

AGENDA – Regular Public Meeting

9:32 a.m.

Pinellas County

Board of County Commissioners (BCC)

July 13, 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.

SCHEDULED PUBLIC HEARINGS – BCC

1. Water and Navigation Applications:
 - a. Dredge and Fill Application DF2053-09 Submitted by the Villas on Point Brittany Condo Association, 4800 Brittany Drive South, Canal at the East End of the Pinellas Bayway at 4800 Brittany Drive South, St. Petersburg

SCHEDULED BCC PUBLIC HEARINGS – CONTINUED

1. b. [Commercial Dock Application CD39187-08/Revised-B](#) Submitted by Mar Mar, LLC Mar Mar Marina), 761 Anclothe Road, Anclothe River, Tarpon Springs
- c. [Commercial Dock Application CC40444-10/Revised](#) Submitted by the City of Indian Rocks Beach, Keegan Clair Park (Located between the East Ends of Miami Avenue and 3rd Avenue), The Narrows, Indian Rocks Beach

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.

Lenore Faulkner, Madeira Beach, re Pinellas Park Middle World Class Career and Technology School.

Brian Pitts, St. Petersburg, re County detention facility/Sheriff's Office.

Marilyn Hafling, Madeira Beach, re Budget and Parks (volunteer coordinators necessary); preserves (no closure/admission costs); Environmental Management (must remain a department; need expertise).

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

2. [Approval of Minutes](#) of the Regular Meeting of June 1, 2010
3. Reports:
 - a. [Reports of Expenses](#) Incurred Under Incentives, Awards, and Recruitment Ordinance for the Quarter Ended March 31, 2010
 - b. [Pinellas County Metropolitan Planning Organization](#) Basic Financial Statements, Supplementary Information, and Regulatory Reports for the Year Ended September 30, 2009
 - c. [Dock Fee Report](#) for the Month of May 2010
4. [Vouchers and Bills Paid](#)

5. Miscellaneous Items to be Received for Filing:

- a. [City of Clearwater Ordinance No. 8134-10](#), Adopted May 20, 2010, Amending the Public School Facilities Element of the Comprehensive Plan
- b. [City of Largo Notice of Public](#) Hearings Regarding Ordinance Nos. 2010-41 through 2010-43 and 2010-45 through 2010-46, Held July 6, 2010, Annexing Certain Property
- c. [Town of Kenneth City](#) Notices of Public Hearing Held June 23, 2010, Regarding Proposed Ordinance Nos. 596 through 611, Voluntarily Annexing Certain Property
- d. [City of Oldsmar](#) Notice of Public Hearing to be Held July 20, 2010, Regarding Proposed Ordinance No. 2010-07, Voluntarily Annexing Certain Property
- e. [Pinellas Park Water Management District](#) Minutes of Regular Authority Meeting No. 7, Dated April 15, 2010
- f. [Pinellas Suncoast Fire and Rescue District](#) Resolution No. 2010-03 Adopted May 18, 2010, Transferring Necessary Funds into an Expenditures Account
- g. [Florida Public Service Commission](#) Order No. PSC-10-0340-PCO-EU Suspending Tariffs
- h. [City of Safety Harbor](#) Ordinance No. 2010-07, Adopted June 7, 2010, Annexing Certain Property

COUNTY ADMINISTRATOR

Airport

- 6. [Approval of the Ranking of Firms](#) and Authority for Staff to Negotiate with the Number One Ranked Firm for Master Surface Water Management Plan

Public Works

- 7. [Approval of Change Order No. 2 Final](#), Acceptance of the Contract as Complete, and Release of Retainage with Kamminga & Roodvoets, Inc. for Allen's Creek Erosion Control

Utilities

8. [Approval of an Award of Bid](#) to Misener Marine Construction Inc. for Embankment Stabilization Bridgeway Acres Landfill Pond A (Rebid No. 2)

Other Departments

9. [Approval of the Ranking of Firms](#) and Authority for Staff to Negotiate with the Number One Ranked Firm for Benefits Consulting Services (Human Resources)
10. [Approval of Fiscal Year \(FY\) 2010 Budget Amendment](#) No. 9 (Management and Budget)
11. Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2010: (Management and Budget)
 - a. [Business Technology Services Fund](#)
 - b. [Fire Districts Fund](#)
 - c. [Community Development Fund](#)
 - d. [General Fund](#)
12. [Approval to Declare Surplus](#) and Authorize the Sale of Miscellaneous County-Owned Equipment (Real Estate Management)
13. [Approval to Terminate Negotiations](#) and Reject all Proposals for Software and Implementation Services (Real Estate Management)
14. [Approval of the Ranking of Firms](#) and Authority for Staff to Negotiate with the Number One Ranked Firm for Lightning and Grounding Design Criteria Documents (Real Estate Management)

AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY

15. [Approval of Acceptance of the 2010 Countywide Plan Map Adjustments](#)

EMERGENCY MEDICAL SERVICES (EMS) AUTHORITY

16. [Approval of the Annual Report](#) of the Pinellas County Emergency Medical Services Office of the Medical Director

COUNTY ATTORNEY

Reports:

17. [Notice of New LawsUIT](#) and Defense of the Same by the County Attorney – Richard Pielat v. Pinellas County, Florida and Steven M. Soltau - Circuit Civil Case No. 10-009331-CI-007 – Allegations of Negligence in the Operation of a County Vehicle

D. REGULAR AGENDA

18. [Items for Discussion](#) from Consent Agenda (County Administrator, County Attorney, and Clerk of Circuit Court)
Items Nos. 6, 13, and 14 pulled from agenda for separate votes.

