

AGENDA – Regular Public Meeting

3:00 p.m.

**Pinellas County
Board of County Commissioners (BCC)
August 18, 2009**

INVOCATION

**PLEDGE OF ALLEGIANCE to the Flag of the United States of America
PRESENTATIONS and AWARDS**

A. 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 Agenda 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.

B. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

- 1. Approval of Minutes of the Regular Meeting of July 21, 2009**
- 2. Reports:**
 - a. Report of Expenses Incurred Under Incentives, Awards, and Recruitment Ordinance for the Quarter Ended March 31, 2009**
 - b. Pinellas County Quarterly Donation Listing of \$500 and Greater for the Period April 1 through June 30, 2009**
 - c. Public Risk Management of Florida Intergovernmental Cooperative Agreement for the City of Treasure Island for the Provision of Insurance, Together with an Affidavit of Authenticity**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
 - a. City of Pinellas Park Notice of Public Hearing Regarding Ordinance No. 3693 Annexing Certain Property Held August 11, 2009**

4. b. **City of Seminole Notice of Public Hearing to be Held August 25, 2009, Regarding Ordinances Nos. 23-2009 through 25-2009, Voluntarily Annexing Certain Property**
- c. **Correspondence from City of St. Pete Beach Supporting the Ongoing Operations and Funding of the Pinellas Planning Council**
- d. **City of Tarpon Springs Resolution No. 2009-29 Opposing Fees at Fred Howard Park Adopted, July 21, 2009**
- e. **Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 9, Dated June 18, 2009**

COUNTY ADMINISTRATOR

Public Works

5. **Approval of the Installation of Three Speed Humps on Terrace Road from 125 Feet East of the Centerline of Hillcrest Street to Alternate 19 (South Pinellas Avenue/State Road 595)**
6. **Approval of Change Order No. 2 with David Nelson Construction Co. for Walsingham Road Sidewalks and Walsingham Road – 119th/Old Ridge Road**
7. **Approval of Amendment No. 6 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**

Utilities

8. **Approval of an Award of Bid to Wharton-Smith, Inc. for North Pinellas Reclaimed Water Pump Station Rehabilitation**

Other Departments

9. **Approval of the Receipt and File Report of Items Delegated to the County Administrator for Approval (County Administrator)**
10. **Approval of Ratification of the Recovery Act: Edward Byrne Memorial Justice Assistance Grant Formula Program Award (Justice and Consumer Services)**

11. **Approval of Addendum No. 2 to the Contract with the City of Belleair Beach for Law Enforcement Services (Justice and Consumer Services)**
12. **Approval to Declare Miscellaneous County Owned Equipment Surplus and Authorize the Sale: (Real Estate Management/Fleet Management)**
 - a. **through Public Auction**
 - b. **to the Sheriff's Office**

C. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

14. **Approval of Addendum No. 4 to the Interlocal Agreement with the Pinellas County Sheriff for Law Enforcement Services**

Other Departments

15. **Approval of Authority to Submit an Amendment to the State Housing Initiatives Partnership Program's Local Housing Assistance Plan for 2009-2012 to the Florida Housing Finance Corporation for a New Plan Strategy (Community Development)**
16. **Approval of the Final Negotiated Contract with Janicki Environmental, Inc. for Development of Conservation Management Plan for Clearwater Harbor and St. Joseph Sound (Environmental Management)**
17. **Approval of the First Amendment to Interlocal Agreement with the Pinellas County Health Department for Acquisition of Property (Health and Human Services) (Companion Item No. 18)**
18. **Approval of a Contract for Sale and Purchase of Real Property with Suntasia Properties, Inc. for the New Pinellas County Health Department Facility (Real Estate Management) (Companion Item No. 17)**

19. Approval of Amendment No. 2 to the Pinellas County Health Care Services Plan Interlocal Agreement with the State of Florida, Department of Health for Health Care Services (Health and Human Services)
20. Approval of a Federally-Funded Subgrant Agreement with the State of Florida, Division of Emergency Management for the Public Safety Interoperable Communications Grant Program (Public Safety Services)
21. Approval of Final Negotiated Contract with Lealman Special Fire Control District for Tierra Verde Fire Protection Services (Public Safety Services)
22. Other Administrative Matters
 - a. Review and Recommendation of the BCC Regarding the Oversight Committee Report Concerning the Friendship Trail Bridge (Planning)

