

AGENDA – Regular Public Meeting

**Pinellas County
Board of County Commissioners (BCC)
November 17, 2009**

3:00 p.m.

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 Public Hearing Items, Must Have a Yellow Card Completed and Given to the Agenda Coordinator 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.

B. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

- 1. Approval of Minutes of the Regular Meeting of October 6, 2009**
- 2. Report of Expenses Incurred Under Incentives, Awards, and Recruitment Ordinance for the Quarter Ended June 30, 2009**
- 3. Vouchers and Bills Paid**
- 4. Miscellaneous Items to be Received for Filing:**
 - a. City of Clearwater Ordinance No. 8090-09 Adopted October 1, 2009, Annexing Certain Property; Change in Meeting Dates of Public Hearings on Annexation, Land Use Plan and Zoning Atlas Amendments to November 5, 2009, Regarding Ordinances Nos. 8093-09, 8094-09, and 8095-09; and Resolution No. 09-46 Adopted October 1, 2009, Recommending that the Pinellas County BCC Use Emergency Medical Service (EMS) Reserves to Fund a Rescue Unit at Station 50**
 - b. City of Safety Harbor Resolution No. 2009-21 Adopted October 19, 2009, Opposing the Expansion of Offshore Oil Drilling within Three Miles of the Pinellas County Coast and Requesting that the Florida Legislation Not Take Up the Matter in a Special Session**
 - c. Public Risk Management of Florida Intergovernmental Cooperative Agreement for the City of Indian Rocks Beach as Amended and Restated Through October 15, 2004, for the Provision of Insurance, Together with an Affidavit of Authenticity**
 - d. Juvenile Welfare Board Interim Financial Report (Unaudited) Dated September 30, 2009**

4. e. **Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 12, Dated September 17, 2009**

COUNTY ADMINISTRATOR

Public Works

5. **Approval of Supplemental Agreement No. 3 with the State of Florida Department of Transportation for the Belcher Road Advanced Traffic Management System/Intelligent Transportation System (ATMS/ITS) Project from Klosterman Road to Druid Road and State Road 60 to South Hillcrest to Island Way (Companion Item No. 6)**
6. **Approval of Amendment No. 1 to the Joint Participation Agreement with FDOT for ATMS/ITS Project Improvements on Belcher Road from Druid Road to Klosterman Road (Companion Item No. 5)**

Utilities

7. **Approval of an Award of Bid to:**
 - a. **Westra Construction Corp. for Pump Station 163 Force Main Replacement – Phases II-A and II-B**
 - b. **QRC, Inc. for Pump Station 054 Construction**

Other Departments

8. **Approval of Receipt and File Report of Non-Procurement Items Delegated to the County Administrator for Approval (County Administrator)**
9. **Approval of the Ratification of Grant Documents with the United States Department of Justice for: (Justice and Consumer Services)**
 - a. **Recovery Act: Edward Byrne Memorial Justice Assistance Grant for Sexual Predator and Offender Tracking Unit**
 - b. **Fiscal Year (FY) 2009 Congressionally Selected Pinellas Reentry Project Grant**
10. **Approval of a Grant Award with the U.S. Department of Justice for the Community Oriented Policing Services Program (Justice and Consumer Services)**
11. **Approval of FY 2009 Budget Amendment No. 13 (Management and Budget)**

12. **Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the Palm Harbor Recreation and Library Fund Budget for the Palm Harbor Library Renovation Project for: (Management and Budget)**
 - a. **FY 2009**
 - b. **FY 2010**

13. **Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2010 General Fund Budget for: (Management and Budget)**
 - a. **American Recovery and Reinvestment Act (ARRA) and Various Other Grant Awards and Contracts to the Sheriff**
 - b. **State of Florida, Division of Emergency Management Department of Homeland Security Grants for the Department of Emergency Management and ARRA Grant Awards to the Department of Justice and Consumer Services and**
 - c. **Fund Balance Associated with Prior Year Grants for the Public Defender**

