

**AGENDA – Regular Public Meeting**

**3:00 p.m.**

**Pinellas County**

**Board of County Commissioners (BCC)**

**May 24, 2011**

**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 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.**

Helen King, St. Petersburg, re Suncoast Health Council.

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

Greg Pound, Largo, re Pinellas families.

Mark Klutho, Largo, re stupidity, waste.

Bill Thomas, Clearwater, re Item 18.

David McKalip, St. Petersburg, re budget.

**B. CONSENT AGENDA**

**CLERK OF THE CIRCUIT COURT**

1. **Approval of Minutes** of the Regular Meetings of April 12 and April 26, 2011
2. **Reports**
  - a. **Audit Services**, Division of Inspector General, Clerk of the Circuit Court, Report No. 2011-03 Dated April 6, 2011 – 2010 Annual Summary Report of Random Audits of the County's Annual Physical Inventory of Fixed Assets
  - b. **Audit Services**, Division of Inspector General, Clerk of the Circuit Court, Report No. 2011-04 Dated April 6, 2011 – 2010 Annual Summary Report of Random Unannounced Audits of the County's Cash Imprest Funds
  - c. **Audit Services**, Division of Inspector General, Clerk of the Circuit Court, Report No. 2011-05 Dated April 20, 2011 – Audit of Public

Works and Transportation Internal Controls Over Inventory of Materials and Supplies

- d. [Pinellas County, Florida Annual Financial Report](#) for the Fiscal Year Ended September 30, 2010
- 2. e. [Pinellas County Comprehensive Annual Financial Report](#) for the Fiscal Year Ended September 30, 2010
- f. [Continuing Bond Disclosure Report](#) Dated April 30, 2011 Pursuant to Rule 15c2-12 of the Securities and Exchange Commission for:
  - \$104,795,000 Sewer Revenue and Revenue Refunding Bonds, Series 1998
  - \$86,580,000 Sewer Revenue Bonds, Series 2003
  - \$25,205,000 Sewer Revenue Refunding Bonds, Series 2006
- g. [Palm Harbor](#) Special Fire Control and Rescue District Annual Financial Report for the Fiscal Year Ended September 30, 2010
- h. [City of Safety Harbor](#) Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2010
- i. [City of Tarpon Springs](#) Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2010
- j. [Juvenile Welfare Board](#) Interim Financial and Investment Report (Unaudited) dated March 31, 2011
- k. [Southwest Florida Water Management District](#) Comprehensive Annual Financial Report and Annual Financial Report for the Fiscal Year Ended September 30, 2010 (CD), Together With the Annual Local Government Financial Report, Fiscal Year 2009-2010
- 3. [Vouchers and Bills Paid](#)
- 4. Miscellaneous Items to be Received for Filing
  - a. [City of Clearwater](#) Notice of Public Hearing Held April 20, 2011 Regarding the Vacation of Portions of the Non-exclusive Easement for Sidewalk, Drainage, Utilities, and Access and the Limitation on Parking as Recorded in the Official Records Book

6319, Page 802, of the Public Records of Pinellas County; and Notices of Public Hearings Held May 19, 2011 on Comprehensive Plan Amendments Regarding Ordinances Nos. 8247-11 and 8256-11 and Annexation, Land Use Plan, and Zoning Atlas Amendments Regarding Ordinances Nos. 8252-11 and 8253-11

4. b. [City of Belleair Beach](#) Resolutions No. 2011-01 Establishing a New Speed Limit on Causeway Boulevard and the Causeway Bridge and No. 2011-03 Opposing Florida Legislation that Preempts the Right of Local Government to Regulate Short Term Rentals on Residential Property Adopted March 7 and April 4, 2011, Respectively
- c. [City of Pinellas Park](#) Notices of Public Hearings Regarding Ordinances Nos. 3763 through 3766 to be Held May 26, 2011, Voluntarily Annexing Certain Property
- d. [City of Seminole](#) Notice of Ordinance Enactment and Public Hearing re Ordinance No. 12-2011 Annexing Certain Property and Redefining the Boundary Lines Held May 10, 2011
- e. [City of Tarpon Springs](#) Fire Services and Pinellas County ALS First Responder Agreements Dated September 30, 2010
- f. [Florida Public Service Commission](#) Consummating Order No. PSC-11-0201-CO-EI Issued April 22, 2011 Regarding Tariff Sheets, Together with Notice of Further Proceedings or Judicial Review

#### COUNTY ADMINISTRATOR

##### Public Works

5. [Approval of an Award of Bid](#) to Keep Pinellas Beautiful, Inc. for Adopt-A-Program(s) Management Services
6. [Approval of an Award of Bid](#) to BUN Construction Company, Inc. for Sidewalk Repairs and Americans with Disabilities (ADA) Ramp Upgrades

##### Other Departments

7. [Approval of Ranking of Firms](#) and Authority for Staff to Negotiate with the Number One Ranked Firm for Terminal Building Schematic Analysis Design and Development and Project Implementation (Airport)

8. [Approval of Ranking of Firms](#) and Authority for Staff to Negotiate with the Top Two Ranked Firms for Professional Environmental and Engineering Services (Community Development)
9. [Receipt and File Report](#) of Items Delegated to the County Administrator for Approval (County Administrator)
10. [Adoption of a Resolution](#) Appropriating Unanticipated Grant Funds in the FY 11 General Fund Budget to Economic Development (Management and Budget)
11. [Approval of Ranking of Firms](#) and Authority for Staff to Negotiate with the Number One Ranked Firm for Construction Management At Risk Services for St. Petersburg 545 Judicial Tower Fifth Floor Renovations (Real Estate Management)

#### COUNTY ATTORNEY

12. [Notice of New Lawsuit](#) and Defense of the Same by the County Attorney in the Case of George Agovino v. Pinellas County – Circuit Civil Case No. 11-003150-CI-020 – Allegations of Negligence Resulting in Personal Injuries

#### AUTHORITIES, BOARDS, AND COUNCILS

##### HOUSING FINANCE AUTHORITY (HFA)

13. [Receipt and File](#) of the HFA Quarterly Report on the Pinellas Community Housing Trust Fund

##### HUMAN RESOURCES

14. [Approval of the Ranking of Firms](#) and Authorization for Buck Consultants to Negotiate with the Top Four Ranked Firms for Employee Pharmacy Benefits

#### C. REGULAR AGENDA

15. [Items for Discussion](#) from Consent Agenda (County Administrator and Clerk of Circuit Court)

Items Nos. 5, 9, and 13 pulled for discussion and separate vote.

**COUNTY ADMINISTRATOR**

**Real Estate Management**

16. [Approval of Agreements](#) with Fourteen Firms for Professional Architectural Consulting Services
17. [Approval of Second Amendment](#) to Lease Agreement with Cabot II – FL4W01, LLC for Space Located at 5300 Ulmerton Road for the State Attorney, Public Defender, Court Administration and Medical Examiner
18. Approval of Awards of Bid for Sale of Real Property:
  - a. [To floridacentral Credit Union](#) for Property Located at 8202 113<sup>th</sup> Street North, Seminole
  - b. [To the Church of Scientology](#) Flag Service Organization, Inc. for Property Located at 305 South Osceola Avenue, 311 South Osceola Avenue and 300 South Fort Harrison Avenue, Clearwater
  - c. [To the Church of Scientology](#) Flag Service Organization, Inc. for Property Located at 300 South Garden Avenue and 512 South Fort Harrison Avenue, Clearwater

**Utilities**

19. [Approval of Final Negotiated Contract](#) with Ferguson Enterprises D/B/A Ferguson Waterworks for Water and Sewer Materials and Accessories
20. [Approval of Change Order](#) No. 1 with Insituform Technologies, Inc. for Sanitary Sewer Rehabilitation
21. [Approval of Second Amendment](#) to the Cooperative Funding Agreement with Southwest Florida Water Management District for the South Pinellas County Reclaimed Water Aquifer Storage and Recovery Testing Program

**Other Departments**

22. Approval of a Summer Food Service Program for Children: (Health and Human Services)

- a. [Agreement with the Florida Department of Education](#), Division of Support Services, Food and Nutrition Management
  - b. [Food Vending Services Agreement](#) and Memorandum of Agreement with the Pinellas County School Board
- 23. [Approval of Authority to Advertise](#) a Public Hearing for the Re-appropriation of Reserves and Fund Balance in the FY 11 Utilities Budget (Management and Budget)
- 24. [Approval of Authority to Advertise](#) Two Public Hearings on a Proposed Ordinance Amending the Downtown Historic Palm Harbor Master Plan (Planning)
- 25. Other Administrative Matters
  - a. [Announcement of a Tax Equity Fiscal Responsibility Act](#) (TEFRA) Public Hearing on Behalf of the Pinellas County Educational Facilities Authority
  - b. [Announcement of a TEFRA Public Hearing](#) on Behalf of the Pinellas County Industrial Development Authority
  - c. [Miscellaneous](#)

#### COUNTY ATTORNEY

- 26. [Approval of Authority for the County Attorney](#) to Initiate Litigation on Behalf of Robert Ferguson in the Claim of Robert Ferguson v. Four Seasons Estates Resident Owned Community – HUD #04-10-0916-8; PC #20-029 – Housing Discrimination
- 27. [Miscellaneous](#)
  - a. [Approval of Authority](#) to Advertise a Public Hearing on a Proposed Ordinance Amending Chapter 90 of the Pinellas Code Relating to Community Cultural Programs

#### D. [AUTHORITIES, BOARDS, AND COUNCILS](#)

##### EMERGENCY MEDICAL SERVICES (EMS) AUTHORITY

- 28. [Approval of an Appointment](#) to the EMS Advisory Council

**E. COUNTY ADMINISTRATOR REPORTS**

- 29. [STAR TEC Report](#)
- 30. [Initiatives and Projects](#)

**F. COUNTY COMMISSION**

- 31. [Approval of an Appointment](#) to the WorkNet Pinellas Board of Directors

- 32. [Miscellaneous](#)

- a. Commissioner Brickfield discussed the prospect of using space at the Public Safety Complex to house Traffic Court.
- b. Commissioner Morroni announced that the Feather Sound Alliance will meet on May 25, 2011 from 5:30 to 7:30 P.M. at the Carillon Wellness Center.  
  
moved, seconded by Commissioner Brickfield and carried, that the Chairman send a letter on County letterhead on behalf of the Pinellas Wreckers of Florida to the Port Authority of New York requesting two pieces of World Trade Center salvage.
- c. Commissioner Welch provided an update re the CJIS Justice Project.  
  
discussed dialogue with St. Petersburg City Councilmember Karl Nurse re City Council workshop and mutual EMS issues.
- d. Commissioner Roche discussed conversations with PSTA riders re their concerns.
- e. Chairman Latvala requested that the County Administrator coordinate a meeting between the Tampa Bay Partnership (TBP), the BCC, the St. Petersburg College Board of Regents, and the Pinellas County School Board re the TBP report, and no objections were noted.

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 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 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:

33. Regular Amendment  
Case CW 10-01 (Special Area Plan Change No. 1-2011) – City of St. Pete Beach  
Proposed Ordinance to Amend the Text of the Eight Avenue Commercial District Special Area Plan to Clarify that the Non-Residential Floor Area Ratio Intensity Standard is 1.5 for Mixed-Use Development, Bed and Breakfast Uses are Allowed in Residential Structures and Adaptive Re-Use of Residential Structures is Allowed. The Text Amendments will Also Clarify that the Reduced Front and Side Yard Building Setbacks Will be Established for the District in the Land Development Regulations



CPA PUBLIC HEARINGS (Continued)

34. [Proposed Countywide Rule Amendment](#)  
Proposed Ordinance Amending Countywide Rules to Change  
Amendment Thresholds and Special Area Plans (First Public Hearing)

SCHEDULED PUBLIC HEARINGS – BCC

35. [Proposed Ordinance](#) Amending Section 138-1334 of the Pinellas  
County Land Development Code Regarding Off-Premises Signs  
(Second Public Hearing – Deferred from April 26, 2011)  
*Approval of authority to advertise two public hearings re Ordinance amending  
settlement agreements.*
36. [Proposed Ordinance](#) Extending the Moratorium Deadline Regarding the  
Permitting of Digital, Off-Premises Signs to June 20, 2011

ADJOURNMENT – 7:18 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.