

AGENDA – Regular Public Meeting

9:32 a.m.

Pinellas County

Board of County Commissioners (BCC)

June 14, 2011

INVOCATION

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

PRESENTATIONS and AWARDS

A. 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 Chairman 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:

1. Proposed Countywide Rule Amendment
Proposed Ordinance Amending Countywide Rules to Change Amendment Thresholds and Special Area Plans (Second Public Hearing)

SCHEDULED PUBLIC HEARINGS – BCC

2. [Proposed Tax Equity Fiscal Responsibility Act](#) (TEFRA) Resolution Authorizing TEFRA Approval and Issuance of Not-to-Exceed \$76,000,000 Pinellas County Educational Facilities Authority Revenue and Revenue Refunding Bonds, Series 2011, on Behalf of Barry University, Inc.
3.
 - a. [Proposed TEFRA Resolution](#) Authorizing the TEFRA Approval of Not-to-Exceed \$6,000,000 Pinellas County Industrial Development Authority Revenue Bond, Series 2011 for Nautical Structures Industries, Inc. Project (Companion Item 3 b)
 - b. [Proposed Resolution](#) of the Pinellas County Industrial Development Authority, Doing Business As the Pinellas County Economic Development Authority, Authorizing the Issuance of Not-to-Exceed \$6,000,000 Pinellas County Industrial Development Authority Revenue Bond, Series 2011 for the Nautical Structures Industries, Inc. Project (Companion Item 3 a)
4. [Petition to Vacate](#) Submitted by iDiscover Christian Academy for a Portion of the East 15 Feet of Right of Way in Pinellas Farms Subdivision (Legislative Hearing)
5. [Petition to Vacate](#) Submitted by Steven Z. Soso and Sharon L. Grimshaw for a Portion of an Ingress/Egress and Utility Easement Located on Lot 7 in the Osprey Point Subdivision (Quasi-Judicial Hearing) (Deferred from the March 8, 2011 BCC Meeting)
6. [Proposed Resolution](#) to Re-Appropriate Fund Balances in the FY 2011 Budget for Utilities
7. [Proposed Ordinance](#) Amending Chapter 138 of the Pinellas County Land Development Code Regarding Zoning Provisions (Second Public Hearing) (Deferred from the April 26, 2011 BCC Meeting)
8. [Proposed Ordinance](#) Amending Chapter 90 of the Pinellas County Code Regarding Community Cultural Programs

9. **Planning and Zoning Applications Heard by the Local Planning Agency (Quasi-Judicial Hearings Are Noted with a “Q” Prefix):**
- a. **[Q Z/LU-1-1-11](#)**
Resolution Changing the Zoning Classification of a Vacant Parcel of Land Containing Approximately 0.39 Acre Located on the North Side of Curlew Road 460 Feet East of Fisher Road, Palm Harbor, Page 607 of the Zoning Atlas, as Being in Section 18, Township 28, Range 16; from R-3, Single Family Residential to P-1A, Limited Office and Professional; Upon Application of Parviz & Dori Rouhani and Kamran Rouhani Through Colin Soares and William Kimpton, Representatives and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Vacant Parcel of Land Containing Approximately 0.39 Acre Located on the North Side of Curlew Road 460 feet West of Fisher Road, Palm Harbor, Located in Section 18, Township 28, Range 16; from Residential Urban to Residential/Office 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
- b. **[Q Z/CU-1-5-11](#)**
Resolution Changing the Zoning Classification of Approximately 2.5 Acres Located on the South Side of 126th Avenue North 300 Feet East of 95th Street North Located in the Unincorporated Area of Largo Having a Street Address of 9416 126th Avenue North; Page 242 of the Zoning Atlas, as Being in Section 11, Township 30, Range 15; from R-2, Single Family Residential (.37 acre) and A-E, Agricultural Estate Residential to A-E, Agricultural Estate Residential and a Conditional Use to Allow For the Expansion of the Horse Riding Stable to Occur in the Area Proposed for Rezoning Which Contains .37 Acre; Upon Application of Rhonda & Joseph Suarez
- c. **[Q Z/LU/CU-2-5-11](#)**
Resolution Changing the Zoning Classification of Approximately 2.37 Acres Located 485 Feet East of 68th Street North, and 608 Feet North of 38th Avenue North, Located in the Unincorporated Area of St. Petersburg; Page 800 of the Zoning Atlas, as Being in Section 06, Township 31, Range 16; from C-2, General Retail Commercial & Limited Services to R-3, Single Family Residential, a Conditional Use to Allow the Dispensing of Alcoholic Beverages in Association with a Fraternal/Benevolent

