

AGENDA – Regular Public Meeting

9:30 a.m.

Pinellas County

Board of County Commissioners (BCC)

April 8, 2008

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 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 Chairman Will Call Each Speaker, One by One, to the Podium to be Heard.**

SCHEDULED PUBLIC HEARINGS – BCC

- 1. Petition to Vacate Submitted by Curt A. Steinbach and Hugh R. and Shelby A. Shumake for a Portion of Alleys Lying in Grove Park Vista Annex Subdivision**
- 2. Proposed Ordinance Amending Section 58-304, Pinellas County Code Relating to Excessive Accumulation of Trash and Debris on Property Abutting Public Rights-of-Way**

3. **Proposed Ordinance Providing for a Refund of Special Assessments for Vacant Residential Units for Lealman Solid Waste Collection and Disposal District**
4. **Water and Navigation Applications:**
 - a. **Private Dock Application P38855-08 Submitted by Patricia S. Ryan, 437 St. Andrews Drive, Belleair, Clearwater Harbor**
 - b. **Commercial Dock Application CC37445-06/Revised Submitted by the City of Clearwater, 69 Bay Esplanade, Clearwater, Mandalay Channel**
 - c. **Commercial Dock Application CD38267-07/Revised-A Submitted by the Travis Corporation of Pinellas County and the East Madeira Corporation/Bay Pines Marina, 5000 92nd Street North and 9293 Bay Pines Boulevard, Seminole, Long Bayou**
 - d. **Dredge and Fill Application DF1848-07 Submitted by the Travis Corporation of Pinellas County and the East Madeira Corporation/Bay Pines Marina, 5000 92nd Street North and 9293 Bay Pines Blvd, Seminole, Long Bayou**

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

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

SUBTHRESHOLD AMENDMENTS

5.
 - a. **Case CW 08-13 - Pinellas County
0.2 Acre More or Less (MOL) Located on the North Side of Smith Street 265 Feet East of South Myrtle Avenue; Amendment from Residential Urban to Residential/Office/Retail**
 - b. **Case CW 08-15 – City of Dunedin
2.5 Acres MOL Located at the Southeast Corner of Martin Luther King Jr. Avenue and Howell Street; Amendment from Residential Medium to Residential Low Medium**
 - c. **Case CW 08-17 - Pinellas County
0.2 Acre MOL Located at 1515 Lakeview Road; Amendment from Residential Low to Residential/Office General**

REGULAR AMENDMENTS

6. a. **Case CW 07-36 A – City of St. Petersburg
0.2 Acre Located Approximately 125 Feet West of the Southwest
Corner of 4th Street and 53rd Avenue; Amendment from
Residential/Office/Retail to Planned Redevelopment – Mixed Use**
- b. **Case CW 08-09 – City of Tarpon Springs (Temporarily Deferred
from the March 11, 2008, CPA Meeting)
13.0 Acres MOL Located on the Northwest Corner of East Pine
Street and U.S. Highway 19 North; Amendment from Industrial
Limited to Commercial General**
- c. **Case CW 08-14 – Pinellas County
3.7 Acres MOL Located 600 Feet East of Park Street between 46th
Avenue North and 48th Avenue North; Amendment from
Residential Urban to Residential Low Medium**
- d. **Case CW 08-16 – City of Largo
7.3 Acres MOL Located North of 1955 Belcher Road; Amendment
from Residential Suburban to Institutional**
- e. **Case CW 08-18 – Pinellas County
6.4 Acres MOL Located at 2201 Feather Sound Drive; Amendment
from Commercial Recreation to Residential Low**

B. 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.**

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

7. **Approval of Minutes of Regular Meeting of February 19, 2008**

8. **Reports:**
 - a. **Palm Harbor Special Fire Control and Rescue District Annual Financial Report for the Fiscal Year (FY) Ended September 30, 2007**
 - b. **Juvenile Welfare Board Financial Statements and Schedules for the FY Ended September 30, 2007**
 - c. **Dock Fee Reports for the Months of January and February 2008**
9. **Vouchers and Bills Paid**
10. **Miscellaneous Items to be Received for Filing:**
 - a. **City of Clearwater Notices of Public Hearings Regarding Ordinance No. 7925-08 Amending Beach by Design; Ordinance No. 7926-08 Amending the Clearwater Community Development Code; Ordinance No. 7941-08 Rescinding Ordinances Nos. 7405-05 and 7406-05; and Ordinances Nos. 7922-08 through 7924-08 and 7942-08 through 7946-08 Amending the Annexation, Land Use Plan and Zoning Atlas; Public Hearings Held March 20, 2008 and to be Held May 15, 2008**
 - b. **City of Largo Ordinances Nos. 2008-19 through 2008-22 Adopted February 19, 2008 and Notices of Public Hearings Regarding Ordinances Nos. 2008-23, and 2008-28 through 2008-30 Held March 18, 2008, Annexing Certain Property**
 - c. **City of Seminole Notices of Public Hearings Held March 25, 2008 Regarding Ordinances Nos. 02-2008 through 09-2008 and No. 12-2008, Voluntarily Annexing Certain Property**
 - d. **City of Seminole Resolution No. 02-2008 Opposing the Widening of 102nd Avenue North from a Two Lane Undivided Roadway to a Four Lane Divided Facility from 113th Street North to 137th Street North and Endorsing the Concept of Transportation Management Strategies**
 - e. **Pinellas Suncoast Fire and Rescue District Resolutions Nos. 2008-02 and 2008-04 Fixing the Rate of Non-Ad Valorem Assessments in Compliance with the Charter of the District and Amending the FY 07/08 Operating Budget, Respectively, Adopted February 19, 2008**

