

AGENDA – Regular Public Meeting

9:33 a.m.

Pinellas County

Board of County Commissioners (BCC)

April 6, 2010

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 Staff at the 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 Staff at the 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 Staff at the 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 Larry A. Wysong and Claire A. Wysong for a Portion of an Easement in Lot 9, Block A, Boot Ranch – Eagle Watch – Phase B – II Subdivision (Quasi-Judicial Hearing)**

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

2. Water and Navigation Applications:

- a. [Private Dock Application](#) P40341-09/Revised-A Submitted by Johann Koller Leigenschaftsverwaltungs / GMBH Inc., 2100 Pelham Road North, St. Petersburg, Boca Ciega Bay
- b. [Private Dock Application](#) P40315-09/Revised Submitted by Anita Noelle Norvell, 111 Driftwood Lane, Clearwater Harbor, Largo (No Board Action Required)

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

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

REGULAR AMENDMENTS

- 3. a. [Case CW 10-02](#) – City of Gulfport
4.3 Acres More or Less (MOL) Located at 2014 – 52nd Street South (Gulfport Elementary School); Amendment from Residential Urban to Institutional
- b. [Case CW 10-03](#) – City of Gulfport
131.3 Acres MOL Located Generally within an Area Bounded by the Following: Starting at the Intersection of the Pinellas Trail and 49th Street South, then South Along 49th Street South to Gulfport Boulevard, then West to 51st Street South, then North to 20th Avenue South, then West to 55th Street South, then North to 18th Avenue South, then East to 52nd Street South, then North to the Pinellas Trail, then East to the Beginning; Amendment from Commercial General, Commercial Limited, Residential Urban, Residential Low Medium, Recreation/Open Space, and Institutional to Community Redevelopment District, Recreation/Open Space, and Institutional
- c. [Case CW 10-04](#) – City of Largo
5.0 Acres MOL Located at 2050 – 58th Street North (Vacant Adult Living Facility); Amendment from Residential Low to Institutional
- 4. [Proposed Amendment to the Countywide Rules](#) Regarding Transfer of Development Rights and Density/Intensity Averaging (Second Public Hearing)

B. CITIZENS TO BE HEARD

Any Person Wishing to Speak at This Time, Excluding Public Hearing Items on the Agenda, Must Have a Yellow Card Completed and Given to Staff at the 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.

Lenore Faulkner, Madeira Beach, re Pinellas Park Middle World Class Career & Technology School.

Barbara Green, Clearwater, re Homeless Emergency Project.

Jeanne Akopova, St. Petersburg, re Help to fix air conditioner.

Greg Pound, Largo, re Families.

Mark Klutho, Largo, re Stupidity, waste.

Kevin Hing, St. Pete Beach, re Long Key beach renourishment (Agenda Item No. 20).

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

5. [Approval of Minutes](#) of the Regular Meeting of March 2, 2010

6. **Reports:**

a. [Reports of Expenses Incurred](#) Under Incentives, Awards and Recruitment Ordinance for the Quarters Ended September 30, 2009 and December 31, 2009

b. [Audit Services](#), Division of Inspector General, Clerk of the Circuit Court, Report No. 2010-05 Dated March 12, 2010 - Follow-Up Review to Audit of Pinellas County Utilities Water Distribution System Mains Expenditures

c. [Housing Finance Authority](#) of Pinellas County Independent Auditor's Reports, Financial Statements, and Required Supplementary Information for the Year Ended September 30, 2009

d. [Dock Fee Report](#) for the Month of February 2010

7. [Vouchers and Bills Paid](#)

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

- a. [City of Clearwater Ordinance](#) No. 10-02 Adopted February 4, 2010, Encouraging Pinellas County BCC to Adopt Anti-Tethering Regulations
- b. [City of Largo Ordinances](#) Nos. 2010-21 through 2010-23 Adopted February 16, 2010, Annexing Certain Property
- 8. c. [City of Seminole Ordinance](#) No. 01-2010 Adopted February 23, 2010, Voluntarily Annexing Certain Property
- d. [Pinellas Park Water Management District](#) Minutes of Regular Authority Meeting No. 4 Dated January 21, 2010
- e. [Pinellas Suncoast Fire and Rescue District](#) Resolution No. 2010-1 Adopted February 16, 2010, Fixing the Rate of Non-Ad Valorem Assessments in Compliance with the Charter of the District
- f. [Florida Public Service Commission](#) Final Order (Dockets Nos. 030458-WU, 070084-WU, 100033-WU) Regarding Holiday Utility Company, Inc. Issued March 5, 2010, Approving Transfer to Florida Governmental Utility Authority, Cancelling Certificate, and Acknowledging Withdrawal of Petition

COUNTY ADMINISTRATOR

Public Works

- 9. [Approval of a Joint Project Agreement](#) for Utility Installation by Roadway Contractor with Peoples Gas System for the Bryan Dairy Road Project from Starkey Road to 72nd Street North

Utilities

- 10. [Approval of an Award of Bid](#) to Lanzo Lining Services, Inc. for Sanitary Sewer Cured-In Place Pipelining for Madeira Beach Collection System Improvements

Other Departments

- 11. [Approval of a Revised Notice of Grant Award](#) with the United States Department of Health and Human Services, Health Resources and

Services Administration for the Mobile Medical Unit (Health and Human Services)

12. [Approval of Fiscal Year \(FY\) 2010 Budget Amendment](#) Nos. 4 and 5 (Management and Budget)
13. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in FY 2010: (Management and Budget)
 - a. [County Transportation Trust Fund Budget](#) for the Public Works Department
 - b. [General Fund Budget for the Department of Health](#) and Human Services

