

AGENDA – Regular Public Meeting

2:02 p.m.

Pinellas County
Board of County Commissioners (BCC)
August 21, 2012

INVOCATION

PLEDGE OF ALLEGIANCE

A. PRESENTATIONS and AWARDS - None

B. CITIZENS TO BE HEARD

Claire Chadwick, Tarpon Springs, re Pinellas County stormwater pond.

David Kearns, Palm Bay, re elections 2012.

Lenore Faulkner, Madeira Beach, re Pinellas County schools education excellence.

Ronald H. Dunham, Seminole, re Pinellas County utilities watering restrictions (submitted document).

- Attorney Bennett to provide additional information re the Southwest Florida Water Management District (SWFWMD) Watering Plan.

Jay Lutz, St. Pete Beach, re Veterans' Services.

Candice Vetal, Tarpon Springs, re Pinellas County pond.

- Administrator LaSala directed to follow up with Ms. Vetal.

Greg Pound, Largo, re Pinellas families.

Dan Calabria, South Pasadena, re term limits.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. [Approval of Minutes of the Regular Meeting of July 24, 2012](#)
2. Reports to be Received for Filing:
 - a. [Affidavit of Publication of Legal Notice Published in the Gulf Coast Business Review Regarding Notice of Forfeiture of Unclaimed Money Pursuant to Section 116.21, Florida Statutes \(Circuit/County Court of the 6th Judicial Circuit - Criminal Division\)](#)
 - b. [Affidavit of Publication of Legal Notice Published in the Gulf Coast Business Review Regarding Notice of Forfeiture of Unclaimed Money Pursuant to Section 116.21, Florida Statutes \(Circuit/County Court of the 6th Judicial Circuit - Civil Division\)](#)
3. [Vouchers and Bills Paid](#)

4. Miscellaneous Items to be Received for Filing:
 - a. [City of Clearwater Notice of Public Hearings Regarding Proposed Ordinances Nos. 8352-12 through 8354-12 Amending the Annexation, Land Use Plan, and Zoning Atlas; Public Hearings to be Held September 6, 2012](#)
 - b. [City of Largo Notice of Public Hearing Held July 26, 2012 Regarding Neighborhood Compatibility Meeting About Development of Property Located at 11411 Ulmerton Road](#)
 - c. [Pinellas Park Notice of Public Hearing Held July 26, 2012 Regarding Second Addendum to an Annexation of Certain Property](#)
 - d. [Correspondence from the City of Largo Supporting Further Implementation of Medical Priority Dispatch](#)
 - e. [Pinellas Suncoast Fire and Rescue Resolution No. 2012-05 in Opposition to and Requesting Deferral of the Implementation of Phase Three Priority Dispatch as Proposed by the Pinellas County Emergency Medical Services Authority](#)
 - f. [Eastlake Oaks Community Development District Minutes of the Meetings Held November 21, 2011 and April 12, 2012](#)

COUNTY ADMINISTRATOR

Departments

5. [Approval of Fiscal Year 2013 Elite Event Funding Recommendations from the Tourist Development Council \(Convention and Visitors Bureau\)](#)
6. [Receipt and File Report of Items Delegated to the County Administrator for Approval \(County Administrator\)](#)
7. Approval of Award of Bids to: (Department of Environment and Infrastructure)
 - a. [M & J Construction Company of Pinellas County, Inc. for Park Boulevard Bridge Scour Repair \(Re-bid\)](#)
 - b. [Rowland, Inc. for Sanitary Sewer Pump Station Repair, Rehabilitation and Improvement](#)
 - c. [Tampa Pavement Constructors, Inc. for 2013 – 2014 Countywide Pavement Preservation](#)

- d. [Lane Construction Corporation for Pinellas Trail Rehabilitation, Phase II \(Michigan Boulevard to Oceanview Avenue\)](#)
- 8. [Approval of Ranking of Firms and Authority for Staff to Negotiate with the Highest Ranked Firm for Medical Direction Services \(Public Safety Services\)](#)
- 9. Approval of Award of Bids to Automated Building Control Systems, Inc. for: (Real Estate Management)
 - a. [Detention Central Division Energy Management Upgrades](#)
 - b. [Criminal Justice Center Heating, Ventilation and Air Conditioning Controls Replacement](#)

D. REGULAR AGENDA

- 10. [Items for Discussion from Consent Agenda \(County Administrator and Clerk of Circuit Court\)](#)
Item No. 8 pulled for discussion and separate vote; Items Nos. 2 and 5 discussed.

