

**AGENDA – Regular Public Meeting**

**9:30 a.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**February 3, 2009**

**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 Pinellas County for a Fifty Foot Strip of Georgia Avenue Right-Of-Way Lying South of the Westerly Prolongation of the North Line of Lot 16, Block G, Dixie Park Unit 1, Tarpon Springs (Legislative Hearing)**

**SCHEDULED BCC PUBLIC HEARINGS – CONTINUED**

2. **Petition to Vacate Submitted by Gerald Martin Sebastian for a Portion of a Six Foot Easement in Lots 18 and 19, Curlew Groves Unit One Subdivision (Quasi-Judicial Hearing)**
3. **Proposed Change to Make Henry Lane a One Way Roadway from North Bound Crystal Beach Avenue to Ohio Avenue**
4. **Proposed Ordinance Amending Section 54-1 of the Pinellas County Code and Creating Section 54-2 Regarding False Alarms**

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

5. **Proposed Ordinance Amending the Countywide Rule Regarding Consistency (First Public Hearing)**

**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**

6. **Approval of Minutes of the Regular Meeting of January 6, 2009**
7. **Reports:**
  - a. **Clerk of the Circuit Court Special-Purpose Financial Statements, Required Supplementary Information, Other Financial Information and Other Reports for the Year Ended September 30, 2008, with Summarized Financial Information for the Year Ended September 30, 2007**
  - b. **Internal Audit Division, Clerk of the Circuit Court, Report No. 2008-17 Dated December 30, 2008 – Audit of Facility Management and Fleet Management Property Disposition Function**

7. c. Internal Audit Division, Clerk of the Circuit Court, Report No. 2008-18 Dated December 30, 2008 – Follow-Up Audit of Pinellas County Take-Home Vehicles and Internal Controls Over Fuel Distribution System
- d. Dock Fee Report for the Month of December 2008
- e. Quarterly Report of Routine Dock Permits Issued from October 1, 2008 through December 31, 2008
8. Vouchers and Bills Paid
9. Miscellaneous Items to be Received for Filing:
  - a. Pinellas Suncoast Fire & Rescue Resolution No. 2008-10 Adopted December 16, 2008, Rescinding Resolution No. 2008-01 Ab Initio for the Purpose of Rescinding the Inclusion of Certain Previously Tax Exempt Properties on the Non-Ad Valorem Assessment Roll of the Fire District
  - b. City of Indian Rocks Beach Resolution No. 2008-91 Adopted December 9, 2008, Supporting an Amendment to the Florida Constitution Requiring the Florida Legislature to Operate Under the Florida Government in the Sunshine Laws
  - c. City of Oldsmar Notice of Public Hearings Regarding Ordinance No. 2009-01 Annexing Certain Property; Public Hearing Held January 20, 2009
  - d. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 2 Dated November 20, 2008, and Financial Statement for the Month of November 2008

**COUNTY ADMINISTRATOR**

**Public Works**

10. Approval of an Award of Bid to Design Build Engineers & Contractors, Corp. for Fiscal Year (FY) 2009 Sidewalk Repair and Replacement

**Utilities**

11. Approval of Awards of Bid to:
  - a. Kimmins Contracting Corp for Pump Station Replacements, Group 1 – Pump Station Nos. 116, 119, and 161
  - b. T.L.C. Diversified, Inc. for Pump Station Rehabilitations, Group 1 – Pump Station Nos. 021, 051, and 157
  - c. Key Chemical, Inc. for 25% Sodium Hydroxide (NaOH) Solution

**Other Departments**

12. Approval of the Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for Software Implementation, Rebid (Health and Human Services)
13. Approval of the Receipt and File Report of Write-Offs for Accounting Purposes of Items Delegated to the County Administrator for Approval from April 1, 2008, through September 30, 2008 (Management and Budget)
14. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2009 General Fund Budget for the 2008 Paul Coverdell Forensic Sciences Improvement Grant to the Medical Examiner (Management and Budget)
15. Adoption of a Resolution Appropriating Unanticipated Fund Balance in the FY 2009 General Fund Budget for the Medical Examiner (Management and Budget)
16. Approval of the Quarterly Receipt and File Report of Claim Settlements from October through December 2008 (Risk Management/County Attorney)

**D. REGULAR AGENDA**

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

**COUNTY ADMINISTRATOR**

**Public Works**

18. **Approval of an Interlocal Agreement with the City of Seminole for Advanced Traffic Management System/Intelligent Transportation Systems and Roadway Transfer Agreement to Transfer Traffic Control Authority**

**Other Departments**

19. **Adoption of the 2009-2010 Federal Legislative Program (County Administration)**
20. **Approval of a Grant Agreement with the Florida Department of Environmental Protection (FDEP), Bureau of Beaches and Coastal Systems, Beach Management Funding Assistance Program for Upham Beach Nourishment (Environmental Management) (Companion Item No. 21)**
21. **Approval of Amendment No. 5 to Agreement for Consultant Services with Coastal Planning & Engineering, Inc. for Treasure Island, North Segment and Long Key, North Segment Beach Nourishment Projects (Environmental Management) (Companion Item No. 20)**
22. **Approval of a Memorandum of Agreement with FDEP, Division of Recreation and Parks for Honeymoon Island Beach Restoration Project (Environmental Management) (Companion Item Nos. 23 and 24)**
23. **Approval of Amendment No. 1 to the FDEP Agreement with Humiston & Moore Engineers, P.A. for Honeymoon Beach Restoration (Environmental Management) (Companion Item Nos. 22 and 24)**
24. **Approval of Amendment No. 5 to the Grant Agreement with FDEP for Honeymoon Island Beach Restoration Project (Environmental Management) (Companion Item Nos. 22 and 23)**
25. **Other Administrative Matters**

**COUNTY ATTORNEY**

- 26. Approval of Authority for the County Attorney to Defend the Cases of:
  - a. Hudo Lending, LLC, a Florida Limited Liability Company v. Key Largo Communities Corp., et al - Circuit Civil Case No. 08-012380-CI-15 - Mortgage Foreclosure Involving a Utilities Lien Notice
  - b. JP Morgan Chase Bank National Association v. Mary E. Tussing, et al - Circuit Civil Case No. 08 - 18223 - CI - 19 - Mortgage Foreclosure Involving a Street Paving Assessment Resolution
- 27. Approval of a Recommendation of Settlement in an Environmental Enforcement Case and Approval of Authority to Intervene as a Party
- 28. Approval of a Recommendation of Settlement in Beaver Keith Gamble v. Pinellas County Government – Workers’ Compensation Date of Accident(s): March 11, 2006, May 11, 2007, and June 27, 2007
- 29. Miscellaneous

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

**BUSINESS TECHNOLOGY SERVICES**

- 30. Approval of the State and Local Government Master Lease Purchase Agreement and Pinellas County Standard Agreement with Hewlett-Packard Financial Services Company for Purchase or Lease of Computer Equipment

**F. COUNTY ADMINISTRATOR REPORTS**

- 31. None

**G. COUNTY COMMISSION**

- 32. 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.