

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
AUGUST 25, 2011**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

SERVICE AWARDS — City Employees

PROCLAMATIONS

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 August 9, 2011.

III. PUBLIC HEARINGS

◆ OMB

P1 ORDINANCE NO. 3774. AMENDING ORDINANCE 3744 ADOPTING THE BUDGET FOR FISCAL YEAR 2010/2011.

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This budget amendment performs some minor maintenance in the General and Water & Sewer Funds with Building Maintenance Internal Service accounts, and funds are reappropriated to establish the Centennial Celebration account in the General Fund. In the Community Redevelopment fund, the value of tax parcels in the CRA are adjusted per the county's adjustments board. In the CIP, funds are reappropriated for various major repairs at City facilities and replacement equipment at the recreation centers. Overall the City's budget for this year will decrease by \$421,501.

(reference material — ordinance and budget amendment schedule, C5 on 7/28/11 Council agenda; postponed 8/9/2011)

IV. CONSENT AGENDA

◆ FIRE

- C1 ORDINANCE NO. 3775. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 3630 ULMERTON ROAD (SOUTHLAND INVESTMENT CORPORATION AX11-22)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 1.61 acres MOL of contiguous commercial property located at 3630 Ulmerton Road. The 22,841 square foot building on site is occupied by Quality Flooring, a distributor of flooring materials and installation supplies.

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

- C2 APPROVAL OF A VOLUNTARY ANNEXATION OF PROPERTY OWNED BY SOUTHLAND INVESTMENT CORPORATION (AX11-22) — Annexation of 1.61 acres MOL located at 3630 Ulmerton Road**

NOTE: This is a voluntary annexation of 1.61 acres MOL of contiguous commercial property located at 3630 Ulmerton Road. The 22,841 square foot building on site is occupied by Quality Flooring, a distributor of flooring materials and installation supplies.

Southland Investment Corporation 3630 Ulmerton Road	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$7,117.37	\$0.00	\$0.00
There are no special provisions associated with this Annexation Petition.			

ACTION: (Approve - Deny) A voluntary annexation for 1.61 acres MOL owned by Southland Investment Corporation located at 3630 Ulmerton Road.

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

- C3 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 and to the Pinellas Park Fire District.

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- C3** ACTION: (Approve – Deny) Authorization for the Mayor to sign a one year Extension of Fire Protection Services Agreement for the Highpoint area and the Pinellas Park Fire District.

(reference material — Extension of Fire Protection Services Agreement, 8/5/11 letter from City Attorney, memo from Risk Management dated 8/9/11)

- C4** **AUTHORIZATION TO DONATE SURPLUS FIRE ENGINE — To Pinellas Park High School**

NOTE: This vehicle has been declared surplus property due to its age. It was purchased new in September of 1990 and served for approximately ten years as a front line unit. After that, it was placed into reserve status. Comparable used vehicles sell in the range of \$25,000 to \$40,000.

ACTION: (approve – Deny) Authorization to donate one 1990 Quality Fire Engine to Pinellas Park High School at no charge to the school, and contingent upon their signing a release acknowledging that the rescue vehicle is being donated in as-is condition with no claims, warranties, or guarantees being made by the City of Pinellas Park regarding the condition of, or effectiveness of, the donated rescue vehicle.

(reference material — 6/2/2010 letter from Pinellas Park High School)

◆ **POLICE**

- C5** **AUTHORIZATION FOR PURCHASE UNDER GSA CONTRACT — One (3) camera tag reader system from ELSAG NorthAmerica**

NOTE: This authorizes the purchase of one (3) camera automatic license plate reader system under US General Services Administration number GS-07F-0073L from ELSAG North America, 205 – H Creek Ridge Road, Greensboro, North Carolina, 27406 from the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The total amount for this purchase is \$22,650.

ACTION: (APPROVE-DENY) Authorization to purchase, of one (3) camera automatic license plate reader system from ELSAG North America under US General Services Administration number GS-07F-0073L at a cost of \$22,650 to be charged to the appropriate account.

