

**AGENDA – Regular Public Meeting**

**3:00 p.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**June 17, 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 May 6, 2008**
- 2. Reports:**
  - a. Pinellas County Quarterly Donation Listing of \$500 and Greater for the Period January 1 through March 31, 2008**
  - b. Gulfcoast Legal Services, Inc., St. Petersburg, Florida, Audited Financial Statements and Supplementary Schedules (Together with Independent Auditors' Report) for the Fiscal Year (FY) Ended December 31, 2007**
  - c. City of Largo Ability to Serve Report Regarding 130<sup>th</sup> Avenue and Starkey Road Area Annexation**
  - d. City of Tarpon Springs Ability to Serve Report for the St. Petersburg College Olympia Building and Surrounding Property Annexation Dated May 14, 2008 and Revised Ability to Serve Report for the St. Petersburg College Olympia Building and Surrounding Property Voluntary Annexation Dated May 20, 2008; Public Hearing to be Held July 1, 2008**
  - e. City of Tarpon Springs Pinellas County Fire Services Agreement, Dated September 30, 2007**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
  - a. Pinellas County Public Works Public Hearing Notice Regarding Improvements to Bryan Dairy Road from East of Starkey Road to 72<sup>nd</sup> Street North Held June 12, 2008**

4. b. **City of Safety Harbor Ordinance No. 2008-08 Adopted May 19, 2008, Annexing Certain Property**
- c. **Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 7 Dated April 17, 2008, and Financial Statement for the Month of March 2008**

**COUNTY ADMINISTRATOR**

**Public Works**

5. **Approval of Release of Funds Held as Completion Surety**
6. **Approval of the Ranking of Firms and Authorization for Staff to Negotiate with the Top Eight Ranked Firms for Advanced Traffic Management System/Intelligent Transportation Systems Traffic Engineering Consulting Services**
7. **Approval of a Sole Source Purchase with Sensys Networks for Wireless In-Pavement Vehicle Detectors**
8. **Approval of Change Order No. 1 with Johnson Bros. – Misener Marine, A Joint Venture for Belleair Beach Causeway Bridge Replacements**

**Utilities**

9. **Approval of an Award of Bid to General Chemical Performance Products LLC for Aluminum Sulfate**
10. **Approval of the Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for Solid Waste Landfill and Other Related Ancillary Facilities**
11. **Approval of Change Order No. 2 with DCR Engineering Services, Inc. for Motorola Supervisory Control and Data Acquisition Remote Terminal Unit Equipment**

**Other Departments**

12. **Approval of the Receipt and File Report of Items Delegated to the County Administrator for Approval (County Administrator)**

13. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2008 General Fund for the Tampa Bay Estuary Program Grant for the Department of Culture Education and Leisure (Management and Budget)
14. Approval of a Termination of a Portion of a Utility Easement by General Release for Property Located at 122<sup>nd</sup> Avenue North and Seminole Boulevard (Real Estate Management)

**B. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Other Departments**

16. Approval of Authority to Advertise a Public Hearing Regarding the FY 2008-2009 Pinellas County Consortium's Action Plan for Federal Funding (Community Development)
17. Approval of Authority to Advertise a Public Hearing Regarding Amendments to Ordinance No. 93-30 for State Housing Initiatives Partnership Program (Community Development)
18. Approval of 2008-2009 Special Event Marketing Recommendations from the Tourist Development Council for Grants (Convention & Visitors Bureau)
19. Approval of the Recommendation of the Independent Cultural Tourism Grant Panel for Award of FY 2009 Grants to Seventeen Arts and Cultural Organizations (Culture, Education, and Leisure)
20. Adoption of a Resolution Approving A7110961090 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program (Economic Development)
21. Adoption of a Resolution Establishing a \$1,275,000.00 Financial Commitment to Project A7110961090 (Economic Development)

- 22. Adoption of a Resolution Amending the Pinellas County Sponsorship Policy (Management and Budget)
- 23. Other Administrative Matters
  - a. Announcement of a Public Hearing Regarding the Designation of a Brownfield Area in the City of Largo

**COUNTY ATTORNEY**

- 24. Approval of Authority for the County Attorney to Defend the Cases of:
  - a. Robert Ferguson v. Pinellas County, Political Subdivision - Circuit Civil Case No. 08-006361-CI-015 – Allegations of Personal Injuries
  - b. Gibbs-Trevena, Inc. v. CAM Industries, LLC, Onyx Waste Services Southeast, Inc., Bank of America, N.A., and Pinellas County - Circuit Civil Case No. 06-000048CI-13 – Allegations of Non-Payment Involving a Claim Against a Public Work Bond
- 25. Approval of an Amendment to the Nationwide Deferred Compensation Plan / §457 Plan Amendment and Restatement
- 26. Approval of an Amended Tolling Agreement with L. Robert Kimball and Associates, Inc.
- 27. Miscellaneous

**C. AUTHORITIES, BOARDS, AND COUNCILS**

**HOUSING FINANCE AUTHORITY**

- 28. Adoption of a Resolution Approving the Issuance of Multifamily Housing Revenue Bonds in an Amount Not-to-Exceed \$12,500,000.00 for Brooker Creek Apartments, LTD