COUNTY ADMINISTRATOR

Departments

Justice and Consumer Services

- 11. [Approval of a Contract with Jon R. Thogmartin, M.D., P.A. for Medical Examiner and Forensic Laboratory Services](#)
- 12. [Approval of the Recommendations of the Substance Abuse Advisory Board and Disbursement of Funds from the Alcohol and Drug Abuse Trust Fund to Selected Agencies](#)

Other Departments

- 13. [Approval of Agreements with the Ten Top-Ranked Firms for Consultant Services for Professional Engineering and Geotechnical Services \(Department of Environment and Infrastructure\)](#)

14. [Approval of the Proposed Annexation of a Parcel Located at 1 Bogie Lane in the Golf View Estates Subdivision by the City of Dunedin \(Strategic Planning and Initiatives\)](#)
15. [Other Administrative Matters](#)

COUNTY ATTORNEY

16. [Approval of a Recommendation of Settlement in James R. Cordell, Jr., and Kim L. Kaszuba v. Pinellas County – Circuit Civil Case No. 08-9079-CI-021 – Easement Access](#)
17. [Approval of a Recommendation of Settlement in Brenda Brown v. Pinellas County Sheriff and Risk Management - Workers' Compensation Date of Accident: August 14, 2010](#)
18. [Review of Legal Options with Respect to Medicaid Backlog](#)
19. [Miscellaneous](#)

E. COUNTY ADMINISTRATOR REPORTS

20. [Initiatives and Projects](#)

Veterans' Services Update

Budget Information

Gulf Oil Spill Restore Act

Commissioner Latvala appointed as representative and Commissioner Welch appointed as alternate for 23-county consortium.

F. COUNTY COMMISSION

21. [Miscellaneous](#)

The members recognized the retirement of Director of Transportation and Stormwater Peter J. Yauch and extended their appreciation for his years of dedication and service.

- a. Commissioner Roche questioned whether there is consensus to hold a closed-door session with the County Attorney re the term limits lawsuit, and following discussion with input by Attorney Bennett, Chairman Morroni indicated that individual member briefings will continue until the September 20, 2012 hearing; and that the matter will be revisited after that date.

- b. Commissioner Seel noted that the County's Public Safety Center was recognized in a national magazine.

discussed potential state interest in creating a metro MPO, and requested the Board's support for her to attend a meeting on September 11, 2012 with one of the Governor's top aides in the transportation area to discuss regional transportation, and Nick Fritsch, TBARTA Citizens Committee provided input; whereupon, she agreed to report back to the Board and to provide a copy of FDOT Secretary Ananth Prasad's presentation.
- c. Commissioner Latvala discussed the PACE program and requested that the County pass a resolution authorizing the program, and Assistant County Administrator Mark S. Woodard provided input; whereupon, Chairman Morrone directed that an update be presented at the next BCC meeting.
- d. Commissioner Bostock questioned the scheduling of a discussion re the East Lake Library, and Administrator LaSala indicated that a facilitated discussion will be scheduled at the EpiCenter to discuss the Pinellas Public Library Cooperative; whereupon, Chairman Morrone indicated that the East Lake Library discussion would occur after the budget is approved.

expressed concern re how changes are made to the County's health insurance plan and whether there is employee input before implementation; noted that the Board requested a work session on the topic, which was not scheduled; discussed the Board's role in decisions made by others that affect its employees; and requested that the topic be calendared for a work session as soon as possible for Board discussion, and Commissioner Roche concurred and expressed concern re employees being penalized for not providing personal/confidential health information. Commissioner Seel suggested that Human Resources provide an update re forthcoming changes during its annual budget presentation.
- e. Chairman Morrone discussed a letter received from the East Lake/Tarpon Special Fire Control District Commission Chairman re the County's fireworks ordinance and the banning of sky lanterns; Attorney Bennett to review the ordinance and report back to the Board.

6:01 p.m.

G. SCHEDULED PUBLIC HEARINGS

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.

Any 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.

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.

SCHEDULED PUBLIC HEARINGS – BCC

22. [Proposed Ordinance Creating Section 70-217 of the Pinellas County Code Relating to Service Access for the Disabled \(Continued from the July 24, 2012 BCC Meeting\)](#)
23. [Proposed Ordinance Amending the Pinellas County Code for Residential Solid Waste Collection in Unincorporated Pinellas County and Adoption of a Resolution Setting the Fee](#)
24. Planning and Zoning Applications Heard by the Local Planning Agency (Quasi-Judicial Hearings are Noted with a “Q” Prefix):
 - a. [QZ-1-7-12](#)
Resolution Changing the Zoning Classification of Approximately 2.43 Acres Located on the South Side of Walsingham Road, 1,127 Feet West of 125th Street North in the Unincorporated Area of Largo; Page 253 of the Zoning Atlas, as Being In Section 17, Township 30, Range 15, from C-3, Commercial, Wholesale, Warehousing & Industrial Support to C-2, General Retail Commercial and Limited Services and for Variances to Allow a 0-Foot Front Setback for a Gasoline Canopy and a 12-Foot Front Setback for Gasoline Islands where 15-Foot Setbacks are required, Sale

SCHEDULED PUBLIC HEARINGS – BCC – CONTINUED

of Alcoholic Beverages Within 750-Feet of a Church (425-Feet) and Two Identification Signs Where One Identification Sign Is Permitted; Upon Application of William B. Schaller Through Robert Pergolizzi, Representative (Requested to be Continued to the October 16, 2012 BCC Meeting)

- b. [Q Z-2-7-12](#)
Resolution Changing the Zoning Classification of Approximately 2.96 Acres Located on the North Side of Twin Lane Drive, 265-Feet West of Fisher Road, Palm Harbor, Page 608 of the Zoning Atlas, as Being In Section 18, Township 28, Range 16, from A-E, Agricultural Estate Residential to E-1, Estate Residential, Upon Application of Mariola Sokolowska through Don Armstrong, Representative.

ADJOURNMENT – 7:28 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 South Fort Harrison Avenue, Suite 500, Clearwater, Florida 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.