

AGENDA – Regular Public Meeting

3:01 p.m.

Pinellas County

Board of County Commissioners (BCC)

May 18, 2010

INVOCATION

PLEDGE OF ALLEGIANCE to the Flag of the United States of America

PRESENTATIONS and AWARDS

A. CITIZENS TO BE HEARD

Any Person Wishing to Speak at This Time, Excluding Public Hearing Items, 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 and Technology School.

Mary Chernesky, Madeira Beach, re Heritage Village.

Frances F. Johnson, Largo, re Heritage Village.

Amy Smith, Seminole, re School Board – 14 percent pay cut.

Loren Knuth, St. Petersburg, re hours of operation extend.

Mark Klutho, Largo, re stupidity, waste.

B. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. **Approval of Minutes** of the Regular Meeting of April 20, 2010
2. **Reports:**
 - a. **Pinellas County Comprehensive Annual Financial Report** for the Fiscal Year (FY) Ended September 30, 2009
 - b. **Audit Services**, Division of Inspector General, Clerk of the Circuit Court, Report No. 2010-08 Dated April 15, 2010 - Follow-Up Review to Audit of Operations and Maintenance of County Traffic Signals
 - c. **Pinellas County Quarterly Donation Listing** of \$500 and Greater for the Period Ended March 31, 2010
 - d. **St. Petersburg-Clearwater International Airport** Enterprise Fund Financial Statements for the Years Ended September 30, 2009 and 2008

- e. [Pinellas County Sewer System](#) Enterprise Fund Financial Statements for the Years Ended September 30, 2009 and 2008
- f. [Pinellas County Solid Waste System](#) Enterprise Fund Financial Statements for the Years Ended September 30, 2009 and 2008
- 2. g. [Pinellas County Water System](#) Enterprise Fund Financial Statements for the Years Ended September 30, 2009 and 2008
- h. [City of Belleair Beach](#) Comprehensive Annual Financial Report for FY Ended September 30, 2009
- i. [Palm Harbor Special Fire Control and Rescue District](#) Annual Financial Report for FY Ended September 30, 2009
- j. [City of Seminole](#) Comprehensive Annual Financial Report for FY Ended September 30, 2009
- 3. [Vouchers and Bills Paid](#)
- 4. Miscellaneous Items to be Received for Filing:
 - a. [City of Clearwater](#) Public Hearing Notice of Annexation, Land Use Plan, and Zoning Atlas Amendments Regarding Ordinance Nos. 8163-10 through 8165-10 to be Held June 3, 2010
 - b. [City of Pinellas Park](#) Notice of Public Hearing Regarding Ordinance No. 3727 Held May 13, 2010, Voluntarily Annexing Certain Property
 - c. [Homeowners Association of Highland Lakes, Inc.](#) Board of Directors 2010 Slate of Officers
 - d. [Pinellas Park Water Management District](#) Minutes of Regular Authority Meeting No. 6 Dated March 18, 2010

COUNTY ADMINISTRATOR

Airport

5. [Adoption of a Resolution](#) Approving a Public Transportation Joint Participation Agreement with the State of Florida Department of Transportation for Continued Rehabilitation of Terminal Building

Utilities

6. [Approval of an Award of Bid](#) to Rowland, Inc. for Booster Pump Station Rehabilitation – Tierra Verde Reclaimed Water

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 Request for Payment](#) for Final Negotiated Settlement with Wharton-Smith, Inc. for Lake Tarpon Alum Injection Project (Environmental Management)
9. [Adoption of a Resolution Appropriating Earmarked Receipts](#) for a Particular Purpose in the FY 2010 General Fund Budget for Unanticipated Grant Revenues to the Sheriff (Management and Budget)
10. [Approval of an Award of Bid](#) to Air Mechanical & Service Corp. for Pinellas County Jail Air Handling Unit Renovations D and E Wings (Real Estate Management)
11. [Approval of the Receipt and File Report](#) of Quarterly Claim Settlements for the Period of January through March 2010 (Risk Management/County Attorney)

AUTHORITIES, BOARDS, AND COUNCILS

Business Technology Services (BTS)

12. [Approval of an Award of Bid](#) to High Performance Technologies, Inc. for Computer Hardware – Hewlett Packard Servers

Countywide Planning Authority (CPA)

13. [Approval of the Composite Annexation Report](#) for Pinellas County – FYs 2000/01 through 2008/09

C. REGULAR AGENDA

14. [Items for Discussion from Consent Agenda](#) (County Administrator and Clerk of Circuit Court) – **None**

COUNTY ADMINISTRATOR

Public Works

15. [Adoption of a Resolution](#) for a Street Name Change Designating an Alley Located East of 32nd Street North from 66th Avenue North to 69th Avenue North to be Named 31st Lane North
16. [Approval of a Facility Encroachment Agreement](#) with CSX Transportation, Inc. for the Bryan Dairy Road Reconstruction Project

Other Departments

17. [Adoption of a Resolution](#) Approving A0060160917 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program (Economic Development)
18. [Approval of the Cancellation of Agreement](#) for Consultant Services with Ayres Associates, Inc. for the Starkey Basin Watershed Evaluation and Management Plan (Environmental Management)
19. [Approval of the Release of Sublease 4103](#) and Amendment No. 1 to Lease No. 3985 Regarding Weedon Island Preserve (Environmental Management)
20. [Approval of Authority to Advertise](#) a Public Hearing Amending Section 114-246 of the Pinellas County Code Relating to the Tierra Verde Fire Control District Municipal Services Taxing Unit Millage Rate Cap (Public Safety Services)

