

AGENDA – Regular Public Meeting

3:00 p.m.

Pinellas County

Board of County Commissioners (BCC)

December 16, 2008

INVOCATION

PLEDGE OF ALLEGIANCE to the Flag of the United States of America

PRESENTATIONS and AWARDS

A. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

- 1. Approval of Minutes of the Regular Meetings of October 21, 2008 and November 4, 2008**
- 2. Reports:**
 - a. State of Florida Constitutional Officer Financial Report for 2007-2008 – Pinellas County Clerk of the Circuit**
 - b. State of Florida Constitutional Officer Financial Report for 2007-2008 – Pinellas County Tax Collector**
 - c. Internal Audit Division, Clerk of the Circuit Court, Report No. 2008-13 Dated November 19, 2008 – Audit of Airco Golf Operations, Together with the Audit Watch**
 - d. Florida Department of Transportation (FDOT) Permit Application Signature Update Dated November 4, 2008, Pursuant to Pinellas County Resolution No. 94-52**
 - e. Tampa Bay Water Fiscal Year (FY) 2009 Annual Budget**
 - f. Pinellas County License Board for Children’s Centers and Family Day Care Homes Resolution No. 08-03, Effective November 5, 2008, Amending the Budget for FY 2007-2008**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
 - a. City of Pinellas Park Notice of Public Hearings Regarding Ordinance Nos. 3657 and 3659 to be Held January 8, 2009, Annexing Certain Property**

4. b. **Eastlake Oaks Community Development District Minutes of the Meeting Held August 14, 2008**
- c. **Public Official Bonds for Pinellas Suncoast Fire & Rescue District Commissioners John J. Todia, Daniel R. Madura, and Linda Snook**

COUNTY ADMINISTRATOR

Public Works

5. **Approval of a Joint Project Agreement with Peoples Gas System for Utility Installation by Roadway Contractor for Park Street/Starkey Road from Tyrone Boulevard to 84th Lane North**

Other Departments

6. **Approval of the Receipt and File Report of Items Delegated to the County Administrator for Approval (County Administrator)**
7. **Adoption of a Resolution Accepting the Donation of Electrocardiogram Monitors from the City of Largo, Fire Rescue Department (Emergency Medical Services (EMS) and Fire Administration)**
8. **Approval of Contracts for Law Enforcement Services with the Cities of: (Justice and Consumer Services)**
 - a. **Madeira Beach**
 - b. **Seminole**
9. **Approval of FY 2008 Budget Amendment No. 20 (Management and Budget)**
10. **Approval of a Contract for Sale and Purchase of Real Property with Claudia Burgess for the Starkey Road Project from Bryan Dairy Road to Ulmerton Road (Real Estate Management/Public Works)**

AUTHORITIES, BOARDS, AND COUNCILS

HOUSING FINANCE AUTHORITY

11. Approval of the Pinellas Community Housing Trust Fund Quarterly Report

B. REGULAR AGENDA

12. Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court)

COUNTY ADMINISTRATOR

Public Works

13. Approval of Authority to Advertise a Public Hearing for a Proposed Traffic Flow Change on Henry Lane from Crystal Beach Avenue to Ohio Avenue
14. Adoption of a Resolution Authorizing Approval of a Transportation Regional Incentive Program Agreement with FDOT for Advanced Traffic Management System/Intelligent Transportation System Improvements Along Curlew Road (State Road 586) from Alternate U.S. 19 to Tampa Road (State Road 584)
15. Approval of Agreements with Eight Firms for Construction Engineering and Inspection Professional Engineering Services

Other Departments

16. Approval of a Contract with the State of Florida, Department of Health for Operation of the Pinellas County Health Department Contract Year 2008-2009, Retroactive to October 1, 2008 (Health and Human Services)
17. Approval of a Contract for Sale and Purchase with William C. Moore for Panama Key Island in Shell Key Preserve (Real Estate Management/Environmental Management)
18. Adoption of a Resolution Determining the Necessity to Construct Roadway and Drainage Improvements to Bryan Dairy Road from Starkey Road to 72nd Street North, and Directing the Condemnation of the Necessary Properties and Property Rights for Construction (Real Estate Management/Public Works)

