

**AGENDA – Regular Public Meeting**

**9:33 a.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**October 12, 2010**

**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 Staff at the 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 Staff at the 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 Staff at the 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.**

**WATER AND NAVIGATION CONTROL AUTHORITY PUBLIC HEARINGS**

**Pursuant to the Provisions of Chapter 31182, Laws of Florida (1955), as Amended, it is the Policy of the Pinellas County Water and Navigation Control Authority that all Persons Giving Testimony on Matters Relating to Application for Dredge, Fill, or Dock Permits do so Under Oath. If You Wish to Make Statements or Give Testimony Concerning Any of the Water and Navigation Items, Please be Prepared to Stand and Take the Oath When Requested to do so by the Clerk.**

1. [Private Dock Application](#) No. P40660-10/Revised Submitted by Ron Benson, 1303 North Bayshore Drive, Safety Harbor
2. [Commercial Dock Application](#) No. CC40254-09 Submitted by the City of St. Petersburg for St. Petersburg Municipal Marina North Yacht Basin, 335 2<sup>nd</sup> Avenue, St. Petersburg

## COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

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

### SUBTHRESHOLD AMENDMENTS

3. a. [Case CW 10-15 – City of Safety Harbor](#)  
0.3 Acre Located on the Southeast Corner of McMullen-Booth Road and Main Street; Amendment from Residential Low to Recreation/Open Space
- b. [Case CW 10-16 – City of Clearwater](#)  
0.2 Acre Located on the Northeast Corner of Virginia Avenue and Meadowlark Lane, Approximately 335 Feet East of Bayview Avenue; Amendment from Residential Urban to Institutional

### REGULAR AMENDMENTS

4. a. [Case CW 10-17 – Pinellas Park](#)  
9.1 Acres Generally Located at 9100 46<sup>th</sup> Street North and Vacant Lot to the South; Amendment from Residential Low Medium to Institutional
- b. [Case CW 10-18 – Clearwater](#)  
131.1 Acres Located at 3400 Gulf-to-Bay Boulevard, on the North Side of Gulf-to-Bay Boulevard/Courtney Campbell Causeway, approximately 900 Feet East of Bayshore Boulevard; Amendment from Institutional, Commercial General, Preservation, Water, Recreation/Open Space and Residential Low to Institutional, Preservation, Water and Recreation/Open Space

### Proposed Countywide Rule Amendment

5. [Proposed Amendment](#) to Countywide Rules Re: Transit Oriented Development Countywide Plan Map Category (First Public Hearing)

**SCHEDULED PUBLIC HEARINGS – BCC**

6. [Petition to Vacate](#) Submitted by Deborah L.H. Fuhr and Paul R. Fuhr for a Portion of a Drainage Easement on Lot 12, Glenridge East Subdivision (Quasi-Judicial Hearing)
7. [Petition to Vacate](#) Submitted by 62<sup>nd</sup> Avenue Animal Hospital & Kennel Trust #250 for a Portion of a Drainage Easement on Lots 1 & 2, 62<sup>nd</sup> Avenue Office Subdivision (Quasi-Judicial Hearing)
8. [Petition to Vacate](#) Submitted by O G Farms, LLC for a portion of Georgia Avenue Map of Sutherland, Plat Book H1, Page 1 in Section 1 Township 28 Range 15 (Legislative Hearing)

**B. CITIZENS TO BE HEARD**

**Any Person Wishing to Speak at This Time, Excluding Public Hearing Items on the Agenda, Must Have a Yellow Card Completed and Given to Staff at the 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.**

Jo An Totty, Palm Harbor, re Trolley.

Brian Pitts, St. Petersburg, re (1) Hernando County Chief Corrections Ordinance, (2) County Inmate Fines and Costs Credits, and (3) Economic Development.

Greg Pound, Largo, re Pinellas Families.

