

AGENDA – Regular Public Meeting

3:00 p.m.

Pinellas County

Board of County Commissioners (BCC)

July 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 June 17, 2008**
- 2. Reports:**
 - a. Entrada Community Development District Proposed Operating Budget for Fiscal Year (FY) 2009**
 - b. Eastlake Oaks Community Development District Proposed Operating Budget for FY 2009, Pursuant to Chapter 190.008(2)(b), Florida Statutes**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
 - a. City of Largo Notice of Public Hearing Regarding Ordinance No. 2008-56 Held July 15, 2008, Annexing Certain Property**
 - b. City of Safety Harbor Ordinance No. 2008-12 Adopted June 16, 2008, Annexing Certain Property**

COUNTY ADMINISTRATOR

Public Works

- 5. Approval of Receipt and File Report for Consultant Competitive Negotiation Act Items Delegated to the County Administrator for Approval for the Quarter Ending June 30, 2008**
- 6. Approval of a Release of Funds Held as Completion Surety**

7. **Approval of Change Order No. 4 Final, Acceptance of the Contract as Complete, and Release of Retainage with R.E. Purcell Construction Co., Inc. for Florida Avenue and 14th Street North to Bee Branch Creek**

Utilities

8. **Approval of Award of Bids for Pump Station to:**
 - a. **Dallas 1 Corporation for Replacements Group 2 – Pump Station Nos. 082 and 088**
 - b. **TLC Diversified, Inc. for Rehabilitations Group 3 – Pump Station Nos. 353, 394, and 396**
9. **Approval of Change Order No. 2 Final, Acceptance of the Agreement as Complete, and Release of Retainage with Mole Head Construction and Boring, Inc. for Town of Belleair Wastewater System Acquisition Project – Force Mains and Reclaimed Water Mains**

Other Departments

10. **Approval of the Receipt and File Report of Items Delegated to the County Administrator for Approval (County Administrator)**
11. **Approval of Acceptance of Project as Complete and Release of Retainage with Sommerville-Wilson, Inc., d/b/a Split Rock Studios, for Exhibit Element Production Services at Weedon Island (Environmental Management)**
12. **Approval of FY 2008 Budget Amendment No. 13 (Management and Budget)**
13. **Approval of Receipt and File Reports from April 1, 2008, through June 30, 2008, of (Management and Budget):**
 - a. **Administrative Budget Amendments**
 - b. **Law Enforcement Trust Fund**
14. **Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2008 Community Development Fund for Unanticipated Grant Revenue from the U.S. Department of Housing and Urban Development (Management and Budget)**

15. **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**
16. **Approval of the Cancellation of a Contract for Disclosure Counsel Services with Holland & Knight LLP for a Potential Conflict of Interest (Purchasing/County Attorney)**
17. **Approval of the Receipt and File Report of Procurement Items Delegated to the County Administrator for the Quarter Ending June 30, 2008 (Purchasing)**

AUTHORITIES, BOARDS, AND ENTITIES

Unified Personnel System

18. **Approval of the Ranking of Firms and Final Negotiated Contract with Standard Insurance Company for Group Long Term and Short Term Disability Administrative Services**

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

20. **Approval to Terminate an Agreement for Consulting Services with IBI Group, Inc. for 46th Avenue North from 55th Street North to 37th Street North**
21. **Approval of Authority to Advertise a Public Hearing on a Proposed Permanent Roadway Disconnection of Rosati Lane South from La Plaza Avenue South**

22. **Approval of Change Order No. 1 with Ajax Paving Industries, Inc. for 2007-2008 Countywide Pavement Preservation and Americans with Disabilities Act Ramps**
23. **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 (Deferred from the June 17, 2008, BCC Meeting)**

Utilities

24. **Approval of Change Order No. 1 with Lanzo Lining Services, Inc. for Sanitary Sewer Cured-in-Place Pipelining Annual Contract 2007-2008**
25. **Approval of an Agreement for Independent Consulting Engineering Services with Camp Dresser & McKee Inc for Solid Waste Landfill and Landfill Related Activities**

Other Departments

26. **Approval of Authority to Advertise Public Hearings on a Proposed Ordinance Establishing an Inclusionary Housing Program (Community Development)**
27. **Approval of the Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for Advertising and Promotional Services (Convention & Visitors Bureau)**
28. **Adoption of a Resolution Designating a Dansville Site as a Brownsfield Area (Economic Development)**
29. **Approval of a Grant Funding Agreement with Charles Stark Draper Laboratory, Inc. for Production, Research, and Development Facilities in Pinellas County (Economic Development)**
30. **Approval of a Sixth Amendment to Lease Agreement with MG Tower, LLC for the Community Development Department (Real Estate Management)**
31. **Adoption of a Resolution Determining the Necessity to Construct Intersection Improvements to 54th Avenue North at 28th Street North and Directing the Condemnation of the Necessary Properties and Property Rights for Construction (Real Estate Management)**

