

AGENDA – Regular Public Meeting

**Pinellas County
Board of County Commissioners (BCC)
June 15, 2010**

3:09 p.m.

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 & Technology School
JoAn Totty, Palm Harbor, re Palm Harbor
Tom Calhoun, Seminole, re my civil liberties
Ida May Collins, Oldsmar, re school funds
Judith Black, Oldsmar, re school funding

B. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. **Approval of Minutes** of Regular Meeting of May 18, 2010
2. **Reports:**
 - a. **Continuing Bond Disclosure Report** Dated April 30, 2010, Pursuant to Rule 15c2-12 of the Securities and Exchange Commission for: \$104,795,000 Sewer Revenue and Revenue Refunding Bonds, Series 1998; \$86,580,000 Sewer Revenue Bonds, Series 2003; \$25,205,000 Sewer Revenue Refunding Bonds, Series 2006; \$155,520,000 Capital Improvement Revenue Bonds, Series 2000; and \$26,620,000 Capital Improvement Revenue Bonds, Series 2002
 - b. **Audit Services**, Division of Inspector General, Clerk of the Circuit Court, Report No. 2010-09 Dated May 20, 2010 - Audit of Solid Waste Revenue Administration
3. **Vouchers and Bills Paid**
4. **Miscellaneous Items to be Received for Filing:**

- a. [Tampa Bay Regional Planning Council Resolution](#) No. 2010-03 Adopted May 10, 2010, Declaring June as Hurricane Awareness Month
4. b. [2010 Florida's Kids & Alcohol and Prescription Drug Misuse](#): A Town Hall Meeting (Electronic Copy)

COUNTY ADMINISTRATOR

Airport

5. [Approval of the Second Amendment](#) to Contract with Valleycrest Golf Course Maintenance, Inc. for Golf Course Maintenance Operations

Utilities

6. [Approval of an Award of Bid](#) to Allied Universal Corp. for Sodium Hypochlorite – Liquid (12 Trade Percent)
7. [Approval of Amendment No. 1](#) to the Agreement with Veolia ES Solid Waste Southeast, Inc. for Landfill Operation – Bridgeway Acres

Other Departments

8. [Approval of the Receipt](#) and File Report of Non-Procurement Items Delegated to the County Administrator (County Administrator)
9. [Approval of Fiscal Year \(FY\) 2010 Budget Amendment](#) Nos. 6 and 7 (Budget Amendment No. 7 is a Companion Item to No. 11c) (Management and Budget)
10. [Adoption of a Resolution](#) Appropriating Unanticipated Grant Funds in the FY 2010 General Fund Budget for the Department of Real Estate Management (Management and Budget)
11. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2010: (Management and Budget)
 - a. [General Fund Budget](#)
 - b. [Fire Districts Fund](#)

- c. [Business Technology Services Fund](#) (Companion Item No. 9, Budget Amendment No. 7)
- 12. [Approval to Declare Surplus](#) and Authorize the Sale of Miscellaneous County-Owned Equipment (Real Estate Management/Fleet Management)
- 13. [Approval of the Ranking of Firms](#) and Authority for Staff to Negotiate an Agreement with Each of the Top Four Ranked Firms for Mechanical Electrical Professional Engineering Services (Real Estate Management)

COUNTY ATTORNEY

Reports:

- 14. Notice of New Lawsuit and Defense of the Same by the County Attorney:
 - a. [Michael John Garry v. County of Pinellas](#) - Circuit Civil Case No. 10-004292-CI-015 - Allegations of Personal Injury as a Result of Negligence
 - b. [Janice and Mark Homewood v. Pinellas County](#), a Political Subdivision of the State of Florida and World Triathlon Corporation, a Florida Corporation, d/b/a Ironman World Championship 70.3 - Circuit Civil Case No. 10-007720-CI-021 – Allegations of Personal Injury as a Result of Negligence

C. REGULAR AGENDA

- 15. [Items for Discussion](#) from Consent Agenda (County Administrator, County Administrator, and Clerk of Circuit Court)
Item No. 1, minutes of regular meeting of May 18, 2010 approved as amended.

