

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, FEBRUARY 19, 2008 – 2:02 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Robert B. Stewart, Chairman; Calvin D. Harris, Vice-Chairman; Karen Williams Seel; Susan Latvala; John Morroni; Kenneth T. Welch; and Ronnie E. Duncan.

Members Absent: None.

Members Late: None.

Members Excused: None.

Others Present: Fred E. Marquis, Interim County Administrator; James L. Bennett, Interim County Attorney; Clarethia N. Harris, Chief Deputy Clerk; and Arlene Smitke and Arlene J. Kennare, Deputy Clerks.

INVOCATION: Reverend M. Rebecca Burton, Peace Memorial Presbyterian Church, Clearwater

PLEDGE OF ALLEGIANCE: Assistant County Administrator Elizabeth A. Warren

PROCLAMATIONS AND AWARDS

1. Presentation of proclamation to Dr. John Venturella, President, Clearwater Central Catholic High School, in recognition of Croatian Student Day 2008.
2. Presentation of American flag to members of the Pinellas County Employee Advisory Council by Bob Williams of "Support Our Troops," in recognition of items donated to the troops during the holiday season.
3. Youth Advisory Committee presentation by Christine Ochsner, Chairman.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 17 – APPROVED, WITH THE EXCEPTION OF ITEM NO. 8, WHICH WAS CONSIDERED UNDER ITEM NO. 18.

Motion	-	Commissioner Latvala
Second	-	Commissioner Duncan
Vote	-	7 - 0

1 Minutes of regular meeting of January 8, 2008.

2 Reports received for filing:

- a. Pinellas County Fiscal Year 2008 Executive Summary Budget.
- b. Juvenile Welfare Board of Pinellas County Interim Financial Report (Unaudited) dated December 31, 2007.

- # 3 Vouchers and Bills Paid - Period of January 7, 2008 through January 18, 2008:
- Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2548
Payroll checks numbered 554509 through 554745
- Imprest Fund Expenditures
Manual checks numbered 751478 through 751480
System checks numbered 911048 through 912592
- Wire Transfers numbered 010176 through 010219
- # 4 Miscellaneous items received for filing as noted on the agenda:
- a. Town of North Redington Beach Resolution No. 2008-155 adopted January 10, 2008, declaring January 20-26, 2008 Tampa Bay Hazardous Materials Awareness Week.
 - b. City of Pinellas Park Ordinance No. 3596 voluntarily annexing certain property.
 - c. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 3 dated December 20, 2007, and financial statement for the month of November 2007.
- # 5 Termination of Easement by General Release approved relinquishing interest in a sewer easement, re property located at 800 Columbia Avenue, Palm Harbor, File No. 1269; Chairman authorized to sign and the Clerk to attest.
- # 6a County Incentive Grant Program (CIGP) Agreement with Florida Department of Transportation (FDOT) for the construction of McMullen Booth Road at Drew Street (PID No. 817; Financial Project No. 422653 1 54 01) in the amount of \$400,000.00 approved (estimated project construction cost, \$800,000.00); Resolution No. 08-25 adopted authorizing the Chairman to execute the agreement.
- # 6b County Incentive Grant Program (CIGP) Agreement with Florida Department of Transportation (FDOT) for the construction of McMullen Booth Road at Enterprise Road (PID No. 1619; Financial Project No. 422671 1 54 01) in the amount of \$375,000.00 approved (estimated project construction cost, \$750,000.00); Resolution No. 08-26 adopted authorizing the Chairman to execute the agreement.
- # 7a Change Order No. 1 to contract with Pepper Contracting Services, Inc. for 2008-2009 Countywide Americans with Disabilities Act (ADA) Ramp, Sidewalk, Drainage, and Intersection Improvements (PID No. 1654; Bid No. 067-0686-C) approved; modifications are at no additional cost to the County; Chairman authorized to sign and the Clerk to attest.

7b Change Order No. 1 (final) to contract with Southern Roofing Company, Inc. for Extension building roof and HVAC replacement (PID No. 1121; Bid No. 067-0222-C) approved decreasing the agreement by \$21,299.89 (revised agreement amount, \$293,381.11) and granting a 16-day time extension; contract accepted as complete as of August 2, 2007 and retainage released; Chairman authorized to sign and the Clerk to attest.

