

AGENDA – Regular Public Meeting

3:03 p.m.

**Pinellas County
Board of County Commissioners (BCC)
November 30, 2010**

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.

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

Greg Pound, Largo, re Florida's families.

Brian Pitts, Justice-2-Jesus, St. Petersburg, re (1) Health & Human Services Council, (2) Transportation entities (duplication of government), (3) Pinellas by Design: Jobs & Alternatives Analysis.

Hamilton Hanson, Weeki Wachee, re U.S. Constitution.

Mark Klutho, Largo, re stupidity, waste.

B. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. **Approval of Minutes of Regular Meeting Held October 26, 2010**
2. **Report - Dock Fee Report for the month of October 2010**
3. **Vouchers and Bills Paid**
4. **Miscellaneous Items to be Received for Filing**
 - a. **City of Safety Harbor Ordinance No. 2010-13 Adopted November 1, 2010, Establishing Closing Hours for Establishments Dealing in Alcoholic Beverages**
 - b. **Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 12 Dated September 16, 2010**
 - c. **Florida Public Service Commission Order No. PSC-10-0657-FOF-EI (Final) Granting Approval for Tampa Electric Company to Issue and Sell Securities**

- d. [Correspondence dated October 27, 2010](#) Regarding the Southwest Florida Water Management District Draft Five-Year Water Resource Development Work Program

COUNTY ADMINISTRATOR

Management and Budget

5. [Approval of FY 2010 Budget Amendment No. 14](#)
6. [Approval of FY 2011 Budget Amendment Nos. 2 and 3](#)
7. Adoption of a Resolution to Appropriate Unanticipated Fund Balance in the FY 2011 General Fund
 - a. [Justice and Consumer Services](#)
Pulled from the agenda at the request of the County Administrator.
 - b. [Community Development, Parks and Conservation Resources, Planning and Public Works](#)
8. [Adoption of Resolution](#) to Appropriate Earmarked Receipts for a Particular Purpose in the FY 2011 General Fund for Community Development, Parks and Conservation Resources, Planning, and Public Works

Other Departments

9. [Approval of Receipt and File Report](#) of Non-Procurement Items Delegated to the County Administrator for Signature (County Administrator)

C. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

11. [Adoption of a Resolution](#) Extending the Passenger Facility Charge (Airport)
Pulled from the agenda at the request of the County Administrator.

12. [Approval of an Air Pollution Control Specific Operating Agreement](#) with State of Florida, Department of Environmental Protection (Parks & Conservation Resources)
13. [Approval of Change Order No. 5](#) with David Nelson Construction Co. for Walsingham Road Sidewalks and Walsingham Rd – 119th/Old Ridge Road (Public Works)
14. [Other Administrative Matters](#)

COUNTY ATTORNEY

15. [Authority to Advertise a Public Hearing](#) on a Proposed Ordinance Revising the Pinellas County Code, Section 22-14 and Section 22-15 Relating to the Provisions of the Construction Licensing Board
16. [Miscellaneous](#)

D. AUTHORITIES, BOARDS, AND COUNCILS

HOUSING FINANCE AUTHORITY

17. [Approval of a Reappointment](#) to the Housing Finance Authority

ECONOMIC DEVELOPMENT AUTHORITY

18. [Adoption of a Resolution](#) for Issuance of Not-to-Exceed \$3,000,000 Pinellas County Economic Development Authority Industrial Revenue Refunding Bonds (Family Resources, Inc. Project), Series 2010 on behalf of Family Resources, Inc.

E. COUNTY ADMINISTRATOR REPORTS

19. [Stormwater Governance Study](#)

F. COUNTY COMMISSION

20. [Approval of Appointment](#) to WorkNet Pinellas Board of Directors
21. [Approval of Appointment](#) to the Construction Licensing Board

22. Miscellaneous

- a. Commissioner Morroni related concerns expressed by a constituent regarding outdoor burning of trash; staff to review the County's outdoor burning ordinance, work with the Fire Marshal re enforcement of the ordinance, and report back to the Board.
- b. Commissioner Latvala reported on her attendance at the Florida Association of Counties conference and discussed the upcoming legislative session.
- c. Commissioner Welch discussed the Cardboard Stories series of plays sponsored by the Pinellas Coalition for the Homeless and congratulated those involved in the Blissful Turmoil production.
- d. Commissioner Brickfield thanked fellow Commissioners who participated in the Salvation Army turkey and food distribution event in Clearwater.
- e. Commissioner Roche expressed appreciation to Board members and staff for welcoming his assistant and helping them get settled in and off to a strong start.
- f. Chairman Seel reported that the Transportation Task Force will hold its final meeting at 1:00 p.m. on December 13 at the EpiCenter and invited the members to attend. Commissioners Morroni and Brickfield noted that the final BCC/MPO/PPC Joint Land Use/Transportation Committee will be held on December 6 at 9:00 a.m.; and that a Transportation eTownHall meeting will be held that evening at 7:00 p.m.

