## City of Pinellas Park <br> City Council <br> Agenda

Thursday, January 10, 2019
6:00 PM
City Council Chambers

## CALL TO ORDER

## INVOCATION

## PLEDGE OF ALLEGIANCE

## I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

## SPECIAL PRESENTATIONS

## 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 December 13, 2018, as on file in the City Clerk's office.

## III. PUBLIC HEARINGS

P1 RESOLUTION NO. 18-31. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING A PORTION OF A DRAINAGE EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT $5260113 T H$ AVENUE IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; VACATING A PORTION OF A UTILITY EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 11346 53RD STREET IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; PROVIDING FOR AN EFFECTIVE DATE (V 2018-8, TSE Industries, Inc.)

## CONTINUED PUBLIC HEARING FIRST AND FINAL READING

## (Speaker - Erica Lindquist, Planning \& Development Review Manager)

## (P5 on 11/20/2018 Agenda)

NOTE: TSE Industries is requesting the vacation of a 168 foot long portion of a 10 foot wide drainage easement located under an existing building generally located at 5260113 th Avenue between Lots 28 and 29 and the vacation of a 279 foot long portion of a 5 foot wide utility easement generally located at 11346 53rd Street to the north of Lot 27.

ACTION: (Adopt - Deny) Resolution No. 18-31. Public hearing first and final reading.
Department: Community Development
Reference Material: $\quad$ Staff report, Resolution, Attorney Ltr, Minutes, Application, Map- V 2018-8

ORDINANCE NO. 4077. AN ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITH UNDERLYING "B-1" GENERAL COMMERCIAL ZONING ON CERTAIN PARCELS OF LAND GENERALLY LOCATED AT 3660 GANDY BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR PROPOSED RETAIL PLAZA AND CONVENIENCE STORE WITH A GAS STATION; 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 2015-6(R)2/BOA 2018-34/ MS 2018-27, Friends of Strays, Inc.)

## PUBLIC HEARING SECOND AND FINAL READING - QUASI-JUDICIAL

## (Speaker - Erica Lindquist, Planning \& Development Review Manager)

NOTE: This is a request to amend a CPUD (Commercial Planned Unit Development) with underlying B-1 General Commercial Zoning for the development of a proposed 10,600 square foot retail plaza and convenience store with waivers and variances to the following: a variance to increase impervious surface area on both parcels; a variance to reduce the structure setback from 20 feet to 18 feet along the north, second front yard; and a waiver to reduce the required vehicular use area buffer at the right-of-way from 6 feet to 3 feet on both parcels. At its public hearing on November 1, 2018, the Planning and Zoning Commission recommended APPROVAL of this ordinance, subject to the following conditions:

1. 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 Landmark Engineering and Surveying Corporation last revised on September 6, 2018, 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 CPUD adoption.
2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.
3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

# City Council Agenda 

January 10, 2019
Page 4
(C18 on 12/13/2018 Agenda)
ACTION: (Pass - Deny) Ordinance No. 4077. Public hearing second and final reading - quasi-judicial.
Department: Community Development
Reference Material: Ordinance, Attorney Ltr, Staff Report, Site Plan, Minutes, Application- PUD 2015-6(R)2

## P3 ORDINANCE NO. 4076. AMENDING ORDINANCE NO. 4070 FOR THE FISCAL YEAR 2018/2019

## PUBLIC HEARING SECOND AND FINAL READING

## (Speaker - Dan Katsiyiannis, Management and Budget Administrator)

NOTE: This budget amendment is the City's first for the fiscal year. Our first amendment is dedicated to bringing forward unspent budget funds for CIP projects from the prior year that were not finished as of September 30th. These projects will be completed this fiscal year. The attached increases this year's budget by $\$ 3,598,087$ for a revised total City budget of $\$ 127,786,639$.
(C9 on 12/13/2018 agenda)

ACTION: (Pass - Deny) Ordinance No. 4076. Public hearing second and final reading.
Department: OMB
Reference Material: Amend Ordinance, Budget Amend, Attorney Doc.

## IV. CONSENT AGENDA

## C1 REAPPOINTMENT TO PINELLAS OPPORTUNITY COUNCIL - (William Holmes)

NOTE: Mr. William Holmes has served on the POC since 2015 and has indicated that he is interested in continuing to serve on the Board for another term.

ACTION: (Approve - Deny) Re-Appointment of William Holmes to serve on the Pinellas Opportunity Council for the year 2019.

Department: $\quad$ City Clerk
Reference Material: Reappoint Bill Holmes POC

C2 RESOLUTION NO. 19-01. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A CHARTER REVIEW COMMITTEE, ESTABLISHING SUCH CHARTER REVIEW COMMITTEE FOR THE PURPOSE OF STUDYING THE CHARTER OF THE CITY OF PINELLAS PARK, RECEIVING PUBLIC INPUT AND DETERMINING WHETHER THEY WISH TO RECOMMEND CONSIDERATION OF ANY CHANGES OR AMENDMENTS TO THE CHARTER; PROVIDING FOR A PROCESS FOR THE APPOINTMENT OF THE MEMBERS OF SUCH COMMITTEE; PROVIDING PROCEDURES FOR THE MEETINGS OF SUCH COMMITTEE; PROVIDING TIME SCHEDULES FOR SUCH COMMITTEE; PROVIDING FOR THE SUNSETTING OF SUCH COMMITTEE.

## FIRST AND FINAL READING

NOTE: This Resolution will establish a Charter Review Committee consisting of seven (7) voting members, five (5) members shall be designated by City Council and the two (2) remaining members shall be selected by vote of the City Council based upon applications received by the City.

ACTION: (Adopt - Deny) Resolution No. 19-01.
Department: City Clerk
Reference Material: 19-01.Charter Review.res

# C3 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 (AX19-2) - Located at 6131 109th Terrace North 

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North. The City agrees that for a period of twenty-four (24) months from the date of execution of this Agreement, the City shall waive City land development fees applicable for future redevelopment of the Property, in an amount up to, and not to exceed, Two Thousand Dollars ( $\$ 2,000.00$ ). The City's annual projected revenue is Six Hundred Twenty-two Dollars (\$622.00) and no City funds were expended.

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of residential property owned by Peter Ozols and Inguna Ozols, as Co-Trustees of the Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017.

Department: Community Development<br>Reference Material: AX19-2 Ozols Agreement, Petition, Data Sheet, Comment Sheet, Revenue Analysis, Map and Attorney letter.pdf

C4 ORDINANCE NO. 4078. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6131 109TH TERRACE NORTH (PETER OZOLS AND INGUNA OZOLS, CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 AX19-2)

## FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North.

ACTION: (Pass - Deny) Ordinance No. 4078.
Department: Community Development
Reference Material: AX19-2 Ozols Ordinance, Petition, Map and Attorney letter.pdf

## Page 7

## C5 RESOLUTION NO. 19-02. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AUTHORIZING A REFUND TO RESIDENTIAL RECYCLING CUSTOMERS EFFECTIVE FEBRUARY 1, 2019

## FIRST AND FINAL READING

NOTE: The City began a curbside recycling program in October 1989 for residential customers. Due to the efforts of the community, the avoided disposal fee savings has resulted in a twelve-month credit of approximately $\$ 70,166.00$. This amount is to be refunded to residential customers as a credit of approximately $\$ 4.00$ per customer, which is to be applied to their utility account. This refund will be charged to account number 001-259911.

ACTION: (Adopt - Deny) Resolution No. 19-02. First and final reading.
Department: Finance

## Reference Material: RecylResCrHstyAttyLtr

## C6

AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM LIHN T. PHAM \& TUYET-LE THI DANG - 4220 70th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from Lihn T. Pham \& Tuyet-Le Thi Dang to increase the right-of-way width to the required width for the installation of a potable water main, and for the future maintenance and operation of said equipment at 422070 th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Lihn T. Pham \& Tuyet-Le Thi Dang at 4220 70th Avenue North.

Department: $\quad$ Public Works
Reference Material: 4220 70th Ave Right of Way Easement backup

## Page 8

## C7 AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A PERPETUAL UTILITY EASEMENT FROM 6351 49TH STREET LLC - 6351 49th Street North

NOTE: The City of Pinellas Park has requested a utility easement from 6351 49th Street LLC to accommodate new utility equipment, and for the future maintenance and operation of said equipment at 6351 49th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a utility easement from 6351 49th Street LLC at 6351 49th Street North.

Department: Public Works
Reference Material: $10 \times 37$ Shed Utility Easement 6351 49th St backup
C8 AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO GIVE A PERPETUAL DRAINAGE EASEMENT TO PINELLAS COUNTY AT - 59th Avenue North and 46th Street North.

NOTE: Pinellas County has requested a perpetual drainage easement at the pond to accommodate their new drainage infrastructure and for the future maintenance and operation of said infrastructure at the pond.

ACTION: (Approve - Deny) Authorization for the City of Pinellas Park to give a perpetual drainage easement to Pinellas County at the pond.

Department: Public Works
Reference Material: Drainage Easement 59th Ave to 44th St backup
C9 AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM RICHARD BRODTRICK - 4160 70th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from Richard Brodtrick to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4160 70th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Richard Brodtrick at 4160 70th Avenue North.

Department: $\quad$ Public Works
Reference Material: 416070 th Ave Right of Way Easement backup

City Council Agenda
January 10, 2019
Page 9

C10 AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM GEORGE A. PARADISE - 5245 78th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from George A. Paradise for the installation of a sidewalk, and for the future maintenance and operation of said equipment at 5245 78th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from George A. Paradise at 5245 78th Avenue North.

Department: Public Works
Reference Material: 5245 78th Ave N Right of Way Easement backup
C11 AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM AJKJ, LLC - $\mathbf{1 1 4 8 6} \mathbf{6 8 t h}$ Street North

NOTE: The City of Pinellas Park has requested a right-of-way easement from AJKJ, LLC to increase the right-of-way width to the required width and to allow a clear zone adjacent to the road at 11486 68th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from AJKJ, LLC at 11486 68th Street North

Department: Public Works
Reference Material: $\quad 11486$ 68th Street 15 ' right of way easement backup

## C12 AUTHORIZATION FOR MAYOR TO SIGN INTERLOCAL MAINTENANCE AGREEMENT WITH PINELLAS COUNTY - Plat Book 124, Pages 16-17 Perpetual Drainage Easement

NOTE: This authorizes the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County to transfer the maintenance responsibility for the drainage easement dedicated to the City of Pinellas Park by plat. The County will perform specific maintenance to this easement area for a five year term. The proposed agreement has been reviewed by the City Attorney's office.

ACTION: (Approve - Deny) Authorization for the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County.

Department: Public Works
Reference Material: Interlocal Maintenance Agreement backup

## V. REGULAR AGENDA

## R1 THE 2018 LIBRARY ANNUAL REPORT

NOTE: The 2018 Library Annual Report is submitted to Council by the Library Advisory Board in accordance with Section 2-504 of the City Code of Ordinances. Members of the Library Board will be in attendance to present the report.
ACTION: (Approve - Deny) 2018 Library Annual Report.
Department: Leisure Services
Reference Material: 2018 Library Annual Report

## 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.

| JANUARY |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | 3 THURSDAY | FRIDAY | SATURDAY |
|  |  |  | 2 |  | 4 | 5 |
| 6 <br> Partial Eclipse of the Sun Epiphany Orchestra Concert Performing Arts Center | 7 | $8$ | 9 <br> Pancake Breakfas Senior Center | 10 <br> 5:30 PM Agenda Session 6:00 PM Council Meeting | 11 | 12 |
| 13 | 14 | 15 <br> Organ Concert City Auditorium | 16 | 17 | 18 <br> Florida Arbor Day | 19 |
| 20 | 21 <br> Total Eclipse of the Moon Martin Luther King Jr Birthday (observed) City Offices \& Library Close | $22$ <br> 5:30 PM Council Workshop CRA. After Workshop | 23 | 24 <br> 5:30 PM Agenda Session 6:00 PM Council Meeting | 25 | Everly Brothers Tribute Concert Performing Arts Center <br> Movies in the Park <br> Fourth Saturday Art Walk |
| 27 | 28 | 29 | 30 | 31 |  |  |



## City of Pinellas Park

Staff Report

File \#: 18-672, Version: 1
Agenda Date: 1/10/2019

RESOLUTION NO. 18-31. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING A PORTION OF A DRAINAGE EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 5260 113TH AVENUE IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; VACATING A PORTION OF A UTILITY EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 11346 53RD STREET IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; PROVIDING FOR AN EFFECTIVE DATE (V 2018-8, TSE Industries, Inc.)

## CONTINUED PUBLIC HEARING FIRST AND FINAL READING

(Speaker - Erica Lindquist, Planning \& Development Review Manager)
(P5 on 11/20/2018 Agenda)
NOTE: TSE Industries is requesting the vacation of a 168 foot long portion of a 10 foot wide drainage easement located under an existing building generally located at 5260 113th Avenue between Lots 28 and 29 and the vacation of a 279 foot long portion of a 5 foot wide utility easement generally located at 1134653 rd Street to the north of Lot 27.

ACTION: (Adopt - Deny) Resolution No. 18-31. Public hearing first and final reading.

CASE NUMBER: V 2018-8
PZ HEARING: August 2, 2018
CC HEARING: November 20, 2018

## I. GENERAL INFORMATION

A. Request:

Request to vacate a 168 -foot long portion of a 10-foot wide drainage easement located under an existing building generally located at $5260113^{\text {th }}$ Avenue between Lots 28 and 29 and a request to vacate a 279 foot long portion of a 5 -foot wide utility easement generally located at 1134653 rd Street to the north of Lot 27.
B. Purpose:

C: Location:
D. Site Area:
E. Land Use Plan Designation:

Zoning District:
F. Public Notification Date:
G. Legal Advertising Date:
H. Utility Releases:
I. Legal Description:

Commercial Business
TSE Industries (plastic and rubber fabrication)
5260 113 $3^{\text {th }}$ Avenue (Lots 27, 28, 29, and 30) and 11346 53rd Street (Lots 25 and 26)
0.039 acres and 0.29 acres (MOL)

IL (Industrial Limited)
M-1 (Light Industrial)
November 5, 2018
November 5, 2018
Frontier Communications requires a set of plans to locate their facilities. No objection from other utility providers.

Exhibit A

## II. SITE AND VICINITY CHARACTERISTICS

A. Zoning/Development History:

The City annexed the property located at $5260113^{\text {th }}$ Avenue (Lots $27,28,29$, and 30 ) from the County on June 25, 1998. The property located at 11346 53rd Street (Lots 25 and 26) was annexed on July 17, 2017.
B. Site characteristics:

The Mid County Industrial Center site is divided into six lots at two addresses. According to the Pinellas County Property Appraiser, four buildings have been constructed on the site. Buildings 1, 2, and 4 are located at $5260113^{\text {th }}$ Avenue. Building 1 was constructed in 1984, Building 2 in 1981, and Building 4 in 1996. Building 3, which is located at 1134653 rd Street, was built in 1981.
C. Vicinity Characteristics:

| AREA | LAND USE <br> PLAN MAP | ZONING | EXISTING CONDITIONS |
| :--- | :--- | :--- | :--- |
| NORTH | IL | M-1 | Light Manufacturing <br> (Unincorporated County) |
| SOUTH | IL | CH | Shopping Center |
| EAST | IL | M-1 | Mid County Industrial Center |
| WEST | INS | P | School |

D. Traffic Circulation and Impact:

The proposed modifications to the drainage and utility easements should not affect traffic.
E. Essential Services Summary:

Planning \& Zoning Director: No objection
Building Director:
Life Safety Management:

Police Department Crime Prevention Officer: No objection
PPWMD Executive Director:

No objection
Observations/Concerns Any development will require plan review.

Property is outside the PPWMD's jurisdiction.

Public Works Divisions
Public Works Administrator: No objection
Engineering Services Director:
Utilities Director:
Transportation/Stormwater Director:
No objection
No objection
No objection
Community Development Administrator:


## III. COMPREHENSIVE PLAN REVIEW

A. Transportation Element:

Consistent $\qquad$ X Inconsistent $\qquad$ Not applicable $\qquad$
The proposed Vacation will remain consistent with the Transportation Element of the City's Adopted Comprehensive Plan.

## IV. SUMMARY REPORT

A. Development Considerations: None
B. Waivers Requested: None
V. FINDINGS OF FACT

After review of Case No. V 2018-8, the Zoning Division has identified the following Findings of Fact: That,

1. The vacation is consistent with the policies of the Comprehensive Plan.
2. The various utility agencies and City divisions have no objection to the vacation.
VI. MOTION

After reviewing the staff analysis presented in this report, I move to APPROVE / DENY / APPROVE WITH CONDITIONS Case No. V 2018-8.

# Exhibit A <br> Legal Descriptions 

See attached descriptions of the two easements to be vacated.

THIS IS NOI A SURVEY.
THERE MAY 日E AODMONLL RESTRICTONS AFHECTHO TMS PROPERTY THT MAY 昰 FOUND N THE PUBUC REcOROS OF THIS COLNTH.

$\begin{array}{ll}0^{\circ} & 60 \\ 80 \\ 80\end{array}$

## DESCRIPTION:

A PORTION OF LOTS 28 AND 29, MID COUNT INDUSTRIAL CENTER, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 81, PAGES 99 THROUGH 101, PUBLCC RECORDS OF PINELLAS COUNTY FLORIDA, LYING IN SECTION 16, TOWNSHP 30 SOUTH, RANGE 16 EAST. PINELLAS COUNTY FLORIDA, BEING MORE PARTICULARLY BESCRIEED FOLLOWS:
COMMENCE AT THE NORTHEAST CORNER OF LOT 30 OF SAND PLAT; THENCE SOO $166^{\prime} 57^{\prime \prime}$ W, ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 59.60 FEET; THENCE DEPARTING SAID LINE, NB9'01'44'W, A DISTANCE OF 195.02 FEET TO A POINT ON THE EAST LNE OF A 10 FOOT EASEMENT FOR DRAINAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT: THENCE SOO $16^{\prime} 57^{\circ} \mathrm{W}$, ALONG SADO EAST UNE, 15.00 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE SOO $16^{\prime} 57^{\prime \prime}$ W. ALONG SAID EAST LINE, A OISTANCE OF 168.13 FEET TO A POINT ON THE NORTH LINE OF A 50 FOOT DRANAGE AND UTILTY EASEMENT AS SHOWN ON SAID PLAT: THENCE S8954'07"W. ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO A POINT ON THE WEST LINE OF A 10 FOOT WIDE EASEMENT FOR DRANAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT; THENCE NOO $16^{\prime} 57^{\circ} E$, ALONG SAHD WEST LINE, A DISTANCE OF 168.32 FEET: THENCE DEPARTING SAID LINE, S89'01'44"E, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,682 SQUARE FEET.
(0.039 ACRE) MORE OR LESS

## NOIES:


 2. AOOTIONS OR OEARIONS TO THS SKICH
3. THIS SKEICH OF DESCRIPTION IS SKSED ON US. SUNVIY OR REPORTS BY OTHER THUN THE SIGNMG PARTY OR PARTIES IS PROHIRTED.
4. THIS SKETCH OF OESCRITION WNS PARPAESD SNHOT FEIT

 3. THIS MP IS NITENDD TO EE DSPCAYED AT A SCNE OF 1/BO OR SMLLER.


THIS IS NOI A SURVEY.


SEC. 16 . TWP. 30S., RNG. 16E. PINELLAS COUNTY, FLORIDA


## LEGEND

| 18 | LCEmSED SuSness |
| :---: | :---: |
| No. | HuMBEE |
| Of | OPFICNL Record book |
| ${ }_{P B}$ |  |
| PG | PACE/PGEES |
| POP | point of |
| PSM | Professioll suive |
|  | \% MOPCR |
| RNM | Righto |
| SEC. | SECTION |
| TWP. | TOWNSHPP |

DESCRIPTION: (OR 7544, PG 1738)
THE NORTH 5 FEET OF LOT 27, MID COUNTY INDUSTRIAL CENTER, AS PER PLAT THEREOF RECORDED IN PLAT BOOK B1, PAGES 99 THROUGH 101. PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LYING IN SECTION 16. TOWNSHIP 30 SOUTH. RANGE 16 EAST. PINELLAS COUNTY. FLORIDA.




3. THIS SKEICH OF OESCRIPIION IS BUSED ON US. SUANEY FEEI.
 ACCURATE FED BOUNDNET SURVETS OF RECORD. THE GEOMEIRY AS DESCRIBED ON THE RECOROED DOCUMENTS AS NOTED HEREN AND IS SURMECT TO NN 5. THIS MP IS INTENDED TO BE DISPLAYED AT A SCNE OF $1 / 60$ OR SWULER.

$\qquad$
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, VACATING A PORTION OF A DRAINAGE EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT $5260113^{\mathrm{TH}}$ AVENUE IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; VACATING A PORTION OF A UTILITY EASEMENT ON A PARCEL OF LAND GENERALLY LOCATED AT 11346 53RD STREET IN SECTION 16, TOWNSHIP 30 SOUTH, RANGE 16 EAST; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pinellas Park has been petitioned to vacate a 168-foot long portion of a 10-foot wide platted drainage easement located under an existing building generally located at 5260 113th Avenue between Lots 28 and 29 and to vacate a 279 -foot long portion of a platted public utility easement generally located at $1134653^{\text {rd }}$ Street, to the north of lot 27 ; and

WHEREAS, City Divisions and Private Utility Agencies have expressed no objections to the proposed vacations; and

WHEREAS, the City Council has determined that the portion of the platted drainage easement and the portion of a platted public utility easement, further described herein, serve no useful purpose and it is in the general interest of the public that the same be vacated, discontinued, and/or closed; and

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

SECTION ONE: That the following described portion of easement over and under, above and across the following described real property be and the same are hereby vacated:

THE EASEMENTs LEGALLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

SECTION TWO: That this Resolution shall be in full force and effect immediately upon its adoption.

