

AGENDA – Regular Public Meeting

3:02 p.m.

**Pinellas County
Board of County Commissioners (BCC)
October 25, 2011**

INVOCATION

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

A. CITIZENS TO BE HEARD

JoAn Totty, Palm Harbor, re raucous noise; Item No. 9.
Richard Query, St. Petersburg, re machete (referred to staff).
Mark Klutho, Largo, re stupidity, waste.
Greg Pound, Largo, re Pinellas families.
Norman Atherton, re four-way stop (Item No. 9).

B. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. [Approval of Minutes of Regular Meeting of September 15, 2011](#)
2. Reports to be Received for Filing:
 - a. [Division of Inspector General, Audit Services, Clerk of the Circuit Court, Report No. 2011-15, Dated September 22, 2011 – Audit of the Utilities' Sewer Department Enterprise Reserve Funds and Sewer Maintenance Plans](#)
 - b. [Dock Fee Report for the Month of September, 2011](#)
 - c. [Quarterly Report of Routine Dock Permits Issued from July 1, 2011 to September 30, 2011](#)
3. [Vouchers and Bills Paid – None.](#)
4. Miscellaneous Items to be Received for Filing:
 - a. [City of Clearwater Public Hearing Notice of Annexation, Land Use Plan, and Zoning Atlas Amendments Regarding Proposed Ordinances Nos. 8289-11 Through 8291-11; Public Hearings to be Held November 3, 2011](#)

4.
 - b. City of Oldsmar Notice of Public Hearing Regarding Proposed Ordinance No. 2011-11 Held October 18, 2011, Voluntarily Annexing Certain Property
 - c. City of Pinellas Park Resolution No. 11-19 Adopted September 22, 2011, Supporting Emergency Medical Care First Response and Ambulance Transport by the Fire Service of Pinellas Park
 - d. City of Seminole Ordinance No. 20-2011 Adopted September 14, 2011, Voluntarily Annexing Certain Property
 - e. Florida Public Service Commission (1) Consummating Order No. PSC-11-0406-CO-EI Issued September 23, 2011, Regarding Nuclear Cost Recovery Clause; (2) Order No. PSC-11-0439-PAA-EQ Issued October 3, 2011, Approving A Negotiated Power Purchase Agreement Between Progress Energy Florida, Inc., and U.S. EcoGen Polk, LLC; (3) Notice of Issue Identification Meeting (Telephonic) (1-888-808-6959, Conference Code 4136206) to be Held October 5, 2011, Regarding the Demand-Side Management Plans of Florida Power & Light Company and Progress Energy Florida, Inc.; and (4) Notice of Commission Hearing and Prehearing Issued September 27, 2011, to be Held on November 1, 2, and 3, 2011 in Tallahassee Regarding Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
 - f. Pinellas Suncoast Fire & Rescue Resolution No. 2011-06 Adopted September 20, 2011, Adopting the 2011/2012 Final Budget, Adopting Rates of Assessments, and Establishing Pay Raises for Administrative Staff/Personnel
 - g. Correspondence from the Chairman of the Board of Fire Commissioners, Pinellas Suncoast Fire & Rescue, Regarding an Upcoming Resolution Outlining the Board's Position on the Emergency Medical Services (EMS) Transport Issue

COUNTY ADMINISTRATOR

Department of Environment and Infrastructure

5. Approval of Amendment No. 3 to the Cooperative Funding Agreement for a Time-Only Extension with South West Florida Water Management District for Bear Creek Channel Improvements
6. Approval of an Award of Bid to Ortega Industrial Contractors for Construction of a Water Treatment Plant
7. Approval of the Amendment to the County Incentive Program Agreement with the Florida Department of Transportation for Installation of Conduit and Fiber Optic Cable from the Clearwater Traffic Communications Center at Myrtle Avenue and Pierce Street to Curlew Road
8. Approval of a Plat for Recording for Dansville Redevelopment Area – Phase 4 and 5A
9. Approval of the Installation of One Four-Way Stop Condition at Illinois Avenue and 11th Street (Deferred from the September 27, 2011 BCC Meeting)

Other Departments

10. Receipt and File Reports of:
 - a. Non-Procurement Delegated Items (County Administrator)
 - b. Administrative Budget Amendments from July 1, 2011 through September 30, 2011 (Management and Budget)
 - c. Law Enforcement Trust Fund from July 1, 2011 through September 30, 2011 (Management and Budget)
 - d. Procurement Delegated Items for the Quarter Ending September 30, 2011 (Purchasing)
 - e. Quarterly Report of Claim Settlements from July through September, 2011 (Risk Management)
11. Approval of Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for Lease of the Gulf Coast Museum of Art (Real Estate Management)

C. REGULAR AGENDA

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

Items Nos. 4f and 9 were pulled for discussion and separate vote.

Item No. 4f.

Item No. 9.

COUNTY ADMINISTRATOR

Departments

13. Approval of the Final Negotiated Agreement with URA Corporation Southern for Terminal Building Schematic Analysis Design Development and Project Implementation (Airport)

14. Approval to Execute the Oak Ridge South Subdivision Plat in Tarpon Springs for an Affordable Housing Redevelopment Project (Community Development)

15. Approval of Final Negotiated Agreement with Parsons Water and Infrastructure, Inc. for South Cross Bayou Reclamation Facility UV Disinfection System and Related Improvements (Department of Environment and Infrastructure)

16. Approval of the Cancellation of the Hospital Health Care Services Agreement with HCA Hospitals (Health and Human Services)

17. Approval of the Interlocal Agreement with the Sheriff's Office for the Safe Harbor Project (Justice and Consumer Services)

18. Approval of Authority to Advertise a Public Hearing on a Proposed Ordinance Amending the Pinellas County Code Regarding Pain Management (Justice and Consumer Services)

19. Approval of the Local Arts Agency Transitional Funding Agreement with Creative Pinellas, Inc. (Parks and Conservation Resources)

20. Other Administrative Matters

COUNTY ATTORNEY

21. Adoption of a Resolution Declaring a Portion of County-Owned Property as Surplus and Authorizing Exchange for Property Owned by

- [Richard J. and Jenny Bergeron in Section 24, Township 27 South, Range 15 East - Circuit Civil Case No. 08-019573-CI-015](#)
22. [Approval of Consent to Engage in Dual Legal Representation for Bryant Miller Olive](#)
23. [Adoption of a Resolution Authorizing Certain Amendments to the Financing Documents, the Sale, and the Conversion of Interest Rate Methodology for the Pinellas County Industrial Development Authority Industrial Development Revenue Bonds \(Bovie Medical Corporation Project\), Series 2008](#)
24. [Approval of Authority to Settle Litigation and the County Administrator to Execute the Settlement and Release in the Case of Pinellas County v. Verizon Florida, LLC – Damages Sustained as a Result of a Sewer Force Main Breach](#)
25. [Miscellaneous](#)

E. COUNTY ADMINISTRATOR REPORTS

26. [Initiatives and Projects](#)
Consolidation of Facilities with the Courts and Constitutional Officers
Enterprise Geographic Information System (GIS)
27. [Announcement of a Tax Equity Fiscal Responsibility Act \(TEFRA\) Public Hearing to be Held November 8, 2011 on Behalf of Clearwater Christian College, 3400 Gulf-To-Bay Boulevard, Clearwater](#)

F. COUNTY COMMISSION

28. [Approval of Reappointments to the Economic Development Council](#)
29. [Miscellaneous](#)
Chairman Latvala inquired as to the members' desire to pursue the issue of on-premise digital signs; staff directed to obtain copies of cities' sign ordinances for review and discussion by the Board at a future meeting.

provided the Volunteer Opportunity of the Week.

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.

SCHEDULED PUBLIC HEARINGS – BCC

30. [Proposed Ordinance Amending the Pinellas County Land Development Code Regarding Countywide Authority to Develop and Operate Certain County Properties Denominated as Properties of Countywide Importance](#) (Second Public Hearing) (Deferred from the September 27, 2011 BCC Meeting)

31. Planning and Zoning Applications Heard by the Local Planning Agency (Quasi-Judicial Hearings are Noted with a “Q” Prefix):

(Q) Z/LU-1-9-11

Resolution Changing the Zoning Classification of Approximately 0.79 Acre Located at the Northern Terminus of Ridge View Road, Located in the Unincorporated Area of Tarpon Springs; Page 609 of the Zoning Atlas, As Being in Section 19, Township 27, Range 16; from RPD-2.5, Residential Planned Development, 2.5 Units Per Acre & RPD-7.5, Residential Planned Development, 7.5 Units Per Acre to RPD-7.5, Residential Planned Development, 7.5 Units Per Acre, and a Development Agreement; Upon Application of GGR Osprey, LLP, George Zutes Trust & George P. Stamas Trust through George P. Stamas, Representative and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of Approximately 0.79 Acre Located at the Northern Terminus of Ridge View Road, Located in the Unincorporated Area of Tarpon Springs Located in Section 19, Township 27, Range 16; from Residential Suburban to Residential Urban, 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

ADJOURNMENT 8:55 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.