32. **Approval of a Contract for Sale and Purchase with William James and Nadine LaVelle Redgrave for Real Property Located at 2453 Keystone Road for the Keystone Road Capital Improvement Project from U.S. Highway 19 to East Lake Road (Real Estate Management)**
33. **Approval of a Contract for Sale and Purchase with Emory L. Johnson, Anna L. Murray, a/k/a Anna L. Balogh, and Byron R. Johnson for Real Property Located at 1304 East Tarpon Avenue for the Keystone Road Capital Improvement Project from U.S. Highway 19 to East Lake Road (Real Estate Management)**
34. **Other Administrative Matters**
 - a. **Announcement of a Public Hearing Regarding Designation of a Brownfield Area in Pinellas County**

COUNTY ATTORNEY

35. **Approval of Authority for the County Attorney to Defend the Cases of:**
 - a. **James R. Cordell, Jr. and Kim L. Kaszuba v. Pinellas County – Circuit Civil Case No. 08-9079-CI-021 – Encroachment upon Public Property**
 - b. **Goldman Sachs Mortgage Company v. Brent E. Berry, et al - Circuit Civil Case No. 08-9625-CI-8 – Mortgage Foreclosure Involving a Community Development Mortgage**
36. **Approval of Authority to Advertise a Public Hearing on a Proposed Ordinance Adding Section 2.08 to the Pinellas County Charter Relating to Environmental Lands**
37. **Approval of Authority to Advertise a Public Hearing on a Proposed Ordinance Amending Sections 90-102 and 90-112 of the Pinellas County Code Relating to Environmental Lands**
38. **Adoption of a Resolution Regarding the County’s Cafeteria Plan with Flexible Spending Arrangement**
39. **Approval of a Recommendation of Settlement in the Case of Pinellas County v. Menios Papas, Popi Papas, et al - Circuit Civil Case No. 01-008225-CI-015 – Keene Road Project**

40. Miscellaneous

C. AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY

41. Approval of Authority to Advertise Public Hearings on a Proposed Countywide Rule Amendment Regarding an Update to Traffic Generation Rates

D. COUNTY ADMINISTRATOR REPORTS

42. Starkey Road Project Update

E. COUNTY COMMISSION

43. 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.**

CPA PUBLIC HEARINGS

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

- 44. a. REGULAR AMENDMENT
Case CW 08-24 – City of Clearwater (Continued from June 17, 2008, CPA Meeting)
4.5 Acres More or Less Located at 3280 and 3290 McMullen Booth Road; Amendment from Residential Suburban to Residential Low and Institutional**

CPA PUBLIC HEARINGS – CONTINUED

44. b. AMENDMENT TO SPECIAL AREA PLAN

**Special Area Plan (SAP) Change 08-2 – City of Clearwater
Substantive Amendment to Beach By Design
(CW 01-25) , Which is a SAP in Support of the
Community Redevelopment District on the Countywide Plan
Map for a Portion of the City of Clearwater on Clearwater
Beach (CW 01-25 SAP Change No. 5-2008)**

SCHEDULED PUBLIC HEARINGS – BCC

- 45. Petition to Vacate Submitted by Carmen J. Winkelman, James R. Spear, Bonita S. Spear, Donald Sweeney, John R. Herndon, Kathryn B. Herndon, Roger A. Hurley, Cynthia L. Hurley, George P. Najemian, and Theresa Najemian for a Portion of Public Right-of-Way in the Grand Bay Heights Subdivision**
- 46. Petition to Vacate Submitted by Accent Investment, LLC, for a Portion of Eighth Street Right-of-Way, Subdivision of Block 150 of Sutherland, Florida**
- 47. Proposed Amendments to Ordinance No. 93-30, State Housing Initiatives Partnership Program**
- 48. Proposed Pinellas County Consortium’s FY 2008-2009 Consolidated Action Plan Regarding Grants and Programs**
- 49. Planning and Zoning Applications Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):**
 - a. Q Variance 01-04
Application of Tarpon Ridge, Inc., in Care of Grady Pridgen, for the Removal of a Previously Established Condition Limiting Residential Density Granted in Variance Case 01-04, Condition No. 5 on Approximately 133 Acres Lying West of I-275, East of 28th Street North and Generally South of 102nd Avenue North and North of 96th Avenue North**

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

49. b. Q Z/LU-3-8-07 (Continued from the June 17, 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 49th Street Primarily Lying North of 162nd 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 49th Street Primarily Lying North of 162nd 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

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.