

**AGENDA – Regular Public Meeting**

**3:00 p.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**May 19, 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 April 21, 2009**
- 2. Reports:**
  - a. Internal Audit Division, Clerk of the Circuit Court, Report No. 2009-08 Dated April 14, 2009 – Audit of Human Services Programs - Homeless Street Outreach**
  - b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2009-09 Dated April 28, 2009 – Audit of County Travel Expenditures, Finance Accounts Payable, together with The Audit Watch**
  - c. Pinellas County Quarterly Donation Listing of \$500 and Greater for the Period January 1 through March 31, 2009**
  - d. St. Petersburg-Clearwater International Airport Enterprise Fund Financial Statements for the Years Ended September 30, 2008 and 2007, with Independent Auditor's Report thereon**
  - e. Pinellas County Sewer System Enterprise Fund Financial Statements for the Years Ended September 30, 2008 and 2007, with Independent Auditor's Report thereon**
  - f. Pinellas County Solid Waste System Enterprise Fund Financial Statements for the Years Ended September 30, 2008 and 2007, with Independent Auditor's Report thereon**
  - g. Pinellas County Water System Enterprise Fund Financial Statements for the Years Ended September 30, 2008 and 2007, with Independent Auditor's Report thereon**

2.
    - h. **City of Belleair Beach Comprehensive Annual Financial Report for Fiscal Year (FY) Ended September 30, 2008**
    - i. **City of Clearwater Comprehensive Annual Financial Report for FY Ended September 30, 2008**
    - j. **City of Seminole Comprehensive Annual Financial Report for FY Ended September 30, 2008**
    - k. **Juvenile Welfare Board Interim Financial Report (Unaudited) Dated March 31, 2009**
3. **Vouchers and Bills Paid**
4. **Miscellaneous Items to be Received for Filing:**
  - a. **City of Largo Notice of Public Hearing Regarding Ordinance No. 2009-22 to be Held May 19, 2009, Annexing Certain Property**
  - b. **City of Pinellas Park Notices of Public Hearing Regarding Ordinances Nos. 3679 through 3681 Held May 14, 2009, Voluntarily Annexing Certain Property**
  - c. **Town of Indian Shores Resolution No. 4-2009 Adopted April 14, 2009 Supporting an Amendment to the Florida Constitution Requiring the Florida Legislature to Operate Under the Florida Government in the Sunshine Laws**
  - d. **Lealman Special Fire Control District Resolution No. 09-01 Naming Chief Richard Graham as its Chief Executive Officer**
  - e. **Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 6 Dated March 19, 2009**
  - f. **Pinellas Suncoast Fire & Rescue Resolution No. 2009-04 Adopted April 21, 2009, Superseding Resolution No. 2008-03 Establishing a Life Safety/Fire Inspection Fee, Effective May 1, 2009**

**COUNTY ADMINISTRATOR**

**Utilities**

5. **Approval of an Award of Bid to Rowland, Inc. for Pump Station Rehabilitation/Improvements Annual Requirements for 2008/2009**
6. **Approval of the Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for Software Replacement, Solid Waste Scale House**

**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 a Grant Contract with Florida Communities Trust for Wall Springs Coastal Addition IV (Culture, Education & Leisure)**
9. **Approval of FY 2010 Section 319 Grant Proposal Application with the Florida Department of Environmental Protection for Lake Seminole Regional Alum Project (Environmental Management)**
10. **Approval of the Ratification of a Grant Application with the Pinellas County Sheriff's Office and the United States Department of Justice for the Recovery Act: Edward Byrne Memorial Justice Assistance Grant Formula Program (Justice and Consumer Services)**
11. **Adoption of Three Resolutions Granting Ad Valorem Tax Exemptions for Three Historic Properties Located in the City of St. Petersburg (Planning)**

**B. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Utilities**

13. Approval of Amendment No. 2 to the Agreement for Design Professional Services with Post, Buckley, Schuh & Jernigan, Inc. for the Redevelopment of the Maintenance and Operations Site at Solid Waste Utilities
14. Approval of Deferred Utility Relocation Expense Agreement, Florida Department of Transportation Utility Work by Highway Contractor Agreement for:
  - a. State Road 55 (U.S. Highway 19) from North of Whitney Road to South of Seville Boulevard
  - b. State Road 55 (U.S. Highway 19) from South of Seville Boulevard to North of State Road 60

**Other Departments**

15. Approval of First Amendment to the Agreement with the Pinellas County Historical Society, Inc. (PCHS) for Elimination of a Gap Audit and Providing for a Compilation of PCHS Financials (Culture, Education, and Leisure)
16. Adoption of a Resolution Approving A9031245830 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program (Economic Development)
17. Other Administrative Matters

**COUNTY ATTORNEY**

18. Approval of Authority for the County Attorney to Defend the Case of Paul Grand v. New York Yankees Limited Partnership, a Foreign Limited Partnership, the Phillies Limited Partnership, a Foreign Limited Partnership, Phillies Florida, LLC, a Foreign Limited Liability Company, Pinellas County, and the City of Clearwater - Circuit Civil Case No. 09-05171-CI-20 – Allegations of Personal Injuries as the Result of Negligence

- 19. Approval of Authority for the County Attorney to Initiate Housing Discrimination Litigation on Behalf of Santford L. Martin in the Claim of Santford L. Martin v. Crosswinds Mobile Home Park, Inc. – Housing and Urban Development Case No. 04-08-1191-8; Pinellas County No. 08-038**
- 20. Approval of Authority to Advertise a Public Hearing on a Proposed Ordinance Amending Section 18-66(h) of the Pinellas County Code Relating to Establishment of Airport Fees by Resolution**
- 21. Miscellaneous**

**C. COUNTY ADMINISTRATOR REPORTS**

- 22. 2009 Legislative Session Update**

**D. COUNTY COMMISSION**

- 23. Miscellaneous**

**THERE WILL BE A WORK SESSION REGARDING THE BCC BUDGET IN THE 5<sup>th</sup> FLOOR BCC CONFERENCE ROOM IMMEDIATELY FOLLOWING THE REGULAR AGENDA AND PRIOR TO PUBLIC HEARINGS, TIME PERMITTING.**

**6:30 P.M. – SCHEDULED PRESENTATIONS****E. 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**

24. Petition to Vacate Submitted by Kenneth M. Bednarski, Trustee of the Stella Kleehammer Trust for a Portion of a Utility and Drainage Easement on Lot 5, Block 18, Tamarac by the Gulf Second Addition Subdivision (Quasi-Judicial Hearing)
25. 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 March 3 and March 17 BCC Meetings)
26. Proposed Ordinance Amending Chapter 170 of the Pinellas County Land Development Code Regarding Flood Damage Prevention Provisions

**SCHEDULED BCC PUBLIC HEARINGS – CONTINUED**

27. Proposed Ordinance Amending Section 138-1286 of the Pinellas County Code Regarding Dumpsters (First Public Hearing)
28. Proposed Ordinance Amending Article V, Division 10, Section 138-974, M-1, Light Manufacturing and Industry District as a Conditional Use (First Public Hearing)
29. Proposed Ordinances Amending the Pinellas County Land Development Code:
  - a. Chapter 138 Regarding Old Palm Harbor Downtown Zoning District
  - b. Chapter 146 Regarding Historic Preservation

**F. 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.