

AGENDA – Regular Public Meeting

2:00 p.m.

Pinellas County

Board of County Commissioners (BCC)

March 18, 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 the Regular Meeting of February 5, 2008**
- 2. Reports – None**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
 - a. City of Clearwater Ordinance No. 7910-08 Adopted February 7, 2008, Annexing Certain Property**
 - b. City of Largo Ordinances Nos. 2008-11, 2008-12, and 2008-13 Adopted January 22, 2008, Annexing Certain Property**
 - c. City of Oldsmar Notice of Public Hearings Regarding Ordinances Nos. 2008-01 and 2008-02 Voluntarily Annexing Certain Property; Public Hearing Held March 18, 2008**
 - d. City of Safety Harbor Ordinance No. 2008-02 Adopted February 18, 2008, Annexing Certain Property**

COUNTY ADMINISTRATOR

Airport

- 5. Approval of Change Order No. 2 Final, Acceptance of the Contract as Complete, and Release of Retainage with Sutter Roofing Company of Florida for Terminal Roofing Renovation**
- 6. Adoption of a Resolution Approving Public Transportation Supplemental Joint Participation Agreement No. 7 with the State of Florida, Department of Transportation for the Terminal Renovation and Loading Bridges Project**

Public Works

7. Approval of an Award of Bid to Seminole Equipment, Inc. for Painting Park Boulevard Bridge Bascule Span

Utilities

8. Approval of Change Orders:
 - a. No. 1 to the Agreement with Westra Construction Corp. for North County Reclaimed Water Transmission Main
 - b. No. 2 Final, Acceptance of the Agreement as Complete, and Release of Retainage with Akerman Construction Co., Inc. for Capri Isle 16-Inch and 24-Inch Water Main Replacements (Rebid)

Other Departments

9. Approval of Receipt and File Report of Items Delegated to the County Administrator for Approval (County Administrator)
10. Approval of the Amended and Restated Agreement Funding East Lake Community Library with East Lake Community Library Advisory Board, Inc., Pinellas Public Library Cooperative, Inc., Palm Harbor Community Services Agency, Inc., and Palm Harbor Community Services District (County Administrator)
11. Approval of Change Order No. 2 Final, Acceptance of the Contract as Complete, and Release of Retainage with Coastal Marine Construction Incorporated for Honeymoon Island Beach Restoration Phase I (Environmental Management)
12. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the Fiscal Year 2008 Transportation Impact Fee Fund Budget for Unanticipated Fund Balance (Management and Budget)

AUTHORITIES, BOARDS, AND ENTITIES

Economic Development Authority

13. Approval of Initiation and Termination Dates of 180-Day Negotiation Period with Industrial Realty Group/Bear Creek Capital for Sale or Lease of Real Property Known as Toytown

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Other Departments

- 15. Adoption of a Resolution Declaring Two County-Owned Parcels Surplus and Authorizing Their Conveyance to the City of Indian Rocks Beach at No Cost (Real Estate)**
- 16. Approval of Payment of Insurance Premiums and Invoices for Commercial Property and Casualty Insurance Coverages (Risk Management)**
- 17. Other Administrative Matters**

COUNTY ATTORNEY

- 18. Approval of Authority for the County Attorney to Defend the Cases of:**
- a. U.S. Bank, N.A. v. Dorothy J. Woodhouse, et al. – Circuit Civil Case No. 08-2449-CI-8 – Mortgage Foreclosure Involving a Community Development Mortgage**
 - b. U.S. Bank, N.A. v. Joseph Yonker, et al. – Circuit Civil Case No. 08-2309-CI-15 – Mortgage Foreclosure Involving a Housing Finance Authority Mortgage**
 - c. Wachovia Mortgage Corp. v. Kryss Leitson, et al. – Circuit Civil Case No. 08-2522-CI-19 – Mortgage Foreclosure Involving a Community Development Mortgage**
 - d. Michael D. Seel v. Pinellas County – U.S. District Court No. 8:08-CV-00371-SCB-EAJ – Action Involving Alleged Violation of Uniformed Services Employment and Reemployment Rights Act of 1994**
- 19. Approval of the County Attorney's Office Policy Regarding Legal Representation of Multiple Clients**
- 20. Miscellaneous**