8 See Item No. 18.

9 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR - RECEIVED FOR FILING (COUNTY ADMINISTRATION)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Airport	Partial Assignment of Lease with Spectra Metal Sales, Inc., f/k/a Alumco Industries, Inc., Zeus Properties One, Inc., Thomas H. and Nancy A. Snell, and Satya Investments, Inc. for Use of Airport Industrial Park Property	N/A	1.25.08
Building and Development Review Services	Facility Permit Agreement with the Pinellas County Industrial Development Authority for In-Process Service Inspection at the Young – Rainey STAR Center	N/A	1.23.08
Community Development	Specific Performance Agreement (SPA) with Lealman Family Center, Inc. for the Lealman Family Center Newsletter	\$15,000.00 Community Development Block Grant (CDBG) funds	1.25.08
Community Development	SPA with the City of Dunedin for Streetscape Improvements on Douglas Avenue from Grant Street to Skinner Boulevard and along Skinner Boulevard from Pinellas Trail to Highland Avenue	\$100,000.00 CDBG funds	1.15.08
Community Development	SPA with YMCA of the Suncoast, Inc. for Greater Ridgecrest Branch Roof Rehabilitation	\$71,500.00 CDBG funds	1.7.08
Community Development	SPAs with Cities of: (a) Pinellas Park for New and Replacement Sidewalks within the City Community Redevelopment Area; and	(a) \$200,000.00 CDBG funds; and	1.2.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
	(b) Largo for Single Family Rehab and Down Payment Assistance Programs	(b) \$234,111.00 HOME Investment Partnership funds	
Community Development	Satisfaction of Mortgage with Francisco B. and Susana Martinez	Lien is paid in full.	12.14.07
Community Development	Subordination Agreement with Steven G. and Susan V. Franks and SunTrust Mortgage, Inc.	\$78,000.00	12.6.07
Community Development	Satisfactions of Mortgage with: Grace E. Clark; and Kara L. Banville	All liens are paid in full.	12.5.07
Community Development	Satisfaction of Deferred Mortgage with Ora Lee Beal	Lien is paid in full.	12.3.07
County Administration	Interlocal Agreement with the Unified Personnel System and the Juvenile Welfare Board of Pinellas County for Personnel Services	\$35,000.00 total revenue over 2-year term with two, successive, 1-year renewal terms	1.3.08
Culture, Education, and Leisure	Bay Mini-Grant with Tampa Bay Estuary Program for War Veterans Memorial Park Coastal Habitat Restoration Project	\$7,478.82 grant revenue, plus \$90,300.00 Florida Department of Environmental Protection match, plus \$5,664.68 County in-kind match	1.15.08
Culture, Education, and Leisure	Agreement with Pinellas County African American History Museum, Incorporated for 2008 Florida African American Heritage Celebration	\$7,000.00	1.7.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Emergency Management	Agreement with Hernando County for Video Conferencing Equipment, Installation, and Service	\$4,671.63 first-year service revenue, plus \$295.00 subsequent, estimated, annual, service expense with indefinite, automatic, annual renewals	1.9.08
Emergency Management	Interlocal Agreement with Tampa Bay Regional Planning Council for Revision of Pinellas County's Local Mitigation Strategy	\$15,000.00	12.19.07
Emergency Medical Services and Fire Administration	Memorandum of Agreement with the State of Florida, Department of Health for Florida CHEMPACK Program	\$6,000.00	9.4.07
Environmental Management	Amendment No. 2 to Cooperative Funding Agreement with the U.S. Department of Homeland Security for BioWatch Program	N/A	1.18.08
Environmental Management	Grant Agreements with United States Department of the Interior, Fish and Wildlife Services for Shell Key for: (a) Modification No. 1 for Ross and Googe Islands; and (b) Modification No. 2 for Shell Key	(a-b) N/A – time only	1.17.08
Environmental Management	Special Magistrate Services Contracts for Code Enforcement Hearings with: (a) Carole Joy Barice; (b) Harold W. Youmans; and (c) Herbert E. Langford, Jr.	(a-c) \$30,000.00 annual expenditure	1.9.08
Environmental Management	Short-Term Facility License (STFL) with Loni Kaplan for Use of the Auditorium at Brooker Creek Environmental Education Center (Brooker Creek) for Home School Student Spelling Bee	N/A	12.21.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Environmental Management	STFL with Karen Clemons for Bank of America Corporation's Use of the Classroom at Weedon Island Preserve Cultural and Natural History Center (Weedon Island) for Staff Meeting	\$150.00 revenue	12.17.07
Environmental Management	STFL with Starr Silver for Juvenile Welfare Board's Use of the Class Room at Weedon Island for Department Staff Meeting	N/A	12.12.07
Environmental Management	STFL with John Gurbacs for Use of Brooker Creek for an Art Exhibition	\$100.00 estimated revenue	12.10.07
