

**AGENDA – Regular Public Meeting**

**9:30 a.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**October 7, 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. Proposed Ordinance Amending the Pinellas County Code Regarding Purchasing**
- 2. Proposed Ordinance Amending the Pinellas County Code Regarding Delegated Authority**

3. **Petition to Vacate Submitted by Pamela L. Williamson, f/k/a Pamela L. Brown, and Steven M. Williamson for a Portion of Utility Easement on Lot 9, Block L, Green Valley Estates Unit Two Subdivision**
4. **Proposed Permanent Roadway Disconnection of Rosati Lane South from La Plaza Avenue South**
5. **Proposed Ordinance Creating a Street Lighting District for: (Companion Item Nos. 6a-b)**
  - a. **Royal Palm Trailer Homes Subdivision**
  - b. **Country Square Subdivision**
6. **Proposed Resolution Regarding a Non-Ad Valorem Special Assessment Street Lighting District for: (Companion Item Nos. 5a-b)**
  - a. **Royal Palm Trailer Homes Subdivision**
  - b. **Country Square Subdivision**
7. **Proposed Ordinance Amending Section 118-32(1)(a) of the Pinellas County Code Regarding the Tourist Development Plan**
8. **Water and Navigation Applications:**
  - a. **Dredge and Fill Application DF1961-08 Submitted by Tom Brewer, Marina Place Condominiums, 2539 Gary Circle, St. Joseph's Sound, Dunedin**
  - b. **Dredge and Fill Application DF1969-08 Submitted by the City of St. Petersburg for Tinney Creek and Adjacent Canals Lying between 1<sup>st</sup> Street Northeast and 4<sup>th</sup> Street North, and between 96<sup>th</sup> Avenue North and 98<sup>th</sup> Avenue North, Tinney Creek, St. Petersburg**
9. **Proposed Resolution Authorizing the Exemption of Pinellas County from Florida Statute 316.2123 Regarding the Operation of All-Terrain Vehicles**
10. **Proposed Ordinance Amending the Pinellas County Code Regarding Animal Services**

**SCHEDULED BCC PUBLIC HEARINGS - CONTINUED**

11. **Proposed Tax Equity Fiscal Responsibility Act (TEFRA) Resolution for TEFRA Issuance of Not-to-Exceed \$4,500,000.00 Pinellas County Industrial Development Authority Industrial Development Revenue Bonds, Series 2008 on Behalf of Bovie Medical Corporation Project (Companion Item No. 48)**
12. **Proposed TEFRA Resolution for TEFRA Issuance of Not-to-Exceed \$28,500,000.00 Hernando County, Florida Industrial Development Private Activity Bonds, Series 2008 on Behalf of Goodwill Industries-Suncoast, Inc. (Companion Item No. 49)**
13. **Proposed Ordinance Amending the Pinellas County Code Establishing an Inclusionary Housing Program (Second Public Hearing)**

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

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

14. **Master Development Plan (MDP) Review for Industrial/Mixed-Use Project (MDP 2008-1) – La Entrada**  
133 Acres MOL Located between 94<sup>th</sup> Avenue North and 102<sup>nd</sup> Avenue North and between 28<sup>th</sup> Street North and Interstate 275 in St. Petersburg

**SUBTHRESHOLD AMENDMENTS**

15. **Case CW 08-34 – City of Pinellas Park**  
0.4 Acre More or Less (MOL) Located Approximately 400 Feet Northeast of the Intersection of U.S. Highway 19 and Gateway Boulevard; Amendment from Preservation with Activity Center to Commercial General with Activity Center

**REGULAR AMENDMENTS**

16. a. **Case CW 08-29 – City of Pinellas Park**  
2.0 Acres MOL at 6801 Park Boulevard; Amendment from Residential Urban and Commercial General to Commercial General

**CPA PUBLIC HEARINGS – CONTINUED**

- 16. b. **Case CW 08-30 – City of Gulfport  
1.8 Acres MOL Located North of 13<sup>th</sup> Avenue South between 61<sup>st</sup> Street South and 62<sup>nd</sup> Street South; Amendment from Residential Low to Institutional**
- c. **Case CW 08-32 – City of Largo  
4.0 Acres MOL Located at 13707 and 13805 – 58<sup>th</sup> Street North; Amendment from Industrial Limited, Preservation, and Water/Drainage Feature to Institutional, Preservation, and Water/Drainage Feature**
- d. **Case CW 08-33 – City of Largo  
4.6 Acres MOL Located at 14025 – 58<sup>th</sup> Street North; Amendment from Industrial Limited to Institutional**
- e. **Case CW 08-31 – Pinellas County  
23 Acres MOL Located East and West of 49<sup>th</sup> Street North and North and South of 162<sup>nd</sup> Avenue North; Amendment from Residential Low and Preservation to Residential Low, Residential Low Medium, and Preservation**