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

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

- 23. Proposed Ordinance Amending Section 134 of the Pinellas County Code Adopting the Annual Concurrency Test Statement**
- 24. Proposed Ordinance Amending the Pinellas County Comprehensive Plan as Recommended by the Local Planning Agency (LPA)**
- 25. Proposed Tax Equity Fiscal Responsibility Act (TEFRA) Resolution for TEFRA Issuance of Not-to-Exceed \$8,600,000 Pinellas County Economic Development Authority Industrial Revenue Bond (IRB) on behalf of Clearwater Marine Aquarium, Inc.**

26. [Proposed Tax Equity Fiscal Responsibility Act \(TEFRA\) Resolution](#) for TEFRA Issuance of Not-To-Exceed \$30,000,000 Pinellas County Health Facilities Authority of Its Health Facilities Revenue Bonds, Series 2010 on Behalf of Menorah Manor Senior Living, LLC
27. Not-To-Exceed \$2,600,000 Pinellas County Industrial Development Revenue Refunding Bonds, Series 2010 for the R'Club Child Care, Inc. Project
 - a. [Proposed Tax Equity Fiscal Responsibility Act \(TEFRA\) Resolution](#) Authorizing the TEFRA Approval of Not-To-Exceed \$2,600,000 Pinellas County Industrial Development Revenue Refunding Bonds, Series 2010 for the R'Club Child Care, Inc. Project (Public Hearing Item) (Companion Item No. 27b)
 - b. [Proposed Resolution of the Pinellas County Industrial Development Authority](#), d/b/a/ the Pinellas County Economic Development Authority, Authorizing the Issuance of Not-To-Exceed \$2,600,000 Pinellas County Industrial Development Authority Revenue Refunding Bonds (R'Club Child Care, Inc. Project) Series 2010 on Behalf of R'Club Child Care, Inc. (Economic Development Authority – Regular Agenda Item) (Companion Item No. 27a)
28. [Proposed Ordinance Amending Chapter 66](#), Article II, Relating to Health and Sanitation
29. [Planning and Zoning Applications - Z/LU-1-10-10](#)
Resolution Changing the Zoning Classification of a Site Containing Approximately 19.74 Acres Located on the South Side of Park Boulevard, 1,566 Feet East of 83rd Street North, Pinellas Park, Page 274 of the Zoning Atlas, As Being in Section 25, Township 30, Range 15, from R-6, Mobile Home Parks and Subdivisions to C-2, General Retail Commercial & Limited Services and PC, Preservation Conservation, Upon Application of Mas Verde Mobile Home Estates, through Peter Creighton, Representative and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida By Changing the Land Use Designation of Approximately 19.74 Acres Located on the South Side of Park Boulevard, 1,566 Feet East of 83rd Street North, Pinellas Park, Located in Section 25, Township 30, Range 15, from Residential Urban & Preservation to Residential/Office/Retail & Preservation, 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
(Staff recommended denial.)

30. **Proposed Ordinance**, Agreement and Interlocal Agreement Relating to the 4th Percent Tourist Tax, Tourist Development Plan, and Salvador Dali Museum Funding:
- a. Proposed Ordinance Amending Section 118 of the Pinellas Code Relating to the Extension of the 4th Percent Tourist Tax and Revising the Pinellas County Tourist Development Plan (Public Hearing Item) (Companion Items Nos. 30b & 30c)
 - b. Approval of Tourism Funding Agreement on Behalf of Visit St. Petersburg/Clearwater for the Construction of the Salvador Dali Museum in St. Petersburg (Regular Agenda Item) (Requires Approval of No. 30a)
 - c. Approval of Amendment to Interlocal Agreement with City of St. Petersburg Relating to Tax Increment Revenues in the Intown Redevelopment Area (Regular Agenda Item) (Requires Approval of No. 30a)

ADJOURNMENT – 10:34 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.