COUNTY ADMINISTRATOR

Public Works

19. [Approval of an Agreement](#) with the City of Tarpon Springs and CRP II - Tarpon Springs, LLC for Pinellas County's Contribution of Transportation Impact Fee Credits for Meres Boulevard Road Improvements

Utilities

20. [Approval of an Agreement](#) with the City of Oldsmar for the Sale of Potable Water
21. [Adoption of Two Proposed Resolutions](#) Establishing Preliminary Revised Retail and Wholesale Water Rates for the Pinellas County Water System and Approving Authority to Advertise a Public Hearing for Each
22. [Adoption of Two Proposed Resolutions](#) Establishing Preliminary Revised Retail and Wholesale Sewer Rates for the Pinellas County Sewer System and Approving Authority to Advertise a Public Hearing for Each

23. [Adoption of a Proposed Resolution](#) Establishing Preliminary Revised Reclaimed Water Schedule of Rates for the Pinellas County Reclaimed Water System and Approving Authority to Advertise a Public Hearing

Other Departments

24. [Approval of the Transitional Funding Agreement](#) with STARS-Strive of Pinellas County, Inc. for the Success Training and Retention Services (STARS) Program (County Administration)
25. [Adoption of a Resolution](#) Approving A9022645535 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program (Economic Development)
26. [Approval of an Award of Bid](#) to and Agreement with Oklawaha Farms, Inc. for Mobbly Habitat Restoration (Environmental Management)
27. [Adoption of a Resolution](#) Amending the Pinellas County Health Department FY 2010 User Fees and Charges for Service (Management and Budget)
28. [Approval of Ratification of a Memorandum](#) of Understanding with the State of Florida, Division of Emergency Management and Adoption of a Resolution Appropriating Earmarked Receipts for a Particular Purpose in the FY 2010 Tourist Development Council Budget for Promotion and Advertising of Pinellas County's Tourism Industry (Management and Budget/Convention & Visitors Bureau)
29. [Approval of an Award of Bid](#) to and Agreement with Intelligent Conservation Systems, Inc. for Security Operated Water Closet/Lavatory and Shower Control (Real Estate Management)
30. [Adoption of a Resolution](#) Regulating Expressive Activities in County-Owned and County-Leased Facilities (Real Estate Management)
31. Other Administrative Matters
 - a. [Oracle Project Unified Solution \(OPUS\) Presentation](#)

COUNTY ATTORNEY

32. [Approval of a Notice of Exclusion](#) from Participation in a Class Action Settlement In Re Dynamic Random Access Memory (DRAM) Antitrust Litigation (Preis v. Hitachi, Case No. CV 10-0346 PJH) Master File No. M-02-1486 PJH – MDL No. 1486

33. [Miscellaneous](#)

E. COUNTY ADMINISTRATOR REPORTS

County Administrator Robert S. LaSala provided a report on his recent meeting with commanding officer of the St. Petersburg Coast Guard station.

34. [Presentation of the Proposed FY 2011 Budget](#)
35. [Digital Billboards and Bus Shelter](#) Advertising Report

F. COUNTY COMMISSION

36. [Approval of Appointments](#) to the Pinellas County Economic Development Council
37. [Approval of a Re-Appointment](#) to the WorkNet Pinellas Board of Directors

38. **Miscellaneous**

The members congratulated Commissioner Morroni on his re-election to the BCC by virtue of no opposition.

- a. [Appointment of Canvassing Board Alternate](#)

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| b. | Commissioner Harris | noted the passing of George Steinbrenner; provided water conservation tip. |
| c. | Commissioner Brickfield | commented on the "Wide Open Beaches" signs at the Rays games. |
| d. | Commissioner Welch | recognized the two Tampa police officers and Army Specialist David Thomas of St. Petersburg killed in the line of duty. |
| e. | Commissioner Latvala | provided report on Florida Association of Counties conference. |

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| Commissioner Morroni | Commissioner Morroni moved, seconded by Commissioner Harris and carried, that Ray Clair Johnson be appointed to the Historic Preservation Advisory Board; thanked the members for their kind |
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wishes.

f. Commissioner Bostock

requested information on the process used to schedule and cancel BCC meetings;

inquired as to the status of the consideration of an ordinance to extend bar hours in unincorporated Pinellas County; whereupon, Commissioner Latvala moved to authorize the advertisement of a public hearing on the item on July 27, 2010, and no objections were noted.

g. Chairman Seel

provided an update on the Land Use and Transportation Committee.

ADJOURNMENT – 5:26 P.M.

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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.