

Board of County Commissioners

Karen Williams Seel, Chair
Susan Latvala, Vice Chair
Charlie Justice
Janet C. Long
John Morroni
Norm Roche
Kenneth T. Welch



Mark S. Woodard, County
Administrator
James Bennett, County Attorney
Ken Burke, Clerk of the Court and
Comptroller

Pinellas County Board of County Commissioners
315 Court Street, 5th Floor Assembly Room
Clearwater, Florida 33756
www.pinellascounty.org

Regular Public Meeting

August 19, 2014

2:00 P.M.

AGENDA

Public Participation

Persons wishing to speak during the Citizens to be Heard portion of the agenda, excluding Regular Agenda items and Public Hearing items, must complete a yellow card. Persons wishing to speak regarding a Regular Agenda item or a Public Hearing item must complete a blue card. Cards should be given to staff at the table located at the front of the Assembly Room. At the scheduled section of the meeting when the item is before the Board of County Commissioners (Board), the Chair will call each speaker, one by one, to the podium to be heard. Each speaker may speak up to three minutes. Persons who have been authorized to represent a group of five or more individuals, who are present, should limit their presentation to 10 minutes. Items may be taken out of order by the Chair.

Invocation by Reverend Bob Scott from the Peace Memorial Presbyterian Church in Clearwater.

Pledge of Allegiance

I. PRESENTATIONS AND AWARDS

Emily Venech 100th Birthday Proclamation

II. a. CITIZENS TO BE HEARD – (New Board-Related Business)

III. CONSENT AGENDA

All matters listed under this item are considered to be routine and action will be taken by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be moved from the Consent Agenda and considered separately.

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

1. Approval of minutes of the Regular meeting held July 15, 2014.
2. Reports to be Received for Filing:
 - a. Tax Collector's certification of the Recapitulation of 2013 Tax Roll (CD).

- b. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2014-22 dated July 17, 2014 – Audit of Housing Finance Authority, Bright Community Trust Inc., Conveyed Pinellas County Surplus Property.
 - c. Pinellas County Quarterly Donation Listings of \$500 or more for the periods ended March 31, 2014 and June 30, 2014.
 - d. Juvenile Welfare Board Monthly Financial and Investment Report dated June 30, 2014.
3. Vouchers and Bills – None.
4. Miscellaneous Items to be Received for Filing:
- a. City of Dunedin Notice of Public Hearing regarding proposed Ordinance No. 14-15 to be held September 25, 2014, annexing certain property.
 - b. City of Largo Notice of Public Hearing held August 12, 2014, regarding proposed Ordinances Nos. 2014-74 through 2014-123 and 2014-125 through 2014-144 annexing certain property.
 - c. City of Oldsmar Ordinance No. 2014-07 adopted July 15, 2014, annexing certain property.
 - d. City of Seminole Notice of Ordinance Enactment and Public Hearings held August 12, 2014, regarding proposed Ordinances Nos. 12-2014 through 14-2014 voluntarily annexing certain property.
 - e. City of Pinellas Park Notice of Public Hearing held August 14, 2014, regarding proposed Ordinance No. 3891 voluntarily annexing certain property.
 - f. City of Pinellas Park Notices of Public Hearings to be held August 28, 2014, regarding proposed Ordinances Nos. 3892 and 3893 voluntarily annexing certain property.

COUNTY ADMINISTRATOR

Departments

5. Receipt and file reports of:
- a. Non-procurement items delegated to the County Administrator (County Administrator).
 - b. Write-offs for accounting purposes through March 31, 2014 (Management and Budget).
 - c. Write-offs for accounting purposes for Environment and Infrastructure, Water and Sewer accounts receivable (Management and Budget/Environment and Infrastructure).
6. Approval of an award of bid to Butler Animal Health Holding Company, LLC, d/b/a Henry Schein Animal Health, Patterson Veterinary Supply, Inc. and Zoetis, Inc., d/b/a/ Zoetis, LLC, for veterinary drugs and supplies (Animal Services).

7. Approval to accept and record a plat, sidewalk guarantee and private street sign installation guarantee for the Innisbrook Parcel F plat (Environment and Infrastructure).
8. Adoption of a resolution to appropriate earmarked receipts for a particular purpose in the Fiscal Year (FY) 2014 Fleet Management Fund Budget (Management and Budget).

COUNTY ATTORNEY

9. Notice of new lawsuit and defense of the same by the County Attorney in the cases of:
 - a. Best Pro Services, Inc. v. Estate of James F. Manderscheid et al., Circuit Civil Case No. 14-005224-CI-8 – Quiet Title.
 - b. Brian Elliston and Jerri Elliston, et al. v. Pinellas County – Circuit Civil Case No. 14-005177-CI-13 – allegations of negligence resulting in personal injuries.
 - c. GCS Energy Recovery of Pinellas, Inc., a Delaware Corporation v. Pinellas County, Florida - Circuit Civil Case No. 140005220-CI-13 - allegations of improper procurement procedures.
 - d. The Richman Group of Florida, Inc. v. Pinellas County, et al. - Circuit Civil Case No. 14-005608CI-15 – allegations of violations of equal protection and due process rights.

IV. **REGULAR AGENDA**

10. Items for discussion from the Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller).

COUNTY ADMINISTRATOR

Convention and Visitors Bureau

11. Approval of FY 2015 Elite Event Funding recommendations from the Tourist Development Council.
12. Consideration of a waiver of ethical conflict for an appointee on the Tourist Development Council.

Health and Community Services

13. Adoption of a resolution waiving provisions of the Pinellas County Purchasing Code for a specialty care service network (Companion Items Nos. 14 a. and b.)
14. Approval of Master Pinellas County Health Program agreements for: (Companion Item No. 13)
 - a. Specialty providers.
 - b. Ancillary providers.
15. Approval of purchase agreement with ConAgra Foods Sales, Inc. for State Tax Credit Certificate 290.

