

AGENDA – Regular Public Meeting

3:00 p.m.

**Pinellas County
Board of County Commissioners (BCC)
March 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 February 17, 2009**
- 2. Report - Pinellas County Quarterly Donation Listing of \$500 and Greater for the Period October 1 through December 31, 2008**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
 - a. City of Clearwater Public Hearing Notice of Annexation, Land Use Plan and Zoning Atlas Amendments Regarding Ordinances Nos. 7937-08 through 7939-08 Held March 5, 2009**
 - b. City of Largo Amended Notice of Public Hearing for Ordinances Nos. 2009-12 and 2009-13 Held March 3, 2009, Annexing Certain Property**
 - c. City of Pinellas Park Notices of Public Hearing Regarding Ordinances Nos. 3674 and 3676 Held March 12, 2009, Voluntarily Annexing Certain Property**
 - d. City of South Pasadena Resolution No. 2009-03 Adopted February 10, 2009, Supporting an Amendment to the Florida Constitution Requiring the Florida Legislature to Operate Under the Florida Government in the Sunshine Law**

COUNTY ADMINISTRATOR

Public Works

5. **Approval of an Award of Bid for Asphalt – SI and SIII, Pick-Up Only (Co-Op) with Suncoast Paving, Inc. for North County Requirements and R.E. Purcell Construction Co., Inc. for Mid and South County Requirements**

Utilities

6. **Approval of an Award of Bid to Various Vendors for Backflow Prevention Devices and Assemblies**

Other Departments

7. **Approval of the Receipt and File Report of Non-Procurement Items Delegated to the County Administrator for Approval (County Administrator)**
8. **Approval of Fiscal Year (FY) 2009 Budget Amendment No. 5 (Management and Budget)**
9. **Approval of an Award of Bid to Air Mechanical & Service Corp. for South County Service Center Re-Roof and Replace Roof Top Units 1, 2, 3, 4, 5 and Chiller (Real Estate Management)**
10. **Approval of Acceptance of a Warranty Deed and Adoption of a Resolution Dedicating County-Owned Property as Public Right-of-Way (Real Estate Management/Building Development Review Services)**
11. **Approval to Declare Surplus and Authorize the Sale of Miscellaneous County-Owned Equipment (Real Estate Management/Fleet Management)**
12. **Approval of the Second Amendment to Lease Agreement with Zambito Enterprises, Inc. for Release of County Leasehold Property at the Starkey Lakes Mid-County Tax Collector's Office (Real Estate Management/Tax Collector)**

AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY

13. Approval of the Pinellas County Composite Annexation Report for FYs 2000/01 through 2007/08
14. Approval of a Minor Plan Change to the Clearwater Downtown Redevelopment Plan

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

16. Approval of Change Order No. 2 with Ajax Building Corporation for Terminal Improvement Project, Phase 1

Other Departments

17. Approval of a Modification to the Convention and Visitors Bureau Marketing and Advertising Plan and Approval of the First Amendment to Contract with Birdsall, Voss & Associates, Inc. for Advertising and Promotional Services (Convention & Visitors Bureau)
18. Approval of Amendment No. 1 to the Pinellas County Health Care Services Plan Interlocal Agreement with the State of Florida, Department of Health for Health Care Services, Retroactive to October 1, 2008 (Health and Human Services)
19. Approval of an Interlocal Agreement with the Pinellas County Health Department for Relocation Property (Health and Human Services)
20. Approval of Amendment No. 1 to the Contract for Medical Examiner Services with Jon R. Thogmartin, M.D., P.A. for Janitorial Services at the Forensic Laboratory (Justice and Consumer Services)

- 21. Adoption of a Resolution Authorizing an Exchange Agreement and County Deed with Stanley W. Cole, Jr. and Ellen Jean Cole for the Keystone Road Project from U.S. 19 to East Lake Road (Real Estate Management/Public Works)**
- 22. Other Administrative Matters**

COUNTY ATTORNEY

- 23. Approval of Authority for the County Attorney to Defend the Cases of:**
 - a. Central Mortgage Company v. Gina M. Cappola, et al - Circuit Civil Case No. 09-002637-CI-13 - Mortgage Foreclosure Involving Code Enforcement Liens**
 - b. Deutsche Bank Trust Company Americas as Trustee for Rali 2007QS3 v. Tinna Losch, et al - Circuit Civil Case No. 09-003037-CI-11 - Mortgage Foreclosure Involving a Tax Lien**
 - c. Taylor, Bean & Whitaker Mortgage Corp. v. Dollie V. Wilkins, et al - Circuit Civil Case No. 09-2492-CI-19 - Mortgage Foreclosure Involving a Community Development Mortgage**
 - d. Taylor, Bean & Whitaker Mortgage Corp., v. Robins Woods, et al - Circuit Civil Case No. 09-0033431-CI-15 - Mortgage Foreclosure Involving a Judgment Lien**
 - e. The Bank of New York Mellon Trust Company v. Khamkeung Vongsyprasom - Circuit Civil Case No. 09-002456-CI-19 - Mortgage Foreclosure Involving a Tax Lien**
 - f. William Walkup v. Pinellas County BCC - Circuit Civil Case No. 08-8088-CI-021 Allegations of Breach to Short Term Disability Plan**
- 24. Approval of a Contract for Legal Services with Miller & Van Eaton, P.L.L.C.**
- 25. Approval of a Recommended Settlement in Fernando Delaespriella v. Pinellas County Government – Workers’ Compensation**
- 26. Miscellaneous**