21. [Adoption of a Resolution](#) Approving a Lease Agreement with the Salvation Army for Space at the Criminal Justice Center (Real Estate Management)
22. [Other Administrative Matters](#)

COUNTY ATTORNEY

23. [Approval of a Consent Order](#) with the Florida Department of Environmental Protection Regarding the Operation of the South Cross Bayou Wastewater Reclamation Facility
24. [Reports](#) - Notice of New Lawsuit and Defense of the Same by the County Attorney in the Case of:
 - a. [Catherine H. Barber and Robert Barber v. Pinellas County BCC](#) - Circuit Civil Case No. 10-006074-CI-015 – Allegations of Personal Injury as a Result of Negligence
 - b. [Bright House Networks, LLC, a Florid Corporation v. Johnson Bros., LLC](#), a Florida Limited Liability Company, Misener Marine Construction, Inc., a Florida Corporation, and Pinellas County, Florida – Circuit Civil Case No. 10-005384-CI-007 – Allegations of Negligence by County Contractor
25. [Miscellaneous](#)

D. COUNTY ADMINISTRATOR REPORTS

26. [None](#)

E. COUNTY COMMISSION

27. [Miscellaneous](#)
 - a. Commissioner Morroni thanked Director of Utilities Tom Crandall for his many years of fine service to the county and wished him a happy retirement.
 - b. Commissioner Welch provided an update regarding the recent activities of the Charter Review Commission.
 - c. Commissioner Brickfield in response to queries by Commissioner Brickfield,

Administrator LaSala provided information regarding the oil spill in the Gulf of Mexico and the efforts to protect the beaches and local waters of Pinellas County.

- d. Commissioner Harris provided a water conservation tip.

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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.

G. 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 Chair Will Call Each Speaker, One by One, to the Podium to be Heard.

SCHEDULED PUBLIC HEARINGS – BCC

28. Proposed Resolutions Reallocating Reserves for Future Years on the FY 2010 Emergency Communications E911 System Fund Budget and Transfer to the FY 2010 General Fund Budget for Reimbursement of Allowable Personal Services Expenditures

BCC SCHEDULED PUBLIC HEARINGS – CONTINUED

29. Planning and Zoning Applications Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):
- a. **Q Z-1-4-10**
Resolution Changing the Zoning Classification of Approximately 0.18 Acre Located on the West Side of South Martin Luther King Jr. Avenue, 340 Feet South of Belleair Road, Page 197 of the Zoning Atlas, as Being in Section 27, Township 29, Range 15; from R-4, One, Two and Three Family Residential to, C-2, General Retail Commercial & Limited Services, upon Application of Pinellas County Planning, Brian Smith, Director
 - b. **Q Z-2-4-10**
Resolution Changing the Zoning Classification of Approximately 0.579 Acre Located on the North Side of 42nd Avenue North, 454 Feet East of 28th Street North, Page 792 of the Zoning Atlas, as Being in Section 02, Township 31, Range 16; from RM-12.5, Residential, Multiple Family, 12.5 Units per Acre to R-4, One, Two and Three Family Residential, upon Application of Pinellas County Planning Director, Brian Smith, Director

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

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

30. **SUBTHRESHOLD AMENDMENT** – Case CW 10-05 – City of Largo
0.3 Acre More or Less (MOL) Located at 1170 - 7th Avenue Northeast and 1169 - 8th Avenue Northeast; Amendment from Residential Low to Residential/Office General

REGULAR AMENDMENTS

31. a. **Case CW 10-06 – City of Safety Harbor**
2.6 Acres MOL Located at the Northeast Corner of McMullen Booth Road and Cedar Street; Amendment from Residential Suburban, Preservation, and Water/Drainage Feature Overlay to Residential/Office Limited and Preservation with Water/Drainage Feature Overlay

CPA PUBLIC HEARINGS – CONTINUED

31. b. **Case CW 10-07 – City of St. Petersburg**
8.1 Acres MOL Generally Located on the Northeast Corner of 32nd Street North and 17th Avenue North; Amendment from Industrial Limited and Water to Planned Redevelopment – Mixed Use
- c. **Case CW 10-08 – City of St. Petersburg**
247.2 Acres MOL Generally Located on the East Side of Interstate 275 Between Roosevelt Boulevard and 102nd Avenue North; Amendment from Recreation/Open Space, Water, Water/Drainage Feature Overlay, with Activity Center Overlay to Planned Redevelopment – Mixed Use, Water, Water/Drainage Feature Overlay, with Activity Center Overlay
- d. **Case CW 10-09 – City of St. Petersburg**
18 Acres MOL, Generally Located on the Northeast Corner of 9th Avenue North and 66th Street North; Amendment from Institutional to Residential/Office General and Residential Medium
- e. **Case CW 10-10 – City of Clearwater**
5.2 Acres MOL Generally Located on Multiple Lots Located Approximately 950 Feet South of Drew Street, West of McMullen Booth Road, and South of 110 North McMullen Booth Road (Calvary Baptist Church); Amendment from Residential Urban to Institutional
- f. **Case CW 10-11 – City of Clearwater**
30.1 Acres MOL Located on the Southwest Corner of Gulf-to-Bay Boulevard and Belcher Road; Amendment from Residential Low Medium and Water to Residential Medium and Residential/Office/Retail
32. **Proposed Ordinance** Amending the Countywide Rules Concerning Agricultural and Community Garden Uses (First Public Hearing)

ADJOURNMENT – 7:00 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.