

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, OCTOBER 20, 2009 – 3:00 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Calvin D. Harris, Chairman; Karen Williams Seel, Vice-Chairman; Susan Latvala; John Morroni; Kenneth T. Welch; Nancy Bostock; and Neil Brickfield.

Others Present: James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Arlene J. Kennare and Michael P. Schmidt, Deputy Clerks.

INVOCATION: Pastor David Landers, Heritage United Methodist Church, Clearwater.

PLEDGE OF ALLEGIANCE: Commissioner Seel.

PRESENTATIONS AND AWARDS:

1. Presentation of American Shore and Beach Preservation Association 2009 Coastal Project Award for the Pinellas County Shore Protection Project.
2. Proclamation presentation recognizing National Pro Bono Week.
3. Youth Advisory Committee presentation by Amy Smith.

CITIZENS TO BE HEARD

Dot Miller, Seminole, re solid waste.

Betty Bootien, Unincorporated Pinellas County, re providing residential solid waste collection.

Lenore Faulkner, Madeira Beach, re Pinellas County schools.

Joe Paige, Clearwater, re No. 16.

Bruce Mesagno, St. Petersburg, re solid waste facility fee revision proposal.

Carol Stupp, Largo, re No. 16 solid waste fee resolution.

Robert Bullard, Largo, re No. 16 solid waste fee resolution.

Pete Hysni, Palm Harbor, re dump fee increase proposal.

Robert Stupp, Largo, re No. 16 solid waste resolution.

Brian Laughlin, Clearwater, re single axle proposal No. 16.

David Kloczkowski, Clearwater, re fee charge at solid waste facility.

Mark Klutho, Largo, re stupidity, waste.

Tom Hammond, Clearwater, re No. 16.

Deno Crawford, St. Petersburg, re No. 16 solid waste hauling.

Steven C. Stirk, Clearwater, No. 16 hauling fees.
Greg Pound, Largo, re Pinellas families.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 13 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 9b AND 10a, WHICH WERE CONSIDERED UNDER ITEM NO. 14.

Motion	-	Commissioner Morroni
Second	-	Commissioner Seel
Vote	-	7 – 0

- # 1 Minutes of regular meeting of September 8, 2009 approved.
- # 2 Reports received for filing – None.
- # 3 Vouchers and Bills Paid – Periods September 8 through September 11, 2009, and September 14 through September 18, 2009.

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2357 (period September 14 through September 18, 2009).

Payroll checks numbered 564354 through 564549.

Imprest Fund Expenditures

System checks numbered 977829 through 979147.

ACH Transfers numbered 3325 through 3401.

Wire Transfers numbered 11080 through 11092.

- # 4 Miscellaneous items received for filing:
 - a. City of Clearwater Ordinance No. 8081-09 adopted September 3, 2009, annexing certain property.
 - b. Pinellas Park Water Management District minutes of Regular Authority Meeting No. 11 dated August 20, 2009, and the Calendar of Regular Authority Meetings for Fiscal Year 2009-2010.
 - c. Pinellas County License Board for Children’s Centers and Family Day Care Homes Resolutions Nos. 09-02 effective September 11, 2009, and 09-03 effective

October 1, 2009, amending the budgets for Fiscal Years 2008-2009 and 2009-2010, respectively.

- d. Pinellas Suncoast Fire & Rescue District Resolutions Nos. 2009-05 adopted September 17, 2009, superseding Resolution No. 1996-08, adopting a fee schedule for additional services relating to public assembly, providing for resident and non-resident rates, and providing for waiver of fees; and 2009-06 adopted September 1, 2009, adopting the 2009-2010 Preliminary Budget, adopting rates of assessments, and establishing pay raises for administrative staff/personnel.
- e. Public Risk Management of Florida Intergovernmental Cooperative Agreement for the City of Madeira Beach as amended and restated through October 15, 2004 for the provision of insurance, together with an Affidavit of Authenticity.
- f. Southwest Florida Water Management District notice of public meetings held in various locations on October 6 and 8, 2009, regarding the establishment of minimum flows and levels.

5 Consultant’s Competitive Negotiation Act (CCNA) procurements approved by the County Administrator for quarter ending September 30, 2009 received for filing.

<u>Department</u>	<u>Type</u>	<u>Project</u>	<u>Vendor</u>	<u>Dollar Value</u>	<u>Award Date</u>
Utilities	Amendment No. 1	Multiple Year/Multiple Work Order Continuing Engineering Consultant Services First Twelve-Month Term Extension to Agreements	Ash Engineering, Inc. Camp Dresser & McKee, Inc. Carollo Engineers, A Professional Corporation CH2M Hill, Inc. Cumbey and Fair, Inc. Greeley and Hansen LLC HDR Engineering, Inc. Jones, Edmunds & Associates, Inc. King Engineering Associates, Inc. Malcolm Pirnie, Inc. McKim & Creed, P.A. Metzger & Willard, Inc. Parsons Water & Infrastructure Inc. Post, Buckley, Schuh & Jernigan, Inc.	\$500,000 Each	6/30/09

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<u>Department</u>	<u>Type</u>	<u>Project</u>	<u>Vendor</u>	<u>Dollar Value</u>	<u>Award Date</u>
Utilities	Amendment No. 1	Multiple Year/Multiple Work Order Continuing Engineering Consultant Services First Twelve-Month Term Extension to Agreements	Stearns, Conrad and Schmidt, Consulting Engineers, Inc. TBE Group, Inc. URS Corporation Southern	\$500,000 Each	6/30/09
Utilities	Amendment No. 2	Multiple Year/Multiple Work Order Continuing Engineering Consultant Services – First Twelve-Month Term Extension to Agreement	AECOM USA, Inc.	\$500,000	6/30/09

6a Award of bid to David Nelson Construction Co. for Safe Route to School Infrastructure Projects (PID No. 1623; Bid No. 089-0490-C) approved in the amount of \$453,934.20 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor and written approval as to form by the Office of the County Attorney.

6b Award of bid to Ajax Paving Industries of Florida LLC for Pinellas Trail Rehab – 113th Street North to Ponce De Leon Boulevard (PID No. 2025; Bid No. 089-0489-C) approved in the amount of \$539,385.84 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor and written approval as to form by the Office of the County Attorney.

7a DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Airport	Second Amendment to Office Lease Agreement with Quatem Aviation Services, Inc. for Terminal Building Office Space	\$2,898.00 annual revenue	9.3.09
Business Technology Services	Memorandum of Understanding with the Juvenile Welfare Board of Pinellas County and the Pinellas County Health and Human Services Coordinating Council for Technology Services	\$60,000.00	10.5.09
Community Development	(a) Specific Performance Agreement with The Pinellas Association for Retarded Children for Roof Replacement at the Burkett Villa Group Home Rehabilitation Rental Housing Preservation Project; and	(a) \$16,950.00 Community Development Block Grant funds; and	9.29.09
	(b) Land Trust Agreement with the Pinellas County Surplus Land Trust – Bayside and the Pinellas Community Housing Foundation, Inc. for the Bayside Property	(b) N/A	
County Attorney	Memorandum of Authorization for:		9.16.09
	(a) the Keystone Road Project (Canavan); and	(a) \$71,000.00; and	
	(b) the Bryan Dairy Road Project (Nestor Trust)	(b) \$200.00	
Culture, Education and Leisure	Donation Agreements with Florida Botanical Gardens Foundation, Inc. for Purchase of Plant Material for:		10.1.09
	(a) Florida Friendly Renovation Project; and	(a) \$2,000.00 revenue; and	
	(b) Florida Friendly Renovation Project for the Entrance of the Extension Building	(b) \$1,700.00 revenue	
Culture, Education and Leisure	Interlocal Agreement with Tampa Bay Water for the Florida Yards and Neighborhoods Program	\$61,750.00 grant revenue, no County cash match; plus \$54,000.00 approximate County in-kind contribution	9.22.09