14. **Approval of the Renewal of Certificates of Public Convenience and Necessity for: (Public Safety Services)**
 - a. **Advanced Life Support (ALS) First Responders, ALS Helicopter Ambulances, and the EMS Authority, d/b/a Sunstar**
 - b. **Wheelchair Transport Providers**

15. **Approval of the Receipt and File Quarterly Report of Claim Settlements for the Period of July through September 2009 (Risk Management)**

AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY (CPA)

16. **Adoption of a Resolution Directing the Filing of the Countywide Plan Map 2009 Annual Update**

17. **Approval of Determinations of Countywide Consistency for Redington Shores, Safety Harbor, and St. Petersburg**

C. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

19. **Approval of Change Order No. 1 with Duffy & Lee Carpet Company for the Airport Terminal Improvement Project – Phase I Carpet and Installation**
20. **Approval of an Agreement for Consultant Services with LPA Group Incorporated for Terminal Building Schematic Design Phase Amendment:**
 - a. **No. 5**
 - b. **No. 6**

Public Works

21. **Approval of a Construction Agreement with CSX Transportation, Inc. for the Installation of New Warning Devices at the Rail Crossing on Bryan Dairy Road**

Utilities

22. **Adoption of a Resolution Authorizing Continuation of the Ultra Low Flow Toilet Rebate Program for an Additional Year**

Other Departments

23. **Adoption of a Resolution Supporting Elimination of the Cap on State and Local Housing Trust Funds and Supporting Full Appropriation of the Housing Trust Funds for Housing Programs (County Administrator)**
24. **Adoption of a Resolution Opposing Approval of Oil and Gas Drilling in Florida's Waters in Areas Other Than Those Already Approved and Recommending the Florida Legislature Establish a Special Task Force to Study Short and Long Term Implications of Oil and Gas Drilling and Other Alternative Energy Sources (County Administrator)**
25. **Approval of an Assistance Agreement with the United States Department of Energy for the Pinellas County Regional Urban Sustainability Demonstration and Education Facility (Sustainability Node) (Culture, Education and Leisure)**

26. Approval of a Contract with the State of Florida Department of Health for Operation of the Pinellas County Health Department for Contract Year 2009-2010, Retroactive to October 1, 2009 (Health and Human Services)
27. Approval of a Grant-in-Aid Agreement with the Office of State Courts Administrator for Post-Adjudicatory Drug Court Expansion (Justice and Consumer Services)
28. Other Administrative Matters

COUNTY ATTORNEY

29. Miscellaneous

D. AUTHORITIES, BOARDS, AND COUNCILS

CPA

30. Approval of the Receipt and Acceptance of the Curlew Road Scenic/Noncommercial Corridor Pilot Study

EMERGENCY MEDICAL SERVICES AUTHORITY

31. Approval of Revised Appendices A and B of the Advanced Life Support First Responder Agreement with the City of St. Pete Beach

E. COUNTY ADMINISTRATOR REPORTS

32. Charter Review Update

F. COUNTY COMMISSION

33. Approval of a Reappointment to the Health Facilities Authority
34. Approval of an Appointment to the Educational Facilities Authority
35. Approval of an Alternate Member to the Local Planning Agency
36. Selection of the 2010 Chairman and Vice-Chairman
37. Miscellaneous
 - a. Approval of Appointments to the Tourist Development Council

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 Agenda Coordinator 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 Agenda Coordinator 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 Agenda Coordinator 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:

- 38. SUBTHRESHOLD AMENDMENT - Case CW 09-20 – City of Clearwater 0.6 Acre More or Less (MOL), Located at 2337 Gulf to Bay Boulevard; Amendment from Residential Medium to Commercial General**

