

AGENDA – Regular Public Meeting

Pinellas County
Board of County Commissioners (BCC)
July 24, 2012

2:02 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE to the Flag of the United States of America

A. PRESENTATIONS and AWARDS – None

B. CITIZENS TO BE HEARD

Lenore Faulkner, Madeira Beach, re Pinellas County schools education excellence.
Greg Pound, Largo, re truth.
Philip Blumel, Atlantic Beach, re term limits.
Adrian Wyllie, Palm Harbor, re term limits.
Danielle Alexandre, Spring Hill, re term limits.
Alex Snitker, New Port Richey, re term limits.
Richard J. Paulus, St. Petersburg, re term limits.
Greg Bowen, Clearwater, re term limits.
Peggy Stone, St. Petersburg, re term limits.
Debra Caso, Palm Harbor, re suppressed vote.
Attilio Corbo, Palm Harbor, re term limits (submitted document).
Dan Calabria, South Pasadena, re term limits (submitted documents).
Brian Pitts, St. Petersburg, re property taxes.
W. C. Snipes, Clearwater, re electromagnetic fields (EMF) and annexation (submitted document).
H. Patrick Wheeler, Palm Harbor, re term limits/voter suppression (for group of five).
Tony Caso, Palm Harbor, re voter suppression.
Karena Morrison, Clearwater, re voter suppression.
Linda Skempris, St. Petersburg, re term limits.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. [Approval of Minutes of the Regular Meeting of June 26, 2012](#)
2. Reports to be Received for Filing:
 - a. [Division of Inspector General, Audit Services, Clerk of the Circuit Court, Report No. 2012-07 dated June 28, 2012 – Follow-Up Audit of Metropolitan Planning Organization](#)
 - b. [Pinellas County Comprehensive Annual Financial Report and the Annual Financial Report for the Fiscal Year \(FY\) Ended September 30, 2011](#)
 - c. [Dock Fee Report for the Month of June, 2012](#)

- d. [Quarterly Report of Routine Dock Permits Issued from April 1, 2012 to June 30, 2012](#)
- 3. [Vouchers and Bills Paid](#)
- 4. Miscellaneous Items to be Received for Filing
 - a. [Town of Belleair Notice of Public Hearing Regarding Proposed Creation of Community Redevelopment Agency Held July 17, 2012](#)
 - b. [Public Risk Management of Florida Health Trust Intergovernmental Cooperative Agreement, as Amended and Restated Through June 15, 2012, for the Town of Belleair, City of Gulfport, City of Indian Rocks Beach, Town of Kenneth City, City of Madeira Beach, and the City of Treasure Island, Together with an Affidavit of Authenticity](#)
 - c. [City of Clearwater Notices of Public Hearings Regarding Proposed Ordinances Nos. 8334-12 through 8337-12 and No. 8343-12 Amending the Comprehensive Plan, Annexation, Land Use Plan, Zoning Atlas, and the Community Development Code and a Notice of Intent to Consider a Development Agreement; Public Hearings Held July 19, 2012 and to be Held August 2, August 16, and October 17, 2012](#)

COUNTY ADMINISTRATOR

Department of Environment and Infrastructure

- 5. [Approval of an Award of Bid with Davis Concrete, Inc. for Concrete Batch Mix Materials and Services \(Co-Op\)](#)
- 6. [This Item has Been Deleted from the Agenda](#)

Management and Budget

- 7 Receipt and File Reports from April 1, 2012 through June 30, 2012 for:
 - a. [Administrative Budget Amendments](#)
 - b. [Law Enforcement Trust Fund](#)
- 8. [Adoption of a Resolution to Appropriate Earmarked Receipts for a Particular Purpose in the FY 2012 General Fund Budget for Various Grants, Interagency Partnerships and a Law Enforcement Services Contract Addendum for the Sheriff](#)