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Emergency Medical Services (EMS) and Fire Administration	Medicaid Buy Back Letter of Agreement with Bayfront Medical Center for Eligible Local Hospitals and Designated Trauma Centers to Buy Back Medicaid Rates for Inpatient and Outpatient Services Rendered	N/A; \$109,724.00 reallocated funds	9.25.09
Environmental Management	Assistance Amendment No. 2 with the United States Environmental Protection Agency (EPA) for the Pinellas County PM 2.5 Ambient Monitoring Network	\$27,707.00 increased grant revenue, plus \$37,293.00 in-kind EPA services	9.22.09
Environmental Management	Assistance Amendment No. 1 with the EPA for National Air Toxics Trends Site	\$87,099.00 additional grant revenue, plus \$67,901.00 EPA in-kind services	9.18.09
Environmental Management	Grant Application with the EPA for Air Pollution Control Program	\$356,000.00 maximum requested revenue, plus \$1,109,312.00 maximum anticipated County match	9.11.09
Environmental Management	Agreement with Tampa Bay Watch, Inc. for Educational Signage Promoting Boater Safety and Environmental Protection	\$10,000.00	9.10.09
Health and Human Services	(a) Health Plan Administrative Services Agreement with Pinellas County Health Department for Preventative, Primary Care and Wellness Services to the Uninsured Residents of Pinellas County;	(a) \$150,000.00;	10.1.09
	(b) Mobile Medical Unit (MMU) Physician Assistant Agreement with Pinellas County Health Department for Healthcare Services to Clients on the MMU; and	(b) \$44,789.00, funds from US Dept of Health grant award revenue; and	
	(c) MMU Physician Agreement Second and Final Option of Renewal and Amendment No. 2 with Pinellas County Health Department for Medical Services on the MMU; and	(c) \$157,687.00; and	

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	(d) Service Funding Agreement MMU Temporary Staffing Agreement First and Final Option of Renewal and Amendment No. 1 with the Pinellas County Health Department for Medical Services on the MMU	(d) \$50,000.00 per year for 2-year period	
Health and Human Services	Agreement with St. Petersburg College for the Funeral Services Program	N/A	9.23.09
Health and Human Services	(a) Community Mental Health Substance Abuse Funding Agreement with Operation PAR, Inc. for Adult Detoxification Program; and	(a) \$390,000.00 for 2-year period; and	9.11.09
	(b) Funding Agreement with Daystar Life Center, Inc. for Traveler's Aid Emergency Assistance Program	(b) \$15,000.00 per year for a 3-year period	
Health and Human Services	Community Mental Health Substance Abuse Funding Agreement with Suncoast Center, Inc. for the Forensic Focused Outreach Program	\$311,140.00 for 2-year period	9.3.09
Health and Human Services	Amendment No. 1 to the Contract with the State of Florida, Department of Health for Operation of the Pinellas County Health Department, Fiscal Year 2008/2009	N/A	9.2.09
Justice and Consumer Services	Agreement with the Pinellas County Sheriff and the City of Largo for Latents and Forensic Law Enforcement Services	\$28,469.87 annual revenue	9.29.09
Justice and Consumer Services	Renewal No. 1 to the Service Funding Agreement for Distribution of the Substance Abuse and Mental Health Services Administration Grant for the Pinellas County Adult Drug Court Collaborative with:		9.22.09
	(a) Operation PAR, Inc.; and	(a) \$122,436.00, no match; and	
	(b) Westcare Gulfcoast – Florida, Inc.	(b) \$121,236.00, no match	
	Fixed Price Subagreement with the University of South Florida for Service Funding Agreement for Distribution of the Substance Abuse and Mental Health Services Administration Grant for the Pinellas County Adult Drug Court Collaborative	\$35,287.00, no match	

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Justice and Consumer Services	(a) Funding Agreement with Westcare Gulfcoast – Florida, Inc. for Operation of Turning Point Homeless Inebriate Receiving Facility;	(a) \$117,780.00;	9.3.09
	(b) Renewal Interlocal Agreement with the State of Florida Guardian Ad Litem Office for Operational Functions; and	(b) \$35,000.00; and	
	(c) Agreement with the Sheriff and the Town of Indian Shores for Computer Aided Dispatch, Forensics, and Latents Law Enforcement Services	(c) \$22,987.21	
Justice and Consumer Services	Amendment No. 1 to the Service Funding Agreement for the Ex-Offender Re-Entry Program with:	(a-c) \$12,666.66 each;	9.3.09
	(a) St. Petersburg Dream Center, Inc.;		
	(b) Kids in Need of Families Offering Love, Kindness and Support, Inc.; and		
Public Works	(c) Pinellas Ex-Offender Re-Entry Coalition, Inc.		9.29.09
	Correspondence with the Florida Department of Transportation for an Extension to the County Incentive Grant Program Agreement for McMullen Booth Road at:		
	(a) Drew Street Intersection Improvements; and	(a-b) N/A – time only	
Public Works	(b) Enterprise Road Intersection Improvements		9.29.09
	Temporary Waiver for Consumption of Alcoholic Beverages for:		
	(a) 7 th Annual Palm Harbor Bike Fest;	(a-c) \$50.00 application fee revenue each	
	(b) Palm Harbor Car Show; and		
	(c) Witchstock 2009		

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Public Works	Transportation Investment to Generate Economic Recovery (TIGER) Grant Application for Arterial Roadway Intelligent Transportation System Improvements	\$46,650,000.00 requested funds, plus \$7,000,000.00 equal Pinellas County and Florida Department of Transportation matches, delegated to County Administrator per Agenda Item No. 13, 9.8.09, BCC Agenda	9.14.09
Real Estate Management	(a) Second Amendment to Sublicense with WorkNet Pinellas, Inc. for a Office Space at the EpiCenter;	(a) N/A – reduction of County annual lease payments to St. Pete College in the amount of \$43,989.00;	10.1.09
	(b) Residential License Agreement with Timothy J. Myers for Property at Eagle Lake Park; and	(b) \$250.00 monthly rental revenue; and	
	(c) Lease Agreement with the Florida Department of Health, Pinellas County Health Department for Concurrence with State/County Insurance Requirements	(c) N/A	
Real Estate Management	(a) Fifth Amendment to Antenna Tower License Agreement with New Cingular Wireless PCS, LLC for Exchange of Existing Antenna Equipment for Newer Technology Antenna Equipment at the Toytown Radio Communications Tower; and	(a) \$829.99 monthly revenue; and	9.25.09
	(b) Mutual Release and Termination of Lease Agreement with the City of Treasure Island for Beach Access Parking Lot	(b) N/A	
Real Estate Management	First Amendment to License Agreement with Fiberlight, LLC for Use of Equipment Space and Facilities to Provide Telecommunications Services to and for the Benefit of Occupants at the Young – Rainey STAR Center	N/A – time extension	9.22.09

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Real Estate Management	(a) Contract for Sale and Purchase of Real Property with Florida Power Corporation for the Keystone Road Project from U.S. 19 to East Lake Road; and	(a) \$34,334.55 total estimated cost; and	9.17.09
	(b) Temporary Construction Easement with Largo Lakes – 1 Limited Partnership for the Bryan Dairy Road Project;	(b) \$1,700.00;	
	First Amendment to License Agreement with Brighthouse Networks, LLC for Use of Equipment Space and Facilities at the Young – Rainey STAR Center	N/A	
	Converged Network Solutions Basic Agreement with Sprint Solutions, Inc. for Enhanced Signal Coverage for Users in and Around:		
	(a) 12490 Ulmerton Road, Largo; and (b) 303 Chestnut Street, Clearwater	(a-b) N/A	
Real Estate Management	Contract for Sale and Purchase of Real Property with Bryan Dairy Limited for the Bryan Dairy Road Project from Starkey Road to 72 nd Street North	\$21,075.00 total estimated cost	
	Grading Easement with Antigua Condominium Association, Inc. for the Park Street/Starkey Road Project from Tyrone Boulevard to Bryan Dairy Road	\$32,891.00	
	Temporary Access and Entry Agreement with St. Petersburg College for Permission to Perform Due Diligence Testing on County-Owned Vacant Land in Preparation for a Potential Land Purchase	N/A	
	(a) Contract for Sale and Purchase and Temporary Construction Easement with Synovus Bank of Tampa Bay for the Bryan Dairy Road Project;	(a) \$2,200.00;	9.9.09
Real Estate Management	(b) Temporary Construction Easement with Michael R. and April R. Bacon for the Bryan Dairy Road Project; and	(b) \$9,250.00; and	9.9.09