**C. CONSENT AGENDA**

**CLERK OF THE CIRCUIT COURT**

9. [Approval of Minutes](#) of the Regular Meeting of September 7, 2010
10. Reports:
  - a. [Audit Services](#), Division of Inspector General, Report No. 2010-13 dated September 9, 2010 - Audit of Pinellas Public Library Cooperative
  - b. [Florida Division of Forestry](#), Lakeland District, Annual Report of County Commissioners for the Period July 1, 2009 through June 30, 2010
  - c. [Dock Fee Report](#) for the Month of August 2010

11. [Vouchers and Bills Paid](#)
  
12. Miscellaneous Items to be Received for Filing:
  - a. [Florida Department of Revenue](#) Correspondence Regarding Tax Collector's Summary of the 2010-2011 Budget by Appropriation Category
  
  - b. [City of Clearwater](#) Public Hearing Notices of Annexation, Land Use Plan, Zoning Atlas and Community Development Code Amendments Regarding Proposed Ordinances Nos. 8206-10 through 8208-10, and No. 8211-10; Public Hearings Held October 5 and October 7, 2010
  
  - c. [City of Clearwater](#) Ordinance No. 8192-10, Adopted September 9, 2010 Amending the Clearwater Downtown Redevelopment Plan
  
  - d. [City of Oldsmar](#) Notice of Public Hearing Held October 5, 2010, re Proposed Ordinance No. 2010-15 Voluntarily Annexing Certain Property
  
  - e. [City of Pinellas Park](#) Notices of Public Hearings re Proposed Ordinances Nos. 3746 and 3747 Held September 23, 2010 and to be Held October 14, 2010, Respectively, Annexing Certain Property
  
  - f. [City of Safety Harbor](#) Ordinance No. 2010-10 Adopted September 8, 2010, Annexing Certain Property
  
  - g. [City of South Pasadena](#) Resolution No. 2010-10 Adopted August 31, 2010, Opposing the Moving of Government Access Channels to a Digital-Only Tier and Urging Bright House Networks to Make Public Access Channels Available to all Cable customers Without Additional Fees
  
  - h. [Pinellas Suncoast Fire and Rescue](#) Resolution No. 2010-05 Adopted September 9, 2010, Adopting the 2010/2011 Preliminary Budget, Adopting Rates of Assessments, and Establishing Pay Raises for Administrative Personnel
  
  - i. [Florida Public Service Commission](#) Conference Agenda for Meeting of September 14, 2010, in Tallahassee

j. [Tampa Bay Water](#) 2011 Board Meeting Schedule

COUNTY ADMINISTRATOR

Public Works

13. [Approval of Local Agency Program Agreement](#) with the Florida Department of Transportation for the Beckett Bridge Project Development and Environmental Study
14. [Approval of Award of Bid](#) to Suncoast Development, Inc. for Sidewalk, Drainage and Roadway Repairs at Various Locations
15. [Approval of Award of Bid](#) to Pneumatic Concrete Co, Inc. for General Bridge Repair
16. [Approval of Award of Bid](#) to Waterfront Property Services, LLC, DBA Gator Dredging for Repair of Geotextile T-Head Groin Field at Upham Beach
17. [Approval of Final Agreement](#) with Jones, Edmunds & Associates, Inc. for Consultant Services For Cross-Bayou Watershed Evaluation and Management Plan

Utilities

18. [Approval of Award of Bid](#) to American Earth Movers, Inc. for Dredging Pond A Bridgeway Acres Landfill

Other Departments

19. [Approval of Memorandum of Agreement](#) For the Benefit of Florida Department of Children and Family Services for the Inclusion of Pinellas County in Interim Assistance Reimbursement Program (Health and Human Services)
20. [Approval of Interlocal Agreement](#) with City of St. Petersburg for the Homeless Prevention and Rapid Re-Housing Program (Health and Human Services)

21. [Adoption of Resolution](#) to Transfer the Assets, Liabilities and Equity of Various Funds Closed as Part of the Adopted Fiscal Year 2011 Budget (Management and Budget)
22. [Adoption of Resolution](#) to Supplement the Fiscal Year 2010 General Fund Budget Transfer to Sheriff (Management and Budget)
23. [Approval of Ranking of Firm](#) and Authority to Negotiate with Hennessy Construction Services Corp. for Construction Manager Services for Pinellas Green Home (Real Estate Management)

**COUNTY ATTORNEY**

24. [Notice of New LawsUIT](#) and Defense of Same by County Attorney in Case of Patricia Bonnett, et al. v. Pinellas County, Circuit Civil Case No. 10-13676-CI-15, Alleging Negligence Resulting in Personal Injuries
25. [Notice of New LawsUIT](#) and Defense of Same by County Attorney in Case of David Holt v. Pinellas County, Circuit Civil Case No. 10-014453-CI-015
26. [Notice of New LawsUIT](#) in Case of Eunice Mattear v. Pinellas County, Circuit Civil Case No. 10-13353-CI-7, Allegations of Negligence Resulting in Personal Injuries

**D. REGULAR AGENDA**

27. [Items for Discussion](#) from Consent Agenda (County Administrator, County Attorney, and Clerk of Circuit Court)  
*Item No. 18 withdrawn.*  
*Item No. 23 pulled for separate discussion and vote.*

**COUNTY ADMINISTRATOR**

**Public Works**

28. [Approval of Third Amendment](#) to Agreement with E.C. Driver & Associates for Construction Engineering and Inspection Services for the Belleair Beach Causeway Bridge Replacement

**Real Estate Management**

29. [Declare County-Owned Properties Surplus](#), Establish Minimum Base Bids and Grant Authority to Advertise Sale

30. [Approval of Amendment 1](#) for Guaranteed Minimum Price to Agreement with Ajax Building Corporation for Construction of the St. Petersburg Judicial Tower Renovation, Phase 3

Utilities

31. [Approval of Proposed Ordinance](#) Amending Section 82-2 of the Pinellas County Code Relating to Year-Round Water Conservation Measures, Scheduling a Public Hearing and Authorizing Publication of a Notice for Public Hearing

Other Departments

32. [Adoption of a Resolution](#) Approving B0081146595 as a Qualified Applicant for Qualified Target Industry Tax Refund Program (Economic Development)
33. [Approval of a Resolution](#) Waiving the Provisions of the Pinellas County Purchasing Ordinance to Allow the Department of Health and Human Services Authority to Negotiate Terms for Contracts to Build a Specialty Care Network for the Provision of Health Care Services (Health and Human Services)
34. [Approval of a Resolution](#) Approving Amendments to Downtown Clearwater Redevelopment Plan (Planning)
35. [Approval of Ranking of Firms](#) and Agreement for Bond Counsel Services with Bryant Miller Olive P.A. (Purchasing)
36. [Other Administrative Matters](#)

COUNTY ATTORNEY

37. [Approval of Recommendation](#) to Opt Out of the Mental Health Parity and Addiction Equity Act of 2008

E. AUTHORITIES, BOARDS, AND COUNCILS

PINELLAS PLANNING COUNCIL

38. [Acceptance of Addendum](#) to Brooker Creek Management Plan in

Satisfaction of Condition of Countywide Plan Map Amendment Case #CW 09-06 (As Countywide Planning Authority)

39. [Approval of Proposed Countywide Plan Map](#) Boundary Adjustment (2010-3) (As Countywide Planning Authority)

F. COUNTY ADMINISTRATOR REPORTS

40. [Miscellaneous](#)

G. COUNTY COMMISSION

41. [Miscellaneous](#)

- a. Approval of Appointment to Parks Board (Commissioner Harris)
- b. Tourist Development Council Appointments
- c. Appointments to Greater Seminole Area Special Recreation District Commission (Commissioner Morroni)
- d. Proposed Additional Jolley Trolley Service (Commissioner Seel)
- e. Joint Land Use and Transportation Committee Update (Commissioner Seel)
- f. Pinellas County Centennial (Commissioner Seel)
- g. **Appointments to Technical Management Committee.**
- h. Commissioner Brickfield questioned the status of the BCC's designation of the Sheriff as Chief Correctional Officer; and County Attorney James L. Bennett informed the members that the ordinance was sent to the Sheriff and will come before the Board in November; whereupon, he agreed to provide Mr. Brian Pitts with a status update.
- i. Commissioner Morroni congratulated Carl Lavender of the Boys and Girls Club on his retirement.
- j. Commissioner Bostock thanked the Pinellas Park Fire Department for the opportunity to ride along and reminded everyone to yield to emergency vehicles.

**ADJOURNMENT – 2:39 P.M.**

\* \* \* \*

*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.