

**AGENDA – Regular Public Meeting**

**3:00 p.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**February 17, 2009**

**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 Meeting of January 20, 2009**
- 2. Reports:**
  - a. Internal Audit Division, Clerk of the Circuit Court, Hotline Investigative Study of Overtime Payments Dated January 27, 2009**
  - b. Pinellas Planning Council Comprehensive Annual Financial Report for Year Ended September 30, 2008**
  - c. Southwest Florida Water Management District Fiscal Year (FY) 2009 Budget in Brief**
  - d. Pinellas County License Board for Children's Centers and Family Day Care Homes Resolution No. 08-04, Effective November 5, 2008, Amending the Budget for FY 2008-2009**
  - e. Foreign Trade Zone 193 Annual Report for the Period October 1, 2007 - September 30, 2008**
- 3. Vouchers and Bills Paid – None**
- 4. Miscellaneous Items to be Received for Filing:**
  - a. City of Clearwater Ordinance No. 8014-09 Adopted January 15, 2009, Amending the Clearwater Downtown Redevelopment Plan**
  - b. City of Largo Notice of Public Hearings Regarding Ordinance Nos. 2009-12 and 2009-13 Held February 3, 2009, Annexing Certain Property**

4. c. St. Petersburg Notice of Final Public Hearing Held on December 18, 2008, Regarding Westminster Heights Neighborhood Plan
- d. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 3 Dated December 18, 2008, and Financial Statement for the Month of December 2008

**COUNTY ADMINISTRATOR**

**Public Works**

5. Approval of an Award of Bid to Pepper Contracting Services, Inc. for 2009-2010 Countywide Americans with Disabilities Act Sidewalk, Drainage and Roadway Improvements
6. Approval of Local Agency Program Supplemental Agreement No. 2 with the Florida Department of Transportation for the Belcher Road Advanced Traffic Management System/Intelligent Transportation System Project

**Other Departments**

7. Approval of the Receipt and File Report of Non-Procurement Items Delegated to the County Administrator (County Administrator)
8. Approval of an Award of Bid to Wharton-Smith, Inc. for Lake Tarpon Alum Injection (Environmental Management)
9. Approval of FY 2009 Budget Amendment No. 4 (Management and Budget) (Companion Item Nos. 10a and 10b)
10. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2009: (Management and Budget)
  - a. General Fund Budget for General Government (Companion Item Nos. 9 and 10b)
  - b. Business Technology Services Fund for BCC Technology Projects (Companion Item Nos. 9 and 10a)
  - c. Palm Harbor Recreation and Library Fund Budget for Various Grants to the Palm Harbor Library

10. d. General Fund Budget for the Human Resources Department for Unanticipated Grants, Donations, and Sponsorship Funding for the Colors of Pinellas Employee Art Show
- e. General Fund Budget for Indigent Health Care Program
- f. Capital Projects Fund Budget for State of Florida Funding of Honeymoon Island Beach Restoration Project

**AUTHORITIES, BOARDS, COUNCILS**

**HOUSING FINANCE AUTHORITY**

11. Approval of FY 2007-2008 Annual Report Regarding the Pinellas Community Housing Trust Fund

**B. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Other Departments**

13. Approval of Authority for the County Administrator, or His/Her Designee, to Approve and Execute Partial Releases of Mortgage Liens for Affordable Housing Development Programs (Community Development)
14. Approval of an Amendment to the Economic Development Grant Funding Agreement with Jabil Circuit, Inc. (Economic Development)
15. Approval of a Community Home Care Medical Services Agreement with BayCare Home Care, Inc. for Health Care Services (Health and Human Services)
16. Adoption of a Resolution Amending the Downtown Clearwater Redevelopment Plan (Planning)
17. Approval of Authority to Advertise a Public Hearing on the Proposed Updated Safety Harbor Downtown Master Plan (Planning)
18. Other Administrative Matters

**COUNTY ATTORNEY**

**19. Approval of Authority for the County Attorney to Defend the Cases of:**

- a. Florida Bank, f/k/a Bank of St. Petersburg, v. Powell Home Solutions, Inc., et al - Circuit Civil Case No. 09-000640-CI-195 - Mortgage Foreclosure Involving a Notice of Lien for Delinquent Utilities
- b. U.S. Bank, N.A. v. Noel J. Braithwaite, et al - Circuit Civil Case No. 09-001085-CI-07 - Mortgage Foreclosure Involving a Making Pinellas Home Mortgage
- c. Wells Fargo Bank, N.A., as Trustee for Option One Mortgage Loan Trust 2007-1 Asset-Backed Certificates, Series 2007-1 v. Victor Anglero, Jr., et al - Circuit Civil Case No. 09-521-CI-15 - Mortgage Foreclosure Involving a Home Investments Partnership Program Mortgage

**20. Approval of a Revised Exhibit “A” to Special Counsel Contract with de la Parte & Gilbert**

**21. Miscellaneous**

**C. AUTHORITIES, BOARDS, AND COUNCILS**

**EMS AUTHORITY**

**22. Approval of the Termination of the 2007 Advanced Life Support First Responder Agreements with Nineteen Contractors**

**D. COUNTY ADMINISTRATOR REPORTS**

**23. None**

**E. COUNTY COMMISSION**

**24. Approval of Appointments to the Local Planning Agency Board**

**25. Miscellaneous**

**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**

26. Petition to Vacate Submitted by Tommy Nikolaidis for a Portion of a Drainage Easement on Lot 67, Franklin Square East Subdivision (Quasi-Judicial Hearing)
27. Proposed Ordinance Amending Chapter 134 of the Pinellas County Code Related to General and Administrative Provisions
28. Proposed Ordinance Amending Chapter 138 of the Pinellas County Code Related to Zoning Provisions

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

29. Proposed Ordinance Amending the Countywide Rule Regarding Consistency (Second Public Hearing)

**CPA PUBLIC HEARINGS – CONTINUED**

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

30. **SUBTHRESHOLD AMENDMENT** – Case CW 09-01 – City of St. Pete Beach  
1301 and 1307 Gulf Way; Amendment from Residential Low Medium to Residential High with Resort Facilities Overlay

**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.