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Real Estate Management	(c) Temporary Construction Easement with FPRO-501, LLC for the Bryan Dairy Road Project	(c) \$7,200.00	9.9.09
Real Estate Management	Ground Lease Agreement with the United States of America, U.S. Department of Energy for Environmental Remediation on the Northeast Site of the Young – Rainey STAR Center	\$18,255.00 monthly rental revenue	8.12.09
Utilities	Memo Approving an Adjustment for the Payout Date of Interest Calculation on Customer Deposits Held by Pinellas County Utilities and an Amendment of Letter of Reference Requirements for New Customers	N/A	9.15.09
Utilities	Change Order No. 1 Final, Acceptance of the Agreement as Complete, and Release of Retainage with Rowland, Inc. for North County Phase 2-B, Part 3 Reclaimed Water Distribution System – Ozona	\$189,175.79 decrease in agreement total	9.10.09
Utilities	Notices of Lien with: Barbara G. Seiler; Geraldine Sparpaglione and Robert Martin; Siegmund W. Smith Trust; Gerald Leon and Mary J. Smith; Rondal T. Vickers; Irene McConaughy; Anthony J. Perry; Veronica Wills; Chris Zirkle; Rebecca Parr and Will Carmack; Michael A. and Michelle R. Carroll; Jerry and Sherry Beatty; and Bridgette and Harry Mill	N/A	7.27.09
Utilities	Releases of Lien with: Rickey Poole; Peter and Rebecca Mancini; Martin and Gloria R. Drillich; Sprague and Fay A. Whitney; Andrea Valdes; Kevin L. and Kimberly S. Bell; Natasha B. Willson; Jason Helms; Vincent and Marnie Molinari; Ana C. Vivas; and 115 174 th Terrace LLC., Ste E	All liens are paid in full.	7.21.09
Utilities	Notices of Lien with: Erik J. Logan and Katherine E. Giovanis; Jason Stewart; T.C. and Louise V. Young; and James and Linda Webb	N/A	7.20.09

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Utilities	Releases of Lien with: John R. Townsend EST; Amsouth Bank; Mary Digregorio; 11325 3 rd ST E RESIDENTIAL LAND TRUST, in Care of Francis C. Tre Reeder; Peter Hamilton; Jamie and Chris Hampton; Steven A. Michaelson; Dawn and Michael C. Morin; Michael F. O'Hara; and Countrywide Bank FSB, in Care of Adorno & Yoss	All liens are paid in full.	7.14.09
Utilities	Notices of Lien with: Partick and Analou W. Manent; Ademey Adewunmi and Pamela Brown; Brent C. and Joy Kovar; Sylvia L. Wall; Patricia Margaret Kelly; Dawn Bradley; Donna Timmons; William F. Ryan; Be Nguyen (2); Suzanne R. and Susan L. Lonnett; Richard and Aldei A. Lande; Dominic C. Astarita; Lawrence and Kathy Ayers; Nicholas M. Karaphillis; Paulo J. Leal and Maria F. Pires; Sharon D. and John F. Williams, Jr.; Richard and Kimberly Rahall; Paula J. and Stacey M. Klimczak; Crystal L. Lashbrook; and Dominic Astarita	N/A	7.8.09
Utilities	Releases of Lien with: Mazine Moscicki; Yanfeng Feng and Zhuo Yang; One 10 Tower Investments Inc.; Gary and Alice James; Alfred E. Tindall; David R. and Debra L. Mullins, in Care of John W. Scott; and Susan M. Lundy	All liens are paid in full.	6.29.09
Utilities	Notices of Lien with: Robert F. and William W. Wright; Bode Family Land TR No 424; Westbay Marketing LLC; and Salim and Yvonne Khan	N/A	6.17.09
Utilities	Releases of Lien with: Elijha Moore; Terry W. and Tanika Stables; Melissa Duval; Ronald W. and Kathleen J. Edwards; Maria D. and Joseph A. Pagnoni; Crystal L. Sierra; Earnest R. Fullerton; AROC DEV CORP; and Heidi Houg Nguyen	All liens are paid in full.	6.16.09
Utilities	Notices of Lien with: Thomas R. Foxhill; Countrywide Bank FSB, in Care of Adorno & Yoss; Roy N. Basmaci; Donel Vazquez; Ralph I and Deborah Bernardi; Donald Archer; Lisa A. Cuonzo; Alex B. and Brook N. Hunley; James Haggerty; Emerildo De Jesus; Tracie L. Harris; Scott A. and Patricia A. Shank; Predrag and Vesna Bodruzic; Albert J. Janke Jr. and Martha	N/A	6.3.09

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	D. Janke; Richard P. and Kathy M. Owens; Linda Waters; Anthony and Dana Tortorici; Dinesh and Ramrajie Dilall EST; Keith A. Jarrett; Mark P. McCarty; Larry W. and Candace Burghdorf; PCV LLC; Kenneth R. Brunner; James D. Wood; and Christie and Nassry Bendeck		
Utilities	Releases of Lien with: Jamie M. Turner and John H. Goodwin; Robert L. and Rebecca H. Smith; James m. Buckowski and Karen A. Larson; Ambel and Majlinda Durdia; Bernard H. Ososky; Lance Hall; Donald W. McAlister; Stephen Podhorsky and Georg Martinez; Heidi Houg Nguyen; Jill A. Gatto; Cathy A. Carbonara; and Stephen M. and Tammy L. Rossette	All liens are paid in full.	6.2.09
Utilities	Notices of Lien with: Crystal L. Sierra; Maria C. Trim; 5271 Land Trust, in Care of Charles Lee Rogg Tre; Janet L. and George A. Marshall; Melissa A. Ward; Maryann L. Solomon Boutwell Est; Romeo A. Montemayor Jr. Living Trust; Deborah Frey; Elizabeth C. Cunniff; Phyllis M. Miller; Idarmes Jimenez and Ramiro Perez; Dale B.1 Howerton; Jorge A. and Angel Chavez; Gerald L. and Janell M. Harle; Cleandenon Enterprises LLC; Robert E. Bordner; Kevin M. Buckley Est, in Care of Nancy Buckley; Dolores I. Williams; L. R. B. Land Trust, in Care of MDJ Holding Corp Tre;	N/A	5.21.09
Utilities	Juanita Stevens; Margaret R. Baker; Kevin Dunklebarger; QS Investments Inc.; Ernie L. and Leona A. Mathis; Aja M. and Jorge Perdomo; James Sherman; Christopher D. and Megnon J. Courtney; Kenneth P. Letson and Rosemary Ann Madigan; and Kennth and Dolores Spadaccino		5.21.09
Utilities	Notices of Lien with: Ronald A. Bortolini; 135 175 th Ave LLC, Ste E; Carol Di Gregorio; Kevin L. and Kimberly S. Bell; Fernando Silva; Stephen and Kara Yates; John R. and Alyssa Angstadt; Henry B. and Debra L. Ferry; Harry W. and Beth A. Fitzgerald; Lawrence K. King; Denise K. Stewart EST, in Care of Renn C. Breighner; Shirley V. Robertson; Joanne and Thomas Portanova; Brian L. and Angela R.	N/A	5.18.09

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	Royer; Miek S. and Kimberly S. Quale; Arthur R. and Genev A. Streeter; Carol Leigh Hollinsworth; David and Yean Chey Tipton; Johnathan and Victoria Schriber; Patrick Ewers EST; Philip R. and Xinia Y. Peterson; Andrea Valdes; Anna B. Chadwick; Edward Clemens, Jr. and Paula Clemens; Alfred E. Tindall; Teresa Burns; Terry W. and Tanika Stables; and Ethel F. Oliveira and Ernane Coimbra		
Utilities	Notices of Lien with: Lois Kay and Terrance A. Michel; Maxine Moscicki; Christopher M. Manion; Arnold M. and Deniece S. Ramirez; and Kimber Blake	N/A	5.15.09
Utilities	Releases of Lien with: CWALT, Inc. Alternative Loan Trust, in Care of Bank of New York TRE; Sydney M. Conover; Shawn D. Porter; Danian Castilla; Robyn Michaelson; Misti and Alvin Tyson; Hugo and Sonya Giraldo; Thomas A. and Delores A. Wakin; and RRH Properties, Inc.	All liens are paid in full.	5.12.09
Utilities	Releases of Lien with: Richard L. Barner, Jr. Gigi Pinizzotto; Steve G. Matson; John P. and Lois A. Earnes; Angela M. and Filiberto Veltri; Hany T. Jurado and Carlos Andrade; James A. Seabol, Jr.; Ronald and Donna Scanga; Charles A. Robbins and Maricor Piloneo; Susan M. and James T. Crawford; and Patricia Byhanna and Tim Moran	All liens are paid in full.	5.5.09
Utilities	Releases of Lien with William M. Ownes and Anital M. Fewox and Joan A. Realmuto	All liens are paid in full.	5.4.09
Utilities	Notices of Lien with: Michael F. O'Hara; Heidi Houg Nguyen; John H. Bell; and Frank A. and Sharon S. Danzi	N/A	5.4.09
Utilities	Notices of Lien with: Dolores F. Artille and Kyle D. Huttman; Kathy B. Mandfield; 115 174 th Terrace LLC, Ste E; John P. Anderson; Kendra Kenna; 150 175 th Avenue LLC, Ste E; Homer N. Prince, in Care of Kimberly W. Willson POA; James M. Buckowski and Karen A. Larson; Leonardo Carvalho; Kathryn McGraw; JP Morgan Chase Bank; Patrick A. Royse EST; Tony C. Hafner; Olive L. Daily; Michael S. and Tracey L. Morgan; Todor	N/A	4.27.09