(Reference material — Quote from ELSAG North America dated 08/02/2011, equipment brochure, and email from Purchasing Director dated 8/3/2011)

- C6** **AUTHORIZATION FOR MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING/WORKING AGREEMENT WITH THE PINELLAS COUNTY SHERIFF'S OFFICE**

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- C6** NOTE: This authorizes the Mayor to sign a memorandum of understanding/working agreement with the Pinellas County Sheriff's Office which will be good through June 30, 2015. This Agreement will coordinate services of the Pinellas County Sheriff's Office, Child Protection Investigation Division, through cooperation, collaboration and the sharing of appropriate information. The previous Agreement expired July 1, 2010.

ACTION: (Approve-Deny) Authorization for the Mayor to sign the proposed Agreement with the Pinellas County Sheriff's Office.

(reference material — City Attorney's Letter dated 6/16/2011, Risk Management email dated 6/15/2011, and Agreement)

- C7** **AUTHORIZATION TO FUND POWER DMS SOFTWARE FROM INNOVATIVE DATA SOLUTIONS FOR SOFTWARE MANAGEMENT, ONE CRASH DATA RETRIEVAL SYSTEM FOR THE TRAFFIC UNIT AND ADVANCED POLICE TRAINING – ALL FROM CONFISCATED PROPERTY FUND.**

NOTE: Policies and procedures, referred to as directives and standard operating procedures are rules that all Pinellas Park Police Department members follow in carrying out the mission of the department. Department directives are created, updated, distributed and maintained in a written format contained in binders assigned throughout the Agency and digitally on the City's "J" drive. In an effort to streamline this process, Chief Thomas is requesting funding through our Confiscated Property Fund for software from Innovative Data Solutions. Power DMS Suite is a software package that will store and distribute new and updated directives. It allows the employees to access department directives, standard operating procedures and other distributed documents electronically via their laptops. When directives are updated, the system provides an electronic means for employees to acknowledge receipt and will track when each member receives the document, as well as who has not yet received it. This system also has a test component for the disseminated material to ensure the employee possesses an understanding of critical portions of the material. This software is internet based and does not reside on City servers. The cost for this software is \$5,020.

Similar to a flight data recorder found on an aircraft, an automotive black box, also known as an Event Data Recorder (EDR) is capable of recording certain information when activated by an event. An event is best described as a change in vehicle velocity that exceeds the manufacturer's predetermined threshold. These events are changes in speed, airbag deployment, safety belt utilization and additional information recorded during a crash. This data can be critical with investigating traffic fatalities or near fatalities. The types of data recorded also vary by vehicle manufacturer and even by model and the Bosch crash data retrieval can accommodate most late model vehicles. The cost for this system is \$7,042.

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- C7** Eight employees will attend and participate in the SWAT Round-up International Competition 2011. This training and competition will be hosted locally by the Orange County Sheriff's Office November 6 through November 11, 2011. This event combines education and training seminars and head-to-head competition into one major event. Twenty-nine years ago, SWAT Round-Up International began as a means to provide a forum for the exchange of ideas among agencies. SWAT Round-up has now evolved into an international showcase for tactical teams from across the United States and Europe. Great efforts are made to ensure the primary focus of SWAT Round-Up International remains committed to team and individual training.

The Training and Education Program is an extremely vital part of the SWAT Round-Up International experience. In the past, training topics generally include addressing homeland security, crowd management and law enforcement response to terrorism. Numerous other applicable courses for tactical teams are also available. Nationally renowned instructors participate in the training and education offered during this six day symposium. This training experience brings experts together from all over the country to train our team members. This unique opportunity provides lessons learned from actual case studies or prior incidents, recognizes new and innovative tactics other teams have employed, encourages contact with other agencies as a year round resource and motivates our team members to maintain peak physical fitness/condition. The competition aspect of Round-up evaluates performance under stress and promotes team innovation and problem solving. Eight of our SWAT Team Members will attend the SWAT Round-up International Competition. The cost for this training, inclusive of entry fee, hotel accommodations and per diem is \$2,878.

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 Power DMS Software from Innovative Data Solutions of Orlando, Fl, (1) Crash Data Retrieval System from Bosch of Santa Barbara, Ca and advanced police training in Orlando, Fl. All items contained in this Agenda Item will to be purchased from Confiscated Property Fund. The total amount is \$14,940.

(reference material — Power DMS quote, sole source letter and brochure (5 pages), Bosch quote, sole source letter and brochure (4 pages) SWAT Round-up description and email to Captain Haworth from Sergeant Russo (3 pages).

- C8** **AUTHORIZATION FOR CITY MANAGER TO SIGN SCHOOL RESOURCE OFFICER AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA.**

NOTE: This contract revises and replaces the contract between the City and School Board of Pinellas County, Florida, 301 4th Street SW, Largo, Florida,

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- C8** previously entered, December 7, 2010. This one year proposed Agreement provides law enforcement and related services to Pinellas Park Senior High School and Morgan Fitzgerald Middle School from July 1, 2011, until June 30, 2012. The proposed Agreement has been reviewed by the City Attorney's office and Risk Management.

ACTION: (Approve-Deny) Authorization for the City Manager to sign the proposed Agreement with the School Board of Pinellas County, Florida for School Resource Officer Services.

(reference material — City Attorney's Letter dated 8/3/2011, Risk Management email dated 8/2/2011, and SRO Agreement)

◆ **LIBRARY AND RECREATION**

- C9** **RECEIPT OF RESIGNATION FROM LIBRARY BOARD — Eric Scherer**

NOTE: Eric Scherer has moved outside of the city and is no longer eligible to serve on the Library Board. Mr. Scherer has been an active member of the Board since June 2010, and also served as a Teen Board Member from June 2008 through June 2009. His dedication and enthusiasm will be missed. The term for this position expires June 30, 2013.

ACTION: (Accept-Deny) Resignation of Eric Scherer from the Library Board, effective August 25, 2011.

(reference material — resignation letter)

◆ **PUBLIC WORKS**

- C10** **AWARD OF BID 11/027 AND CHANGE ORDER NO. 1 – 66TH STREET LANDSCAPE IMPROVEMENTS 62ND AVENUE TO BRYAN DAIRY ROAD — Ameri-Pride, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 120 prospective bidders. Three (3) bids were received with Ameri-Pride, Inc.(16604 US Highway 19 North, Clearwater, FL) being the low bidder with a bid submittal of \$122,156.16. In addition, three supplemental bid items with a bid submittal of \$31,264.84. This project is being funded by a Landscape Reimbursement and Maintenance Memorandum of Agreement by the Florida Department of Transportation in an amount not to exceed \$150,000.00. This project will be charged to account 301-781-5-735-01. The approval of this item will reflect the award of bid, supplemental bid items, and a change order deduction in the amount of \$4,443.04 reflecting the removal of one (1) 66th Street median from the contract located in the CSX railroad right of way. The total contract amount requested for award is \$148,977.96.

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- C10** ACTION: (Approve – Deny) Authorization to award bid 11/027, three supplemental bid items, and approve Change Order No.1 for bid # 11/027 66th Street Landscape Improvements 62nd Avenue to Bryan Dairy Road to Ameri-Pride Inc. Clearwater, FL, in the amount of \$148,977.96.

(reference material — Change Order #1, bidders list and bid file available for review)

- C11** **AUTHORIZATION FOR MAYOR TO SIGN AN EXTENSION TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF PINELLAS PARK AND PINELLAS COUNTY FOR MAINTENANCE OF TRAFFIC CONTROL SIGNALS AND DEVICES.**

NOTE: At the City Council meeting of April 13, 2006 an Interlocal Agreement between the City of Pinellas Park and Pinellas County was approved by City Council. At the City Council meeting of August 26, 2010 a twelve month extension to the Interlocal Agreement was signed. A second twelve month extension to the subject agreement has been proposed by the County. This authorizes the Mayor to sign Amendment 2 to the Interlocal Agreement between the City of Pinellas Park and Pinellas County for Maintenance of Traffic Control Signals and Devices. The current Agreement with Pinellas County has been in place since March 28, 2001.

ACTION: (Approve-Deny) Authorization for the Mayor to sign a twelve month extension to the Interlocal Agreement between the City of Pinellas Park and Pinellas County for Maintenance of Traffic Control Signals and Devices.

