

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
JANUARY 12, 2012**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

NONE

**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**

**II. APPROVAL OF MINUTES**

Approval of Regular Council Minutes of December 8, 2011.

**III. PUBLIC HEARINGS**

**◆ HUMAN RESOURCES**

**P1 ORDINANCE NO. 3790. AMENDING CHAPTER 17 (PENSIONS AND RETIREMENT) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, PINELLAS PARK FIREFIGHTERS' PENSION FUND.**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: This Ordinance amends Article III, Chapter 17 (Pensions and Retirement) relating to the Pinellas Park Firefighters' Pension Fund. For service earned on or after December 28, 2011, the definition of Annual Compensation will now exclude pay for overtime hours in excess of 300 hours per calendar year; the benefit accrual rate will be 3% for each year of service; the COLA benefit will be a guaranteed 2% which will commence five years following the date a member retires or turns age 65, whichever comes first; and the DROP participation period will be limited to two years with an interest rate equal to the return experienced by the fund up to a maximum of a positive .75 percent (.75%) quarterly return and no limit on the maximum negative quarterly return (loss). Firefighters who become eligible for Normal Retirement prior to December 28, 2011, will not be affected by these changes.

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**P1** (reference material — Proposed Ordinance, *C1 on 12/8/2011 Council agenda*)

◆ **COMMUNITY DEVELOPMENT**

**P2** **ORDINANCE NO. 3789. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 12003 68<sup>TH</sup> WAY (HECTOR L. AND JESSICA RIVERA AX12-1)**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: This is a voluntary annexation of 0.21 acres MOL of contiguous residential property located at 12003 68<sup>th</sup> Way in the Pinebrook Estates Subdivision. The Owner's single family home is located on this site.

*Applicant has requested to withdraw annexation at this time.*

(reference material — ordinance, petition, map, Attorney approval letter, *C12 on 12/8/2011 Council agenda*)

**P3** **CONSIDERATION OF AN EXPANSION TO AN EXISTING CONDITIONAL USE FOR A "RESIDENTIAL CARE FACILITY" IN THE "B-1" GENERAL COMMERCIAL DISTRICT WITH A WAIVER TO THE CONDITIONAL USE REQUIREMENT FOR OPEN SPACE FOR RESIDENTS AS WELL AS A VARIANCE TO DRIVE AISLE WIDTH AND A WAIVER TO LANDSCAPE BUFFER REQUIREMENTS, FOR A PROPERTY GENERALLY LOCATED AT 8701 49<sup>TH</sup> STREET. (CU 2011-17/BOA 2011-32/MS 2011-35 NRS Ventures LLC/King Engineering Associates, Inc.)**

**PUBLIC HEARING (QUASI-JUDICIAL)**

NOTE: The applicant is requesting the consideration of an expansion to an existing Conditional Use for a "Residential Care Facility" in the "B-1" General Commercial District on a 3.09 acre MOL parcel of land generally located at 8701 49<sup>th</sup> Street with a waiver to the Conditional Use requirement for open space for residents as well as a variance to drive aisle width and a waiver to landscape buffer requirements. Surrounding land uses are: to the north, Kids Christian Care Day Care and Single Family Dwelling; to the south, City Water Tower, American Cancer Society, "County Center" retail strip center; to the east, Single Family Dwellings; to the west, Saigon Plaza, Cutting Up Hair Salon and a retail plaza. 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 November 3, 2011, the Planning and Zoning Commission recommended approval of the above request with conditions.

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**P3 ACTION:** (Approve – Deny) An expansion to an existing Conditional Use for a “Residential Care Facility” in the “B-1” General Commercial Zoning District on a parcel of land generally located at 8701 49<sup>th</sup> Street with a waiver to the Conditional Use requirement for open space for residents as well as a variance to drive aisle width and a waiver to landscape buffer requirements, based on the staff report and the criteria found in Section 18-1531, subject to the following conditions:

- ~~1. Designated signage for one-way drive aisle north of existing building must be reinstalled as per original site plans and meeting the requirements of Section 18-1532.6.~~
1. The applicant shall, within 30 days of removal of any fencing located on adjoining properties to the north, install a six-foot-high, solid fence along the entire northern property line.
2. Applicant shall apply for permits to begin construction of therapy pool, as indicated on the site plan, prior to issuance of a Certificate of Completion of the proposed addition. If the pool is not constructed, then the applicant will be required to install an area that shall be landscaped and retained as usable open space for occupants, with adequate accommodations for wheelchair use.
3. Within 30 days of approval, the applicant shall reserve a 30-foot-wide portion of the property adjacent to 47<sup>th</sup> Street for right-of-way purposes. Easements will need to be granted to the City for all improvements within said portion of the property including but not limited to: water, sewer, drainage, ingress/egress and sidewalk. (Note: It cannot be determined at this time if the right-of-way was not previously dedicated. If the applicant can provide evidence that the right-of-way had been previously dedicated then this condition shall be considered null and void.)
4. *The applicant shall install a six-foot-high, solid fence along the entire east property line, adjacent to 47<sup>th</sup> Street North.*