**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**

- 17. **Approval of Minutes of the Regular Meetings of August 26, 2008 and September 2, 2008**
- 18. **Reports:**
  - a. **Pinellas County Quarterly Donation Listing of \$500 and Greater for the Period April 1 through June 30, 2008**

18.
  - b. **City of Safety Harbor Comprehensive Annual Financial Report for Fiscal Year (FY) Ended September 30, 2007**
  - c. **Dock Fee Report for the Month of August 2008**
19. **Vouchers and Bills Paid**
20. **Miscellaneous Items to be Received for Filing:**
  - a. **Florida Department of Environmental Protection Notice of Intent to Sell Surplus State Land (St. Petersburg Parole and Probation Office, 2554 22<sup>nd</sup> Avenue South, St. Petersburg)**
  - b. **City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Rezoning and Zoning Atlas Amendments Regarding Ordinances Nos. 7945-08, 7946-08, 7973-08, 7974-08 and 7976-08 through 7978-08 and Notice of Amendment to the Clearwater Community Development Code Regarding Ordinance No. 7999-08; Public Hearings Held September 4 and October 2, 2008 and to be Held November 6, 2008**
  - c. **City of Largo Notices of Public Hearings Regarding Ordinances Nos. 2008-74 through 2008-77 Held September 16, 2008, Annexing Certain Property**
  - d. **City of Oldsmar Notice of Public Hearings Regarding Ordinances Nos. 2008-22 and 2008-23 Annexing Certain Property; Public Hearing Held October 7, 2008**
  - e. **Correspondence from the City of Seminole Regarding Ordinance No. 26-2008 Voluntarily Annexing Certain Property, Public Hearing to be Held October 28, 2008**
  - f. **City of Pinellas Park Notice of Public Hearing Regarding Ordinance No. 3637 to be Held October 9, 2008, Annexing Certain Property**
  - g. **City of Largo Resolution No. 1975 Agreeing to Participate in the Negotiation Process Regarding Annexation Provided for Under the Interlocal Service Boundary Agreement Act**
  - h. **Entrada Community Development District's FY 2009 Meeting Schedule**

20. i. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 10, Dated July 17, 2008
- j. Southwest Florida Water Management District's FY 2009 Board Meeting Calendar and a Map Depicting the District's Boundaries as Required by Florida Statute Chapter 189.417
- k. Tampa Bay Water Regular Board Meeting Calendar for the Year 2009

## COUNTY ADMINISTRATOR

### Public Works

21. Approval of the Release of Funds Held as Maintenance Surety
22. Approval of Amendment No. 1 to the Joint Project Agreement with Peoples Gas System, a Division of Tampa Electric Company, for Utility Installation by Roadway Contractor for Park Street/Starkey Road Improvements from 84<sup>th</sup> Lane North to Bryan Dairy Road

### Utilities

23. Approval of Change Order No. 1 Final and Acceptance of the Agreement as Complete with:
  - a. Rowland Inc. for Central Palm Harbor Phase 3B Reclaimed Water Distribution System and Approval of a Release of Retainage
  - b. Inliner American, Inc. for Sanitary Sewer Clean and Televiser Annual Contract 2005

### Other Departments

24. Approval of the Ranking of Firms and Final Negotiated Contract with Miles Media Group, Inc. for a Technology Marketing Program (Convention and Visitors Bureau)
25. Approval of FY 2008 Budget Amendment No. 16 (Management and Budget)
26. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2009 Community Development Fund Budget (Management and Budget)

27. **Approval of Acceptance of a Quitclaim Deed with the Florida Department of Transportation for the Lake Tarpon Water Quality Area Six Project (Real Estate Management/Environmental Management)**
28. **Approval to Declare Surplus and Authorize the Sale of Miscellaneous County-Owned Equipment for: (Real Estate Management)**
  - a. **Cellular Telephone**
  - b. **Two Vehicles**

**D. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Airport**

30. **Approval of a Standard Ground Lease Agreement with Renewal Option with MIDA Group, LLC, Termination of Lease Agreement, and Notice of Lease Termination with U.S. Foodservice, Inc.**

**Public Works**

31. **Approval of an Interlocal Agreement with the City of St. Petersburg for Countywide Intelligent Transportation Systems**
32. **Approval of Amendment No. 5 to the Agreement for Consultant Services with URS Corporation Southern for Park Street/Starkey Road (County Road 1) from Tyrone Boulevard to Bryan Dairy Road**