CPA PUBLIC HEARINGS – CONTINUED**39. REGULAR AMENDMENTS:**

- a. **Case CW 92-20 (Special Area Plan (SAP) Change No. 2-2009) – City of Gulfport**
58.6 Acres MOL, Generally an Area Included Within and Encompassed by the Lots North of and Abutting Shore Boulevard South, Between 58th Street South and 54th Street South, an Area South of 28th Avenue South to Shore Boulevard South, and East of 56th Street South and West of 54th Street South (i.e. Excluding Lots that Front on Essex Avenue South, West of 54th Street South). Amendment of the Waterfront Area Redevelopment Plan, Also Known as a SAP Which is the Basis for the Community Redevelopment District Designation on the Countywide Plan Map. The Proposed Amendment Area Affects Approximately 59 Acres of the 84-Acre Waterfront Redevelopment Area. In the 59-Acre Area, Under Certain Conditions, the Mixed Use District is Proposed to Allow Additional Residential Development. Also with the Exception of the Area Along 21st Avenue South and the Area West of 56th Street South, and Again Under Certain Conditions, the Residential Low Medium District is Proposed to Allow Non-Residential Uses.

- b. **Case CW 97-62 (SAP Change No. 1-2009) – City of Largo - (To Be Continued to the December 15, 2009, CPA Meeting)**
315.4 Acres MOL, Generally an Area Included Within and Encompassed by 4th Avenue Northwest, Missouri Avenue, 2nd Avenue Northeast, 2nd Street Northeast, 1st Avenue Northeast, Central Park Drive (Including Largo Central Park and Library), an Area North of 6th Avenue Southeast, Seminole Boulevard, 4th Avenue West, and Extending Further West to the Western Boundary of the Largo Medical Center, West Bay Drive, 14th Street Northwest, Pine Vista Drive and the Pinellas Trail. Amendment of the West Bay Drive Redevelopment Plan, Also Known as a SAP Which is the Basis for the Community Redevelopment District Designation on the Countywide Plan Map. The Proposed Amendment Area Affects the Entire 315 Acres in the Redevelopment Plan Area. The Amendments will Serve to Replace the Original West Bay Drive Redevelopment Plan that was Adopted in 1997 with a New Plan That Will Guide Redevelopment by Establishing Character Districts That Govern Allowable Uses, Maximum Floor Area Ratios for Non-Residential Uses, and Maximum Density for Residential Uses. The Plan Also Contains Design Elements and Capital Improvement Plans for Pedestrian Amenities, Transportation and Other Infrastructure.

SCHEDULED PUBLIC HEARINGS – BCC

40. **Petition to Vacate Submitted by Nasser A. Moukaddem for a Portion of a Utility Easement on Lot 11, Feather Sound Custom Home Site Unit III Subdivision (Quasi-Judicial Hearing)**

41. **Planning and Zoning Applications and Amendments to the Comprehensive Plan Heard by the Local Planning Agency (Quasi-Judicial Hearings are Noted with a “Q” Prefix):**
 - a. **LU-1-1-08 (First Public Hearing)**
An Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Parcel of Land Containing Approximately 0.60 Acre Located on the North Side of 42nd Avenue North, 450 Feet East of 28th Street North, St. Petersburg, Located in Section 02, Township 31, Range 16; from Preservation to Residential Medium, 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, upon Application of Pinellas County Planning Director

 - b. **LU-1-10-09**
An Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Parcel of Land Containing Approximately 0.15 Acre Located on the South Side of 55th Terrace North Where It Intersects with 56th Way North, St. Petersburg, Located in Section 33, Township 30, Range 16; from Commercial General to Residential Low, 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, upon Application of Edward and Donna Brauch

 - c. **LU-2-10-09 (First Public Hearing)**
An Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Total of 29 Parcels of Land Containing Approximately 101 Acres Located on the West Side of US Alternate 19 and Lying Within the Wall Springs County Park, Palm Harbor, Located in Section 23, Township 27, Range 15 and Section 26, Township 27, Range 15; from Residential Low and Preservation-Resource Management to Preservation-Resource Management and 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; upon Application of Pinellas County Planning Director Through Paul Cozzie, Director, Pinellas County Culture, Education and Leisure Department, Representative

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

41. d. **Q Z-3-10-09**
Resolution Changing the Zoning Classification of Two Lots Containing Approximately 0.38 Acre Located on the East Side of Missouri Avenue, 270 Feet South of Woodlawn Street, Clearwater (Street Addresses: 1521 and 1527 South Missouri Avenue), Page 188 of the Zoning Atlas, as Being in Section 22, Township 29, Range 15; from C-1, Neighborhood Commercial to C-2, General Retail Commercial and Limited Services and Two Variances for a 24.7 Foot Front Setback Where a 25 Foot Front Setback is Required and to Allow the Reduction in the Required Number of Parking Spaces from 17 to 14 Spaces, upon Application of Juan Vazquez, Trustee Through Braulio Grajales, P.E., High Point Engineering, Representative
- e. **Q CU-4-10-09**
A Conditional Use to Allow Storage and the Operation of a Solid Waste Facility Along with a Special Exception to Allow the Storage of Fill in Excess of 1,000 Cubic Yards on a Parcel of Land Containing Approximately 3.6 Acres Located 700 Feet East of US Highway 19 and 700 Feet South of Ulmerton Road, Clearwater, upon Application of Joseph McGeehan, McGeehan Construction, Inc.
- f. **Q Z-5-10-09**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 0.11 Acre Located 130 Feet East of Audrey Lane and 130 Feet North of Ulmerton Road, Largo (Street Address: 6789 Ulmerton Road); Page 728 of the Zoning Atlas, as Being in Section 06, Township 30, Range 16; from R-3, Single Family Residential to C-2, General Retail Commercial and Limited Services, upon Application of Vito Farese
- g. **Q Z/LU-6-10-09 (First Public Hearing) (Companion Item Nos. 40h & 40i)**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 10 Acres Located on the Northwest Corner of Old Roosevelt Boulevard and 34th Street North (Evergreen Avenue), Clearwater, Page 722 of the Zoning Atlas, as Being in Section 34, Township 29, Range 16; from PC-Airport to C-2, General Retail Commercial and Limited Services, upon Application of Pinellas County through Noah Lagos, Airport Director, Representative and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Parcel of Land Containing Approximately 10 Acres Located on the Northwest Corner of Old Roosevelt Boulevard and 34th Street North (Evergreen Avenue), Clearwater, Located in Section 34, Township 29, Range 16; from Recreation/Open Space to Commercial General, 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

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

41. h. **(Q) Z/LU-7-10-09 (First Public Hearing) (Companion Item Nos. 40g & 40i)**
Resolution Changing the Zoning Classification of a Parcel of Land Containing Approximately 117.81 Acres Located on the Northeast Side of Old Roosevelt Boulevard, the West Side of 34th Street North (Evergreen Avenue) and Lying 700 Feet MOL North of Ulmerton Road, Clearwater, Page 722 of the Zoning Atlas, as Being in Section 34, Township 29, Range 16; from P.C. Airport to M-1, Light Manufacturing and Industry, upon Application of Pinellas County through Noah Lagos, Airport Director, Representative and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Parcel of Land Containing Approximately 117.81 Acres Located on the Northeast Side of Old Roosevelt Boulevard, the West Side of 34th Street North (Evergreen Avenue) and Lying 700 Feet MOL North of Ulmerton Road, Clearwater, Located in Section 34, Township 29, Range 16; from Recreation/Open Space to Industrial Limited, 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. **Proposed Ordinance Amending the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan to Include Policies Regarding the Redevelopment of AIRCO Property (First Public Hearing) (Companion Item Nos. 40g & 40h)**
- j. **Proposed Ordinance Amending the Public School Facilities Element of the Pinellas County Comprehensive Plan (First Public Hearing)**
- k. **Proposed Ordinance Amending the Future Land Use Map Category Descriptions and Rules of the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan (First Public Hearing)**
- l. **Proposed Ordinance Amending the Intergovernmental Coordination Element of the Pinellas County Comprehensive Plan (First Public Hearing)**
- m. **Proposed Ordinance Amending the Capital Improvements Element of the Pinellas County Comprehensive Plan (Final Adoption Hearing)**
- n. **Proposed Ordinance Amending the Recreation, Open Space and Culture Element and the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan, Concerning Historic and Archaeological Preservation And Resources (First Public Hearing)**

ADJOURNMENT

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.