*The applicant has increased the two-way drive aisle width along the north property line to 20 feet where Code requires a minimum of 24 feet. This should improve traffic flow. The applicant has requested a waiver to reduce the landscape buffer in the area where the aforementioned, two-way drive aisle is being widened as only six inches will remain. Additionally, the Traffic Division recently installed signage that prohibits truck traffic on 47<sup>th</sup> Street North.*

(reference material — staff report, excerpts from the P & Z minutes of 11/3/11, application, site map, site plan)

IV. CONSENT AGENDA

◆ POLICE

C1 AUTHORIZATION FOR THE POLICE DEPARTMENT TO UTILIZE THE SERVICES OF DR. JAMES T. HUMPHRIES TO DEVELOP AND ADMINISTER THE PROMOTIONAL PROCESS FOR LAW ENFORCEMENT SERGEANT AND LIEUTENANT

NOTE: Pursuant to Florida Statute 932.704(3)(a), this proposed payment complies with the state-required provisions for expenditure of these funds. There are sufficient monies in the Fund to cover this transaction.

ACTION: (Approve-Deny) Authorization for the Police Department to utilize the services of Dr. James T. Humphries, Testing and Management Consultant of Humphries and Associates, Inc., 6184 Hemlock Road, Ocala, Florida 34472, and to appropriate from the Confiscated Property Fund Balance to Confiscated Property Fund Operating Account 104-212-5-535-05 the amount of \$9,000 to pay for two promotional examinations.

(reference material — Project Proposal)

◆ LIBRARY AND RECREATION

C2 CHANGE ORDER NO. 2 FOR PROJECT 11/005 — SKYVIEW POOL RENOVATION — Pinellas Pools, Inc.

NOTE: Change Order No. 2 is recommended for approval so that final payment can be processed and the contract closed. The final contract amount represents a decrease of \$17,995.00 or 12.26% from the original contract amount of \$146,750.00. The final payment of \$12,875.50 will be charged to account 301-781-5738-08, Skyview Pool Renovation.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 2, Project 11/005, Skyview Pool Renovation, a decrease in the contract amount of \$17,995.00, for a total adjusted contract amount of \$128,755.00, and authorization for final payment of \$12,875.50 to Pinellas Pools, Inc., to be charged to the appropriate account.

(reference material — change order, final invoice, bid file available for review)

C3 CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 10-025 — DESIGN/BUILDING SERVICES AT SKYVIEW RECREATION CENTER AND FREEDOM LAKE CENTER

NOTE: Change Order No. 1 is recommended for approval so that final payment can be processed and the contract closed. The final contract amount represents a

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- C3** decrease of \$12,836.00 or 2.36% from the original contract amount of \$544,003.79. The final payment of \$53,116.78 will be charged to accounts 301-781-5763-55, Freedom Lake Recreation Center, and 301-781-5789-71, Skyview Recreation Center.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1, Project 10/025, Design/Build Services at Skyview Recreation Center and Freedom Lake Center, a decrease in the contract amount of \$12,836.00, for a total adjusted contract amount of \$531,167.79, and authorization for final payment of \$53,116.78 to Caladesi Construction Company, Inc., to be charged to the appropriate accounts.

(reference material — change order, final invoice, bid file available for review)

◆ **PUBLIC WORKS**

- C4** **AWARD OF BID 12/010 – PURCHASE OF 6 LIFT STATION MOTOR CONTROL PANELS AND JUNCTION BOXES — Technical Sales Corp.**

NOTE: Bids were legally advertised and bid invitations were mailed to 213 perspective bidders. Four (4) bids, and one (1) “no bid” were received with Technical Sales Corporation, 4621 N. Hale Avenue, Tampa, FL 33614 being the low bidder with a bid submittal of \$38,288.00. The estimated amount budgeted for this purchase is \$65,000.00, and is reflected as a portion of the Lift Station Rehabilitation Program, as shown on page 402 of the adopted FY 11/12 budget. The account to be charged for this purchase is 301-381-5-776-50.

ACTION: (Approve – Deny) Authorization to award bid 12/010 Purchase of 6 lift station motor control panels and junction boxes to Technical Sales Corporation, Tampa, FL in the amount of \$38,288.00 to be charged to the appropriate account.

(reference material — bidders list, bid book available for review)

- C5** **CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 11/016 — LED MESSAGE BOARDS UPGRADE — Thomas Sign and Awning Company, Inc.**

NOTE: Change Order No. 1 is recommended for approval so that the final payment can be processed and the contract closed out. The decrease in the contract amount represents a decrease of the original contract amount by 5.03%. The final payment of \$4,948.68 will be charged to account 301-175-5-744-10. The final contract is \$5,000.00 under the original contract amount.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1, Project 11/016 for the LED Message Boards Upgrade, a decrease in the contract amount of \$5,000.00 for a total adjusted contract amount of

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- C5** \$94,486.83 and authorization for final payment of \$4,948.68 to Thomas Sign and Awning Company, Inc., Clearwater, FL, to be charged to the appropriate account.

(reference material — change order no. 1, final invoice)

- C6** **AWARD OF BID 11/012 — ANNUAL SIDEWALK/RAMP & CRA SIDEWALK PROGRAM — Central Florida Contractors, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 222 perspective bidders. Seven (7) bids were received with Central Florida Contractors, Inc. (P.O. Box 3987, Seminole, FL, 33775) being the lowest bidder that met all of the bid requirements with a bid submittal of \$317,645.55. The amount budgeted for the Annual Sidewalk/Ramp Program is \$75,000.00 and the amount budgeted for the CRA Sidewalk Program is \$200,000.00 (both located on page 400 of the 11/12 adopted budget). The bid amount for the Annual Sidewalk/Ramp is \$120, 265.20 and the CRA portion is \$197,380.35. Additional funds for the Annual Sidewalk/Ramp Program in the amount of \$75,000.00 will be carried over from the FY 10/11 Annual Budget (see OMB Administrator memo dated 12/20/2011). The contract will be charged to accounts 301-481-5-736-18 and 301-481-5-737-17.

ACTION: (Approve – Deny) Authorization to award Bid 11/012 for the Annual Sidewalk/Ramp & CRA Sidewalk Program to Central Florida Contractors, Inc., Seminole, FL, in the amount of \$317,645.55 to be charged to the appropriate accounts.

(reference material — bidder's list, bid book available for review, 12/20/2011 OMB Administrator Memorandum)

- C7** **AUTHORIZATION FOR MAYOR TO SIGN A SITE AGREEMENT — With Progress Energy Corporation.**

NOTE: This authorizes the Mayor to sign an Electric Vehicle Supply Equipment Site Agreement between Progress Energy Service Company, LLC as agent for Florida Power Corporation d/b/a/ Progress Energy Florida, Inc. This agreement allows Progress Energy to install one Electric Vehicle Charging Station at each of these City facilities. The Library (7770 52<sup>nd</sup> Street N) and Park Station (5851 Park Blvd N). The term of this agreement shall commence on the date of installation and continue until April 27, 2013.

ACTION: (Approve – Deny) Authorization for the Mayor to sign the Electric Vehicle Supply Equipment Site Agreement with Progress Energy Service Company.

(reference material — Site Agreement with Progress Energy, City Attorney's letter)

**C8 AUTHORIZATION TO PURCHASE ENERGY EFFICIENT “GREEN” ATHLETIC FIELD LIGHTING FOR YOUTH PARK SOCCER COMPLEX FIELD #7 AND HELEN HOWARTH BASEBALL FIELDS #1, 2 AND 3 UNDER CLAY COUNTY CONTRACT 08/09-03 — Musco Sports Lighting**

NOTE: This purchase will be made under a Clay County Contract from Musco Sports Lighting, 2220 Cluster Oak Dr., #H, Clermont, FL 34711. The cost for the purchase and installation is \$79,600.00 for Youth Park and \$139,800.00 for Helen Howarth Park which will be charged to accounts 301-781-5-763-71 and 301-781-5-764-04 respectively. The amount budgeted for this project is \$85,700.00 and \$147,000.00 found on page 396 of the FY 11/12 adopted budget. This authorization is for purchase and installation of new energy efficient “green” light fixtures.

ACTION: (Approve – Deny) Authorization to purchase lighting and installation under Clay County Contract 08/09-03, from Musco Sports Lighting, Clermont, FL, in the amount of \$79,600.00 and \$139,800.00 to be charged to the appropriate accounts.

(reference material — 11/07/10 quotation from Musco Sports Lighting, 11/07/11 memo from Purchasing Director), 12/20/11 memo from City Attorney

**C9 AUTHORIZATION TO PURCHASE PLAYGROUND EQUIPMENT UNDER ST. JOHN’S COUNTY CONTRACT #11-60 — Playground Improvements for Youth Park Soccer Fields**

NOTE: This purchase will be made under a St. John’s County Contract from Advanced Recreational Concepts (ARC), LLC, 3125 Skyway Circle, Melbourne, FL 32934. The cost for the playground equipment and installation is \$38,193.20, which will be charged to account 301-781-5-787-16. The amount budgeted for this project is \$70,000.00 (to be split between the playground equipment and the safety surfacing) found on page 396 of the FY 11/12 adopted budget. This purchase is for replacement equipment.

ACTION: (Approve – Deny) Authorization to purchase playground equipment and installation under St. John’s County Contract 11/60, from ARC, LLC., Melbourne, FL, in the amount of \$38,193.20 to be charged to the appropriate account.

(reference material — 11/09/11 quotation from ARC, LLC, 12/20/11 memo from City Attorney)

**C10 AUTHORIZATION TO PURCHASE RAINBOW TURF POUR-IN-PLACE RUBBER SAFETY SURFACING UNDER MANATEE COUNTY SCHOOL BID #11-0014-MR — Playground Improvements for Youth Park Soccer Fields**

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**C10** NOTE: This purchase will be made under a Manatee County School Bid # 11-0014- MR from Advanced Recreational Concepts (ARC), LLC., 3125 Skyway Circle Melbourne, FL 32934. The cost for the Rainbow Turf Pour-In-Place Rubber Safety Surfacing and installation is \$30,268.20, which will be charged to account 301-781-5-787-16. The amount budgeted for this project is \$70,000.00 (to be split between the playground equipment and the safety surfacing) found on page 396 of the FY 11/12 adopted budget.

ACTION: (Approve – Deny) Authorization to purchase safety surfacing and installation under Manatee County School Board Bid #11-0014-MR, from ARC, LLC., Melbourne, FL, in the amount of \$30,268.20 to be charged to the appropriate account.

(reference material — 12/21/11 quotation from ARC, LLC, and 12/20/11 memo from City Attorney)

◆ **COMMUNITY DEVELOPMENT**

**C11** **ORDINANCE NO. 3792. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; UPDATING APPENDIX I, TABLES 1, 2, AND 3 OF THE PINELLAS PARK COMPREHENSIVE PLAN TO INCLUDE A REVISED SCHEDULE OF PROJECTS; PROVIDING FOR THE ANNUAL UPDATING BY REFERENCE OF THE SCHOOL DISTRICT'S FIVE-YEAR WORK PROGRAM.**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: State statutes require the five-year capital improvement schedule of the Comprehensive Plan to be updated annually and adopted by City Council by Ordinance. This Ordinance brings the city in compliance with State comprehensive plan requirements. Upon approval of this item by City Council, the 5 year schedule of capital projects will be transmitted to the State Department of Economic Opportunity.

(reference material — ordinance, letter from City Attorney)

◆ **CITY CLERK**

**C12** **RESOLUTION NO. 12-01. A RESOLUTION AMENDING RESOLUTION NO. 11-01, BY AMENDING THE CITY'S ADMINISTRATIVE FEE SCHEDULE AS LISTED IN EXHIBIT "A"; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

**FIRST AND FINAL READING**

**C12** NOTE: Amendments have been made to the Library and Recreation Services Department only.

(reference material — Resolution)

**V. REGULAR AGENDA**

NONE

**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.**

# JANUARY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY																																																																																																			
1  Brush Site Closed Kwanzaa Ends New Year's Day Library Closed	2  New Year's Holiday City Offices & Library Closed	3	4	5	6  Epiphany	7																																																																																																			
8	9	10  7:30 PM Council Workshop	11  Pancake Breakfast Senior Center	12  7:00 PM Agenda Session *7:30 PM Council Meeting	13  Bobby Darin Tribute Performing Arts Center	14  Bobby Darin Tribute Performing Arts Center																																																																																																			
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22	23  Chinese New Year	24  7:30 PM Council Workshop	25	26  7:00 PM Agenda Session *7:30 PM Council Meeting	27	28																																																																																																			
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# FEBRUARY

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