PUBLISHED THE $\qquad$ DAY OF $\qquad$ , 2018.

FIRST READING $\qquad$ DAY OF $\qquad$ , 2018.

PUBLIC HEARING THE $\qquad$ DAY OF $\qquad$ , 2018.

ADOPTED THIS $\qquad$ DAY OF $\qquad$ , 2018. AYES:

NAYES:
ABSENT:

ABSTAIN:
APPROVED THIS $\qquad$ DAY OF $\qquad$ , 2018.

Sandra L. Bradbury MAYOR

ATTEST:

Diane M. Corna, MMC
CITY CLERK
-2-
Resolution No.
P1

```
Exhibit "A"
```


## VACATE DRAINAGE EASEMENT

A PORTION OF LOTS 28 AND 29, MID COUNTY INDUSTRIAL CENTER, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 81 PAGES 99 THROUGH 101, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA LYING IN SECTION 16, TOWNSHIP 30 SOUITH, RANGE 16 EAST, PNELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 30 OF SAID PLAT; THENCE S $100^{\circ} 16^{\prime} 57^{\prime \prime}$ W, ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 59.60 FEET; THENCE DEPARTING SAID LINE, N $89^{\circ} 01^{\prime} 44^{\prime \prime}$ W, A DISTANCE OF 195.02 FEET TO A POINT ON THE EAST LINE OF A 10 FOOT EASEMENT FOR DRAINAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT; THENCE S $00^{\circ} 16^{\prime} 57^{\prime \prime} \mathrm{W}$, ALONG SAID EAST LINE, 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S $00^{\circ} 16^{\prime} 57^{\prime \prime} \mathrm{W}$, ALONG EAST LINE, A DISTANCE OF 168.13 FEET TO A POINT ON THE NORTH LINE OF A 50 FOOT DRAINAGE AND UTILITY EASEMENT AS SHOWN ON SAID PLAT; THENCE
 WEST SIDE OF A 10 FOOT WIDE EASEMENT FOR DRAINAGE LYING OVER AND ACROSS LOTS 28 AND 29 AS SHOWN ON SAID PLAT; THENCE N $00^{\circ} 16^{\prime} 57^{\prime \prime}$ E, ALONG SAID WEST LINE, A DISTANCE OF 168.32 FEET; THENCE DEPARTING SAID LINE, S890․ ${ }^{\prime} 44^{\prime \prime} \mathrm{E}$, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,682 SQUARE FEET, (0.039 ACRE) MORE OR LESS

## VACATE UTILITY EASEMENT

THE NORTH 5 FEET OF LOT 27, MID COUNTY INDUSTRAIL CENTER, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 81, PAGES 99 THROUGH 101, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, IN SECTION 6, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.
$\qquad$

## Cit of <br> PINELLAS PARK

5141 78TH AVE • PO. EOX 1100
PINELLAS PARK, RL, 33780-1100


## FLORIDA

| PHONE | - (727) 300-0700 |
| :--- | :--- |
| FAX | $-(727) 644-7448$ |

Please Respond To:
dermas Wi. Denhardt, City Attomey
Lumen Christ Rubinstein. Assistant City Attomey
Denhandt and Rubanstoth, Altomeys at Law
2700 Fits Avenue North
St. Petgemburg, Florida 33713
(727) 327,3400 - Telephone
(727) $322-0886$ - Facsimile

August 31, 2018

Ms. Erica Lindquist
Planning \& Zoning Division
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-222

## Vacation Resolution V 2018-8 and Easement Agreements

Dear Ms. Lindquist:
I have received and reviewed the above-referenced Vacation Resolution and corresponding Easement Agreements. I would approve of the Easement Agreements as to form and correctness. As mentioned in Mr. Denhardt's previous correspondence, we believe the Resolution for vacation would only be appropriate if and when the Easement Agreements are granted. Therefore, I would approve of the Resolution as to form and correctness, provided that the proposed new Easements and Resolution are heard during the same agenda item by City Council, and a proposed Motion for City Council either approves or denies the proposed Easements and the proposed Vacation.


Lauren C. Rubinstein
Assistant City Attorney
c: Doug Lewis, City Manager
Diane M. Cornea, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Susan Walker, Community Development Administrator
Danny E. Taylor, Planning \& Zoning Director
LCR/dh


# CITY OF PINELLAS PARK, FLORIDA PLANNING AND ZONING COMMISSION MINUTES <br> REGULAR MEETING <br> August 2, 2018 

The meeting was called to order at 7:00 p.m. by Dennis Shelley, Chairperson.

## ROLL CALL

| PRESENT: | Dennis Shelley, Chairperson <br> Louis Bommattei, Vice Chairperson <br> James Madden <br> Munaf Kapadia <br> Brenda Braitling <br> Neil Kummerer |
| :--- | :--- |
| STAFF PRESENT: | Lauren Rubenstein, Assistant City Attorney <br> Danny Taylor, Planning \& Zoning Director <br> Erica Lindquist, Planning \& Zoning Coordinator <br> Carrie Moss, Planning \& Zoning Analyst, Notary |
| INVOCATION: | Mr. Kapadia |
| PLEDGE OF ALLEGIANCE: | Mr. Kapadia |
| APPROVAL OF MINUTES: | July 9, 2018 |
| Mr. Madden - Had four (4) suggested amendments to the minutes of July 9, 2018. |  |

MOTION was made by Mr. Madden and SECONDED by Mr. Bommattei to APPROVE the minutes of July 9,2018 with the 4 amendments.

## REGULAR AGENDA

Mr. Shelley - Read the rules and procedures for the Planning and Zoning Commission.

## PUBLIC HEARING OPENED

1. CASE NO.: V 2018-8

REQUEST: Consideration of a request for $5260113^{\text {th }}$ Avenue to vacate a section of a 10 foot drainage easement located under an existing building between Lots 28 and 29, to add a 15 foot drainage easement along the north side of Lots 29 and 30 , and to add a 9 foot drainage easement along the east side of Lot 30 .

Consideration of a request to 1134653 rd Street to vacate a 5 foot utility easement to the north of Lot 27 for a proposed building addition and to add a 15 foot utility easement on the north side of Lot 25 and east side of lots 25 and 26.

LOCATION: $\quad 5260113^{\text {th }}$ Avenue \& 11346 53rd Street

Ms. Lindquist - Confirmed that all procedural requirements have been met and presented the staff report into the official record.

## QUESTIONS FOR STAFF

Mr. Madden - Did City Staff contact the County to see why this building is over an easement?
Ms. Lindquist - No.

## PROPONENTS

Chris Weddle, 610 E Morgan Street, Brandon, Civil Engineer for this project - This was platted with an unused drainage easement. It is not used and the City wanted it moved/cleaned up as part of the expansion.

Mr. Madden - What was the easement for?
Mr. Weddle - This is storm water drainage, there are no pipes. The new easement is a drainage ditch.
Ms. Braitling - The areas marked in red are the proposed new drainage?
Mr. Weddle - Yes, they will be dedicated drainage.
Mr. Madden - Is it appropriate for us to approve the vacations with the condition that the proposed new easements be created?

Ms. Rubenstein - Yes, it is a condition in the staff report and the findings of fact can be included in the motion.

## OPPONENTS

None

## PUBLIC HEARING CLOSED

## BOARD DISCUSSION

MOTION was made by Mr. Madden and SECONDED by Mr. Kapadia to RECOMMEND APPROVAL for Case no. V 2018-8. Predicated on the dedication of drainage easements as depicted on the site plan and the following conditions:

1. The vacation is consistent with the policies of the Comprehensive Plan.
2. The various utility agencies and City divisions have no objection to the vacation. Frontier Communications requires a set of plans to locate their facilities.

## ROLL CALL VOTE

Aye: Braitling, Bommattei, Madden, Shelley, Kapadia, Kummerer
Nay: None
mOTION CARRIED BY UNANIMOUS VOTE

City of Pinellas Park. Florida
APPLICATION FOR VACATION OF EASEMENTS OR RIGHTS-OF-WAY
FOR OFFICE USE ONLY
CASE \#V_2018-8 UTILITY/MAIL RECEIPTS $\qquad$ PR MEETING: $\qquad$ 8/2/18 cc meting: $9 / 13 / 18$ PLAT SHEET: $\qquad$ C-13 RELATED CASES: $\qquad$ receipt number: 2431415 ZONING DISTRICT: CH
$\qquad$ LAND USE DESIGNATION: $\qquad$ DATE RECEIVED: $\qquad$ 5/24/18

REQUEST AND PROPERTY INFORMATION
GENERAL LOCATION OF PROPERTY TO BE VACATED: $\qquad$ 5260 113th Avenue North, Clearwater, Florida 33760

REASON FOR VACATION REQUEST: Cannot build structure over utility easement. The existing utility easement will be rerouted around the building at site two. Also, the City of Pinellas Park requested to vacate a portion of the platted drainage easement that passes under the existing building.

AN EXACT LEGAL DESCRIPTION OF THE PROPERTY TO BE VACATED MUST BE SUBMITTED. THE CITY SUGGESTS THE APPLICANT CONTACT REGISTERED SURVEYOR TO DETERMINE THE EXACT LEGAL DESCRIPTION. IF NEEDED, THE CITY MAY REQUIRE A SURVEY OF THE SUBJECT PROPERTY.

LEGAL DESCRIPTION OF PROPERTY TO BE VACATED (attach if lengthy):
See attached Sketch and Legals. (Note: There are 2 separate easements being vacated)

LEGAL DESCRIPTION: LOT $\xlongequal{27,28 \& 29}$, BLOCK__ SUBDIVISION Mid County Industrial Center
PARCEL NUMBER (S): $\xlongequal{16-30-16-57676-000-0270}$
I (we) the undersigned, do hereby make application for vacation of public easements or rights-of-way and do certify that the information contained in this application 5 mag sect to the best of my (our) knowledge.
signature of Applicant

$$
5 / 22 / 18
$$

Signature of Applicant
Date

OWNER / APPLICANT INFORMATION
PROPERTY owner: TSE Industries, Inc. PHONE: 727 , 540-1256
ADDRESS/CITYZIP: 5260 113th Avenue North, Clearwater, Florida 33760
authorized agent: Chris Weddle, P.E. PHONE: $813,643-9907$
ADDRESSICITYYZIP: 610 East Morgan Street, Brandon, Florida 33510
OTHER REPRESENTATIVE: $\qquad$ PHONE: (_
ADDRESS/CITYIZIP: $\qquad$ chris@auroracivil.com

## AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA - COUNTY OF PINELLAS:

NAME OF ALL PROPERTY OWNERS, being first duly sworn, deposes) and says):
TSE Industries, Inc.

1. That (l amie are) the owner(s) and record title holder(s) of the following described property, to wit:

ADDRESS OR GENERAL LOCATION:

## 5260 113th Avenue North, Clearwater, Florida 33760

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet. If too lengthy, type on separate sheet titled "Exhibit A" and attach: See attached Sketch and Legals. (Note: There are 2 separate easements being vacated)
2. That this property constitutes the property for which an application is being made to the City of Pinellas Park, Florida (NATURE OF REQUEST): Cannot build structure over utility easement. The existing easement will be rerouted around the building at site two.

Also, the City of Pinellas Park requested to vacate a portion of the existing easement that passes under the existing building.
3. That the undersigned (has/have) appointed and (does/do) appoint

Chris Weddle as (his/their) agents) to execute any petitions or other documents necessary to affect such application.
4.


STATE OF FLORIDA COUNTY OF PINELLAS

## RICHARD T. CATALANO

Commission \# GG 153781
Expires December 1, 2021 Bonded Thu Troy Fain haurance 8003885.7019
(SEAL ABOVE)
 who is personally known to me or who has produced $\qquad$ (Type of identification) as identification and who did (did not) take an oath,
 Notary Public, Commission No. $\qquad$


City of Pinellas Park

Staff Report

File \#: 18-696, Version: 1
Agenda Date: 1/10/2019


#### Abstract

ORDINANCE NO. 4077. AN ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITH UNDERLYING "B-1" GENERAL COMMERCIAL ZONING ON CERTAIN PARCELS OF LAND GENERALLY LOCATED AT 3660 GANDY BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR PROPOSED RETAIL PLAZA AND CONVENIENCE STORE WITH A GAS STATION; 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 2015-6(R)2/BOA 2018-34/ MS 2018-27, Friends of Strays, Inc.)


## PUBLIC HEARING SECOND AND FINAL READING - QUASI-JUDICIAL

## (Speaker - Erica Lindquist, Planning \& Development Review Manager)

NOTE: This is a request to amend a CPUD (Commercial Planned Unit Development) with underlying B-1 General Commercial Zoning for the development of a proposed 10,600 square foot retail plaza and convenience store with waivers and variances to the following: a variance to increase impervious surface area on both parcels; a variance to reduce the structure setback from 20 feet to 18 feet along the north, second front yard; and a waiver to reduce the required vehicular use area buffer at the right-of-way from 6 feet to 3 feet on both parcels. At its public hearing on November 1, 2018, the Planning and Zoning Commission recommended APPROVAL of this ordinance, subject to the following conditions:

1. 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 Landmark Engineering and Surveying Corporation last revised on September 6, 2018, 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 CPUD adoption.
2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.
3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

File \#: 18-696, Version: 1 Agenda Date: 1/10/2019
(C18 on 12/13/2018 Agenda)
ACTION: (Pass - Deny) Ordinance No. 4077. Public hearing second and final reading - quasi-judicial.

ORDINANCE NO. $\qquad$

AN ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA ADOPTING AN AMENDED MASTER PLAN CONTROLLING DEVELOPMENT OF A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITH UNDERLYING "B-1" GENERAL COMMERCIAL ZONING ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 3660 GANDY BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; ADOPTING A REVISED MASTER PLAN AND SUPPORTING DOCUMENTATION FOR A "CPUD" COMMERCIAL PLANNED UNIT 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 2015-6(R)2/BOA 2018-34/MS 2018-27, Friends of Strays, Inc.)

WHEREAS, the City Council adopted Ordinance \#3965 on December 22, 2015 (PUD 2015-6) adopting a '"CPUD'' (Commercial Planned Unit Development) Master Plan and supporting documentation for the purpose of controlling development within the CPUD; and

WHEREAS, the City Council has now been petitioned to consider a Major Amendment to the CPUD Master Plan for development of the 1.85 acre (MOL) parcel; and

WHEREAS, the City Council has determined that it is in the public interest to authorize and approve a modification of the adopted CPUD Master Plan with underlying "B-1" General Commercial zoning generally located at 3660 Gandy Boulevard as herein provided; and

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

SECTION ONE: That the attached revised CPUD Master Plan, attached hereto as EXHIBIT "B'" dated September 6, 2018 and prepared by Landmark Engineering and Surveying Corporation, is hereby adopted for the purpose of controling development on the 1.85 acre (MOL) parcel of land generally located at 3660 Gandy Boulevard and more particularly described as follows:

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

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

EXHIBIT "B"- MASTER PLAN dated September 6, 2018 and prepared by Landmark Engineering and Surveying Corporation and, that the following conditions of approval be adopted:

1. 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, dated September 6, 2018 and prepared by Landmark Engineering and Surveying Corporation, and as may be directed by City Council to
revise as a result of their review, shall be accepted as the controling 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 "CPUD" Commercial Planned Unit Development adoption.
2. The developer shall contribute the cost of 174 hedges and 13 trees into the City of Pinellas Park's Tree Bank Fund account prior to approval of the Final Site Plan.
3. A portion of the City of Pinellas Park's parcel of land, although not included in the CPUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

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

SECTION FIVE: That this Ordinance shall become effective immediately upon its final passage and adoption.
$\qquad$

| PUBLISHED THE | DAY OF |  | 2018. |
| :---: | :---: | :---: | :---: |
| FIRST READING | DAY OF | -' | 2018. |
| PUBLIC HEARING THE | DAY OF | , | 2019. |
| PASSED THIS | DAY OF | , | 2019. |
| AYES : |  |  |  |
| NAYES : |  |  |  |
| ABSENT : |  |  |  |
| ABSTAIN : |  |  |  |
| APPROVED THIS | DAY OF | -' | 2019. |
|  | Sandra L. Bradbury MAYOR |  |  |

EXHIBIT "A"

PARCEL ONE:
LOTS 26, 27, 28, 56 AND 57, BLOCK 6 HOMELAND SUBDIVISION, AS RECORDED IN PLAT BOOK 6, PAGE 29, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND TRACT "A" COMFORT'S REPLAT, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 57, PAGE 57, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION THEREOF TAKEN FOR RIGHT-OF-WAY AND LYING WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST $1 / 4$ OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 30 SOUTH, RANGE 16 EAST, SAID CORNER BEING 1326.49 FEET NORTHERLY OF THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4; RUN THENCE NORTH 8941'46" EAST, 502.71 FEET; THENCE SOUTH 89048'14" EAST, 790.77 FEET TO A POINT OF BEGINNING; RUN THENCE SOUTH 3157'04" EAST, 397.67 FEET; THENCE NORTH 5802'56" EAST, 50 FEET; THENCE NORTH 30035'26.5" WEST, 148.13 FEET; THENCE NORTH 3157'04" WEST, 103.35 FEET; THENCE NORTH 25047'34.1" WEST, 70.88 FEET; THENCE NORTH 10032'02.9" EAST, 52.34 FEET; THENCE NORTH 45ำ $131.8^{\prime \prime}$ EAST, 71.12 FEET; THENCE NORTH 5301'09.5" EAST, 172.08 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF 42 FEET; THENCE EASTERLY, ALONG SAID CURVE 76.17 FEET, THROUGH A CENTRAL ANGLE OF 10354'37" TO THE END OF SAID CURVE; THENCE NORTH 6655'46.1" EAST, 20 FEET; THENCE SOUTH 23004'13.9" EAST, 27.74 FEET; THENCE NORTH 6655'46.1" EAST, 13.36 FEET; THENCE NORTH 45003'46" EAST, 7.16 FEET; THENCE NORTH $23^{\circ} 04^{\prime \prime} 13.9^{\prime \prime}$ WEST, 24.48 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY HAVING A RADIUS OF 82 FEET; THENCE NORTHEASTERLY, ALONG SAID CURVE, 108.90 FEET THROUGH A CENTRAL ANGLE OF 7605'23" TO THE END OF SAID CURVE; THENCE NORTH 53001'09.5" EAST, 3.58 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWESTERLY, HAVING A RADIUS OF 2299.83 FEET; THENCE NORTHEASTERLY, ALONG SAID CURVE, 440.87 FEET THROUGH A CENTRAL ANGLE OF 1059'01" TO THE END OF SAID CURVE; THENCE NORTH $42^{\circ} 02^{\prime} 08.8^{\prime \prime}$ EAST, 313.18 FEET; THENCE NORTH 44야6'14" WEST, 74.53 FEET; THENCE SOUTH 450.0'46" WEST, 1208.60 FEET; THENCE NORTH 89048'14" WEST, 45.63 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH PARCEL TWO:
LOTS 81, 82, 83, 84 AND 85, BLOCK 7, HOMELAND SUBDIVISION, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 29, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS AND EXCEPT THAT PART OF LOTS 84 AND 85 LYING WITHIN FRANCIS STREET OR 35TH WAY N. FOR ROAD RIGHT-OF-WAY PURPOSES.

TOGETHER WITH PARCEL THREE:

THAT PORTION OF AVENUE "B" AS PER THE PLAT OF COMFORT'S REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGE 57, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, AS VACATED BY RESOLUTION NO. 06-02 RECORDED JANUARY 19, 2006 IN OFFICIAL RECORDS BOOK 14882, PAGE 1855.