C. AUTHORITIES, BOARDS, AND COUNCILS

EMERGENCY MEDICAL SERVICES (EMS) AUTHORITY

- 27. Approval of an Appointment to the EMS Medical Control Board**

D. COUNTY ADMINISTRATOR REPORTS

- 28. None**

E. COUNTY COMMISSION

- 29. Approval of Appointments to the Suncoast Health Council**

- 30. 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.

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

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

31. **SUBTHRESHOLD AMENDMENT – Case CW 09-03 – City of Tarpon Springs**
332 Anclote Road; Amendment from Industrial Limited and Commercial Neighborhood to Industrial General
32. **REGULAR AMENDMENT – Case CW 09-02 – Pinellas County**
2625 County Road 95; Amendment from Residential Low to Residential Urban

SCHEDULED PUBLIC HEARINGS – BCC

- 33. Petition to Vacate Submitted by James P. Richards, Jr. and Patrick G. Bradley for a Portion of a Utility Easement Located on Lot 12, Block G, in the Brooklawn Subdivision (Quasi-Judicial Hearing) (Continued from the March 3, 2009, BCC Meeting)**
- 34. Water and Navigation Dredge and Fill Application DF1991-08 Submitted by the City of St. Petersburg, Channel “L”, Coffee Pot Bayou Exit Channel, Tampa Bay, St. Petersburg (Continued from the March 3, 2009, BCC Meeting; Staff Recommendation to Continue Item to the May 19, 2009, BCC Meeting)**
- 35. Proposed Resolution Approving the Updated Safety Harbor Downtown Redevelopment Plan**
- 36. Proposed Ordinance Amending Chapter 82 of the Pinellas County Code Relating to Reclaimed Water**
- 37. Proposed Ordinance Amending the Housing Element; the Natural Resource Conservation and Management Element; the Potable Water Supply, Wastewater and Reuse Element; and the Public School Facilities Element of the Pinellas County Comprehensive Plan (Comp Plan) (Final Hearing)**
- 38. Proposed Ordinance Adopting the Goals, Objectives and Policies of the Economic Element of the Comp Plan (Final Hearing)**
- 39. Proposed Ordinance Amending the Transportation Element and Concurrency Management System Section of the Pinellas County Comp Plan (Final Hearing)**
- 40. Proposed Ordinance Amending the Preservation Resource Management and Preservation Categories, and Providing for the Creation of Two Resource Management Overlay Categories, in the Future Land Use Map Category Descriptions and Rules of the Future Land Use and Quality Communities Element of the Comp Plan (Final Hearing)**
- 41. Proposed Ordinance Amending Chapter 138, the Zoning Provisions of the Pinellas County Land Development Code Relating to the PC, Preservation/Conservation District, and the P-RM, Preservation-Resource Management District (Final Hearing)**

42. **Proposed Ordinance Amending Chapter 170 of the Pinellas County Land Development Code (Final Hearing)**

43. **LU-6-09-08**

Proposed Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of Several Parcels of Land Totaling Approximately 16.4 Acres Located within the Brooker Creek Preserve, from Residential Rural, Residential Low, No Designation, and Recreation/Open Space to Preservation and Preservation-Resource Management (Final Hearing)

44. **LU-7-09-08**

Proposed Ordinance Amending the Future Land Use Map by Application of the Resource Management Overlay 1 (RMO-1) to Approximately 1722 Acres of Land within the Brooker Creek Preserve; and Application of the Resource Management Overlay 2 (RMO-2) to Approximately 894 Acres of Land within the Brooker Creek Preserve (Final Hearing)

45. **Q Z/LU-8-09-08**

Proposed Resolution Changing the Zoning Classification of Approximately 715 Acres Generally Described as Having the Pasco County Line to the North, the Hillsborough County Line to the East, and Approximately 2600 Feet North of the Intersection of Old Keystone Road and Keystone Road; from A-E(W), Agricultural Estate with the Wellhead Protection Overlay; to P-RM(W), Preservation Resource–Management with the Wellhead Protection Overlay; upon Application of the Pinellas County Planning Director; and an Ordinance Amending the Future Land Use Map by Changing the Land Use Designation of Several Parcels of Land Totaling Approximately 878 Acres Located within and Adjacent to the Brooker Creek Preserve; Generally South of the Pasco County Line, West of the Hillsborough County Line, and Generally North of Old Keystone Road and Keystone Road, from Residential Rural and Transportation/Utility to Preservation Resource Management with the Resource Management Overlay 1 (RMO-1), Preservation Resource Management with the Transportation Utility Overlay, and Recreation/Open Space (Final 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.