

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, NOVEMBER 8, 2011 – 9:31 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Susan Latvala, Chairman; Kenneth T. Welch; Nancy Bostock; Neil Brickfield; and Karen Williams Seel.

Not Present: John Morroni, Vice-Chairman; and Norm Roche.

Others Present: James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Tammy L. Burgess, Deputy Clerk.

INVOCATION: Pastor Bob Corry, Calvary Chapel, Pinellas Park, Florida.

PLEDGE OF ALLEGIANCE: Commissioner Brickfield.

PRESENTATIONS AND AWARDS:

1. Pinellas County Job Corps plaque presentations to Commissioners Kenneth T. Welch and Karen Williams 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)

- # 1 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 11-173 adopted approving issuance of not to exceed \$10,500,000.00 Pinellas County Educational Facilities Authority Revenue and Revenue Refunding Bonds, Series 2011 (Clearwater Christian College Project), pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	5 – 0

- # 2 Ordinance No. 11-44 adopted amending Article V, Chapter 86, Sections 86-126 through 86-140 of the Pinellas County Code, relating to pain management. Staff recommended adoption of the ordinance. Fifteen emails in support of the proposed ordinance have been received.

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Administrator LaSala, with input by Chairman Latvala, reported that a Prescription Drug Advisory Board has been established; that Chairman Latvala is serving as Chairman of the new Board; and that the new Board has reviewed the ordinance and is in support of moving forward. Administrator LaSala indicated that the costs for administering the ordinance should be recovered through the permit and application fees, noting that a list of the fees is included in the agenda backup.

In response to Chairman Latvala's call for public comment, the following individuals expressed support for the proposed ordinance:

Ashley St. Onge, Clearwater

Mark C. Serra, Clearwater (submitted documents)

Marvin Coleman, Pinellas Park, Operation Par, Inc.

Catherine Babcock, Largo, Eckerd Community Alternatives

Jackie Griffin, Pinellas Park, Live Free Substance Abuse Coalition, Operation Par (submitted documents)

Lynne James, Seminole

Mary Brophy-Lee, St. Petersburg

Justice and Consumer Services Director Tim Burns provided background information about the prescription drug abuse problem and conducted a PowerPoint presentation titled *Pinellas County, Prescription Drug Abuse, November 2011*, a copy of which has been filed and made a part of the record. He discussed the Pinellas ordinance status, prescription drug abuse, Pinellas prescription drug abuse, state legislative actions, critical needs, the new recommended ordinance, and a reduced or waiver of physician application fees as an incentive for their cooperation. Mr. Burns provided statistical information relating to drug-addicted newborns and the increase in drug-related deaths; whereupon, in response to comments and queries by Commissioners Seel and Welch, he provided additional information regarding the Hillsborough County addiction statistics.

Noting that Pinellas County tracks the data more effectively than other counties, Mr. Burns related that Pinellas County leads the state in the number of deaths related to six different prescription drugs; and that Pinellas and Pasco counties lead the state in the number of drug-addicted newborns; whereupon, he discussed the County's collaboration with the Pinellas County Sheriff's Office, the Department of Health, Eckerd College, and other agencies and community groups regarding the problem.

Mr. Burns stated that the actions taken by the state have been helpful first steps, but more action is needed; and that the statute is fundamentally flawed by being a pain clinic statute, pointing out that the issue is high-prescribing of addictive drugs, not pain management clinics specifically. He discussed loopholes in monitoring the program and

the registration and ownership processes; whereupon, he indicated that the new ordinance:

- ▶ Requires regular registration information updates.
- ▶ Eliminates the loophole of exemption by profession or title.
- ▶ Requires anyone that prescribes over 34 Level II or III narcotic prescriptions for pain in one day to register as a high-prescriber.
- ▶ Requires physicians to check and document that they have checked the prescription drug monitoring program.
- ▶ Emphasizes due diligence regarding pregnancy and newborn addictions, and encourages the establishment of assessment processes by waiving the application fee for physicians that demonstrate their assessment process.

Mr. Burns indicated that the original sunset date of December 2012 has been maintained in the new ordinance; that his department will continue to work with the new Advisory Board to close any loopholes; and that he will continue to provide reports and presentations to the BCC; whereupon, he pointed out that the new ordinance eliminates the moratorium on new pain management clinics that has been in place, and discussion ensued.

