

AGENDA – Regular Public Meeting

9:30 a.m.

Pinellas County

Board of County Commissioners (BCC)

February 7, 2012

INVOCATION

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

A. PRESENTATIONS and AWARDS - None

B. 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.
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:

REGULAR AMENDMENTS

1. **a. Case CW 12-01 – Pinellas County**

1.5 Acres More or Less (MOL) Located on the Northwest Corner of Lake Avenue SE and Ulmerton Road; Amendment from Industrial Limited to Commercial General

b. Case CW 12-02 – Pinellas County

0.2 Acre MOL Located on the Northeast Corner of Bay Pines Boulevard and 95th Street North; Amendment from Industrial Limited to Commercial General

SCHEDULED PUBLIC HEARINGS – BCC

2. **Proposed Tax Equity Fiscal Responsibility Act (TEFRA) Resolution Authorizing TEFRA Approval and Issuance of Not-to-Exceed \$13,000,000 Pinellas County Health Facilities Authority Healthcare Facilities Revenue Refunding Bonds, Series 2012, on Behalf of Indian Rocks Assisted Living, Incorporated**

C. CITIZENS TO BE HEARD

Bernard Kazmierski, Seminole, re lighted district.
Diane Bosker, Seminole, re Rexdale Heights II lighted district.
Ruth Thompson, Seminole, re lighted district.
David Fasel, Largo, re Pinellas County landfill.
Greg Pound, Largo, re Pinellas families.

D. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

3. **Approval of Minutes of the Regular Meeting of January 10, 2012**
4. **Reports to be Received for Filing:**
 - a. **Division of Inspector General, Audit Services, Clerk of the Circuit Court, Report No. 2012-02 Dated January 19, 2012 – Audit of HDR Engineering Services Contract**
 - b. **Pinellas County Quarterly Donation Listing of \$500 and Greater for the Quarter Ended December 31, 2011**
 - c. **Juvenile Welfare Board Monthly Financial and Investment Report Dated December 31, 2011**
 - d. **Pinellas Planning Council Basic Financial Statements and Regulatory Reports Dated September 30, 2011**
5. **Vouchers and Bills Paid – None**
6. **Miscellaneous Items to be Received for Filing:**

- a. [City of Pinellas Park Notices of Public Hearings Regarding Proposed Ordinances Nos. 3793 through 3797 to be Held February 9, 2012, Voluntarily Annexing Certain Property](#)
- b. [Pinellas Suncoast Fire & Rescue Resolution No. 2012-01 Adopted January 17, 2012, Regarding Annexation Issues Pursuant to Pinellas County Resolution No. 11-185 and Chapter 171, Florida Statutes](#)

COUNTY ADMINISTRATOR

Department of Environment and Infrastructure

7. [Approval of a Cooperative Funding Agreement with the Southwest Florida Water Management District for the McKay Creek Watershed Evaluation and Management Plan](#)
8. [Approval of Ranking of Consultant Selection and Authority for Staff to Negotiate with the Top Ten Ranked Firms for Traffic Engineering Consultant Services for the Advanced Traffic Management System/Intelligent Transportation System](#)
9. [Approval of Change Order No. 1 With Six Firms for Pumps, Parts and Repairs \(Cooperative\) \(Rebid\)](#)

Other Departments

10. [Approval of Renewal of Certificate of Public Convenience and Necessity for All Children's Hospital \(Public Safety Services\)](#)
11. [Approval to Declare Surplus and Authorize Sale of Miscellaneous County Owned Equipment to Pasco County \(Real Estate Management/Health and Human Resources\)](#)

COUNTY ATTORNEY

12. [Notice of New Lawsuit and Defense of the Same by the County Attorney in the Case of Debra Emener v. Pinellas County and Old Palm Harbor Main Street, Inc. – Circuit Civil Case No. 12-000344-CI-011 – Allegations of Negligence Resulting in Personal Injuries](#)

AUTHORITIES, BOARDS, AND COUNCILS

Human Resources

13. [Approval of the First Amendment to the Prescription Drug Program Agreement with Medco Health Solutions, Inc. for Pharmacy Benefits](#)

E. 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.

14. Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court)
Items Nos. 8 and 11 pulled for discussion and separate vote.

COUNTY ADMINISTRATOR**Departments**

15. Presentation of a Resolution Regarding Pari-mutuel Legislation (County Administrator)
16. Approval of Guidelines from the Tourist Development Council for the Elite Event Funding Program (Convention and Visitors Bureau)
17. Approval of a Memorandum of Agreement with the Florida Department of Transportation for Utility Relocation at U.S. 19 North of Sunset Point Road to South of Countryside Boulevard (Department of Environment and Infrastructure)
18. Approval of Amendment No. 1 to the Contract for Medical Examiner Services with John R. Thogmartin, M.D., P.A. for the DNA Backlog Reduction Grant (Justice and Consumer Services)
19. Other Administrative Matters
Discussed pending legislation pertaining to Medicaid, fertilizer, PPC/MPO unification and language in County's legislative agenda.

COUNTY ATTORNEY

20. Approval of Authority for the County Attorney to Initiate:

- a. [Housing Discrimination Litigation on Behalf of Marcie Dail in the Claim of Marcie Dail v. Regatta Beach Club Condominium Association; PC No. 10-049](#)
 - b. [Litigation in the Case of Pinellas County v. DHC Construction Services, Inc. – Nonpayment of Promissory Note](#)
21. [Miscellaneous](#)
- a. Update re Seminole lighting district.
 - b. Update re Tara Cay drainage.

F. COUNTY ADMINISTRATOR REPORTS

- 22. [Fiscal Year 2013 – 2022 Budget Forecast Presentation - Report](#)
- 23. [Initiatives and Projects](#)

G. COUNTY COMMISSION

24. [Miscellaneous](#)
The Commissioners wished Chairman Morroni a speedy recovery.
- a. Commissioner Roche requested update on County's obligations with respect to the Tropicana Field and discussed the Alternatives Analysis study and whether it will impact the stadium.
 - b. Commissioner Brickfield made a motion to place referendum options regarding fluoride on a future agenda; motion died for lack of a second.
 - c. Commissioner Latvala discussed the upcoming Centennial.

Please Note: If the meeting has not concluded by 12:30 p.m., a recess will be taken from 12:30 to 1:00 p.m., and the remainder of the meeting will continue at 1:00 p.m.

ADJOURNMENT – 1:44 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 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.