Other Departments

9. [Approval of an Award of Bid with Pepper Contracting Services, Inc. for Terminal Apron Hardstand Expansion Phase I \(Airport\)](#)
10. County Administrator Receipt and File Reports of: (County Administrator)
 - a. [Non-Procurement Delegated Items](#)
 - b. [Procurement Delegated Items for the Quarter Ending June 30, 2012](#)
11. [Approval of an Agreement with the Metropolitan Planning Organization to Serve as Direct Eligible Recipient of Federal Transit Authority Grant Funds on Behalf of the Parks and Conservation Resources Department \(Parks and Conservation Resources\)](#)

COUNTY ATTORNEY

12. Approval of Authority for the County Attorney to Defend the Cases of:
 - a. [Deborah A'Hearn v. Pinellas County – Circuit Civil Case No. 12-7128-CI-20 – Allegations of Negligence Resulting In Personal Injuries](#)
 - b. [Lawrence Geraci, Jr., et al. v. Sunstar EMS, et al. – Florida Second District Court of Appeal Case No. 2D11-1234 – Ambulance Claim through Appellate Action](#)
 - c. [Jeffrey Joel Judy v. Pinellas County – Federal Case No. 8:12-cv-1386-JDW-TGW – Allegations of Violations of the Americans with Disabilities Act and the Rehabilitation Act](#)

D. REGULAR AGENDA

Any person wishing to speak regarding a Regular Agenda item must have a Blue Card completed and given to staff at the table located at the front of the Board Room. The Chairman will call each speaker, one by one, to the podium to be heard when the item is before the BCC. Each speaker may speak up to three (3) minutes.

Persons who have been authorized to represent an organization with five (5) or more members or a group of five (5) or more persons should 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.

13. [Items for Discussion from Consent Agenda \(County Administrator and Clerk of Circuit Court\)](#)
Items Nos. 10a and 10b pulled for discussion and separate vote.

COUNTY ADMINISTRATOR

Departments

14. [Approval of Authority to Advertise a Public Hearing for Amendments to the Pinellas County Code Regarding Drug Paraphernalia \(Justice and Consumer Services\)](#)
15. [Approval of Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for an Operational Analysis of Emergency Medical Services and Fire Deployment and Response \(Public Safety Services\)](#)
16. [Approval of Change Order No. 2 to the Contract with Structural Preservation Systems, LLC for 315 Court Street Parking Garage Structural Repair \(Real Estate Management\)](#)
17. [Other Administrative Matters](#)

COUNTY ATTORNEY

18. [Miscellaneous](#)

E. COUNTY ADMINISTRATOR REPORTS

19. [Update on the Summer Food, Emergency Home Energy Assistance for the Elderly and Indigent Burial and Cremation Programs](#)
20. [Initiatives and Projects](#)

F. COUNTY COMMISSION

21. [Approval of an Appointment to the WorkNet Pinellas Board of Directors](#)
22. [Approval of a Request for Waiver of Additional Members to the WorkNet Pinellas Board of Directors](#)
23. [Miscellaneous](#)
 - a. Commissioner Roche Moved, seconded by Commissioner Brickfield and carried, that Cecelia Burke be appointed to the Pinellas County Library Cooperative Board.
 - b. Commissioner Bostock requested that the changes to the health insurance plan be calendared for a work session as soon as possible for Board discussion.
 - c. Commissioner Brickfield discussed the County's policy re qualified tax incentives, and requested that the County Attorney's Office determine whether the Board can require applicants' identities to be revealed when applying for tax credits.

Please Note: If the afternoon portion of the meeting has not concluded by 5:30 p.m., a recess will be taken from 5:30 – 6:00 p.m. The remainder of the afternoon agenda will resume at 6:00 p.m., followed by public hearings.

PLEASE SEE NEXT PAGE FOR EVENING PORTION OF THE REGULAR PUBLIC MEETING
AGENDA (PUBLIC HEARINGS AND CITIZENS TO BE HEARD).

6:00 p.m.

G. SCHEDULED PUBLIC HEARINGS

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.

Any 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.

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.