Mr. Burns related that Hillsborough County is maintaining its moratorium indefinitely; and in response to queries by Commissioners Seel and Welch, Attorney Bennett advised that an indefinite moratorium is subject to legal challenge; that Pinellas County's moratorium was predicated on the adoption of state legislation, which has happened; and that the issue will be closely monitored. In response to queries by the members, Mr. Burns discussed enforcement after the moratorium expires, indicating that collaborative efforts between Pinellas County, the Pinellas County Sheriff's Office, and the Department of Health should provide effective enforcement. He indicated that the state's efforts have not adequately addressed the County's concerns; and that the concern remains whether a new location that is of concern can be prevented from opening.

Commissioner Seel indicated that she would prefer to continue the moratorium until after the upcoming legislative session; and Chairman Latvala indicated that adopting an entirely new moratorium is being considered in order to not jeopardize the ability to legally enforce the moratorium. In response to query by Chairman Latvala, Mr. Burns recommended approving the proposed ordinance and bringing back a new moratorium.

Discussion ensued with further input by Attorney Bennett and Assistant County Attorney Carl Brody regarding changes to the new ordinance, including (1) to change the title to read "Registration Moratorium Maintained," and to change the word "rescinded" to

“maintained” throughout the new document, and (2) to set a further review by the BCC no later than 60 days after the close of the 2012 Legislative Session; whereupon, Commissioner Seel moved, seconded by Commissioner Welch, that the proposed ordinance be approved with the changes outlined by the attorneys.

In response to queries by Commissioner Welch, Attorney Bennett confirmed that the new ordinance would be effective countywide; and Commissioner Seel amended her motion to include “Section 12: the article shall be in effect in the incorporated and unincorporated areas of Pinellas County,” and Chairman Welch concurred; whereupon, in response to query by Commissioner Brickfield, discussion ensued regarding the seven-day delay in entering information in the monitoring program.

Thereupon, upon call for the vote, the motion carried unanimously.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	5 – 0

- # 3 Resolution No. 11-174 adopted granting the petition of Darlene J. Barrentine to vacate a portion of a five-foot utility easement on Lot 252, Ridgewood Groves, Unit Nine Subdivision (Quasi-Judicial Hearing). Authority granted for Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	5 – 0

- # 4 Resolution No. 11-175 adopted appropriating unanticipated fund balance and realigning reserves in the Fiscal Year 2012 General Fund and Business Technology Services Fund budgets.

Motion	-	Commissioner Brickfield
Second	-	Commissioner Welch

In response to query by Commissioner Welch, Administrator LaSala explained the verbiage in the agenda memorandum relating to the increase in the Fiscal Year 2012 Parks and Conservation Resources budget for Creative Pinellas, Inc.

Vote	-	5 – 0
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COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

#5a Ordinance No. 11-45 adopted approving Case No. CW 11-22, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Institutional and Planned Redevelopment – Residential to Planned Redevelopment – Mixed Use, re 0.6 acre m.o.l., located at 2701 and 2727 5th Avenue South (subthreshold amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 5 – 0

5b Ordinance No. 11-46 adopted approving Case No. CW 11-23, the proposal by the City of Belleair Bluffs to amend the Countywide Future Land Use Plan from Residential Urban to Institutional, re 0.5 acre m.o.l., located at 2749 and 2765 Bayway Avenue (subthreshold amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 5 – 0

6a Ordinance No. 11-47 adopted approving Case No. CW 11-19, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Recreation/Open Space to Residential Urban, re 2.4 acres m.o.l., located 485 feet east of 68th Street North and 608 feet north of 38th Avenue North. Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Bostock
Second - Commissioner Brickfield
Vote - 3 – 2 (Commissioners Welch and Seel dissenting)

6b Ordinance No. 11-48 adopted approving Case No. CW 11-24, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Medium and Residential/Office/Retail to Residential/Office Limited, re 39.8 acres m.o.l., located at the southwest corner of Drew Street and Bayview Avenue. Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	5 – 0

CITIZENS TO BE HEARD

JoAn Totty, Palm Harbor, re noise (submitted document).

- › Mr. Yauch to make modifications to Old Palm Harbor Main Street protocol document to bring before Board in January.

Louis Kwall, Palm Harbor, re fluoride.

- › County Attorney Bennett to provide (1) referendum options, (2) information re citizen’s ballot initiative, and (3) Charter Review Executive Report for work session discussion.

Martha Loza, Palm Harbor, re 11th Street and Illinois Avenue stop sign.

- › Citizen notification process to be reviewed at work session, and stop sign item to be brought back before the Board at next meeting.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	5 – 0

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

Greg Pound, Largo, re Pinellas families.