Organization in a Residential Zone, a Special Exception to Allow for the Approval of Fraternal 9 Club in a Residential Zoning District and Variances to Allow the Property to be Accessed Via a Private Ingress/Egress Easement (Where 60 feet of Frontage on a Public Right-of-Way is Required), and to Allow for the Dispensing of Alcoholic Beverages Within 750 feet of a Church; Upon Application of Northwest Little League, Inc., c/o Casi Masi through Ronald L. Weaver, Esq., Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A. and Kyle Perkins, Representatives and an Ordinance Amending the Future Land Use Map of Pinellas County, Florida by Changing the Land Use Designation of a Parcel of Land Containing Approximately 2.37 Acres Located 485 feet East of 68th Street North, and 608 feet North of 38th Avenue North Located in the Unincorporated Area of St. Petersburg, Located in Section 06, Township 31, Range 16; from Recreation/Open Space to Residential Urban, With an Institutional – Community Center Overlay, 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. CITIZENS TO BE HEARD

Any Person Wishing to Speak at This Time, Excluding Public Hearing Items on the Agenda, 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.

Sky Burr-Drysdale, Clearwater, re PCU – What Pinellas is doing right.

JoAn Y. Totty, Palm Harbor, re Main Street.

Greg Pound, Largo, re Pinellas families.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

10. Approval of Minutes - None

11. Reports to be Received for Filing

- a. Audit Services and Public Integrity Unit, Division of Inspector General, Clerk of the Circuit Court, 2010 Annual Report dated May 18, 2011**

- b. [Audit Services](#), Division of Inspector General, Clerk of the Circuit Court, Report No. 2011-07 dated May 11, 2011 – Audit of the Epicenter Interlocal Agreement
 - c. [Pinellas County Quarterly Donation Listing](#) of \$500 and Greater for the Quarter Ended March 31, 2011
 - d. [Quarterly Investment Report](#) for the Period Ended June 30, 2010
 - e. [Annual Investment Report](#) for the Fiscal Year Ended September 30, 2010
 - f. [City of Clearwater](#) Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2010
 - g. [City of Dunedin](#) Comprehensive Annual Financial Report and the Single Audit Report for the Fiscal Year Ending September 30, 2010 (CD)
 - h. [City of Treasure Island](#) Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2010
 - i. [Housing Finance Authority](#) of Pinellas County (A Component Unit of Pinellas County, Florida) Independent Auditor's Reports, Financial Statements, and Required Supplementary Information for the Year Ended September 30, 2010
 - j. [Dock Fee Report](#) for the Month of April 2011
12. [Vouchers and Bills Paid](#)
13. Miscellaneous Items to be Received for Filing
- a. [City of Clearwater](#) Public Hearing Notices of Annexation, Land Use Plan, and Zoning Atlas Amendments Regarding Proposed Ordinances Nos. 8252-11 and 8253-11 and Nos. 8261-11 Through 8263-11; Public Hearings Held May 19, 2011 and to be Held July 21, 2011
 - b. [City of Dunedin](#) Ordinance No. 2011-05 Adopted April 21, 2011, Changing the Dates of Certain City Elections and Providing for the Necessary Changes to the Code of Ordinances and Other Transition Matters

- c. [City of Pinellas Park](#) Notices of Public Hearings Regarding Proposed Ordinances Nos. 3767 Through 3769 Held June 9, 2011, Voluntarily Annexing Certain Property
- d. [City of Seminole](#) Ordinances Nos. 04-2011 Through 08-2011 Adopted April 26, 2011 and No. 12-2011 Adopted May 10, 2011, Voluntarily Annexing Certain Property
- e. [Florida Public Service Commission](#) Order No. PSC-11-0215-PCO-EQ Issued May 5, 2011, Suspending Tariffs Regarding Petitions by Florida Public Utilities Company, Florida Power & Light Company, Progress Energy Florida, Inc., Tampa Electric Company, and Gulf Power Company
- f. [Public Official Bond](#) and Oath for Pinellas Suncoast Fire & Rescue District Commissioner Franklin T. Hartzell

COUNTY ADMINISTRATOR

Management and Budget

- 14. [Approval of FY 2011 Budget Amendment](#) No. 8 and 9
- 15. [Approval of a Resolution](#) Appropriating Earmarked Receipts for a Particular Purpose in the FY 2011 Fire Districts Fund for the Tarpon Springs Fire District

Public Works

- 16. [Approval of Amendment](#) No. 1 to the Joint Project Agreement with the City of Pinellas Park for Utility Installation on Bryan Dairy Road from Starkey Road to 72nd Street North
- 17. [Approval of Supplemental Agreements](#) No. 1 and No. 2 to the Local Agency Program Agreement with the Florida Department of Transportation for the Bryan Dairy Road Widening and Reconstruction Project from Starkey Road to 72nd Street North
- 18. [Approval of Amendment](#) No. 2 to the Florida Department of Environmental Protection Grant Agreement No. G0212 for Lake Tarpon Area 6

19. [Approval of Ranking of Firms](#) and Authorization for Staff to Negotiate with the Number One Ranked Firm for Beckett Bridge Project Development and Environmental Study

