

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
SEPTEMBER 23, 2010**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

SERVICE AWARDS — City Employees

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 September 9, 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.

SECOND PUBLIC HEARING, SECOND AND FINAL READING

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, *P1 on 9/9/2010 Council agenda*)

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SEPTEMBER 23, 2010

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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.**

SECOND PUBLIC HEARING, SECOND AND FINAL READING

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, *P2 on 9/9/2010 Council agenda*)

◆ COMMUNITY DEVELOPMENT

- P3 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)**

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

(reference material — ordinance, petition, map, Attorney approval letter, *C1 on 9/9/2010 Council agenda*)

- P4 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)**

**PUBLIC HEARING, SECOND AND FINAL READING
(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 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

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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 and 9/2/10, staff report, application, aerial map, and master site plan, *C3 on 9/9/2010 Council agenda*)

P5

ORDINANCE NO. 3748. AN ORDINANCE AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE), OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY REPEALING ARTICLE 15, ZONING, AND ARTICLE 17, COMMUNITY REDEVELOPMENT; ADOPTING A NEW ARTICLE 15, WITHIN WHICH THE SUBSTANCE OF ARTICLE 17 IS AMENDED AND RECONSTRUCTED; PROVIDING FOR THE INCLUSION OF THIS ORDINANCE IN THE LAND DEVELOPMENT CODE, VOLUME II OF THE CODE OF ORDINANCES; CERTIFYING THAT THIS ORDINANCE IS CONSISTENT WITH THE 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. (LDC 2010-01 – City of Pinellas Park)

FIRST PUBLIC HEARING

NOTE: The Ordinance is on file at the City of Pinellas Park’s City Clerks office. Staff is requesting that this item be tabled to October 14, 2010, for its first public hearing. **The item is being requested for tabling as all corrections have not been made to the document as staff is awaiting final review by the City Attorney’s office.** The Planning and Zoning Commission recommended APPROVAL of the request at its meeting of September 2, 2010.

(reference material — Memo to City Council)

V. CONSENT AGENDA

◆ PUBLIC WORKS

C1 CHANGE ORDER NO. 1 AND FINAL PAYMENT ON CONTRACT 06/004 – GATEWAY CENTRE BLVD. AT 40TH STREET INTERSECTION IMPROVEMENTS – R.E. Purcell Construction Co. Inc., Largo, 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 contracted for this project is \$348,824.02 and can be found on page 382 of the 10/11 Budget Book. The total adjusted contract amount is \$336,017.20, which is \$12,806.82 under the budgeted amount. The decrease in the contract amount represents a decrease of the original contract amount by 3.67%. The final payment for the Gateway Centre Boulevard at 40th Street Intersection Improvements is \$33,601.72 and should be charged to 301-481-5-732-20.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1, Contract 06/004, Gateway Centre Boulevard 40th Street Intersection Improvements, a decrease in the contract amount of \$12,806.82 for a total adjusted contract amount of \$336,017.20, and authorization for final payment of \$33,601.72 to R.E. Purcell Construction Co. Inc., Largo, Fl., to be charged to the appropriate accounts.

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

◆ COMMUNITY DEVELOPMENT

C2 AUTHORIZATION FOR THE MAYOR TO SIGN AN INTER-LOCAL AGREEMENT WITH THE PINELLAS PLANNING COUNCIL FOR MAPPING AND PLANNING SERVICES

NOTE: The Inter-local Agreement provides the foundation for any request the City may have for planning or mapping services from the Pinellas Planning Council (PPC). This agreement does not obligate the City to utilize the PPC, nor does it commit any funds. The Agreement is for four (4) years, with one four (4) year extension and may be terminated at any time with thirty (30) days notice.

ACTION: (Approve – Deny) Authorization for the Mayor to sign an Inter-Local Agreement with the Pinellas Planning Council for mapping and planning services.

(reference material — Joint Use Agreement, letter from David Healey, letter from City Attorney, letter from Risk Management)

◆ **LIBRARY AND RECREATION**

C3 AUTHORIZATION FOR MAYOR TO SIGN AGREEMENT BETWEEN THE CITY OF PINELLAS PARK AND THE PINELLAS COUNTY COALITION FOR THE HOMELESS, INC.

NOTE: The Pinellas County Coalition for the Homeless, Inc. (PCCH) is the administrative agency for the Pinellas County Homeless Leadership Network and its 10-Year Plan to End Homelessness in Pinellas County, to which the City of Pinellas Park is a signatory. The City of Pinellas Park has budgeted \$10,000 to contribute to the administrative costs of the agency during FY 2009-2010, renewing support initially granted in FY 2006-2007. The proposed Agreement establishes the terms and conditions of this funding and the authorized purposes of the funding, itemized in the Budget, Attachment A, as support for salary and benefits for an office manager/bookkeeper.

ACTION: (Approve – Deny) Authorization for the Mayor to sign an Agreement between the City of Pinellas Park and the Pinellas County Coalition for the Homeless, Inc. for FY 2009-2010, providing for a grant amount of \$10,000.00 and establishing terms and conditions for such grant.

(reference material — agreement; PCCH annual budget FY 09-10; letter from City Attorney)

VI. REGULAR AGENDA

◆ **CITY COUNCIL**

R1 RE-APPOINTMENT TO PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA)

The term of Councilman Mullins on the Pinellas Suncoast Transit Authority (PSTA) will expire on September 30, 2010. The Authority is requesting that an appointment be made for a three-year term that starts on October 1, 2010 and ends on September 30, 2013.

ACTION: (Approve/Deny) the re-appointment of _____ to represent the City of Pinellas Park on the Pinellas Suncoast Transit Authority for a term from October 1, 2010 through September 30, 2013.

(reference material — letter from Tim Garling, PSTA Executive Director)

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.

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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

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Saturday

SEPTEMBER

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Orchestra Concert
Performing Arts Center

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Columbus Day (obsvd)
City Offices OPEN

7:30 PM City Council
Workshop

Pancake Breakfast
Senior Center - 9 AM

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

National Boss Day

17

18

19

20

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22

23

Organ Concert
City Auditorium

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

24

25

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30

United Nations Day

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