Phillip W. Tropea, Palm Harbor, re EMS.

Joe Paige, Clearwater, re historical preservation (Item No. 20b).

CONSENT AGENDA ITEMS NOS. 7 THROUGH 15 – APPROVED, WITH THE EXCEPTION OF ITEM NO. 10b, WHICH WAS CONSIDERED UNDER ITEM NO. 16.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	5 – 0

7 Minutes of regular meetings of September 27, 2011 and October 11, 2011 approved.

8 Reports Received for Filing – None.

9 Vouchers and Bills Paid – None.

#10 Miscellaneous Items Received for Filing:

- a. City of Clearwater correspondence supporting proposal to modify annexation requirements within enclaves.
- b. See Item No. 16.

- c. City of Largo Notice of Public Hearings to be held November 15, 2011, regarding proposed Ordinances Nos. 2012-03 and 2012-04 and 2012-07 through 2012-11, annexing certain property.
 - d. City of Pinellas Park Notice of Public Hearing re proposed Ordinance No. 3785 to be held November 10, 2011, voluntarily annexing certain property.
- #11a Fiscal Year 2012 Board Budget Amendment No. 1 was filed and made a part of the record (Management and Budget).
- #11b Fiscal Year 2012 Board Budget Amendment No. 2 was filed and made a part of the record (Budget Amendment No. 2 is a Companion Item to Agenda Item No. 17) (Management and Budget).
- #12a Resolution No. 11-176 adopted supplementing the Fiscal Year 2012 General Fund Budget to appropriate earmarked receipts for a particular purpose (unanticipated grants and unanticipated beginning general fund balance in the Justice and Consumer Services Department) (Management and Budget).
- #12b Resolution No. 11-177 adopted appropriating unanticipated fund balance in the Fiscal Year 2012 General Fund Budget to the Emergency Management Department (Management and Budget).
- #13 Renewal Certificates of Public Convenience and Necessity issued to the following providers, in accordance with Pinellas County Code Section 54 and Section 401.25, Florida Statutes (Public Safety Services-EMS Division):

ALS First Responders

Cities of Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas Park, Safety Harbor, Seminole, South Pasadena, St. Pete Beach, St. Petersburg, Tarpon Springs, and Treasure Island; East Lake Tarpon Special Fire Control District; Lealman Special Fire Control District; Palm Harbor Special Fire Control District; and Pinellas Suncoast Special Fire Control District

ALS Helicopter Ambulances

Bayfront Medical Center, Inc. d/b/a Bayflite
Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital – Aeromed

Sunstar Ambulance Service

Pinellas County Emergency Medical Services Authority d/b/a Sunstar

- #14a Notice of new lawsuit and defense of the same by the County Attorney in the case of James Kirkman versus Pinellas County Board of County Commissioners, a Political Subdivision of the State of Florida, and Pepper Contracting Services, Inc.; authority granted to commence a cross claim against Co-Defendant, Pepper Contracting Services, Inc., for failure to defend and indemnify Pinellas County – Circuit Civil Case No. 11-008952-CI-11 – Allegations of Personal Injury as a Result of a Trip and Fall Accident.
- #14b Notice of new lawsuit and defense of the same by the County Attorney in the case of Neil Scott Stoneburg versus Pinellas County et. al – Circuit Civil Case No. 10-11033-CI-13 – Allegations of Negligence Resulting in Personal Injuries.
- #15 Sitting as the Countywide Planning Authority, the Board adopted Resolution No. 11-178 accepting the amended Countywide Future Land Use Plan Map and directing that it be filed with the Clerk of the Board of County Commissioners as the official Countywide Future Land Use Plan Map, as recommended by the Pinellas Planning Council in its Resolution No. 11-5 adopted October 19, 2011, a copy of which has been filed and made a part of the record.
- #16 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court).
 - #10 Miscellaneous items received for filing:
 - b. City of Dunedin Resolution No. 11-35 adopted October 6, 2011, re Dunedin Beach Causeway.

In response to comment by Commissioner Seel, Director of Transportation and Stormwater Peter J. Yauch provided an update on the Dunedin Beach Causeway, indicating that a request has been received from the City of Dunedin regarding a level of service issue; and that he will be preparing a response to the City; whereupon, he noted that a dated agreement exists that requires the County to maintain the Causeway, which primarily emphasizes keeping it passable and safe.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	5 – 0
- #17 Economic Development Grant Funding Agreement with IRX Therapeutics, Inc. in the amount of \$275,000.00 approved (Companion to Item No. 11b) (Economic Development).