C. AUTHORITIES, BOARDS, AND ENTITIES

HOUSING FINANCE AUTHORITY

21. Adoption of a Resolution Approving the Issuance of Multi-County, Multi-Year, Single-Family, Housing Revenue Bonds in an Amount Not-to-Exceed \$250,000,000 in One or More Series

LEALMAN SOLID WASTE COLLECTION AND DISPOSAL DISTRICT (LSWCDD)

22. Approval of Authority to Advertise a Public Hearing Regarding a Proposed Amendment to LSWCDD's Ordinance, Providing for a Refund of Special Assessments for Vacant Residential Units

D. COUNTY ADMINISTRATOR REPORTS

23. Legislative Update

E. COUNTY COMMISSION

24. Approval of an Appointment to the Youth Advisory Committee
25. Approval of an Appointment to the WorkNet Pinellas Board of Directors
26. 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

- 27. Proposed Ordinance Amending the Pinellas County Comprehensive Plan Based on Recommendations in the Evaluation and Appraisal Report**
- 28. Planning and Zoning Applications Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):**
 - a. Q Z-3-11-07
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 1.4 Acres Located on the East Side of 66th Street Just South of the Intersection with 114th Avenue North, Largo (Street Address: 11315 66th Street North), Page 749 of the Zoning Atlas in Section 17, Township 30, Range 16, from M-1, Light Manufacturing and Industry to C-3, Commercial, Wholesale, Warehousing and Industry, upon Application of John Costello**

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

28. b. **Q Z/LU-1-1-08**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately .6 Acre Located on the North Side of 42nd Avenue North, 450 Feet East of 28th Street North, St. Petersburg, Page 792 of the Zoning Atlas in Section 02, Township 31, 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 Elna L. Bozarth through Lois Bozarth Pendley, 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 .6 Acre Located on the North Side of 42nd Avenue North, 450 Feet East of 28th Street North, St. Petersburg, in Section 02, Township 31, Range 16 from Preservation to Residential Medium, Providing for Other Modifications That May Arise from Review of The Ordinance at the Public Hearing and/or with Other Responsible Parties, and Providing an Effective Date
- c. **Q Z-2-1-08**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately .2 Acre Located on the South Side of 110th Avenue North, 260 Feet East of 58th Street North, Pinellas Park, Page 748 of the Zoning Atlas in Section 16, Township 30, Range 16, from P-1, General Professional Offices to R-3, Single Family Residential, upon Application of Grace Presbyterian Church
- d. **Q Z/LU-3-1-08**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately .6 Acre Located on the Northeast Corner of Nebraska Avenue and Westlake Boulevard, Palm Harbor, Page 73 of the Zoning Atlas in Section 01, Township 28, Range 15, from R-3, Single Family Residential to P-1A, Limited Office District, upon Application of Vada E. Scoggins Trust, in care of H. Faye Sheard, through Michelle and Darren Rothschild, 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 .6 Acre Located on the Northeast Corner of Nebraska Avenue and Westlake Boulevard, Palm Harbor, in Section 01, Township 28, Range 15, from Residential Low to Residential/Office-Limited, 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

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

28. e. Q CU-4-1-08
Application of Barr Brothers Properties, LLC, in care of Edwin Barr, through Todd Pressman, Pressman & Associates, Inc., and Trey Heyward, Advanced Medical Disposal, Inc., Representatives, for a Conditional Use to Permit a Bio-Medical Treatment Facility and a Variance to Allow the Facility within One-Half Mile of a Residential Zone on a Parcel of Land Containing Approximately .9 Acre Lying North of Ulmerton Road at the End of 34th Way North, Largo

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.