "CPUD" COMMERCIAL PLANNED UNIT DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED AT SOUTHEAST CORNER OF 49TH STREET AND 70TH AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; IMPOSING CERTAIN CONDITIONS OF DEVELOPMENT; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (PUD 2004-2(R)/MS 2010-42 Earl J. Small Growers/ RaceTrac Petroleum)

**FIRST READING PRIOR TO PUBLIC HEARING
(PUBLIC HEARING SEPTEMBER 23, 2010 – QUASI JUDICIAL)**

NOTE: The applicant is requesting consideration of the adoption of a revised Master Plan for an existing "CPUD" Commercial Planned Unit Development with underlying "B-1" General Commercial Zoning on a 2.018 acre parcel of land generally located on the southeast corner of 49th Street and 70th Avenue with a waiver to landscape requirements, more specifically to percentage of interior greenspace, number of trees within landscape islands, and number of parking spaces in a row. The applicant is proposing an 18-pump gas station with an approximately 5000 square foot retail building. Surrounding land uses are: to the north, unoccupied commercial, and Dr. Ronald Ostrander Chiropractic; to the south, single family dwellings and Network One Hair Studio; to the east, Sawgrass Village (single family dwellings/townhomes); and to the west, DeCosmo Center, Pinellas Park CRA Police Annex, and Shafer Boat Sales. Subject to any matters that may be discussed at the hearing, staff has not

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C3 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 5, 2010, the Planning and Zoning Commission tabled the request. The request is scheduled to go before the Planning and Zoning Commission again on Sept 2, 2010. If approved, the request will be subject to the following conditions;

1. Criteria assigned to subdivision in notes on Site Plan, last revised on June 3, 2010, shall be accepted as governing regulations for the development. All regulations not addressed therein shall revert to Code in effect at the time of "PUD" Planned Unit Development adoption.
2. The applicant shall be required to provide payment for 28 trees; 6 canopy, 8 intermediate and 14 understory. The waiver shall not be in effect until such monies are deposited into the City's "Tree Bank" account or consistent with Section 18-1512.3, Certificate of Occupancy, a temporary Certificate of Occupancy may be issued by the Building Development Division and shall not become final until final payment of said monies is deposited into the "Tree Bank" account.
3. Prior to the approval of a final site plan the developer shall provide to the City such engineering reports as necessary to ensure that the existing and proposed driveway connections to 70th Avenue shall not present traffic safety hazards to the public.
4. An ingress/egress easement must be provided to the property to the south over 48th Street to provide access to 70th Avenue.

(reference material — ordinance, Attorney approval letter, excerpts of P&Z minutes of 12/3/09, staff report, application, aerial map, and master site plan)

C4 **AUTHORIZATION FOR THE MAYOR TO SIGN AN EASEMENT WITH FLORIDA POWER CORPORATION D.B.A. PROGRESS ENERGY FLORIDA, INC. FOR A PORTION OF VACATED 84TH AVENUE IN THE GOLDEN ACRES SUBDIVISION**

NOTE: This action is being taken to provide transmission easement rights over the road rights-of-way that were dedicated to the public use in the 1925 plat of Golden Acres and were not included in any easements or deeds that Progress Energy Florida obtained for the 150 foot wide transmission corridor. The granting of this easement will cover the gap in easement rights created by the vacation of this section of road right-of-way.

ACTION: (Approve – Deny) Authorization for the mayor to sign an easement with Florida Power Corporation d.b.a. Progress Energy Florida, Inc. for a portion of vacated 84th Avenue in the Golden Acres Subdivision.

(reference material — Easement, Attorney approval letter)

◆ FIRE

C5 **AUTHORIZATION FOR MAYOR TO SIGN AN INTERLOCAL AGREEMENT REGARDING THE PINELLAS COUNTY HAZARDOUS MATERIALS RESPONSE TEAM** — Fire Department

NOTE: This authorizes the Mayor to sign an Interlocal Agreement to continue the operations of the hazardous material response team. This contract describes the composition of the team and its duties.

ACTION: (Approve – Deny) Authorization for the Mayor to sign the Interlocal Agreement Regarding The Pinellas County hazardous Materials Response Team

(reference material — Interlocal Agreement Regarding The Pinellas County Hazardous Materials Response Team, 8/25/10 letter from City Attorney)

C6 **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 Agreement for a one (1) year period. The current contract authorizes the City of Pinellas Park to provide Fire Protection Services to the Highpoint area.