(reference material — Interlocal agreement amendment 2, original agreement, August 1, 2011 City Attorney letter)

- C12** **AWARD OF BID 11/024 – AIR CONDITIONING AND HEATING SERVICES CONTRACT - Air Mechanical & Service Corporation**

NOTE: Bids were legally advertised and bid invitations were mailed to 42 prospective bidders. Seven bids were received, with Air Mechanical & Service Corporation, (4311 W. Ida Street, Tampa, FL 33614) being the lowest qualified bidder for a total yearly cost of \$56,580.00 to be charged to appropriate accounts. Additional services provided in the new contract include; the addition of two new facilities [Senior Center Annex and Records Storage Building formerly Tire Kingdom] and manufacturer's warranty and preventative maintenance requirements for all air conditioning/heating systems.

ACTION: (Approve – Deny) Authorization for award of bid for the Air Conditioning and Heating Services Contract to Air Mechanical & Service Corporation, with a maximum of three additional one-year renewal options, in the amount of \$56,580.00 per year to be charged to the appropriate accounts.

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C12 (reference material — bid book available for review)

C13 **REJECTION OF BID 10/011 — Forbes Recreation Center Cool Roof — Reroofing Project**

NOTE: This would authorize the rejection of the five bids received for project 10/011. The five bids received were over anticipated cost.

ACTION: (Approve-Deny) Authorization to reject the five bids received for project 10/011.

(reference material — Memorandum of Bid Opening Results from Bill Santhouse)

◆ **OMB**

C14 **ORDINANCE NO. 3776. AMENDING ORDINANCE 3744 ADOPTING THE BUDGET FOR FISCAL YEAR 2010/2011.**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This budget amendment performs some minor maintenance in the General, Police Confiscated Trust, and CRA funds. Funds are reappropriated to provide funding for some expenditures for building maintenance, health insurance, library donations, etc. In the Community Redevelopment and Police Confiscated funds, funds are appropriated for infrequently occurring items such as training and travel, audit, etc. Overall the City's budget for this year will increase by \$91,820.

(reference material — ordinance and budget amendment schedule)

◆ **COMMUNITY DEVELOPMENT**

C15 **ACCEPTANCE OF A WARRANTY DEED FOR ROAD RIGHT-OF-WAY AND EXECUTION OF A DRAINAGE AND UTILITY EASEMENT FROM HARDY HUNTLEY – GATEWAY, LLC – Grand Avenue in the Gateway Center Business Park**

NOTE: The property owner has requested that the City take this portion of road right-of-way which has been a private road in the past, but now, due to changes in their DRI, the Owner wishes to make it a public road, and at the same time grant to the City a perpetual drainage and utility easement for the purpose of construction, operation, maintenance and repair of any existing drainage systems and utility lines. A Phase I Environmental Assessment was performed on the property by Environmental Assessment Services, Inc. which indicated that there were no environmental concerns on the property.

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- C15** ACTION: (Approve – Deny) Authorization for Council to accept a Warranty Deed and execute a Drainage and Utility Easement from Hardy Huntley – Gateway, LLC for a portion of road right-of-way in the Gateway Center Business Park.

(reference material — deed, easement, attorney approval letters)

- C16** **ORDINANCE NO. 3777. AN ORDINANCE AMENDING THE LAND USE PLAN MAP FOR THE CITY OF PINELLAS PARK BY PROVIDING FOR A CHANGE IN THE LAND USE FROM RESIDENTIAL MEDIUM (RM) TO COMMERCIAL GENERAL (CG) ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 8701 49TH STREET (LUPA 2011-01 – NRS Ventures LLC / King Engineering Associates, Inc.)**

FIRST READING PRIOR TO PUBLIC HEARING

(FINAL PUBLIC HEARING November 22, 2011 - QUASI-JUDICIAL)

NOTE: The applicant is requesting consideration of a request to amend the Comprehensive Land Use Plan Map from Residential Medium (RM) to Commercial General (CG), or a land use designation of lesser intensity as identified in the City's adopted Comprehensive Plan for a parcel of land totaling 3.28 acres generally located at 8701 49th Street. The applicant is proposing an expansion to the existing nursing home and the future land use map amendment will provide the additional density required. 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, 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. At their meeting of August 4, 2011, the Planning and Zoning Commission recommended approval of the application.