19. **Approval to Declare a Portion of County-Owned Right-of-Way Property Surplus and Adoption of a Resolution Authorizing the Exchange of Property, Exchange Agreement with Circle K Stores Inc., and County Deed (Real Estate Management/Public Works)**
20. **Approval of Amendment No. 1 to the Design/Build Agreement with Hennessy Construction Services Corp. for the Public Works Emergency Responders Buildings – Phase 2 (Real Estate Management/Public Works) (Continued from the December 2, 2008, BCC Meeting)**
21. **Other Administrative Matters**

COUNTY ATTORNEY

22. **Approval of Authority for the County Attorney to Defend the Cases of:**
 - a. **EverBank v. William Roski, et al - Circuit Civil Case No. 08-17104-CI-021 - Mortgage Foreclosure Involving a Community Development Block Grant Mortgage**
 - b. **First Horizon Home Loans v. Conroy A. Calvert et al - Circuit Civil Case No. 08-16555-CI-20 - Mortgage Foreclosure Involving a Subordinate Mortgage**
 - c. **Mark Roesch v. Robert Binder, Rent to Own Leasing Co. Inc., John Lloyd, Stephen King and Lou Katz and Ken Burke, Clerk of Court, Pinellas County, Florida - Circuit Civil Case No. 08-016741-CI-020 – Tax Deed Sale**
 - d. **Sandra Lee Snyder and Pinellas Grove's Hamlet Citizens Committee v. BCC – Division of Administrative Hearings Case No. 08-5834GM – Administrative Hearing (Bayside Affordable Housing Project)**
23. **Approval of Authority for the County Attorney to Initiate Litigation in the Case of Pinellas County v. Richard J. Bergeron and Jenny Bergeron – Encroachment upon County Property**
24. **Approval of a Second Amendment to Prescription Service Agreement with Walgreens Health Initiatives, Inc.**

25. Approval of Authority to File a Petition for Writ of Certiorari Against the City of St. Petersburg Appealing the Municipal Annexation in St. Petersburg Ordinance No. 867-G and the Adoption of a Resolution Initiating the Chapter 164 Conflict Resolution Procedure Regarding the City of St. Petersburg's Annexation of Parcels of Property on Tierra Verde in St. Petersburg, St. Petersburg Ordinance No. 867-G
26. Approval of a Settlement and Release with the Willis Group Holdings Limited - Pinellas County's Participation in Attorney General's Settlement of Insurance Commission Matter
27. Approval of Authority to Reject the Settlement Offered in the Case of James R. Cordell, Jr. and Kim L. Kaszuba v. Pinellas County - Circuit Civil Case No. 08-9079-CI-021 – Right-of-Way Access Dispute
28. Miscellaneous

C. AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY (CPA)

29. Approval of Authority to Advertise Two Public Hearings on a Proposed Countywide Rule Amendment to Establish a Resource Management Overlay Map Category

EMERGENCY MEDICAL SERVICES (EMS) AUTHORITY

30. Adoption of a Resolution Waiving the Pinellas County Purchasing Ordinance for Extension of the Contract with Paramedics Plus, LLC for Ambulance Services

HOUSING FINANCE AUTHORITY (HFA)

31. Approval of a Reappointment to the HFA

D. COUNTY ADMINISTRATOR REPORTS

32. None

E. COUNTY COMMISSION

- 33. Approval of Individual Commissioner Appointments**
- 34. Approval of Appointments of the BCC as-a-Whole**
- 35. Miscellaneous**

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PLEASE SEE NEXT PAGE FOR EVENING PORTION OF THE REGULAR PUBLIC MEETING AGENDA (PUBLIC HEARINGS AND CITIZENS TO BE HEARD).

6:30 P.M.

F. SCHEDULED PUBLIC HEARINGS

Any Person Wishing to Speak about a Public Hearing Item Shall Complete a Blue Card and Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room. The Procedure Used by the BCC in Conducting Public Hearings is to Have a Staff Presentation Followed by the Applicant Presenting the Specific Proposal. The BCC Will Then Hear Comments from the Proponents Followed by Comments from the Opponents and a Staff Summary. The Applicant Will Then be Given an Opportunity to Close and the BCC Will Decide on the Matter. Please Refer to the Back of Your Agenda Copy for More Details on Guidelines for Time Limitations and Opportunities to Speak.

1. Any Person Who Has Been Authorized to Represent an Organization with Five (5) or More Members or a Group of Five (5) or More Persons Shall Complete a Blue Card, Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room, and Should Limit Their Presentation to Ten (10) Minutes. It is Expected that Others in the Organization or Group Will Waive Their Time.
2. Any Other Person Who Wishes to Speak about a Public Hearing Item Shall Complete a Blue Card, Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room, and May Speak up to Three (3) Minutes. The Chair Will Call Each Speaker, One by One, to the Podium to be Heard.

SCHEDULED PUBLIC HEARINGS – BCC

36. Petition to Vacate Submitted by Pinellas County Abandoning a Portion of Public-Right-of-Way on Keystone Road
37. Proposed Ordinance Amending the Pinellas County Comprehensive Plan Regarding Updates to the Capital Improvements Element
38. Proposed Ordinance Amending Section 134 of the Pinellas County Land Development Code Regarding Concurrency Test Statement (Companion Item No. 39)
39. Proposed Ordinance Amending Section 134 of the Pinellas County Land Development Code Regarding Concurrency Management (Companion Item No. 38)

CPA PUBLIC HEARINGS

Consideration of the Following Proposals to Amend the Adopted Countywide Future Land Use Plan:

40. **REGULAR AMENDMENT** - Case CW 08-41 – Town of Kenneth City
1.5 Acres More or Less Northwest of the Intersection of 62nd Street North and 54th Avenue North; Amendment from Residential/Office General to Commercial General (Continued from the November 4, 2008, CPA Meeting)
41. Proposed Amendments to the Countywide Plan Rules Regarding Development Agreements (Second Public Hearing)

G. **CITIZENS TO BE HEARD**

Any Person Wishing to Speak at This Time, Excluding Non-Public Hearing Items on the Agenda or Issues Previously Acted on by the BCC, Must Have a Yellow Card Completed and Given to the Board Secretary at the Staff Table Located at the Front of the Board Room. The Chair Will Call Each Speaker, One by One, to the Podium to be Heard. Each Speaker May Speak up to Three (3) Minutes.

ADJOURNMENT

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Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they 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.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 S. FT. HARRISON AVE., SUITE 500, CLEARWATER, FL 33756. (727) 464-4062 (V/TDDO).

PUBLIC HEARING PROCEDURES

Public Hearings before the BCC are governed by the provisions of Section 134-14 of the Pinellas County Land Development Code. That code provides that at the conclusion of each person's presentation, any speaker may seek the Chair's permission to ask questions of staff. Specifically:

1. At the conclusion of the presentations by the applicant and any proponents, all affected parties may seek the Chair's permission to ask questions of or seek clarification from the applicant and/or the proponents.
2. At the conclusion of the presentation by the opponents, all affected parties may seek the Chair's permission to ask questions of or seek clarification from any opponent.

The applicant's closing comments will address testimony subsequent to their presentation. Continuing rebuttal of other than directly preceding testimony will not be allowed.

Because much testimony has already been submitted in writing, the following guidelines are expected to be sufficient to accommodate efficient presentations:

1. The applicant should present his or her entire case in twenty (20) minutes.