COUNTY ATTORNEY

23. Miscellaneous

- a. Approval of a Recommendation to Settle in the Case of Tony B. Wightman v. Pinellas County BCC – Circuit Civil Case No. 08-00011-CI-9

D. AUTHORITIES, BOARDS, AND ENTITIES

BUSINESS TECHNOLOGY SERVICES

24. Approval of the Ranking of Firms and Authority for Staff to Negotiate with the Number One Ranked Firm for Metro Ethernet/Wide Area Network Services
25. Approval of the Ranking of Firms and Authority for Staff to Negotiate with the Number One Ranked Firm for Implementation of Oracle E-Business Suite Software Services (Rebid)

PINELLAS COUNTY FIRE PROTECTION AUTHORITY

26. Approval of a One-Year Extension of Fire Protection Service Agreements with Ten Municipalities

E. COUNTY ADMINISTRATOR REPORTS

- 27. Health and Human Services Coordinating Council Update**
- 28. WorkNet Pinellas Two-Year Plan Overview – Supplemental Materials**

F. COUNTY COMMISSION

- 29. Approval of Appointments and Reappointments to the Economic Development Council**
- 30. Approval of Appointments to the WorkNet Pinellas Board of Directors**
- 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.

G. 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 Agenda 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 Agenda 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 Agenda 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.**

SCHEDULED PUBLIC HEARINGS – BCC

- 32. Water and Navigation Commercial Dock Application CD39706-09 Submitted by Ed Spaeth/Turtle Cove Group, LLC, 803 and 815 Roosevelt Boulevard, Tarpon Bayou, Tarpon Springs**
- 33. Petition to Vacate Submitted by Pinellas County for a Portion of Heron Place, Sound West Unit 1 Subdivision (Legislative Hearing)**
- 34. Petition to Vacate Submitted by Kathryn C. and Louis A. Spiegel III for a Portion of a Utility and Drainage Easement on Lot 116, Sound West Unit 2 Subdivision (Quasi-Judicial Hearing)**

35. **Petition to Vacate Submitted by Pinellas County for all of Tracts 1,2,7,8,9,10,15 and 16, in the Northeast and Southeast One-Quarter of Section 12, Township 27, Range 16 East, Together with all of the Platted Rights-of-Way Abutting Said Tracts of Keystone Park Colony (Quasi-Judicial Hearing)**
36. **Petition to Vacate Submitted by Matthew L. and Kathleen M. Moskalczyk for a Portion of Casa Vista Drive Lying East of Belcher Road, Lake Highlands Estates Subdivision (Legislative Hearing)**
37. **Planning and Zoning Applications Heard by the Examiner (Quasi-Judicial Hearings are Noted with a “Q” Prefix):**
 - a. **Q Z/LU-1-10-07 (Item Deferred to a Time Uncertain)
Resolution Modifying a Previously Approved Development Agreement in Z/LU-1-10-07 to Allow an Increase in the Number of Beds from 32 to 34, and a Variance to Allow 9 Parking Spaces Where 34 are Required in a Building Not-to-Exceed 50 Feet in Height, on a Parcel of Land Containing Approximately 1.56 Acres Located on the Southwest Corner of Park Boulevard and 128th Street, Seminole (Street Address: 7770 128th Street North), Page 282 of the Zoning Atlas, as Being in Section 29, Township 30, Range 15; upon Application of GIB Properties, LLC through Steven A. Williamson, Esquire, Johnson, Ruppel & Burns, Representative**
 - b. **Q CU-1-7-09 (Item Deferred to a Time Uncertain)
A Conditional Use to Allow a Wholesale Plant Nursery as an Agricultural Use in an A-E Zoning District on Two Parcels of Land Containing Approximately 2.1 Acres Located on the South Side of 46th Avenue North and North of 44th Avenue North and Lying 135 Feet West of 79th Way North, St. Petersburg, upon Application of Glenn and Joanne Duncan through Dean Hall, Representative**
 - c. **Q Z-2-7-09 (Item Deferred to a Time Uncertain)
Resolution Changing the Zoning Classification of Three Parcels of Land Containing Approximately .84 Acre Located on the East Side of Faxton Street and Lying 700 Feet South of Ulmerton Road, Clearwater, Page 731 of the Zoning Atlas, as Being in Section 08, Township 30, Range 16; from R-3, Single Family Residential to M-1, Light Manufacturing and Industry, upon Application of Gerald C., Gerald B. and Stella Hubbell**

37. d. **Q Z/LU-3-7-09 (Item Deferred to a Time Uncertain)**
Resolution Changing the Zoning Classification of Nine Parcels of Land Totaling Approximately 0.90 Acre Located on the Southwest Corner of Ulmerton Road and 119th Street North, Largo, Page 237 of the Zoning Atlas, as Being in Section 09, Township 30, Range 15; from C-1, Neighborhood Commercial and RM-15, Residential, Multiple-Family, 15 Units per Acre to A-E, Agricultural Estate Residential, upon Application of the BCC, in Care of Community Development and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of Nine Parcels of Land Totaling Approximately 0.90 Acre Located on the Southwest Corner of Ulmerton Road and 119th Street North, Largo Located in Section 09, Township 30, Range 15; from Commercial General to Recreation/Open Space, 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
- e. **Q Z/LU-4-7-09 (Item Deferred to a Time Uncertain)**
Resolution Changing the Zoning Classification of a Zone Change on a Parcel Totaling Approximately 0.46 Acre Located on the West Side of Jackson Street, 100 Feet North of 132nd Avenue North, Largo (Street Address: 13224 125th Street North), Page 235 of the Zoning Atlas, as Being in Section 08, Township 30, Range 15; from R-4, One, Two and Three Family Residential to R-3, Single Family Residential, upon Application of the BCC, in Care of Community Development, and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation on a Portion of the Parcel Totaling Approximately 0.16 Acre Located on the West Side of Jackson Street, 100 Feet North of 132nd Avenue North, Largo (Street Address: 13224 125th Street North) Located in Section 08, Township 30, Range 15; from Residential Low and Institutional to Institutional, 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

37. f. **Q Z/LU-5-7-09 (Item Deferred to a Time Uncertain)**
Resolution Changing the Zoning Classification of a Change of Zoning on a Parcel Containing Approximately 1.14 Acre Located on the Northeast Corner of Pine Street Southwest and 132nd Avenue North, Largo (Street Address: 13207 Pine Street North), Page 235 of the Zoning Atlas, as Being in Section 08, Township 30, Range 15; from R-4, One, Two and Three Family Residential to R-3, Single Family Residential, upon Application of BCC, in Care of Community Development, and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Land Use Change on a Parcel Containing Approximately 0.60 Acre Located on the Northeast Corner of Pine Street Southwest and 132nd Avenue North, Largo (Street Address: 13207 Pine Street North) Located in Section 08, Township 30, Range 15; from Residential Low and Institutional to Institutional, 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. **Q Z-6-7-09 (Item Deferred to a Time Uncertain)**
Resolution Changing the Zoning Classification of a Zone Change on a 0.08 Acre Portion of a 0.6 Acre Parcel Located on the Southwest Corner of Crosby Street and 12th Street Southwest, Largo (Street Address: 2104 12th Street Southeast), Page 224 of the Zoning Atlas, as Being in Section 04, Township 30, Range 15; from R-3, Single Family Residential and C-2, General Retail Commercial and Limited Services to R-3, Single Family Residential, upon Application of BCC, in Care of Community Development

37. h. **Q Z/LU-7-7-09 (Item Deferred to a Time Uncertain)**
Resolution Changing the Zoning Classification of a Zone Change on Two Lots (0.24 Acre and 0.17 Acre) Totaling Approximately 0.41 Acre Located on the East Side of 119th Street North Lying 50 Feet North of Oak Street, Largo (Street Address: 2253 119th Street North), Page 224 of the Zoning Atlas, as Being in Section 04, Township 30, Range 15; from C-2, General Retail Commercial and Limited Services and R-4, One, Two and Three Family to R-3, Single Family Residential, upon Application of BCC, in Care of Community Development and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation a Land Use Change on a 0.17 Acre Lot Located on the East Side of 119th Street North Lying 50 Feet North of Oak Street, Largo (Street Address: 2253 119th Street North), Located in Section 04, Township 30, Range 15; from Residential Low and Institutional to Institutional, 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
- i. **Q CU-8-7-09 (Item Deferred to a Time Uncertain)**
A Conditional Use to Allow a Full Service Equine Facility to Include Boarding, Raising, Breeding, Training, Selling, and Riding Lessons on a 2.39 Acre Parcel of Land Located on the West Side of Donegan Road Lying North of 16th Avenue Southeast, Largo (Street Address: 1200 Donegan Road), upon Application of Eddie and Annette Bie
38. **Sunset Point Road Project Update to the BCC (Regular Item – Public Comment will be taken after Staff’s Presentation)**

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.