AUTHORITIES, BOARDS, AND ENTITIES

BUSINESS TECHNOLOGY SERVICES/CJIS USER POLICY BOARD

14. [Approval of the Ranking of Firms](#) and Authority for Staff to Negotiate with the Number One Ranked Firm for Consolidated Case Management System

D. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

16. [Approval of an Award of Bid](#) to David Nelson Construction Co. for Improvements to Keystone Road from U.S. 19 to East Lake Road
17. [Adoption of a Resolution](#) for a Street Name Change from Bay Street to Kayli Lane in the Vicinity of Shore Drive to North Street
18. [Approval of the First Amendment](#) to the Agreement for Consultant Services with Six Firms for Ongoing Land Survey and Mapping Services

19. [Approval of the First Amendment](#) to the Agreement with Fifteen Firms for Roadways, Drainage, Structural, Site and Traffic Engineering Services
20. [Approval of Amendment No. 6](#) to the Agreement for Consultant Services with Coastal Planning & Engineering, Inc. for Treasure Island, North Segment and Long Key, North Segment Beach Nourishment Projects

Utilities

21. [Approval of a Consent Order](#) with the State of Florida Department of Environmental Protection for Utilities Solid Waste Operations

Other Departments

22. [Adoption of a Resolution](#) Authorizing Three Brownfield Site Rehabilitation Agreements with the Florida Department of Environmental Protection for the Historic Neighborhood Landfills in the Designated Dansville Brownfield Area (Community Development)
23. [Adoption of a Resolution](#) Approving the Pinellas County Local Mitigation Strategy (Emergency Management) (Plan Available for Review at www.pinellaslms.org)
24. [Adoption of a Resolution](#) Declaring a Portion of County-Owned Land Surplus, Authorizing a Private Sale, and Establishing a Sale Price for St. Petersburg College Foundation, Inc. (Real Estate Management)
25. [Approval of a County Deed](#) to Transfer of all Real Property Interests with Robert G. and Mae B. Brotherton for the Keystone Road Project from U.S. 19 to East Lake Road (Real Estate Management)
26. [Other Administrative Matters](#)

COUNTY ATTORNEY

27. [Approval of Authority](#) for the County Attorney to Initiate Litigation in Pinellas County v. Lake Shore Development, LLP – Allegations of Violations of the National Emissions Standards for Hazardous Air Pollutants (NESHAP)
28. [Miscellaneous](#)

E. **AUTHORITIES, BOARDS, AND COUNCILS**

CPA

29. [Approval of Authority](#) to Advertise a Public Hearing on a Proposed Ordinance Amending the Countywide Rules Regarding Agriculture and Community Garden Uses

F. **COUNTY ADMINISTRATOR REPORTS**

30. [Social Action Funding](#) Update
31. [Legislative Update](#)
32. [Progress Report](#) Leading to Staff Recommendation: Reserves

G. **COUNTY COMMISSION**

33. [Approval of Appointments](#) to the Joint Land Use/Transportation Committee
34. [Approval of an Appointment](#) to the Youth Advisory Committee
35. [Approval of an Appointment](#) to the Pinellas Community Housing Workgroup
36. [Adoption of a Resolution](#) Opposing Elimination of State Aid to Public Library Funding
37. [Miscellaneous](#)

- a. Commissioner Harris provided information relative to the Feed the Children program at Skycrest Baptist Church that he and Commissioner Brickfield recently attended;

referred to memoranda regarding the Friendship Trail Bridge; related that updated engineering information had been received; that the Friendship Trail Bridge Committee recommended that the bridge be demolished with the cost estimated at \$13 million to be shared by Pinellas and Hillsborough Counties; and that part of the cost would be offset by a total of approximately \$4 million currently in the repair budget. Responding to queries by the members, Director of Public Works and Transportation Peter J. Yauch

provided additional information.

Commissioner Morroni reminded the members of the suggestion he made previously for the Convention and Visitors Bureau to contact individuals in the film industry to determine if there is any cinematic interest in blowing up the Friendship Trail Bridge at little or no cost to the County; whereupon, Commissioner Harris related that this was considered, and additional discussion ensued.

- b. Commissioner Brickfield noted that 440 families attended the Feed the Children program; and that dental care and medical screening was available;

wished the Tampa Bay Rays luck in the upcoming baseball season;

referenced an email message he received from a citizen relative to overbilling by an office supply store; and queried as to whether the County will be looking into whether or not it is being overbilled; and Assistant County Administrator Mark Woodard provided information.

- c. Commissioner Welch wished the Tampa Bay Rays good luck in the upcoming baseball season;

commended Chairman Seel on her work relative to the Transportation Summit.

- d. Commissioner Latvala related that she has received emails and telephone calls from citizens who want to save Brooker Creek and Weedon Island from closure; that she is keeping a log of these communications that she will provide to the County Administrator; and that that citizens are also indicating that they will be happy to pay a fee for use of the preserves.

- e. Commissioner Morroni announced that he has completely recovered from his bout with cancer; and expressed his appreciation for the prayers and good wishes he received

- f. Commissioner Bostock noted that this budget period has become an opportunity to bring in volunteers and look at better ways of doing things

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- g. Chairman Seel announced that she received a request to appoint Clearwater Mayor Frank V. Hibbard to the Tourist Development Council; motion by Commissioner Harris, seconded by Commissioner Morroni, and carried unanimously.

indicated that she will be meeting with the Friends of Florida State Parks; that she has been talking with other partners and educational institutions; that there is interest from the private sector; and that a work session will be scheduled when something concrete and definable is available.

thanked everyone involved with the Transportation Summit.

ADJOURNMENT 1:12 P.M.

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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.**