(reference material — ordinance, City Attorney approval letter, excerpts from the 8/04/11 P&Z meeting, staff report, application, and aerial)

- C17 ORDINANCE NO. 3778. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1503.3, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 8701 49TH STREET AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF; FROM "R-6" MULTI-FAMILY RESIDENTIAL/COMMERCIAL DISTRICT TO "B-1" GENERAL COMMERCIAL DISTRICT. (Z 2011-01 NRS Ventures LLC / King Engineering Associates, Inc.)**

**FIRST READING PRIOR TO PUBLIC HEARING
(FINAL PUBLIC HEARING November 22, 2011 - QUASI-JUDICIAL)**

NOTE: The applicant is requesting the rezoning of a 3.28 acre parcel of land generally located at 8701 49th Street from "R-6" Multi-Family Residential/Commercial District to "B-1" General Commercial District. The applicant is proposing an expansion to the existing nursing home and a future land use map amendment which will provide the additional density required for the expansion. This companion rezoning will bring the parcel into conformity with the proposed land use. At their meeting of August 4, 2011, the Planning and Zoning Commission recommended APPROVAL of the rezoning based on the "Responses of Relevant Considerations for Rezoning." The Relevant Considerations found that:

1. The rezoning is consistent with the City's Comprehensive Plan Policies.
2. The rezoning would not adversely affect the neighborhood.

The abutting Zoning Districts are to the north, "R-4" Duplex Residential District and "R-5" Multi-family Residential/Commercial District; to the south "B-1" General Commercial District and "P" Public District; to the west "R-1" Single Family Residential District; and to the east, "B-1" General Commercial District.

(reference material — ordinance, Attorney approval letter, staff report, excerpts from the P & Z minutes of 8/4/11, application and aerial)

- C18 ORDINANCE NO. 3779. AN ORDINANCE ADOPTING A MASTER PLAN PURSUANT TO SECTION 18-1524.2 (C), ESTABLISHING RESIDENTIAL DEVELOPMENT ENTITLEMENTS IN THE “IL” INDUSTRIAL LIMITED FUTURE LAND USE CATEGORY FOR LAND GENERALLY LOCATED WEST OF GRAND BOULEVARD, NORTHWEST OF GANDY BOULEVARD, EAST OF SUNSET PALMS MOBILE HOME PARK, SOUTH OF GATEWAY CENTRE BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF, THROUGH THE APPROVAL OF A MASTER PLAN, ATTACHED HERETO AS EXHIBIT “A” AND MADE A PART HEREOF, ENCOMPASSING CERTAIN LANDS GENERALLY LOCATED WITHIN THE GATEWAY CENTRE DEVELOPMENT OF REGIONAL IMPACT AS GRAPHICALLY DEPICTED THEREIN AS REQUIRED BY THE RULES CONCERNING THE ADMINISTRATION OF THE COUNTYWIDE FUTURE LAND USE PLAN; 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. (MS 2011-26 – Huntley Properties LLC)**

FIRST READING PRIOR TO PUBLIC HEARING

(Public Hearing, November 22, 2011 - QUASI- JUDICIAL)

NOTE: The applicant proposes multifamily residential development of 432 units on a 26.17 acre M.O.L. portion of the Gateway Centre Development of Regional Impact in the Industrial Limited (IL) Future Land Use Category (“M-1” Light Industrial Zoning District.) An additional 12.81 acres of “B-1” General Commercial Commercial General (CG) land is also a part of the proposed residential development that is not subject to this Master Plan requirement. The abutting Future Land Use designations are: to the north, Industrial Limited (IL); to the west, Industrial Limited (IL) and Residential Low Medium (RLM); to the east, Industrial Limited (IL) and to the south, Commercial General (CG). At its meeting of June 2, 2011, the Planning and Zoning Commission recommended APPROVAL of the above request.

(reference material — ordinance, Attorney approval letter, memorandum, excerpts of P&Z minutes of 8/4/2011, application, aerial)

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.