Other Departments

20. [Approval of the WorkNet Pinellas, Inc.](#) 2011-2012 Program Year Budget (County Administrator)
21. [Approval of Two Federally-Funded Subgrant Agreements](#) with the State of Florida, Division of Emergency Management for Retrofitting Existing Buildings and Facilities for Storm Readiness (Emergency Management)
22. [Approval of a Grant Funding Agreement](#) with the Pinellas County Health Department for the Communities Putting Prevention to Work Grant (Parks and Conservation Resources)
23. [Approval to Declare Surplus](#) and Authorize the Sale of Miscellaneous County-Owned Equipment (Real Estate Management)
24. [Receipt and File of Quarterly Report](#) of Claim Settlements for the Period January Through March 2011 (Risk Management/County Attorney)
25. [Approval of Award of Bid](#) to TLC Diversified, Inc. for South Cross Bayou Chlorination System Upgrades (Utilities)

AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY

26. [Receipt of the Pinellas County Composite Annexation Report](#) for FYs 2000/01 through 2009/10

EMERGENCY MEDICAL SERVICES AUTHORITY (EMS)

27. [Approval of the Issuance of Certificates of Public Convenience](#) and Necessity for Various Wheelchair Transport Providers

HUMAN RESOURCES

28. [Approval of Ranking of Firms](#) and Authorization for Staff to Negotiate with the Number One Ranked Firm for Medical Benefits
29. [Approval of Ranks of Firms](#) and Authorization for Staff to Negotiate with the Number One Ranked Firm for Temporary Staffing Services

D. REGULAR AGENDA

30. [Items for Discussion](#) from Consent Agenda (County Administrator and Clerk of Circuit Court) Items Nos. 18, 20, 21, and 22 pulled for discussion and separate vote.
Items Nos. 18, 20, 21, and 22 pulled for discussion and separate vote.

COUNTY ADMINISTRATOR

Community Development

31. [Adoption of a Resolution](#) Approving the Submission of a Request for Release of Funds and Certification to the U.S. Department of Housing and Urban Development for Environmental Monitoring Strategy
32. [Approval of Authority to Advertise](#) a Public Hearing on the Pinellas County Consortium's 2011-2012 Annual Action Plan for Federal Funding

Planning

33. [Approval of an Appointment](#) to the Pinellas Planning Council for Group A Municipalities
34. [Approval of Adoption](#) of the Public Participation Program
35. [Approval of Major Focus Areas](#) for Conducting the Seven Year Evaluation and Appraisal of the Pinellas County Comprehensive Plan
36. [Approval of Authority to Advertise](#) a Public Hearing on Proposed Amendments to the Intown Redevelopment Plan and the Third Amendment to the Interlocal Agreement with the City of St. Petersburg

Utilities

37. Approval of a Memorandum of Agreement, Deferred Utility Expense Reimbursement Agreement and Resolution, Florida Department of Transportation Utility Work by Highway Contractor Agreement for:
 - a. [State Road 688 \(Ulmerton Road\)](#) from East of Wild Acres Road to El Centro Boulevard and Ranchero Boulevard
 - b. [State Road 688 \(Ulmerton Road\)](#) West of Seminole By-pass Canal to East of Wild Acres Road
38. [Approval of a Joint Project Agreement](#) with Tampa Bay Water for Construction of the Modifications of Utilities Point of Connection to Tampa Bay Water's System and Updates to Points of Connection of the Master Water Supply Contract
39. [Approval of Agreements](#) with Fifteen Top Ranked Firms for Utilities Engineering Consulting Services
40. [Approval of Agreements](#) with Two Top Ranked Firms for Waste to Energy Consulting Services

Other Departments

41. [Approval of an Agreement](#) with the Sixth Judicial Circuit Court of Florida for County Funded Court Employees (Justice and Consumer Services)
42. [Approval of Agreements](#) with Seven Top Ranked Firms for Environmental Support Services (Public Works)
43. [Other Administrative Matters](#)

COUNTY ATTORNEY

44. [Adoption of a Resolution](#) Supporting the Florida Department of Environmental Protection's Petition Requesting the Environmental Protection Agency Withdraw Its Determination that Numeric Nutrient Criteria are Needed in Florida
45. [Miscellaneous](#)

F. COUNTY ADMINISTRATOR REPORTS

46. [Live Chat Demonstration](#)

47. [Initiatives and Projects](#)

G. COUNTY COMMISSION

48. [Approval of Reappointments](#) and Two Appointments to the WorkNet Pinellas Board of Directors

49. [Miscellaneous](#)

a. [Approval of an Appointment](#) to the Pinellas County Board of Adjustment

b. Approval of an Appointment to the Pinellas County Construction Licensing Board.

c. Chairman Latvala indicated that the Pinellas County Centennial Celebration and the BCC office budgets will be discussed at a future BCC meeting.

distributed a listing of BCC departments that need assistance; following discussion, it was the consensus of the Board that their assistants would discuss the list and delegate the responsibilities amongst themselves.

ADJOURNMENT - 3:46 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.