10. f. **Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 4 Dated January 17, 2008, and Financial Statement for the Month of December 2007**
- g. **Homeowners Association of Highland Lakes, Inc. 2008 Board of Directors Slate of Officers**

COUNTY ADMINISTRATOR

Public Works

11. **Approval of Release of Funds Held as Completion Surety**
12. **Approval of Acceptance of Contract as Complete, Release of Retainage and Change Orders:**
 - a. **No. 1 Final with Angle & Schmid, Inc. for Former Pinellas Suncoast Transit Authority Building Renovations, Minimum Security Detention Facility**
 - b. **No. 3 Final with Pepper Contracting Services, Inc. for General Sidewalk and Americans with Disabilities Act Ramp Construction 2004-2005**
13. **Approval of a Joint Project Agreement with the City of St. Petersburg for Utility Installation by Roadway Contractor for 46th Avenue North from 80th Street North to 62nd Street North**
14. **Approval of an Award of Bid to Florida Safety Contractors, Inc. for Advanced Traffic Management System Signal Construction**

Other Departments

15. **Approval of an Award of Bid to Diaz/Fritz Group, Inc., d/b/a Diaz Fritz Isabel, for Eagle Lake Park (Culture, Education, and Leisure)**
16. **Adoption of a Resolution Approving a Consent Order with Medico Environmental Services, Inc. for Final Settlement of Enforcement Case No. A07-048 (Environmental Management)**
17. **Approval to Declare Surplus and Authorize the Sale of Miscellaneous County-Owned Equipment (Facility Management/Fleet Management)**

18. Approval of an Award of Bid to Seven Vendors for Automotive Repair Parts and Supplies, After Market, Heavy and Light Trucks and Cars (Cooperative) (Fleet Management)
19. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2008 General Fund Budget for Unanticipated Fund Balance to the Medical Examiner Cost Center for the New DNA Laboratory (Management and Budget)
20. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2008 General Fund Budget for Transfer of Unanticipated Revenues and Grant Funds to the Sheriff (Management and Budget)
21. Approval of a Staff Services Agreement with Pinellas County Metropolitan Planning Organization for Professional Staff Planning Functions (Planning)
22. Approval of Payment of Commercial Property Insurance Premiums and Invoices with FM Global for Solid Waste Operations Resource Recovery and South Cross Bayou Reclamation Facilities (Risk Management)

D. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

24. Approval of the First Amendment to the Agreement for Concession Services with United Park Services, Inc.

Utilities

25. Approval of Amendment No. 1 to Pinellas County Resource Recovery Facility Services Agreement with Veolia ES Pinellas, Inc. for Waste-to-Energy Facility Operator Re-Procurement Services

Other Departments

26. **Approval of Ratification and Acceptance to Restate and Freeze the 401(a) Special Pay Plan with PENCO, Inc. and Approval to Enter Into a New Agreement for the Plan with AIG VALIC (County Administrator)**
27. **Adoption of a Resolution Recommending the Florida Legislature Accept the Final Report of the Florida Consumer Fertilizer Task Force and Reject Attempts to Preempt Home Rule Authority to Enact More Stringent Regulations to Control the Introduction of Pollutants Into Waterways (Environmental Management)**
28. **Approval of a Food Vending Services Agreement with the Pinellas County School Board for 2008 Children’s Summer Food Service Program (Health and Human Services)**
29. **Other Administrative Matters**

COUNTY ATTORNEY

30. **Approval of Authority for the County Attorney to Defend the Cases of:**
 - a. **National City Mortgage Co. v. Phyllis J. Brown - Circuit Civil Case No. 07-11695-CI-07 – Mortgage Foreclosure Involving a Subordinate Mortgage**
 - b. **Southtrust Mortgage Corporation v. Timothy A. Donahey, et al - Circuit Civil Case No. 08-2663-CI-8 - Mortgage Foreclosure Involving a Subordinate Mortgage**
 - c. **Wells Fargo Bank, NA v. Andrew L. Rhubottom, Surviving Spouse of Margaret E. Rhubottom, Deceased, et al - Circuit Civil Case No. 08-2422-CI-21 - Mortgage Foreclosure Involving a Subordinate Mortgage**
31. **Approval of Authority for the County Attorney to Initiate Litigation in the Case of Pinellas County v. Danielle McCown - Negligence in the Operation of a Motor Vehicle**
32. **Approval of Authority to File a Motion to Exclude Pinellas County from a Proposed Class Action Settlement – High Tide Harry’s Inc. v. Waste Management Inc. of Florida**

- 33. Approval of an Amendment to Special Counsel Contract – Ford & Harrison, LLP
- 34. Adoption of Resolution Designating Code Enforcement Officers
- 35. Approval of Authority for the County Attorney to Initiate a Counterclaim in the Case of Michael D. Seel v. Pinellas County, a Political Subdivision of the State of Florida, United States District Court for the Middle District of Florida – Case No. 8:08-cv-00371-SCB-EAJ
- 36. Miscellaneous

E. AUTHORITIES, BOARDS, AND COUNCILS

CPA

- 37. Approval of the Target Employment and Industrial Lands Study

HOUSING FINANCE AUTHORITY

- 38. Adoption of a Resolution Approving the Issuance of Multifamily Housing Revenue Bonds in a Principal Amount Not-to-Exceed \$17,500,000.00

F. COUNTY ADMINISTRATOR REPORTS

- 39. None

G. COUNTY COMMISSION

- 40. Approval of an Appointment to the Youth Advisory Committee
- 41. Approval of an Appointment to the Pinellas County Environmental Fund Advisory Board
- 42. Miscellaneous
 - a. Update Regarding Executive Search Services for County Administrator
 - b. Approval of the Employment Contract of the County Attorney

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.