**Other Departments**

33. **Approval of Authority to Advertise a Public Hearing on an Ordinance Establishing Combustion Motor Exclusion Zones and Vessel Exclusion Zones for Fort DeSoto and Sand Key Parks (Culture, Education, and Leisure/Environmental Management)**

34. **Approval of an Agreement with Community Health Centers of Pinellas, Inc. for Preventive, Primary Care, Wellness Services, and Pharmaceuticals to Uninsured and Underinsured Residents of Pinellas County (Health and Human Services)**
35. **Approval of the Disbursement of Funds from the Alcohol and Drug Abuse Trust Fund for Selected Agencies (Justice and Consumer Services)**
36. **Approval of Funding Recommendations of the Substance Abuse Advisory Board for Distribution of Edward Byrne Memorial Justice Assistance Grant Funds for FY 2008-2009 (Justice and Consumer Services)**
37. **Other Administrative Matters**
  - a. **Approval of an Agreement with Birdsall, Voss & Associates, Inc. for Advertising and Promotions Service (Convention and Visitors Bureau)**

**COUNTY ATTORNEY**

38. **Approval of Authority for the County Attorney to Defend the Cases of:**
  - a. **The Bank of New York v. Siegfried Meyer, et al - Circuit Civil Case No. 08-12282-CI-17 - Mortgage Foreclosure Involving a Recorded Tax Lien**
  - b. **Countrywide Home Loans, Inc. v. William Chandler, et al - Circuit Civil Case No. 07-010988-CI-21 - Mortgage Foreclosure Involving a Utilities Lien**
  - c. **Deutsche Bank National Trust Company v. Alan Steele, et al - Circuit Civil Case No. 08-12758-CI-19 - Mortgage Foreclosure Involving a Utilities Lien**
  - d. **Robert Joseph Beckham vs. Pinellas County Utilities – U.S. Bankruptcy Court, South District of Indiana, Indianapolis Division - Case No. 08-501-FJO-7 – Settlement of a Bankruptcy Lawsuit**
  - e. **Frederick Nielsen v. Pinellas County, Office of Human Rights – United States District Court Case No. 8:08-cv-00711-EAK-TBM – Allegations of Discrimination**

39. Approval of Authority for the County Attorney to Initiate Litigation in the Case of Pinellas County v. John Andersen, Jr. and Jessica Yocum – Negligence in the Operation of a Motor Vehicle
40. Approval of Consent to Withhold Legal Services to the Pinellas County License Board for Children’s Centers and Family Day Care Homes
41. Adoption of Resolution Designating a Hearing Officer for the Pinellas County License Board for Children’s Centers and Family Day Care Homes
42. Approval of an Amendment to Special Counsel Contract – Ford & Harrison, LLP
43. Approval of Authority of the Interim County Administrator
44. Approval of an Amendment to ICMA-RC §457 Deferred Compensation Plan
45. Approval of a Settlement in Mark Anderson v. Pinellas County Government – Workers’ Compensation Date of Accident: August 31, 2001
46. Miscellaneous

**E. AUTHORITIES, BOARDS, AND COUNCILS**

**CPA**

47. Minor Plan Change (MPC) to Beach By Design Special Area Plan - City of Clearwater (CW 01-25) MPC No. 6-2008

**ECONOMIC DEVELOPMENT AUTHORITY**

48. Adoption of a Resolution Approving the Issuance of Pinellas County Industrial Development Authority Revenue Bonds, Series 2008 in an Amount Not-to-Exceed \$4,500,000.00 on Behalf of Bovie Medical Corporation Project (Companion Item No. 11)
49. Adoption of a Resolution and Approval of an Interlocal Agreement with Hernando County for Issuance of Hernando County Industrial Development Private Activity Bonds, Series 2008 in an Amount Not-to-Exceed \$28,500,000.00 on Behalf of Goodwill Industries-Suncoast, Inc. (Companion Item No. 12)

**HOUSING FINANCE AUTHORITY (HFA)**

- 50. Adoption of a Resolution Approving the Issuance of Multifamily Housing Revenue Bonds in an Amount Not-to-Exceed \$10,500,000 for SP One, LTD

**F. COUNTY ADMINISTRATOR REPORTS**

- 51. None

**G. COUNTY COMMISSION**

- 52. Approval of a Reappointment to the Educational Facilities Authority
- 53. Approval of a Reappointment to the Greater Seminole Area Special Recreation District
- 54. Approval of an Appointment to the Youth Advisory Council
- 55. Miscellaneous

**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.