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
	Rafajlovski; Donald R. Thompson and Lori A. Prochazka; and RRH Properties Inc.		
Utilities	Releases of Lien with: David Harry; Jacqueline Bernier; Jack E. and Joann Stewart; Joyce and Drank Distanislao; Wendie L. Higgins; Paula Stolzenberg; and John David Bolden	All liens are paid in full.	4.17.09
Utilities	Notices of Lien with: George B. Mac Neill Jr.; Yvette F. Williams; Robert Leitgeb; Nadine Cook; John R. Townsend EST; Peter and beth Slauenwhite; Natasha B. Wilson; Nelson Melvin Roldan; and Jose and Sonia I. Maltes	N/A	4.13.09
Utilities	Releases of Lien with Richard MacMillan; Frank P. Barlow TRE; Frances P. Barlow; Randi D. and Bryan J. Beck; IB Property Holdings, LLC; Summer Boyette; and IB Property Holdings, LLC	All liens are paid in full.	4.9.09
Utilities	Notices of Lien with: Ronald E. Smith and Joan Lee Patlon; Ilario Simonetta; Marie and Demetrius McKinnon; and William D. and Melissa A. Mack	N/A	4.8.09
Utilities	Releases of Lien with: Paula K. Timmons; Daniel Atchison; Frank P. and Cleo T. Galluccio; Jose U. Fabri; and Fernando Ortiz	All liens are paid in full.	4.6.09

7b **PROCUREMENT ITEMS APPROVED BY THE COUNTY ADMINISTRATOR FOR THE QUARTER ENDING SEPTEMBER 30, 2009 – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)**

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> County Code	<u>AWARD DATE</u>
045-779-P (SS)	Second and Final Term Extension	Collection Services	Public Safety Services Department EMS & Fire Finance Division	Audit Systems, Inc. MFP, Inc d/b/a Financial Credit Services	\$275,000.00 2-176	09/17/09
078-0160-S (GG)	Increase in Funds for Master Purchase Order	Purchase Order #226588-Electronic Payment Provider	Various	B.A. Merchant LLC.	\$250,000.00	09/15/09

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<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
089-0430-B (CR)	Rejection of Bids	Brake and Clutch Parts/Repair – Vehicle (Co-op)	Fleet Management	N/A	N/A	09/09/09
089-0386-P (LN)	Approval of Final Negotiated Contract	Parking Meters (Pay & Display/Multi-Space)-Delivery and Installation	Culture, Education, and Leisure	Cale Parking Systems, USA Inc.	\$166,759.00	09/02/09
067-0707-P (LN)	Increase in Funds for Contract Purchase Order	Answering Service-Convention and Visitors Bureau	Convention and Visitors Bureau	Phase V of Southwest Florida, Inc.	\$95,000.00	08/28/09
089-0566-S	Purchase Authorization	Carpet and Installation	Various	Lees Carpets Tandus US, Inc.	\$500,000.00 2-185	08/28/09
056-0324-P (AM)	Fourth Term Extension	Stop Loss Insurance for Pinellas County Employees Group Health Plan	Personnel Department	United Healthcare Insurance Company	\$600,000.00 2-176	08/27/09
056-0380-B (SS)	Second and Final Term Extension	Services-Electric Motor Repair & Rewind	Utilities	Beachler Enterprises, Inc., d/b/a Florida Electric Motor Service Tampa Armature Works, Inc. (TAW) Electro Mechanical South, Inc.	\$150,800.00	08/21/09
056-0668-B (RM)	First Term Extension	Lease Rental, Motor Vehicles for Airport Concession	Airport	Avis Budget Car Rental, LLC Enterprise Leasing Company The Hertz Corporation; Vanguard Car Rental USA, Inc.	\$1,170,000.00 2-176	08/21/09
089-0475-C (DM)	Rejection of Bids	Embankment Stabilization Bridgeway Acres Landfill – Pond A Project #1741-A	Utilities	N/A	N/A	08/20/09

October 20, 2009

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> County Code	<u>AWARD DATE</u>
056-0925-S (KC)	Continued Purchase Authorization	Tools, Hand Held & Hand Held Power Tools	Various	W.W. Granger, Inc. and Jim & Slim's Tool Supply	\$200,000.00	08/19/09
078-0459-B (SS)	First Term Extension	Pumps, Parts and Repairs (Co-op) Rebid	Utilities	Carl Eric Johnson, Inc. John Mader Enterprises, Inc. ITT Water & Wastewater Florida, LLC; Power & Pumps, Inc. Regional Engineering & Services, Inc. Tampa Armature Works, Inc.	\$555,000.00 County \$35,000.00 Co-op 2-176	08/17/09
089-0060-B (MW)	First Term Extension	Aluminum Street Light Poles & Assemblies	Public Works	Torres Electrical Supply Company, Inc.	N/A	08/12/09
067-0490-P (AM)	Approval of Change Order	Managed Behavioral Health Services	Human Resources	MHNET of Florida, Inc.	\$15,000.00	08/10/09
089-0386-P (LN)	Approval of Ranking of Firms	Parking Meters (Pay & Display/Multi-Space)-Delivery and Installation (Re-Bid)	Culture, Education and Leisure	Cale Parking Systems USA, Inc.	\$164,560.00	08/06/09
089-0005-B (LN)	First Term Extension	Towels, Paper-Miscellaneous	Various	Dade Paper Company Peninsular Paper Company	\$125,000.00	08/06/09
089-0457-B (LN)	Award of Bid	Veterinary Drugs and Supplies	Various	Butler Animal Health Supply LLC Intervet Schering-Plough Animal Health; Suncoast Surgical & Medical Supply LLC Webster Veterinary Supply, Inc	\$142,923.46	08/06/09

October 20, 2009

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
089-0279-S (KC)	Continued Purchase Authorization	Bathroom Tissue	Various	Dade Paper Company	\$125,000.00	08/04/09
034-0626-P (RM)	Second Amendment	Time Extension Insurance Agent/Broker Services – Risk Management	Risk Management	Marsh USA Inc., Willis of Tennessee, Inc., d/b/a/ Willis of Florida	\$185,000.00	07/30/09
078-0533-B (CR)	First Term Extension	Fuel: Gasoline and Diesel (Co-op)	Fleet Management	B.V. Oil Company, Inc. J.H. Williams Oil Company, Inc. Port Consolidated, Inc.	\$2,724,516.00 2-176	07/29/09
034-598-B (MW)	Time Extension	Electronic Recycling Contract/Demand Manufacturing Services	Utilities	Creative Recycling Systems, Inc.	N/A	07/24/09
089-0452-B (LN)	Award of Bid	Carpet Maintenance Cleaning Services – Various	Various	A&G Environmental Services, Inc.	\$227,264.32	07/24/09
067-0381-C	Change Order No. 2 - Time Only	2007-2008 Countywide Americans with Disabilities Act (A.D.A.) Ramp, Sidewalk, Drainage, and Intersection Improvements Project No. 1459.	Public Works	Pepper Contracting Services, Inc.	N/A	07/22/09
067-0575-P (LN)	Second Term Extension	Public Relations Services – United Kingdom	Convention and Visitors Bureau	Fleishman-Hillard Group, LTD	\$130,000.00	07/21/09
089-0295-B (SS)	Award of Bid	Security and Card Access Installation, Upgrades & Repairs – Utilities	Utilities	Electronic Technologies Corporation USA, d/b/a Ingersoll Rand Security Technologies	\$133,400.00 12 months \$266,800.00 24 months 2-176	07/16/09
056-0030-P (RM)	Second Amendment	Software, Customer Information System	Utilities	Vertex Data Utility Services LLC d/b/a Vertex Business Services	N/A	07/15/09

October 20, 2009

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
089-0396-B (SS)	Award of Bid	Tank Removal and Installation: Above Ground – Fuel	Utilities	Surge Solutions Group, Inc.	\$116,484.00	07/08/09
078-0516-C	Change Order – No. 1 Time Only	Belcher Road ATMS, Stage 1 Project No. 1626	Public Works	Highway Safety Devices, Inc.	N/A	07/02/09
067-0133-P (LN)	Second and Final Term Extension	International marketing Representation – United Kingdom, Ireland & Scandinavia	Convention and Visitor's Bureau	Tourism Marketing Partnership	\$240,000.00	07/02/09
089-0481-S (CM)	Purchase Authorization	Glass Spheres & Thermoplastic Marking Materials	Public Works	Potter Industries, Inc; Sherwin-Williams Company	\$215,836.00	07/02/09
034-0364-B (LN)	Increase Funds for Master Purchase Order	Janitorial Services, Various County Buildings	Various	Integrated Building Maintenance Services, Inc. Knight Facilities Management, Inc.	\$125,000.00	06/30/09
078-0508-C	Change Order – No. 1 Time Only	Walsingham Rd. Sidewalks & Walsingham Rd – 119 th /Old Ridge Rd. Project No's. 940 & 922518	Public Works	David Nelson Construction Co.	N/A	06/30/09
089-0374-S (CM)	Agreement Approval	IBM Hardware, Installation & Support Services – Public Safety Services Master Services Agreement and Statement of Work	Public Safety Services	Softchoice Corporation	N/A	06/30/09
067-0138-P (LN)	Second and Final Term Extension	International Marketing Representation – Central Europe	Convention and Visitor's Bureau	Marion S. Wolf	\$240,000.00	06/25/09
TOTAL					\$9,005,942.78	

- # 8 County Administrator's signature approving the grant application submitted by the Pinellas County Sheriff's Office to the United States Department of Justice, Office of Community Oriented Policing Services for the Military/Department of Defense/Law Enforcement Counterterrorism Test Bed Project in the amount of \$2,141,826.05 ratified and confirmed (Justice and Consumer Services).

