

**AGENDA – Regular Public Meeting**

**9:30 a.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**May 5, 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 David and Barbara Shelton for a 30 Foot Strip of Right-of-Way Strip Lying West of and Adjacent to Lot 10, Moss Oak Subdivision (Legislative)**
- 2. Multi-Use Dock Application M39293-08/Revised Submitted by Chesapeake Point Co-Op, Inc., 800 Chesapeake Point Drive, Anclote River, Tarpon Springs**

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

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

- 3.     SUBTHRESHOLD AMENDMENT – Case CW 09-04 – Pinellas County**  
**One Area of Approximately 2.3 Acres are North of Old Keystone Road and North of the Upper Pinellas Youth Sport Complex. The Remaining Areas are Approximately 14.1 Acres in Size and South of Keystone Road and East of East Lake Road. All of this Amendment Area is within the Brooker Creek Preserve; Amendment from Recreation/Open Space, Residential Rural, Residential Low, and No Designation to Preservation**

**REGULAR AMENDMENTS**

- 4.     a.     Case CW 09-05 – Pinellas County**  
**Approximately 948 Acres are North of Old Keystone Road Extending North to the Pinellas-Pasco County Line. The Remaining 1,660 Acres are South of Keystone Road, along the Pinellas-Hillsborough County Line on the East and Extending South to the Oldsmar City Limits. All of this Amendment Area is within the Brooker Creek Preserve; Amendment from Preservation to Preservation with Resource Management Overlay**
- b.     Case CW 09-06 – Pinellas County**  
**North of Keystone Road, Along the Pinellas-Hillsborough County Line on the East, and Extending North to the Pinellas-Pasco County Line. This Area is Commonly Referred to as the “Wilde Trust” Parcel; Amendment from Residential Rural and Transportation/Utility to Preservation with Resource Management Overlay, Preservation with Transportation/Utility Overlay, and Recreation/Open Space**
- c.     Case CW 09-07 – City of Tarpon Springs**  
**615, 625, 631 North Jasmine Avenue; Amendment from Residential Urban, Preservation, and Preservation with Transportation/Utility Overlay to Industrial Limited, Preservation, and Preservation with Transportation/Utility Overlay**

**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**

5. Approval of Minutes of the Special Public Meeting of March 20, 2009 and Regular Meeting of April 7, 2009
6. Reports:
  - a. Pinellas County Comprehensive Annual Financial Report for the Fiscal Year (FY) Ended September 30, 2008
  - b. Annual Investment Report for the FY Ended September 30, 2008
  - c. Internal Audit Division, Clerk of the Circuit Court, Report No. 2009-05 Dated April 7, 2009 – Audit of Judiciary Spending of County Funds, Together with the Audit Watch
  - d. Pinellas County District School Board Financial, Operational, and Federal Single Audit for the FY Ended June 30, 2008
  - e. Report of Expenses Incurred Under Incentives, Awards, and Recruitment Ordinance for the Quarter Ended December 31, 2008
  - f. Dock Fee Report for the Month of March 2009
  - g. Quarterly Report of Routine Dock Permits Issued from January 1, 2009 through March 31, 2009
7. Vouchers and Bills Paid

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

- a. City of Largo Notice of Public Hearing Regarding Ordinance No. 2009-22 to be Held May 5, 2009, Annexing Certain Property; and the West Bay Drive Community Redevelopment District Annual Report for FY 2008**
- b. City of Seminole Notices of Public Hearings Held April 28, 2009, Regarding Ordinances Nos. 03-2009 through 09-2009, Voluntarily Annexing Certain Property**
- c. Kenneth City Resolutions No. 09-02 Supporting the Retention of Egmont Key State Park by the Florida Park Service and No. 09-03 Encouraging the Local Governments of the Tampa Bay Region to Adopt and Implement the Model Regional Fertilizer Ordinance; Resolutions Adopted January 14, 2009 and March 11, 2009, Respectively**

**COUNTY ADMINISTRATOR**

**Public Works**

**9. Approval of Awards of Bid to:**

- a. Contracting Specialists Incorporated – South East for Tampa Road Bridge Deck Repair**
- b. Hubbard Construction Company for 46<sup>th</sup> Avenue North from 80<sup>th</sup> Street North to 62<sup>nd</sup> Street North**

**10. Approval of a Local Agency Program Agreement with the State of Florida Department of Transportation for the Fred Marquis Pinellas Trail Rehabilitation Project**

**Utilities**

**11. Approval of an Award of Bid to QRC, Inc. for Pump Station Rehabilitation and Replacements Group 3 – Pump Station Nos. 312, 342, and 392**

**Other Departments**

12. Approval of a Revised Notice of Grant Award with the Department of Health and Human Services, Health Resources and Services Administration for the Mobile Medical Unit (Health and Human Services)
13. Approval of the Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for Pharmacy Services (Health and Human Services)
14. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2009 General Fund Budget for Various Grants and Contracts to the Sheriff (Management and Budget)
15. Approval of the Receipt and File Report of Claim Settlements for the Period of January through March 2009 (Risk Management)

**D. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Other Departments**

17. Adoption of a Resolution Approving an Amendment to Pinellas County's FY 2006-2010 Consolidated Strategic Plan and FY 2008-2009 Action Plan (Community Development)
18. Approval of a Termination of Agreement for Consultant Services with Bureau Veritas North America, Inc., f/k/a Berryman & Henigar, Inc., for the Diagnostic Feasibility Study and Development of a Watershed Management Plan for the Cross Bayou Watershed (Environmental Management)
19. Approval of Authority to Advertise Public Hearings for Five Proposed Ordinances Amending the Pinellas County Land Development Code (Planning)

20. Adoption of a Resolution Declaring a County-Owned Parcel Surplus, and Authorizing a Sale by Bid (Real Estate Management/Utilities/Purchasing)

21. Other Administrative Matters

**COUNTY ATTORNEY**

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

- a. U. S. Bank Home Mortgage v. James Thomas Cliatt, et al - Circuit Civil Case No. 09-005806-CI-15 – Mortgage Foreclosure Involving a Mortgage and an Assignment of Mortgage
  - b. U.S. Bank National Association v. Lakwana A. Jones - Circuit Civil Case No. 09-005853-CI-21 - Mortgage Foreclosure Involving a Making Pinellas Home Mortgage and Assignment of Second Mortgages and Rights
  - c. U.S. Bank National Association v. Isabelo Bruce Ramos, et al - Circuit Civil Case No. 09-005898-CI-15 - Mortgage Foreclosure Involving a Subordinate Mortgage and a Judgment for Attorney's Fees and Costs
23. Approval of Authority for the County Attorney to Initiate Housing Discrimination Litigation on Behalf of Daniel and Laurel Hommel in the Claim of Daniel and Laura Hommel v. Columbia Casualty Co. – HUD Case No. 04-08-0534-8, Pinellas County Case No. 08-021
24. Miscellaneous

**E. COUNTY ADMINISTRATOR REPORTS**

25. None

**F. COUNTY COMMISSION**

26. 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.