**D. COUNTY ADMINISTRATOR REPORTS**

29. None

**E. COUNTY COMMISSION**

30. Approval of an Appointment to the East Lake Community Library Advisory Board

31. 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.**

**COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS**

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

**REGULAR AMENDMENTS**

- 32. a. Case CW 08-23 – City of Clearwater  
19 Acres More or Less (MOL) Located at 1500, 1510, 1520, 1530, 1540, 1550, 1560, 1570, 1580, 1590, 1600, 1610, and 1620 McMullen Booth Road; Amendment from Industrial Limited to Commercial General**

**CPA PUBLIC HEARINGS – CONTINUED**

- 32. b. **Case CW 08-24 – City of Clearwater (Continued to the July 22, 2008, CPA Meeting)  
4.5 Acres MOL Located at 3280 and 3290 McMullen Booth Road; Amendment from Residential Suburban to Residential Low and Institutional**
- c. **Case CW 08-25 – City of St. Petersburg  
0.2 Acre MOL Located at 2301 – 3<sup>rd</sup> Avenue South; Amendment from Planned Redevelopment-Mixed Use to Planned Redevelopment-Residential**

**SCHEDULED PUBLIC HEARINGS – BCC**

- 33. **Petition to Vacate Submitted by Brian L. and Adriana L. Anderson for a Portion of Private Drainage and Public Utility, Upland Preservation Area and Conservation Easement in Lot 14, Coachman Hill Preserve Subdivision**
- 34. **Proposed Ordinance Amending the Pinellas County Air Quality Ordinance**
- 35. **Proposed Resolution Amending the 2007-2010 Pinellas County Affordable Housing Land Inventory List**
- 36. **Proposed Ordinance Amending the Pinellas County Comprehensive Plan Regarding Increased Hotel Densities**
- 37. **Proposed Ordinance Amending the Pinellas County Zoning Code to Allow for Higher Hotel Densities/Intensities**
- 38. **Proposed Ordinance Amending Part II of the Future Land Use Map Category Descriptions and Rules of the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan**
- 39. **Proposed Ordinance Amending Recreation, Open Space and Culture Element, the Natural Resource Conservation and Management Element, the Intergovernmental Coordination Element, the Transportation Element, and the Capital Improvements Element of the Pinellas County Comprehensive Plan**

**SCHEDULED BCC PUBLIC HEARINGS – CONTINUED**

40. **Planning and Zoning Applications Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):**
- a. **Q Z/LU-3-8-07 (Continued to the July 22, 2008, BCC Meeting)**  
**Resolution Changing the Zoning Classification of Several Parcels of Land Containing Approximately 23 Acres Located on the East and West Side of 49<sup>th</sup> Street Primarily Lying North of 162<sup>nd</sup> Avenue North, Page 709 of the Zoning Atlas, as Being in Section 33, Township 29, Range 16, from R-3 and R-2, Single Family Residential AL, Aquatic Lands, A-E, Agricultural Estate Residential and RPD-5, Residential Planned Development, 5 Units Per Acre to RPD-5, Residential Planned Development, 5 Units Per Acre, AL, Aquatic Lands and RPD-10, Residential Planned Development, 10 Units Per Acre with a Development Agreement Having a Building Height of Five-Stories for the Proposed Building and a Request for a 50 Percent Affordable Housing Density Bonus, upon Application of Bayside Reserves, Inc. and Pinellas County Community Development, through Pinellas County Community Development, in Care of Anthony Jones, Director and Roxanne Amoroso, Banc of America Community Development Corp., Representatives, and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of Several Parcels of Land Containing Approximately 23 Acres Located on the East and West Side of 49<sup>th</sup> Street Primarily Lying North of 162<sup>nd</sup> Avenue North Located in Section 33, Township 29, Range 16, from Residential Low and Preservation to Residential Low, Preservation, Residential Low Medium with a Development Agreement Having a Building Height of Five-Stories for the Proposed Building and a Request for a 50 Percent Affordable Housing Density Bonus, 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 CU-1-5-08**  
**Application of Gulfside Enterprises, Inc., in Care of Ruth Cabella, for a Conditional Use Request to Allow Research and Development and Manufacturing Use (Class A) in a C-2 Commercial Zoning District on a 1.67 Acre Parcel of Land Located at the Northwest Corner of 137<sup>th</sup> Street and Oakhurst Road, Seminole (Street Address: 9021 Oakhurst Road, Units A-E)**

**SCHEDULED BCC PUBLIC HEARINGS – CONTINUED**

40. c. **Q Z/LU-4-7-07**  
Resolution Changing the Zoning Classification of Three Parcels of Land Containing Approximately 3.1 Acres Located on the Southwest Corner of North Pinellas Avenue and Anclote Road, Tarpon Springs, Page 23 of the Zoning Atlas, as Being in Section 12, Township 27, Range 15 from C-1, Neighborhood Commercial and R-4, One, Two and Three Family Residential to C-3, Commercial, Wholesale, Warehousing and Industrial Support and a Development Agreement for a Boat Storage Facility Up to 50 Feet in Height, upon Application of Charles and Elizabeth Palmer through Merlin Seamon, Seabass Marine Corp., Representative, and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of Three Parcels of Land Containing Approximately 3.1 Acres Located on the Southwest Corner of North Pinellas Avenue and Anclote Road, Tarpon Springs, Located in Section 12, Township 27, Range 15, from Commercial General and Residential Urban to Commercial General and a Development Agreement for a Boat Storage Facility Up to 50 Feet in Height, 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

**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.