- # 9a County Administrator's signature approving the grant award providing funding in the amount of \$284,774.00 from the Florida Office of the Attorney General – Crime Stoppers Trust Fund (Grant No. PC19-09) for the Pinellas County Sheriff's Office ratified and confirmed (Justice and Consumer Services).

- # 9b See Item No. 14.

- #10 Receipt and file of quarterly reports (Management and Budget):
 - a. See Item No. 14.

 - b. Quarterly Report on the Law Enforcement Trust Fund – Payments to the Sheriff for the period July 1, 2009 through September 30, 2009, was filed and made a part of the record.

- #11a Resolution No. 09-154 adopted appropriating earmarked receipts for a particular purpose in the Fiscal Year 2010 General Fund Budget for an American Recovery and Reinvestment Act grant to the Department of Health and Human Services as a subgrantee of the City of St. Petersburg (Management and Budget).

- #11b Resolution No. 09-155 adopted appropriating earmarked receipts for a particular purpose in the Fiscal Year 2010 General Fund Budget for a federal grant between the Pinellas County Department of Justice and Consumer Services and the U.S. Department of Justice, Office of Justice Program (Management and Budget).

- #12 Declaration of miscellaneous County-owned equipment as surplus and authorization for sale to the highest responsible bidder through public auction conducted by GovDeals.com under provisions of an existing contract approved; equipment consists of one Bohn chiller which was considered part of the Emergency Management Services and Fire Administration Building and not a separate fixed asset (Real Estate Management).

- #13 Award of bid to Waste Services of Florida, Inc. for garbage/trash collection services at County-owned facilities (Contract No. 089-0535-B) in the projected estimated amount of \$1,408,575.40 approved on the basis of being the lowest responsive, responsible bid received meeting specifications; contract is for a period of 36 months beginning January 29, 2010, with two additional 12-month extensions to be exercised only if all terms and conditions remain the same and the County Administrator grants approval (Real Estate Management/Purchasing).

- #14 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court):
 - # 9b County Administrator's signature approving the Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant Program Award in the amount of \$726,862.00 (Award No. 2009-DJ-BX-0955) for the Pinellas County Sheriff's Office ratified and confirmed (Justice and Consumer Services).

Responding to comments by Commissioner Seel, Assistant County Administrator James A. Dates related that while the County is the designated applicant, the grant is administered by the Sheriff and local law enforcement agencies; and that staff will research whether it might be possible for the County to provide additional input with respect to distribution of funds in future grant applications.

Discussion ensued wherein Commissioner Bostock expressed her concerns regarding the timeliness of the Board receiving the grant application paperwork; and noted that the Board should be able to provide input on matters where approval is requested; whereupon, Mr. Dates indicated that regardless of the timeframe involved, he does not know whether the Board has the authority to modify decisions made by the law enforcement agencies in this case; and Mr. LaSala related that staff would look into handling this grant in a more timely manner in the future.

Responding to queries by Commissioner Welch, Mr. Dates related that the Sheriff and the law enforcement agencies listed in the board memorandum made the decision regarding the allocation of grant funds; and that he would provide the members with additional information on specific allocation of funds.

#10 Receipt and file of quarterly reports (Management and Budget):

- a. Quarterly Report on Administrative Budget Amendments for the period July 1, 2009 through September 30, 2009, was filed and made a part of the record.

Responding to query by Commissioner Brickfield, Director of Utilities Tom Crandall related that the position of Assistant Director was created and fully funded during Fiscal Year 2008-2009; and that the budget amendment allocates the funds to the appropriate account.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 5 – 2 (Commissioners Seel and Brickfield dissenting)

#15 Interlocal Agreement with City of Safety Harbor for the sale and purchase of potable water approved; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 7 – 0

#16 Proposed resolution revising the fee schedule relating to activities, services, and charges at the Solid Waste Disposal Facility temporarily deferred.

Director of Utilities Tom Crandall provided background information regarding the fee schedule currently in place and conducted a PowerPoint presentation titled *Revised Fee Schedule Relating to Activities, Services, and Charges at the Solid Waste Facility*, a copy of which has been filed and made a part of the record, wherein he provided the rationale for the proposed revision. He related that inequities occur as an unintended consequence of the current schedule; that some single-axle trailer haulers have increased the weight of their loads in order to take advantage of the flat fee rate of \$10.00 per load, while a double-axle trailer hauling the same weight must pay \$37.50 per ton; and that equity will be achieved by eliminating the flat rate fee and requiring all trailers to pay the \$37.50 per ton charge.

Mr. Crandall indicated that staff met with small business owners in opposition to the revised fee schedule; that these business owners believe they would feel a severe negative impact if the revised fee schedule is approved; and that several alternative solutions were

discussed; whereupon, he described some of the alternatives; and noted that they would not eliminate the existing inequities.

Responding to queries by Commissioner Welch, Mr. Crandall related that approximately 40,000 single-axle trailers have come through the facility between January and October 2009; and Director of Solid Waste Robert Hauser noted that charging the flat fee was intended to reduce the long lines and extra wait time that the haulers had been experiencing; and that revenue was not a consideration when the flat fee was implemented; whereupon, Mr. Crandall related that other options were explored, but no option which would eliminate the current inequities could be found.

Discussion ensued wherein the members expressed their concerns, noted that the current Board-approved fee schedule is the cause of the inequities, and offered several suggestions including weighing all loads, requiring the physical examination of loads by scale house personnel, phasing in a new fee schedule in order to provide the small business owners with sufficient time to make any necessary adjustments, and having staff continue discussions with the small business owners to seek a compromise on the issue; whereupon, Commissioner Morroni suggested that Brian Laughlin act as the spokesperson for the small business owners, and he agreed.

Thereupon, Commissioner Morroni moved, seconded by Commissioner Latvala and carried, that the proposed resolution be temporarily deferred.

Motion	-	Commissioner Morroni
Second	-	Commissioner Latvala
Vote	-	7 – 0

#17 Amendment No. 2 to State of Florida Department of Environmental Protection Contract No. DC839 with Humiston & Moore Engineers, P.A. for professional services for the Honeymoon Island Beach Restoration Project decreasing the contract in the amount of \$166,750.00 approved; revised contract amount, \$566,160.00 with 75 percent to be reimbursed by the State through an existing contract; Chairman authorized to sign and the Clerk to attest (Environmental Management).

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch

Responding to query by Commissioner Seel, Director of Environmental Management William M. Davis indicated that the County staff is in discussions with the State to determine who will maintain oversight of the project.

Vote	-	7 – 0
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#18 Other Administrative Matters:

Authorization granted to advertise a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing to be held at the Board of County Commissioners meeting on November 3, 2009, on behalf of Menorah Manor, Inc.

Motion	-	Commissioner Latvala
Second	-	Commissioner Morrone
Vote	-	7 – 0

#19 County Attorney authorized to initiate litigation in the cases of:

- a. Pinellas County versus Timothy D. Aldrich – Negligence in the Operation of an Airco Golf Cart.
- b. Pinellas County versus Simon Miksis – Negligence in the Operation of a Motor Vehicle.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel

Responding to query by Commissioner Brickfield, Mr. Bennett indicated that the County Attorney's Office assesses whether a claim is recoverable and works with Risk Management to determine whether it is worthwhile to proceed; and that small claims summary proceedings are generally very inexpensive. He noted that staff is currently reviewing the cost of small claims procedures; and that he will be bringing a proposal to the Board for its consideration in the future.

