



# **City of Pinellas Park**

## **City Council**

### **Agenda**

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Thursday, April 13, 2017

7:30 PM

City Council Chambers

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#### **CALL TO ORDER**

#### **INVOCATION**

#### **PLEDGE OF ALLEGIANCE**

#### **I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

##### **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 AND CITIZENS WILL BE SWORN IN IF THERE ARE ITEMS THAT ARE QUASI-JUDICIAL**

#### **II. APPROVAL OF MINUTES**

Approval of Regular Council Minutes of March 23, 2017, as on file in the City Clerk's office.

### **III. PUBLIC HEARINGS**

**P1     ORDINANCE NO. 4016. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1501.5, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6226 76TH AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; FROM "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL ZONING DISTRICT TO "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL DISTRICT WITH AN "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR A "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR AN EIGHT-UNIT TOWNHOME DEVELOPMENT; IMPOSING 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 2017-1/BOA 2017-10, Milan Homes, LLC)**

#### **PUBLIC HEARING SECOND AND FINAL READING (QUASI JUDICIAL)**

**(Speaker - Dean Neal, Zoning Director)**

NOTE: This is a request to establish an "RPUD" Residential Planned Unit Development Overlay with the existing "R-6" Multifamily Residential/Commercial Zoning District. The current zoning district allows 12.5 units per acre and the RPUD Overlay allows for a creative approach for redevelopment of an older tract and flexibility with the Land Development Code to provide for townhome development. The applicant has proposed 8 attached townhomes to be oriented facing the south, toward "B-1" General Commercial Zoning along Park Boulevard with a 6 foot masonry wall to the north and east and a 6 foot solid PVC fence to the south and west. Parking and landscaping provided exceeds Code requirements and all utilities and access will be handled privately within the newly created Homeowners' Association. At their public hearing of March 2, 2017, the Planning and Zoning Commission recommended approval of the above requests, subject to the following conditions:

1. The development shall be limited to 8 dwelling units on the 1.03 acre (MOL) parcel.

2. Setbacks for the entire PUD overlay are as follows:

Front (west - 62nd Way)	20 feet
Front (north - 76th Avenue)	30 feet
East side	15 feet
South side	15 feet

3. Development controls are established through the development order, consisting of the

application, staff report and preliminary and final site plans along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by John A. Bodziak Architecture and last revised by the applicant on 2/20/2017 and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "RPUD" Residential Planned Unit Development adoption.

4. The developer shall install a swale along the west side of the property in addition to Code required stormwater drainage that will be provided below ground in an ex-filtration system.

5. The north and east property lines must be shielded with a 6 foot tall masonry/stucco wall and the south and west property lines must be shielded with a 6 foot tall PVC fence. Any material greater in durability than what has been recommended may also be permitted.

6. Within 30 days of approval, the developer shall submit a revised site plan as approved by City Council to the Zoning Division.

*C4 on 3/23/17 Council agenda.*

ACTION: (Pass - Deny) Ordinance No. 4016.

**Department:** Community Development

**Reference Material:** [PUD ordinance, atty letter, excerpt from PZ 3.2.17 minutes, staff report, application, aerial map, site plan](#)

**P2 RESOLUTION NO. 17-08. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA CREATING A CITY OF PINELLAS PARK COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)ADVISORY BOARD TO PROVIDE ADVICE AND GUIDANCE TO CITY GOVERNMENT TO ALLOW IT TO BEST IMPLEMENT CONTROLLING LAW AND GRANT PROJECTS AND PROGRAMS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT CREATION; PROVIDING FOR THE BOARD'S PURPOSE, MEMBERSHIP, DUTIES, RESPONSIBILITIES, AND MEETINGS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR IMPLEMENTING ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;AND PROVIDING FOR AN EFFECTIVE DATE.**

**PUBLIC HEARING SECOND AND FINAL READING**

**(Speaker - Tammy Hillier, Grants Writer/Coordinator)**

NOTE: In April 2016, the Department of Housing and Urban Development (HUD) confirmed the City of Pinellas Park's eligibility to become a Community Development Block Grant (CDBG) entitlement city based on its population surpassing the required 50,000 permanent

residents. Creating a CDBG Advisory Board, made up of Pinellas Park residents fulfills the citizen participation requirement of the Housing and Community Development Act of 1974.

*C6 on 3/23/17 Council agenda.*

ACTION: (Adopt - Deny) Resolution 17-08.

**Department:** Community Development

**Reference Material:** [Resolution creating a CDBG Advisory Board, Attorney Letter](#)

- P3    ORDINANCE NO. 4018.    AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS; AMENDING ORDINANCE NO. 3996 OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK WHICH SET FORTH A MORATORIUM ON THE ISSUANCE OF LICENSING FOR MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS IN THE CITY OF PINELLAS PARK, FLORIDA, BY EXTENDING SUCH MORATORIUM FOR AN ADDITIONAL SIX-MONTH PERIOD OF TIME; PROVIDING AN EFFECTIVE DATE.**

**FIRST READING, FIRST PUBLIC HEARING  
(Second and Final Public Hearing April 27, 2017)**

**(Speaker - Dean Neal, Zoning Director)**

NOTE: The City Attorney has prepared an amendment to Ordinance No. 3996 that extends the moratorium another six months or 12 months from the effective date of the subject ordinance.

ACTION: (Pass - Deny) Ordinance No. 4018.

**Department:** Community Development

**Reference Material:** [memo, ordinance, atty letter.pdf](#)

#### **IV. CONSENT AGENDA**

**C1 AUTHORIZATION FOR RFP 17/005 - NEGOTIATIONS PLANNING CONSULTANT SERVICES - TO REVIEW AND UPDATE THE CITY OF PINELLAS PARK'S COMPREHENSIVE PLAN AND LAND USE CODE**

NOTE: The Evaluation Committee, in accordance with Resolution 15-12 has reviewed the proposals submitted and recommends four consultants in the following order: 1) Tindale Oliver Design; 2) Calvin, Giordana & Associates Inc.; 3) S&ME, Inc.; and 4) Civilsurv Design Group, Inc. Upon Council's recommendation and authorization, the City Manager will negotiate competitively with the most qualified firm; and, should he fail to reach an agreement, he will then negotiate with the remaining firms in order of preference, in accordance with Section 287.055, Florida Statutes.

ACTION: (Approve - Deny) Authorization for City Manager to negotiate with the firms recommended by the Evaluation Committee, in order of preference as recommended, to review and update the City of Pinellas Park's Comprehensive Plan and Land Use Code.

**Department:** Community Development

**Reference Material:** [RFP 17-005](#)

**C2 APPOINTMENT TO THE LIBRARY BOARD - Mr. John Spagnola**

NOTE: A vacancy on the Library Board was created by the resignation of Ms. Connie Marmaro. The Library Board interviewed Mr. John Spagnola to fill the position and complete Marmaro's term. The Library Board voted unanimously to recommend that Council approve the appointment of Mr. John Spagnola effective May 1, 2017 with a term to expire June 30, 2017.

ACTION: (Approve - Deny) The appointment of Mr. John Spagnola to the Library Board with a term to expire June 30, 2017.

**Department:** Library and Cultural Affairs

**Reference Material:** [Library Board Minutes 3-2-2017 Unapproved](#)

**C3 AWARD OF BID 17/010 - S.R. 694 (Park Boulevard) from S.R. 55/US HWY 19 to S.R. 693 (66th St N) - Morelli Landscaping, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 211 prospective bidders. Two (2) bids were received with Morelli Landscaping, Inc. (6370 146th Ave. N., Clearwater, FL 33760) being the low bidder with a bid submittal of \$227,850.94. 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 \$179,300.00. This project will be charged to account 301481-562520.

ACTION: (Approve - Deny) Authorization to award Bid 17/010 for the Highway Landscape Reimbursement and Maintenance Memorandum of Agreement with Florida Department of Transportation - S.R. 55 (U.S. Highway 19) and S.R. 693 (66th Street North) to Morelli Landscaping, Inc., Clearwater, FL, in the amount of \$227,850.94. to be charged to the appropriate account.

Department: Public Works

Reference Material: [Bid Tab.Bid Proposal 17010](#)

**C4 AWARD OF BID 17/001 - SIDEWALK & ACCESSIBILITY PROGRAM - PHASE I, 126TH AVENUE NORTH SIDEWALK, 49TH STREET TO 5303 126TH AVENUE NORTH- MTM CONTRACTORS, INC.**

NOTE: Bids were legally advertised. Thirteen (13) bids were received with MTM Contractors, Inc. (6550 53rd Street N, Pinellas Park, FL 33781) being the low bidder with a bid submittal of \$66,375.00. The amount budgeted for this project is \$100,000 (pg. 396 of the FY 16/17 adopted budget). This project will be charged to account 301-481-5-625-38.

ACTION: (Approve - Deny) Authorization to award Bid 17/001 - Sidewalk & Accessibility Program - Phase I, 126th Avenue North Sidewalk, 49th Street to 5303 126th Avenue North to MTM Contractors, Inc. (6550 53rd Street N, Pinellas Park, FL 33781) to be charged to be charged to the appropriate account.

Department: Public Works

Reference Material: [Bid 17002 Bid Tab & Proposal](#)

**V. REGULAR AGENDA**

**R1 RECEIPT OF THE 2015-2016 FINANCIAL AUDIT - Cherry Bekaert LLP, Tampa**

NOTE: Representatives from the City's independent auditors, Cherry Bekaert LLP, will present the 2015-2016 Auditor's Report. The Finance Administrator will present a brief summary of the City's fiscal year 2015-2016 Financial Statements.

ACTION: (Approve - Deny) the 2015-2016 Financial Statement and Auditor's Report as presented by Cherry Bekaert LLP.

Department: Finance

Reference Material: [City of Pinellas Park SAS 114 Presentation](#)

**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 digital recording of all public hearings. In the event that you wish to appeal a decision, the digital recording 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 THE HEARING IMPAIRED — An interpreter for the hearing impaired will be made available upon requests made at least 72 hours in advance.

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# City of Pinellas Park

## Staff Report

File #: 17-091, Version: 1

Agenda Date: 4/13/2017

**ORDINANCE NO. 4016. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1501.5, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6226 76TH AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; FROM "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL ZONING DISTRICT TO "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL DISTRICT WITH AN "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR A "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR AN EIGHT-UNIT TOWNHOME DEVELOPMENT; IMPOSING 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 2017-1/BOA 2017-10, Milan Homes, LLC)**

### **PUBLIC HEARING SECOND AND FINAL READING (QUASI JUDICIAL)**

**(Speaker - Dean Neal, Zoning Director)**

NOTE: This is a request to establish an "RPUD" Residential Planned Unit Development Overlay with the existing "R-6" Multifamily Residential/Commercial Zoning District. The current zoning district allows 12.5 units per acre and the RPUD Overlay allows for a creative approach for redevelopment of an older tract and flexibility with the Land Development Code to provide for townhome development. The applicant has proposed 8 attached townhomes to be oriented facing the south, toward "B-1" General Commercial Zoning along Park Boulevard with a 6 foot masonry wall to the north and east and a 6 foot solid PVC fence to the south and west. Parking and landscaping provided exceeds Code requirements and all utilities and access will be handled privately within the newly created Homeowners' Association. At their public hearing of March 2, 2017, the Planning and Zoning Commission recommended approval of the above requests, subject to the following conditions:

1. The development shall be limited to 8 dwelling units on the 1.03 acre (MOL) parcel.
2. Setbacks for the entire PUD overlay are as follows:

Front (west - 62nd Way)	20 feet
Front (north - 76th Avenue)	30 feet
East side	15 feet
South side	15 feet
3. Development controls are established through the development order, consisting of the application, staff

report and preliminary and final site plans along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by John A. Bodziak Architecture and last revised by the applicant on 2/20/2017 and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "RPUD" Residential Planned Unit Development adoption.

4. The developer shall install a swale along the west side of the property in addition to Code required stormwater drainage that will be provided below ground in an ex-filtration system.

5. The north and east property lines must be shielded with a 6 foot tall masonry/stucco wall and the south and west property lines must be shielded with a 6 foot tall PVC fence. Any material greater in durability than what has been recommended may also be permitted.

6. Within 30 days of approval, the developer shall submit a revised site plan as approved by City Council to the Zoning Division.

*C4 on 3/23/17 Council agenda.*

ACTION: (Pass - Deny) Ordinance No. 4016.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1501.5, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6226 76<sup>TH</sup> AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; FROM "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL ZONING DISTRICT TO "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL DISTRICT WITH AN "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR A "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR AN EIGHT-UNIT TOWNHOME DEVELOPMENT; IMPOSING 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 2017-1, Milan Homes, LLC)

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BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That the following described property generally located at 6226 76<sup>th</sup> Avenue, lying within Section 28, Township 30 South, Range 16 East, is hereby rezoned from "R-6" Multifamily Residential/Commercial District to "R-6" Multifamily Residential/Commercial District with a "RPUD" Residential Planned Unit Development overlay:

THAT PARCEL LEGALLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

For purposes of Section 18-1529, Planned Unit Development District, the "R-6" Multifamily Residential/Commercial District shall be considered to be the underlying zoning on the aforementioned property at the time of rezoning hereby to "RPUD" Residential Planned Unit Development.

SECTION TWO: That the Master Plan and Supporting Documentation for the development, a "RPUD" Residential Planned Unit Development, are adopted for the purpose of controlling development on the 1.03 Acres MOL parcel of land located at 6226 76<sup>th</sup> Avenue, and more particularly described as follows:

THAT PARCEL LEGALLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

SECTION THREE: That the following attached Exhibit "B" shall be controlling as to the development of said residential development, and is adopted as part of this ordinance as:

**EXHIBIT "B"- MASTER PLAN**

and, that the following conditions of approval be adopted:

1. The development shall be limited to 8 dwelling units on the 1.03 acre (MOL) parcel.

2. Setbacks for the entire PUD overlay are as follows:

Front (west - 62nd Way)	20 feet
Front (north - 76th Avenue)	30 feet
East side	15 feet
South side	15 feet

3. Development controls are established through the development order, consisting of the application, staff report and preliminary and final site plans along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by John A. Bodziak Architecture and last revised by the applicant on 2/20/2017 and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "RPUD" Residential Planned Unit Development adoption.

4. The developer shall install a swale along the west side of the property in addition to Code required stormwater drainage that will be provided below ground in an ex-filtration system.

5. The north and east property lines must be shielded with a 6 foot tall masonry/stucco wall and the south and west property lines must be shielded with a 6 foot tall PVC fence. Any material greater in durability than what has been recommended may also be permitted.

6. Within 30 days of approval, the developer shall submit a revised site plan as approved by City Council to the Zoning Division.

SECTION FOUR: That the City Council does hereby certify that this Ordinance is consistent with the City's Comprehensive Plan and elements thereof adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.

SECTION FIVE: The City Zoning Map is hereby amended to conform to the provisions of this Ordinance.

SECTION SIX: That this Ordinance shall become effective immediately upon its final passage and adoption.

SECTION SEVEN: That all Ordinances, or parts of Ordinances in conflict with the provisions of this Ordinance be, and they are hereby repealed insofar as the same affect this Ordinance.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

FIRST READING \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sandra L. Bradbury  
MAYOR

ATTEST:

\_\_\_\_\_  
Diane M. Corna, MMC  
CITY CLERK



EXHIBIT "A"

PINELLAS PARK BLK 71, LOTS 4 THRU 8 INCL & N 1/2 OF VAC ALLEY  
ADJ ON S (LYING IN SEC 29-30-16)

EXHIBIT "B"

MASTER SITE PLAN

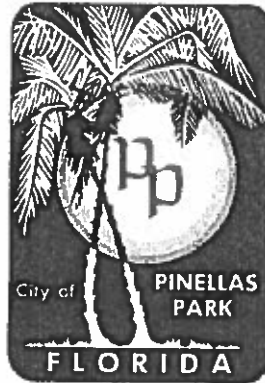
(prepared and submitted by John A. Bodziak Architecture, and  
last revised on February 20, 2017)

City of  
**PINELLAS PARK**

5141 78TH AVE. • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100

**Please Respond To:**

James W. Denhardt, City Attorney  
Law Offices of James W. Denhardt  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

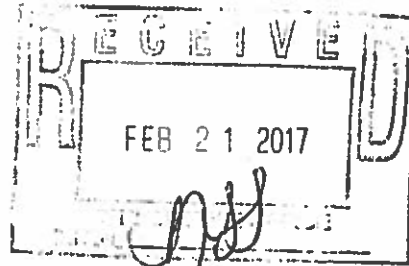


**FLORIDA**

PHONE • (727) 541-0700  
FAX • (727) 544-7448  
SUNCOM • 969-1011

February 21, 2017

Ms. Anna Weaver  
Zoning Division  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100



**RE: City Documents #17-040 and #17-043**  
**Ordinance PUD 2017-1, Milan Homes, LLC**

Dear Ms. Weaver:

I have received and reviewed the above-referenced ordinance. In the second line of the title, there should be a comma after the word "Florida." According to the Florida Division of Corporations, the legal name of the entity Milan Homes has a comma between "Homes" and "LLC." Please update the ordinance so that any reference to Milan Homes LLC appears as "Milan Homes, LLC."

