

**AGENDA – Regular Public Meeting**

**3:00 p.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**June 16, 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 May 19, 2009**
- 2. Reports:**
  - a. Internal Audit Division, Clerk of the Circuit Court, Report No. 2009-11, Dated May 18, 2009 – Audit of United Health Care Health Claims, Human Resources Department, together with The Audit Watch**
  - b. State of Florida Auditor General Report No. 2009-205 of Pinellas County District School Board Florida Education Finance Program Full-Time Equivalent Students and Student Transportation for the Fiscal Year (FY) Ended June 30, 2008**
  - c. Pinellas County License Board for Children's Centers & Family Day Care Homes Financial Audit for FY 2007-08**
  - d. City of Gulfport Urban Services Report for Proposed Annexation Dated April 2009, Pursuant to Chapter 171.42, Florida Statutes, Regarding 171.12 Acres Generally Located on the South Side of Gulfport Boulevard South from 61<sup>st</sup> Street South Northerly to Oleander Way South**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
  - a. City of Largo Notice of Public Hearing Regarding Ordinances Nos. 2009-35 and 2009-36 Held June 2, 2009, Annexing Certain Property**

4. b. City of Pinellas Park Notice of Public Hearing Regarding Ordinance No. 3684 Held June 11, 2009, Voluntarily Annexing Certain Property
- c. Town of Kenneth City Resolution No. 09-08, Effective May 13, 2009, Supporting Solar Energy

## **COUNTY ADMINISTRATOR**

### **Public Works**

5. Approval of the Ranking of Firms and Authority for Staff to Negotiate with the Top Four Ranked Firms for Materials Testing Services

### **Utilities**

6. Approval of the Ranking of Firms and Authority for Staff to Negotiate with the Number One Ranked Firm for Pinellas County Utilities Debris Management Program

### **Other Departments**

7. Approval of the Receipt and File Report of Non-Procurement Items Delegated to the County Administrator for Approval (County Administrator)
8. Adoption of a Resolution Authorizing Submittal of a Grant Application to the Department of Energy's Energy Efficiency and Conservation Block Grant Program (County Administrator)
9. Approval of the WorkNet Pinellas, Inc. 2009-2010 Program Year Budget (County Administrator)
10. Approval of the Ranking of Firms and Authority for Staff to Negotiate with the Number One Ranked Firm for Development of a Conservation Management Plan for Clearwater Harbor and St. Joseph Sound (Environmental Management)
11. Approval of FY 2009 Budget Amendment No. 9 (Management and Budget)

12. Approval of an Award of Bid to Various Contractors for Janitorial Services for Various Buildings (Real Estate Management)

**AUTHORITIES, BOARDS, AND ENTITIES**

**Business Technology Services**

13. Approval of the Ranking of Firms and Authority for Staff to Negotiate with the Number One Ranked Firm for Software Services for Computer-Aided Design and Drafting Upgrade Autodesk Products

**B. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Other Departments**

15. Approval of a Joinder and Consent to Plat by Mortgagee Document for Shady Grove Townhomes Affordable Housing Project in Dunedin for by Habitat for Humanity of Pinellas County (Community Development)
16. Approval of Authority to Advertise a Public Hearing for: (Community Development)
  - a. Proposed Ordinance Amending Chapter 38, Article IV of the Pinellas County Code Relating to the Pinellas Community Housing Trust Fund Program
  - b. FY 2009-2010 Pinellas County Consortium's Action Plan for Community Planning and Development Programs Funded with Federal Grant Funds
17. Approval of Contracts for Sale and Purchase of Real Property with Four Property Owners for the Dansville Redevelopment Area (Community Development)
18. Approval of the Rescission of BCC Approval of the Interlocal Agreement with the Pinellas County School Board for Construction of Joint-Use Recreation Facilities on the Southeast Corner of Keystone Road and East Lake Road (Culture, Education and Leisure)