Vote	-	7 – 0
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#20 Settlement approved in the case of Sonya Campbell versus Pinellas County Government – Workers' Compensation Case – in accordance with the confidential memorandum from County Attorney James L. Bennett dated October 20, 2009.

Motion	-	Commissioner Morrone
Second	-	Commissioner Latvala
Vote	-	7 – 0

#21 County Attorney Miscellaneous – None.

#22 Reappointment of Dave Barnes, Craig Brethauer, Michelle Kay, Kathleen McDole, Robert Parsons, and Paul Renker, each for a two-year term ending October 31, 2011, and appointment of Nick DiCeglie, Bud Hilton, Gerard Stempinski, and Michelle Helms, each for a two-year term ending October 2011, to the Pinellas County Economic Development Council approved.

Motion - Commissioner Seel
Second - Commissioner Welch
Vote - 7 – 0

#23 Acting as the Emergency Medical Services (EMS) Authority, the Board approved the reappointment of Dr. Adam E. Berko and Barry M. Mogil as North and South County consumer representatives, respectively, to the EMS Advisory Council.

Motion - Commissioner Morroni
Second - Commissioner Bostock
Vote - 7 – 0

#24 Acting as the Fire Protection Authority, the Board approved the expansion of the Fire Protection Services Agreement with the City of Largo to cover the Belleair Bluffs Dependent Fire District; Chairman authorized to sign and Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Seel
Vote - 7 – 0

#25a County Administrator Reports:

Proposed 2010 State Legislative Program

Assistant County Administrator Elithia V. Stanfield referred to a document titled *Proposed 2010 State Legislative Priorities*, a copy of which has been filed and made a part of the record, and presented detailed background information regarding the following:

- Offshore Oil and Gas Drilling.
- Department of Juvenile Justice Billing Practices and Prevention Strategies.
- Tourist Development Taxes.
- Taxpayer Bill of Rights (TABOR).

- Beach Erosion Projects.
- Pinellas Suncoast Fire District.
- Pinellas Park Water Management District.

Following discussion, Chairman Harris recommended that the *Proposed 2010 State Legislative Priorities* be discussed in greater detail during a future work session, and no objections were noted; whereupon, Administrator LaSala confirmed that the item will be added to the agenda of the October 27, 2009 BCC work session.

#25b County Administrator Reports:

County Administrator LaSala indicated that proposed legislation has been introduced requesting that the City of St. Petersburg Fire and Rescue be exempted from the requirements contained in Florida Statutes to obtain a Certificate of Public Convenience and Necessity (COPCN) from the Pinellas County Emergency Medical Services (EMS) Authority in order to provide emergency and non-emergency transport.

During discussion and in response to queries by the members, Mr. LaSala related that the proposed legislation is vague; that the action moves in the opposite direction from the efforts of the Legislative Delegation to assess monetary savings and efficiencies; and that it would splinter the EMS system; whereupon, the Administrator related that, with Board approval, he will communicate Pinellas County's strong opposition to the proposed legislation to other Delegation members.

Thereupon, Commissioner Welch moved, seconded by Commissioner Bostock and carried, to oppose the proposed legislation.

Motion	-	Commissioner Welch
Second	-	Commissioner Bostock
Vote	-	7 – 0

#26 Appointment of Dakota Connolly to the Pinellas County Youth Advisory Committee for the term of October 20, 2009 through July 31, 2010, approved.

Motion	-	Commissioner Latvala
Second	-	Commissioner Seel
Vote	-	7 – 0

#27 County Commission Miscellaneous:

a. Chairman Harris Commissioner Latvala moved, seconded by Commissioner Brickfield and carried, that David W. Dunbar be appointed to the Local Planning Agency.

related Supervisor of Election’s request concerning State Statute and request of other counties to defer compliance until 2012 for obtaining voting equipment for persons with disabilities.

provided a water conservation tip.

* * * *

At this time, 5:34 P.M., the meeting was recessed and reconvened at 6:31 P.M. with all members present, with the exception of Commissioner Seel.

* * * *

All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS (BCC)

#28 Ordinance No. 09-52 adopted approving the changes to Ordinance No. 07-43, Pinellas County Code, Section 42-441, for the establishment of a fee for providing examinations and investigations relating to cremation, dissection, and burial at sea.

Staff recommended approval of the proposed ordinance. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Morrioni
Second - Commissioner Latvala
Vote - 6 – 0

#29 Ordinance No. 09-53 adopted amending the Transportation Element of the Pinellas County Comprehensive Plan. Staff recommended approval of the proposed ordinance. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Morrioni
Vote - 6 – 0

#30 Resolution No. 09-156 adopted approving amendments to the 49th Street Corridor Community Redevelopment Plan for the City of Gulfport pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of Gulfport; providing for amendments that may arise at the public hearing; and providing for an effective date. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Welch
Second - Commissioner Latvala
Vote - 6 – 0

#31 Resolution No. 09-157 adopted approving amendments to the Waterfront Area Redevelopment Plan for the City of Gulfport pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of Gulfport; providing for amendments that may arise at the public hearing; and providing for an effective date. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Welch
Second - Commissioner Latvala
Vote - 6 – 0

#32 Resolution No. 09-158 adopted providing statutory notice that the Board of County Commissioners of Pinellas County intends to provide residential solid waste collection through exclusive franchise(s) under a Municipal Services Benefit Unit in the unincorporated area of the County. Two emails in opposition to the application have been received.

Attorney Bennett requested that the following corrections be made to the resolution, and no objections were noted:

- Page One, Resolution Title – The phrase “through an exclusive franchises(s)” should read “through exclusive franchise(s).”
- Page Two, Second Paragraph – The phrase “through an exclusive franchise” should read “through one or more exclusive franchises.”

Director of Utilities Solid Waste Operations Robert Hauser, Jr. conducted a PowerPoint presentation titled *Resolution to Initiate Process to Establish Franchise Solid Waste Collection in the Unincorporated County*, a copy of which has been filed and made a part of the record.

Mr. Hauser presented detailed background information relating that the purpose of the resolution is to provide for solid waste collection services in the unincorporated county through exclusive franchises in Municipal Services Benefit Units; and that the resolution sets in motion the three-year time frame before service can be provided in accordance with the Unfair Competition Act under Florida Statute; whereupon, he detailed the following advantages and potential issues relating to franchising the system.

Advantages:

- Uniform cost to residents
- Reduced truck traffic
- Reduced illegal dumping
- Predictable level of service

Potential Issues:

- Eliminates competition
- Residents unable to select collection company
- County administrative function required
- Some residents are averse to paying for services

Thereupon, Mr. Hauser provided the following preliminary schedule:

June – December 2010	—	Identify policy issues and alternatives
January – February 2011	—	Board workshop
September 2011	—	Board authorizes Public Hearing on Ordinance
September – October 2011	—	Board adopts Ordinance (Public Hearing)
October – November 2011	—	Board approves Interlocal Agreements with Property Appraiser and Tax Collector
January 2012	—	Advertise for bids
March 2012	—	Bid submittals due
April 2012	—	Approval of bid(s) awarded
May 2012	—	Board sets collection rate
August 2012	—	Receive final assessment role – Board approval to advertise for Public Hearing
September 2012	—	Board certifies assessment role (Public Hearing)
January 1, 2013	—	Start collection services

In response to queries by Commissioner Latvala requesting validation of the public's interest in a franchised collection service, Mr. Hauser presented statistical information regarding a collection survey that had been performed; whereupon, Commissioner Bostock requested that she be provided a copy of the survey.

Mr. Hauser related that private hauler rates for trash collection in the unincorporated area vary considerably and are influenced by factors such as levels of service; whereupon, he stated that a number of communities have gone to once-a-week trash collection in an effort not to raise collection rates.

* * * *

At this time, 6:49 P.M., Commissioner Seel entered the meeting.

* * * *

Mr. Hauser discussed the formation of the Lealman Municipal Service Taxing District (MSTU), pointing out that other communities have not progressed beyond discussing the formation of an MSTU. He detailed the methods by which trash collection can be accomplished without franchising, but related that nearly every major county and city within the State of Florida has franchise collection or performs the service itself; whereupon, he provided additional information relating to the proposed three-year time frame, and related that once the resolution is adopted and the time clock starts, the members will have ample opportunity to discuss and vote on various issues relating to solid waste collection; but that the members can stop the process at any time by simply not proceeding.