TOGETHER WITH RIGHT-OF-WAY VACATION PARCEL:
(PER OR BK 18965 PG 2570)
THAT PORTION OF THE 25 FOOT WIDE CYPRESS TERRACE STREET RIGHT-OF-WAY DEDICATED AS AVENUE "C", LYING EASTERLY OF AND ADJACENT TO LOT 56, HOMELAND SUBDIVISION, AS RECORDED IN PLAT BOOK 6 PAGE 29 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 56 OF SAID HOMELAND SUBDIVISION; THENCE N. $31^{\circ} 56^{\prime} 28^{\prime W} \mathrm{~W} ., 49.90$ FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 56 TO THE NORTHEAST CORNER THEREOF AND THE SOUTHERLY BOUNDARY LINE OF TRACT 'A", COMFORT'S REPLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 57, PAGE 57, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S.89053'08"E., 29.50 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO THE NORTHWEST CORNER OF TRACT "C" OF SAID COMFORT'S REPLAT; THENCE S.31®56'28"E., 34.24 FEET ALONG THE WESTERLY BOUNDARY LINE OF SAID TRACT "C" TO THE SOUTHWEST CORNER THEREOF AND THE NORTHERLY RIGHT-OF-WAY LINE OF 35TH WAY COURT; THENCE S. $58^{\circ} 03^{\prime} 32^{\prime \prime} \mathrm{W} ., 25.00$ FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.
$\qquad$

```
EXHIBIT "B"
MASTER SITE PLAN
(prepared by Landmark Engineering \& Surveying Corporation) Last revised September 6, 2018
```


## City of <br> PINELLAS PARK

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

Please Respond To:
James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant Clly Attorney
Denhardt and Rubensteln, Attomeys at Law
2700 Flrst Avenue North
St Petersburg, Florida 33713
(727) 327-3400-Telephone
(727) 323-0888 - Facsimile


## FLORIDA

| PHONE | $-(727) 369-0700$ |
| :--- | :--- |
| FAX | $-(727) 544-7448$ |

October 17, 2018

Ms. Erica Lindquist
Interim Planning \& Zoning Manager
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-325

Ordinance PUD 2015-6(R)2. Friends of Strays, Inc.
Dear Ms. Lindquist:
I have received and reviewed the above-referenced ordinance. I note that the title of the ordinance starts with the ordinance number. The ordinance number only needs to appear at the top of the document, and does not need to be included in the title.

Under Section Two of the ordinance, the first condition needs to be updated to refer to the site plan prepared by Landmark Engineering and Surveying Corporation last revised on September 6, 2018.

Once the above changes are incorporated, and assuming that the legal description in Exhibit A is correct, I would approve of the ordinance as to form and correctness.

Very nerfy yours.


James W. Denhardt
City Attorney

cc: Doug Lewis, City Manager<br>Diane M. Corna, MMC, City Clerk<br>Patrick Murphy, Deputy City Manager<br>Susan Walker, Community Development Administrator

JWD/dh
18-322.10172018.LTH.AOm w FL DOH.wp

| $=-=-=-=-=-=-=-=========1$ PLANNING \&ZONNG DIVSION $==========================1$STAFF REPORT |  |  |
| :---: | :---: | :---: |
| CASE NUMBER: PUD 2015-6R2; BOA 2018-34; MS 2018-27 |  | OWNER: Friends of Strays, Inc. |
|  |  | AGENTS: SC MGT,LLC |
| PZ HEARING: CC HEARING: | November 1, 2018 | Landmark Engineering \& Surveying Corp. |
|  | December 13, 2018 (1 ${ }^{\text {st }}$ Read) |  |
|  | January 10, 2019 (Public Hearing) |  |

## I. GENERAL INFORMATION

A. Request:

Consideration of a request for a Major Amendment to a previously approved "CPUD" Commercial Planned Unit Development overlay and Master Plan for the development of a proposed 10,600 square foot retail plaza and convenience store in the "B-1" General Commercial Zoning District with waivers and variances to the following: a variance to increase impervious surface area on both parcels; a variance to reduce the structure setback from 20' to 18' $^{\prime}$ along the north, second front yard; a waiver to reduce the required vehicular use area buffer at the right-of-way from $6^{\prime}$ to $3^{\prime}$ on both parcels. CPUD is required as a mechanism to include non-contiguous land into the development order.
B. Proposed use:
C. Location:
D. Site Area:
E. Land Use Plan Designation:

Zoning Classification:
"B-1" General Commercial
F. Public Notification:

October 12, 2018
G. Legal Advertising:

October 12, 2018
H. Legal Description:

See attached Exhibit "A"

## II. SITE AND VICINITY CHARACTERISTICS

## A. Zoning/Development History:

The south parcel, to be used as a parking lot, was platted in the Homeland Subdivision, recorded in 1924. The north parcel was platted in the Comfort's Subdivision Replat approved by the Town Council on May 26, 1960. According to the Property Appraiser's website, the existing 7,949 square foot structure was built in 1966. In 1989, a restaurant renovation permit was issued by the Building Division. Over the years, there have been multiple restaurants occupying the site, to include Olde Villa and Shackleton's. In 1995, Friend's of Strays Thrift Shop was established and operated on the site until February 2014. From 2002 until today, there have been multiple temporary tent sales conducted in the parking lot at the site which included fireworks, tools, produce, etc.

The proposed development plan is to demolish the existing structure and build a new 16,760 square foot retail plaza with vehicular use area surrounding the building and a satellite parking lot on the parcel directly across $35^{\text {th }}$ Way to the southeast. That parcel is currently being used as a parking lot and 52 spaces will be resurfaced. On October 8, 2015 V 2015-4 was approved by City Council and adopted Resolution 15-22.

On October 22, 2015 PUD 2015-6/BOA 2015-34/MS 2015-31 was approved by City Council and adopted Ordinance 3965. On April 17, 2017 PUD 2015-6(R) was approved by staff for a minor amendment for building footprint and parking data correction.
B. Site Characteristics:


There is currently a 7,949 square foot structure on the north lot. The southeast lot is an existing parking lot with two curb cuts along 35th Way and two on Cypress Terrace which has no interior green space. A right-of-way vacation (V 2015-4) Resolution 15-22 was adopted by City Council vacating a portion of Cypress Terrace that dead-ends into the property. East of that, a portion of a City of Pinellas Park Lift Station encroaches into the applicant's property.
C. Vicinity Characteristics:

| AREA | ZONING | LAND USE | EXISTING CONDITIONS |
| :--- | :---: | :---: | :--- |
| NORTH | "B-1" | CRD | J Howard Designs Formalwear |
| SOUTH | "B-1" | CRD | Dunkin Donuts |
| EAST | "R-5""R-4" | CRD/RLM | Lauren Manor West Condos, Single <br> Family Dwellings |
| WEST | "B-1" | CRD | Shoppes at Park Place |

D. Essential Services Summary:

Planning \& Zoning Director:
Objection/comment
FDOT plans may adversely impact proposed site. A less intense development would be able to function better after proposed taking.

Building Division Director: No objection
Life Safety Management:
Objection
Provided the setback reductions do not affect Fire Department access, amendment approved.
RESPONSE: Setback reductions will not affect fire access.

## Police Department Crime Prevention Officer:

No objections, but comment: The building on the northwest portion is close to the intersection, where accidents do occur. Might want to consider this when making a buffer or something to prevent a vehicle striking the building.

Public Works Divisions:
Public Works Administrator:
Engineering Services Director:

Objection
No objection

I approve the specific request with two conditions:

1. The SWFWMD must approve the development and approve the requested increase in impervious surface.
RESPONSE: There will actually be a reduction of impervious area for the project. It will be exempt from SWFWMD permitting.
2. There is also an illicit/unpermitted stormwater connection at the south end of the separate parking lot that needs to be removed. This consists of a yard drain inlet with undersized PVC pipe in the southeast corner of the parcel that connects to a road inlet in the right-of-way at the southwest corner.

RESPONSE: This is unknown at this time. During permitting this can be addressed and resolved.

The additional comments below will need to be addressed for permitting/development but are not a condition of this specific request. I would like to bring attention to these items so that there are no surprises.

- This site has a petroleum contamination. Please consult with the FDEP and any additional required permitting and/or requirements.
RESPONSE: The contamination removal was completed this year.
- This site most likely will have a taking in the near future for an upcoming FDOT widening project. Please consult with the FDOT about permitting, the site plan, and the proposed fuel tank locations, etc.
RESPONSE: The developers have been in contact with FDOT. At this point, FDOT does not have definite plans for US-19.
- Need more details for the City owned parcel that contains the lift station.

RESPONSE: An agreement was worked out originally with City staff providing an easement over the city-owned parcel where there are no utilities. In return, an easement would be granted to the City where the lift station encroaches onto the privately owned subject parcel.

- The proposed dumpster enclosure cannot encroach the City owned parcel.

RESPONSE: The dumpster enclosure has been relocated to not encroach the city-owned parcel.

- The 35th Way N. driveway connection may not be permitted. Need more details.

RESPONSE: The access is existing and was agreed upon during the original CPUD.
Driveways to the Gandy Blvd. ramp, as well as the northern access on US-19, will be removed. This access is needed as it will provide direct access to the overflow parking lot.

The separate parking lot has too many driveway connections. Please reconfigure or discuss waivers. All unused driveway aprons must be removed from the right-of-way.
RESPONSE: The overflow parking lot currently has four (4) driveway aprons, which I believe were installed by the City when improvements were made to 35th Way and Cypress Terrace. The current plan is to remove the two (2) entrances onto Cypress Terrace.

Utilities Division Director:
Need more detail. Show lift station \#20 in respect to variance.

Transportation \& Stormwater Director:
PPWMD Executive Director: No objection
Community Redevelopment Coordinator

No objection/ comments

My observations/concerns are with regard to how the development, specifically traffic flow entering and exiting the development, would coincide with the Forward Pinellas Gateway Area Mid County Master Plan and the FDOT's US 19 and Gandy Blvd. Interchange Improvements which are currently planned for the area.

FDOT
Observations/concerns
We are preparing for a Public Hearing for the PD\&E along US 19 from $66^{\text {th }}$ Ave to $118^{\text {th }}$ Ave N. The attached pdf show the proposed improvements along the corridor and at the US 19 and Gandy Blvd interchange. I have also attached the PH invitation for your reference. Can you please forward the public hearing invitation to the developer in case there's any questions about the improvements? RESPONSE: This message was forwarded to the developer.

Can you please ask the applicant to schedule a pre-application meeting to discuss the proposed access? There are concerns with the location of the access and proposed parking within the driveway throat.

REPSONSE: The developers have been in contact with FDOT. At this point, FDOT does not have definite plans for US-19.

Community Development Administrator:


## 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: All interior circulation provided for access to adjacent parking areas shall be privately owned and maintained by the property owner. As stated in the comments there are interchange improvements currently planned for US 19 and Park Boulevard that may negatively impact this development. The applicant is working with FDOT in regards to these comments. The site plan proposes three ingress/egress to the property. These are located along US $19,74^{\text {th }}$ Avenue and $35^{\text {th }}$ Way. The US Hwy 19 drive aisle is proposed at 35 feet wide. The drive aisle along the north side of the property ( $74^{\text {th }}$ Avenue) is proposed at 20 feet wide, and the drive aisle along the south side of the property ( $35^{\text {th }} \mathrm{Way}$ ) is proposed at 24 feet wide. The second parcel with additional parking will have one-way access lanes to and from $35^{\text {th }}$ Way that are proposed at 15 feet wide with diagonal parking. There are City water, sewer and reclaimed water services on this property. One dumpster enclosure is proposed on the southeast corner to accommodate for the business conducted at the site.

Traffic impacts are as follows:

1. Characteristics:

| ACCESS / DESIGNATION |  |
| :--- | :--- |
| US Highway 19 | Arterial |
| $35^{\text {th }}$ Way | Local |
| $74^{\text {th }}$ Avenue | Local |
| EXISTING CONDITIONS |  |
| US Highway 19 | 6-lane divided |


| US Highway 19 | 6-lane divided |
| :--- | :--- |
| $35^{\text {th }}$ Way | 2-lane undivided |
| $74^{\text {th }}$ Avenue | 2-lane undivided |

## 2. Trip Generation:

| BY PREVIOUS USE - Discount Store |
| :--- |
| ( 56 trips $/ 1,000 \mathrm{sf}) \times 7,181 \mathrm{sf}=402.14$ trips per day |
| BY PROPOSED USE - Convenient Store + Retail |
| ( 887 trips per store over $3,000 \mathrm{SF}=887$ trips per day |
| ( 94.7 trips $/ 1,000 \mathrm{sf}) \times 10,600 \mathrm{sf}=1003.82$ trips per day |
| TOTAL $=1,890.82$ trips |
| DIFFERENCE |
| The proposed uses have a potential to increase trip generation by 1,891 trips per day. |

3. Level of Service:

| US Highway 19 | LOS E |
| :--- | :--- |
| $35^{\text {th }}$ Way | N/A |
| $74^{\text {th }}$ Avenue | 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: Internal traffic will be guided by interior islands and directional arrows. There will be signage directing customers to the additional satellite parking lot. All access aisles are wide enough for emergency vehicles. Landscaping will not be added to the parking parcel since the vehicular use area is not being expanded on that lot. There is an existing six foot solid wood fence along the northeast perimeter which belongs to the residential property owners. Otherwise, additional buffers or screens are not required. There is a waiver requested to the streetscape buffer along Gandy Boulevard in order to provide space for a 20 foot drive aisle and the two commercial structures.
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. With exception to the requested waivers all other landscape requirements shall be met.

Exterior setbacks proposed for the entire PUD are:
Fronts - 20 feet (abutting US 19, Gandy Blvd, $74^{\text {th }}$ Avenue and $35^{\text {th }}$ Way)
Side -5 feet (to the south)
The proposed setbacks will make the project compatible with the surrounding developments. The buffers along US 19 and $74^{\text {th }}$ Avenue may not provide adequate streetscape after FDOT taking. The applicant is requesting a waiver to reduce the streetscape buffer along Gandy Blvd. and the perimeter buffer around the overflow parking lot. See Section V below for landscape waiver criteria and analysis.
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. The applicant is pursuing a SWFWMD exemption and further drainage details will be reviewed with Final Site Plan Review. The applicant intends to address this during permitting.
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. Lift station \#20 is located on a 1,568 square foot parcel deeded to the City at the corner of $35^{\text {th }}$ Way and Cypress Terrace.
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: The new structure on the north lot will be situated to face US 19. The parking lot to the south will have no structures added to it and is proposed for parking only. The physical characteristics of the site appear to be in harmony with the character of the neighborhood. No recreational facilities are included as this application has no residential component.
H. Proximity, relationship and compatibility of existing and proposed surrounding land use.

Analysis: The previous permanent use on this property was a thrift store and animal shelter. Over the past 10 years, there have been various temporary tent sales occupying the property. The proposed use appears to be consistent with the neighborhood and the Comprehensive Plan. There is an
existing 6 foot solid wood fence to the east of the parking parcel to buffer the single family homes. A landscape plan has not been submitted as part of this application. This road is arterial and faces a flyover which would not particularly require a larger buffer.
I. General amenities included as part of the development to complement the character of the surrounding area.

Analysis: This does not apply to a CPUD.
J. Treatment and location of handling of solid waste disposal.

Analysis: A dumpster enclosure is proposed for the new building near the corner of $35^{\text {th }}$ Way and $74^{\text {th }}$ Avenue.
K. Landscaping and preservation of natural or man-made features of the site including trees and other vegetation.

Analysis: A full landscaping plan is not part of this approval. This will be required at Final Site Plan Review. However, as stated above, a waiver is requested to reduce the streetscape buffer along Gandy Boulevard from six feet to three feet. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.

## IV. Sec. 18-1537.2. VARIANCE REVIEW CRITERIA (BOA 2018-34)

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.
(A). Request for variance to Section 18-1520.4, Maximum Lot Coverage, to provide for $84 \%$ impervious surface.

Analysis: The existing condition of this site is at $90 \%$ impervious surface which makes this a $6 \%$ reduction with new development. The satelite lo is also at $90 \%$ and is being reduced to $84 \%$. The intent is to improve the property while also providing for a reasonably sized retail plaza and convenience store/gas station. A similar variance was approved by the Community Redevelopment Agency at 7201 US 19 for $88 \%$ lot coverage in 2012 (BOA 2013-03).
(B). Request for variance to section 18-1520.4(B), Setbacks, to provide for a 18 ' foot setback along the Gandy Boulevard frontage for the 4,000 square foot convenience store. This may be

Analysis: The site is proposed to have two structures. The 4,000 gross square foot convenience store is proposed at $18.0^{\prime}$ along Gandy Boulevard. The second structure will meet structure setbacks.

## V. SECTION 18-1533.22. WAIVERS (LANDSCAPE) (MS 2015-31)

In determining whether any requirements of this Section should be waived, the City Council or Community Redevelopment Agency, as applicable, shall consider the following criteria:

1. Purpose of Requirement. Whether the purpose of the requirement is otherwise fully achieved, or more important purposes of this Ordinance, the Comprehensive Plan, or the Community Redevelopment Plan will be served thereby, or the requirement serves no valid public purpose in the particular case;
2. Public Interest, Adjacent Property. Whether the waiver will create an adverse impact; on the public interest or on the adjacent property, and whether all necessary alternative measures shall be taken by the applicant to prevent any such impact;
3. Property Size Configuration, Natural Feature. Whether the size, configuration, and/or natural features of the property involved present a hardship on the development of the property;
4. Surrounding Property. The size, character, configuration, zoning, natural features of and use of the surrounding property; and
5. Hardship. Whether the need for the waiver is the result of a self-imposed hardship.
(A). A waiver to the minimum streetscape buffer width to provide for $3^{\prime}$ width along Gandy Boulevard, from 6.0 feet to 3 feet along Gandy Boulevard and also for the satellite parking lot.

Analysis: The purpose of this requirement will be fulfilled by way of landscaping throughout the remaining area of the site. Any required trees will be placed elsewhere on the property or calculated as a contribution to the City's Tree Bank Fund. This waiver does not appear to present any adverse affects to neighboring properties considering the project will improve the site and the property fronts two major arterial roadways. With this area having a flyover intersection, streetscape buffering is not necessarily pertinent to the site.

## VI. DEVELOPMENT CONSIDERATIONS

1. Application for building permits shall be submitted within six (6) months of Master Plan approval.
2. Any required landscaping not included in this application will be counted toward a contribution to the City's Tree Bank Fund.
3. Any proposed signage shall be in compliance with Article 6. Signs, of the Land Development Code.
4. The developer shall provide such documents as referenced in Section 18-1529.4 relative to unified control and assurances related to completion of the project.
VII. MOTION

After review of the Master Plan and the review criteria of Section 18-1539.3 and the review criteria associated with variances and landscape waivers, I move to APPROVE/DENY Case Nos. PUD 2015-6(R)2/BOA 201834/MS 2018-27 for the adoption of a Master Plan within a "CPUD" Commercial Planned Unit Development overlay ("B-1" underlying zoning) or a zoning classification of lesser intensity as identified in Chapter 18, Land Development Code of the City Code of Ordinances on 1.85 acres (M.O.L.) of land generally located at 3660 Gandy Boulevard; with variances/waivers to the following: streetscape buffer width, maximum lot coverage and structure setback; subject to the following conditions:

1. 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 Landmark Engineering and Surveying Corporation last revised on September 6, 2018, 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 "CUD" Commercial Planned Unit Development adoption.
2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.
3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.
PUD 2015-6R2/BOA 2018-33/MS 2018-27


# CITY OF PINELLAS PARK <br> PLANNING AND ZONING COMMISSION MINUTES <br> REGULAR MEETING - QUASI-JUDICIAL 

DATE:

The meeting was called to order at 7:00 p.m. by Dennis Shelley Chairperson, Planning and Zoning Commission.

| PRESENT: | Dennis Shelley, Chairperson <br> James Madden, Vice Chairperson <br> Louis Bommattei <br> Zachary Hancock <br> Brenda Braitling <br> Munaf Kapadia <br> Neil Kummerer Jr. |
| :--- | :--- |
| ABSENT: | None |
| STAFF PRESENT: | Erica Lindquist, Planning \& Development Review Manager <br> Melissa Thrumston, Interim Senior Planning \& Development Analyst <br> Rebecca Stephenson, Planning \& Development Analyst, Notary <br> Nicole Tikkanen, Planning \& Development Staff Assistant <br> Lauren Rubenstein, Asst. City Attorney |
|  | Michael Lauer, AICP, of Michael Lauer Planning |
| CONSULTANT: | Man |

APPROVAL OF MINUTES: $\quad$ September 6, 2018 and October 4, 2018
Mr. Madden: changes that need to be clarified to the minutes.
Pg .2 M . H evaluations should saystash non-conforming use of mobite homes
Key changes, same page from prior drafts second bullet shoutd say categories FROM, not form
Mr. Shelley Any other changes?
Mr. Madden: I guess the Last item on the same page, Attorney Denhart saie "adjacent property persons". Do they have to be directly abutting to qualify as an aggrieved person? Bocause we deal with issues that affeet the entire community, which-1n turn would mean they're all aggrieyed.

Ms. Rubenstein: I was not at that meeting so I have to make an answer without lookinginto it. The statue provides for what an affected party is. So I'm not sure if this was a different situation that they were specifically speaking about where they were limiting it to adjacent properties. And I would also have to look at what he was referring to.
 make that motion. At this time, I will entertain amotion. Yes, Mr. Madelen?

Mr. Madden: Since this is a companioncase to the Land Use Pan Amendment, I agree that we table this to the December 6th meeting as well.


TABLE Case Z 2018-1 (QUASI JUDICIAL)
ROLL CALLVOTE
Ayes. Hancock, Braitling, Bommattei, Kapadia, Kumnerer, Madden, Shelley Aays:


## MOTION CARRIED UNANIMOUSILY

4. CASE NO.: PUD 2018-6R/BOA 2018-34/MS 2018-27

REQUEST: Consideration of a request of a major amendment to a CPUD overlay and Master Plan for the development of a 4,000 square foot convenience store and gas station and a 6,600 square foot retail plaza on a 1.85 parcel of land.

LOCATION: 3660 Gandy Blvd.
Name: Friends of Strays, Inc.
Address: 2911 47 $^{\text {th }}$ Avenue North, St. Petersburg, FL 33714

## QUESTIONS FOR STAFF

Mr. Madden: Did you get a full size plan? I really had difficulty. I couldn't read the plan. It went back and forth whether the FDOT needed some right of way, or not.

