

AGENDA – Regular Public Meeting

9:31 a.m.

Pinellas County

Board of County Commissioners (BCC)

November 8, 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.

SCHEDULED PUBLIC HEARINGS – BCC

1. [Proposed Tax Equity Fiscal Responsibility Act \(TEFRA\) Resolution Authorizing TEFRA Approval and Issuance of Not-to-Exceed \\$10,500,000 Pinellas County Educational Facilities Authority Revenue and Revenue Refunding Bonds, Series 2011, on Behalf of Clearwater Christian College Private School, Inc.](#)

2. [Proposed Ordinance Amending the Pinellas County Code Regarding Pain Management Clinics](#)
3. [Petition to Vacate Submitted by Darlene J. Barrentine for a Portion of a Utility Easement on Lot 252, Ridgewood Groves, Unit Nine \(Quasi-Judicial Hearing\)](#)
4. [Proposed Resolution Appropriating Unanticipated Fund Balances and Realignment of Reserves in the Fiscal Year \(FY\) 2012 Budget for the General Fund and Business Technology Services Fund](#)

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

Consideration of the Following Proposals to Amend the Adopted Countywide Future Land Use Plan:

SUBTHRESHOLD AMENDMENTS

5.
 - a. [Case CW 11-22 - City of St. Petersburg](#)
0.6 Acre More or Less (MOL) Located at 2701 and 2727 - 5th Avenue South from Institutional and Planned Redevelopment - Residential to Planned Redevelopment - Mixed Use
 - b. [Case CW 11-23 - City of Belleair Bluffs](#)
0.5 Acre MOL Located at 2749 and 2765 Bayway Avenue from Residential Urban to Institutional

REGULAR AMENDMENTS

6.
 - a. [Case CW 11-19 - Pinellas County](#) (Continued from October 11, 2011)
2.4 Acres MOL Located 485 Feet East of 68th Street North and 608 Feet North of 38th Avenue North from Recreation/Open Space to Residential Urban
 - b. [Case CW 11-24 - City of Clearwater](#)
39.8 Acres MOL Located at the Southwest Corner of Drew Street and Bayview Avenue from Residential Medium and Residential/Office/Retail to Residential/Office Limited

B. CITIZENS TO BE HEARD

JoAn Totty, Palm Harbor, re noise in Palm Harbor.

- ▶ Staff directed to meet with Old Palm Harbor Main Street Board of Directors.

Louis Kwall, Palm Harbor, re fluoride.

- ▶ Workshop to be held on fluoride issue; Attorney Bennett to provide the Executive Report.

Greg Pound, Largo, re Pinellas families.

Martha Loza, Palm Harbor, re 11th St. & Illinois Ave. stop sign.

Ruth M. Fairchild, Palm Harbor, re 11th Street and Illinois Avenue stop sign.

- ▶ Board voted to bring back request for four-way stop at next BCC meeting.

Philip W. Tropea, Palm Harbor, re EMS.

Joe Paige, Clearwater, re 20b – Historic Preservation

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

7. [Approval of Minutes of Regular Meetings of September 27, 2011 and October 11, 2011](#)
8. [Reports to be Received for Filing – None.](#)
9. [Vouchers and Bills Paid – None.](#)
10. **Miscellaneous Items to be Received for Filing:**
 - a. [City of Clearwater Correspondence Supporting Proposal to Modify Annexation Requirements Within Enclaves](#)
 - b. [City of Dunedin Resolution No. 11-35 Adopted October 6, 2011, Regarding Dunedin Beach Causeway](#)
 - c. [City of Largo Notice of Public Hearings to be Held November 15, 2011, Regarding Proposed Ordinances Nos. 2012-03 and 2012-04 and 2012-07 Through 2012-11, Annexing Certain Property](#)
 - d. [City of Pinellas Park Notice of Public Hearing Regarding Proposed Ordinance No. 3785 to be Held November 10, 2011, Voluntarily Annexing Certain Property](#)