COUNTY ADMINISTRATOR

Airport

- 16. [Approval of Change Order No. 1](#) with Office Pavilion South Florida, Inc., d/b/a Workplace Resource of Tampa Bay, for Terminal Area Improvements 2009, Airport Seating

17. [Approval of a Standard Ground Lease Agreement](#) with Renewal Options and Memorandum of Lease with Brookline Development Company, LLC

Public Works

18. [Approval of an Award of Bid](#) and Agreement with R.E. Purcell Construction Co., Inc. for McMullen Booth Road at Drew Street, McMullen Booth Road at Enterprise Road, and McMullen Booth Road Pavement Preservation from Drew Street to State Road 60
19. [Approval of the Eighth Amendment](#) to the Agreement for Consultant Services with Ayres Associates Inc. for Keystone Road (County Road 582) from U.S. 19 to East Lake Road
20. [Approval of an Interlocal Agreement](#) with the City of Largo for Funding of Improvements to and Transfer Maintenance of Roadways and Ditches on Highland Avenue from East Bay Drive to Belleair Road

Utilities

21. [Approval of the First Amendment](#) to and First Term Extension of the Agreement with Patton Harris Rust & Associates for Disaster Debris Monitoring Management and Consulting Services

Other Departments

22. [Approval of Authority to Advertise a Public Hearing](#) for Pinellas County Consortium's 2011-2015 Consolidated Plan Including the 2010-2011 Annual Action Plan for Federal Funding (Community Development)
23. [Approval of Authority to Execute a Consent](#) to Platting of Lands and Partial Release of Mortgage for the Stevens Creek Subdivision for Habitat for Humanity of Pinellas County Development of an Affordable Housing Community (Community Development)
24. [Approval of a Letter of Agreement](#) with the State of Florida, Agency for Health Care Administration for the Medicaid Buy Back Program, Retroactive to July 1, 2009 (Health and Human Services) (Companion Item No. 25)

25. [Approval of a Medicaid Buy Back Letter](#) of Agreement with Bayfront Medical Center, Inc. for Trauma Care to Indigent Citizens (Health and Human Services) (Companion Item No. 24)
26. [Approval of an Appointment](#) to the Construction Pre-Qualification Committee (Purchasing)
27. [Other Administrative Matters](#)
 - a. [Approval of the WorkNet Pinellas, Inc. Budget](#) for FY 2010-2011 Program Year

COUNTY ATTORNEY

28. [Approval of Authority for the County Attorney](#) to Initiate Housing Discrimination Litigation on Behalf of Joanne Bock-Ackerman in the Claim of Joanne Bock-Ackerman v. Countryside Pines Homeowners Association, Inc. – HUD Case #04-09-1479-8; PC #09-040
29. [Approval of Extension of Bond Counsel Services](#) with Bryant Miller Olive, P.A.
30. [Miscellaneous](#)

D. [AUTHORITIES, BOARDS, AND COUNCILS](#)

COUNTYWIDE PLANNING AUTHORITY (CPA)

31. [Approval of Authority to Advertise Public Hearings](#) for Proposed Amendments to the Countywide Plan Concerning Enhanced Public Transit and Transit-Related Land Use Planning (Planning)

ECONOMIC DEVELOPMENT AUTHORITY

32. [Approval of the Second Amendment](#) to Purchase and Sale Agreement with Florida Gateway Development I, LLC for the Toytown Site
33. [Approval of the Economic Development Funding Agreement](#) with STAR-TEC Enterprises, Inc.

EMERGENCY MEDICAL SERVICES (EMS) AUTHORITY

34. [Adoption of a Resolution](#) Approving a Sunstar Ambulance Service User Fee Rate Increase

HOUSING FINANCE AUTHORITY (HFA)

35. **Adoption of a Resolution** Approving the Intent of the HFA of Pinellas County to Proceed with the Financing of a Multifamily Residential Rental Housing Project through Issuance of Multifamily Housing Revenue Bonds, in a Principal Amount Not-to-Exceed \$10,250,000.00 for Benefit of Belleair Place Apartments II, LTD.

E. COUNTY ADMINISTRATOR REPORTS

36. **None**
Director of Emergency Management Sally A. Bishop presented an update on local efforts in response to the Deepwater Horizon Oil Spill.

F. COUNTY COMMISSION

37. **Approval of an Appointment** to the Local Planning Agency Citizen Board
38. **Approval of Reappointments** and an Appointment to the WorkNet Pinellas Board of Directors
39. **Miscellaneous**
- a. Commissioner Latvala requested status updates re an ordinance extending bar closing times and the Property Assessed Clean Energy (PACE) program recently approved by the legislature; and Attorney Bennett provided information.
 - b. Commissioner Welch updated the Board on the activities of the Charter Review Commission and its proposed recommendations.
 - c. Commissioner Brickfield thanked Assistant County Administrator Mark S. Woodard for providing information on the Attorney General's legal settlement with an office supply company.
 - d. Commissioner Harris provided a water conservation tip.

6:33 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.