19. **Approval of the First Amendment to the Agreement with Friends of Gulf Beaches Historical Museum, Inc. (Friends) for Elimination of a Gap Audit and to Provide a Compilation of the Friends Financials (Culture, Education and Leisure)**
20. **Approval of Amendment No. 1 to the Grant Agreement with the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems Beach Management Funding Assistance Program for Sand Key Beach Nourishment (Environmental Management) (Companion Item No. 21)**
21. **Approval of Amendment No. 2 to the Agreement for Consultant Engineering Services with Coastal Planning & Engineering, Inc. for Sand Key Beach Renourishment Project (Environmental Management) (Companion Item No. 20)**
22. **Approval of Authority to Advertise a Public Hearing on Proposed Amendments to Ordinance 04-39, Section 46-33 for a Surcharge on Non-Criminal Traffic Infractions or Certain Criminal Violations (Justice and Consumer Services)**
23. **Approval of an Agreement with the Sixth Judicial Circuit Court of Florida for County Funded Court Employees (Justice and Consumer Services)**
24. **Approval of Amendment No. 2 to the Contract with Jon R. Thogmartin, M.D., P.A. for Medical Examiner and Forensic Laboratory Services (Justice and Consumer Services)**
25. **Approval to Declare County-Owned Property Surplus and Adoption of a Resolution Authorizing Conveyance by County Deed to the City of Treasure Island (Real Estate Management/Culture, Education and Leisure)**
26. **Approval of a Contract for Sale and Purchase of Real Property with Meridian Mortgage Investors Fund VIII, LLC for Lake Tarpon Water Quality Area 63 (Real Estate Management/Environmental Management)**
27. **Other Administrative Matters**
  - a. **Approval of an Interlocal Agreement with the City of St. Petersburg for Construction of the Fred Marquis Pinellas Trail Overpass of 34<sup>th</sup> Street (Public Works)**

**COUNTY ATTORNEY**

- 28. Approval of Authority for the County Attorney to Defend the Cases of:**
- a. U.S. Bank, N.A. v. Nancy Beavers, et al - Circuit Civil Case No. 09-008634-CI-20 - Mortgage Foreclosure Involving a Subordinate Mortgage**
  - b. Wells Fargo Bank, N.A. v. Sandra L. Donofrio - Circuit Civil Case No. 09-008700-CI-20 - Mortgage Foreclosure Involving a Subordinate Mortgage**
  - c. Mirtha C. Coppen and Jose L. Coppen, Husband and Wife v. Pinellas County Utilities and Florida Department of Transportation - Circuit Civil Case No. 09-008344-CI-020 – Seeking Declaratory Relief Protecting Riparian Rights Against Encroachment by a Flowmeter and Guardrail**
  - d. Morton Plant Hospital Association, Inc., d/b/a Morton Plant Hospital, Trustees of Mease Hospital, Inc., d/b/a Mease Dunedin Hospital, and also d/b/a Mease Countryside Hospital, and St. Anthony’s Hospital, Inc., d/b/a St. Anthony’s Hospital, v. BCC, a Political Subdivision of the State of Florida and Jim Coats, Sheriff of Pinellas County, Florida - Circuit Civil Case No. 09-008366-CI-015 – Allegations of Unpaid or Inadequately Paid Medical Bills for Care of Indigent Pre-Trial Detainees and Indigent Inmates**
  - e. Pinellas County Emergency Medical Services (EMS) Authority v. City of St. Petersburg, Florida - Circuit Civil Case No. 88-006779-CI-015 – Mandamus Action**
  - f. City of St. Petersburg, Florida v. EMS Authority – Circuit Civil Case No. 09-001839-CI-013 – Declaratory Judgment Action**
- 29. Approval of Authority for the County Attorney to Initiate a Code Enforcement Lien Foreclosure Action against Norman and Diane Weizer – Code Violation Fines**
- 30. Approval of Authority for the County Attorney to Initiate Housing Discrimination Litigation on Behalf of Phyllis J. Alley in the Claim of Phyllis J. Alley v. Les Chateaux Condominium Association – Housing and Urban Development Case No. 04-09-0465-8; Pinellas County Case No. 09-014**