COUNTY ADMINISTRATOR

Management and Budget

11. **Approval of FY 2012 Budget Amendments:**

- a. [Number 1](#)
 - b. [Number 2](#) (Companion Item No. 17)
12. Adoption of Resolutions in the FY 2012 General Fund:
- a. [Appropriating Unanticipated Fund Balance and Earmarked Receipts for Justice and Consumer Services](#)
 - b. [Appropriating Unanticipated Fund Balance for Emergency Management](#)

Departments

13. [Approval of the Renewal of Certificates of Public Convenience and Necessity for Advanced Life Support \(ALS\) First Responders, ALS Helicopter Ambulances, and the Emergency Emergency Medical Services Authority, d/b/a Sunstar \(Public Safety Services\)](#)

COUNTY ATTORNEY

14. Notice of New Lawsuit and Defense of Same by the County Attorney:
- a. [James Kirkman v. Pinellas County Board of County Commissioners, a Political Subdivision of the State of Florida, and Pepper Contracting Services, Inc. - Circuit Civil Case No. 11-008952-CI-11 – Allegations of Personal Injury as a Result of a Trip and Fall Incident](#)
 - b. [Neil Scott Stoneberg v. Pinellas County, et al – Circuit Civil Case No. 10-11033-CI-13 – Allegations of Negligence Resulting in Personal Injuries](#)

AUTHORITIES, BOARDS, AND COUNCILS

COUNTYWIDE PLANNING AUTHORITY (CPA)

15. [Adoption of a Resolution Directing the Filing of the Countywide Plan Map 2011 Annual Update](#)

D. REGULAR AGENDA

16. [Items for Discussion from Consent Agenda](#) (County Administrator and Clerk of Circuit Court)
Item No. 10b pulled for discussion and separate vote.

COUNTY ADMINISTRATOR

Economic Development

17. [Approval of the Grant Funding Agreement with IRX Therapeutics, Inc.](#) (Companion Item No. 11 b.)
18. [Adoption of a Resolution Supporting the Tampa Bay Partnership Regional Business Plan](#)

Other Departments

19. [Approval of Change Order No. 1 with Wharton-Smith, Inc. for Sludge Processing Improvements at the South Cross Bayou Water Reclamation Facility Phase 3 and 4 Odor Control](#) (Department of Environment and Infrastructure)
20. Approval of Authority to Advertise a Public Hearing on Proposed Ordinances to Amend the: (Planning)
 - a. [Old Palm Harbor-Downtown Zoning District](#)
 - b. [Pinellas County Historic Preservation Code](#)
21. Other Administrative Matters
 - a. [Health Resources and Services Administration \(HRSA\) Grant Funding Opportunity](#)
Staff authorized to move forward with HRSA grant application.

COUNTY ATTORNEY

22. [Approval of the Recommendation to Approve an Agreement with Gulf Coast Legal Services, Inc. to Provide Legal Representation to Individual Complainants in Fair Housing Actions in Accordance with the Fair Housing Provisions of the County's Human Rights Ordinance](#)
23. [Adoption of a Resolution Authorizing Pinellas County to Allow a Default Judgment to be Taken Against It in Certain Mortgage Foreclosure Action Where Pinellas County is Named as a Defendant](#)

24. Miscellaneous

E. COUNTY ADMINISTRATOR REPORTS

25. Initiatives and Projects
Code Enforcement and neighborhood protection

F. COUNTY COMMISSION

26. Approval of an Appointment to the Suncoast Health Council

27. Approval of Appointments to the Youth Advisory Committee

28. Approval of an Appointment to the East Lake Community Library Advisory Board

29. Miscellaneous

- a. Commissioner Brickfield requested member input re a proposal before the MPO to change the name of the bridge south of the Courtney Campbell Causeway to “The Dolphin Trail,” and no objections were noted.
- b. Commissioner Seel congratulated Commissioner Welch and his daughter on her receipt of the Bank of American Leadership Award, and Commissioner Welch provided input.
- c. Chairman Latvala provided the Volunteer Opportunity of the Week.

ADJOURNMENT – 12:29 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.