Responding to the Chairman's call for persons wishing to be heard, the following citizens appeared and expressed their concerns:

- Nancy Blair, St. Petersburg
- Michael D. Seel, St. Petersburg
- Jo An Totty, Palm Harbor
- Art Hebert, Largo
- Nick DiCeglie, Indian Rocks Beach
- Bill Krimmel, St. Petersburg
- Dorothy Book, Largo

During discussion regarding whether to go forward with curbside recycling as well as solid waste collection, Mr. Hauser indicated that the County Attorney had advised that an ordinance is not necessary to implement the recycling program; and Mr. Bennett stated that, as expected, a bid protest has been received; whereupon, Commissioner Bostock requested that following the public hearings, time be permitted to discuss curbside recycling, and no objections were noted.

Thereupon, Commissioner Seel moved, seconded by Commissioner Bostock and carried, that the Board approve the resolution.

Motion	-	Commissioner Seel
Second	-	Commissioner Bostock
Vote	-	4 – 3 (Commissioners Morroni, Latvala, and Brickfield dissenting)

Following the vote, the members discussed the advantages and potential problems of establishing a solid waste collection program and whether the County should be involved in the franchising process or garbage collection; whereupon, Chairman Harris, with input by Commissioner Morroni, related that public hearings and board workshops will allow opportunities for further discussion of issues and alternatives; and that any agreement or ordinance should be crafted in the best interests of the citizens.

* * * *

Later in the meeting, following discussion regarding how trash collection in the unincorporated county will relate to curbside recycling, Administrator LaSala agreed to work with the Board regarding further steps that would need to be taken before a decision would be made and implementation of the programs would begin.

* * * *

#33a Resolution No. 09-159 adopted approving the application of GIB Properties, LLC through Steven A. Williamson, Esquire, for a modification to a previously approved development agreement to allow an increase in the number of beds from 32 to 34, and a variance to allow nine parking spaces where 34 are required in a building not to exceed 50 feet in height (Z/LU-1-10-07), re a parcel of land containing approximately 1.56 acres located on the southwest corner of Park Boulevard and 128th Street, Seminole (street address: 7770 128th Street North). Staff recommended approval of the application based

on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Seel
Second - Commissioner Latvala
Vote - 7 – 0

#33b Application of Glenn and Joanne Duncan and Dean R. Hall through Dean R. Hall approved for a conditional use to allow a wholesale plant nursery as an agricultural use in an A-E zoning district (CU-1-7-09), re two parcels of land containing approximately 2.1 acres located on the south side of 46th Avenue North and north of 44th Avenue North and lying 135 feet west of 79th Way North, St. Petersburg. Staff recommended approval of the application based on the Local Planning Agency Report, subject to the following conditions:

1. Concept Plan shall require a full site plan.
2. Hours of operation shall be 7:00 A.M. to 6:30 P.M. Monday through Friday (closed to the public Saturday and Sunday).
3. The number of employees on site Monday through Friday shall not exceed 20.
4. The number of employees on site Saturday and Sunday shall not exceed five.
5. Approval is for wholesale nursery and lawn maintenance only.
6. Watering shall be via ultra low volume drip emitters only.
7. Parking areas shall be grass, shell, or other water permeable material.
8. Equipment used on site shall be as follows: 10 pick up trucks for daily operation, four one-ton trucks with trailers, two medium flat bed trailers approximately 20 feet in length for tree delivery, and three small tractors.
9. One identification sign not to exceed 48 square feet shall be permitted.
10. No access to 44th Avenue North shall be permitted.
11. The site shall be enclosed with a six-foot high fence which shall continually be maintained in good condition.

- 12. Any substantial change to the use of the site or the conditions will require Board of County Commissioners (BCC) approval.
- 13. In the event the above conditions are not met or if complaints arise from the mismanagement of the conditional use, the BCC may rescind the conditional use permit.

No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	7 – 0

#33c Resolution No. 09-160 adopted approving the application of Gerald C. Hubbell, Gerald B. Hubbell, and Stella Hubbell for a change of zoning from R-3, Single Family Residential, to M-1, Light Manufacturing and Industry (Z-2-7-09), re three parcels of land containing approximately 0.84 acre located on the east side of Faxton Street and lying 700 feet south of Ulmerton Road, Clearwater. Mr. LaSala noted for the record that the acreage was properly advertised although there was a scrivener’s error on the agenda. Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	7 – 0

#33d Resolution No. 09-161 adopted approving the application of the Pinellas County Board of County Commissioners through Pinellas County Community Development for a change of zoning from C-1, Neighborhood Commercial, and RM-15, Residential, Multiple Family, 15 units per acre, to A-E, Agricultural Estate Residential; Ordinance No. 09-54 adopted approving a change in land use designation from Commercial General to Recreation/Open Space (Z/LU-3-7-09), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re nine parcels of land totaling approximately 0.90 acre located on the southwest corner of Ulmerton Road and 119th Street North, Largo. Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	7 – 0

#33e Resolution No. 09-162 adopted approving the application of Lighthouse Church Jesus Christ Apostolic Faith Church through Pinellas County Community Development for a change of zoning from R-4, One, Two and Three Family Residential, to R-3, Single Family Residential; Ordinance No. 09-55 adopted approving a change in land use designation from Residential Low to Institutional (Z/LU-4-7-09), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a zone change on a parcel totaling approximately 0.46 acre and a land use change on a portion of the parcel totaling approximately 0.16 acre located on the west side of Jackson Street, 100 feet north of 132nd Avenue North, Largo (street address: 13224 125th Street North). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Morrone
Second	-	Commissioner Welch
Vote	-	7 – 0

#33f Resolution No. 09-163 adopted approving the application of Mount Olive Missionary Baptist through Pinellas County Community Development for a change of zoning from R-4, One, Two, and Three Family Residential, to R-3, Single Family Residential; Ordinance No. 09-56 adopted approving a change in land use designation from Residential Low to Institutional (Z/LU-5-7-09), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a change of zoning on a parcel containing approximately 1.14 acres and a land use change on 0.60 acre of the same parcel located on the northeast corner of Pine Street SW and 132nd Avenue North, Largo (street address: 13207 Pine Street North). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	7 – 0

#33g Resolution No. 09-164 adopted approving the application of St. Mary’s Missionary Baptist Church through Pinellas County Board of County Commissioners in care of Pinellas County Community Development for a change of zoning from R-3, Single Family Residential, and C-2, General Retail Commercial and Limited Services, to R-3, Single Family Residential (Z-6-7-09), re a zone change on a 0.08 acre portion of a 0.6 acre parcel located on the southwest corner of Crosby Street and 12th Street SW, Largo (street address: 2104 12th Street SW). Staff recommended approval of the application

based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 7 – 0

#33h Resolution No. 09-165 adopted approving the application of Friends of Ridgecrest, Inc. through Pinellas County Community Development for a change of zoning from C-2, General Retail Commercial and Limited Services, and R-4, One, Two, and Three Family Residential, to R-3, Single Family Residential; Ordinance No. 09-57 adopted approving a change in land use designation from Residential Low to Institutional (Z/LU-7-7-09), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a zone change on two lots (0.24 acre and 0.17 acre) totaling approximately 0.41 acre and a land use change on the 0.17 acre lot located on the east side of 119th Street North lying 50 feet north of Oak Street, Largo (street address: 2253 119th Street North). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 7 – 0

#33i Application of Eddie and Annette Bie for a conditional use to allow a full-service equine facility to include boarding, raising, breeding, training, selling, and riding lessons (CU-8-7-09), re a parcel of land containing approximately 2.39 acres located on the west side of Donegan Road lying north of 16th Avenue Southeast, Largo (street address: 1200 Donegan Road) approved. Staff recommended approval of the application based on the Local Planning Agency Report, subject to the following conditions:

1. The concept plan shall receive a full site plan review.
2. The proposed covered wood deck (15 feet by 21 feet) shall meet the required 25-foot side setback.
3. Animal waste shall be disposed of twice a week.
4. The maximum number of horses on site shall not exceed 12.

5. Hours of operation for riding lessons during the summer shall be Monday through Sunday, 8:00 A.M. to 9:00 P.M.
6. Lights in the riding area shall be turned off no later than 9:00 P.M., Monday through Sunday.
7. One employee shall be on site at all times.
8. In the event the above conditions are not met, the Board of County Commissioners shall reserve the right to rescind the conditional use permit.

One letter in support of and one letter in opposition to the application have been received.

Planning Department Zoning Manager John F. Cueva referred to an aerial photograph and the zoning and land use map, pointed out the subject property, described surrounding land uses, and presented historical background information regarding the case; whereupon, Mr. Bie requested that he be allowed to erect a six-foot high fence in the front setback; and that staff's recommendation regarding one full-time employee being on site at all times be changed to part-time, which would allow for the running of errands or similar activities.