Management and Budget

16. Adoption of a resolution setting User Fees for services to be rendered by non-proprietary departments and the Department of Environment and Infrastructure, Airport and Utility Divisions for FY 2015.
17. Approval of FY 2014 Budget Amendments Nos. 15 and 16.

Planning and Development Services

18. Adoption of a resolution approving B4030342594 as a qualified applicant for the Qualified Target Industry (QTI) tax refund program.
19. Approval of an Interlocal Agreement with 17 municipalities for the creation of the Metropolitan Planning Organization.

Other Departments

20. Approval of ranking of firms and final negotiated agreement with Black and Veatch Corporation for professional engineering consulting services for water and sewer optimization study (Environment and Infrastructure).

21. Other administrative matters.

Public hearing announcement regarding the Stormwater Assessment Fee ordinance.

COUNTY ATTORNEY

22. Miscellaneous.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Clerk of the Circuit Court and Comptroller

23. Third amendment and time extension with Wells Fargo Bank, N.A. for banking services.

Emergency Medical Services (EMS) Authority

24. Adoption of a resolution revising criteria for the determination of reasonable and customary cost of EMS providers (Companion item no. 26).
25. Adoption of a resolution adjusting EMS district boundaries (Companion item no. 26).
26. Approval of the Master Advanced Life Support First Responder Agreement with 17 municipalities and fire districts (Companion items nos. 24 and 25).
27. Approval of appointments and reappointments to the EMS Advisory Council.

COUNTY ADMINISTRATOR REPORTS

28. Trap, Neuter and Release Update

II. b. CITIZENS TO BE HEARD (Continued) (General Issues)

COUNTY COMMISSION

- 29. Approval of an appointment to the Canvassing Board.
- 30. Miscellaneous.

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.

6:00 P.M.

V. SCHEDULED PUBLIC HEARINGS

The procedure used by the Board in conducting public hearings is to have a staff presentation followed by the applicant presenting the specific proposal. The Board 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 Board will decide on the matter. Please refer to the back of this agenda copy for more details on guidelines for time limitations and opportunities to speak.

BOARD OF COUNTY COMMISSIONERS

31. Proposed Interlocal Agreement with the City of Indian Rocks Beach for acquisition of the Indian Rocks Beach Wastewater Collection and Transmission System.
32. Planning and zoning applications heard by the Local Planning Agency (Quasi-Judicial hearings are noted with a "Q" Prefix):
 - a. Q Z-12-7-14
Proposed resolution changing the zoning classification of a parcel containing approximately 0.51 acre located at the southwest corner of North Pinellas Avenue and Poinsettia Avenue in the unincorporated area of Tarpon Springs (street address: 1844 North Pinellas Avenue), Page 1 of the Zoning Atlas, as being in Section 01, Township 27, Range 15, from C-2, General Retail Commercial and Limited Services to C-3, Commercial, Wholesale, Warehousing and Industrial Support, upon application of Cowles Pinellas Properties, LLC, c/o John Ross.
 - b. Q Z/LU-8-5-14
Adoption of a resolution changing the zoning classification of an assisted living facility on approximately 2.15 acres parcel located at the south west corner of Park Boulevard and 128th Street North (which includes the north 143 feet of Lot 2, Delong Way Subdivision) (street address: 7770 128th Street North, Seminole), Page 282 of the Zoning Atlas, as being in Section 29, Township 30, Range 15, from E-1, Estate Residential to IL, Institutional Limited with a Development Agreement for an assisted living facility, not to exceed 16 feet in height, and a variance for parking to allow 20 spaces where 71 are required, and a variance to allow an assisted living facility within 950 feet of another facility where 1,000 feet of separation are required, upon application of GIB Properties, LLC through Steve Williamson, Johnson, Pope, Boko, Ruppel & Burns, Representative and a proposed ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of an assisted living facility on approximately 2.15 acres located at the south west corner of Park Boulevard and 128th Street North (which includes the north 143 feet of Lot 2, Delong Way Subdivision) (street address being: 7770 128th Street North, Seminole) located in Section 29, Township 30, Range 15, from Residential Suburban to Institutional Limited, 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.

c. Q Z/LU 14-7-14

Proposed resolution changing the zoning classification of an existing assisted living facility on a parcel containing approximately 2.55 acres located at 7179 40th Avenue North in the unincorporated area of St. Petersburg, Page 800 of the Zoning Atlas, as being in Section 06, Township 31, Range 16, from RM-7.5, Residential, Multiple Family, 7.5 units per acre to IL, Institutional Limited and a Development Agreement for a 78-bed assisted living facility retaining its current building dimensions and height, and a parking variance to allow 38 parking spaces where 78 are required, upon application of 7179 40th Avenue, LLC through Steve A. Williamson, Esq., Johnson, Pope, Bokor, Ruppel & Burns, LLP, Representative, and a proposed ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of an existing assisted living facility on a parcel containing approximately 2.55 acres located at 7179 40th Avenue North in the unincorporated area of St. Petersburg, located in Section 06, Township 31, Range 16, from Residential Urban to Institutional Limited, 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

* * * *

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.

Persons needing a special accommodation to participate in this proceeding should contact the Office of Human Rights, by written or oral request, at least 48 hours prior to the proceeding at: 400 South Fort Harrison Avenue, Suite 500, Clearwater, Florida 33756, Phone: (727) 464-4880, TDD: (727) 464-4062.

PUBLIC HEARING PROCEDURES

Public hearings before the Board 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 applicant should present the entire case in 20 minutes.