31. Approval of a Recommendation to Adopt a Resolution for Blanket Approval to Defend Mortgage Foreclosures

32. Miscellaneous

**C. AUTHORITIES, BOARDS, AND ENTITIES**

**EMS AUTHORITY**

33. Approval of an Appointment to the Pinellas County EMS Advisory Council

34. Approval of Acceptance of the Hybrid Transport Proposal Analysis Submitted by the Committee of City Managers, Fire Chiefs and County Administration and Approval of the Recommendation of No Action Taken with Regard to Proposal

**D. COUNTY ADMINISTRATOR REPORTS**

35. None

**E. COUNTY COMMISSION**

36. Approval of Reappointments to the WorkNet Board of Directors

37. 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.**

**SCHEDULED PUBLIC HEARINGS – BCC**

- 38. Proposed Ordinance Amending Section 138-1286 of the Pinellas County Code Regarding Dumpsters (Second Public Hearing)**
- 39. Proposed Ordinance Amending Article V, Division 10, Section 138-974, M-1, Light Manufacturing and Industry District as a Conditional Use (Second Public Hearing)**

**SCHEDULED BCC PUBLIC HEARINGS – CONTINUED**

40. Planning and Zoning Application Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):

**Q Z/LU-2-5-09**

**Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 0.40 Acre Located on the Southeast Corner of 46<sup>th</sup> Avenue North and 79<sup>th</sup> Way North, St. Petersburg; Page 300 of the Zoning Atlas, as Being In Section 01, Township 31, Range 15; from P-1, Professional Offices to C-2, General Retail Commercial and Limited Services, upon Application of Frederick Loos and Jeanne M. Stockmeister through Bob Kersteen, Kersteen Consulting, Inc., Representative, and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Parcel of Land Containing Approximately 0.40 Acre Located on the Southeast Corner of 46<sup>th</sup> Avenue North and 79<sup>th</sup> Way North, St. Petersburg Located in Section 01, Township 31, Range 15; from Residential/Office-General to Commercial General Providing for Other Modifications that May Arise from Review of this Ordinance at the Public Hearing and/or with Other Responsible Parties, and Providing an Effective Date**

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

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

**SUBTHRESHOLD AMENDMENTS**

41. a. **Case CW 09-08 – City of Clearwater**  
**300 and 303 Pinellas Street, 323 Jeffords Street, and a Parcel Located on the East Side of Reynolds Avenue Approximately 250 Feet North of Pinellas Street. All of the Map Amendment Areas are Internal to the Morton Plant Hospital Campus; Amendment from Residential/Office General to Institutional**
- b. **Case CW 09-10 – Pinellas County**  
**1202, 1263, and 1325 Gooden Crossing; Amendment from Commercial Neighborhood to Residential Low**



**CPA PUBLIC HEARINGS – CONTINUED**

- 41. c. Case CW 09-11 – Pinellas County  
Several Parcels of Land Located North of Wilcox Road between Pine Street Southwest and Jackson Street; Amendment from Commercial Neighborhood, Residential Low, and Recreation/Open Space to Residential Low and Recreation/Open Space
- d. Case CW 09-12 – Pinellas County  
6289 – 150<sup>th</sup> Avenue North and 15092, 15098, and 15110 – 63<sup>rd</sup> Street North; Amendment from Residential Urban and Commercial Neighborhood to Industrial Limited

**REGULAR AMENDMENTS**

- 42. a. Case CW 09-09 – City of Dunedin  
453 Edgewater Drive; Amendment from Residential Urban to Resort Facilities Medium
- b. Case CW 09-13 – Pinellas County  
15122 and 15123 – 63<sup>rd</sup> Street North and 15090 – 62<sup>nd</sup> Street North; Amendment from Residential Urban to Industrial Limited

**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.