With those changes, and assuming that the legal description provided in Exhibit A is correct, I would otherwise approve of the ordinance as to form and correctness.

Very truly yours,

James W. Denhardt  
City Attorney

cc: Doug Lewis, City Manager  
Diane M. Corna, MMC, City Clerk  
Patrick Murphy, Assistant City Manager  
Dean Neal, Zoning Director

JWD/dh



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much more to add as Ms. Weaver did a well job of presenting the case. Yes, the ingress/egress will remain open.

Mr. Sabiel – The employee parking lot has a sidewalk, which looks very nice, down to the dealership. However, now you are requesting a variance to the sidewalk and not putting it in the rest of the way. That is a busy street. A lot of people use that as a cut through. It would be a nice improvement to the neighborhood if the sidewalk extended all the way down to US 19.

Mr. Armstrong – I appreciate that but part of the practical challenge is it would be a sidewalk to nowhere.

Mr. Sabiel – To east of the parking lot, the first house there has a sidewalk in front of it, so it would be nice if it extended down by your property and then maybe the City would pick up the rest of the way to US 19.

Mr. Armstrong – I would be curious to know if there is a capital improvement budget anywhere for that to happen. We just hate building sidewalks to nowhere.

Mr. Sabiel – I understand.

## **OPPONENTS**

None

## **PUBLIC HEARING CLOSED**

## **BOARD DISCUSSION**

**MOTION** was made by Mr. DeLong and **SECONDED** by Mr. Sabiel to **APPROVE** without the proposed variance CU 2017-10.

## **ROLL CALL VOTE**

Aye: Shelley, Bommattei, DeLong, Long, Sabiel, Braitling, Madden  
Nay: None

## **MOTION CARRIED UNANIMOUS VOTE**

## **PUBLIC HEARING OPENED**

4. CASE NO.: PUD 2017-1/BOA 2017-10 (Quasi-Judicial)

REQUEST: Consideration of a request for the adoption of a "RPUD" Residential Planned Unit Development overlay and Master Plan in the "R-6" Multifamily Residential/Commercial Zoning District and for the development of a 8 townhomes with a variance to increase fence height to allow for a 6 foot perimeter fence within the front yard of 76<sup>th</sup> Avenue and 62<sup>nd</sup> Way.

LOCATION: 6226 76<sup>th</sup> Avenue

## QUESTIONS FOR STAFF

None

## PROPONENTS

Mr. Jack Bodziak – 285 Park Street and I have been sworn. This property is zoned for up to 12 units but we felt that was too crowded so we are limiting it to 8. This will be a transitional site as it's between a residential neighborhood and commercial site. We felt the better approach from a design perspective is to have the garages off of the parking lot instead of off 76<sup>th</sup> Avenue. Having them off of 76<sup>th</sup> Avenue, you're looking at 8 driveways going out with an increase in traffic flow. Plus, this eliminates off-street parking with use of a parking lot. We are doing approximately a 30 foot setback from the street. These townhomes will be moderate and affordable housing with pricing in the upper \$200K to low \$300K. They will be two-story homes and with private yards. All criteria has been met for utilities and drainage. The property will have an exfiltration system. It will be landscaped on both sides of the property which will have a nice orientation to it. The only variance we have asked for is in regards to the fence height. We have left a lot of open space for landscaping and use within the site.

*Ms. Weaver explained the transitional property by utilizing the map.*

Ms. Braitling – What does the back of the building look like?

Mr. Bodziak – It has a craftsman style to match the front of the building.

Ms. Braitling – I don't understand why you have the backyards facing the street as opposed to them facing the commercial site. People tend to make more noises in their backyard. Isn't that the reason you are asking for a variance to fence height? Why can't you just flip the building and have the garages off of 76<sup>th</sup> Avenue?

Mr. Bodziak – This is not a single family zoned piece of property. Flipping it around would cause you to have 8 different driveways and parking on the street as well. This design allows for a parking lot so there will be no off-street parking.

Ms. Braitling – I'm not suggesting you change the design, I'm saying why don't you just flip everything around and have the parking lot along 76<sup>th</sup> Avenue?

Mr. Bodziak – It just won't work that way. The exit will be too close to the corner if we designed the parking lot on other side. Plus, we would also lose a lot of the open space.

## OPPONENTS

Mr. Ed Kosinski – 7615 62<sup>nd</sup> Street and I have been sworn. I have a couple of concerns. One, when you take the measurements on the property, they are short of an acre so how is it now over an acre? I also have concerns with drainage. There needs to be visible drainage or it will just back up and there will be flooding in the neighborhood. I know this from experience. I had to make changes at my expense because the developer didn't know how to do this. The landscaping is inadequate with only 68 trees remaining on the property. What size trees and how many will they put back on the property? I hope they will be of mature nature. What is the setback of Unit 1 to the property line? That is going to abut against other residential houses.

Mr. Shelley – I believe it is 10 feet.

Mr. Kosinski – That is unacceptable. They can move that whole building closer to the 62<sup>nd</sup> Avenue side or like the lady said, flip the building the other way. That would work. I don't believe the entrance would be too close to the corner. You have a 30 foot setback so that will give you 30 to 40 feet from the corner. I also don't like the name of the townhomes. This is the Davis Field neighborhood so it needs to be named something appropriate to fit the neighborhood.

Ms. Weaver – The PUD overlay gives them the opportunity to design it how they want and to set their own setbacks since they are building townhomes. The R-6 zoning district allows for them to build 12 multi-family units if they were able to meet zoning setbacks and criteria.

Mr. Allie Hood – 7580 62<sup>nd</sup> Street and I have been sworn. I live near Unit 1 and it is too close to my property line. There's a 10 foot right-of-way. I don't know what happened to it. Where is that right-of-way at? Concerned about the flooding due to the townhomes being built and parking lot. Is there going to be a fence on my side running along his property line? Like the lady said, why can't the building be flipped? I don't think there will be adequate drainage which will cause a flooding issue to the neighborhood. We've had flooding problems in the past and this is just going to make it worse.

Mr. Frank Donnelly – 7657 63<sup>rd</sup> Street and I have been sworn. I go by a similar idea in St. Pete every day. I love the idea of the building being flipped. Will there be a sidewalk on 76<sup>th</sup> Avenue? If you put a sidewalk there, that eliminates all the trees. How many trees will be eliminated? There were trees taken down but why oaks and not bamboo trees? On 62<sup>nd</sup> Way, the sidewalk goes to nowhere. I asked the City years ago not to put that in. It only goes to a pawn shop and Firestone. What happened to 75<sup>th</sup> Avenue? It's not on the maps anymore. I was told it's not there anymore because Firestone built all the way to the property line and you also have the pawn shop parking lot. Again, I like the idea of the building being flipped. That would do a lot more for the image of the neighborhood. I don't really believe each unit will only have two cars with 36 trips a day. This is going to cause a lot more traffic. In 2010, the same board saw the same size property with the same concept and come to find out, duplexes were being proposed. The Planning Commission approved it. We went to City Council and had it reversed. We now have beautiful houses on those lots.

Mr. Sabiel – If the houses are to be flipped, would that change the flooding issues in the neighborhood?

Mr. Donnelly – No it doesn't. There's not a whole lot of beauty in the neighborhood and now all they are going to see is the back of someone's property and a fence. I didn't hear what type of fence it will be. We have lots of 5 foot fences around that are junky and falling down. They don't need to be there.

Mr. Sabiel – So you would like to see a nice fence?

Mr. Donnelly – If it were a masonry wall, then that might be a good thing. Something that 5 years down the road isn't going to fall down into the street. We would like to keep as many trees as possible on the property. I'm not a big believer in having a sidewalk going to the street. If you attempt to put a sidewalk, then you're going to lose a lot of trees. It's one or the other.

Mr. Sabiel – If you'll notice over the last 10-15 years, straight sidewalks aren't the norm these days. They are getting more creative. Now you see them moving them around trees and such. What do you have there now?

Mr. Donnelly – Nothing. The lot has been emptied out.

Mr. Sabiel – A lot of homeless?

Mr. Donnelly – There was homeless there but we've been really active in getting the homeless out of there. I did see a coyote there the other day which I thought was strange. Anything will be an improvement but you gotta do it right. I think the people that are going to be living there, would rather look at the street frontage rather than someone else's property.

Mr. Mike Silcott – 7641 65<sup>th</sup> Way and I have been sworn. I think the reason you should deny this is on the condition that we would like to see some enlightenment on how the drainage is going to work. The rest of the issues are all esthetics and they can be fixed. There is no permeability studies for the soil. There is not information as to the water table. This exfiltration system works just like a septic tank. It has to have a drain fill, be above the water table and soils that are conducive to that.

Mr. Sabiel – What is your address?

Mr. Silcott – 7641 65<sup>th</sup> Way.

Mr. Sabiel – So you are three blocks away?

Mr. Silcott – I am farther away than three blocks but I am part of the Davis Field Homeowner's Association and we look at all these things very closely.

Mr. Sabias King – 6260 76<sup>th</sup> Avenue and I have been sworn. One of my concerns is with the trees they have removed. They were beautiful oak and palm trees. These were historic trees to the neighborhood. We are worried about drainage as well. The water coming off the two story building, if that comes off to 76<sup>th</sup> Avenue then it will just come our way. We deal with enough water as it is. It is a beautiful design and place, but this is simply a big business trying to make more money. The building will be a two-story building that we all have to look at. Yes, there is one house now in the neighborhood that is two-story. This will be 8 unit, two-story development. There are still some oak and palm trees on the lot. What do they plan on doing with them? Will they be remaining on the lot? Again, they are of historic value. It would be a shame to see them go away.

Ms. Andrea Bradbury Dupuis – 7700 63<sup>rd</sup> Street and I have been sworn. I moved back to Pinellas Park two years ago. Where I lived at in Kenneth City, the neighborhood went downhill. I personally have duplexes all around me and have drainage issues. I probably have one of the oldest houses in Pinellas Park. It is a two-story home. I believe a wall needs to be built around the property, not a fence, to protect the other neighbors. I had to build somewhat of a wall on my property because the neighbor's drainage came onto my property. My yard gets flooded and I can't leave my house. Personally, I don't want to see anymore duplexes or townhomes in Pinellas Park. We need to have nothing but single family housing. To have an upper \$200K to low \$300K price range, you are out of your mind. Nobody is going to pay that to live in Pinellas Park or in this neighborhood. I paid \$63,000 for my house and had to put about \$30,000 into it to make it livable. I just wanted to let you know that I am totally against this project altogether.

Mr. Sabiel – Are you OK if there is a wall around there?

Ms. Dupuis – I'm against the 8 townhomes. Needs to be maybe five single family homes.

Mr. Sabiel – If you look around Pinellas Park, you are seeing these types of homes more and more often.

Just a few blocks away, there are homes being sold for over \$300K.

Ms. Dupuis – Yeah, but realistically, I'm not my dad. I don't have a lot of money. Again, we paid \$63,000 for our home. We looked at a lot of newer homes. The most they were going for is \$180K. I would not pay that type of money for a home in Pinellas Park. I'd go to Seminole or Largo.

Mr. John Frioli – 7630 62<sup>nd</sup> Street and I have been sworn in. Drainage is my biggest concern. That wall will back up water and it will just flood the whole area.

Ms. Christy Allem – 7550 62<sup>nd</sup> Street. Ms. Scalos swore in. I'm concerned with the drainage as well. I don't want anything hindering the use of my property or causing any disruptions. I like where I live and don't want to move. I don't want any construction.

Mr. Shelley – Have you had a problem with flooding before?

Ms. Allem – Yes we have. Someone mentioned earlier the missing right-of-way. We have a fence and we need to know that we will be able access our yard. Part of the fence was torn down when the trees were removed. Luckily my husband is retired and was home so he got the contractor to put the panels back up right away. I just don't want this to hinder the use of my property and to decrease the value of my property.

Mr. Sabiel – Mr. Kosinski, what is the street flooding like now?

Mr. Kosinski – It is less than in the past but we still have some flooding issues with how the drains were installed. The grass and dirt builds up and it doesn't properly drain.

Mr. Sabiel – Not because there's not drainage there now, is it more of a maintenance issue?

Mr. Kosinski – Maintenance would help the flooding issue a lot. I have addressed that with Streets and Drainage and nothing has been done about it. We've had heavy rains and there's still flooding in the streets.

Mr. Sabiel – Once it stopped raining, did the water recede correctly?

Mr. Kosinski – Yes, the water was receded correctly.

*Discussion on how the water drains in the area and City maintenance.*

Mr. Kosinski – We don't have a problem with the project. Would still like to see four or five single family homes there. We're just questioning the drainage and where is the water going to go when it rains.

Mr. Sabiel – You understand that as a builder, you have to have a system where water properly drains and they are not allowed to have water draining on anyone else's property, right?

Mr. Kosinski – I understand that fully. The problem is with our City's growth, everybody is trying to get the most bang for their buck on their investments. Our neighborhood for several years has been plagued with renters with absentee landlords. Twenty years ago, we formed the neighborhood association to get Neighborhood Services, the Police Department, etc. to help clean up our neighborhood. There's a tremendous difference than how it was twenty years ago. So many builders are wanting to build in our neighborhood on these vacant lots. We're trying to get this element of rentals out of the neighborhood which will never happen and now we have this proposal here.



Mr. Sabiel – Don't you have a better chance of getting a family and no renters with \$300K homes? With \$80K to \$100K homes, people are going to rent those homes out. You also have a better chance of this property being better maintained than five single family homes.

Mr. Kosinski – Yes. What about a homeowner's association? Will they have one?

Ms. Weaver – The City requires all new developments to have an HOA. We have reviewed the proposed HOA documents along with the City's attorneys.

Mr. Kosinski – That is good information to know. I still think they are going to have a hard time selling them at \$300K.

Mr. Sabiel – I'm sure he has done his research and marketing.

Mr. Shelley – Take a look at the old Salvation Army property.

Mr. Kosinski – Have you seen the fence they've built? Isn't it beautiful?

Mr. Sabiel – Yes, but they didn't continue that fence all the way around the property. I think this is going to be a nice addition to the Davis Field neighborhood.

Mr. Kosinski – I'm not against the project, we just have some concerns. We don't want to see little stick trees put back in. We want to see nice landscaping. We want to know where the water and drainage is going to go. We want to know where the 10 foot right-of-way went that was there. Since you have 30 feet on one side and 10 feet on the other, can't you just shift it a little to give those neighbors a little more privacy? We would like to still see four or five nice houses but we understand that he's allowed to build what he is building there.

Mr. Sabiel – He is actually building less than what code allows.

Mr. Kosinski – I don't see how he could put another four units on there.

Mr. Shelley – By ordinance, he can if he wanted to.

## **REBUTTAL**

Mr. Bodziak – There were drainage plans submitted to the City.

Ms. Weaver – Plans weren't submitted with the PUD but maybe with Engineering. That is not required for the PUD submittal. It will be reviewed during final site plan.

Mr. Sabiel – Did your contractor have a grubbing permit to start going there to clear out the trees?

Mr. Bodziak – I believe he did. I had no idea. This is the first I've heard of it. I know they were going to remove some dead trees.

Mr. Sabiel – Do you know if there is a permit?

Ms. Weaver – I did a site visit and saw that some trees were removed. Permits are issued through the Building Department. I did not research to see if they were issued a permit.

Mr. Bodziak – There was a demo permit issued.

Ms. Weaver – OK, then a demo permit was issued for the house and that would include trees in the area of demolition.

Mr. Bodziak – It was my understanding that some dead trees were removed. One of the gentlemen mentioned that we are trying to get the most bang for our buck. That is not true. We did draw up a plan for 12 units that was never submitted but I did discuss it with Dean, Zoning Director. We thought it was too crowded so we came up with 8 units. We are addressing drainage now rather than wait until later. We did do tests to check the water table level which it is down about 4 feet. We can properly put in a drainage system that is underground. It is an exfiltration system so we don't have to deal with ditches all over the place.

Mr. Sabiel – Do you know what month the tests were done?

Mr. Bodziak – I don't recall. I can find out since they are dated. Again, we have an extensive drainage system in place. I'm willing to go above and beyond what we are required to do. I'm not against putting in a swale in addition to the required drainage. As for landscaping, if they don't want a sidewalk put in, we would be willing to donate that money to the City and they put a sidewalk in somewhere else that it is needed. All of the trees would remain there. Since I've been working with the site, it has always been a little over an acre. I believe the reason it has grown a little is because they vacated the alley between the commercial property and this site several years ago.

Ms. Weaver – In the staff report, I noted a case number from 1995 where the right-of-way to the south was vacated. At that time, we would have held public hearings and posted signs just like any other case. It was just a 10 foot right-of-way and a portion was given the property owner to the north and another portion to the south.

Mr. Sabiel – They are talking about a 10 foot easement running north and south. That is the one that concerns me, not the 75<sup>th</sup> Avenue.

*Ms. Weaver points to map to show area in discussion.*

Ms. Weaver – I can't answer that as I don't have the research on it. It could have been vacated at some point in time or never really existed. If it had been an alley and vacated, it would have been given equally to the property owners on each side.