Mrs. Thrumston: FDOT has proposed a taking, in the future. We don't know if it's going to happen in 5 or 10 years, or so, but they are proposing a major reconstruction of that intersection. There was a public hearing the other night, and there are plans, but at this time, it is still under the proposed phase.

Mr. Madden: I don't want to unduly enrich the applicant by approving some plans where FDOT comes in and says "if you didn't approve that plan, we wouldn't have to pay a million dollars for a parking spot." If they're 5-10 years out, I have no problem going forward with it, which is appropriate for the property owner to use his property.

Ms. Braitling: I did attend the FDOT public hearing, and comments are still open for a few days. What they made very clear is that businesses along the road, down to Haines Road, 16 businesses are going to be removed. Friends of Strays indicated on the map, where the current building is, is ok. The only thing they had mentioned on that particular map was that it was a potential contamination. They are doing the development on that side of the road, and not on the mall side of the road.

Mr. Madden: Did they give you a time table?
Ms. Braitling: The time table is not funded, but they are intending to do the design. They could achieve funding as early as 2019. The design process would begin in 2019. 2023 is about the time I think they would be actually doing things. They did indicate on some of the papers regarding your question of enrichment, they indicated they would be looking at occupancy and normal functioning of business. Now, if we're changing the location of the buildings, closer to that ramp, it may be impacted.

Ms. Lindquist: I was also at that meeting, and I did see one map that definitely shows this property being impacted. It was a map with a red line through the properties, and it appears to cut through this property on the US 19 side.

## PUBLIC HEARING OPENED

David Wright: 500 S . Himes Ave, Tampa, FL 33609. I have been sworn in. I'm presenting a request Major Amendment to a previously approved Commercial Planned Unit Development overlay and Master Plan for the development of a proposed 10,600 square foot retail plaza in the "B-1" General Commercial Zoning District. The site is an existing commercial tract. It is somewhat of an eyesore. It's been vacant since 2013. There was ground contamination, petroleum. The applicant is the contract purchaser, and has gone in and cleaned the site. The request includes variances and waivers to reduce the required vehicular use area buffer at the right of way from $6^{\prime}$ to $3^{\prime}$; to increase impervious surface area to $84 \%$, to reduce the setback from 20' to 15 ' along 74th Avenue. Correct me if l'm wrong, the FDOT is currently in PD\&E studies. I've seen the same map. FDOT was notified of this request, they were given the opportunity to comment and they have no objections. They only ask that we contact them to schedule a pre-application meeting, which we've done.

## Mr. Madden: Do you have a larger plan than this?

Mr. Wright: I actually did not file this application. I was brought in to assist with this. I was given a full size copy though, and l'd be happy to give this to you.

Ms. Braitling: I was having trouble understanding what the 3-lane thing was about. Can you explain?
Mr. Wright: There is a required buffer along the perimeter of the site. Because we have vehicular travel lanes within the property, and there's a required six foot buffer from back of curb to existing roadways. We're requesting to reduce that down to three feet. In some areas of the site, especially on the Gandy ramp, the buffer is already down to zero feet. So, yes, we are requesting a reduction form six feet to three feet, but there
are some portions of the existing property that will be increased.
Ms. Braitling: Do you know how that aligns with where the FDOT is going to put that ramp?
Mr. Wright: I saw the same map you did, and I didn't see any impacts on the Gandy ramp. I agree with you. There were definite impacts along Highway 19. There will be just two driveways connecting to $35{ }^{\text {th }}$ way on the north.

Ms. Braitling: Is there going to be a way to restrict the traffic to the parking lot, so people aren't just driving across it.

Mr. Wright: Absolutely.
Mr. Madden: Can you give us your justification for the waivers and variances that you're seeking? Like increasing impervious surface area.

Mr. Wright: We're actually not increasing the impervious area. We are increasing the pervious area. However, we're still going to be at a greater impervious area than allows.

Mr. Madden: It said reverse. You're asking for an increase in impervious.
Mr. Wright: Yes we are asking for more than allowed in the code. But we are actually asking for a decrease in what exists today.

Mr. Madden: But you're still not meeting the code. How about the variance reduction to the structure setback?
Mr. Wright: That's what was required to fit that size building on the site. But l've already said if that's an issue we'll withdrawal that request.

Mr. Madden: The waiver to reduce the required vehicular use area buffer right of way from 6 to 3 feet?
Mr. Wright: That was to put the pumps on the side.
Britt Erickson: 3903 North Dale Blvd. 100 East, Tampa, FL 33624. I've been sworn in. I've been involved with the project since the inception. I can answer a lot of historical reference points you may have. With that, a lot of the reasoning for these requests are with the awkward shape of the property, it's very hard to get into the property, and you can't move that driveway to allow for straighter access. That's why these variance requests are needed to make this development, and have something long standing for the community here.

Mr. Shelley: The driveway is far enough from that ramp?
Ms. Erickson: The center of discussions with DOT throughout this process, it was our original concern that DOT would have issues with this. We actually met with them because we wanted to attain the access point off of Gandy. We worked with them to do a safety upgrade, and have the access point off of $35^{\text {th }}$, and off 19. That was at their request. We have been very involved in their discussions.

Ms. Braitling: I just wanted to clarify the setback on the 4000 square foot. When you say you would withdrawal
that, what did you mean?
Mr. Wright: It means that ifit's going to be a problem for this commission that we would withdrawal the request for that variance.

Ms. Braitling: So you would try to make that building fit? Or you would just stop the whole PUD? Mr. Wright: We would make the building smaller.

## PROPONENTS

## None

## OPPONENTS

None

## PUBLIC HEARING CLOSED

Ms. Braitling: There aren't a lot of gas stations in that vicinity, going that direction. It would be a positive improvement for the vicinity. We don't know what's going to happen with FDOT.

Mr. Madden: On the one that already approved in 2015, did it have any variances?
Mrs. Thrumston: Yes. It had variances. I don't have the list with me.
Ms. Braitling: Was that the one that had the issue with the lift station that needed to be adjusted?
Mrs. Thrumston: Yes. The whole site plan is being re-written.
MOTION was made by Mr. Kapadia and SECONDED by Mr. Madden to
APPROVE CASE PUD 2015-6R/BOA 2018-34/MS 2018-27 with the following conditions.

1. 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 Landmark Engineering and Surveying Corporation last revised on September 6, 2018, 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 "CUD" Commercial Planned Unit Development adoption.
2. Any trees that will not be planted in these streetscapes will be counted toward a contribution to the City's Tree Bank Fund.
3. A portion of the City of Pinellas Park's parcel of land, although not included in the PUD, is proposed to be developed under the auspices of a future easement agreement with the City and will be included in the development plans if approved.

## ROLL CALL VOTE

Ayes: Hancock, Braitling, Bommattei, Kapadia, Kummerer, Madden, Shelley Nays:

## MOTION CARRIED UNANIMOUSILY



## City of Pinellas Park, Florida

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)


## FOR OFFICE USE ONLY

CASE \#:


PR MEETING: $11|1| 18$
PLAT SHEET: $\operatorname{F}-3$ RELATED CASES: BOA $2018-36$ C/CRA MEETING:

## $\frac{12 / 1311815+R d \text { 1/igi9 }}{243183}$

ZONING DISTRICT: $\qquad$ LAND USE DESIGNATION:
 RECEIPT NUMBER:, $243 / 83$ DATE RECEIVED: $9 / 27 / 18$

## REQUEST AND PROPERTY INFORMATION

REQUEST: $\qquad$
Modification to PUD 2015-6 to change the proposed use and site layout

GENERAL LOCATION OF PROPERTY OR ADDRESS: 3660 Gand Boulevard, Pinellas Park (SE Corner of US-19 \& Gand Blvd)

PROPERTY SIZE (Acreage or Square Feet): $1.85 \mathrm{AC} \pm$
CURRENT USE, NUMBER AND TYPE OF BUILDINGS:
Retail - 1 Building - 7,193 SF $\pm$

PARCEL NUMBER(S): 27-30-16-17712-000-0010; 27-30-16-40914-007-0810
LEGAL DESCRIPTION: LOT $\qquad$ BLOCK $\qquad$ SUBDIVISION $\qquad$
OR METES AND BOUNDS DESCRIPTION (attach if lengthy):
See Attached Legal Description

## OWNER/APPLICANT INFORMATION

PROPERTY OWNER: Friends of Strays, Inc. PHONE: (727) 522-6566
ADDRESS/CITYIZIP: 2911 47th Avenue North; St. Petersburg, Florida 33714
AUTHORIZED AGENT: JSC MGT, LLD PHONE: ( 843 ) 723-9979

ADDRESS/CITYIZIP: 171 Church Street, Suite 300; Charleston, SC 29401
OTHER REPRESENTATIVE: Landmark Engineering \& Surveying Corp. _PHONE: (813) 621-7841
ADDRESS/CITYIZIP: 8515 Palm River Rd; Tampa, Florida 33619 Squid Bell

AFFIDAVIT OF OWNERSHIP
STATE OF FLORIDA - COUNTY OF PINELLAE:
NAME OF ALL PROPERTY OWNERS, being first duly swam, deposes) and says):
Friends ce strays inc.
$A$ FLORIDA NOT ECK FOCH:

1. That ( 1 amine are) the owners) and record bite holder(s) of the following described property, to wit

ADDRESS OR GENERAL LOCATION:

$$
36 \text { LI GINO BLVD P.NELLAS PARK FL }
$$

LEGAL DESCRIPTION OF PROPERTY. Type legal directly on this sheet I too lengthy, type on separate sheet lived "ExibilA" and attach:
$\qquad$
SEE ATIRCHED ExhiBit A
2. That this property consititas the property for which an application is being made to the City of Pinetlas Park, Florida (NATURE OF REQUEST):
RE ZONING ARMCAT.CN FCKAGONE PROPERTY
$\qquad$
 necessary to affect such appicicilion.
4. That this affidavit has been executed to induce the City of Pineias 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 ensor determine compatibility.

$\qquad$
SIGNED (PROPERTY OWNER)

STATE OF FLORIDA
COUNTY OF PINELLAS

or Maureen Delaney Eppley
inane of prater acmometing endive d paction


PUD.APL-Revised 1993,6/994, 11/05, 7/08, 2/11,5/15

This page is left blank intentionally

## City of Pinellas Park

Staff Report

File \#: 18-687, Version: 1

ORDINANCE NO. 4076. AMENDING ORDINANCE NO. 4070 FOR THE FISCAL YEAR 2018/2019

## PUBLIC HEARING SECOND AND FINAL READING

## (Speaker - Dan Katsiyiannis, Management and Budget Administrator)

NOTE: This budget amendment is the City's first for the fiscal year. Our first amendment is dedicated to bringing forward unspent budget funds for CIP projects from the prior year that were not finished as of September 30th. These projects will be completed this fiscal year. The attached increases this year's budget by $\$ 3,598,087$ for a revised total City budget of $\$ 127,786,639$.
(C9 on 12/13/2018 agenda)
ACTION: (Pass - Deny) Ordinance No. 4076. Public hearing second and final reading.

AN ORDINANCE OF THE CITY OF PINELLAS PARK AMENDING SECTIONS I, VI, AND VII OF ORDINANCE NO. 4070, AN APPROPRIATION AND TAX LEVY ORDINANCE OF THE CITY OE PINELLAS PARK, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION ONE: That Sections I, VI, and VII of Ordinance 4070 in and for the City of Pinellas Park, Florida, are amended (pursuant to the attached schedules) to read as follows:

SECTION I. GENERAL FUND
There is hereby appropriated from the revenues on hand and/or accruing from the collection of taxes levied and assessed General Fund expenses for the City for the fiscal year ending September 30, 2019, (the millage of real and personal property taxes being set at 5.4900 mills as aforesaid) and from revenues on hand and/or accruing from all other sources during the said fiscal year, and for the general operating expenses and obligations of the City of Pinellas Park during said fiscal year, in accordance with the attached budget amendment, the sum of fifty nine million, nine hundred thirty six thousand, nine hundred and eleven dollars (\$59,936,911).
(A) All revenues under Section $I$ of this Ordinance shall be placed exclusively in the General Fund of the City of Pinellas Park, from which the expenditures for general operating purposes, debt retirement, capital improvements and all other necessary or proper expenses shall be paid.
(B) Revenues received or accrued for materials and/or service rendered, the volume or cost of which cannot be determined in advance so as to be included as a definite amount in the budget, for which the City is reimbursed shall be placed in the General Funds of the City and the cost of such materials and/or service shall be paid from the General Funds, and any excess of receipts above disbursements, shall become a part of the revenues of the city.

SECTION VI. CAPITAL EQUIPMENT REPLACEMENT FUND
There is hereby appropriated from the "Capital Equipment Replacement Fund", which revenues are derived from transfers from the General Fund and the Water and Sewer Revenue Fund and from any and all other sources during said fiscal year, for the purpose of capital equipment replacement and internal service expenses of the City of Pinellas Park, in accordance with the budget amendment attached, for the fiscal year ending September 30, 2019, the sum of ten million, seven hundred fifty one thousand, five hundred and seventy nine dollars (\$10,751,579).

SECTION VII. CAPITAL IMPROVEMENT FUND
There is hereby appropriated from the "Capital Improvement Fund," which revenues are derived from transfers from the Public Improvement Revenue Fund and from any and all sources during said fiscal year, for the purpose of general capital improvement projects within the City of Pinellas Park, in accordance with the budget amendment attached, for the fiscal year ending September 30, 2019, the sum of sixteen million, two hundred seventy four thousand, three hundred and fifty four dollars $(\$ 16,274,354)$.

SECTION TWO: Attached hereto and incorporated herein are schedules that amend Ordinance No. 4070. All Ordinances in conflict herewith are hereby repealed insofar as the same affect this Ordinance.

SECTION THREE: The provisions of the Ordinance and any parts or sub-parts thereof shall be deemed to be severable and independent of each other, and in the event that any portion or subsection of this Ordinance is found to be invalid or unenforceable, such findings shall not affect any remaining portions of this Ordinance.

SECTION FOUR: That this Ordinance shall be in full force and effective immediately after its passage and approval in the manner provided by law.

FIRST READING THE $\qquad$ DAY OF $\qquad$ , 2018.

PUBLISHED THE $\qquad$ DAY OF $\qquad$ , 2018. PUBLIC HEARINGS THE $\qquad$ DAYS OF $\qquad$ , 2018.

PASSED THIS $\qquad$ DAY OF $\qquad$ , 2018. AYES: NAYS:

ABSENT:
ABSTAIN:
APPROVED THIS $\qquad$ DAY OF $\qquad$ , 2018.

Sandra L. Bradbury MAYOR

ATTEST:

Diane Corna, MMC
CITY CLERK

## BUDGET AMENDMENT (ORDINANCE NO. 4076)

FISCAL YEAR 2018-2019

| General Fund (001), Section I Revenues (Schedule A) |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Beginning Budget |  |  | Increase | Decrease | Ending Budget |  |
| Carry Forward (30100) |  |  |  |  |  |  |  |
| 300103 To revise the required amount of carry-forward |  | 1,388,216 |  | 278,858 |  |  | 67.074 |
| Contract Srv - Police |  |  |  |  |  |  |  |
| 352419 |  | 464,000 |  |  | 241,667 |  | 222,333 |
| To adjust per school board agreement |  |  |  |  |  |  |  |
| Total | \$ | 1,852,216 | \$ | 278,858 | 241,667 | \$ | 89,407 |


| General Fund (001), Section I Expenditures (Schedule B) |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
|  | Beginning Budget | Increase | Decrease | Ending Budget |
| Fire Administration (221) |  |  |  |  |
| 533110 |  |  |  |  |
| For purchase of SCBA | 0 | 38,000 |  | 38,000 |
| Station 35 (224) |  |  |  |  |
| 542209 Building Internal Service |  |  |  |  |
| Purchase of lce machine | 120,809 |  | 2,420 | 118,389 |
| Construction Services (811) |  |  |  |  |
| 553503 | 3,000 | 1,611 |  | 4,611 |
| Various Licenses \& CEU Cources |  |  |  |  |
| Total | \$ 123,809 | 39.611 | 2,420 | 161,000 |


|  | General Fund (001), Section I Summary |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Beginning Budget |  |  | Increasse |  | Decrease |  | Ending Budget |
| Expenditures | \$ | 59,899,720 | \$ | 39,611 | \$ | 2,420 | \$ | 59,935,911 |
| Revenue | * | 59,899,720 | \$ | 278,858 | * | 241,667 | \$ | 59,936,911 |

Capital Equipment Roplacement Fund (501), Section VI
Revenues (Schedule K)


Capital Equipment Replacement Fund (501), Section Vi
Expenditures (Schedule L)

|  | Beginning Budget | Increase | Decrease | Ending Budgel |
| :---: | :---: | :---: | :---: | :---: |
| Fire Administration (221) |  |  |  |  |
| 562108 Capital Equipment |  |  |  |  |
| For purchase of SCBA | 41,500 |  | 38,000 | 3,500 |
| Station \#35 (224) |  |  |  |  |
| 562108 Capital Equipment |  |  |  |  |
| Purchase lce Machine | 1,500 | 2,420 |  | 3,920 |
| Total | \$ 43,000 | 2,420 | 38,000 | 7,420 |

## Capital Equipment Replacement Fund (501), Section V

 Summary|  | Beginning Eudget |  |  | Increase |  | Decrease | Ending Budget |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Expenditures | \$ | 10,787,159 | \$ | 2,420 | \$ | 38,000 | \$ | 10,751,579 |
| Revenue | \$ | 10,787,159 | \$ | - | \$ | 35,580 | \$ | 10,751,579 |

Capital Improvement Fund (301), Section VII Expenditures (Schedule N)

|  | Beginning Budget | Increase | Decrease | Ending Budget |
| :---: | :---: | :---: | :---: | :---: |
| Flood Control (382) |  |  |  |  |
| - Proi 193827727 |  |  |  |  |
| 562538 Capital Project Infrastucture | 200,000 | 150,000 |  | 350,000 |
| Capital Project Land (175) |  |  |  |  |
| *Proi 19175/620 CIP Improvement City at Large |  |  |  |  |
| 562504 PROPACQ/Purchase 5775 75th Terr | 0 | 75,000 |  | 75,000 |
| Capital Improvement City at Large (175) |  |  |  |  |
| CIP Improvement |  |  |  |  |
| 562520 | 1,368,640 |  |  |  |
| -Project 17/508 Cily's Comprehensive Plan |  | 297 |  |  |
| -Project 17/549 Citywide A/C Assessment |  | 18,250 |  |  |
| -Project 18175/200 Building Deparment Enhancement |  | 40,000 |  |  |
| -Project 18175/201 City Hall 1st Floor Restroom |  | 55,000 |  |  |
| -Project 18175/205 Tech Services Remodel |  | 100,000 |  |  |
| -Project 18175/207 Electronic Upgrade City Hall Outdoors |  | 25,000 |  |  |
| -Project 18175/600 CRA Plan Update |  | 9,430 |  |  |
|  |  |  |  | 1,616,617 |
| CRA Ant Distric Signs (175) |  |  |  |  |
| -Project 17/601 |  |  |  |  |
| 536538 | 0 | 140,000 |  | 140,000 |
| Capital Improvement City at Large (175) |  |  |  |  |
| -Project 18175/210 |  |  |  |  |
| 573048 Citywide Homeowners Improvement Grant | 75,000 | 1,842 |  | 76,842 |
| Capital Improvement City at Large (175) |  |  |  |  |
| -Project 18175/245 Replace HVAC at CCSA |  |  |  |  |
| 573675 Remodel Church BLDG/PAC | 7,131 | 8,217 |  | 15,348 |
| Capital Improvement Cily at Large (175) |  |  |  |  |
| -Project 18176/603 |  |  |  |  |
| 574293 Home Owner Assistance GranuCRA | 75,000 | 5,000 |  | 80,000 |
| Capital Improvement Fire (282) |  |  |  |  |
| CIP Improvement |  |  |  |  |
| 562520 | 35,000 |  |  |  |
| -Proj $17 / 525$ Station 34 Floor Resurfacing |  | 5,550 |  |  |
| -Proj 171526 Station 35 Bathroom Renovation |  | 31,690 |  |  |
|  |  |  |  | 72,240 |
| Capital Improvement Water \& Sewer (381) |  |  |  |  |
| CIP Improvement |  |  |  |  |
| 562520 | 150,000 |  |  |  |
| -Proj 18381/510 LS 31 Pump \& Controls |  | 650,000 |  |  |
| -Proj 18381/540 Sewer Inspection \& Cleaning (program) |  | 15,844 |  |  |
|  |  |  |  | 815,844 |
| Capital limprovement Water \& Sewer (381) |  |  |  |  |
| CIP Infrastructure |  |  |  |  |
| 562538 | 1,626,695 |  |  |  |
| -Proj 171527 LS 30 Force Main Rehab |  | 550,000 |  |  |
| +Proj 17/530 Water Pump at Station 182 |  | 15,732 |  |  |
| -Proj 18381/500 LS 5 Force Main Replacement |  | 160,000 |  |  |
| -Proj 18381/533 Backflow Preventer Replacement (Program) |  | 7,230 |  |  |
| -Proj 18381/536 Manhole Rehab (Program) |  | 7,882 |  |  |
|  |  |  |  | 2,367,539 |
| Capital Improvement Water \& Sewer (381) |  |  |  |  |
| *Proj 18381/534 |  |  |  |  |
| 575613 Infiliration \& Inflow Program | 125,000 | 56,025 |  | 181,025 |
| Capital Improvement FLD (382) |  |  |  |  |
| - Proj 18382700 60th ROW Acquisitions |  |  |  |  |
| 562504 Capital Projects Land | 0 | 24,428 |  | 24,428 |

## Capital Improvement Fund (301), Section VII

Expenditures (Schedule N)

|  | Beginning Budget | Increase | Decrease | Ending Budget |
| :---: | :---: | :---: | :---: | :---: |
| Capital Improvement (481) |  |  |  |  |
| -Proj 18481/102 Citywide Land Clearing (Program) |  |  |  |  |
| 562520 Capital Improvement Transporlation | 85,000 | 3,000 |  | 88,000 |
| Capital lmprovement Transportation (481) |  |  |  |  |
| Capital Projects infrastructor |  |  |  |  |
| 562538 | 1,453,187 |  |  |  |
| -Proj 18481/105 Citywide Curb Replacement (Program) |  | 100,000 |  |  |
| -Proj 18481/110 50th Street Pond Enhancement |  | 190,828 |  |  |
| -Proj 18481/130 FDOT Landscape Program 66th St |  | 28,415 |  |  |
|  |  |  |  | 1,772,430 |
| Capital Improvement Trasportation (481) |  |  |  |  |
| -Proj 18481/100 |  |  |  |  |
| 571455 Widen 70th Ave at US19 | 0 | 59,927 |  | 59,927 |
| Capital Improvements Recreation (78.1) |  |  |  |  |
| Capital Projects improvements |  |  |  |  |
| 562520 | 927,000 |  |  |  |
| *Proj $17 / 519$ Lurie Park Upgrades |  | 65,212 |  |  |
| *Proj 18781/206 Bandshell Renovation |  | 75,000 |  |  |
| -Proj 18781/313 Playgroung Replacement (Program) |  | 4,231 |  |  |
| -Proj 18781/315. Park Fence Replacement (Program) |  | 6,098 |  |  |
| *Proj 18789/321 Park Walking Trail Renovation |  | 248,545 |  |  |
| -Proj 18781/322 Park Security Lighting |  | 68,860 |  |  |
| -Proj 18781/330 Forbes Rec Service Desk |  | 1,740 |  |  |
| -Proj 18781/340 Barn Renovation at Helen Hewarth |  | 50,000 |  |  |
| -Proj 18781/355 Skyview Shade Structure |  | 4,700 |  |  |
| -Proj 18781/600 Davis Field Master Plan |  | 300,000 |  |  |
| -Proj 18781/650 Library Renovation |  | 193,750 |  |  |
|  |  |  |  | 1,945.136 |
| Capital Improvement Recreation (781) |  |  |  |  |
| -Proj 18781/620 C\|P Infrastructure |  |  |  |  |
| 562538 Boardwalk \& Wetland Restoration | 220,000 | 13,753 |  | 233,753 |
| Capital Improvement Recreation (781) |  |  |  |  |
| -Proj 18781/602 CIP Grant |  |  |  |  |
| 573447 CRA FAÇADE Grant | 0 | 30,000 |  | 30,000 |
| Total | \$ 6,347,653 | .596.476 | - | 9,944,129 |



Capital Improvements Fund (301), Section VII
Summary

|  | Beginning Budget |  | Increase |  |  | Decrease | Ending Budgel |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Expenditures | \$ | 12,677,878 | + | 3,596,476 | \$ | - | \$ | 16,274,354 |
| Revenue | \$ | 12,677,878 | \$ | 3,596,476 | \$ |  | \$ | 16,274,354 |

All Budgeted Funds Summary


## Chis of <br> PINELLAS PARK

5141 78TH AVE, = PRO. BOX 1100
PINELLAS PARK, FL 33780-1100

## Please Respond To:

James W. Denhardt, City Attorney
Lauren Christ Rubenstoln, Assistant City Abtomey
Denhardt and Rubenstein, Attomeys at Law
2700 First Avenue North
St. Petersburg, Florida 33719
(727) 927-3400 - Telephone
(727) 323-0888-Faosinile

November 20, 2018


## FLORIDA

$$
\begin{array}{ll}
\text { PHONE } & \cdot(727) 369-0700 \\
\text { FAX } & \cdot(727) 544-7448
\end{array}
$$



Ms. Pauling Scott
OMB Division
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-361

Ordinance Amending Sections I, VI and VII of Ordinance No. 4070
Dear Ms. Scott:
I have received and reviewed the above-referenced Ordinance. I would approve of the Ordinance as to form and correctness.

Very truly yours,


Lauren C. Rubenstein
Assistant City Attorney
cc: Doug Lewis, City Manager
Diane M. Comma, MMC, City Clerk Patrick Murphy, Deputy City Manager Dan Katsiyiannis, OMB Administrator

LCR/dh


This page is left blank intentionally

P3

## City of Pinellas Park

Staff Report

File \#: 18-717, Version: 1
Agenda Date: 1/10/2019

## REAPPOINTMENT TO PINELLAS OPPORTUNITY COUNCIL - (William Holmes)

NOTE: Mr. William Holmes has served on the POC since 2015 and has indicated that he is interested in continuing to serve on the Board for another term.

ACTION: (Approve - Deny) Re-Appointment of William Holmes to serve on the Pinellas Opportunity Council for the year 2019.

# PINELLAS OPPORTUNITY COUNCIL, INC. <br> $5011^{\text {st }}$ AVENUE NORTH, SUITE 517, ST. PETERSBURG, FLORIDA 33701 <br> P.O. BOX 11088, ST. PETERSBURG, FLORIDA 33733-1088 <br> Carolyn W. King, Executive Director <br> www.poc-inc.org <br> FAX (727) 822-0426 

December 13, 2018

Sandra Bradbury, Mayor
City of Pinellas Park
5141 - $78^{\text {th }}$ Avenue North
Pinellas Park, FL 33782


Dear Mayor Bradbury:
The City of Pinellas Park holds a seat on our board of directors. Your current designated representative is William A. Holmes

State rules governing our organization require us to obtain, each year, a letter signed by the appropriate official confirming the designation of representatives.

In order that we may comply with the above referenced rules, we hereby request that a 2019 designation letter be forwarded to us at your earliest convenience (see attached sample letter). If you are appointing a new representative, please include his/her name, mailing address, and telephone number.

Thank you very much for your continuing support of our agency, and for your cooperation in this matter. If you require additional information, or have any questions, please call.

Sincerely,


Carolyn W. King, MBA
Executive Director
Attachment
CC: William A. Holmes
Diane M. Corna, MMC


## City of Pinellas Park

Staff Report

File \#: 18-718, Version: 1

# RESOLUTION NO. 19-01. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS <br> PARK, FLORIDA, PERTAINING TO A CHARTER REVIEW COMMITTEE, ESTABLISHING SUCH CHARTER REVIEW COMMITTEE FOR THE PURPOSE OF STUDYING THE CHARTER OF THE CITY OF PINELLAS PARK, RECEIVING PUBLIC INPUT AND DETERMINING WHETHER THEY WISH TO RECOMMEND CONSIDERATION OF ANY CHANGES OR AMENDMENTS TO THE CHARTER; PROVIDING FOR A PROCESS FOR THE APPOINTMENT OF THE MEMBERS OF SUCH COMMITTEE; PROVIDING PROCEDURES FOR THE MEETINGS OF SUCH COMMITTEE; PROVIDING TIME SCHEDULES FOR SUCH COMMITTEE; PROVIDING FOR THE SUNSETTING OF SUCH COMMITTEE. 

## FIRST AND FINAL READING

NOTE: This Resolution will establish a Charter Review Committee consisting of seven (7) voting members, five (5) members shall be designated by City Council and the two (2) remaining members shall be selected by vote of the City Council based upon applications received by the City.

ACTION: (Adopt - Deny) Resolution No. 19-01.

> RESOLUTION NO. 19-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO A CHARTER REVIEW COMMITTEE, ESTABLISHING SUCH CHARTER REVIEW COMMITTEE FOR THE PURPOSE OF STUDYING THE CHARTER OF THE CITY OF PINELLAS PARK, RECEIVING PUBLIC INPUT AND DETERMINING WHETHER THEY WISH TO RECOMMEND CONSIDERATION OF ANY CHANGES OR AMENDMENTS TO THE CHARTER; PROVIDING FOR A PROCESS FOR THE APPOINTMENT OF THE MEMBERS OF SUCH COMMITTEE; PROVIDING PROCEDURES FOR THE MEETINGS OF SUCH COMMITTEE; PROVIDING TIME SCHEDULES FOR SUCH COMMITTEE; PROVIDING FOR THE SUNSETTING OF SUCH COMMITTEE; PROVIDING AN EFFECTIVE DATE.
whEREAS, the City Council of the City of Pinellas Park
believes that it is proper to periodically have a Citizens'
Committee review the Charter of the City and make a determination
as to whether they believe any changes to the Charter should be
considered, and if so, to recommend any such proposals to the City
Council for consideration and for possible vote by the electorate
at referendum; and

WHEREAS, the City Council wishes to appoint such Charter Review Committee and establish the procedures for such Charter Review Committee and the timelines for meeting and making any recommendations to the City Council.

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

SECTION ONE: That the City Council does hereby establish a Charter Review Committee (CRC) for the purpose of reviewing the Charter of the City of Pinellas Park and submitting to the City Council any proposals such Committee recommends the City Council
consider submitting to the electorate at referendum for possible amendments to the City Charter.

SECTION TWO: Such CRC shall consist of seven (7) voting members. The process of selecting such members shall be that the Mayor and each City Councilperson shall designate one individual to be a member of the CRC. Two (2) remaining members of the CRC shall be selected by vote of the City Council based upon applications received by the City. All members of the CRC shall be residents of the City of Pinellas Park during the term of the CRC. No member of the CRC shall be current or former employees or Officials of the City, or related to any current or former employees or Officials of the City, by blood or marriage.

SECTION THREE: Immediately upon the adoption of this Resolution, the City Manager shall cause notice to be given to the public, requesting applications from any interested residents wishing to be considered by the City Council to serve on the Charter Review Committee. Such notice shall be posted in City Hall, on the City's website, mailed as an insert in the City's utility bills, and in addition, the City Manager shall attempt to provide such notice to all condominium associations, mobile home parks or other subdivisions or multi-family dwellings whose residents do not receive individual water bills as a result of being served by master meters. All applications for appointment to the CRC must be received by the City by no later than February 28, 2019.

SECTION FOUR: By no later than April 11, 2019, at a regular meeting of the City Council, the City Council shall, by Resolution, formally appoint all seven (7) members of the Charter Review Committee.

SECTION FIVE: The CRC shall hold its initial organizational meeting by no later than May 1, 2019. The CRC shall meet regularly and shall make and submit its final report, including any recommendations, to the City Council by no later than August 31, 2019 .

SECTION SIX: At its first meeting, the Committee shall select its Chairperson and Vice Chairperson. Four (4) members of such Committee shall constitute a quorum to transact any business, and any decisions or recommendations of the CRC shall be made by majority vote of those present and voting. The City Clerk or representative shall serve to coordinate the meetings, record the Minutes and perform clerical services for the CRC. The Committee shall observe all laws pertaining to public meetings, the Sunshine Law, conflicts of interest and ethics.

SECTION SEVEN: At two of the meetings of the Charter Review Committee, advertised Public Hearings shall be conducted, with the Public Hearing portion of the meeting being conducted prior to discussion of any proposed amendments at such meeting by the members of the CRC, in order to give members of the public the opportunity to suggest any proposed amendments to the Charter.

SECTION EIGHT: Any recommendations to the City Council for consideration as possible amendments to the Charter of the City of Pinellas Park shall be contained in the Final Report, which shall be submitted no later than August 31,2019 , and which shall be proposed and submitted in the form proposed by the CRC to be proposed to the electorate at referendum, including the title and the proposed language of the body of any such proposed amendments. The CRC shall submit no more than a maximum of ten (10) proposed amendments to the Charter as a recommendation to the City Council.

SECTION NINE: Upon receipt of the Report of the CRC, including any recommendations for proposed amendments to the Charter of the City of Pinellas Park, the City Council shall review the report and make a determination of what proposed amendments it wishes to submit to the Pinellas County Supervisor of Elections for a referendum conducted in conjunction with the March 10, 2020 General Election. The City Council can amend the wording of any of the questions or titles that it may wish to submit to the electorate at referendum.

SECTION TEN: This resolution shall be in full force and effect immediately after its adoption.

ADOPTED THIS $\qquad$ DAY OF _ 2019. AYES:

NAYS:
ABSENT:
ABSTAIN:
APPROVED THIS $\qquad$ DAY OF $\qquad$ , 2019.

Sandra L. Bradbury MAYOR

ATTEST:

```
Diane M. Corna, MMC
CITY CLERK
```


## City of Pinellas Park

Staff Report

File \#: 18-719, Version: 1
Agenda Date: 1/10/2019

APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 (AX19-2) - Located at 6131 109th Terrace North

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North. The City agrees that for a period of twenty-four (24) months from the date of execution of this Agreement, the City shall waive City land development fees applicable for future redevelopment of the Property, in an amount up to, and not to exceed, Two Thousand Dollars ( $\$ 2,000.00$ ). The City's annual projected revenue is Six Hundred Twenty-two Dollars (\$622.00) and no City funds were expended.

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of residential property owned by Peter Ozols and Inguna Ozols, as Co-Trustees of the Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017.

## ANNEXATION AGREEMENT

THIS AGREEMENT made and entered into this 2019, by and between the CITY OF PINELLAS PARK, FLORIDA, a municipal corporation, herein called the "CITY" and PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT UIT/D JUNE 30, 2017, hereinafter called the "OWNER". ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.) "CITY" and "OWNER" are hereinafter collectively referred to as the "Parties" hereto. This Agreement shall be deemed to be entered into, dated and effective upon its execution by the Mayor and approved by the City Attorney of Pinellas Park, after City Council action approving of this Agreement.

WHEREAS, the OWNER fully warrants that he is the fee simple OWNER of the real property described in Exhibit "A" attached hereto (hereinafter referred to as "Property"), which is presently located in an unincorporated area of Pinellas County; and

WHEREAS, the Parties have determined that annexation of the Property would be beneficial to both Parties, and the Property currently (does $\underline{X}$ or does not __) meet the requirements for voluntary annexation into the CITY as required by Florida Statutes, Chapter 171; and

WHEREAS, the OWNER desires that the Property be annexed into the municipal boundaries of the CITY, and the CITY desires to annex the Property.

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged by both Parties, it is hereby agreed by and between the Parties as follows:

1. All of the above recitals are incorporated herein and made a part hereof.
2. The OWNER shall forthwith execute and deliver to the CITY a Petition for Voluntary Annexation in accordance with Florida Statutes, Chapter 171. Further, the OWNER shall, when requested to do so by the CITY, perform all such actions as may be necessary to execute and complete the Voluntary Annexation by the CITY of the Property. The CITY shall, after the completion of such actions, commence the appropriate voluntary annexation proceedings.
3. Prior to annexation of the said Property by the CITY, the OWNER shall be permitted to commence and/or to proceed with the development of the said Property in strict accordance with the legal requirements of Pinellas County, Florida. However, upon annexation, all further or continuing development of the said Property (regardless of when the same is commenced) shall strictly comply with all applicable CITY ordinances, resolutions, and codes, including site plan review procedures for each individual structure. Nothing herein shall be construed to excuse or release OWNER from compliance with the applicable laws, rules, and regulations of any other governmental entities, including but not limited to legal requirements for obtaining environmental permits.
4. At the time of annexation, the CITY will convert the then-existing County zoning of R-6 and land use classification of RL to the CITY zoning of T-1 and land use classification of RL.
5. At the time of annexation of residential property into the City of Pinellas Park, the OWNER shall contact the CITY's Utility Billing Division, within fourteen (14) days, to establish customer solid waste and recycling collection services or, where applicable, shall expeditiously notify
all renters who are responsible for establishing their own utility services of the necessity to contact the CITY's Utility Billing Division to establish customer solid waste and recycling collection services. Details regarding solid waste collection service days will be supplied to the contracting customer at the time service has been established with the CITY. Also, arrangements will be made at that time to have a recycling container delivered to the property at no charge to the customer. The recycling containers will remain the property of the City of Pinellas Park. There will be no deposit required for CITY utilities on owner-occupied properties.
6. Nothing in this Agreement or otherwise shall be construed as requiring the CITY to construct or install any water or sanitary sewer lines or other improvements of any kind upon the above-referenced Property. The OWNER shall install water or sanitary sewer lines without cost to or reimbursement from the City.

## The following constitute the special provisions herein:

7. For a period of twenty-four (24) months from the date of execution of this Agreement, the CITY agrees to waive up to, and not to exceed, Two Thousand Dollars $(\$ 2,000.00)$ in CITY land development fees applicable for further development of the property.

## The following constitute miscellaneous provisions herein:

1. The OWNER further acknowledges that this Agreement shall be recorded in the Public Records of Pinelias County, Florida, and shall constitute a covenant running with the Property.
2. This Agreement shall be binding upon the Parties, their successors, assigns, and legal representatives; provided, however, that nothing herein shall be construed to prevent the sale or other transfer of the Property by OWNER or any of its successors in title subject to the provisions hereof.
3. This document embodies the whole agreement of the Parties. There are no promises, terms, conditions, or allegations by either Party other than those contained herein; and this document shall supersede all previous communications, representations, and/or agreements, whether written or verbal between the Parties hereto. This Agreement may be modified only in writing executed by the Parties and/or their successors in title, as the case may be.


IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

## CITY OF PINELLAS PARK, FLORIDA

## ATTEST:

SANDRA L. BRADBURY, MAYOR

DIANE M. CORA, MME, CITY CLERK

The Peter Ozols and Inguna Ozols
Trust Agreement U/T/D June 30, 2017

$\frac{\text { Lisa } C \text { Cyton }}{1^{\text {st }} \text { Witness Printed Name }}$
SIGNATURES:


Bonnie Myers
$2^{\text {nd }}$ Witness Printed Name

| STATE OF FLORIDA COUNTY OF PINELLAS <br> (SEAL ABOVE) | The foregoing instrument was acknowledged before me this $\qquad$ , 2019, by SANDRA L. BRADBURY, Mayor, and DIANE M. CORNA, MMC, City Clerk, of the CITY OF PINELLAS PARK, FLORIDA, a municipal corporation, on behalf of whom the instrument was executed. $\qquad$ Notary Public signature $\qquad$ (Name of Notary typed, printed or stamped) <br> Personally known $\qquad$ or produced identification $\qquad$ <br> Type of identification produced |
| :---: | :---: |
| ATEENTION NOTARY: Although the information requested is OPTIONAL, it could prevent fraudulent attachment of this certifate to an |  |
| THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT: | Title or Type of Document <br> Number of Pages Annexation Agreement 5 $\qquad$ Date of Document <br> Signers Other Than Named Above __NONE $\qquad$ $\qquad$ |


| STATE OF FLORIDA COUNTY OF PINELLAS | The foregoing instrument was acknowledged before me this December $28^{\text {T }}$ $\qquad$ . 20暍, by PETER OZOLS, TRUSTEE AND INGUNA OZOLS, CO-TRUSTEES, (Name of persons acknowledging and litle of position) <br> Amanda Ľyon Conte Amanda lyn Conte <br> Notary Public signature (Name of Notary typed, printed or stamped) |
| :---: | :---: |
| manjalynco Notary Pubic - Stare Commission = CE My Comm Expires Feo <br>  |  |
| (SEAL ABOVE) | Personally known $\qquad$ or produced identification $\qquad$ <br> Type of identification produced $D L+C 242-400-65-585-0$ $D L * 0242-660-42-264-0$ |
|  |  |
| THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT: | Title or Type of Document <br> Number of Pages Annexation Agreement $\qquad$ 5 Date of Document <br> Signers Other Than Named Above NONE $\qquad$ $\qquad$ |

## APPROVED AS TO FORM AND CORRECTNESS:

By:

## JAMES W. DENHARDT, CITY ATTORNEY

## ANNEXATION AGREEMENT

PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017

LEGAL DESCRIPTION

## PARCEL: 17-30-16-60834-000-1870

(Located at 6131 109 $^{\text {th }}$ Terrace North)
LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL\# 17-30-16-60834-000-1870

A PARCEL CONTAINING 0.14 ACRES M.O.L.

## PETITION FOR ANNEXATION TO THE CITY OF PINELLAS PARK, FLORIDA

The undersigned, being the sole OWNER ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires) of the following described real property located within Pinellas County, Florida, hereby consents and agrees to annexation of such property by the City of Pinellas Park, Florida, and further requests the City of Pinellas Park to forthwith undertake annexation proceedings to annex the said real property:

## PARCEL: 17-30-16-60834-000-1870 <br> (Located at 6131 109 $^{\text {th }}$ Terrace North)

## LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF,

 AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL\# 17-30-16-60834-000-1870Containing 0.14 acres MOL

The names and addresses of the undersigned representing all of the legal owners of the abovedescribed property are as follows:

PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 6121 109 $^{\text {th }}$ Terrace North
Pinellas Park, FL 33782


The Peter Ozols and Inguna Ozols
Trust Agreement U/T/D June 30, 2017
SIGNATURES:


PETER OZOLS, CO-TRUSTEE


## ANNEXATION DATA SHEET

1. PARCEL:

17-30-16-60834-000-1870
2. OWNER:

Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017
Peter Ozols and Inguna Ozols, Co-Trustees
3. STREET ADDRESS OF PROPERTY:

6131 109 ${ }^{\text {th }}$ Terrace North
4. SIZE OF PROPERTY:

Petition $=0.14$
Ordinance $=0.14$
5. COUNTY ZONING / LAND USE:

R-6 / RL
6. CITY ZONING / LAND USE:

T-1 / RL
7. EXISTING PROPERTY IMPROVEMENTS:

A mobile home
8. EXISTING BUSINESS ON PROPERTY:

None
9. EXISTING PROPERTY USE:

Residential

## 10. ANNEXATION AGREEMENT PROVISIONS:

- For a period of twenty-four (24) months from the date of execution of this Agreement, the City agrees to waive up to and not to exceed, Two Thousand Dollars (\$2,000.00) in City land development fees applicable for further development of the property.


## 11. OTHER PERTINENT INFORMATION:

Contiguous
12. PROPOSED PROPERTY USE:

Same
13. PROPOSED PROPERTY IMPROVEMENTS:

A potential new structure for a sauna and a new shed.

SUPPLEMENT TO

## Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017- AX19-2

## Located at: 6131 109 $^{\text {th }}$ Terrace North

## REVIEW COMMENTS

| CITY MANAGER | REVIEWED |
| :---: | :---: |
| DEPUTY CITY MGR. | REVIEWED |
| PLANNING \& DEV. SVCS. ADMINISTRATOR | REVIEWED |
| BLDG. DEVELOPMENT | NO OBJECTIONS |
| FINANCE | REVIEWED |
| FIRE DEPARTMENT | NO OBJECTIONS |
| NEIGHBORHOOD SERVICES DIRECTOR | NO OBJECTIONS |
| OMB ADMINISTRATOR | REVIEWED |
| PLANNING \& DEVELOPMENT SERVICES DIVISION | REVIEWED |
| POLICE DEPARTMENT | NO OBJECTIONS |
| PUBLIC WORKS: <br> CONSTRUCTION SERVICES <br> CITY POTABLE WATER; CITY SANITARY SEWER; NO RECLAIMED WATER; CURBED ROAD; NO SIDEWALK; PINELLAS COUNTY ROW - DO NOT ANNEX ROW; HAS INSUFFICIENT WIDTH; UNDERSIZED BY 2.5' IN FRONT OF PARCEL |  |
| STREETS \& DRAINAGE TRAFFIC DIVISION UTILITIES DESIGN WATER \& SEWER | REVIEWED REVIEWED REVIEWED REVIEWED |
| UTILITY BILLING DIVISION | NO OBJECTIONS |


| Annexation Revenue Analysis Residential |  |  |
| :---: | :---: | :---: |
| Annexation No. AX19-2 | Date: December 26, 2018 |  |
| Owner's Name: Peter Ozols and Inguna Ozols Trust Agreement U/T/D June 30, 2017 |  |  |
| Property Address: 6131 109TH Terrace North |  |  |
| Ad Valorem Taxes: | Millage | Amount |
| Assessed Value (cap value) | NA | \$21,679.00 |
| Homestead Exemption | NA | \$21,679.00 |
| Taxable Value | NA | \$0.00 |
| Anticipated Taxes Received by City | NA | \$21,679.00 |
| Anticipated Taxes Received by City | 0.0054900 | \$119.02 |
| *Information obtained from the Pinellas County Property Appraiser's records. |  |  |
| Franchise Fees and/or Utility Taxes: |  |  |
| Water (10\% Utility Tax) |  |  |
| Electric (based on \$175 avg. monthly bill) ESTIMATE |  | \$110.00 |
| Stormwater Fees (4.00 per month) |  | \$310.00 |
| Communication Services Tax ESTIMATE |  | \$48.00 |
| Anticipated Franchise Fees and/or Utility Taxes Received by the City |  | \$35.00 |
|  |  | \$503.00 |
| Anticipated Taxes Received by City |  | \$119.02 |
| Anticipated Franchise Fees and/or Utility Taxes Received by City |  | \$503.00 |
| Anticipated Annual Revenues to be Received by City |  | \$622.02 |


| Current Est. Annual Revenues to Pinellas Park as Unincorporated Property: |  | \$69.32 |
| :---: | :---: | :---: |
| PF Fire District Tax | 0.0031976 |  |
| 25\% Water \& Sewer Surcharge |  |  |
| Anticipated Total Est. Annual Revenues to City as Unincorporated Property |  | \$219.32 |
| Anticipated New Money (est.) to City Received Thru Annexation - Current Millage |  |  |
|  |  | \$402.70 |



## Chyor <br> PINELLAS PARK

5141 78TH AVE. - P.O. BOX 1700
PINELLAS PARK, FL 33780-1100


FLORIDA

FAX - (727) 544.7448

Please Respond To:
James W. Derihanth, Cty Aitorney
Lauren Christ Rubenstein, Assigtant Cily Attorney
Denharat and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Flonide 33713
(727) 327-3400 - Telephone
(727) 323-0888-Fássimile

December 20, 2018

Ms. Amanda Conte
Planning \& Development Services
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-392 Annexation Agreement AX19-2, Ozols Trust

Dear Ms. Conte:
I have received and reviewed the above-referenced Annexation Agreement and Petition for Annexation to the City of Pinellas Park. The parties to the Annexation Agreement should be updated to appear as follows:
. . . the CITY OF PINELLAS PARK, FLORIDA, a municipal corporation, herein called the "CITY" and PETER OZOLS and INGUANA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUANA OZOLS TRUST AGREEMENT UTT/D JUNE 30, 2017, hereinafter called the "OWNER."

The signature block for the Trustees should be updated as follows:
The Peter Ozols and Inguana Ozols
Trust Agreement u/t/d June 30, 2017

PETER OZOLS, CO-TRUSTEE

INGUANA OZOLS, CO.TRUSTEE

Ms. Amanda Conte
December 20, 2018
Page 2

In Exhibit A of the Agreement, please update the reference to the Owner to appear the same as it is listed under the parties of the Agreement. The official name of the Trust also needs to be updated in the Petition for Annexation, and the signature block for the Trustees should be updated to appear as shown above for the Annexation Agreement.

Once the above changes are incorporated in the Agreement, I would approve of the Agreement as to form and correctness. If you have any questions, please do not hesitate to contact of office.


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Susan Walker, Community Development Administrator
Ben Ziskal, Planning \& Development Services Director

## JWD/dh

16-302 1220201 E. LAC AMON X API Is-2 Ozols.wpd

This page is left blank intentionally

## City of Pinellas Park

Staff Report

File \#: 18-720, Version: 1
Agenda Date: 1/10/2019

ORDINANCE NO. 4078 . ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6131 109TH TERRACE NORTH (PETER OZOLS AND INGUNA OZOLS, CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 AX19-2)

FIRST READING PRIOR TO PUBLIC HEARING
NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 109th Terrace North.

ACTION: (Pass - Deny) Ordinance No. 4078.
$\qquad$
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, ANNEXING INTO THE CITY OF PINELLAS PARK, FLORIDA, A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6131 109 ${ }^{\text {TH }}$ TERRACE NORTH, LEGALLY DESCRIBED AS ATTACHED HERETO IN EXHIBIT "A" AND MADE A PART HEREOF, LYING WITHIN SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; PROVIDING FOR AMENDMENT OF THE LEGAL DESCRIPTION OF THE CORPORATE BOUNDARIES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR THE ASSIGNMENT OF CITY ZONING CLASSIFICATION; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES CONFLICTING HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.
(PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS
AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 AX19-2)

WHEREAS, the Owners of a certain parcel of land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park have petitioned City Council requesting that said land be annexed into the City of Pinellas Park, Florida; and

WHEREAS, all requirements of Florida Statutes, Chapter 171, pertaining to the voluntary annexation have been complied with.

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

SECTION ONE: That the land lying in an unincorporated area of Pinellas County, Florida, and contiguous to the City of Pinellas Park, generally located at 6131 $109^{\text {th }}$ Terrace North, and legally described as attached hereto in Exhibit "A" and made a part hereof, lying within Section 17, Township 30 South, Range 16 East, Pinellas County, Florida, is hereby annexed into the City of Pinellas Park.

SECTION TWO: That the legal description of the corporate boundaries of the City of Pinellas Park, Florida, is hereby amended to include the land herein annexed. The legal description of the City of Pinellas Park, Florida, contained in the City Charter, and all official City maps and other official documents shall be amended accordingly.

SECTION THREE: That the land herein annexed shall be assigned the City zoning classification of T-1 which is the closest compatible to the County R-6 zoning on the subject parcels at the time of annexation.

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

SECTION FIVE: 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 affects this Ordinance.

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

| FIRST READING | DAY OF | ____ 2019 |
| :---: | :---: | :---: |
| PUBLISHED MAP \& TITLE | DAY OF | $\ldots, 2019$ |
| PUBLISHED MAP ONLY | DAY OF | _, 2019 |
| PUBLIC HEARING | DAY OF | _, 2019 |
| PASSED THIS | DAY OF | _, 2019 |
| AYES: NAYS: ABSENT: ABSTAIN: |  |  |
| APPROVED THIS | DAY OF | _, 2019 |

ATTEST:
SANDRA L. BRADBURY, MAYOR
DIANE M. CORNA, MMC, CITY CLERK

## ANNEXATION ORDINANCE LEGAL

PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 PARCEL: 17-30-16-60834-000-1870 LOCATED AT: 6131 109 $^{\text {TH }}$ TERRACE NORTH

LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL\# 17-30-16-60834-000-1870

A PARCEL CONTAINING 0.14 ACRES M.O.L.

## PETITION FOR ANNEXATION TO THE CITY OF PINELLAS PARK, FLORIDA

The undersigned, being the sole OWNER ("OWNER" is used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires) of the following described real property located within Pinellas County, Florida, hereby consents and agrees to annexation of such property by the City of Pinellas Park, Florida, and further requests the City of Pinellas Park to forthwith undertake annexation proceedings to annex the said real property:
PARCEL: 17-30-16-60834-000-1870
(Located at $6131109^{\text {th }}$ Terrace North)
LOT 187, NORTHFIELD MANOR SECTION A-6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 68, PAGE 49, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. PARCEL\# 17-30-16-60834-000-1870

## Containing 0.14 acres MOL

The names and addresses of the undersigned representing all of the legal owners of the abovedescribed property are as follows:

## PETER OZOLS AND INGUNA OZOLS, AS CO-TRUSTEES OF THE PETER OZOLS AND INGUNA OZOLS TRUST AGREEMENT U/T/D JUNE 30, 2017 6121 109 ${ }^{\text {th }}$ Terrace North <br> Pinellas Park, FL 33782



The Peter Ozols and Inguna Ozols
Trust Agreement U/T/D June 30, 2017
SIGNATURES:



Pleaso Respond To:
James W. Denherdt, City Attormy Lauren Christ Rubenstain, Assistant Clay Allomey


FLORIDA

PHONE : (727) $309-0700$ FAX - (727) 544.7448

Ms. Amanda Conte
Planning \& Development Services
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-393

Annexation Ordinance AX19-2, Ozols Trust
Dear Ms. Conte:
I have received and reviewed the above-referenced Annexation Ordinance. Please update all references to the Peter and Inguana Ozols Trust to read as foliows: "THE PETER OZOLS AND INGUANA OZOLS TRUST AGREEMENT UTTID JUNE 30, 2017."

With that change, and assuming the legal description in Exhibit $A$ is correct, I would approve of the Ordinance as to form and correctness.

Very truty gours,

James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Susan Walker, Community Development Administrator
Ben Ziskal, Planning \& Development Services Director
JWD/dh
18-302 1220201 . LAC. Annex Ord 1A2 Otols.wpd

This page is left blank intentionally

## City of Pinellas Park

Staff Report

File \#: 18-716, Version: 1

# RESOLUTION NO. 19-02. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AUTHORIZING A REFUND TO RESIDENTIAL RECYCLING CUSTOMERS EFFECTIVE FEBRUARY 1, 2019 

## FIRST AND FINAL READING

NOTE: The City began a curbside recycling program in October 1989 for residential customers. Due to the efforts of the community, the avoided disposal fee savings has resulted in a twelve-month credit of approximately $\$ 70,166.00$. This amount is to be refunded to residential customers as a credit of approximately $\$ 4.00$ per customer, which is to be applied to their utility account. This refund will be charged to account number 001-259911.

ACTION: (Adopt - Deny) Resolution No. 19-02. First and final reading.

## RESOLUTION NO. 18-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AUTHORIZING A REFUND TO RESIDENTIAL RECYCLING CUSTOMERS EFFECTIVE FEBRUARY 1, 2019.

WHEREAS, the City desires to encourage continued participation in the residential curbside recycling program; and

WHEREAS, the City has accumulated from October 1, 2017 through September 30, 2018 a recycling credit applicable to residential accounts; and

WHEREAS, the City desires to return this credit to the participants described above.

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

SECTION ONE: That each residential account that is billed for recycling will receive a credit based on an equal share of the total of twelve (12) months accumulated credit to be applied to the utility bill.

SECTION TWO: That this Resolution shall be in full force and effective February 1, 2019 after its adoption and approval in the manner provided by laws.

ADOPTED THIS $\qquad$ DAY OF $\qquad$ , 2019.

AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED THIS $\qquad$ DAY OF $\qquad$ , 2019.

# Sandra L. Bradbury MAYOR 

Diane M. Corna, MMC<br>CITY CLERK

RECYCLING CREDIT HISTORY
1990-2018

## CREDIT PER/CUSTOMER

1990-\$4.50

1991-\$5.50
1992-\$6.00
1993-\$5.90
1994-\$6.00
1995-\$5.75
1996-\$5.25
1997-\$5.00
1998-\$4.00
1999-\$5.00
2000-\$5.00
2001-\$5.00
2002-\$5.00
2003-\$5.00
2004-\$5.00
2005-\$5.00
2006-\$5.00
2007-\$5.00
2008-\$5.00
2009-\$4.00
2010-\$4.00
2011-\$4.00
2012-\$4.00
2013-\$4,00
2014-\$4.00
2015-\$4.00
2016-\$4.00
2017-\$4.00
2018-\$4.00
TOTAL CREDIT DOLLARS
$\$ 59,897.66$
\$84,142.94
\$92,603.22
$\$ 92,458.11$
\$92,881.08
$\$ 82,474.88$
$\$ 78,493.73$
\$71,492.15
$\$ 65,067.01$
$\$ 77,689.13$
$\$ 72,705.00$
\$71,170.00
\$71,118.20
$\$ 73,285,00$
$\$ 73,417.53$
$\$ 74,770.00$
\$72,055.52
\$72,931. 13
$\$ 72,873.79$
\$63,924,70
\$67,798.00
$\$ 66,956.00$
$\$ 65,531.27$
$\$ 67,436.00$
$\$ 63,060.01$
\$64,231.88
$\$ 62,765.64$
$\$ 70,060.00$
\$70,166.00

TOTAL
$\$ 2,113,455.58$

## City of <br> PINELLAS PARK

514178TH AVE • PO. BOX 1100
PINELLAS PARK, FL 33780-1100


## FLORIDA

| PHONE | - (727) 369-0700 |
| :--- | :--- |
| FAX | - (727) 544-7448 |

Please Respond To:
James W. Denhandt, City Attorney
Laufen Christ Rubentstein, Assistant City Attorney
Denhardt and Rubanstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

December 20, 2018

Ms. Jan Keely
Finance Division
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-391

 Racycilng Credit ResolutionDear Ms. Keely:
I have received and reviewed the above-referenced Resolution for a recycling credit. I would approve of the' Resolution as to form and correctness.

Very truly yours.


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Coma, MMC: City Clerk Patrick Murphy, Deputy City Manager
Sonny Kotala, Finance Administrator
JWD/dh


## City of Pinellas Park

Staff Report

File \#: 18-704, Version: 1

# AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM LIHN T. PHAM \& TUYET-LE THI DANG - 4220 70th Avenue North 

NOTE: The City of Pinellas Park has requested a right-of-way easement from Lihn T. Pham \& Tuyet-Le Thi Dang to increase the right-of-way width to the required width for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4220 70th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Lihn T. Pham \& Tuyet-Le Thi Dang at 4220 70th Avenue North.

## RIGHT OF WAY EASEMENT

THIS INDENTURE, Made this $\qquad$ day of $\qquad$ A.D., 2018, between Lihn T. Pham \& TuyetLe Thi Dang, Mailing Address 4220 70th Avenue North, Pinellas Park, Florida, 33781, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. ("Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)
WITNESSETH, That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a Right Of Way Easement over, across and through that portion of Parcel ID\# 27/30/16/10530/006/0080, Property Address, 4220 70th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (sketch of easement area) which is attached hereto and made a part hereof.

A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE NORTH $10.00^{\prime}$ OF LOT 8, BLOCK 6, BOULEVARD PARK NO.1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 50, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

A PARCEL CONTAINING 0.01 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

| (Witness\#1.) (signature) | OWNER(S) |
| :---: | :---: |
|  | (signature) |
| (print name) | (print name) |
| (Witness\#2.) <br> (signature) |  |
| (print name) |  |
| (Witness\#1.) (signature) | (signature) |
| (print name) | (print name) |
| (Witness\#2.) (signature) |  |


| State of Florida <br> County of Pinellas | The foregoing instrument was acknowledged before me this $\qquad$ , 2018 by $\qquad$ (Name of person acknowledging and title of position) $\qquad$ Notary Public signature $\qquad$ (Name of Notary typed, printed or stamped) <br> Personally known $\qquad$ or produced identification $\qquad$ <br> Type of identification produced |
| :---: | :---: |
| ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document. |  |
| THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT: | Title or Type of Document $\quad$ RIGHT OF WAY EASEMENT Number of Pages $-\quad$ Date of Document Signers Other than Named Above NONE |

## Exhibit "A"

```
70TH AVENUE N
```



## City of <br> PINELLAS PARK

5141 78TH AVE. *P. BOX 1100

Pleata Respond To:
James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Fetersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

December 4, 2018

## FLORIDA

| PHONE | $-(727) 369-0700$ |
| :--- | :--- |
| FAX | $=(727) 544-7448$ |



Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-374

Right-of-Way Easement for 4220 70th Avenue North
Dear Mr. Petersen:
I have received and reviewed the above-referenced Right-of-Way Easement. I note that the following should appear in the top left comer of the notary jurat box:

State of $\qquad$ County of $\qquad$
With that change, I would approve of the Easement as to form and correctness.


James W. Denhardt
City Attorney

## cc: Doug Lewis, City Manager

Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Bart Diebold, Public Works Administrator
JWD/dh
18-374,12042018.LAF.ROW Easembent for 4220 70th Ave N.wpd

This page is left blank intentionally

## City of Pinellas Park

## Staff Report

File \#: 18-706, Version: 1

## AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A PERPETUAL UTILITY EASEMENT FROM 6351 49TH STREET LLC - 6351 49th Street North

NOTE: The City of Pinellas Park has requested a utility easement from 6351 49th Street LLC to accommodate new utility equipment, and for the future maintenance and operation of said equipment at 6351 49th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a utility easement from 6351 49th Street LLC at 6351 49th Street North.

## UTILITY EASEMENT

THIS INDENTURE, Made this $\qquad$ day of $\qquad$ A.D., 2018 between 6351 49th ST LLC, Mailing Address 6391 49th Street North, Pinellas Park, Florida, 33781, ("Grantor"), and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, ("Grantee"). ("Grantor" and "Grantee" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)
WITNESSETH, That the Grantor hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Grantee a Utility Easement over, across and through that portion of Parcel ID\# 33/30/16/69948/100/3101, Property Address, 6351 49th Street North, Pinellas Park, Florida, 33781, Further described in the legal description and sketch attached hereto as Exhibit "A" and made a part hereof.

See Attached Legal Description and Sketch, Exhibit "A"
It is the intention of the Grantor that this easement shall run with the land described above.
IN WITNESS WHEREOF, the Grantor has hereunto set his Hand and Seal the day and year first above written.
SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:
(Witness\#1.) $\qquad$ (signature)
(print name)
(Witness\#2.)
(signature)
(print name)

| State of Florida | The foregoing instrument was acknowledged before me this __, 2018, |
| :---: | :---: |
| County of Pinellas | (Name of person acknowledging and title of position) |
|  | _ Notary Public signature |
|  | Personally known ___ or produced identification ___ |
|  | Type of identification produced |
| THIS CERTIFICATE MUST BE | Title or Type of Document Utility Easement |
| ATTACHED TO THE DOCUMENT | Number of Pages _ Date of Document |
| DESCRIBED AT RIGHT: | Signers Other than Named Above NONE |


being the north 10 feet of the west 37 feet of the followng below described property:
NORTH 130 FEET OF FARM 31, IN THE NE $1 / 4$ OF SECTION 33, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS FARMS, A SUBDIVSION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 4, IN THE PUBLIC RECORDS OF HILSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS THE WESTERLY 35 FEET THEREOF DEDICATED FOR STREET PURPOSES AND THAT PORTION CONVEYED TO THE STATE OF FLORIDA IN OFFICIAL RECORDS BOOK 3814, PAGE 903 OF THE PUBLC RECORDS OF PINELAS COUNTY, FLORIDA.

S U R VE YORS REPOR T
1.) THIS IS A SKETCH AND DESCRIPTION ONLY, NOT A SURVEY. IT'S PRIMARY PURPOSE IS TO DOCUMENT THE LOCATION OF THE EASMENT AS IT RELATES TO THE LEGAL DESCRIPTION. 2.) THIS SKETCH COMPUES WTH THE FLORIDA STANDARDS OF PRACTICE PURSUANT TO $5 \mathrm{~J}-17$ FLORIDA ADMINISTRATVE CODE FOR THIS TYPE OF SURVEY AND IS NOT INTENDED TO MEET ANY ADDITIONAL OR NATIONAL STANDARDS.
3.) SKETCH IS SUBJECT TO A TTLE SEARCH FOR MATTERS OF RECORD EFFECTING THE PROPERTY.
4.) THIS SKETCH DOES NOT DETERMINE OR IMPLY OWNERSHIP.
5.) the bearing basis is per legal. the bearing reference line is the north line of FARM 31 BEING $S 9^{\prime} 52^{\prime} 54^{\prime \prime} E$. NORTH ARRDW IS BASED ON THE BEARING STRUCTURE. 6.) COPYRIGHT O LAND PRECISION CORPORATION. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR EY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITEN PERMISSION OF THE SURVEYOR. COPIES OF THIS PLAN WITHOUT AN ORIGINAL signature and impression seal are not vald.



# City of <br> PINELLAS PARK 

5141 7BTH AVE. * P.O. BOX 1100<br>PINELLAS PARK, FL $\$ 3780-1100$

Please Respond To:
James W. Denhardk, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attomeys at Law 27DO First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 = Telephone
(727) 323-0888 - Facsimile


December 4, 2018

FLORIIDA
PHONE - (727) 369-0700
FAX - (727) 544-7448


## Mr. Aaron Petersen

*Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-375 Utility Easement for 6351 49th Street North

Dear Mr. Petersen:
I have received and reviewed the above-referenced Utility Easement for the property located at 6351 49th Street North. Assuming that the legal description in Exhibit A is correct, I/would approve of the Easement as to form and correctness.

Verytruly yours,


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager Bart Diebold, Public Works Administrator

JWD/dh
18-375.12042018. LAP.Utility Enserment for 6351 49th 3t N.wpd

## City of Pinellas Park

Staff Report

File \#: 18-710, Version: 1
Agenda Date: 1/10/2019

AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO GIVE A PERPETUAL DRAINAGE
EASEMENT TO PINELLAS COUNTY AT - 59th Avenue North and 46th Street North.

NOTE: Pinellas County has requested a perpetual drainage easement at the pond to accommodate their new drainage infrastructure and for the future maintenance and operation of said infrastructure at the pond.

ACTION: (Approve - Deny) Authorization for the City of Pinellas Park to give a perpetual drainage easement to Pinellas County at the pond.

## DRAINAGE EASEMENT

THIS INDENTURE, made this $\qquad$ day of $\qquad$ , 2019, by the City of Pinellas Park, whose mailing address is 5141 78th Avenue N., Pinellas Park, FL 33781, hereinafter referred to as "Grantor," to PINELLAS COUNTY, whose property address is 509 East Avenue South, Clearwater, Florida 33756, a political subdivision of the State of Florida, hereinafter referred to as "Grantee".

## WITNESSETH

THAT THE GRANTOR, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Grantee, and the Grantee's successors and assigns, and enter(s) into a permanent Drainage Easement, over that portion of that certain property, which is owned by Grantor, located in Pinellas County, Florida, to wit:

Lands described in legal description attached as Exhibit "A" hereto and made a part hereof, hereinafter referred to as the "Easement."

TO HAVE AND TO HOLD said Easement unto said Grantee forever, subject to the following conditions:

1. Grantor hereby warrants and covenants that (a) Grantor is the owner of the fee simple title to the property in which the above described permanent Easement is located, and that (b) Grantor has full right and lawful authority to grant and convey this Easement to the Grantee.
2. The grant of this Easement may allow the Grantor quiet enjoyment of the Easement to the extent that such use does not interfere with rights granted herein. The grant of this Easement
does restrict the right of the Grantor in the use of the Easement area to the extent that no trees or structures, other than fencing, shall be allowed. Additionally, no excavation or activities that may endanger or interfere with the drainage system shall be allowed.
3. The rights granted herein specifically include: (a) the right to install, inspect, maintain, and repair all current and future Pinellas County drainage facilities under, over, and upon the Easement; (b) the right to clear the Easement of trees, limbs, undergrowth, and other physical objects which may endanger or interfere with the safe and efficient installation, operation or maintenance of the drainage system; and (c) the right, with notification, for the Grantee's employees and contractors to have ingress and egress across the Grantor's property to the Easement.
4. Except for those acts reasonably necessary to accomplish the purposes of this Easement, Grantee also covenants not to do any acts or things, which it could reasonably expect to cause damage to Grantor's premises. With respect to any person not a party to this Easement, this paragraph should not be construed as a waiver of any defense or limitation available to the Grantee or Grantor pursuant to Florida Statutes, Section 768.28, as now in effect or as may be amended from time to time.

## SIGNATURE PAGE FOLLOWS:

IN WITNESS WHEREOF, the Grantor has hereunto set her hand the day and year first above written.

WITNESSES:

Print Name: $\qquad$

Print Name: $\qquad$

STATE OF FLORIDA
COUNTY OF PINELLAS

## GRANTOR:

By: $\qquad$
Sandra L. Bradbury Mayor of Pinellas Park

The foregoing instrument was acknowledged before me this $\qquad$ day of $\qquad$ 2019, by Sandra L. Bradbury. The individuals are personally known to me and/or have produced a Florida Driver's Licenses as identification.

NOTARY SEAL
NOTARY $\qquad$
Print Name: $\qquad$
Commission Number: $\qquad$
My Commission Expires: $\qquad$

## Page 3 of 3

C8

PINELLAS COUNTY PUBLIC WORKS
SURVEY AND MAPPING DIVISION
22211 U.S. HIGHWAY 19 N.
CLEARWATER, FLORIDA 33765-2328
SECTION(S) 33, TOWNSHIP 30 SOUTH, RANGE 16 EAST DESCRIPTION

A portion of the Grantor's tract, as recorded in Official Record Book 7367, Page 1908, public records of Pinellas County, Florida in the Southeast $1 / 4$ of Section 33, Township 30 South, Range 16 East, Pinellas County, Florida, being described as follows:

COMMENCE at the Northeast corner of the Southeast $1 / 4$ of Section 33, Township 30 South, Range 16 East, Pinellas County, Florida, thence run S $000^{\circ} 10^{\prime} 18^{\prime \prime} \mathrm{W}$, along the East line of said Southeast $1 / 4$ of Section 33, for a distance of 1016.57 feet to the POINT OF BEGINNING; thence continue along said East line, S $00^{\circ} 10^{\prime} 18^{\prime \prime}$ W, for a distance of 35.18 feet; thence $N 42^{\circ} 51^{\prime} 03^{\prime \prime} \mathrm{W}$, for a distance of 92.22 feet; thence $N 47^{\circ} 08^{\prime} 57^{\prime \prime} \mathrm{E}$, for a distance of 24.00 feet; thence $S 42^{\circ} 51^{\prime} 03^{\prime \prime} E$, for a distance of 66.50 feet to the POINT OF BEGINNING.

Containing: 1905 square feet or 0.044 acres more or less.
Basis of Bearings: Bearings indicated are assumed based on the East line of the Southeast $1 / 4$ of Section 33, Township 30 South, Range 16 East, Pinellas County, Florida, being S $00^{\circ} 10^{\prime} 18^{\prime \prime} \mathrm{W}$
PINELLAS COUNTY
PUBLIC WORKS
SURVEY AND MAPPING DIVISION
22211 U.S. HIGHWAY 19 N.
CLEARWATER, FLORIDA 33765-2328



SCALE IN FEET
$1^{\prime \prime}=50^{\prime}$


| LEGEND |  |
| :--- | :--- |
| COR | CORNER |
| OR | OFFICIAL RECORD |
| PG | PAGE |
| P.O.B | POINT OF BEGINNING |
| P.O.C | POONT OF COMMENCEMENT |
| SEC | SECTION |

OR 7367
PG 1908

| LINE TABLE |  |  |
| :---: | :---: | :---: |
| LINE \# | BEARING | LENGTH |
| L1 | S00'10'18"W | $35.18^{\prime}$ |
| L2 | N42.51'03"W $^{\prime}$ | $92.22^{\prime}$ |
| L3 | N47.08'57"E $^{\prime}$ | $24.00^{\prime}$ |
| L4 | S42.51'03"E | $66.50^{\prime}$ |

P. P.O.C.
NE COR OF THE
SE $1 / 4$ OF SEC 33-30-16

OR 19484
PG 1211

SECTION(S) 33, TOWNSHIP 30 SOUTH, RANGE 16 EAST

## PINTVLLLAS PARK

5141 78TH AVE. PRO. BOX 1100

PINELLAS PARK, FL 33780-1100

$$
\begin{array}{ll}
\text { PHONE } & \text { - (727) 369-0700 } \\
\text { FAX } & \cdot(727) 544-7448
\end{array}
$$

Please Respond To:
James W. Denhardt, Gity Attorney
Lauren Christ Rubenstein, Assistant Clty Attorney
Denhardt and Rubenstain, Attorneys at Law
2700 Firgt Avenue North


## FLORIDA

St, Petersburg, Florida 33713
(727) 327-3400 - Teiephone
(727) 323-0888 - Facsimile

December 17, 2018

Mr. Aaron Petersen


Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-384

Drainage Easement at 59th Avenue to 44th. Street North
Dear Mr. Petersen:
I have received and reviewed the above-referenced Drainage Easement. Assuming that the legal description in Exhibit A is correct, I would approve of the Easement as to form and correctness.

Very inuly yours,
ambld hemde
James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Bart Diebold, Public Works Administrator
JWD/dh
18-384.12172018.LAP.Drainage Easernent at 69th Ave to 44th St.wpot

This page is left blank intentionally

C8

## City of Pinellas Park

Staff Report

File \#: 18-711, Version: 1

## AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM RICHARD BRODTRICK - 4160 70th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from Richard Brodtrick to increase the right-of-way width to the required width and for the installation of a potable water main, and for the future maintenance and operation of said equipment at 4160 70th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from Richard Brodtrick at 4160 70th Avenue North.

## RIGHT OF WAY EASEMENT

THIS INDENTURE, Made this $\qquad$ day of $\qquad$ A.D., 2019, between Richard Brodtrick, Mailing Address P.O. Box 380, Safety Harbor, Florida, 34695, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. ("Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)
WITNESSETH, That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a Right Of Way Easement over, across and through that portion of Parcel ID\# 27/30/16/10530/006/0040, Property Address, 4160 70th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (sketch of easement area) which is attached hereto and made a part hereof.

## A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE NORTH 10.00' OF LOT 4, BLOCK 6, BOULEVARD PARK NO.1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 50, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

A PARCEL CONTAINING 0.01 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

## OWNER

(Wit.)
(print name below signature)
(Wit.)
(print name below signature)

The foregoing instrument was acknowledged before me this , 2019 by
$\qquad$
$\qquad$
$\qquad$ (Name of Notary typed, printed or stamped)

Personally known $\qquad$ or produced identification $\qquad$

Type of identification produced

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.

| THIS CERTIFICATE MUST BE | Title or Type of Document $\quad$ RIGHT OF WAY EASEMENT |
| :--- | :--- |
| ATTACHED TO THE DOCUMENT | Number of Pages _- $\quad$ Date of Document |
| DESCRIBED AT RIGHT: | Signers Other than Named Above NONE |



\author{

## City of <br> <br> PINELLAS PARK

 <br> 5141 78TH AVE. P.O. BOX 1100 <br> PINELLAS PARK, FL 33780-1100 <br> Please Respond To: <br> James W. Denhardt, City Attorney <br> Lauren Christ Rubensteln, Assistant City Attorney Denhardt and Rubenstein, Attorneys at Law 2700 First Avenue North <br> St. Petersburg, Florida 33713 <br> (727) 327-3400 - Telephone <br> (727) 323-0888 - Facsimile}


December 18, 2018

Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-385

Right of Way Easement at 4160 70th Avenue North

## Dear Mr. Petersen:

I have received and reviewed the above-mentioned Right of Way Easement at 4160 70th Avenue North. Assuming that the legal description is correct, I would approve of the Easement as to form and correctness.

Very try $y$ y yours,


James W. Denhardt
City Attorney

cc: Doug Lewis, City Manager<br>Diane M. Corna, MMC, City Clerk<br>Patrick Murphy, Asst. City Manager<br>Bart Diebold, Public Works Administrator

JWD/law
18-385.5800121820t8. LAP.wpd

## City of Pinellas Park

Staff Report

File \#: 18-712, Version: 1
Agenda Date: 1/10/2019

## AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM GEORGE A. PARADISE - 5245 78th Avenue North

NOTE: The City of Pinellas Park has requested a right-of-way easement from George A. Paradise for the installation of a sidewalk, and for the future maintenance and operation of said equipment at 5245 78th Avenue North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from George A. Paradise at 5245 78th Avenue North.

THIS INDENTURE, Made this $\qquad$ day of $\qquad$ A.D., 2018, between George A. Paradise, Mailing Address 5245 78th Avenue North, Pinellas Park, Florida, 33781, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. ("Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)
WITNESSETH, That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a Right Of Way Easement over, across and through that portion of Parcel ID\# 28/30/16/86688/000/0490, Property Address, 5245 78th Avenue North, Pinellas Park, Florida, 33781, as further described below and depicted in Exhibit "A" (Sketch of easement area) which is attached hereto and made a part hereof.

A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THAT PORTION OF LOT 49, SUNILAND SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 32, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF LOT 49, SUNILAND SUBDIVISION, FURTHER DESCRIBED ABOVE, SAID POINT BEING THE POINT OF BEGINNING, RUN NORTH $00^{\circ} 43^{\prime} 52^{\prime \prime}$ WEST $10.00^{\prime}$; THENCE SOUTH $45^{\circ} 15^{\prime} 11^{\prime \prime}$ WEST $14.26^{\prime}$; THENCE SOUTH $89^{\circ} 46^{\prime} 30^{\prime \prime}$ EAST $10.00^{\prime}$ TO THE POINT OF BEGINNING.

## A PARCEL CONTAINING 50 SQ. FT. M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above.
IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

## OWNER

$\qquad$ (signature)
(print name)
(Witness\#2.)
(signature)
(print name)


CTO


# City of <br> PINELLAS PARK 

5141 78TH AVE, - PRO. BOX 1100
PINELLAS PARK, FL. 33780-1100
Please Respond To:
James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney Denhardt and Rubensteln, Attorneys at Law 2700 First Avenue North


## FLORIDA

PHONE * (727) 541-0700
FAX $\quad$ (727) 544-7448
SUNCOM •969~1011

December 18, 2018

Mr. Aaron Petersen
Construction Services Director


City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-386 Right of Way Easement at 5245 78th Avenue North

Dear Mr. Petersen:
I have received and reviewed the above-mentioned Right of Way Easement for property located at 5245 78th Avenue North. Assuming that the legal description is correct, I would approve of the Easement 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, Asst. City Manager Bart Diebold, Public Works Administrator

JWD/law
18-386.590012182018. LAP.wpd

## City of Pinellas Park

Staff Report

File \#: 18-714, Version: 1

## AUTHORIZATION FOR THE CITY OF PINELLAS PARK TO ACCEPT A RIGHT-OF-WAY EASEMENT FROM AJKJ, LLC - 11486 68th Street North

NOTE: The City of Pinellas Park has requested a right-of-way easement from AJKJ, LLC to increase the right-of-way width to the required width and to allow a clear zone adjacent to the road at 11486 68th Street North.

ACTION: (Approve - Deny) Authorization for the Mayor to accept a right-of-way easement from AJKJ, LLC at 11486 68th Street North

THIS INDENTURE, Made this $\qquad$ day of $\qquad$ A.D., 2019, between AJKJ, LLC Mailing Address 6795 114th Avenue North, Largo, Florida, 33773, Party of the First Part, and the City of Pinellas Park, located at 5141 78th Avenue North, Pinellas Park, Florida, 33781, Party of the Second Part. ("Party of the First Part" and "Party of the Second Part" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)
WITNESSETH, That the said Party of the First Part hereby grants for and in consideration of the sum of ten dollars (\$10.00), and other valuable considerations, in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, hereby grants and releases unto the Party of the Second Part a Right of Way Easement over, across and through that portion of Parcel ID\# 18/30/16/69768/100/1505, Property Address, 11486 68th Street North, Largo, Florida, 33773, as further described below and depicted in Exhibit "A" (sketch of easement area) which is attached hereto and made a part hereof.

A RIGHT OF WAY EASEMENT OVER, ACROSS AND THROUGH THE WEST 15.00' OF THE FOLLOWING DESCRIBED PROPERTY: THE SOUTH 100.00' OF THE NORTH 190.00' OF THE WEST 1/4 OF FARM 15, PINELLAS FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE(S) 4\&5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART. SAID RIGHT OF WAY EASEMENT IS A PORTION OF PARCEL\# 18/30/16/69768/100/1505, IN THE NORTHEAST $1 / 4$ OF SECTION 18, TOWNSHIP 30 SOUTH, RANGE 16 EAST.

## A PARCEL CONTAINING 0.03 ACRES M.O.L.

It is the intention of the said Party of the First Part that this easement shall run with the land described above. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his Hand and Seal the day and year first above written. SIGNED, SEALED, AND DELIVERED IN OUR PRESENCE:

## OWNER

> (wit.)
(print name below signature)
(Wit.)
(print name below signature)

## AJKJ, LLC

Kamal S. Juneja, President $\qquad$ (Signature)

## (print name)

| State of Florida |
| :---: |
| County of Pinellas |
|  |

## "Exhibit A"

## PINELLAS PARK

5141 78TH AVE, • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100
Please Respond To:
James W, Denhardt, City Attorney
Lauten Christ Rubanstein, Assistant Clty Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Perersbung, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

FLORIDA

| PHONE $\quad-(727) 541-0700$ |
| :--- |
| FAX |
| SUNCOM |
| - |



PHONE - (727) 541-0700
FAX - (727) 544-7448
SUNCOM • 98g-1011

December 18, 2018

Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-387

Right of Way Easement at 11486 68th Street North
Dear Mr. Petersen:
I have received and reviewed the above-mentioned Right of Way Easement for property located at 11486 68th Street North. I note that the legal name of the entity as registered with the State of Florida Division of Corporations does not contain a period after LLC. All references in the document to the owner of the property should be updated to appear as "AJKJ, LLC" without a period after LLC.

Once that change is incorporated, and assuming that the legal description contained in the Easement if correct, I would approve of the Easement as to form and correctness.

Very truly/fours,


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Bart Diebold, Public Works Administrator
JWD/law
18-387,590012182018. WAP.wpd

## City of Pinellas Park

Staff Report

File \#: 18-715, Version: 1
Agenda Date: 1/10/2019

## AUTHORIZATION FOR MAYOR TO SIGN INTERLOCAL MAINTENANCE AGREEMENT WITH PINELLAS COUNTY - Plat Book 124, Pages 16-17 Perpetual Drainage Easement

NOTE: This authorizes the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County to transfer the maintenance responsibility for the drainage easement dedicated to the City of Pinellas Park by plat. The County will perform specific maintenance to this easement area for a five year term. The proposed agreement has been reviewed by the City Attorney's office.

ACTION: (Approve - Deny) Authorization for the Mayor to sign an Interlocal Maintenance Agreement with Pinellas County.

# DITCH MAINTENANCE AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF PINELLAS PARK 

THIS DITCH MAINTENANCE AGREEMENT, hereinafter this "Agreement", is entered into this $\qquad$ date of $\qquad$ , 2018, by and between Pinellas County, a political subdivision of the State of Florida, hereinafter the "COUNTY", and the City of Pinellas Park, a municipal corporation of the State of Florida, hereinafter the "CITY"; collectively the COUNTY and the CITY are referred to as the "Parties".

WHEREAS, this Agreement is made and entered between the Parties pursuant to Section 163.01, Florida Statutes, the "Florida Interlocal Cooperation Act of 1969";

WHEREAS, the CITY was granted a perpetual drainage easement (the "Easement") over a 115.81 foot long downstream section of ditch (the "Easement Area"), which directly discharges into Lake Allen, via plat recorded in Official Records Book 124, Pages 16 - 17 attached as Exhibit A; an illustration of the Easement Area prepared by the COUNTY is attached as Exhibit B;

WHEREAS, the COUNTY already maintains an upstream section of ditch adjoining the Easement Area pursuant to a separate easement granted via plat recorded in Official Records Book 117, Pages 3-5;

WHEREAS, the COUNTY received a written request from the CITY to take over maintenance of the Easement Area, specifically routine trimming, cleaning, and spraying;

WHEREAS, given the condition and size of the Easement Area, and given that the COUNTY is already maintaining an adjoining section of ditch, the COUNTY believes it can maintain the Easement Area with minimal additional COUNTY resources;

WHEREAS, combining the maintenance cycles of the Easement Area with the aforementioned adjoining section of ditch is environmentally beneficial and technically efficient; and

WHEREAS, the COUNTY desires to assist its partner CITY and the surrounding community.

NOW THEREFORE, in consideration of the mutual terms, covenants, representations, and conditions contained herein, the Parties agree as follows:

## DITCH MAINTENANCE AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF PINELLAS PARK

1. Within thirty (30) days of this Agreement's effective date, the CITY shall pay the COUNTY $\$ 10.00$ (ten) dollars as consideration for performance of this Agreement.
2. To the extent consistent with the Easement and the CITY'S rights thereunder, the CITY grants the COUNTY access to the Easement Area for ditch maintenance. Nothing herein shall be construed as a transfer of the Easement, or any of the CITY's rights, duties, or liability thereunder, to the COUNTY.
3. The COUNTY shall maintain the Easement Area solely for drainage purposes consistent with the Easement, which may include trimming, mowing, edging, spraying, and other measures the COUNTY deems necessary. Maintenance shall be performed at the COUNTY's discretion; the COUNTY is not obligated to maintain the ditch at any particular intervals.
4. The term of this Agreement shall be five (5) years from the date of execution by both Parties. Prior to its effectiveness, this Agreement and subsequent amendments thereto must be filed with the Clerk of the Circuit Court pursuant to F.S. § 163.01.
5. Either party may terminate this Agreement with or without cause upon ten (10) days' notice to the other party.
6. All notices required by law and by this Agreement to be given by one (1) party to the other shall be in writing and shall be sent to the following respective addresses via USPS Certified Mail:

COUNTY: Director, Public Works
Pinellas County Public Works
22211 U.S. Hwy 19 North, Bldg \#1
Clearwater, FL 33756
CITY: Director, Public Works
City of Pinellas Park
$605178^{\text {th }}$ Ave N.
Pinellas Park, FL 3378

## DITCH MAINTENANCE AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF PINELLAS PARK

6. This Agreement may only be amended through mutual written agreement of the Parties. This Agreement may be amended at any time.
7. This Agreement shall be binding upon the Parties, their successors, assigns and legal representatives.
8. This Agreement shall be governed, interpreted, and constructed according to the laws of the State of Florida.
9. If any part of this Agreement shall be determined to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall remain in full force and effect, provided that the part of this Agreement thus invalidated or declared unenforceable is not material to the extended operation of this Agreement.
10. The Parties acknowledge that the records relating to this Agreement and the carrying out of the obligations hereunder are subject to the provisions of Florida Statutes, Chapter 119.
11. The CITY accepts liability for the maintenance of the Easement Area and agrees, to the fullest extent permitted by law, to indemnify, defend, and hold harmless the COUNTY from all claims arising from any alleged failure to maintain the Easement Area. This provision is not intended to serve as a waiver of Sovereign Immunity or to authorize any third-party claims or litigation arising hereunder.
12. This document, including Exhibits hereto, embodies the whole agreement between the Parties. There are no promises, terms, conditions or allegations other than those contained herein, and this document shall supersede all previous communications, representations and/or agreements, whether written or verbal, between the Parties hereto.
(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

## DITCH MAINTENANCE AGREEMENT <br> BETWEEN <br> PINELLAS COUNTY AND THE CITY OF PINELLAS PARK

IN WITNESS WHEREOF, the undersigned have hereunto affixed their hands and seals as the day and year first above written.

PINELLAS COUNTY, by and through its County Administrator

By: $\qquad$
Barry Burton, County Administrator

WITNESS:

By: $\qquad$

APPROVED AS TO FORM:

By: $\qquad$
Office of County Attorney

# DITCH MAINTENANCE AGREEMENT <br> BETWEEN <br> PINELLAS COUNTY AND THE CITY OF PINELLAS PARK 

## CITY OF PINELLAS PARK

CITY OF PINELLAS PARK, FLORIDA

By: $\qquad$
Doug Lewis, City Manager

By: $\qquad$
Sandra Bradbury, Mayor

Approved as to form and correctness:

James W. Denhardt, City Attorney

Attest:

City Clerk

DESCRIPTION
A PORTION OF LOT 11 N THE SOUTHEAST $1 / 4$ Of SECTION 12 ，TOWSSHP 30 SOUTH，RANGE 15 EAST AND A MORTON OF LOT 4 IN

 follows
BEGINNING AT THE SOUTHWEST CORNER OF SOMERSET LAKES UNIT 5，PHASE 5A AS RECORDED IN PLAT BOOK 117，PAGE 3 ，PUBL




## DEDICATION

THE UNDERSIGNED HEREBY／CERTIFY THATTTHEY ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HEREBY PLATTED AS
＂SOMERSE TLAKES UNIT 5，PHASE 5B＂；THAT THEY DEDICATE TO THE CITY OF PINELLAS PARK AND PINELLAS COUNTY THE RIGHT TO
 SEWERS，UTLLTIES AND PURPOSES，INCIDENTAL THERETO AND PARCEL＂AN AS A UTLITY EASEMENT FOR THE NS
MAINTENANCE OF FACIITISS AND．PUBLIC RIGHT－OF－WAY TO THE CITY OF PINE LAS PARK AND PINEUAS COUNTY．
the parties volin／ng therein－are：
owfelers：AS TO LOTS 41－46
MARCUS VERNON，PRESIDENT
AURORA LAND HOLDINGS，INC．AND
ECLIPSE LAND HOLDINGS，INC．
 Louise Hove

ACKNOWLEDGMENT：
STATE OF FLORIDA
COUNTY OF PINELLAS $\}$ ss
 OR ARE PERSONALLY KNOWN TO ME TO BE THE INDINDUALS EXECUTING THE FORE GOING AND
ACKNOLEEGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES SET OUT THEREIN．
witness my hand and official seal this $14^{\text {ch }}$ day of January， 2002.

DJ 015211
COMMISSION NO．
COMMISSION NO．EXPIRES：4／14／05
OWNERS：AS TO LOTS 29－40
$\xrightarrow[\substack{\text { MICHAEL S．FARRELL PRESIDENT } \\ \text { FARRELL }}]{\text { HOMES，}}$

$$
\begin{aligned}
& \frac{\text { ane tare }}{\text { WITNESS }} \\
& \frac{\text { Qaceise Hone }}{\text { WITNESS }}
\end{aligned}
$$


LOUISE HOVE
WITNESS NAME PRINTED
ACKNOWLEDGMENT
STATE OF FLORIDA \}ss
BEFORE ME，THE UNDERSIGNED AUTHORITY，PERSONALLY APPEARED MICHAEL S．FARRELL PRESIDENT OF
FARRELL HOMES，INC．AND HAS PRODUCED
ARTEL SONE，INC．AND HAS PRODUCED
ACKNOWLEDGED TO ME THAT THE Y EXECUTED THE SAME FOR THE PURPOSES SET OUT THEREIN．
witness my hand and official seal this $1 i^{\text {ch }}$ day of January， 2002.
Cociese theme
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
LouIse Hove
DDOI5211
MY COMMISSION EXPIRES：4／44／05
CERTIFICATE OF MORTGAGEE：
THE UNDERSIGNED，AS MORTGAGEE UNDER CERTAIN MORTGAGES DATED 6／29／O1 RECORDED IN O．RNBOOK


$\frac{\text { Laura L．Smut }}{\text { Witness name printed }}$
Louise Hove WITNESS NAME PRINTED

## ACKNOWLEDGMENT AS TO MORTGAGEE：

## $\left.\begin{array}{l}\text { STATE OF FLORIDA } \\ \text { COUNTY OF PINELLAS }\end{array}\right\}$ SS


ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES SE
WITNESS MY HAND AND OFFICIAL SEAL THIS $\|$ 点 DAY OF SALARy 2002.
Raceme tone
NOTARY PUBLIC
STATE OF FLORID AT LARGE PRINTED NAME OF NOTARY

COMMISSION NO
MY COMMISSION EXPIRES：4／14／05

## 

 ACKNOWLEDGMENT：
$\left.\begin{array}{l}\text { STATE OF FLORIDA．} \\ \text { COUNTY OF PINELLAS }\end{array}\right\}$ SS
BEFORE ME，THE UNDERSIGNED AUTHORITY，PERSONALLY APPEARED MARCUS VERNON，PRESIDENT OF SOMERSET LAKES
 ACKOWLEGED TO ME THAT THEY EXECUTED THE SAME FOR
N Guje／lone
NOTARY PUBLIC
SoDA AT LARGE
Louise Hove
DDO15211

CERTIFICATE OF APPROVAL OF CITY ENGINEER
$\left.\begin{array}{l}\text { STATE OF FLORIDA } \\ \text { COUNTY OF PINELLAS }\end{array}\right\}$ SS

APPROVED BY THE CITY ENGINEER OF THE CITY OF PINELLAS PARK，PINELLAS COUNTY，FLORID
THIS 6 OEdaruary 2002 ．
CERTIFICATE OF APPROVAL OF CITY MANAGER
STATE OF FLORIDA $\}$ SS
COUNTY OF PINE LIAS
APPROVED BY THE CITY MANAGER
THIS 15 th DAY OF January 2002.
CERTIFICATE OF APPROVAL OF CITY COUNCIL
STATE OF FLORIDA
COUNTY OOF PINELLAS $\}$ SS
APRONED BY THE CITY COUNCIL OF／THE CITY OF PINELLAS PARK，PINELLASS）CUUUTTSYYFLORIDA
THIS $\angle 5 T H$ DAY OFJADARAY 2002．





KARLEEN F．DeBLAKER，CLERK
PINELLAS COUNTY，FLORIDA

REVIEWED FOR CONFORMITY

## cells <br> CHARLES R．NORWOOD，PIS CHIEF LAND SURVEYOR

SURE YOR＇S CERTIFICATE：

信 WITH THE STATUTES OF THE STATE OF FLORIDA THEREUNTO APpERTAINING AND THAT THIS PLAT COMPLETE WITH

POLARIS


PROFESSIONAL SURVEyING
2915 S．R． 500 ，SUIT 17
CEARWATER FLORIDA 33759
CLEARWATER，FLORIDA 33759


1. THE INTENT OF THE EASEMENT AREA IS TO RE TAIN THE EASEMENT AREA IN AN ESSENTIALYY NATURAL
CONDITION THE FOLLOWING ACTS OR ACTIVTIES ARE EXPRESSLY PROHIBITED WITHIN THE EASEMENT IN

Cond
THE ABSENCE OF A SPECIFIC PERMI FROM THE CITY OF PINELLAS PARKK OR ABOVE
(A) CONSRUCTION OR THE PLACING OF ANY STRUCTURE OR MATERIAL ON OR ABOUN
THE GROUD.
THE GROUND.
(B) CONTRUCTION OR PLACII
PLANTING OF VEGE TATION.
PLANTING OF VEGE TATION.
(C) THE PLACE MENT OF ANY UTLITIES, DRAINAGE FACILITIES, MITIGATION AREAS, OR THE
OF THE CONSERVATION EASEMENT.'
(D) PLACEMENT, REMOVAL OR DESTRUCTION OF TREES, SHRUBS OR OTHER VEGE TATION, INCLUDING MOWING
PESTIIIDE AND HERBICIDE USES. (E) EXCAVATION OR OTHER REMO
(F) USES EXCNPT FOR THE PURPOSSS THAT PERMIT THE AREA DEFINED BY THE EASEMENT TO REMAIN IN
AN ESSENTALLY NATURAL CONDITON. (G) ANY ACTILTY DE TRIMLNTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION EROSION CONTROL,
SOIL CONSERVATION, OR FISH AND WILLIFE HABITAT PRESERVATIN.
2. THE FOLLOWING RIGHTS ARE CONLEYED TO THE CITY OF PINELLAS PARK BY THIS EASEMENT:
(A) TO ENTER UPON THE AROPERTY AT REASONABEE TMES TO ENFORCE THE RISHTSASERENN GRANTED UPON
PRIOR NOTICE TO THE PROPERTY OWNER, ITS HEIRS, SUCCESSORS OR ASSIGNS AT THE TME OF SUCH ENTRY.

General notes

1. BEARINGS SHOWN ARE BASED ON CENTERLINE O LAKE ALLEN DRIVE
AS SHOWN ON SOMERSET LAKES UNIT 5, PHASE 5A AS BEING S.OLO
2. THE UTLITY EASEMENTS SHOWN HEREON SHALL ALSO BE AN EASEMENT FOR THE
CONSTRUCTION, INSTALLATION, MANTENANCE AND OPEATION OF CABLE TELEVISION SERVCES; PROVIDED HOWE VER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTEREERE WITH THE FACHTIES AND
3. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE
SUPLLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGTAL FORM OF THE PLAT. THERE


Exhibit B


# City of <br> <br> PINELLAS PARK 

 <br> <br> PINELLAS PARK}

5141 78TH AVE. - P.O. BOX 1100
PINELLAS PARK, FL $3 \$ 780-1100$
Please Respond To:
James W. Denhardt, City Attorney
Lauren Christ Rubensteln, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law


FLORIDA

PHONE - (727) 369-0700
FAX * (727) 544-7448

December 17, 2018

Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100

Pinellas Park, Florida 33780-1100

## RE: City Document \#18-383

 Interlocal Ditch Maintenance Agreement with Pinellas CountyDear Mr. Petersen:
I have received and reviewed the above-referenced Agreement. I note that on the first page there appears to be a formatting issue between the third and fourth Whereas paragraphs. Additionally, the signature block for the City Attorney should be updated to read as follows:

Approved as to form and correctness:
By: $\qquad$
James W. Denhardt, City Attorney
Please be aware that the way the Agreement currently reads, the City maintains all liability for the maintenance of the Easement area and that the County is not obligated to maintain the ditch at any particular intervals. Therefore, if the City wishes to enter into this Agreement, it is important that the City continues to monitor its easement area to ensure it is being properly maintained.

Mr. Aaron Petersen
December 17, 2018
Page 2

Once the above changes are incorporated into the Agreement, I would approve of the Agreement as to form and correctness.


James W. Denhardt
City Attorney
cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Bart Diebold, Public Works Administrator
JWD/dh
18-383.12172018. LAP.Interlocal Diteh Mintoo Agrm w PIn Cty.wpd

This page is left blank intentionally

C12

## City of Pinellas Park

## Staff Report

File \#: 18-705, Version: 1
Agenda Date: 1/10/2019

## THE 2018 LIBRARY ANNUAL REPORT

NOTE: The 2018 Library Annual Report is submitted to Council by the Library Advisory Board in accordance with Section 2-504 of the City Code of Ordinances. Members of the Library Board will be in attendance to present the report.

ACTION: (Approve - Deny) 2018 Library Annual Report.


Baroara S. Ponce PUBLC LBRABM


# BARBARAS. PONCEPUBLIC LIBRARY 



PinellasPark, FL

## 2018 ANNUAL REPORT

R1

## Presented to City Council:

Mayor Sandra Bradbury
Vice-Mayor Patricia "Patti" Johnson
Councilman Rick Butler
Councilman Jerry Mullins
Councilman Keith V. Sabiel

## By Board Members:

Patricia Bennett - Chair Milton W. Wendland - Vice Chair Jacqueline Barnes Katherine Egolf Shannon Harner William (Bill) Holmes Jeffrey Nguyen Kevin Quinn Elithia V. Stanfield

## BARBARAS. PONCE PUBLIC LIBRARY

## THE STATE OF THE LIBRARY

Libraries continue to focus on resources and services that go beyond the basics of offering materials to borrow. People learn and share ideas and skills in a variety of ways, and libraries continue to adapt our offerings to remain useful, relevant and responsive to the diverse needs of our users. People have expanded expectations about the scope of library services, so the Library is reshaping its collection and program activities to meet new demands.

The Library manages these new roles by recruiting staff with a more diverse skill set and also by inviting other agencies and interest groups to partner with us to share their expertise to increase the number of community meetings, seminars, and workshops that we can offer. The Library also gives access to community groups and non-profits to hold meetings and other self-contained events, and the Library often finds itself stretching to find a suitable space for everyone.

The Library has not undergone any significant renovations in nearly two decades. In addition to needed refurbishments in restroom facilities and replacement of the library's aging AC units, the time has come to reassess our floor plan and to outfit all spaces to better accommodate modern technologies and non-traditional library activities. Pursuing some new layouts and updates will help the Library attract more partners and users, ensuring that the Library continues to be a well-used community resource well into the future.


## BARBARA S. PONCE PUBLIC LIBRARY

## IMPROVING YOUTH SPACES

One significant project the Library is pursuing is adapting the Youth Services area to make the space flexible enough to accommodate the diverse needs of youth of all ages. The Library has purchased stackable chairs and nesting tables to allow reconfiguration of the space depending on the audience, though we lack quiet student study spaces, sensorysensitive options and basic buffer spaces between everyone. The Library is also resizing the collection and investigating different shelving hardware that would free up floor space to give us more with which to work, though this requires a financial investment.

While the Library has a children's activity room in the Youth Services area, it is simply not large enough for many activities. To accommodate the multiple strollers, toys, props, and of course, people, most children's programs are relocated out of the Youth Services area to the exterior meeting rooms. While this is a positive from a noise management perspective, it undermines the intention of bringing children and their parents into the heart of the Library to enjoy the collection, fun displays and spontaneous learning opportunities within the Library.

The Library offers a dedicated teen space, though it lacks the correct infrastructure to install adequate electrical outlets and offers no computer or other technology options - a definite weakness for appealing to today's teens. The space is also located some distance from the Youth Services staff, so natural interactions with staff and relationship-building can be limited. The Library would like to invest in a few structural changes to address these issues.

# BARBARAS. PONCE PUBLIC LIBRARY 

## CONTROLLING NOISE

Libraries are no longer just about books and individual reading; libraries now serve as gathering spaces that facilitate idea sharing and encourage open communication. Students work collaboratively together, children play board games, and people work together on computers. This change in atmosphere is not without some conflict, as there are still people who value the library for its traditional calm and quiet environment.

While an open library building facilitates better light and monitoring of the facility, it allows noise to travel freely as well. One of our biggest challenges is the friction between large groups of toddlers or after-school children socializing in the Youth Services and the adults focused on their computer work nearby. The Library is interested in pursuing additional glass partitions and noise blocking measures between the Youth Services area and the rest of the building. This would resolve our noise issue while still keeping an open feel to the Library.

## CONSOLIDATING SERVICE DESKS

Having one central adult service desk would free up additional space that could be allocated for program or public meeting space. This also lets the Library make better use of its personnel resources while users experience more streamlined service from cross-trained staff who work together from a single convenient service point. The service counters are showing 17 years' worth of wear, so there is already a need to refurbish them, and it is necessary time to reassess their placement and layout as well.


## BARBARAS. PONCE PUBLIC LIBRARY

## Statistical Highlights

| General Statistics |  |
| :--- | ---: |
| Library Visits | 255,611 |
| Computer Sessions | 95,212 |
| Library Website Hits | 101,983 |
| Catalog \& Database Use | 101,495 |
| Volunteer Hours | 4,362 |
|  |  |
| The Collection |  |
| Books (print) | 84,210 |
| CD Items and DVDs | 18,371 |
| Serials (print issues) | 2,927 |
| Databases | 79 |
| Digital Books \& Audios | 656,559 |
| Streaming Videos | 38,568 |
|  |  |
|  |  |
| Social Media Engagement |  |
| Facebook Reach | 49,639 |
| Book Blog Views | 1,446 |
| Twitter Engagement | 13,110 |
|  |  |
| Expenditures | $\$ 1,895,101$ |
| Personnel Costs | $\$ 1,227,309$ |
| Technology Infrastructure | $\$ 188,062$ |
| General Operations | $\$ 170,199$ |
| Bldg Maintenance | $\$ 128,556$ |
| New Books and AV | $\$ 117,199$ |
| Digital Content | $\$ 22,497$ |
| Youth Furnishings | $\$ 19,487$ |
| Program Expenditures | $\$ 13,250$ |
| Print Subscriptions | $\$ 8,558$ |

Library Cardholders ..... 42,395
Pinellas Park Residents ..... 26,654
Unicorporated Residents ..... 7,792
Other PPLC-area Residents ..... 7,832
Non-Pinellas Residents ..... 117
(Computer Use Only) ..... 3,476
Select Circulation

| Books | 172,051 |
| :--- | ---: |
| Videos | 132,137 |
| Audiobooks \& Music | 18,015 |
| Magazines | 3,501 |
| Inter-Library Loan | 1,497 |
| E-Books Downloads | 18,363 |
| Audiobook Downloads | 10,331 |
|  |  |
| Staff Assistance | 77,842 |
| Research Questions | 38,052 |
| Directional Questions | 26,751 |
| Technology Questions | 13,039 |


| Programs | \#Events | \#Participants |
| :--- | ---: | ---: |
| Adult | 873 | 5,515 |
| Young Adult | 109 | 1,015 |
| Children | 395 | 10,050 |
|  |  |  |
| Revenues | $\$ 439,012$ |  |
| PPLC Cooperative funds | $\$ 371,796$ |  |
| Fines and Fees | $\$ 30,186$ |  |
| Copy Machine Fees | $\$ 23,368$ |  |
| Taxable Sales | $\$ 10,452$ |  |
| Gift Funds | $\$ 3,310$ |  |

This page is left blank intentionally