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARING

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

40. SUBTHRESHOLD AMENDMENT – Case CW 10-12 – City of Dunedin
6.7 Acres More or Less (MOL) Located on Various Parcels East of U.S. Alternate 19 and Generally Located North of Pershing Street; and on the West Side of US Alternate 19 (City of Dunedin Weaver Park) and 1258 Bayshore Boulevard, North of Lee Street; Amendment from Commercial General, Commercial Recreation, Residential Medium, Residential Urban, and Undesignated (Vacated Public Right-of-Way) to Recreation/Open Space

SCHEDULED PUBLIC HEARINGS – BCC

41. [Proposed Ordinance](#) Amending Section 114-246 of the Pinellas County Code Relating to the Tierra Verde Fire Control District
42. Planning and Zoning Applications Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):
 - a. [Q Z/LU-1-5-10](#)
Resolution Changing the Zoning Classification on a Parcel of Land Containing Approximately 0.50 Acre on a Parcel Located on the South Side of Ulmerton Road 480 Feet East of the CSX Railroad Right of Way (Street Address: 9420 Ulmerton Road), Page 241 of the Zoning Atlas, as Being in Section 11, Township 30, Range 15; from C-3, Commercial, Wholesale, Warehousing and Industrial Support to C-2, General Retail Commercial and Limited Services, upon Application of Brian Smith, Director, Pinellas County Planning Department and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation for Approximately 0.07 Acre of Land for a Parcel Located on the South Side of Ulmerton Road 480 Feet East of the CSX Railroad Right of Way (Street Address: 9420 Ulmerton Road) Located in Section 11, Township 30, Range 15; from Commercial General and Industrial 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
 - b. [Q Z-4-5-10](#)
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 0.157 Acre, Located at 1285 South Lincoln Avenue, Clearwater, Page 187 of the Zoning Atlas, as Being in Section 22, Township 29, Range 15; from C-3, Commercial, Wholesale, Warehousing and Industrial Support to C-2, General Retail Commercial and Limited Services and a Variance to Allow a Proposed Day Care Center on a C-2 Zoned Lot Having 50 Feet of Width and 6,825 Square Feet of Land Area, Where 80 Feet of Frontage and 10,000 Square Feet of Land Area are Required in an C-2 Zoning District, upon Application of Rectec, Inc. through Housh Ghovaei, Northside Engineering, Representative

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED**42. c. [Q Z/CU-5-5-10](#)**

Resolution Changing the Zoning Classification of Two Parcels of Land Containing Approximately 4 Acres Located on the East Side of 19th Street, 133 Feet South of Florida Avenue (Street Address: 980 19th Street, Palm Harbor), Page 72 of the Zoning Atlas, as Being in Section 01, Township 28, Range 15; from R-R, Rural Residential to A-E, Agricultural Estate Residential and a Conditional Use to Allow an Agricultural Use (Hydroponic Farming) in an A-E Zone, and a Variance to Allow an Accessory Structure on a Lot Not Having a Primary Structure, upon Application of OG Farms, LLC Through Alex L. Azan, P.E., Keith Zayac & Associates, Inc, Representative

d. [Z/LU-4-7-09](#)

An Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation on a Portion of the Parcel Totaling Approximately 0.16 Acre Located on the West Side of Jackson Street, 100 Feet North of 132nd Avenue North, Largo (Street Address: 13224 125th Street North) Located in Section 08, Township 30, Range 15; from Residential Low and Institutional to Institutional, Providing for the Repeal of Ordinance No. 09-55, 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, upon Application of Pinellas County Planning Department, in Care of Brian Smith, Director

e. [Z/LU-5-7-09](#)

An Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Parcel Containing Approximately 0.60 Acre Located on the Northeast Corner of Pine Street Southwest and 132nd Avenue North, Largo (Street Address: 13207 Pine Street North) Located in Section 08, Township 30, Range 15; from Residential Low and Institutional to Institutional, Providing for the Repeal of Ordinance No. 09-56, 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, upon Application of Pinellas County Planning Department, in Care of Brian Smith, Director

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

42. f. [Z/LU-7-7-09](#)
An Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation on a 0.17 Acre Lot Located on the East Side of 119th Street North Lying 50 Feet North of Oak Street, Largo (Street Address: 2253 119th Street North) Located in Section 04, Township 30, Range 15; from Residential Low and Institutional to Institutional, Providing for the Repeal of Ordinance No. 09-57, 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, upon Application of Pinellas County Planning Department, in Care of Brian Smith, Director
- g. [LU-2-8-09](#)
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 3.20 Acres Located on the South Side of Whitney Road, Lying 145 Feet East of Whitney Drive, Largo Located in Section 32, Township 29, Range 16; from Transportation/Utility to Institutional, Providing for the Repeal of Ordinance No. 09-58, 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, upon Application of Pinellas County Planning Department, in Care of Brian Smith, Director
43. [Proposed Ordinance](#) Amending Several Elements of the Pinellas County Comprehensive Plan
44. [Proposed Ordinance](#) Amending the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan Regarding Transit Orientated Development
45. [Proposed Ordinance](#) Amending the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan Regarding the Ozona Community Overlay

ADJOURNMENT – 6:56 P.M.

* * * *

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.