Mr. Bodziak – Again, the site isn't being maxed out to the allowed density and I feel that is a positive thing. We did submit the homeowner's association with our application. That is being reviewed. I think this proposal was well thought out. It will be a nice addition to the neighborhood and a nice place for those living there as well.

*Ms. Braitling asks Mr. Bodziak to explain drainage on site plan. Discussion and explanation takes place.*

Mr. Madden – There was mentioned a wall was going to be put up. What type of wall?

Mr. Bodziak – We have planned a stucco masonry wall along the road and sides. We have a fence planned for the back along the commercial area.

Ms. Weaver – Just to clarify, according the plan, there is a 6 foot vinyl fence along the north, east and west with a masonry wall along the south. If you are deciding to change that, you most certainly can.

Mr. Bodziak – We would be willing to make that a masonry wall along 76<sup>th</sup> Avenue and sides of the property.

Mr. Sabiel – What is the side setback on the west side of the property?

Ms. Weaver – Near 62<sup>nd</sup>, it is a 25 foot setback. For a PUD, they can establish their own setbacks.

*Discussion on setbacks and what it would accomplish if changes are made.*

Mr. Madden – I would just like to say that this project is for less units than is allowed. The look is refreshing and will be a nice addition to the neighborhood.

Mr. Bodziak – I understand what is being said. The setback only affects one house really but I'll leave that up to the board. I'm willing to accommodate.

Mr. Shelley – Trees, what size will they be?

Mr. Bodziak – Most of the perimeter trees will remain. The landscaping plan far exceeds what is required.

Ms. Weaver – According to the landscape plan, it does exceed the requirements. They are allowed to remove trees that are in the way of development and then we do require our full landscaping code. As for the size of the trees, it is written in code that is 2 inches in diameter, 6 inches above grade and a minimum of 8 feet in height. They will not be planting full size trees. Also, there might be some confusion with the sidewalk. They have put the sidewalk inside of their property line. The City requires that they put in the sidewalk. If the neighbors would not like to have that to conserve trees, then that is fine. They don't have to put the sidewalk within their own property, they can put it in the right-of-way.

Mr. Sabiel – Is there a sidewalk along the north side of 76<sup>th</sup> Avenue?

Mr. Shelley – On the other side of the street, there is.

## **PUBLIC HEARING CLOSED**

## **BOARD DISCUSSION**

**MOTION** was made by Mr. Sabiel and **SECONDED** by Mr. Madden to **APPROVE** PUD 2017-1/BOA 2017-10 subject to the following recommended conditions and revisions to the proposed site plan:  
(all revisions in **BOLD**)

1. The development shall be limited to 8 dwelling units on the 1.03 acre (MOL) parcel.
2. Setbacks for the entire PUD overlay are as follows:

	As proposed	As committed 3/2/17
Front (west - 62 <sup>nd</sup> Way)	25 feet	20 feet
Front (north - 76 <sup>th</sup> Avenue)	30 feet	30 feet
East side	10 feet	15 feet
South side	15 feet	15 feet

3. Development controls are established through the development order, consisting of the application, staff report and preliminary and final site plans along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by John A. Bodziak Architecture and last revised by the applicant on 2/20/2017 and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "RPUD" Residential Planned Unit Development adoption.

4. All trees planted must be at least 3 inches in diameter as measured 8 feet above grade. (Note: Staff recommends this condition only apply to canopy trees due to difficulty of procuring this size of intermediate or understory tree.)

5. The developer shall install a swale along the west side of the property in addition to Code required stormwater drainage that will be provided below ground in an ex-filtration system.

6. The north and east property lines must be shielded with a 6 foot tall masonry/stucco wall and the south and west property lines must be shielded with a 6 foot tall PVC fence. Any material greater in durability than what has been recommended may also be permitted.

7. Within 30 days of approval, the developer shall submit a revised site plan as approved by City Council to the Zoning Division.

#### ROLL CALL VOTE

Aye: Shelley, Bommattei, DeLong, Long, Sabiel, Braitling, Madden  
Nay: None

#### MOTION CARRIED UNANIMOUS VOTE

#### NEW BUSINESS

None

#### GENERAL BUSINESS

None

=====ZONING DIVISION=====

CASE NUMBER: PUD 2017-1/BOA 2017-10	OWNER: Milan Homes, LLC
PZ HEARING: March 2, 2017	AGENTS: Dominic Coloutes
CC HEARING: March 23, 2017 (1 <sup>st</sup> Read)	John Bodziak, architect
April 13, 2017 (Public Hearing)	

=====

I. GENERAL INFORMATION

A. Request:

Consideration of a request for the adoption of a "RPUD" Residential Planned Unit Development overlay and Master Plan in the "R-6" Multifamily Residential/Commercial Zoning District and for the development of a 8 townhomes with a variance to increase fence height to allow for a 6 foot perimeter fence within the front yard of 76<sup>th</sup> Avenue and 62<sup>nd</sup> Way.

B. Proposed use: 8 fee-simple townhomes

C. Location: 6226 76<sup>th</sup> Avenue

D. Site Area: 1.03 acres (MOL)

E. Land Use Plan Designation: Community Redevelopment District (CRD)

Zoning Classification: "R-6" Multifamily Residential/Commercial

F. Public Notification: February 10, 2017

G. Legal Advertising: February 10, 2017

H. Legal Description: See attached Exhibit "A"

## II. SITE AND VICINITY CHARACTERISTICS

### A. Zoning/Development History:

This property was platted within an original Pinellas Park Subdivision prior to 1912 as five 48-foot-wide lots. The lots have been under single ownership for many years and have been occupied by one single-family home. Recently, current owner purchased the property and demolished the single-family home. City records appear to show that this property has always been zoned "R-6" Multifamily Residential/Commercial or a zoning classification similar from past Land Development Codes. A 10-foot-wide alley was vacated in 1995 (V 1995-9) and the landowner assumed ownership of the north five feet.

### B. Site Characteristics:

This site is currently vacant and largely cleared. Trees remain around the perimeter of the property; however, site design and the requirement for a sidewalk along 76<sup>th</sup> Avenue may displace many of the existing trees. There is a 6 foot wooden fence along property lines as well that is partially damaged.

### C. Vicinity Characteristics:

AREA	ZONING	LAND USE	EXISTING CONDITIONS
NORTH	"R-1"	RLM	Single family dwellings
SOUTH	"B-1"	CRD	Value Pawn and Jewelry
EAST	"R-6"	CRD	Single family dwellings
WEST	"R-6"	CRD	Pinellas County Health Department

### D. Essential Services Summary:

Assistant City Manager: No objection

Zoning Director: Comment: *Sidewalk required if not existing on 76<sup>th</sup> Avenue.*  
**RESPONSE:** Applicant has committed to installing a sidewalk along 76<sup>th</sup> Avenue, as required.

Life Safety Management: Comment: *Provide a fire hydrant within 400 feet of the furthest townhome front door as the hose lays in the road.*

Building Division: No objection

Army Reserve Medical Command: Not received

Community Planning: No objection

Police Department: No objection

PPWMD: No objection

FDOT: No objection

Public Works Divisions:

Administrator: No objection

Engineering Services: No objection

Utilities Director: No objection

Transportation and Stormwater Div: No objection

III. MASTER PLAN REVIEW

- A. Ingress and egress to the development and proposed structures and all with particular reference to automotive and pedestrian safety, separation of automotive traffic and control, provision of services and servicing of utilities and refuse collection and ingress/egress in case of fire, catastrophe and emergency.

Analysis: There is one access proposed from 62<sup>nd</sup> Way that will function as a driveway to eight townhomes. This driveway is proposed at a minimum of 24 feet wide with a row of parking to the south and the individual garage parking to the north, providing parking to exceed the requirement for two spaces to each dwelling unit. There is a 20 foot wide emergency vehicle turnaround provided as well. Pedestrian access will be provided by sidewalks along 62<sup>nd</sup> Way and 76<sup>th</sup> Avenue. Utilities proposed shall be private and installed beneath the private driveway.

Traffic impacts are as follows:

1. Characteristics:

ACCESS / DESIGNATION	
76 <sup>th</sup> Avenue	Local
62 <sup>nd</sup> Way	Local
EXISTING CONDITIONS	
76 <sup>th</sup> Avenue	Improved 50-ft rural ROW
62 <sup>nd</sup> Way	Improved 50-ft rural ROW

2. Trip Generation:

<b>BY PREVIOUS USE - Single family residential</b>
(9.6 trips/du) x 1 SFD = 10 trips per day

<b>BY PROPOSED USE - Townhomes</b>
(5.8 trips/du) x 8 townhomes = 46 trips per day

It is estimated that the proposed use will increase trip generation by 36 trips per day.

3. Level of Service:

76 <sup>th</sup> Avenue	N/A
62 <sup>nd</sup> Way	N/A

Note: Level of Service is not assigned to local streets.

- B. Location and relationship of off-street parking and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

Analysis: With this small scale development, one private driveway is proposed from 62<sup>nd</sup> Way providing access to the individual units as well as the shared parking opposite of the buildings. This driveway provides adequate two-way access and emergency vehicle access. Landscaping and screening is proposed around the perimeter of the property in addition to the interior landscaping that is proposed to exceed Code requirements.

- C. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes, and other nuisances.

Analysis: PUD regulations provide for flexibility of setbacks subject to certain criteria, such as: character of the surrounding land, impact on abutting development, and the nature of proposed development.

Exterior setbacks proposed for the entire PUD are:

Front (62<sup>nd</sup> Way) – 25 feet  
 Front (76<sup>th</sup> Avenue) – 30 feet  
 Side (east) – 10 feet  
 Side (south) – 15 feet

The proposed setbacks will maximize the development as well as make the project compatible with the surrounding developments. Perimeter buffers will meet or exceed the City's landscaping requirements. A 6 foot tall masonry wall is proposed along the south property line abutting "B-1" General Commercial. A 6 foot tall solid fence is proposed along the north, east and west property lines to provide privacy for the development's residents.

- D. Drainage on the property with particular reference to the effect of provisions for drainage on adjacent



and nearby properties and the use of on-site retention systems. City Council may grant approval, subject to approval by the City Manager, or his designee, of a drainage plan as required by the City Drainage Code.

Analysis: There is no stormwater retention/detention noted on the preliminary PUD plan. There is a proposed 10 foot drainage easement on the north property line, adjacent to 76<sup>th</sup> Avenue. Further drainage details will be reviewed with Final Site Plan Review.

- E. Availability and compatibility of hook-in locations between the project and necessary utilities.

Analysis: Existing infrastructure for water and sewer services is adequate and reasonably available to meet the needs of the site.

- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with adjacent properties.

Analysis: Any signage desired will need to meet the requirements of Article 6, Signs, of the Land Development Code and will be reviewed with Final Site Plan Review. Exterior lighting shall be controlled through the use of cut-off fixtures.

- G. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development surrounding landscape.

Analysis: All structures proposed are to face toward the south with rear yards of the townhomes to the north closest to 76<sup>th</sup> Avenue. Previously the site has been buffered by a large amount of trees on all sides providing privacy to the single family home. This design should not be injurious to the surrounding neighborhood. The southern side of the property will be left as open space.

- H. Proximity, relationship and compatibility of existing and proposed surrounding land use.

Analysis: Surrounding properties include commercial and residential uses. This property is in the "R-6" Multifamily/Commercial Zoning District which serves as a transition buffer between commercial to the south and single family residential to the north.

- I. General amenities included as part of the development to complement the character of the surrounding area.

Analysis: Open space is provided to the south of the parking lot as well as rear yards to each townhome to the north. It is undetermined at this time if the individual rear yards will be separated from one another by fencing or landscaping as this will be up to the future property owners'; however, there is a proposed 6 foot solid fence along the north property line to buffer for safety and privacy.

- J. Treatment and location of handling of solid waste disposal.

Analysis: The applicant has proposed that roll-out cans will be utilized and stored in each unit garage.

- K. Landscaping and preservation of natural or man-made features of the site including trees and other vegetation.

Analysis: A full landscaping plan will be reviewed and approved as part of the Final Site Plan set. The applicant asserts that all landscaping requirements shall be met or exceeded. This includes perimeter, streetscape and interior landscaping. Trees will be preserved where possible, primarily in the southern side yard of the property where open space is planned to remain.

IV. Sec. 18-1537.2. VARIANCE REVIEW CRITERIA (BOA 2017-10)

Variances from the terms of this Ordinance shall not be granted by the City Council sitting as the Board of Adjustment unless and until a written application for the variances is submitted demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district.
2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
3. That the special conditions and circumstances do not result from the actions of the applicant.
4. That granting the variances requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.
5. The City Council shall further make a finding that the reasons set forth in the application justify the granting of the variances, and that the variances are the minimum variances that will make possible the reasonable use of the land, building or structure.

The City Council shall further make a finding that the granting of the variances will be in harmony with the general purpose and intent of this Ordinance, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

*The applicant requests a variance to fence height in a front yard to provide for a 6 foot high solid fence along 62<sup>nd</sup> Way and 76<sup>th</sup> Avenue.*

Analysis: The applicant has proposed a 6 foot fence around the perimeter of the site, with the southern property line being a 6 foot masonry wall. The "R-6" Multifamily Residential/Commercial Zoning District allows a 4 foot fence in the front yard which would be considered 62<sup>nd</sup> Way and 76<sup>th</sup> Avenue. It can be assumed that these street frontages will not serve as typical front yards with the

private driveway of 62<sup>nd</sup> Way being shared between units and the buildings facing to the south. The applicant asserts that the request is reasonable and harmonious with the neighborhood. The fence is designed to provide safety to residents as well as privacy to the townhomes and surrounding residential development.

VI. DEVELOPMENT CONSIDERATIONS

1. Application for building permits shall be submitted within six (6) months of Master Plan approval.
2. Any proposed signage shall be in compliance with Article 6. Signs, of the Land Development Code.

VII. DEVELOPER'S COMMITMENTS

At the Planning and Zoning Commission public hearing of March 2, 2017, the developer committed to the following recommended conditions and revisions to the proposed site plan:  
**(all revisions in BOLD)**

1. The development shall be limited to 8 dwelling units on the 1.03 acre (MOL) parcel.
2. Setbacks for the entire PUD overlay are as follows:

	As proposed	As committed 3/2/17
Front (west - 62 <sup>nd</sup> Way)	25 feet	<b>20 feet</b>
Front (north - 76 <sup>th</sup> Avenue)	30 feet	30 feet
East side	10 feet	<b>15 feet</b>
South side	15 feet	15 feet

3. Development controls are established through the development order, consisting of the application, staff report and preliminary and final site plans along with any accompanying text or graphics that constitute land development regulations applicable to the subject site. The submitted site plan, prepared by John A. Bodziak Architecture and last revised by the applicant on 2/20/2017 and as may be directed by City Council to revise as a result of their review, shall be accepted as the controlling site plan for the development. All regulations not addressed in the site plan and supporting documentation shall default to Code in effect at the time of "RPUD" Residential Planned Unit Development adoption.

4. The developer shall install a swale along the west side of the property in addition to Code required stormwater drainage that will be provided below ground in an ex-filtration system.

5. The north and east property lines must be shielded with a 6 foot tall masonry/stucco wall and the south and west property lines must be shielded with a 6 foot tall PVC fence. Any material greater in durability than what has been recommended may also be permitted.
6. Within 30 days of approval, the developer shall submit a revised site plan as approved by City Council to the Zoning Division.
7. All trees planted must be at least 3 inches in diameter as measured 8 feet above grade. (Note: Staff recommends this condition only apply to canopy trees due to difficulty of procuring this size of intermediate or understory tree.)

Exhibit "A"

PINELLAS PARK BLK 71, LOTS 4 THRU 8 INCL & N 1/2 OF VAC ALLEY ADJ ON S (LYING IN SEC 29-30-16)

*City of Pinellas Park, Florida*  
APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

FOR OFFICE USE ONLY

1st read : 3/23/17

CASE #: PUD 2017-1 PZ MEETING: 3/2/17 C/CRA MEETING: PH: 4/13/17  
PLAT SHEET: A-4 RELATED CASES: \_\_\_\_\_ RECEIPT NUMBER: 244183  
ZONING DISTRICT: R-U LAND USE DESIGNATION: CRD DATE RECEIVED: 1/27/17

**REQUEST AND PROPERTY INFORMATION**

REQUEST: NEW 8-UNIT FEE SIMPLE TOWNHOME DEVELOPMENT

GENERAL LOCATION OF PROPERTY OR ADDRESS: 6226 76th AVE N, PINELLAS PARK, FL 33781

PROPERTY SIZE (Acreage or Square Feet): 45,100 SQ.FT. (1.04 ACRES)

CURRENT USE, NUMBER AND TYPE OF BUILDINGS: PROPERTY IS VACANT

PARCEL NUMBER(S): 28-30-16-71064-071-0040

LEGAL DESCRIPTION: LOT 4 THRU 8, BLOCK 71, SUBDIVISION PLAT OF PINELLAS PARK

OR METES AND BOUNDS DESCRIPTION (attach if lengthy):

**OWNER/APPLICANT INFORMATION**

PROPERTY OWNER: MILAN HOMES LLC PHONE: ( 813 ) 299-4907

ADDRESS/CITY/ZIP: 28870 US HWY 19 N, CLEARWATER, FL 33761

AUTHORIZED AGENT: DOMINIC COLOUTES PHONE: ( 813 ) 299-4907

ADDRESS/CITY/ZIP: 28870 US HWY 19 N, CLEARWATER, FL 33761

OTHER REPRESENTATIVE: JOHN BODZIAK, ARCHITECT PHONE: ( 727 ) 327-1966

ADDRESS/CITY/ZIP: 2325 ULMERTON ROAD, SUITE 21, CLEARWATER, FL 33762

## AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly sworn, depose(s) and say(s):

MILAN HOMES, LLC (PRESIDENT DOMINIC COLOUTES)

28870 US HWY 19 N, CLEARWATER, FL 33761

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:

6226 76TH AVE N, PINELLAS PARK, FL 33781 (PIN: 28-30-16-71064-071-0040)

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach:

PINELLAS PARK BLK 71, LOTS 4 THRU 8 INCL

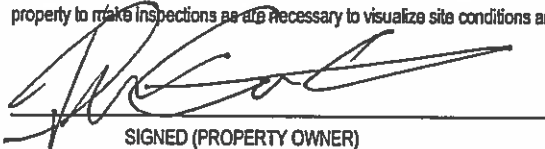
& N 1/2 OF VAC ALLEY ADJ ON S (LYING IN SEC 29-30-16)

2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST):

NEW 8-UNIT FEE SIMPLE TOWNHOME DEVELOPMENT

3. That the undersigned (has/have) appointed and (does/do) appoint JOHN BODZIAK as (his/their) agent(s) to execute any petitions or other documents necessary to affect such application.

4. That this affidavit has been executed to induce the City of Pinellas Park, Florida, to consider and act on the above described property; to include City representatives to enter upon property to make inspections as are necessary to visualize site conditions and/or determine compatibility.

  
SIGNED (PROPERTY OWNER)

SIGNED (PROPERTY OWNER)

STATE OF FLORIDA  
COUNTY OF FLORIDA

The foregoing instrument was acknowledged before me this JANUARY 26, 2017  
(Date)

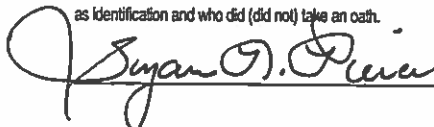
By DOMINIC COLOUTES  
(Name of person acknowledging and title of position)

who is personally known to me or who has produced

(Type of Identification)

as identification and who did (did not) take an oath.

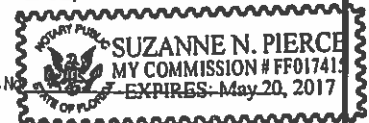
(SEAL ABOVE)



Notary Public, Commission No.

SUZANNE N. PIERCE

Name of Notary typed, printed or stamped)



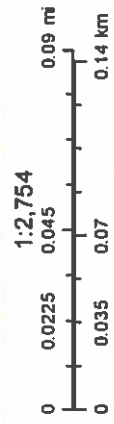


# PUD 2017-1/BOA 2017-10 establish RPUD for 8 townhomes (6226 76th Ave)



March 2, 2017

- CSX Railroad Lines
- Centerlines
- Private Roads
- Waterbodies
- Channels
- DRY
- WET
- Pinellas Park
- Rights of Way



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



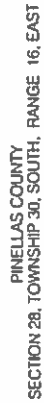
**LEGAL DESCRIPTION**

LOTS 4 THROUGH 8, INCLUSIVE, BLOCK 71,  
PLAT OF PINELLAS PARK,  
A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED  
AT PLAT BOOK 2, PAGE 91 AND 92, IN THE PUBLIC RECORDS OF  
HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS  
COUNTY WAS FORMERLY A PART, TOGETHER WITH 0.01  
(1/2) OF VACATED ALLEY ABUTTING SAID LOTS 79 AND 80, AND

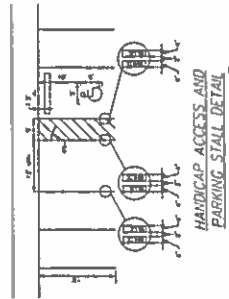
PARCEL ID# 28-30-16-71064-071-0040

[illegible]

OWNER / DEVELOPER	WELLS FARGO BANK, N.A. 2880 W. WYOMING ST. CHICAGO, IL 60641
ENGINEER	SAVILL CONSULTING INC. 17 W. WASHINGTON ST. (773) 232-7400
SITE ADDRESS	1000 N. WABASH ST. CHICAGO, IL 60642
SOLD TO/DATE	ROLL OUT CAME TO BE STORED IN EACH UNIT'S GARAGE
NO. OF UNITS	2
CROSS DECKING	6 UNITS, 2000 S. WABASH ST. 2 BEDROOM/UNIT
NET GROSS AREA	72.5 UNITS/AC ± D3 = 13 UNITS 8 UNITS/AC



**NOTE.**



## HANDICAP STRIPING & SIGNAGE

JOHN A. BODZIAK ARCHITECT, P.A. AND ASSOCIATES 1000 N. MARKET STREET, SUITE 200 PHILADELPHIA, PA 19107-3211 TEL: 215-595-1234 FAX: 215-595-1235		<b>SITE PLAN</b>  NEW RESIDENTIAL DEVELOPMENT 76TH AVENUE TOWNHOMES 76TH AVE & GARD WAY N., PHILLIPS PARK, PL.	SHEET NO. _____ DATE: 11-15-17 SCALE: AS SHOWN TOTAL OF 10 SHEETS
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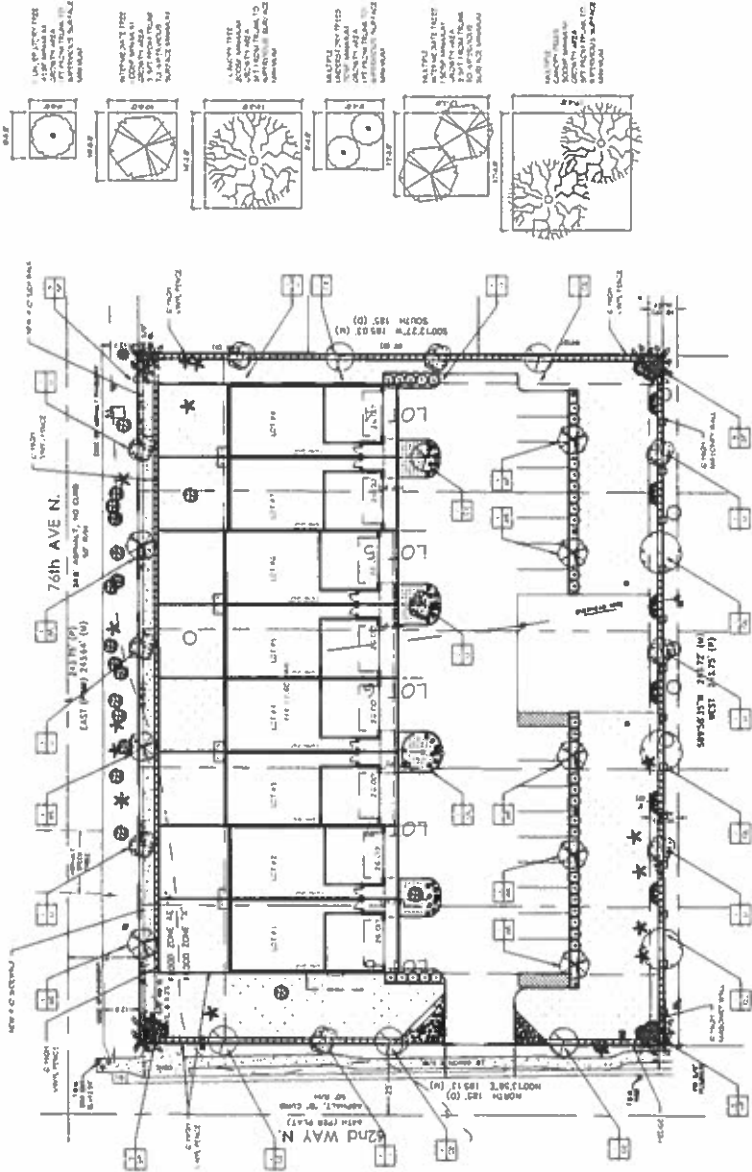
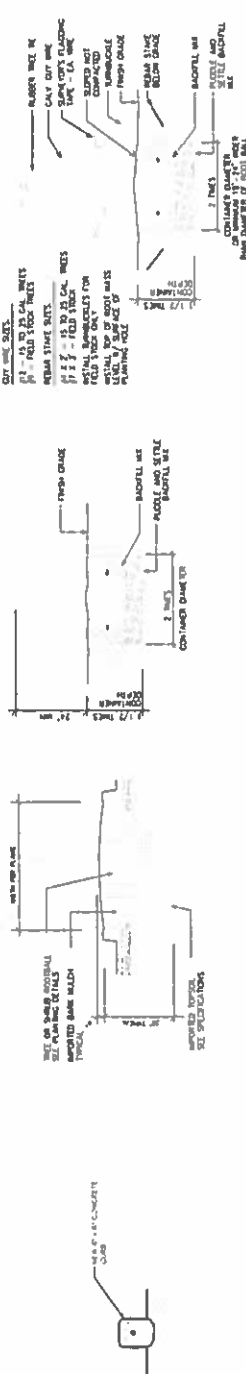
[illegible]

SP-1.1

## SCALE: I.I.T.S.

## SCALE: 1/15.

## SCALE: 11.15.

[illegible][illegible]



**JOHN A. BODZIAK**  
ARCHITECT, AIA, PA  
1000 N. 17th St., Suite 100  
Pine Hills, FL 33449  
Phone: 407-255-1111  
Fax: 407-255-1112  
www.jabodzia.com

**6226 76TH AVE TOWNHOMES**  
PINEHILLS PARK, FLORIDA  
LOT BOUNDARY PRELIMINARY

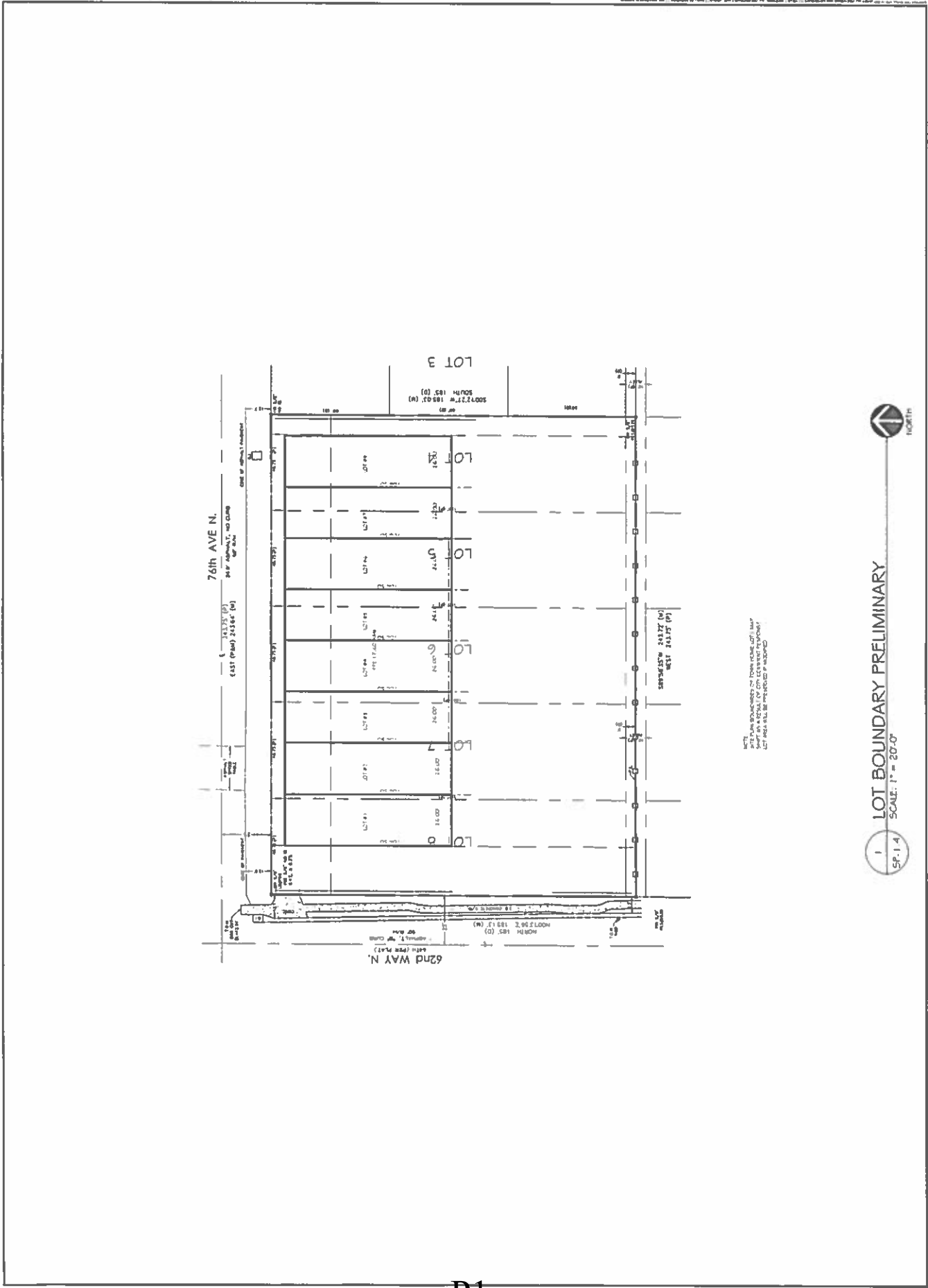
DATE: 01/11/11  
BY: JAB  
CHECKED: JAB  
SCALE: 1" = 20'-0"

REVISIONS

NO.	DATE	DESCRIPTION
1	01/11/11	ISSUED FOR PERMIT

PROJECT NO. 11-001

4 OF 4





# City of Pinellas Park

## Staff Report

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**File #:** 17-072, **Version:** 1

**Agenda Date:** 4/13/2017

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**RESOLUTION NO. 17-08.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA CREATING A CITY OF PINELLAS PARK COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)ADVISORY BOARD TO PROVIDE ADVICE AND GUIDANCE TO CITY GOVERNMENT TO ALLOW IT TO BEST IMPLEMENT CONTROLLING LAW AND GRANT PROJECTS AND PROGRAMS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT CREATION; PROVIDING FOR THE BOARD'S PURPOSE, MEMBERSHIP, DUTIES, RESPONSIBILITIES, AND MEETINGS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR IMPLEMENTING ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;AND PROVIDING FOR AN EFFECTIVE DATE.

### **PUBLIC HEARING SECOND AND FINAL READING**

**(Speaker - Tammy Hillier, Grants Writer/Coordinator)**

NOTE: In April 2016, the Department of Housing and Urban Development (HUD) confirmed the City of Pinellas Park's eligibility to become a Community Development Block Grant (CDBG) entitlement city based on its population surpassing the required 50,000 permanent residents. Creating a CDBG Advisory Board, made up of Pinellas Park residents fulfills the citizen participation requirement of the Housing and Community Development Act of 1974.

*C6 on 3/23/17 Council agenda.*

**ACTION:** (Adopt - Deny) Resolution 17-08.

RESOLUTION NO. 17-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA CREATING A CITY OF PINELLAS PARK COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADVISORY BOARD TO PROVIDE ADVICE AND GUIDANCE TO CITY GOVERNMENT TO ALLOW IT TO BEST IMPLEMENT CONTROLLING LAW AND GRANT PROJECTS AND PROGRAMS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT CREATION; PROVIDING FOR THE BOARD'S PURPOSE, MEMBERSHIP, DUTIES, RESPONSIBILITIES, AND MEETINGS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR IMPLEMENTING ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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**WHEREAS**, the United States Department of Housing and Urban Development (HUD) provides Community Development Block Grant (CDBG) funds directly to urban areas (cities of more than 50,000 people, and counties of more than 200,000 people based on Census data) and to the State of Florida (which serves rural areas) as a result of Congress's passing the 1974 Housing and Community Development Act; and

**WHEREAS**, the State's responsible department of government is the Florida Department of Community Affairs (FDCA) and the City may work with the FDCA from time-to-time, but as an entitlement urban city works directly with HUD; and

**WHEREAS**, CDBG funds must benefit Very Low, Low, or Moderate Income residents and be used to prevent or eliminate slum or blight although funds can also used to address an urgent need of recent origin for which there is no other funding source; and

**WHEREAS**, eligible activities, program and projects include, but are not limited to, improving local housing, streets, infrastructure, utilities, public facilities, and downtown redevelopment; and

**WHEREAS**, nonprofit entities can only participate in the CDBG funding program by working with their local government; and

**WHEREAS**, the CDBG grant funding to the City of Pinellas Park will be an entitlement grant awarded to the City through HUD that is based on population, unemployment level and housing conditions; and

**WHEREAS**, the City will use CDBG grant funds for a wide range of housing and community development activities directed toward neighborhood revitalization, economic development and improved community facilities and services, and will give 'maximum feasible priority' to activities that will benefit low and moderate income persons or aid in the prevention or elimination of slum or blight although the funding may also be used to meet other community development needs that present a serious and immediate threat to the health or welfare of the Pinellas Park community; and

**WHEREAS**, each year the City will receive CDBG funds from HUD and must evaluate how the funds are best to be used to provide and develop a plan for the expenditure of these funds; and

**WHEREAS**, it is the desire of the City (and, indeed, the City is required) to involve citizens in the development and decision making process of the annual funding plan; and

**WHEREAS**, in order to achieve this desired goal and mandate the City Council of the City of Pinellas Park has determined that it is wise, prudent and advisable to create and appoint a "CDBG Advisory Board"; and

**WHEREAS**, Section CC-301 of the City Charter of the City of Pinellas Park grants to the City Council all legislative powers of the City and Section CC-401 of the City Charter of the City of Pinellas Park provides, in pertinent parts, that the City Manager shall be the Chief Administrative Officer of the City and shall be responsible for the administration of all City affairs placed in his or her charge by the Charter or otherwise; and

**WHEREAS**, the City of Pinellas Park has complied with all requirements and procedures of Florida law in processing and advertising this Resolution; and

**WHEREAS**, the foregoing whereas clauses are hereby adopted as the legislative finding of the City Council.



NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL  
OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA AS FOLLOWS:

**SECTION ONE: Legislative findings and intent.**

- a. The City Council of the City of Pinellas Park hereby adopts and incorporates into this Resolution the recitals (whereas clauses) to this Resolution.
- b. Although not a land development regulation, this Resolution is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Pinellas Park*.

**SECTION TWO: Creation of City of Pinellas Park CDBG  
Advisory Board; Purpose.**

- a. There is hereby established a "City of Pinellas Park Community Development Block Grant (CDBG) Advisory Board" to be composed of members appointed by the City Council as set forth in this Resolution.
- b. The purpose of the CDBG Advisory Board is to serve in an advisory capacity to the City Council and staff of the City to oversee an annual community needs assessment and determine funding priorities; evaluate funding proposals and make funding recommendations to the City Council and the staff of the City; and to review performance and program revisions by funded agencies. The CDBG Advisory Board may also be requested to advise and take actions relative to and for other purposes as may be directed by the City Council.

**SECTION THREE: Membership of CDBG Advisory Board.**

- a. *Members* of CDBG Advisory Board. The CDBG Advisory Board shall consist of seven (7) members who shall serve in accordance with the paragraph b. below. When a vacancy exists on the CDBG Advisory Board, City Council shall appoint a new member to fill such vacancy.

b. *Appointment to CDBG Advisory Board; Terms; Chair.* Members of the CDBG Advisory Board shall be appointed by the Mayor and City Council. Members of the Board shall serve two (2) year terms of office with the initial terms commencing on the date of the first meeting of the Board and provided, however, that the initial term shall not terminate until September 30, 2019. Members may choose to renew their position on the Board upon expiration of their term, subject to approval from City Council. There shall be no term limits for members of the Board. The members of the Board shall select the Chair of the Board from the members appointed by the Mayor and City Council during the first (organizational) meeting of the Board and on the anniversary date of that selection, or another date if the anniversary date is not practicable or feasible. The Chair shall serve a term of one (1) year from the date of selection and may serve no more than two (2) consecutive terms as Chair; provided, however, that the initial Chair shall serve through the initial term of office. In the absence of the Chair, the members shall select an acting Chair to fulfill the role of presiding member. The City Attorney shall preside at the first meeting of the Board until a Chair is selected.

c. *Eligibility.*

1. All members of the CDBG Advisory Board shall be City residents.
2. All members of the CDBG Advisory Board shall be selected based on their qualifications and willingness to serve and who should, through education or experience, possess a basic understanding of government operations and funding; provided, however, that members shall, whenever possible, include low and moderate income persons, members of minority groups, residents of areas where a significant amount of activity is proposed or ongoing, the elderly, the handicapped, the business community and civic groups who are concerned about the program. In any event, the Board shall actively encourage the participation and involvement of all persons of or from the listed groups as it formulates and makes its recommendations.

**SECTION FOUR: Meetings.**

- a. The CDBG Advisory Board shall meet as often as necessary in order to adequately accomplish its duties relative to the purposes set forth in Section 2 of this Resolution and shall meet at the call of the City Manager, or designee.
- b. The CDBG Advisory Board, except as may be set forth herein or by controlling law, shall operate in a manner consistent with the provisions of Section CC-104 of the City Charter.

**SECTION FIVE: Future Implementing Actions.**

- a. The City Manager, or designee, is assigned the responsibility to take any and all necessary administrative actions that may be desirable or necessary to implement the actions of the CDBG Advisory Board to be taken pursuant to the provisions of this Resolution.
- b. The City Attorney is instructed to assist the CDBG Advisory Board and the City Manager in the implementation of this Resolution and to conduct the initial open government and Sunshine Law training at the first meeting of the Board.

**SECTION SIX: Conflicts.**

All resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed and rescinded.

**SECTION SEVEN: Savings.**

The prior actions of the City of Pinellas Park relating to board and other appointments and the implementation of the CDBG programs, projects and activities of the City, as well as related matters and processes, are hereby ratified and affirmed.

**SECTION EIGHT: Severability.**

If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION NINE:** That this Resolution shall be in full force and effect immediately after its passage and approval in the manner provided by law.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

FIRST READING \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sandra L. Bradbury  
MAYOR

ATTEST:

\_\_\_\_\_  
Diane M. Corna, MMC  
CITY CLERK

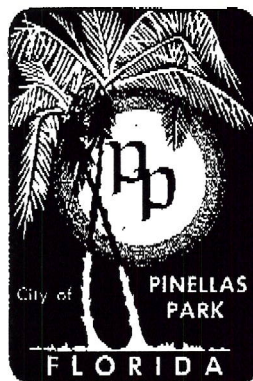
City of

**PINELLAS PARK**

5141 78TH AVE. • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100

**Please Respond To:**

James W. Denhardt, City Attorney  
Law Offices of James W. Denhardt  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

**FLORIDA**

PHONE • (727) 541-0700  
FAX • (727) 544-7448  
SUNCOM • 969-1011

**March 2, 2017**

Ms. Tammy Hillier  
Community Development Division  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #17-038**  
**Resolution Creating CDBG Advisory Board**

**Dear Ms. Hillier:**

Thank you for meeting with us last Friday to discuss the above-referenced resolution. I would recommend the following changes and updates to the resolution:

1. The eleventh Whereas paragraph should be updated to read as follows:

WHEREAS, Section CC-301 of the City Charter of the City of Pinellas Park grants to the City Council all legislative powers of the City and Section CC-401 of the City Charter of the City of Pinellas Park provides, in pertinent parts, that the City Manager shall be the Chief Administrative Officer of the City and shall be responsible for the administration of all City affairs placed in his or her charge by the Charter or otherwise; and

2. Section Three, paragraph a., should be updated as follows:

*Members of the CDBG Advisory Board.* The CDBG Advisory Board shall consist of seven (7) members who shall serve in accordance with paragraph b. below. When a vacancy exists on the CDBG Advisory Board, City Council shall appoint a new member to fill such vacancy.



PRINTED ON RECYCLED PAPER

Ms. Tammy Hillier  
City of Pinellas Park  
March 2, 2017  
Page 2

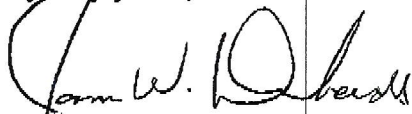
3. Section Three, paragraph b., should include the following language after the sentence that ends "... terminate until September 30, 2019."

Members may choose to renew their position on the Board upon expiration of their term, subject to approval from City Council. There shall be no term limits for members of the Board.

4. In Section Four, paragraph b., the last five words of the paragraph should be updated to read: "Section CC-104 of the City Charter."

With those changes, I would approve of the resolution as to form and correctness. If you have any questions, please do not hesitate to give me a call.

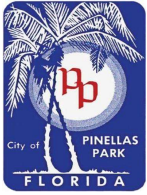
Very truly yours,



James W. Denhardt  
City Attorney

cc: Doug Lewis, City Manager  
Diane M. Corna, MMC, City Clerk  
Patrick Murphy, Assistant City Manager

JWD/law



# City of Pinellas Park

## Staff Report

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**File #:** 17-098, **Version:** 1

**Agenda Date:** 4/13/2017

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**ORDINANCE NO. 4018. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS; AMENDING ORDINANCE NO. 3996 OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK WHICH SET FORTH A MORATORIUM ON THE ISSUANCE OF LICENSING FOR MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS IN THE CITY OF PINELLAS PARK, FLORIDA, BY EXTENDING SUCH MORATORIUM FOR AN ADDITIONAL SIX-MONTH PERIOD OF TIME; PROVIDING AN EFFECTIVE DATE.**

**FIRST READING, FIRST PUBLIC HEARING  
(Second and Final Public Hearing April 27, 2017)**

**(Speaker - Dean Neal, Zoning Director)**

NOTE: The City Attorney has prepared an amendment to Ordinance No. 3996 that extends the moratorium another six months or 12 months from the effective date of the subject ordinance.

ACTION: (Pass - Deny) Ordinance No. 4018.

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## **Memorandum**

**To:** City Council

**Thru:** Patrick Murphy, CPM  
Community Development Administrator/Asst. City Manager

**From:** Dean R. Neal, AICP  
Zoning Director

**Subject:** Ordinance amending Ordinance No. 3996 providing for an additional six months of a moratorium on the establishment of Medical Marijuana Treatment Centers and Dispensaries

**Date:** April 13, 2017

---

### **Present Situation:**

On November 7, 2016 City Council approved Ordinance No. 3996, instituting a six month moratorium on the establishment of Medical Marijuana Treatment Centers and Dispensing Organizations in order to provide additional time for the Florida Legislature to create and adopt legislation and for the Florida Department of Health to promulgate rules regulating the production, processing and dispensing of medical marijuana. This moratorium will expire on May 7, 2017. Neither of the above tasks have been accomplished by the Legislature or the Department of Health as of March 16, 2017.

### **Proposal:**

The City Attorney has prepared an amendment to Ordinance No. 3996 that extends the moratorium another six months or 12 months from the effective date of the subject ordinance.

### **Advantages:**

The proposed amendment will allow more time for the Legislature and Department of Health to develop legislation and rules that may impact what the City may be able to control through zoning ordinances. If such legislation and rules are developed and passed before the expiration of this ordinance, the City may modify or rescind this ordinance and consider the application of zoning ordinances that will be consistent with said legislation and rules.

### **Disadvantages:**

None perceived by staff.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS; AMENDING ORDINANCE NO. 3996 OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK WHICH SET FORTH A MORATORIUM ON THE ISSUANCE OF LICENSING FOR MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS IN THE CITY OF PINELLAS PARK, FLORIDA, BY EXTENDING SUCH MORATORIUM FOR AN ADDITIONAL SIX-MONTH PERIOD OF TIME; PROVIDING AN EFFECTIVE DATE.

---

WHEREAS, on November 7, 2016, the City Council of the City of Pinellas Park, Florida enacted a moratorium on the licensing of Medical Marijuana Treatment Centers and dispensing organizations in order to allow the Florida Department of Health and the Florida Legislature to promulgate rules and enact legislation for the implementation of Amendment 2 as enacted by the electorate on November 8, 2016; and

WHEREAS, at the time of enactment of Ordinance No. 3996, the City Council of the City of Pinellas Park, Florida sought to enact such moratorium for the minimum period of time in which it thought the Florida Department of Health and the Florida Legislature might promulgate rules and enact legislation that would establish the rules under which the City could promulgate its Land Development Regulations pertaining to Medical Marijuana Treatment Centers and dispensing organizations; and

WHEREAS, as of this date, neither the Florida Department of Health nor the Florida Legislature have promulgated rules or

enacted legislation to provide guidance for the enactment of Land Development Regulations within the City of Pinellas Park, Florida pertaining to Medical Marijuana Treatment Centers and dispensing organizations; and

WHEREAS, as a result, the City Council deems it necessary and advisable, and in the best interest of the public, to extend the moratorium on the licensing of Medical Marijuana Treatment Centers and dispensing organizations for an additional six months in order for the Florida Department of Health and the Florida Legislature to promulgate rules and enact legislation pertaining to the licensing of Medical Marijuana Treatment Centers and dispensing organizations; and

WHEREAS, in the event the Florida Department of Health and the Florida Legislature should promulgate rules and enact legislation sooner than such six-month period, the City Council can expeditiously proceed to enact its own Land Development Regulations pertaining to Medical Marijuana Treatment Centers and dispensing organizations.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA:

SECTION ONE: That Section Seven - Effective Date, of Ordinance No. 3996 of the City of Pinellas Park, Florida, as previously enacted, is hereby amended to read as follows:

This Ordinance shall take effect immediately upon its adoption. The temporary moratorium shall terminate ~~six~~ twelve (12) months from the effective date of this ordinance, unless the City Council rescinds or extends the moratorium by subsequent ordinance. In the event that Amendment 2 is not approved by Florida voters on November 8, 2016, the temporary moratorium on the operation of Medical Marijuana Treatment Centers shall terminate immediately, but the temporary moratorium on the operation of dispensing organizations shall remain in effect in accordance with this section.

SECTION TWO: This Ordinance shall be effective immediately upon its adoption.

PUBLISHED THE \_\_\_\_\_ & \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

1<sup>ST</sup> PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

2<sup>ND</sup> PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sandra L. Bradbury  
MAYOR

ATTEST:

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Diane M. Corna, MMC  
CITY CLERK

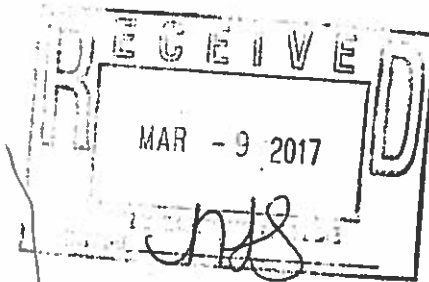
City of  
**PINELLAS PARK**5141 78TH AVE • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100**FLORIDA**PHONE • (727) 369-0700  
FAX • (727) 544-7448**Please Respond To:**James W. Denhardt, City Attorney  
Law Offices of James W. Denhardt  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile**MEMO**

TO: Doug Lewis, City Manager

FROM: James W. Denhardt, City Attorney

DATE: March 8, 2017

RE: Medical Marijuana Treatment Centers



The City Council enacted Ordinance No. 3996 pertaining to Medical Marijuana Treatment Centers and dispensing organizations on November 7, 2016, which Ordinance was effective immediately. That Ordinance provided for a six-month moratorium, which would expire on May 7, 2017.

As you know, the Florida Department of Health and the Florida Legislature have not yet enacted rules or legislation as to these organizations, nor provided guidance as to the method or manner in which cities can control or regulate these organizations. Accordingly, we have not been able to prepare our own Land Development Regulations. Even if the legislature and the Florida Department of Health decided something within the next few weeks, there would not be sufficient time before May 7th for the City to promulgate its own Land Development Regulations.

Therefore, I have attached a proposed Ordinance to amend the initial six-month moratorium to be a 12-month moratorium. Obviously, in the event the Florida Department of Health and the Legislature do come up with rules and regulations in the near future, we do not have to wait until the end of the six-month extension to enact our own regulations, but can proceed to have them enacted promptly upon finding out the guidelines established by the Florida Department of Health and the Legislature.

cc: Diane M. Corna, MMC, City Clerk  
Patrick Murphy, Assistant City Manager

JWD/law



PRINTED ON RECYCLED PAPER

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS; AMENDING ORDINANCE NO. 3996 OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK WHICH SET FORTH A MORATORIUM ON THE ISSUANCE OF LICENSING FOR MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS IN THE CITY OF PINELLAS PARK, FLORIDA, BY EXTENDING SUCH MORATORIUM FOR AN ADDITIONAL SIX-MONTH PERIOD OF TIME; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 7, 2016, the City Council of the City of Pinellas Park, Florida enacted a moratorium on the licensing of Medical Marijuana Treatment Centers and dispensing organizations in order to allow the Florida Department of Health and the Florida Legislature to promulgate rules and enact legislation for the implementation of Amendment 2 as enacted by the electorate on November 8, 2016; and

WHEREAS, at the time of enactment of Ordinance No. 3996, the City Council of the City of Pinellas Park, Florida sought to enact such moratorium for the minimum period of time in which it thought the Florida Department of Health and the Florida Legislature might promulgate rules and enact legislation that would establish the rules under which the City could promulgate its Land Development Regulations pertaining to Medical Marijuana Treatment Centers and dispensing organizations; and

WHEREAS, as of this date, neither the Florida Department of Health nor the Florida Legislature have promulgated rules or enacted legislation to provide guidance for the enactment of Land Development Regulations within the City of Pinellas Park, Florida pertaining to Medical Marijuana Treatment Centers and dispensing organizations; and

WHEREAS, as a result, the City Council deems it necessary and advisable, and in the best interest of the public, to extend the moratorium on the licensing of Medical Marijuana Treatment Centers and dispensing organizations for an additional six months in order for the Florida Department of Health and the Florida Legislature to promulgate rules and enact legislation pertaining to the licensing of Medical Marijuana Treatment Centers and dispensing organizations; and

WHEREAS, in the event the Florida Department of Health and the Florida Legislature should promulgate rules and enact legislation sooner than such six-month period, the City Council can expeditiously proceed to enact its own Land Development Regulations pertaining to Medical Marijuana Treatment Centers and dispensing organizations.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA:

**SECTION ONE:** That Section Seven - Effective Date, of Ordinance No. 3996 of the City of Pinellas Park, Florida, as previously enacted, is hereby amended to read as follows:

This Ordinance shall take effect immediately upon its adoption. The temporary moratorium shall terminate ~~six (6)~~ twelve (12) months from the effective date of this ordinance, unless the City Council rescinds or extends the moratorium by subsequent ordinance. In the event that Amendment 2 is not approved by Florida voters on November 8, 2016, the temporary moratorium on the operation of Medical Marijuana Treatment Centers shall terminate immediately, but the temporary moratorium on the operation of dispensing organizations shall remain in effect in accordance with this section.

**SECTION TWO:** This Ordinance shall be effective immediately upon its adoption.

FIRST READING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Diane M. Corna, MMC  
CITY CLERK

\_\_\_\_\_  
Sandra Bradbury,  
MAYOR





# City of Pinellas Park

## Staff Report

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**File #:** 17-103, **Version:** 1

**Agenda Date:** 4/13/2017

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**AUTHORIZATION FOR RFP 17/005 - NEGOTIATIONS PLANNING CONSULTANT SERVICES - TO REVIEW AND UPDATE THE CITY OF PINELLAS PARK'S COMPREHENSIVE PLAN AND LAND USE CODE**

NOTE: The Evaluation Committee, in accordance with Resolution 15-12 has reviewed the proposals submitted and recommends four consultants in the following order: 1) Tindale Oliver Design; 2) Calvin, Giordana & Associates Inc.; 3) S&ME, Inc.; and 4) Civilsurv Design Group, Inc. Upon Council's recommendation and authorization, the City Manager will negotiate competitively with the most qualified firm; and, should he fail to reach an agreement, he will then negotiate with the remaining firms in order of preference, in accordance with Section 287.055, Florida Statutes.

ACTION: (Approve - Deny) Authorization for City Manager to negotiate with the firms recommended by the Evaluation Committee, in order of preference as recommended, to review and update the City of Pinellas Park's Comprehensive Plan and Land Use Code.

**RFP 17/005**  
**PLANNING CONSULTANT SERVICES**

<b>ORAL PRESENTATIONS</b> <b>FINAL RATING TOTAL</b>	<b>CALVIN, GIORDANO &amp; ASSOCIATES INC.</b>	<b>CIVILSURV DESIGN GROUP INC</b>	<b>S&amp;ME INC</b>	<b>TINDALE OLIVER DESIGN</b>
1. Firm's or individual's capabilities to perform the work; (20 points)	100	83	98	108
2. Firm's or individual's adequacy of Personnel; (10 points)	51	40	53	56
3. Firm's or individual's past record; (15 points)	67	67	69	75
4. Firm's or individual's experience; (15 points)	71	61	70	78
5. Firm's or individual's willingness to meet required time and budget requirements; (10 points)	49	54	48	48
6. Firm's or individual's location; ( 5 points)	23	18	19	26
7. Work previously awarded by the City to all Firm's or Individuals submitting proposals, for the purpose of considering an equitable distribution of the award of contracts ; ( 3 points)	6	6	6	12
8. Firm's or individual's use of local labor or materials/supplies within the City of Pinellas Park; (10 points)	35	23	27	29
9. Firm's or individual's as an MBE (Minority Business Enterprise)/MWBE (Minority of Women Owned Business); ( 3 points)	0	12	0	7
10.Recent comprehensive planning & development of land development regulations experience; ( 9 points)	45	43	46	50
<b>TOTAL</b> <b>TOTALS TO BE CALCULATED BY PURCHASING</b>	<b>447</b> <b>2</b>	<b>407</b> <b>4</b>	<b>436</b> <b>3</b>	<b>489</b> <b>1</b>



# City of Pinellas Park

## Staff Report

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**File #:** 17-087, **Version:** 1

**Agenda Date:** 4/13/2017

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### **APPOINTMENT TO THE LIBRARY BOARD - Mr. John Spagnola**

NOTE: A vacancy on the Library Board was created by the resignation of Ms. Connie Marmaro. The Library Board interviewed Mr. John Spagnola to fill the position and complete Marmaro's term. The Library Board voted unanimously to recommend that Council approve the appointment of Mr. John Spagnola effective May 1, 2017 with a term to expire June 30, 2017.

ACTION: (Approve - Deny) The appointment of Mr. John Spagnola to the Library Board with a term to expire June 30, 2017.

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City of Pinellas Park, Florida  
Barbara S. Ponce Public Library  
Library Board Meeting  
March 2, 2017, 7:00 pm  
Unapproved Minutes

Present: Pat Bennett, Katherine Egolf, Shannon Harner, William Holmes, Kayla Jacobson and Elithia Stanfield.

Absent: Ryan Kovacsev

City Staff Present: Angela Pietras, Library Director, Dave McMurrin, Assistant Library Director and Sarah Palmer, Senior Staff Assistant

**1. Call to Order**

The meeting was called to order by Chair William Holmes at 7:00 p.m.

**2. Approval of December 1, 2016 Meeting Minutes**

A motion was made by Ms. Stanfield and seconded by Ms. Bennett to approve the February minutes with amendment.

**3. Old Business**

- A. Mr. Kovacsev was not present so his swearing in will be moved to the May meeting.
- B. The Board discussed adjustments to its meeting schedule in its Rules of Procedures. Ms. Egolf made a motion to accept the recommended changes and Ms. Bennett seconded the motion. The motion was approved.

**4. Monthly Statistics**

The Board reviewed the monthly statistics.

**5. Director's Report**

- A. Personnel Update – 3 of the 5 positions have been filled. Still open are a 35 hour position in Circulation and a 35 hour position in Youth Services.
- B. Progress and Staff Committee Update – Tech class surveys are being reviewed.
- C. Friends of the Library Update - Pat Bennett reported that the Friends earned approximately \$3,800.00 at the Barnes and Noble fundraiser on February 18. The Friends are planning a book sale tent at Country in the Park on March 18<sup>th</sup> from 12- 3 pm. The Friends will also host author Craig Pittman on Saturday, April 1<sup>st</sup> at Noon. Mr. Pittman will be discussing his recent release *Oh Florida!: How America's Weirdest State Influences the Rest of the Country*.
- D. Library Programs and Events - The Library Board reviewed the programming calendars. Mr. Schwartz has been contacted about doing a presentation at the Library. We have two of his sculptures at the Library. Ms. Pietras stated that she would also like to have some of the other artists from the Art District come and do presentations.

- E. Building Project Updates - Ms. Pietras shared that the new cleaning company probably will not start until April.
6. **New Business**
- A. The Board interviewed Mr. John Spagnola for one of its vacant positions and approved his recommendation to City Council by acclimation.
  - B. Ms. Palmer shared a copy of the National Library Week Proclamation that will be presented at the March 23<sup>rd</sup> Council Meeting. Both Ms. Pietras and Mr. Holmes will attend on behalf of the Board.
7. **Next Meeting** - May 4, 2017 at 7:00 p.m.
8. **Adjournment**
- There being no further business, Ms. Bennett made a motion to adjourn the meeting. Chair Holmes adjourned the meeting at 7:45 p.m.

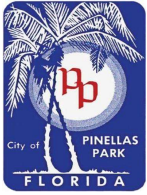
Respectfully Submitted,

---

William Holmes, Chair

---

Angela Pietras, Library Director



# City of Pinellas Park

## Staff Report

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**File #:** 17-100, **Version:** 1

**Agenda Date:** 4/13/2017

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**AWARD OF BID 17/010 - S.R. 694 (Park Boulevard) from S.R. 55/US HWY 19 to S.R. 693 (66th St N) - Morelli Landscaping, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 211 prospective bidders. Two (2) bids were received with Morelli Landscaping, Inc. (6370 146th Ave. N., Clearwater, FL 33760) being the low bidder with a bid submittal of \$227,850.94. 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 \$179,300.00. This project will be charged to account 301481-562520.

ACTION: (Approve - Deny) Authorization to award Bid 17/010 for the Highway Landscape Reimbursement and Maintenance Memorandum of Agreement with Florida Department of Transportation - S.R. 55 (U.S. Highway 19) and S.R. 693 (66th Street North) to Morelli Landscaping, Inc., Clearwater, FL, in the amount of \$227,850.94. to be charged to the appropriate account.

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**CITY OF PINELLAS PARK  
PINELLAS COUNTY, FLORIDA**

**Contract No. 17/010**

Proposal of Morelli Landscaping, Inc.  
(Name)

Address 6370 146th Avenue North Clearwater, Fl 33760  
(City) (State) (Zip Code)

TO: Purchasing Division  
City of Pinellas Park  
8000 60th Street North  
Pinellas Park, Florida 33781

Gentlemen:

The undersigned, as bidder, hereby declares that the only persons interested in this proposal as principal, or principals, is or are named herein and that no person other than herein mentioned has any interest in this proposal or in the Contract to be entered into; that this proposal is made without connection with any other person, company, or parties making a proposal; and that it is in all respects fair and in good faith without collusion or fraud.

The bidder further declares that he has examined the site(s) of the work and informed himself fully in regard to all conditions pertaining to the place where the work is to be done; that he has examined the plans for the work and other Contract Documents relative thereto and has read all of the Addenda furnished prior to the opening of the proposals, as acknowledged below; that he fully understands and has satisfied himself relative to the scope and nature of the work to be performed.

The bidder agrees that if this proposal is accepted, to contract with the City of Pinellas Park, Pinellas County, Florida, in the form of Contract attached, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation, and labor necessary to construct and complete the work covered by this proposal and other Contract Documents for the construction of **SR 694 MEDIAN LANDSCAPE IMPROVEMENTS** Contract No. **17/010** and to furnish the prescribed Performance, Payment and Guaranty Bond for no less than the total bid offered.

The bidder agrees that he will furnish within ten (10) days after being notified of the award of the Contract to him, the Performance, Payment and Guaranty Bond Form as specified in the Contract Documents written by a reputable Surety Company acceptable to the Owner and authorized to do business in the State of Florida and Pinellas County. Said Bond will be furnished for not less than the total bid offered, the premium of the Bond to be paid by the Bidder.

And the undersigned further agrees that, in case of failure on his part to execute the said Contract and furnish the said Bond within ten (10) days after being notified of the award of the Contract to him, the check or Bid Bond accompanying his bid, and the money payable thereon, will be retained as liquidated damages, but not as a penalty; otherwise, the check or Bid Bond will be returned to the undersigned.

The bidder agrees that the wage rates for laborers, mechanics, and apprentices shall be not less than those established by the State of Florida Department of Commerce for this work and included in the Supplemental General Conditions.

The bidder agrees further to begin work within ten (10) calendar days after notification of the Notice to Proceed.

The bidder also agrees to reimburse the Owner as liquidated damages, for each calendar day elapsing between the date specified for full completion and the actual date of such completion, the sum specified in the General Conditions.

#### Acknowledgements of Addenda

Addendum No. Q&A Signature \_\_\_\_\_ L.S.

Addendum No. (3/6/2017) Signature \_\_\_\_\_ L.S.

Addendum No. \_\_\_\_\_ Signature \_\_\_\_\_ L.S.

Addendum No. \_\_\_\_\_ Signature \_\_\_\_\_ L.S.

Addendum No. \_\_\_\_\_ Signature \_\_\_\_\_ L.S.

Attached is a cashier's check on the \_\_\_\_\_

Bank of \_\_\_\_\_ or a Bid Bond


for the sum of 5% of the Total Bid

Dollars (\$ \_\_\_\_\_), according to the requirements of these  
Contract Documents.

Respectfully submitted,

Morelli Landscaping, Inc.  
(Company Name)

Vincent J. Morelli, Jr., President  
(Name and Title of Authorized Company Official)

ATTEST:   
(Signature)

Bidder's Mailing Address:

4855 162nd Avenue North

Clearwater, Florida 33762

Phone Number: (727) 224-5684

The full names and residence of persons or firms interested in the foregoing Bid, as principals, are as follows:

Vincent J. Morelli, Jr., 4855 162nd Avenue North, Clearwater, Fl 33762

The name of the executive who will give personal attention to the work:

Vincent J. Morelli, Jr., President

The superintendent, project manager, or foremen who will exercise direct personal control of the work:

Elizabeth Hammond, RLA, ASLA, ISA - Project Manager

Michael Morelli, FCLC - Superintendent  
Christopher Boggs - Foreman

# FLORIDA TRENCH SAFETY ACT ACKNOWLEDGEMENT

PROJECT: BID 17/010 – SR 694 MEDIAN LANDSCAPE IMPROVEMENTS

BIDDER'S NAME: Morelli Landscaping, Inc.

Bidder acknowledges that included in the various items of the proposal in the Total Bid Price are costs for complying with the Florida Trench Safety Act (Florida Statute §553.60, et.seq.). The bidder further identifies the costs to be summarized below:

<u>Trench Safety Measure (Description)</u>	<u>Units of Measure (LF, SY)</u>	<u>Unit (Quantity)</u>	<u>Unit Cost</u>	<u>Extended Cost</u>
A. _____	_____	_____	_____	_____
B. _____	_____	_____	_____	_____
C. _____	_____	_____	_____	_____
D. _____	_____	_____	_____	_____

\*TOTAL: \$ 0.00

\* This total amount is incidental to the contract bid price and is provided only as bidder acknowledgement of the Florida Trench Safety Act.

Failure to complete the above may result in the bid being declared non-responsive.



Bidding Contractor Signature

**SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(a),  
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

**THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR  
OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.**

1. This sworn statement is submitted to City of Pinellas Park, Florida  
(print name of the public entity)

by Vincent J. Morelli, Jr., President  
(print individual's name and title)

for Morelli Landscaping, Inc.  
(print name of entity submitted sworn statement)

whose business address is:

6370 146th Avenue North

Clearwater, Florida 33760

and (if applicable) its Federal Employer Identification Number (FEIN) is 59-1877993

(If the entity has not FEIN, include the Social Security Number of the individual signing this sworn  
statement: \_\_\_\_\_.)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with any agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
1. A predecessor or successor of a person convicted of a public entity crime; or
  2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement (indicate which statement applies)

  X   Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

\_\_\_\_\_The entity submitting this sworn statement, or one or more of its officers directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

\_\_\_\_\_The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list.  
(attached a copy of the final order)

**I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1(ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.**

Signature \_\_\_\_\_

Sworn to and subscribed before me this 15<sup>th</sup> day of February, 2017

Personally known \_\_\_\_\_

OR Produced identification \_\_\_\_\_ Notary Public – State of Florida

(Type of identification) \_\_\_\_\_ My Commission Expires 9/29/2018



Typed or stamped commissioned name of notary public)

# **Morelli Landscaping, Inc.**

**FDOT Certifications –  
Advanced & Intermediate**

**BMP Certifications**

**State of Florida Licensing as Dealer in  
Agricultural Products**

**Florida Department of Agriculture and Consumer  
Services**

**Division of Marketing and Development  
Mayo Building M-38  
Tallahassee, Florida 32308**

**116047**

**Business Mailing Address:**

MORELLI LANDSCAPING, INC.  
DBA: MORELLI LANDSCAPING, INC  
4855 162ND AVE N  
CLEARWATER, FL 33762-3224

**Location Address:**

MORELLI LANDSCAPING, INC  
6370 146TH AVE N  
CLEARWATER, FL 33760-2339

Your official license appears below. This license should be detached along  
the dotted line and posted in a conspicuous area at your place of business, along  
with any other permits issued by this department.

Cut Here



**POST LICENSE  
CONSPICUOUSLY**

**State of Florida**  
**Department of Agriculture and Consumer Services**  
Division of Marketing and Development/Bureau of Agricultural Dealer's Licenses  
850-617-7150  
Tallahassee, Florida

**Issue Date:** 11/03/2016  
**Fee Amt Paid:** \$300  
**FEIN:** 59-1877993  
**Effective Date:** 11/08/2016

**License as Dealer in Agriculture Products**  
**GOOD FOR ONE LOCATION**

This license is issued under authority of Section 604.15-604.34, Florida Statutes, to:

**License #** 116047 -  
MORELLI LANDSCAPING, INC.  
DBA: MORELLI LANDSCAPING, INC  
6370 146TH AVE N  
CLEARWATER, FL 33760-2339

**Commodity Code:** 1  
**Bonding Company:** MERCHANTS BONDING COMPANY (MUTUAL)  
**Bond Amount:** \$100,000 Bond effective from 11/08/2016 through 11/07/2017

**Field Representatives** MARK MORITZ

**ADAM H. PUTNAM**  
**COMMISSIONER OF AGRICULTURE**

This is to certify that the dealer in agricultural products whose name and address are shown above, has paid the required  
fee and has made an approved surety bond to the Commissioner of Agriculture as required by Sections 604.15-604.34, Florida  
Statutes, and is hereby granted this license as Dealer in Agricultural Products as defined in Section 604.15, Florida  
Statutes. This license is for a one year period.



# Certificate of Completion

**Michael J. Morelli**

**Has Completed a Florida Department of Transportation  
Approved Maintenance of Traffic (MOT) Advanced  
(Refresher) Course.**

05/19/2019

Expiration Date

36

FDOT Provider #

Marshall Dougherty

Instructor

8124

Certificate #

**UF** University of Florida  
Transportation Institute  
Florida Transportation Technology  
Transfer (T2) Center  
UNIVERSITY of FLORIDA

T2 Center/University of Florida  
2100 NE Waldo Road  
Gainesville, FL  
T2ctt.ce.ufl.edu  
dkpage@ufl.edu



For more information about Maintenance  
of Traffic (MOT) or to verify this

[www.motadmin.com](http://www.motadmin.com)

# Certificate of Completion

Christopher A. Boggs Jr.

Has Completed a Florida Department of Transportation  
Approved Maintenance of Traffic (MOT) Advanced  
(Refresher) Course.

05/19/2019

Expiration Date

36

FDOT Provider #

Marshall Dougherty

Instructor

8115

Certificate #

**UF** University of Florida  
Transportation Institute  
Florida Transportation Technology  
Transfer (T2) Center  
UNIVERSITY of FLORIDA

T2 Center/University of Florida  
2100 NE Waldo Road  
Gainesville, FL  
T2ctt.ce.ufl.edu  
dkpage@ufl.edu



For more information about Maintenance  
of Traffic (MOT) or to verify this

[www.motadmin.com](http://www.motadmin.com)

# Certificate of Completion

**Mark I. Adams**

**Has Completed a Florida Department of Transportation  
Approved Maintenance of Traffic (MOT) Intermediate  
Course.**

**05/05/2019**

**113**

**Peter Cavalli**

**7352**

Expiration Date

FDOT Provider #

Instructor

Certificate #



Public Works Academy  
901 34th Street South  
St. Petersburg & nbsp., FL  
publicworksacademy.org  
gormanra@pcsb.org



For more information about Maintenance  
of Traffic (MOT) or to verify this  
[www.motadmin.com](http://www.motadmin.com)

# Certificate of Completion

John R. Wileman

Has Completed a Florida Department of Transportation  
Approved Maintenance of Traffic (MOT) Intermediate  
Course.

05/05/2019

113

Peter Cavalli

7354

Expiration Date

FDOT Provider #

Instructor

Certificate #



Training You Can Take To Work.

Public Works Academy  
901 34th Street South  
St. Petersburg, FL  
publicworksacademy.org  
gormanra@pcsb.org



For more information about Maintenance  
of Traffic (MOT) or to verify this  
[www.motadmin.com](http://www.motadmin.com)

# Certificate of Completion

**Matthew D. Endicott**

**Has Completed a Florida Department of Transportation  
Approved Maintenance of Traffic (MOT) Intermediate  
Course.**

**05/05/2019**

**113**

**Peter Cavalli**

**7355**

Expiration Date

FDOT Provider #

Instructor

Certificate #



*Training You Can Take To Work.*

Public Works Academy  
901 34th Street South  
St. Petersburg, FL  
publicworksacademy.org  
gormanra@pcsb.org



For more information about Maintenance  
of Traffic (MOT) or to verify this  
[www.motadmin.com](http://www.motadmin.com)

# Certificate of Completion

Joseph P. Morelli

Has Completed a Florida Department of Transportation  
Approved Maintenance of Traffic (MOT) Intermediate  
Course.

05/05/2019

113

Peter Cavalli

7361

Expiration Date

FDOT Provider #

Instructor

Certificate #



Public Works Academy  
901 34th Street South  
St. Petersburg & nbsp., FL  
publicworksacademy.org  
gomantra@pcsb.org



For more information about Maintenance  
of Traffic (MOT) or to verify this  
[www.motadmin.com](http://www.motadmin.com)



GV8349-1

Certificate #

GV8349

Trainee ID #

## Certificate of Training Best Management Practices Florida Green Industries

**UF** UNIVERSITY of  
FLORIDA  
IFAS Extension

The undersigned hereby acknowledges that

**Sandy Morelli**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Donald P. Rainey

Issuer

J. Morse

Instructor

2/3/2010

Date of Class

*Heather Ritchie*

DEP Program Administrator

Not valid without seal



GV12531-1

Certificate #

GV12531

Trainee ID #

## Certificate of Training Best Management Practices Florida Green Industries

**UF** UNIVERSITY of  
FLORIDA  
IFAS Extension

The undersigned hereby acknowledges that

**John V. Morelli**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Donald P. Rainey

Issuer

D. Rainey

Instructor

1/31/2011

Date of Class

*Heather Ritchie*

DEP Program Administrator

Not valid without seal



GV19238-1

Certificate #

GV19238

Trainee ID #

## Certificate of Training Best Management Practices Florida Green Industries

**UF** UNIVERSITY of  
FLORIDA  
IFAS Extension

The undersigned hereby acknowledges that

**Joseph P. Morelli**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Issuer

D. Rainey

Instructor

9/16/2012

Date of Class

DEP Program Administrator

Not valid without seal



GV26629-1

Certificate #

GV26629

Trainee ID #

## Certificate of Training Best Management Practices Florida Green Industries

**UF IFAS**  
UNIVERSITY of FLORIDA

The undersigned hereby acknowledges that

**Paul V. Morelli**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Issuer

D. Rainey

Instructor

12/9/2013

Date of Class

DEP Program Administrator

Not valid without seal





GV6850-1

Certificate #

GV6850

Trainee ID #

## Certificate of Training Best Management Practices Florida Green Industries

UNIVERSITY OF  
**FLORIDA**  
IFAS EXTENSION

The undersigned hereby acknowledges that

**Michael Morelli**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Dr. L.E. Trenholm

Issuer

J. Morse

Instructor

9/9/2009

Date of Class

John Churchill  
DEP Program Administrator

Not valid without seal



GV26729-1

Certificate #

GV26729

Trainee ID #

## Certificate of Training Best Management Practices Florida Green Industries

**UF IFAS**  
UNIVERSITY of FLORIDA

The undersigned hereby acknowledges that

**Elizabeth A. Hammond**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Donall Rainey  
Issuer

D. Rainey

Instructor

12/14/2013

Date of Class

Theresa Smith  
DEP Program Administrator

Not valid without seal



GV26708-1

Certificate #

GV26708

Trainee ID #

**UF IFAS**  
UNIVERSITY of FLORIDA

## Certificate of Training Best Management Practices Florida Green Industries

The undersigned hereby acknowledges that

**Jack R. Wileman**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Issuer

D. Rainey

Instructor

12/13/2013

Date of Class

DLF Program Administrator

Not valid without seal



GV26682-1

Certificate #

GV26682

Trainee ID #

**UF IFAS**  
UNIVERSITY of FLORIDA

## Certificate of Training Best Management Practices Florida Green Industries

The undersigned hereby acknowledges that

**Christopher A. Boggs Jr.**

has successfully met all requirements necessary to be fully trained through the Green Industries Best Management Practices Program developed by the Florida Department of Environmental Protection with the University of Florida Institute of Food and Agricultural Sciences.

Issuer

D. Rainey

Instructor

12/11/2013

Date of Class

DLF Program Administrator

Not valid without seal

# Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

## Bid Bond

### CONTRACTOR:

(Name, legal status and address)

Morelli Landscaping, Inc.  
4855 162nd Avenue North  
Clearwater FL 33762

### SURETY:

(Name, legal status and principal place of business)

Merchants Bonding Company (Mutual)  
P.O. Box 14498  
Des Moines IA 50306 - 3498  
Mailing Address for Notices

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

### OWNER:

(Name, legal status and address)

City of Pinellas Park  
8000 60th Street N.  
Pinellas Park FL 33780

P.O. Box 14498  
Des Moines IA 50306 - 3498

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

BOND AMOUNT: \$ 5% Five Percent of Amount Bid

### PROJECT:

(Name, location or address, and Project number, if any)

SR 694 Median Landscape Improvements (US Hwy 19 to 66th St. North)/Bid #17/010/Pinellas Park, FL

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 8th day of March, 2017.

  
(Witness) Elizabeth Hammond

  
(Witness) Margaret A. Schulz

Morelli Landscaping, Inc.

(Principal)

(Seal)

By:

(Title) Vincent J. Morelli, Jr., President

Merchants Bonding Company (Mutual)

(Surety)

(Seal)

By:

(Title) Kevin Wojtowicz

Attorney-in-Fact  
& FL Licensed Agent

**MERCHANTS**  
**BONDING COMPANY**  
**POWER OF ATTORNEY**

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

David R Turcios; John R Neu; Kevin Wojtowicz; Laura D Mosholder; Tracey C Brown

their true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver on behalf of the Companies, as Surety, bonds, undertakings and other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

**FIVE MILLION (\$5,000,000.00) DOLLARS**

This Power-of-Attorney is granted and is signed and sealed by facsimile, under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 3rd day of February, 2017.



MERCHANTS BONDING COMPANY (MUTUAL)  
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*

President

STATE OF IOWA  
COUNTY OF Dallas ss.

On this 3rd day of February, 2017, before me appeared Larry Taylor, to me personally known, who being by me sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



(Expiration of notary's commission  
does not invalidate this instrument)

*Wendy Woody*  
Notary Public, Dallas County, Iowa

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 3rd day of March 2017.



*William Warner Jr.*  
Secretary

# TOTAL BID PROPOSAL FORM

MAIL TO: Purchasing Director  
City of Pinellas Park  
P.O. Box 1100  
Pinellas Park, FL 33780-1100

DELIVER TO: Purchasing Director  
City of Pinellas Park  
8000 60th Street North  
Pinellas Park, FL 33781

RE: Bid #17/010

Delivered F.O.B., City of Pinellas Park, Pinellas Park, Florida.

My company as identified below, submits the following proposal:

PART "A": \$ 199,850.94

(THIS AMOUNT MUST INCLUDE \$5,000.00 CONTINGENCY)

PART "B": \$ 28,000.00

(ADDITIONAL ITEMS)

TOTAL BID PROPOSAL AMOUNT: \$ 227,850.94

Exceptions and/or deviations: None

I have received, read and understand all specifications and requirements..

Firm Name: Morelli Landscaping, Inc.

Address: 6370 146th Avenue North

Clearwater, Florida

(Zip Code) 33760

Telephone: (Area Code: 727 ) 535-6263

Authorized Signature:



Vincent J. Morelli, Jr.

(Type or Print Name of Signature)

Title: President

Date: 3/8/2017

**PLEASE COMPLETE THE FOLLOWING SUMMARY FORM(S)**

# SUMMARY FORM

## SR 694 MEDIAN LANDSCAPE IMPROVEMENTS

SR 55/US HWY 19 TO SR 693/66<sup>TH</sup> ST. N.

### PART "A"

BID ITEM #	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
17/002-01	1	Each	Mobilization	\$ 12,500.00	\$ 12,500.00
17/002-02	1	Each	Maintenance of Traffic -total traffic control needed to complete project.	\$ 4,500.00	\$ 4,500.00
17/002-03	66,737 SQUARE FEET	Each	Removal and Disposal of Existing Turf, Shrub ground cover & Grading on 25 medians.  <i>See sheets LD3 to LD26 of approved project plans</i>	\$ .37	\$ 24,692.69
17/002-04	66,737 SQUARE FEET	Each	Provide & Install Perennial Peanut, Arachis glabrata "Ecoturf" on 25 medians.  <i>See sheets LD3 to LD26 of approved project plans</i>	\$ 2.25	\$ 150,158.25
17/002-05	50 CUBIC YARDS	Each	Removal & Replacement of unsuitable soil on 25 medians.  <i>See sheets LD3 to LD26 of approved project plans</i>	\$ 60.00	\$ 3,000.00
-----	1	EACH	CONTINGENCY	\$5,000.00	\$ 5,000.00

\*\*\*Note: Some quantity amounts are estimates and are not guaranteed.

**PLEASE PLACE THE TOTAL OF THE ABOVE BID ITEMS ON THE TOTAL BID PROPOSAL FORM WHERE INDICATED (SEE PRIOR PAGE).**

**CONTINUE -NEXT PAGE**

**BID 17/010  
SUMMARY FORM**

**SR 694 MEDIAN LANDSCAPE IMPROVEMENTS**

SR 55/US HWY 19 TO SR 693/86TH ST. N.

**PART "B"  
ADDITIONAL BID ITEMS**

Should these additional items be accepted by the City of Pinellas Park, the acceptance of such items would not extend to the time period for completing the required bid items. The only items permitted to be completed after April 14, 2017, would be the following additional bid items.

<b>BID ITEM #</b>	<b>QUANTITY</b>	<b>UNITS</b>	<b>DESCRIPTION</b>	<b>UNIT PRICE</b>	<b>EXTENDED PRICE</b>
ABI17/002-06	1	LUMP SUM	Provide watering for Perennial Peanut Sod establishment on 25 medians.  <i>See sheets LD3 to LD26 of approved project plans</i>	\$  22,750.00	\$  22,750.00
ABI17/002-07	3	EACH	Additional hand weeding/maintenance of 25 medians for 3 months (1 visit per month).  <i>See sheets LD3 to LD26 of approved project plans</i>	\$  1,750.00	\$  5,250.00

\*\*\*Note: Some quantify amounts are estimates and are not guaranteed.

**PLEASE PLACE THESE ADDITIONAL BID ITEMS ON THE TOTAL BID PROPOSAL FORM  
WHERE INDICATED.**

**END**

BID NUMBER.....: 17/010  
BID DESCRIPTION..: SR 694 MEDIANS  
BID DATE (MMDDYY): 03/08/2017  
BID TIME.....: 11:00 AM

BIDDERS NAME -----	BID ITEM -----	BID AMOUNT -----
MORELLI LANDSCAPING INC	003	227,850.94
KLOOTE CONTRACTING INC	003	384,080.92

TOTAL BIDS --> 2



BID NUMBER.....: 17/010  
BID DESCRIPTION...: SR 694 MEDIANS  
BID DATE (MMDDYY): 03/08/2017  
BID TIME.....: 11:00 AM

BIDDERS NAME	BID ITEM	BID AMOUNT
-----	-----	-----
MORELLI LANDSCAPING INC	002	28,000.00
KLOOTE CONTRACTING INC	002	31,500.00

TOTAL BIDS --> 2

BID NUMBER.....: 17/010  
BID DESCRIPTION..: SR 694 MEDIANS  
BID DATE (MMDDYY): 03/08/2017  
BID TIME.....: 11:00 AM

BIDDERS NAME	BID ITEM	BID AMOUNT
-----	-----	-----
MORELLI LANDSCAPING INC	001	199,850.94
KLOOTE CONTRACTING INC	001	352,580.92

TOTAL BIDS --> 2



# City of Pinellas Park

## Staff Report

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**File #: 17-099, Version: 1**

**Agenda Date: 4/13/2017**

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**AWARD OF BID 17/001 - SIDEWALK & ACCESSIBILITY PROGRAM - PHASE I, 126TH AVENUE NORTH SIDEWALK, 49TH STREET TO 5303 126TH AVENUE NORTH- MTM CONTRACTORS, INC.**

NOTE: Bids were legally advertised. Thirteen (13) bids were received with MTM Contractors, Inc. (6550 53rd Street N, Pinellas Park, FL 33781) being the low bidder with a bid submittal of \$66,375.00. The amount budgeted for this project is \$100,000 (pg. 396 of the FY 16/17 adopted budget). This project will be charged to account 301-481-5-625-38.

ACTION: (Approve - Deny) Authorization to award Bid 17/001 - Sidewalk & Accessibility Program - Phase I, 126th Avenue North Sidewalk, 49th Street to 5303 126th Avenue North to MTM Contractors, Inc. (6550 53rd Street N, Pinellas Park, FL 33781) to be charged to be charged to the appropriate account.

BID NUMBER.....: 17/001  
BID DESCRIPTION...: SIDEWALK & ACCESSIBILITY RAMP - 126TH AVENUE  
BID DATE (MMDDYY): 03/14/2017  
BID TIME.....: 10:00 AM

BIDDERS NAME	BID ITEM	BID AMOUNT
-----	-----	-----
MTM CONTRACTORS INC	001	66,375.00
LAS CONTRACTING CORP	001	76,750.00
GILLIAM CONSTRUCTION LLC	001	81,722.00
CENTRAL FLORIDA CONTRACTORS INC	001	86,400.00
RJP ENTERPRISES INC	001	92,926.00
BLACKTIP SERVICES INC	001	95,938.00
FLORIDA SAFETY CONTRACTORS INC	001	99,440.00
G A NICHOLS COMPANY	001	105,145.00
AUGUSTINE CONSTRUCTION INC	001	108,558.00
CERTUS BLDERS INC	001	118,937.76
KONTOS CONSTRUCTION LLC	001	119,400.00
AMERICAN CONSTRCT SERV INC	001	125,002.50
KLOOTE CONTRACTING INC	001	163,127.00

TOTAL BIDS --> 13

## TOTAL BID PROPOSAL FORM

**MAIL TO:** Purchasing Director  
City of Pinellas Park  
P.O. Box 3138  
Pinellas Park, FL 33780-3138

**DELIVER TO:** Purchasing Director  
City of Pinellas Park  
8000 60th Street North  
Pinellas Park, FL 33781

**RE: Bid #17/001**

Delivered F.O.B., City of Pinellas Park, Pinellas Park, Florida.

My company as identified below, submits the following proposal:

### TOTAL BID PROPOSAL AMOUNT:

**\$** 66,375.00 SIXTY-SIX THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS

**(THIS AMOUNT MUST INCLUDE \$5,000.00 CONTINGENCY)**

Exceptions and/or deviations: NA

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I have received, read and understand all specifications and requirements.

Firm Name: MTM CONTRACTORS, INC.

Address: 6550 54RD STREET NORTH

PINELLAS PARK, FLORIDA

(Zip Code) 33781

Telephone: (Area Code:       ) 727-528-0178

Authorized Signature: 

GEORGE TOCCALINO

(Type or Print Name of Signature)

Title: PRESIDENT

Date: 03-14-2017

**PLEASE COMPLETE THE FOLLOWING SUMMARY FORM(S)**

**BID 17/001**  
**126<sup>TH</sup> AVE SIDEWALKS-PHASE I**  
**SUMMARY OF PAY ITEMS**

126th Ave North Sidewalk

	DESCRIPTION	UNIT	QUANTITY	PRICE	TOTAL
1	Mobilization	L.S	1	3500.00	3500.00
2	Maintenance of Traffic	L.S	1	1275.00	1275.00
3	6" Concrete Sidewalk	SY	752	48.00	36096.00
4	6" Concrete Driveway	SY	98	48.00	4704.00
5	D Curb (As needed)	LF	50	50.00	2500.00
6	Handicap Ramps (FDOT Index 304	Each	4	950.00	3800.00
7	Excavation	LS	1	2000.00	2000.00
9	Clearing and Grubbing	LS	1	5500.00	5500.00
10	Fill Material	CY	40	20.00	800.00
12	Striping	LS	1	1200.00	1200.00
13	Contingency			\$ 5,000.00	5000.00
<b>PLACE TOTAL ON PREVIOUS PAGE – TOTAL BID PROPOSAL FORM</b>					

***NOTE: Some items include a 10% buffer in quantities shown. Payment will be based upon measured quantities completed and accepted by the Project Manager or Designee.***

**CITY OF PINELLAS PARK  
PINELLAS COUNTY, FLORIDA**

**Contract No. 17/001**

Proposal of MTM CONTRACTORS, INC.  
(Name)

Address 6550 53RD STREET NORTH PINELLAS PARK, FL 33781  
(City) (State) (Zip Code)

TO: Purchasing Division  
City of Pinellas Park  
8000 60th Street North  
Pinellas Park, Florida 33781

Gentlemen:

The undersigned, as bidder, hereby declares that the only persons interested in this proposal as principal, or principals, is or are named herein and that no person other than herein mentioned has any interest in this proposal or in the Contract to be entered into; that this proposal is made without connection with any other person, company, or parties making a proposal; and that it is in all respects fair and in good faith without collusion or fraud.

The bidder further declares that he has examined the site(s) of the work and informed himself fully in regard to all conditions pertaining to the place where the work is to be done; that he has examined the plans for the work and other Contract Documents relative thereto and has read all of the Addenda furnished prior to the opening of the proposals, as acknowledged below; that he fully understands and has satisfied himself relative to the scope and nature of the work to be performed.

The bidder agrees that if this proposal is accepted, to contract with the City of Pinellas Park, Pinellas County, Florida, in the form of Contract attached, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation, and labor necessary to construct and complete the work covered by this proposal and other Contract Documents for the construction of **SIDEWALK & ACCESSIBILITY RAMP PROGRAM – 126<sup>TH</sup> AVENUE** Contract No. **17/001** and to furnish the prescribed Performance, Payment and Guaranty Bond for no less than the total bid offered.

The bidder agrees that he will furnish within ten (10) days after being notified of the award of the Contract to him, the Performance, Payment and Guaranty Bond Form as specified in the Contract Documents written by a reputable Surety Company acceptable to the Owner and authorized to do business in the State of Florida and Pinellas County. Said Bond will be furnished for not less than the total bid offered, the premium of the Bond to be paid by the Bidder.

And the undersigned further agrees that, in case of failure on his part to execute the said Contract and furnish the said Bond within ten (10) days after being notified of the award of the Contract to him, the check or Bid Bond accompanying his bid, and the money payable thereon, will be retained as liquidated damages, but not as a penalty; otherwise, the check or Bid Bond will be returned to the undersigned.

The bidder agrees that the wage rates for laborers, mechanics, and apprentices shall be not less than those established by the State of Florida Department of Commerce for this work and included in the Supplemental General Conditions.

The bidder agrees further to begin work within ten (10) calendar days after notification of the Notice to Proceed.

The bidder also agrees to reimburse the Owner as liquidated damages, for each calendar day elapsing between the date specified for full completion and the actual date of such completion, the sum specified in the General Conditions.

#### Acknowledgements of Addenda

Addendum No. NA Signature \_\_\_\_\_ L.S.

Addendum No. \_\_\_\_\_ Signature \_\_\_\_\_ L.S.

Addendum No. \_\_\_\_\_ Signature \_\_\_\_\_ L.S.

Addendum No. \_\_\_\_\_ Signature \_\_\_\_\_ L.S.

Addendum No. \_\_\_\_\_ Signature \_\_\_\_\_ L.S.

Attached is a cashier's check on the \_\_\_\_\_

Bank of \_\_\_\_\_ or a Bid Bond

for the sum of THIRTY-FIVE HUNDRED DOLLARS AND ZERO CENTS (\$3500.00)

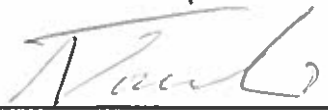


Dollars (\$ 3500.00 ), according to the requirements of these  
Contract Documents.

Respectfully submitted,

MTM CONTRACTORS, INC  
(Company Name)

GEORGE TOCCALINO --PRESIDENT  
(Name and Title of Authorized Company Official)

ATTEST:   
(Signature)

Bidder's Mailing Address:

6550 53RD STREET NORTH

PINELLAS PARK, FL 33781

Phone Number: 727-528-0178

The full names and residence of persons or firms interested in the foregoing Bid, as principals, are as follows:

GEORGE TOCCALINO 5652 BAYVIEW DRIVE SEMINOLE FL 33772--PRESIDENT

ANTHONY TOCCALINO 10153 118TH WAY SEMINOLE, FL 33772--SECRETARY/TREASURER

The name of the executive who will give personal attention to the work:

GEORGE TOCCALINO--PRESIDENT

The superintendent, project manager, or foremen who will exercise direct personal control of the work:

JEFFREY STEVENSON--

## FLORIDA TRENCH SAFETY ACT ACKNOWLEDGEMENT

**PROJECT:** BID 17/001 – SIDEWALK & ACCESSIBILITY RAMP PROGRAM – 126<sup>TH</sup> AVENUE NORTH

**BIDDER'S NAME:** MTM CONTRACTORS, INC

Bidder acknowledges that included in the various items of the proposal in the Total Bid Price are costs for complying with the Florida Trench Safety Act (Florida Statute §553.60, et.seq.). The bidder further identifies the costs to be summarized below:

<u>Trench Safety Measure (Description )</u>	<u>Units of Measure (LF, SY)</u>	<u>Unit (Quantity)</u>	<u>Unit Cost</u>	<u>Extended Cost</u>
A. <u>NA</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
B. <u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
C. <u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
D. <u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

**\*TOTAL:** \$ NA

\* This total amount is incidental to the contract bid price and is provided only as bidder acknowledgement of the Florida Trench Safety Act.

Failure to complete the above may result in the bid being declared non-responsive.

  
**Bidding Contractor Signature**  
 GEORGE TOCCALINO-PRESIDENT



# City of Pinellas Park

## Staff Report

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**File #:** 17-105, **Version:** 1

**Agenda Date:** 4/13/2017

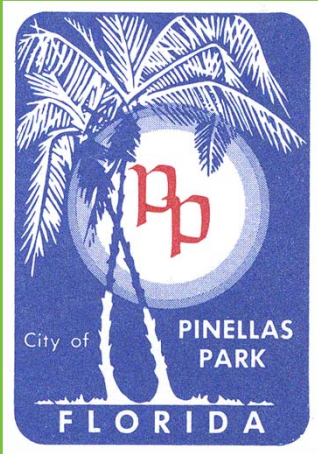
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### **RECEIPT OF THE 2015-2016 FINANCIAL AUDIT - Cherry Bekaert LLP, Tampa**

NOTE: Representatives from the City's independent auditors, Cherry Bekaert LLP, will present the 2015-2016 Auditor's Report. The Finance Administrator will present a brief summary of the City's fiscal year 2015-2016 Financial Statements.

ACTION: (Approve - Deny) the 2015-2016 Financial Statement and Auditor's Report as presented by Cherry Bekaert LLP.

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# *City of Pinellas Park, Florida*

Audit Summary and Required Communications

April 13, 2017



The Honorable Mayor and Members of City Council  
City of Pinellas Park, Florida

Dear Council Members:

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Pinellas Park, Florida for the year ended September 30, 2016, and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We have also audited the financial statements of the Pinellas Park Community Redevelopment Agency (a nonmajor special revenue fund) which is presented as supplementary information in the accompanying combining and individual fund financial statements and have issued our report thereon dated March 24, 2017.

As required by auditing standards generally accepted in the United States of America, we are providing you with the information shown in this presentation relative to the conduct of our audit. Such information is intended for the use of management and the Council and should not be used for any other information or purposes.

**CHERRY BEKAERT LLP**

# *REPORTING ENTITY*

- Finances of all the following entities are included:
  - Primary Government
    - City of Pinellas Park
  - Blended Component Units
    - Pinellas Park Community Redevelopment Agency
    - Pinellas Park Angel Fund, Inc.

\* Both component units are recorded as Special Revenue Funds of the City.

# AUDITOR'S REQUIRED COMMUNICATION (AU 380)

- **Our Responsibility under Generally Accepted Auditing Standards (GAAS), Government Auditing Standards (GAS), Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), and 218.415 Florida Statutes**
  - Consider internal control to the extent necessary to design an effective and efficient audit approach, not for the purpose of providing assurance on internal control (GAAS, GAS, Uniform Guidance)
  - Performed tests of compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts (GAS)
  - Design and implement audit procedures based on our understanding of Pinellas Park to gain reasonable, not absolute, assurance as to the absence of material misstatements in the financial statements (GAAS)
  - Perform tests of compliance with the types of compliance requirements which could have a direct and material effect on the City's major federal programs (Uniform Guidance)
  - Examine compliance with local government investment policies (218.415)
  - Opine on the financial statements based on our audit (GAAS)
- **Planned Scope and Timing of the Audit**
  - We performed the audit according to the planned scope and timing previously communicated to you on our engagement letter dated July 15, 2016.



# *SUMMARY OF DELIVERABLES*

- **Audit opinion** – (page 1)- Unmodified
- **Report on Internal Control over Financial Reporting and on Compliance** – (page 119)- No material weakness in controls and no material compliance matters reported
- **Report on Compliance for Each Major Federal Program and on Internal Control over Compliance** – (page 121)- No material weakness in controls and no material compliance matters reported
- **Management Letter** – (page 128)- No comment
- **Report on Compliance with Local Government Investment Policies** – (page 130)- Unmodified

# KEY HIGHLIGHTS

## *Internal Controls – Financial Statements*

### Significant Transaction Cycles

- Expenditures for Goods and Services
- Revenue/Receivables – Govt Funds
- Revenue/Receivable – Proprietary Funds
- Payroll and Related Liabilities
- Budgeting
- Financial Statement Close

### Testing of Internal Controls

- Cash Disbursements
- Payroll
- Cash Receipts
- Budget

### Adjusting Journal Entries

- Computer-Assisted Auditing Techniques

### IT Controls

- IT Entity Level
- Backup & Recovery
- Access & Security
- Network Security
- Program Change Management
- System Development Life Cycle

# KEY HIGHLIGHTS

## *Audit Areas – Financial Statements*

### Assets

- Cash and Investments (Fair Value Measurement)
- **Revenue and Receivables**
- Capital Assets

### Liabilities

- **Accounts Payable and Expenses**
- Accrued Expenses
- **Payroll**
- Self Insurance
- Long-Term Debt and Covenants
- **Pension Liabilities**

### Other Areas

- Net Position
- Related Parties
- Subsequent Events
- Commitments
- Estimates
- Leases
- Legal

Bold indicates significant audit areas

# AUDITOR'S REQUIRED COMMUNICATION (AU 380)

- **Significant Accounting Policies**
  - The City's summary of significant accounting policies are described in Note 1 to the financial statements and are in accordance with accounting principles generally accepted in the United States of America and consistent with industry practices and standards.
  - Adoption of, or change in, accounting policies
    - GASB No. 72- *Fair Value Measurement and Application*
    - GASB No. 79- *Certain External Investment Pools and Pool Participants*
  - Significant or Unusual Transactions
    - Federal Single Audit
- **The financial statement disclosures are neutral, consistent, and clear.**

# AUDITOR'S REQUIRED COMMUNICATION (AU 380)

- **Significant Accounting Policies (continued)**
  - Significant accounting policy changes will be implemented in the upcoming fiscal years.
    - GASB No. 77- *Tax Abatement Disclosures*
    - GASB No. 74- *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*
    - GASB No. 75- *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*
    - GASB No. 80- *Blending Requirements for Certain Component Units - an amendment of GASB Statement No. 14*

# AUDITOR'S REQUIRED COMMUNICATION (AU 380)

## ➤ Management Judgments and Accounting Estimates

- Accounting estimates are an integral part of the financial statements prepared by management and are based upon management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ from those expected. The most sensitive estimates affecting the financial statements were:
  - Management's estimate of the OPEB liability is based on the calculation of an actuary who uses management's inputs to calculate the OPEB liability.
  - Management's estimate of pension costs are based on the calculation of an actuary who uses management's inputs to calculate the pension liability.
  - Management's estimate of the useful lives of property and equipment is based on management's analysis of the asset's life expectancy.
  - Management's estimate for liability claims is based on actuarial evaluation.
  - Management's estimate of the allowance for doubtful accounts is based on an analysis of historical collection trends, current customer relations, credit sales levels, industry factors, and current and anticipated economic conditions.
- We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

# *AUDITOR'S REQUIRED COMMUNICATION (AU 380)*

## ➤ **Corrected Misstatements**

- None in current year.

## ➤ **Uncorrected Misstatements**

- One entry to correct an accumulated prior period misstatement, which effects governmental activities, business-type activities, water & sewer fund, and internal service fund, and related to an error in reconciliation to subsidiary capital asset ledgers discovered during MUNIS conversion.

## ➤ **No Disagreements or Difficulties with Management**

- There were no disagreements with management on financial accounting and reporting matters that, if not satisfactorily resolved, would have caused a modification of our report on the City's financial statements, nor were there significant difficulties in dealing with management in performing our audit.

# KEY HIGHLIGHTS

## *Internal Controls and Compliance – Single Audit (Grants)*

### Federal Major Programs

#### Highway Planning and Construction Cluster





# AUDITOR'S REQUIRED COMMUNICATION (AU 380)

- **Significant Issues Discussed with Management Prior to Retention**
  - We generally discuss a variety of matters, including business plans and strategies, the application of accounting principles and auditing standards, with management each year prior to retention as auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.
- **No Consultations with Other Accountants**
  - To the best of our knowledge, management has not consulted with or obtained opinions, written or oral, from other independent accountants during the past year that were subject to the requirements of AU 625, *Reports on the Application of Accounting Principles*.
- **Material Written Communications**
  - We have received a representation letter that was provided to us by management.
  - Management letter as required by Chapter 10.550, Rules of the Florida Auditor General.
  - Certification of the Data Collection Form

# *AUDITOR'S REQUIRED COMMUNICATION (AU 380)*

## ➤ **Supplemental Information**

- Management's discussion and analysis and other required supplementary information - certain limited procedures to this information. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.
- Combining and individual fund statements and schedules, the schedule of expenditures of federal awards) - We compared and reconciled the supplementary schedules to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.
- With respect to the introductory section, statistical section, we did not apply any auditing procedures and, accordingly, we do not express an opinion or provide any assurance on them.

This information is intended solely for the use of the Mayor, the City Council and management of the City of Pinellas Park and is not intended to be, and should not be, used by anyone other than these specified parties.

# OTHER COMMUNICATIONS

## Area

- Auditor's Judgment About the Quality of the Accounting Principles

- Fraud and Illegal Acts

- Independence and Objectivity

## Comments

- Management employs an appropriate level of conservatism in applying accounting principles.

- Inquiry of the Council, management, and others about their knowledge of significant fraud or illegal acts.

- We are not aware of any relationship that we believe, based on current authoritative guidance, would impair our independence.

# CONTACT INFORMATION

Presented by:

**John Gilberto, Partner**

**Lauren Strope, Senior Manager**

Cherry Bekaert LLP

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Tampa, Florida 33602

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