Responding to the Chairman's call for persons wishing to be heard, Sterne Cole, Largo, appeared and expressed his concerns.

During discussion and in response to queries by Commissioner Seel, Mr. Cueva provided detailed information regarding the conditional use process, and related that if Mr. Bie should ultimately desire additional horses, he will be required to reappear before the Board; that the members can include a condition relating to the installation of a six-foot high fence along the north property line, but the fence in the front setback would need to be advertised and go before the Board of Adjustment; and that a condition can be included to not allow horse breeding.

In response to queries by the members and the concerns of the objector, Mr. Bie provided historical background information relating to the subject property including drainage, fencing, and similar issues; whereupon, he related that he is considering the breeding of miniature horses or other types of horses; and that he is unsure why Mr. Cole has such strong objections to the application given that horses have occupied his property for the past 25 years.

Following discussion, Commissioner Latvala recommended that Condition No. 7 be reworded to allow for a part-time employee; and Commissioner Seel expressed that she is concerned about no one being on site during an emergency; whereupon, Mr. Bie emphasized that the barn manager, who will reside at the property, will only leave the site for brief periods of time. In response to queries by Mr. Cueva, Chairman Harris, with input by Commissioner Latvala, clarified that the applicant will not be required to erect a six-foot high fence along the property line; and that horse breeding will be permitted.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Bostock and carried, that the Board approve the application

Motion	-	Commissioner Latvala
Second	-	Commissioner Bostock
Vote	-	7 – 0

#33j Ordinance No. 09-58 adopted approving the application of the Pinellas County Planning Director in care of Brian Smith for a change in land use designation from Transportation/Utility to Institutional (LU-2-8-09), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 3.20 acres located on the south side of Whitney Road, lying 145 feet east of Whitney Drive, Largo (street address: 2735 Whitney Road). Staff recommended approval of the application based on the Local Planning Agency Report. One letter in support of the application has been received. No citizens appeared to be heard.

Motion	-	Commissioner Morrone
Second	-	Commissioner Latvala
Vote	-	7 – 0

#33k Resolution No. 09-166 adopted approving the application of Diocese of St. Petersburg through John Hazelroth for a change of zoning from P-1, General Professional Offices, to RM-12.5, Residential, Multiple Family, 12.5 units per acre; a special exception to allow a 50 percent density bonus for affordable housing units; and a parking variance to allow 52 parking spaces where 68 are required for a senior living facility (Z-3-8-09), re a parcel of land containing approximately 3.60 acres located on the southeast corner of 42nd Avenue North and 45th Street North, St. Petersburg (street address: 4000 43rd Street North). Staff recommended approval of the application based on the Local Planning Agency (LPA) Report. A petition with 22 signatures in support of the application has been received. No citizens appeared to be heard.

Planning Department Zoning Manager John F. Cueva, referred to an aerial photograph and the zoning and land use map, pointed out the subject property, described surrounding land uses, and presented historical background information regarding the case; whereupon, referring to Condition No. 2 in the LPA Report, he acknowledged a scrivener's error, and noted that the word "residents" should read "units."

Motion - Commissioner Latvala

Second - Commissioner Welch

Vote - 7 – 0

#331 Resolution No. 09-167 adopted approving the application of Curt Steinbach through Katherine E. Cole, Esquire, for a change of zoning from R-4, One, Two, and Three Family Residential, to C-2, General Retail Commercial and Limited Services; Ordinance No. 09-59 adopted approving a change in land use designation from Residential Low Medium to Commercial General; a Development Agreement; and a variance to allow a one-story building, not to exceed 50 feet in height, with a zero-foot setback from the southwest property line, where a 20-foot setback is required (Z/LU-1-9-09), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re two parcels of land totaling approximately 0.46 acre located on the southwest corner of Grove Park Avenue North and Haines Road, St. Petersburg (street addresses: 2568 Grove Park Avenue North and 5208 Haines Road). Staff recommended approval of the application based on the Local Planning Agency Report, subject to the following conditions:

1. Full site plan review shall be required.
2. A six-foot high fence shall be placed along the abutting residentially zoned parcel.
3. The building shall not exceed 4,345 square feet in size.

Four letters in support of the application have been received.

Planning Department Zoning Manager John F. Cueva referred to an aerial photograph and the zoning and land use map, pointed out the subject property, described surrounding land uses, and presented historical background information regarding the case. He indicated that the Development Agreement is the main reason staff supports the land use change as it restricts parking on the site, prohibits additional structures, and provides for storm water drainage and retention.

Responding to the Chairman’s call for persons wishing to be heard, Julie Perhot, St. Petersburg, appeared and expressed her concerns.

In response to the concerns raised by Ms. Perhot, Ms. Cole related that no additional traffic is anticipated on Grove Park Avenue; and that the property will go through the site plan approval process and be landscaped per County Code.

Commissioner Seel moved, seconded by Commissioner Welch and carried, that the Board approve the application; whereupon, she requested that Ms. Cole communicate the concerns of Ms. Perhot to the applicant.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	7 – 0

#33m Resolution No. 09-170 adopted denying without prejudice the application of Lloyd and Pamela O’Bannon for a change of zoning from R-2, Single Family Residential, to R-R, Rural Residential (Z-3-9-09), re a parcel of land containing approximately 2.4 acres located on the east side of Oakhurst Road and 300 feet north of Park Boulevard, Seminole (street address: 7975 137th Street North/Oakhurst Road). Staff recommended denial of the application based on the Local Planning Agency (LPA) Report. One letter in support of and 12 letters in opposition to the application have been received. No citizens appeared to be heard.

Planning Department Zoning Manager John F. Cueva referred to an aerial photograph and the zoning and land use map, pointed out the subject property, described surrounding land uses, and presented historical background information regarding the case.

During discussion and in response to queries by the members, Mr. Cueva related that staff originally recommended approval of the application since a lessening of intensity at the location would reduce impacts to the local infrastructure; and that after the LPA recommended denial, staff deferred to their recommendation since the LPA members are appointed by the Board of County Commissioners.

In response to queries by Commissioner Bostock, Mr. Cueva related that during the LPA meeting a representative for the neighbors had expressed concerns relating to the collection of manure, the presence of rats, and similar issues; and that the members based their recommendation of denial on his testimony; whereupon, Mr. Cueva related that the suppression of vermin is contained in environmental codes; and that the while the Board

can condition the disposal of waste in a conditional use application, it cannot place such a condition in a rezoning application, and Commissioner Seel provided input.

Mr. O’Bannon provided background information relating to the rezoning request, and related that his family has had horses on the property since 1953, but he relocated them approximately nine years ago, shortly after the neighboring subdivision was built. He related that he wishes to have horses on his property since his daughter shows quarter horses in competitions; that it is expensive to board horses off site; that he will deed restrict his property to three horses; that he will dispose of the manure two or three times a week; and that the animals will be housed in a state-of-the-art barn; and Commissioners Bostock and Latvala provided input.

Commissioner Morrone requested that Mr. O’Bannon speak with his neighbors and try to alleviate their concerns, and Commissioner Brickfield concurred. Discussion ensued and Attorney Bennett advised that if the application were denied without prejudice, it would provide the applicant sufficient time to work through any issues raised by the neighbors and allow the applicant to reappear before the Board at a future date; and that if the suggestion were carried through for a Development Agreement, the item would need to be readvertised; whereupon, Commissioner Morrone moved, seconded by Commissioner Brickfield and carried, that the application be denied without prejudice.

Motion	-	Commissioner Morrone
Second	-	Commissioner Brickfield
Vote	-	7 – 0

Following the vote, Commissioner Morrone requested that after the applicant and the neighbors discuss their differences, a letter be provided detailing the outcome.

#33n Resolution No. 09-168 adopted approving the application of Janet L. Berry-Stoneburg for a change of zoning from C-3, Commercial, Wholesale, Warehousing and Industry, to R-6, Mobile Home Parks and Subdivisions (Z-4-9-09), re a parcel of land containing approximately 2.5 acres located on the east side of 71st Street North and lying 1,000 feet north of 142nd Avenue North, Largo (street address: 14555 71st Street North). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch
Vote	-	7 – 0

#33o Resolution No. 09-169 adopted approving the application of Jamilou T. Rosenkrans, Trustee, through Elizabeth Daniels, for a Development Agreement which proposes access to 55th Avenue North (DA-5-9-09), re a parcel of land containing approximately 2.8 acres located on the northwest corner of 54th Avenue North and 28th Street North, St. Petersburg (street address: 2805 54th Avenue North). Staff recommended approval of the application based on the Local Planning Agency Report. Eight letters in support of the application have been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 7 – 0

#34 Meeting adjourned at 8:59 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk