

**AGENDA – Regular Public Meeting**

**9:30 a.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**April 7, 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.**

**THERE ARE NO SCHEDULED PUBLIC HEARINGS**

**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**

- 1. Approval of Minutes of the Regular Meeting of March 3, 2009**
- 2. Reports:**
  - a. Internal Audit Division, Clerk of the Circuit Court, Report No. 2009-01 Dated March 5, 2009 – Follow-Up Audit of Building Permits**
  - b. Report of Expenses Incurred Under Incentives, Awards, and Recruitment Ordinance for the Quarter Ended September 30, 2008**
  - c. Pinellas County Metropolitan Planning Organization Annual Financial Reports for the Fiscal Years (FYs) Ended September 30, 2007 and 2008**
  - d. Juvenile Welfare Board Annual Local Government Financial Report and Audited Financial Statements for FY 2007-2008**
  - e. Tampa Bay Water Annual Local Government Financial Report and Audited Financial Statements for Years Ended September 30, 2008 and 2007 and the Tampa Bay Water 2008 Annual Report**
  - f. Dock Fee Report for the Month of February 2009**
- 3. Vouchers and Bills Paid**

**4. Miscellaneous Items to be Received for Filing:**

- a. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Zoning Atlas, and Community Development Code Amendments Regarding Ordinances Nos. 8023-09, 8024-09, 8026-09 and 8047-09 through 8049-09 Held April 2, 2009, and to be Held April 15 and May 7, 2009**
- b. City of Tarpon Springs Resolution No. 2009-04 Adopted February 17, 2009, Supporting the Retention of Egmont Key State Park by the Florida Park Service**
- c. Notification from Essilor of America Regarding the Closing of the Joe's Creek Processing Center Located at 4360 28<sup>th</sup> Street North, St. Petersburg, Pursuant to the Worker Adjustment and Retraining Notification (WARN) Act**
- d. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 4 Dated January 15, 2009, and Special Meeting Dated January 29, 2009**
- e. Pinellas Suncoast Fire & Rescue Resolutions Nos. 2009-01, 2009-02, and 2009-03 Adopted February 17, 2009, Amending the 2008/2009 Budget and Fixing the Rate of Non-Ad Valorem Assessments**

**COUNTY ADMINISTRATOR**

**Public Works**

- 5. Approval of an Award of Bid to Davis Concrete, Inc. for Concrete, Ready Mix and Batch Mix (Co-Op)**
- 6. Approval of the Ranking of Firms and Authority for Staff to Negotiate with Each of the Top Six Ranked Firms for Professional Engineering for Environmental and Geotechnical Services**
- 7. Approval of a Cooperative Funding Agreement with the Southwest Florida Water Management District and the City of Clearwater for Implementation of Best Management Practices in Allen's Creek Watershed, Magnolia Avenue and Sandra Drive Improvement Area**

Utilities

8. Approval of an Award of Bid to Suncoast Development of Pinellas County, Inc. for Water and Reclaimed Water Main Installation Annual Requirements for 2008/2009 Rebid

Other Departments

9. Approval of FY 2009 Budget Amendment No. 6 (Management and Budget)
10. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2009 General Fund Budget for Various Grants to the Sheriff's Office (Management and Budget)
11. Approval of an Award of Bid to Olympic Painting Contracting, Inc. for Interior Painting Services Countywide (Real Estate Management)
12. Approval to Submit a Florida Forever Grant Application to the Florida Communities Trust for Reimbursement of Purchased Environmentally Sensitive and Recreation Lands Acquired from the Wilde Trust and Located in the Brooker Creek Preserve Project Area (Real Estate Management/Environmental Management)

D. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

14. Approval of Amendment No. 1 to the Agreement for Professional Engineering Consulting Services with Reynolds, Smith and Hills, Inc. for 22<sup>nd</sup> Avenue South from 58<sup>th</sup> Street South to 34<sup>th</sup> Street South

Utilities

15. Approval of Supplemental No. 2 to the Local Agency Program Agreement with the State of Florida Department of Transportation (FDOT) for Gulf Boulevard (State Road 699) Resurfacing/Reconstruction Project from Park Boulevard to Walsingham Road

**Other Departments**

16. **Approval of a Reappointment to the Local Public Employee Relations Commission (County Administrator)**
17. **Approval of a Standard Contract with the Area Agency on Aging of Pasco-Pinellas, Inc. for Emergency Home Energy Assistance for the Elderly Program (Heath and Human Services)**
18. **Adoption of a Resolution Declaring a Portion of County-Owned Property Surplus and Authorizing Conveyance to the City of Oldsmar by County Deed (Real Estate Management)**
19. **Other Administrative Matters**

**COUNTY ATTORNEY**

20. **Approval of Authority for the County Attorney to Defend the Cases of:**
  - a. **Grow Financial Federal Credit Union, Formerly Known As MacDill Federal Credit Union, v. Tinna Losch and Angela Gross, et al - Circuit Civil Case No. 09-003607-CI-13 - Mortgage Foreclosure Involving a Tax Lien**
  - b. **U.S. Bank National Association, Ltd. v. David L. McDonald, et al - Circuit Civil Case No. 09-003477-CI-7 – Defense of Ken Burke in a Mortgage Foreclosure Involving a Judgment Lien**
  - c. **Wells Fargo Bank, N.A. v. Jennifer G. Baker, et al - Circuit Civil Case No. 09-003335-CI-19 - Mortgage Foreclosure Involving Judgment Liens**
  - d. **Wells Fargo Bank, N.A. v. Thomas Rogers, et al - Circuit Civil Case No. 09-003392-CI-11 – Mortgage Foreclosure Involving Judgment Liens**
  - e. **Robert Root v. FTBA Limited, a Dissolved Texas Limited Partnership, Formerly Known As Crow-Childress-Harrod #2, Ltd., FDOT, and Pinellas County, a Political Subdivision of the State of Florida - Circuit Civil Case No. 09-002651-CI-015 – Tax Deed Sale**

20. f. Southwest Contracting, Inc. v. BCC - Circuit Civil Case No. 09-002856-CI-021 – Allegations of Breach of Contract and Fraud in the Inducement
21. Approval of Authority for the County Attorney to Initiate Litigation in the Cases of:
  - a. Ken Burke, Clerk of the Circuit Court v. Beneficial Florida, Inc., CitiFinancial Equity Services, Inc. and Diane M. Skillen – Interpleader Action Involving a Tax Deed Sale
  - b. Pinellas County v. Kim Freedom and Randall Freedom, as Co-Trustees, Freedom Land Trust, and KOS Corporation – Alleged Environmental Infraction
  - c. On Behalf of Peggy Troiano in the Claim of Peggy Troiano v. Paul and Gail Kraft and Vicky Dykens of All County Property Management and Realty, Inc. – HUD Case #04-08-0790-8; PC #08-026 – Allegations of Housing Discrimination
22. Approval of a Recommendation for Settlement by Outside Counsel in Pinellas County v. Patricia S. Humberstone, as Trustee - Circuit Civil Case No. 06-2019-CI-21 - Parcel P001-R1 – Eminent Domain Case
23. Miscellaneous

**E. COUNTY ADMINISTRATOR REPORTS**

24. Enhancing Transportation in Pinellas County
25. American Recovery Act: Economic Stimulus Update
26. Pinellas Hope Follow-Up Report

**F. COUNTY COMMISSION**

27. Approval of Reappointments and New Appointments to the Suncoast Health Council, Inc. (Continued from the March 17, 2009, BCC Meeting)
28. Approval of Reappointments and New Appointments to the Economic Development Council
29. Approval of an Appointment to the Tourist Development Council

30. Approval of an Appointment to the Social Action Funding Advisory Board
31. 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.