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

(reference material — Extension of Fire Protection Services Agreement, 8/25/10 letter from City Attorney)

◆ PUBLIC WORKS

C7 **AUTHORIZATION FOR MAYOR TO SIGN A SECOND AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF PINELLAS PARK AND PINELLAS COUNTY** — National Pollutant Discharge Elimination System (NPDES) Permit

NOTE: This Agreement between the City of Pinellas Park and Pinellas County is required as part of our National Pollutant Discharge Elimination System (NPDES) permit from the United States Environmental Protection Agency. This Agreement with Pinellas County is for the joint control of pollutants within Pinellas County. The City of Pinellas Park is a co-permittee on the NPDES permit with FDOT, and all cities in Pinellas County named in the Agreement. This Second Amendment has several minor changes; to clarify the operation of the program, cost allocation, clarify the Termination Clause and extend the Agreement Term.

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- C7** ACTION: (Approve-Deny) Authorization for the Mayor to sign the Second Amendment to an Agreement between Pinellas County for the purpose of meeting the requirements for the NPDES permit.

(reference material — Second Amendment to the Original Agreement, 8/24/2010 letter from City Attorney)

- C8** **AWARD OF BID 10/026 — AQUATIC VEGETATION CONTROL CONTRACT — Krause Grove Services, Inc.**

NOTE: Bids were legally advertised, and bid invitations were mailed to 21 prospective bidders. Four (4) bids were received with Krause Grove Services, Inc. (2807 Ralph Johns Road, Wauchula, FL 33873) being the lowest qualified bidder with a bid submittal of \$59,493.36. The amount budgeted for this project is \$100,000 (pg. 300 of the FY 09/10 adopted budget). This project will be charged to account 001-414-5-435-04.

ACTION: (Approve-Deny) Authorization to award Bid 10/026 for the Aquatic Vegetation Control Contract to Krause Grove Services, Inc., Wauchula, FL 33873, in the amount of \$59,493.36 to be charged to the appropriate account.

(reference material — bidders list and bid file available for review)

- C9** **RESOLUTION NO. 10-19. AUTHORIZING MAYOR TO SIGN A LOCAL AGENCY PROGRAM (LAP) AGREEMENT FOR PEDESTRIAN SAFETY IMPROVEMENTS**

FIRST AND FINAL READING

NOTE: This Agreement will provide funding for the six pedestrian safety improvement locations within the City of Pinellas Park in the amount of \$85,000.00, for the procurement and installation of pedestrian safety improvements. The amount of this Agreement will be charged to account number 301-481-5-795-16, and under the LAP agreement, 100 percent of the cost of this project will be reimbursed by the Florida Department of Transportation.

(reference material — resolution, LAP Agreement 429091 1 58 01, 8/31/10 letter from city attorney)

VI. REGULAR AGENDA

◆ COMMUNITY DEVELOPMENT

- R1 AUTHORIZATION FOR THE MAYOR TO SIGN AN ADDENDUM TO AN ANNEXATION AGREEMENT DATED MAY 10, 2007 BETWEEN THE CITY OF PINELLAS PARK AND PETER AND KATHY SCHUCKERT (AX07-23) — For property located at 7737 72nd Avenue North, and the abutting vacant parcel to the east.

NOTE: At the time the property was annexed, Mr. and Mrs. Schuckert requested and received a waiver of City land development fees applicable for the renovation of the two existing buildings located at 7750 Park Boulevard and 7737 72nd Avenue North, and the construction of a new building (approximately 14,238 sq. ft.) on their vacant lot to the east. The waiver of fees was estimated to be, and not to exceed, Fifteen Thousand Dollars (\$15,000.00), for a period of thirty six (36) months from the date of this annexation into the City. Due to some unforeseen delays, Mr. and Mrs. Schuckert were unable to complete the redevelopment/development of the property within that time frame. This addendum serves as a request for an extension of the original time frame from thirty six (36) months to sixty (60) months (or by May 9, 2012) from the date of the original Annexation Agreement which was May 10, 2007.

ACTION: (Approve – Deny) Authorization for the Mayor to sign an addendum to the annexation agreement dated May 10, 2007 between The City of Pinellas Park and Peter and Kathy Schuckert for property located at 7737 72nd Avenue North and the abutting vacant parcel to the east.

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

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).

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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.

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday



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September

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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3 Orchestra Concert Performing Arts Center	4	5	6	7	Succoth Ends 8	9
10	11 Columbus Day (obsvd) City Offices OPEN	12 7:30 PM City Council Workshop	13 Pancake Breakfast Senior Center - 9 AM	14 7:00 PM Agenda Session *7:30 PM City Council Meeting	15 National Boss Day	16
17	18	19 Organ Concert City Auditorium	20	21 *6:00 PM "Meet Your Mayor & Council"	22	23
24 United Nations Day	25	26	27	28	29	30
31 Halloween Halloween Treat Trail 4 - 9 PM		7:30 PM City Council Workshop		7:00 PM Agenda Session *7:30 PM City Council Meeting		

October

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO
