

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
JULY 14, 2011**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

**SPECIAL PRESENTATION — SCHOLARSHIP AWARDS**

**From Public Service Education Foundation to scholarship recipients**

**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 June 23, 2011.

**III. PUBLIC HEARINGS**

**◆ COMMUNITY DEVELOPMENT**

**P1 CONSIDERATION OF A CONDITIONAL USE FOR “OUTDOOR SALES OF BOATS, RECREATIONAL VEHICLES OR MOBILE HOMES” IN THE “B-1” GENERAL COMMERCIAL DISTRICT WITH A WAIVER TO A PORTION OF THE CONDITIONAL USE REQUIREMENT FOR A 10-FOOT-WIDE LANDSCAPE BUFFER ALONG THE ENTIRE RIGHT-OF-WAY WHICH PROVIDES THE PRIMARY ACCESS TO THE SITE AND A VARIANCE TO INCREASE THE MAXIMUM PERMITTED FENCE HEIGHT FROM FOUR FEET TO SIX FEET IN THE FRONT YARD SETBACK FOR A PARCEL OF LAND LOCATED AT 7498 PARK BOULEVARD. (CU 2011-12/BOA 2011-16 – MANNY GALVAO)**

**CONTINUED PUBLIC HEARING (QUASI-JUDICIAL)**

NOTE: The applicant requests consideration of a Conditional Use for “Outdoor Sales of Boats, Recreational Vehicles or Mobile Homes” in the “B-1” General Commercial District with a waiver to a portion of the Conditional Use

**CITY COUNCIL AGENDA**

**JULY 14, 2011**

**PAGE 2**

- P1** requirement for a 10-foot-wide landscape buffer along the entire right-of-way which provides the primary access to the site and a variance to increase the maximum permitted fence height from four feet to six feet in the front yard setback on a 0.65 acre (MOL) parcel of land located at 7498 Park Boulevard. The applicant is proposing utilization of the site similarly to the way the previous used car dealerships used the site. The site was annexed with a five-foot-wide landscaped buffer along Park Boulevard, which provides the primary access to the site; the applicant is requesting a waiver to allow the five-foot-wide buffer. The applicant is requesting a variance to allow the six-foot-high, chain link fence along the front yard property line; the applicant has owned similar businesses in the area and has been a victim to random theft. The applicant states the fence installation proved to be effective against such crimes. Surrounding land uses are: to the north, (County) Rockin' Cards & Gifts; to the south, single family dwelling; to the east, (County) ASC (Aluminum Specialty Contractors); and to the west, St. Petersburg Pediatrics, Allergy & Asthma Center, & the future home of a day care. Subject to any matters that may be discussed at this 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 of June 2, 2011, the Planning and Zoning Commission recommended APPROVAL of the above request.

**ACTION:** (Approve – Deny) A request for a consideration of a Conditional Use for “Outdoor Sales of Boats, Recreational Vehicles or Mobile Homes” in the “B-1” General Commercial District with a waiver to a portion of the Conditional Use requirement for a 10-foot-wide landscape buffer along the entire right-of-way which provides the primary access to the site and a variance to increase the maximum permitted fence height from four feet to six feet in the front yard setback on a 0.65 acre (MOL) parcel of land located at 7498 Park Boulevard based on the staff report and the criteria found in Section 18-1531.10 subject to the following condition:

1. There shall be no outdoor loud speaker/public address or outdoor phone ringer systems allowed.

(reference material — staff report, excerpt from the June 2, 2011 Planning & Zoning meeting minutes, application, site plan and aerial, *P1 on 6/23/2011 Council agenda - tabled*)

**CITY COUNCIL AGENDA**

**JULY 14, 2011**

**PAGE 3**

◆ **COMMUNITY DEVELOPMENT**

- P2 RESOLUTION NO. 11-14. AUTHORIZING THE CITY MANAGER TO APPLY AND CONTRACT FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – FY 2011 LOCAL SOLICITATION WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE; PROVIDING FOR COMPLIANCE WITH THE JUSTICE ASSISTANCE GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.**

**PUBLIC HEARING, FIRST AND FINAL READING**

NOTE: The City is eligible to make application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for an Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$24,091.00 to be used for qualified law enforcement program purchases. The Pinellas Park Police Department proposes to use the JAG funds for the purchase of advanced technology improvements for its Special Weapons and Tactics (SWAT) Team. The equipment includes a pole mounted camera system and a crisis negotiator phone communications unit. The total cost of the project is expected to be \$26,505.00 with \$2,414.00 coming from the Police Forfeiture Fund. This grant application requests \$24,091.00 from the U.S. Department of Justice.

(reference material — resolution, grant application, attorney approval letter)

**IV. CONSENT AGENDA**

◆ **PUBLIC WORKS**

- C1 CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 11/001 – DESIGN/BUILD SERVICES HVAC SYSTEMS AT RONALD P. FORBES RECREATION CENTER AND TECHNICAL SERVICES BUILDING – Kenyon & Partners, 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 3.99%. The final payment of \$40,444.30, of which \$26,077.96 will be charged to account 301-175-5-742-89 and \$14,366.34 will be charged to account 301-781-5-737-10. The final contract is \$16,800.00 under the original contract amount.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1, Project 11/001 for the Design/Build Services HVAC Systems At Ronald P. Forbes Recreation Center and Technical Services Building, a decrease in the contract amount of \$16,800.00 for a total adjusted contract amount of \$404,443.00 and authorization for final payment of \$40,444.30 to Kenyon & Partners, Inc., Tampa, FL, to be charged to the appropriate account.

**CITY COUNCIL AGENDA**

**JULY 14, 2011**

**PAGE 4**

C1 (reference material — change order no. 1, final invoice)

C2 **AWARD OF BID 11/017 – UNITED COTTAGES IMPROVEMENTS — R.A.M. Excavating, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 214 prospective bidders. Six (6) bids were received with R.A.M. Excavating, Inc., (569 Hammock Drive, Palm Harbor, FL 34683) being the low bidder with a bid submittal of \$194,577.00. This project includes roadway brick installation, concrete aprons, storm pipe and storm inlets. A total of \$230,000.00 is budgeted for United Cottages Improvements and can be found on page 390 of the Fiscal Year 10/11 Annual Budget Book. This project will be charged to account 301-175-5-744-26.

ACTION: (Approve–Deny) Authorization to award Bid 11/017 for United Cottages Improvements to R.A.M. Excavating, Inc., Palm Harbor, FL, in the amount of \$194,577.00 to be charged to the appropriate account.

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

◆ **COMMUNITY DEVELOPMENT**

C3 **AUTHORIZATION FOR THE CITY MANAGER TO SIGN A FIVE-YEAR RESIDENT EMPLOYEE LEASE AGREEMENT — For City-owned property located at Broderick Park, 6710 61<sup>st</sup> Street North**

NOTE: This authorizes the City Manager to sign a five-year Resident Employee Lease Agreement for City-owned property located at Broderick Park, 6710 61<sup>st</sup> Street North. This lease will retain the current tenant, Jim Kunkel, of the Pinellas Park Fire Department, who assumed the lease of the previous tenant, Officer Randy Kerkman. Mr. Kunkel purchased the mobile home from Mr. Kerkman June 3, 2011.

ACTION: (Approve - Deny) Authorization for the City Manager to sign a five-year Resident Officer Lease Agreement for City-owned property located at Broderick Park, 6710 61<sup>st</sup> Street North, with Fire Fighter Jim Kunkel.

(reference material — proposed lease agreement, Exhibit “B”, Attorney approval letter)

C4 **AUTHORIZATION FOR THE CITY MANAGER TO SIGN A DISTRIBUTION EASEMENT AGREEMENT WITH FLORIDA POWER CORPORATION D.B.A PROGRESS ENERGY FLORIDA, INC. ON CITY-OWNED PROPERTY — St. Giles Manor II, Inc.**

**CITY COUNCIL AGENDA**

**JULY 14, 2011**

**PAGE 5**

- C4** NOTE: Florida Power Corporation d.b.a. Progress Energy Florida, Inc. has requested a 10 foot Distribution Easement from the City to accommodate their existing utility equipment and for the future maintenance and operation of said equipment on City-owned property currently occupied by St. Giles Manor II, Inc.

ACTION: (Approve – Deny) Authorization for the City Manager to sign a 10 foot Distribution Easement with Florida Power Corporation d.b.a. Progress Energy Florida, Inc. on City-owned property.

(reference material — Distribution Easement, attorney approval letter)

- C5** **AUTHORIZATION FOR THE CITY MANAGER TO SIGN A CONTRACT FOR SALE OF SURPLUS PROPERTY IDENTIFIED AS UNITED COTTAGES LOTS 26 AND 28** — American Community Development Group, Inc.

NOTE: The subject lots were declared surplus by City Council at the City Council Meeting of May 12, 2011 with the adoption of Resolution No. 11-09, and the City Manager was authorized to proceed with the sale of said property located at United Cottages, Lots 26 and 28. The City set a minimum bid of \$6,000 per lot to one or more successful bidders. The bid presented for authorized signature is a cash contract for \$16,371.

ACTION: (Approve – Deny) Authorization for City Manager to sign a contract for sale of surplus City-owned properties identified as United Cottages Lots 26 & 28 with American Communities Development Group, Inc. in the amount of \$16,371, with funds to be deposited in the appropriate account and subject to City Attorney's approval as to form and content of sale agreement.

(reference material — bid results, contract for sale, map, Resolution No. 11-09, Attorney approval letter for Resolution No. 11-09, Development Agreement)

- C6** **RESOLUTION NO. 11-15. AUTHORIZING THE CITY MANAGER TO APPLY AND CONTRACT FOR THE FISCAL YEAR 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – COUNTYWIDE SOLICITATION WITH THE OFFICE OF CRIMINAL JUSTICE GRANTS, FLORIDA DEPARTMENT OF LAW ENFORCEMENT; PROVIDING FOR COMPLIANCE WITH THE JUSTICE ASSISTANCE GRANT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.**

**FIRST AND FINAL READING**

NOTE: The City is eligible to make application to the Florida Department of Law Enforcement (FDLE) for the Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Countywide Solicitation through the Pinellas County Department of Justice & Consumer Services for qualified law

**CITY COUNCIL AGENDA**

**JULY 14, 2011**

**PAGE 6**

**C6** enforcement program purposes. The Pinellas Park Police Department proposes to purchase and install in-car video systems in ten vehicles for the Community Redevelopment Policing, Special Operations and Patrol Units. This grant application requests \$49,750.00 from the Justice Assistance Grant program for this purpose. There is no local match requirement for this grant. The resolution authorizes the Mayor, the City Manager, or the City Manager’s designee to execute all documents necessary for the application, award and reporting required for the grant, should the grant be awarded.

(reference material — resolution, authorization letter, grant application, FDLE announcement letter, program announcement, grant conditions and certifications, attorney approval letter)

◆ **FIRE**

**C7** **APPROVAL OF A VOLUNTARY ANNEXATION OF PROPERTY OWNED BY RICKEY P. EVELAND D/B/A EVELAND TOWING AND RECOVERY (AX11-21) — Annexation of 2.32 acres MOL located at 12895 Automobile Boulevard**

NOTE: This is a voluntary annexation of 2.32 acres MOL of contiguous industrial property located at 12895 Automobile Boulevard. The Owner’s vehicle impound yard is located on the site.

Rickey P. Eveland 12895 Automobile Boulevard	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$4081.69	\$0.00	\$655.00
The Annexation Agreement special provisions are: <ul style="list-style-type: none"><li>• Owner shall, after the completion of the annexation, apply for a zoning change of the subject parcels from M-1 to IH to bring the subject parcels into consistency with the Future Land Use designation of IG.</li><li>• CITY shall waive the fees in the sum of Six Hundred Fifty Five &amp; 00/100 Dollars (\$655.00) associated with the application to rezone the subject parcels from M-1 to IH.</li></ul>			

**ACTION:** (Approve - Deny) A voluntary annexation for 2.32 acres MOL owned by Rickey P. Eveland d/b/a Eveland Towing and Recovery and located at 12895 Automobile Boulevard.

(reference material — agreement, petition, data sheet, comment sheet, revenue analysis, map, Attorney approval letter.)

**CITY COUNCIL AGENDA**

**JULY 14, 2011**

**PAGE 7**

- C8     ORDINANCE NO. 3772.   ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 12895 AUTOMOBILE BOULEVARD (RICKEY P. EVELAND D/B/A EVELAND TOWING AND RECOVERY AX11-21)**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: This is a voluntary annexation of 2.40 acres MOL of industrial property. The Owner's vehicle impound yard is located on the site. The property is located at 12895 Automobile Boulevard.

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

**◆     HUMAN RESOURCES**

- C9     ORDINANCE NO. 3773.   AMENDING CHAPTER 17 (PENSIONS AND RETIREMENT) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, PINELLAS PARK GENERAL EMPLOYEES' PENSION FUND.**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: This Ordinance amends Article II, Chapter 17 (Pensions and Retirement) relating to the Pinellas Park General Employees' Pension Fund for Members who enroll in the DROP on or after October 1, 2011, by limiting the DROP participation period to two (2) years and by providing for 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). The ordinance also clarifies that interest is only payable through the date the DROP participant terminates City employment.

(reference material — Proposed Ordinance)

**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**

**CITY COUNCIL AGENDA**

**JULY 14, 2011**

**PAGE 8**

**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.**



