

AGENDA – Regular Public Meeting

2:00 p.m.

Pinellas County

Board of County Commissioners (BCC)

January 22, 2008

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 Regular Meeting of November 27, 2007**
- 2. Reports: Dock Fee Report for the Month of November 2007**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
 - a. City of Largo Ordinance No. 2008-06 Adopted November 20, 2007, Annexing Certain Property**
 - b. City of St. Petersburg Ordinance No. 856-G Effective December 6, 2007, Annexing Certain Property**
 - c. Resolutions Opposing Bright House Networks Relocation of Governmental Access Channels:**
 - 1. Town of Belleair No. 2007-34 Adopted November 20, 2007**
 - 2. City of Tarpon Springs No. 2007-57 Adopted December 4, 2007**
 - d. Pinellas Suncoast Fire & Rescue Resolution No. 2007-13 Adopted December 4, 2007, Requesting That the BCC Call for a Special Election to be Held March 11, 2008, Regarding Assessment Rates**

COUNTY ADMINISTRATOR

Airport

5. **Approval of the Ranking of Firms and Authorization for Staff to Negotiate with Each of the Top-Six-Ranked Firms for Engineering Consulting Services**
6. **Approval of an Award of Bid to Caladesi Construction Company for Sheltair Taxiway and Terminal Apron Hardstand**

Public Works

7. **Approval of Change Orders No. 1 Final, Acceptance of Contract as Complete, and Release of Retainage with:**
 - a. **Pepper Contracting Services, Inc. for Municipal Services Taxing Unit Sidewalk and Americans with Disabilities Act Ramp Improvements for Fiscal Year (FY) 2005**
 - b. **Kamminga & Roodvoets, Inc. for General Storm Sewer Construction 2005-2006**

Utilities

8. **Approval of an Annual Performance Bond Issued by Safeco Insurance Companies for ADS Alliance Data Systems, Inc. for Customer Information System Software**

Other Departments

9. **Approval of Receipt and File Report of Items Delegated to the County Administrator for Approval (County Administrator)**
10. **Approval of a First Amendment to Subgrant Agreement with Palm Harbor Community Services, Inc. Relating to Administration of Florida Department of State, Division of Library and Information Services Grant for Renovation of the Palm Harbor Library (Culture, Education, and Leisure/Management and Budget) (Companion Item No. 15c)**
11. **Approval of a Contract for Law Enforcement Services with the City of Indian Rocks Beach and the Sheriff (Justice and Consumer Services)**

12. **Approval of Amendment No. 1 to the Contract for Law Enforcement Services with the City of Seminole and the Sheriff (Justice and Consumer Services)**
13. **Approval of FY 2008 Budget Amendment No. 9 (Management and Budget) (Companion Item No. 15a)**
14. **Approval of Receipt and File Reports from October 1, 2007, through December 31, 2007 of: (Management and Budget)**
 - a. **Administrative Budget Amendments**
 - b. **Law Enforcement Trust Fund**
15. **Adoption of Resolutions Appropriating Earmarked Receipts for a Particular Purpose in the FY 2008: (Management and Budget)**
 - a. **Capital Projects Fund for Unanticipated Fund Balance and Various Grants (Companion Item No. 13)**
 - b. **Information Technology Fund for Unanticipated Fund Balance**
 - c. **Palm Harbor Recreation and Library Fund Budget for Unanticipated Grant Revenue and Donations to the Palm Harbor Library (Companion Item No. 10)**
16. **Adoption of Resolutions Appropriating Earmarked Receipts for a Particular Purpose in the FY 2008 General Fund Budget for Unanticipated Grant Revenue to: (Management and Budget)**
 - a. **Sheriff**
 - b. **Public Defender**
17. **Adoption of Resolutions Appropriating Earmarked Receipts for Particular Purposes in the FY 2008 General Fund Budget for Unanticipated Fund Balance to Departments of: (Management and Budget)**
 - a. **Cultural Affairs**
 - b. **Facility Management**

18. Approval of the Receipt and File Report of Procurement Items Delegated to the County Administrator for Approval for the Quarter Ending December 31, 2007 (Purchasing)

AUTHORITIES, BOARDS, AND COUNCILS

Economic Development Authority (EDA)

19. Approval of a Termination of Lease Agreement with Schaller Engineering, Inc. for Space at the Young – Rainey STAR Center

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

21. Approval of the Installation of Two Speed Humps on 47th Avenue North from 52nd Street North to 49th Street North
22. Adoption of a Resolution Determining the Necessity to Construct Roadway and Drainage Improvements to Keystone Road from U.S. Highway 19 to East Lake Road and Directing the Condemnation of the Necessary Properties and Property Rights for Construction

Other Departments

23. Approval of a Memorandum of Understanding with Tampa Bay Partnership (TBP) for Roles and Responsibilities of TBP and Other Economic Development Organizations (Economic Development)
24. Approval of Change Order No. 1 with Coastal Marine Construction Incorporated for Honeymoon Island Beach Restoration, Phase I (Environmental Management)
25. Adoption of a Declaration of Cooperation for the Tampa Bay Nitrogen Management Consortium (Environmental Management)
26. Approval of a Contract with State of Florida, Department of Health for Operation of the Pinellas County Health Department Contract Year 2007-2008, Retroactive to October 1, 2007 (Health and Human Services)

27. **Approval of Authority to Advertise Public Hearings Amending St. Petersburg Plans for: (Planning)**
 - a. **Dome Industrial Park Pilot Project Redevelopment**
 - b. **Intown Redevelopment**
 - c. **Intown West Redevelopment**
 - d. **16th Street South Commercial Revitalization**
 - e. **Bayboro Harbor Redevelopment**
 - f. **Tangerine Avenue Community Redevelopment**

28. **Approval of Authority to Advertise a Public Hearing on a Proposed Historic Preservation Ordinance (Planning)**

29. **Consideration of a Proposed Amendment to the Transportation Impact Fee (TIF) Ordinance (Planning)**

30. **Approval to Authorize Funding and Construction of the Pinellas Trail Overpass at U.S. Highway 19 (34th Street) from TIF Revenue and Construction by the City of St. Petersburg (Planning)**

31. **Other Administrative Matters**

COUNTY ATTORNEY

32. **Approval of Authority for the County Attorney to Initiate Litigation in the Cases of:**
 - a. **Ken Burke, Clerk of the Circuit Court v. Donna M. Prince and Transworld Title Services, Inc. – Bad Checks Written on a Closed Account**

- 32. b. **Pinellas County v. Sonja C. Oakes – Damages as the Result of an Automobile Accident**

- 33. **Approval of Authority to Advertise a Public Hearing on a Proposed Amendment to Pinellas County’s Human Rights Ordinance**

- 34. **Approval of an Agreement with the Law Firm of Foley & Lardner LLP for Eminent Domain Legal Services**

- 35. **Miscellaneous**

C. AUTHORITIES, BOARDS, AND COUNCILS

EDA

- 36. **Approval of Ranking of Firms for Order of Negotiation for Sale or Lease of Real Property Known as Toytown**

D. COUNTY ADMINISTRATOR REPORTS

- 37. **Proposed FY 2008-2009 Federal Legislative Program**

E. COUNTY COMMISSION

- 38. **Approval of a Reappointment to the Housing Finance Authority**

- 39. **Miscellaneous**

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

- 40. Proposed Ordinance Amending Section 118.32(1)(b) of the Pinellas County Code Relating to the Tourist Development Council and Special Events Marketing and Approval to Change the Name from New Product Marketing Grants to Special Event Marketing Grants with Changes to the Grant Guidelines**

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

41. **Planning and Zoning Applications Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):**
 - a. **Q Z-4-6-06**
Application of CD Development, LLC through Steven A. Williamson, Esquire, Representative, for a Modification to a Previously Approved Development Agreement on a Parcel of Land Containing Approximately 2.5 Acres Located on the Northwest Corner of 71st Street North and 40th Avenue North
 - b. **Q Z-1-11-07**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately .5 Acre Located on the West Side of 26th Street North Just North of 57th Avenue North (Street Address: 5700 26th Street North, St. Petersburg), Page 786 of the Zoning Atlas, Located in Section 35, Township 30, Range 16, from C-2, General Retail Commercial and Limited Services to RM-12.5, Residential, Multiple Family-12.5 Units per Acre, upon Application of Jimmie S. Miller
 - c. **Q Z-5-11-07 (Companion Item No. 42)**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 1.0 Acre Located on the West Side of Orange Street and Lying 160 Feet North of the Intersection with Alternate U.S. 19, Ozona, Page 94 of the Zoning Atlas, Located in Section 11, Township 28, Range 15, from C-2, General Retail Commercial and Limited Services to C-3, Commercial, Wholesale, Warehousing and Industrial Support, upon Application of John Robinson Trust, in Care of John Robinson, Trustee, through Gary Boesch, Representative

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

41. d. **Q Z/LU-2-11-07**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately .16 Acre Located on the North Side of Smith Street 265 Feet East of South Myrtle Avenue, Clearwater, Page 197 of the Zoning Atlas, Located in Section 27, Township 29, Range 15, from R-4, One, Two and Three Family Residential to C-2, General Retail Commercial and Limited Services and a Variance for Lot Area and Lot Width, upon Application of Kelli Ann Whapham 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 .16 Acre Located on the North Side of Smith Street 265 Feet East of South Myrtle Avenue, Clearwater, Located in Section 27, Township 29, Range 15, from Residential Urban to Residential/Office/Retail, and Providing an Effective Date
- e. **Q Z/LU-6-11-07**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 3.7 Acres Located 600 Feet East of Park Street and Lying between 46th Avenue North and 48th Avenue North, St. Petersburg, Page 299 of the Zoning Atlas, Located in Section 01, Township 31, Range 15, from RM-7.5, Residential, Multiple Family-7.5 Units per Acre to RM-10, Residential, Multiple Family-10 Units per Acre, a Special Exception for an Affordable Housing Bonus with a Development Agreement for 55-Unit One-Story and Two-Story Buildings up to 35 Feet in Height, upon Application of Clifford Stout through John D. Carr, Contemporary Housing Alternatives of Florida, 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 3.7 Acres Located 600 Feet East of Park Street and Lying between 46th Avenue North and 48th Avenue North, St. Petersburg, Located in Section 01, Township 31, Range 15, from Residential Urban to Residential Low Medium, a Special Exception for an Affordable Housing Bonus with a Development Agreement for 55-Unit One-Story and Two-Story Buildings up to 35 Feet in Height, and Providing an Effective Date

WATER AND NAVIGATION CONTROL AUTHORITY PUBLIC HEARINGS

Pursuant to the Provisions of Chapter 31182, Laws of Florida (1955), as Amended, it is the Policy of the Pinellas County Water and Navigation Control Authority that all Persons Giving Testimony on Matters Relating to Application for Dredge, Fill, or Dock Permits do so Under Oath. If You Wish to Make Statements or Give Testimony Concerning Any of the Water and Navigation Items, Please be Prepared to Stand and Take the Oath When Requested to do so by the Clerk.

- 42. Commercial Dock Application CD38585-07/Revised Submitted by Gary Boesch, a/k/a American Marine, 105 Orange Street, Smith Bayou, Ozona (Companion Item No. 41c)**

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

* * * *

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.