SCHEDULED PUBLIC HEARINGS – BCC

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

a. Q Z/LU-1-6-12

Resolution Changing the Zoning Classification of Approximately 6.28 Acres Located at the Northeast Corner of the Northern Terminus of 68th Street North and the Eastern Terminus of 40th Avenue North In the Unincorporated Area of St. Petersburg (Street Address Being: 6701 40th Avenue North); Page 800 of the Zoning Atlas, As Being In Section 06, Township 31, Range 16, from A-E, Agricultural Estate Residential and R-3, Single Family Residential to IL, Institutional Limited and Variances to Allow 70 Parking Spaces Where 141 Spaces Are Required and to Allow An Assisted Living Facility Within 1,000 Feet of An Existing Licensed Facility (340 Feet); Upon Application of Casilifa, LLC through Enrique De La Piedra, Representative, and An Ordinance Amending the Future Land Use Map of Pinellas County, Florida By Changing the Land Use Designation of Two Parcels Containing Approximately 6.28 Acres Located at the Northeast Corner of the Northern Terminus of 68th Street North and the Eastern Terminus of 40th Avenue North In the Unincorporated Area of St. Petersburg; (Street Address Being: 6701 40th Avenue North) Located In Section 06, Township 31, Range 16; from Residential Urban & and Residential Urban With Institutional Overlay-Community Center to Institutional, 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

- b. [Q Z-3-6-12](#)
Resolution Changing the Zoning Classification of Approximately 1.7 Acres Located On the North Side of 50th Avenue North 575 Feet West of Haines Road In the Unincorporated Area of the Lealman Area (Street Address Being: 2503 50th Avenue North); Page 791 of the Zoning Atlas, As Being In Section 02, Township 31, Range 16, from R-6, Mobile Home Parks and Subdivisions to RM-10, Residential, Multiple Family, 10 Units Per Acre and A Special Exception to Allow a 50% Affordable Housing Density Bonus; Upon Application of Pinellas Affordable Living, Inc. through Jack Humburg
 - c. [Q CU-2-6-12](#)
A Conditional Use on Approximately 0.6 Acre Lot Located On the East Side of Belcher Road 645 Feet South of Republic Drive in the Unincorporated Area of Dunedin (Street Address Being: 2847 Belcher Road); Page 631 of the Zoning Atlas, As Being In Section 30, Township 28, Range 16; to Allow a Veterinarian Clinic and a Variance to Allow a 48 Square Foot Sign Where a 24 Square Feet Sign is Allowed, and to Allow Development on 0.6 Acre Where 2 Acres is Required in an A-E Zone; Upon Application of Felice M. Anderson through Richard James Anderson, Representative
- 25. [Proposed Ordinance Amending the Public School Concurrency Requirements of the Pinellas County Land Development Code \(Second Public Hearing\) \(Companion Item No. 26\)](#)
 - 26. [Proposed Ordinance Amending the Public School Facilities Element, Intergovernmental Coordination Element, and the Capital Improvements Element of the Pinellas County Comprehensive Plan \(Second Public Hearing\) \(Companion Item No. 25\)](#)
 - 27. [Proposed Ordinance Creating Section 70-217 of the Pinellas County Code Relating to Service Access for the Disabled](#)
 - 28. [Proposed Ordinance Amending Chapters 134 and 138 of the Pinellas County Land Development Code Regarding Nonconforming Uses of Land and Structures and Substandard Lots \(Second Public Hearing\)](#)
 - 29. [Proposed Ordinance Amending the Pinellas County Historic Preservation Code \(Deferred from the May 22, 2012 BCC Meeting\) \(Second Public Hearing\)](#)
 - 30. [Proposed Ordinance Amending the Old Palm Harbor Downtown Zoning Provisions of the Pinellas County Land Development Code \(Deferred from the May 22, 2012 BCC Meeting\) \(Second Public Hearing\)](#)

ADJOURNMENT – 9:01 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 South Fort Harrison Avenue, Suite 500, Clearwater, Florida 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 Chairman'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 Chairman'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 Chairman'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.