Commissioner Welch stated that he supports the agreement; and that he believes the potential justifies the funding risk; whereupon, in response to his queries, Economic Development Director Mike Meidel described the overall risk, the potential benefits, and the sanction involved if the company fails to meet 80 percent of the job creation and wage level targets set in each reporting period, indicating that the company going bankrupt in the future is the biggest risk. He remarked that the situation is unique in that the County could receive its funding back to be reused, unlike other incentives where the funds are not returned, pointing out that if the company ceases to exist as an entity, the County would receive its money back; and that if the company is successful, the County would receive a portion of the royalty income until the \$275,000.00 is repaid.

Mr. Meidel provided input regarding the provision in the State of Florida’s agreement, which is mirrored in the County’s agreement, that could extend the entire schedule by one year in the event of an economic situation; and stated that the signed agreement from the State, the signed lease from the City of St. Petersburg, and the agreement from the Board of Directors of the University of South Florida Research Foundation have been received; and that all of the conditions precedent to payment will be met upon execution of the Grant Funding Agreement.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	5 – 0

#18 Resolution No. 11-179 adopted supporting the Tampa Bay Partnership Regional Business Plan (Economic Development).

Administrator LaSala indicated that the Regional Business Plan basically has three core issues: workforce initiatives, targeted employment, and business sector initiatives in and around the Tampa Bay Area. In response to a suggestion by Commissioner Brickfield to wait to approve the resolution until after the follow-up meeting between the BCC and the St. Petersburg College Board, Administrator LaSala indicated that the proposed resolution relates to supporting the Tampa Bay Partnership Regional Business Plan, which was a separate, distinct activity from the agency discussions held at a prior Collaborative Labs session; whereupon, he pointed out that staff meetings have been scheduled on the education and workforce development issues previously discussed; that County staff will bring back some of the recommendations; and that the follow-up meeting between the BCC and the St. Petersburg College Board would occur at that time.

Commissioner Seel provided input regarding a recent Board of Governors meeting, and stated that she will forward the members additional information regarding the various boards, working groups, and leadership council that were represented. She provided information about a regional advisory board called 100 Leaders for Tampa Bay's Growth Economy, noting that the advisory board specifically encourages engagement of local governments. Commissioner Welch expressed his support for the Business Plan, and requested that more specific information be provided as to which regulatory barriers the Board of Governors is working to remove; whereupon, Commissioner Seel and Chairman Latvala indicated that the regulatory barriers have not yet been identified but, once identified, they will be brought before the Board to determine if there is support for removal.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	5 – 0

- #19 Change Order No. 1 to the contract with Wharton-Smith, Inc., for Sludge Processing Improvements – South Cross Bayou Water Reclamation Facility Phase 3 & 4 Odor Control (Project No. 1901-A, Contract No. 101-0107-CP) approved, increasing the agreement amount by \$4,014.74 (revised agreement amount, \$921,014.74); Chairman authorized to sign the Change Order and the Clerk to attest after proper execution by the contractor and approval as to form by the Office of the County Attorney (Environment and Infrastructure).

Motion	-	Commissioner Welch
Second	-	Commissioner Bostock
Vote	-	5 – 0

- #20a Authorization granted to advertise a public hearing to be held on December 20, 2011, regarding proposed amendments to the Old Palm Harbor-Downtown Zoning District (Planning).

Motion	-	Commissioner Welch
Second	-	Commissioner Seel

Commissioner Bostock stated that a request had been received to delay the hearing, noting that December 20 is a difficult time for citizens to attend public hearings due to holiday traveling; and Commissioner Seel concurred, confirming that the request would be to delay the public hearing until January 2012.

During discussion and in response to comments by Chairman Latvala, Gordon Beardslee, Planning Department, clarified that the item before the Board relates to parking considerations in downtown Palm Harbor; and that the Board may hear three items related to downtown Palm Harbor at its December 20, 2011 meeting. Commissioner Bostock related that while hearing related items at the same time is preferred, she still has concerns regarding the inconvenience to citizens by holding the hearings so near a holiday, and Administrator LaSala provided input.

During further discussion, Commissioner Bostock indicated that citizens can contact the Board members by any means prior to the hearing to express their interest; and suggested that citizens who are unable to attend the public hearing could send a letter with someone who can read the letter at the public hearing; and that the person reading the letter be allowed an additional three minutes, and Chairman Latvala concurred.

Vote - 5 – 0

- #20b Authorization granted to advertise a public hearing to be held on January 24, 2012, regarding proposed amendments to the Pinellas County Historic Preservation Code (Planning).

In response to query by Commissioner Bostock, Administrator LaSala indicated that delaying the public hearing to January 24, 2012 would not cause any time sensitivity issues.

Motion - Commissioner Seel
Second - Commissioner Bostock
Vote - 5 – 0

Thereupon, following the vote, Commissioner Seel indicated that she would also like Mr. Paige’s concerns regarding historic preservation to be addressed at the public hearing.

- #21 Other Administrative Matters:

Health Resources and Services Administration (HRSA) Grant Funding Opportunity

Authority granted to submit an application for a Health Resources and Service Administration (HRSA-12-115) Capital Development-Building Capacity Grant, in an amount up to \$5,000,000.00, for construction of a medical facility through Pinellas County’s Mobile Medical Unit – Health Care for the Homeless.

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In response to queries by Commissioner Seel, Commissioner Welch indicated that the item came to the Board through the County's Health and Human Services (HHS) Department, not the Homeless Leadership Network (HLN); and Administrator LaSala indicated that the item has been expedited for Board approval due to the application deadline.

Health and Human Services Director Gwendolyn Warren stated that staff received the grant information three weeks ago and was encouraged by the County's federal representatives to pursue the grant; and that the application deadline did not provide adequate time to present the grant application to the HLN for input. She related that the grant provides an opportunity to obtain federal resources to build a medical facility while continuing to restructure the County's health plan, expand the County's Mobile Medical Unit services, and add an additional 30 community respite care beds, noting that the average length of stay would be 30 days.

In response to comments, concerns, and queries by Commissioner Bostock, Ms. Warren stated that members of the Homeless Coalition and the County's medical partners believe there is an acute need for additional medical support for the homeless population; and that there are currently sufficient community resources to fund the facility. She related that additional grants and potential cost reductions resulting from referring patients to the County's medical plan will provide funding for operating costs; that the County's currently funded indigent population will become eligible for Medicaid under the new health plan; and that steps will be taken to move the Mobile Medical Unit federal assistance status to a full medical center program, which would allow the County to bill Medicaid for County clients; whereupon, she confirmed that a business plan has not been prepared.

In response to concerns by Commissioner Bostock regarding the funding for operation and maintenance of the facility after it has been built, Ms. Warren indicated that the grant is to assist with the implementation of the Affordable Care Act and does not cover operational costs; that the Medicaid reimbursement rate for medical services includes the facility, operating costs, and the staff to provide the services; and that staff will continue to actively pursue additional federal and private foundation grants and other funds to cover costs, but cannot guarantee that there will not be any other expenses related to the facility; whereupon, she discussed the difference between the Medicaid reimbursement rates for hospitals and federally qualified health centers and how the rates are determined.

During discussion and in response to comments and queries by Commissioner Bostock, Ms. Warren stated that local medical service providers, including behavioral health, drug treatment assistance, and detox assistance, have indicated a willingness to assist in providing services at the facility; and that having a single facility to treat the homeless population would be advantageous and potentially reduce some existing costs by using current resources; whereupon, she provided additional input regarding potential partnerships with local medical service providers, and discussed the services currently provided at Safe Harbor, the increased need for additional services, and the mobile medical program designed by the federal government, pointing out that the number of homeless families in need of medical services has outpaced the services available through the Mobile Medical Unit.

Ms. Warren related that the County lacks an adequate transportation system, which makes it difficult for some homeless individuals to attend medical appointments; that the Safe Harbor area is one of the largest areas in the County where services are provided to the indigent; that the new facility is anticipated to be fully built by 2014; and that if the Affordable Care Act is implemented as approved, it is projected that the current homeless medical services clients would be eligible for Medicaid at a higher rate through the County's federally certified status, which will generate resources to offset costs; whereupon, Ms. Warren requested that the Board approve pursuing the federal funding to address the increased population and expanded need.

Administrator LaSala reported that staff is looking for ways to extend the leveraging of County dollars; that the redirection of services through the Mobile Medical Unit identified a need and an opportunity, which prompted staff to apply for the grant upon being made aware of its availability; and that coordination with the various County partners will continue, noting that the program continues to be a work in progress.

Commissioner Seel noted that the County could decline the grant if an adequate business plan is not in place; and suggested that the grant application proceed with the caveat that the item will be discussed with all of the partners, and a detailed business plan will be prepared and presented to the Board identifying the funding sources, and Commissioner Welch concurred, indicating that the need is undeniable. Commissioner Welch expressed concern that the item was not brought before the HLN; and in response to his comments and queries, Ms. Warren indicated that a new facility would be built; that staff believes the Safe Harbor area is the most suitable location; and that family services will be available for homeless families that do not go to other medical homes; whereupon, Chairman Latvala agreed that the need is undeniable; stated that she supports moving

forward with the application; and noted that Safe Harbor is on a bus line, which will make accessing the new facility easier.

During discussion, Commissioner Bostock expressed concern that the County would be making a commitment to what could be a very expensive operation without knowing how to pay for it; and Commissioners Seel and Welch indicated that a detailed business plan would be necessary and would answer many of the Board's questions; whereupon, in response to query by Commissioner Welch, Ms. Warren indicated that staff has not begun preparing a business plan due to the expedited nature of the grant application, but that she believes an adequate business plan can be presented.

Commissioner Brickfield expressed concern regarding the use of the term "one-time" funding, pointing out that the Board is always asked for further funding; and that when Safe Harbor began, the County was going to provide one-time funding, pay for the utilities, realize savings, and convert the savings into services. He indicated that when Safe Harbor was relocated, the community was not pleased and had concerns; that now another permanent building may be put on the Safe Harbor site without a long-term funding strategy for operation of the facility; and that the issue has not been discussed with the community to obtain their feedback or to identify any potential impacts to the community.

Thereupon, following brief discussion, Commissioner Welch moved, seconded by Commissioner Seel, that permission be granted to move forward with the grant application. In response to query by Commissioner Brickfield, Administrator LaSala confirmed that the item will be brought back to the Board after the grant application is submitted.

Motion	-	Commissioner Welch
Second	-	Commissioner Seel
Vote	-	4 – 1 (Commissioner Bostock dissenting)

- #22 Special Counsel Agreement for Legal Services with Gulfcoast Legal Services, Inc. to provide legal representation to individual complainants in Fair Housing actions in accordance with the Fair Housing Provisions of the County's Human Rights Ordinance approved for execution (County Attorney).

Attorney Bennett related that \$19,771.00 was expended under the previous contract with Gulfcoast Legal Services, Inc., noting that \$13,000.00 was recouped from donations and fee provisions during the same time period; and that the contract represents a \$5.00 per

hour rate increase, pointing out that a February 2011 study indicated that only two percent of lawyers in the State of Florida charge less than \$100.00 per hour.

Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 5 – 0

- #23 Resolution No. 11-180 adopted authorizing Pinellas County to allow a default judgment to be taken in certain mortgage foreclosure actions where Pinellas County is named as a defendant and has an inferior interest by virtue of its lien (County Attorney).

Attorney Bennett indicated that the resolution would expand upon the original delegation authority the Board gave to him in 2003 to take defaults on inferior liens; that in many cases there is no recovery possible; that his office has an independent process for testing whether there are additional funds available upon a foreclosure sale; that in most foreclosures now there is no money available and that is not expected to change in the near future; and that this action would streamline the process. In response to query by Commissioner Seel as to whether the action would affect code enforcement liens pertaining to community development, Attorney Bennett indicated that it would not affect code enforcement capability at all except in instances where foreclosures are actually going forward; whereupon, Community Development Director Anthony Jones confirmed that down payment assistance liens are tracked independently and every action possible would continue to be taken in those cases.

Motion - Commissioner Welch
Second - Commissioner Bostock
Vote - 5 – 0

- #24 County Attorney Miscellaneous – None.

- #25 County Administrator Report:

INITIATIVES AND PROJECTS

Administrator LaSala reported that there are no updates to be provided; and that in response to the Board’s discussion, he has called for a meeting of his staff and Code Enforcement staff to discuss Code Enforcement and neighborhood safety; and that he will report back to the Board at a later date.

#26 Appointment of Dr. Ajoy Kamar to the Suncoast Health Council, filling the position formerly held by Dr. David McKalip (term ending March 31, 2013), approved.

Motion - Commissioner Brickfield
Second - Commissioner Bostock
Vote - 5 – 0

#27 Appointments to the Youth Advisory Committee, as delineated in the Board memorandum dated November 8, 2011 approved.

Motion - Commissioner Bostock
Second - Commissioner Welch
Vote - 5 – 0

#28 Reappointment of Roger Johnson to the East Lake Community Library Advisory Board for a three-year term approved (term to expire on September 30, 2014).

Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 5 – 0

#29 County Commission Miscellaneous:

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

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#30 Meeting adjourned at 12:29 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk