

**9:00 a.m. – Swearing-In Ceremony for Constitutional Officers**

**AGENDA – Regular Public Meeting**

**Pinellas County**

**Board of County Commissioners (BCC)**

**9:30 a.m.**

**January 6, 2009**

**INVOCATION**

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

**PRESENTATIONS and AWARDS**

**A. 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 Chairman Will Call Each Speaker, One by One, to the Podium to be Heard.**

**SCHEDULED PUBLIC HEARINGS – BCC**

- 1. Petition to Vacate Submitted by Providence Storage, LLC for a Portion of a 15-Foot Alley Lying Between Lots 4 and 9, Block 6, in the Wall Springs Subdivision**

**SCHEDULED BCC PUBLIC HEARINGS – CONTINUED**

2. **Water and Navigation Commercial Dock Application CD39436-08 Submitted by Pinellas Marina LLC, 343 and 345 Causeway Boulevard, St. Joseph Sound, Dunedin**

**COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS**

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

3. **Proposed Countywide Rule Amendment Establishing a Resource Management Overlay Map Category (First Public Hearing)**

**SUBTHRESHOLD AMENDMENTS**

4.
  - a. **Case CW 08-42 – Pinellas County  
0.2 Acre More or Less (MOL) Located at the Northwest Corner of Ulelah Avenue and U.S. Alternate Highway 19; Amendment from Residential/Office General to Residential/Office/Retail**
  - b. **Case CW 08-43 – Pinellas County  
0.6 Acre MOL Located at the Northeast Corner of 104<sup>th</sup> Avenue North and Seminole Boulevard; Amendment from Commercial General and Residential Urban to Commercial General**
  - c. **Case CW 08-47 – Pinellas County  
0.3 Acre MOL Located on the North Side of Gooden Crossing, East of its Intersection with 13<sup>th</sup> Lane Southwest; Amendment from Commercial Neighborhood to Residential Low**

**REGULAR AMENDMENTS**

5.
  - a. **Case CW 08-44 – Pinellas County  
3.7 Acres MOL Located on the East Side of Seminole Boulevard between Grove Terrace and Valencia Terrace; Amendment from Residential Urban to Residential Low Medium**
  - b. **Case CW 08-45 – Pinellas County  
5.6 Acres MOL Located on the North Side of Park Boulevard, 650 Feet West of 66<sup>th</sup> Street North; Amendment from Residential Urban, Commercial General, and Preservation to Commercial General and Preservation**

**CPA PUBLIC HEARINGS – CONTINUED**

- 5. c. Case CW 08-46 – Pinellas County  
1.5 Acres MOL Located on the East and West Sides of 63<sup>rd</sup> Street North, Approximately 250 Feet North of 150<sup>th</sup> Avenue North; Amendment from Residential Urban to Industrial Limited
- d. Case CW 01-13/CW 06-44 (SAP Change No. 3-2008) – City of Largo  
18.1 Acres MOL at Three Separate Areas on the West Side of Clearwater-Largo Road, South of Belleair Road and North of 16<sup>th</sup> Avenue Northwest; Amendment from Residential Urban, Residential Low Medium, and Residential/Office/Retail to Community Redevelopment District

**B. 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.**

**C. CONSENT AGENDA**

**CLERK OF THE CIRCUIT COURT**

- 6. Approval of Minutes of the Regular Meeting of November 18, 2008
- 7. Reports:
  - a. State of Florida Constitutional Officer Financial Report for 2007-2008 – Pinellas County Supervisor of Elections
  - b. State of Florida Constitutional Officer Financial Report for 2007-2008 – Pinellas County Sheriff's Office
  - c. Internal Audit Division, Clerk of the Circuit Court, Report No. 2008-15 Dated December 4, 2008 – Audit of Operations and Maintenance of County Traffic Signals

7. d. Palm Harbor Community Services Agency, Inc. 2007-2008 Fiscal Year (FY) Annual Report
- e. Dock Fee Report for the Month of November 2008
- f. Penny for Pinellas Interlocal Agreement – Annual Filing of Capital Improvement Plans for FY 2005-2006 and for FY 2006-2007 in Accordance with Section 1 of the Interlocal Agreement between Pinellas County and the Cities for the Penny Distribution
8. Vouchers and Bills Paid
9. Miscellaneous Items to be Received for Filing:
  - a. Correspondence from Pinellas County Sheriff Jim Coats Regarding the Return of \$7,508,630.61 in Excess Revenues Over Expenditures for FY 2007-2008; and Requesting an Amendment to the FY 2008-2009 Budget in the Amount of \$2,321,650.00
  - b. City of St. Petersburg Ordinance No. 867-G Adopted November 21, 2008, Annexing Certain Property in Tierra Verde
  - c. City of Pinellas Park Notice of Public Hearing Regarding Ordinance No. 3660 to be Held January 8, 2009, Annexing Certain Property
  - d. City of Safety Harbor Ordinance No. 2008-23 Adopted December 1, 2008, Annexing Certain Property
  - e. City of Tarpon Springs Resolution No. 2008-55 Adopted November 4, 2008, Opposing any Change in Municipalities' Rate Setting Authority Under Section 180.191
  - f. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 1 Dated October 16, 2008, and Financial Statement for the Month of October 2008

**COUNTY ADMINISTRATOR**

**Airport**

10. Approval of a Sixth Amendment to Agreement with Renewal Options with Stellar Partners, Inc. for Gift Shop/Newsstand/Retail and Duty Free Concessions

**Public Works**

11. **Approval of Joint Project Agreements with the City of St. Petersburg for Utility Installation by Roadway Contractor for:**
  - a. **Park Street/Starkey Road between Tyrone Boulevard and 84<sup>th</sup> Lane North**
  - b. **54<sup>th</sup> Avenue North/28<sup>th</sup> Street North Intersection Improvements**

**Utilities**

12. **Approval of an Award of Bid to:**
  - a. **T.L.C. Diversified, Inc. for South Cross Bayou Water Reclamation Facility Phase 1 Upgrades**
  - b. **Various Contractors for Pumps, Parts and Repairs (Co-Op) (Rebid)**

**Other Departments**

13. **Approval of the Receipt and File Annual Progress Report with the Community Housing Work Group 2.0 for Regulatory Incentives for Affordable Housing (Community Development)**
14. **Approval of Amendment No. 1 to Agreement with Florida Fish and Wildlife Conservation Commission for Belleair Boat Ramp Construction Project (Culture, Education and Leisure)**
15. **Approval of the Second Amendment to Agreement with Southwest Florida Water Management District for Long Bayou/Lake Seminole Bypass Canal Regional Stormwater Treatment Facility (Environmental Management)**
16. **Approval of a Purchase Authorization with Various Vendors for Vehicles and Equipment (Fleet Management)**
17. **Approval of FY 2008 Budget Amendment No. 21 (Management and Budget)**
18. **Adoption of a Resolution Appropriating Unanticipated Fund Balance in the FY 2009 General Fund Budget for the Culture, Education, and Leisure, Cultural Affairs Department (Management and Budget)**

19. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2009 General Fund Budget for Unanticipated Grant Revenue to the Sheriff (Management and Budget)
20. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2009 General Fund for Unanticipated Fund Balance from Prior Year Grants and Contract Revenues to the Sheriff (Management and Budget)

**D. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Public Works**

22. Approval of Amendment No. 1 to the Agreement for Professional Consulting Services with Vanasse Hangen Brustlin, Inc. for Environmental Planting, Maintenance, and Monitoring Services for Mitigation of the East/West Connector Road, Phase I and II
23. Approval of Amendment No. 2 to the Agreement for Consultant Services with HDR Engineering, Inc. for Belleair Causeway Bridge Replacements

**Other Departments**

24. Adoption of a Resolution Approving A8110443476 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program (Economic Development)
25. Adoption of a Resolution Waiving the Provisions of the Pinellas County Purchasing Ordinance Allowing Staff to Negotiate for Medical Services (Health and Human Services)
26. Approval of an Agreement with Buck Consultants, LLC for Benefits Consulting Services (Health and Human Services)

27. **Approval to Declare a Portion of Three County-Owned Parcels Surplus and Adoption of a Resolution Authorizing Conveyance of the Parcels to the Housing Finance Authority in Support of the County's Community Housing Program (Real Estate Management/Public Works/Community Development)**
28. **Other Administrative Matters**

**COUNTY ATTORNEY**

29. **Approval of Authority for the County Attorney to Defend the Cases of:**
  - a. **American General Home Equity, Inc. v. Timothy Michael Roberts, et al - Circuit Civil Case No. 08-016926-CI-08 - Mortgage Foreclosure Involving an Open-End Mortgage**
  - b. **Deutsche Bank National Trust Company, as Trustee, in Trust for the Registered Holders of Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2005-W3 v. Carol G. Neal, et al Circuit Civil Case No. 08-17237-CI-15 - Mortgage Foreclosure Involving a Subordinate Mortgage**
  - c. **Jonathan Kaminski and Julie Kaminski, His Wife v. City of St. Petersburg, Florida and Pinellas County, Florida – Circuit Civil Case No. 08-017513-CI-019 – Allegations of Negligence Resulting in Personal Injuries**
  - d. **State of Florida, Ex. Rel. Mathew S. Poling v. Pinellas County - Circuit Civil Case No. 08-019023C-07 – Declaratory and Injunctive Relief Regarding the Brooker Creek Preserve**
30. **Approval of Authority for the County Attorney to Submit a Claim on Behalf of a Class Member to Recover a Portion of a Cost Incurred by Pinellas County in the AWP Third-Party Payor Antitrust Litigation – U.S. District Court Case No. 01-CV-12257 PBS, MDL No. 1456 – Class Action Settlement**
31. **Approval of Consent to Engage in Dual Legal Representation for Foley & Lardner LLP**
32. **Miscellaneous**

**E. AUTHORITIES, BOARDS, AND COUNCILS**

**CPA**

- 33. Approval of Authority to Advertise Public Hearings Relating to Proposed Countywide Rule Amendments Regarding Consistency**

**F. COUNTY ADMINISTRATOR REPORTS**

- 34. None**

**G. COUNTY COMMISSION**

- 35. Approval of an Appointment to the WorkNet Board of Directors**
- 36. Approval of an Appointment to the Youth Advisory Committee**
- 37. Approval of Appointments to the Board of Adjustments**
- 38. Miscellaneous**

**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.