Environmental Management	STFL with Donna Morrison for Use of Center Hallway Exhibit at Weedon Island for a Photographic Art Display	\$50.00 estimated revenue	11.15.07
Environmental Management	STFL with Rachel Miller for Use of the Auditorium and Gazebo at Brooker Creek for a Wedding Ceremony	\$960.00 revenue	11.5.07
Environmental Management	STFL with Monica Forbes for Progress Energy's Use of the Auditorium at Weedon Island for Staff Meeting	N/A	11.1.07
Environmental Management	STFL with Robert Brinkmann for University of South Florida's (USF) Use of the Classroom at Brooker Creek for Department of Geography Faculty Retreat	N/A	10.24.07
Environmental Management	STFLs with: (a) Hope C. Potter for Florida Institute of Government, USF's Use of the Auditorium at Brooker Creek for Oldsmar City Council Planning Conference; and (b) Hooshang Boostani for Hillsborough County and Environmental Protection Commission's Use of the Classroom at Brooker Creek for Senior Management Retreat	(a-b) N/A	10.4.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Environmental Management	STFL with Rheda Weeks for Use of Vendor Space at Brooker Creek for World Rivers Day FEST	\$80.00 estimated revenue	10.1.07
Facility Management	First Amendment to Interlocal Agreement with City of Clearwater for Ownership and Maintenance of Portable Generator and Transfer Switch	N/A	1.7.08
Facility Management	(a) Assignment to Lease and License Agreement with Demko Vending, Inc. and Corporate Services Group, Inc. for Change in Ownership of the Courthouse Café;	(a) N/A;	1.4.08
	(b) First Amendment to Non-Exclusive Antenna Siting License Agreement with T-Mobile South LLC for Installation of Antenna on Eldridge Wilde Radio Communication Tower; and	(b) \$2,274.00 monthly revenue; and	
	(c) License Agreement with Christ The King Lutheran Church Inc for Use of a Portion of a Parking Lot, with Ingress and Egress, for Emergency Management Purposes in the Event of Natural, Technical, or Man-Made Disasters	(c) N/A	
Facility Management	License Agreement with Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement for Boat Slip Access at Sutherland Bayou Marina	N/A; 5-year term with three, successive, 5-year renewal options	10.15.07
Health and Human Services	Low Income Pool Program Funding Agreement with Community Health Centers of Pinellas, Inc. for Health Care Services for Medically Underserved Residents of Pinellas County	\$107,925.00 as Agency match for \$392,075.00 Federal/State grant funds, retroactive to July 1, 2007	1.17.08
Health and Human Services	(a) Amendment No. 3 to Agreement with Area Agency on Aging of Pasco-Pinellas, Inc. for Emergency Home Energy Assistance Program (EHEAP); and	(a) \$94,293.59 revised total revenue as cost reimbursement; and	1.2.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
	(b) Contract Renewal Form with State of Florida, Department of Elder Affairs for EHEAP and Cost Reimbursement Agreement	(b) N/A	
Justice and Consumer Services	Grant Application with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for Fiscal Year 2008 Adult Drug Court Discretionary Grant Program	\$200,000.00 requested funds, plus \$70,517.89 anticipated County match	1.11.08
Public Works	General Release with Green Dolphin Park Condominium Association, Inc. and Allstate Insurance Company	\$10,000.00 revenue	1.14.08
Utilities	Releases of Lien with: Sol-Y-Mar LLC; Olen C. Esterline Jr. and Edna F. E. Esterline; and 135 175 th Ave LLC	All liens are paid in full.	12.26.07
Utilities	Notices of Lien with: Austin Family Land Trust # 16210-3, in Care of Holly K. Gall Trustee; Joseph E. and Julie M. James; Bertha M. Denson and Sarah F. Hamm; B.R.H.C LLC; Armstrong Village at Indian Rocks Beach Dev LLC, in Care of P. Bush (2); Jose Lopez-Velez and Luz M. Lopez; Paul Bourgeois, II; James Boyce; Russell J. Seabol and Beverly Wilson; 1925 Seminole Blvd. (2); 2075 S LLC; and Linda Sarver DeSouza	N/A	12.18.07
Utilities	Releases of Lien with: Cormier Living Trust, in Care of Kevin B. Cormier; Nonie M. and Kenneth E. Stebbins; 68 Gulfwinds Trust, in Care of Anderson Investments LLC Trustee; Karen M. Linquist-Ross; 151 175 th Ave LLC; 138 175 th Ave LLC; Michael and Tracy Kirk; Steven E. Baker; and Naomi M. Surface	All liens are paid in full.	12.11.07
Utilities	Notices of Lien with: Sharon K. Marzola; and Katharine Eckels Trust	N/A	12.7.07
Utilities	Releases of Lien with: Clint Dinkins; Daniel S. and Melissa N. Roberts; Toby and Janis Richards; and Eirk T. and Liza D. Bell	All liens are paid in full.	12.6.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Utilities	Notices of Lien with: Jonathan E. Hart, Charles Anderson Oliver, Jr., and Aaron L. Sands; Phyllis J. Brown; Gary and Lisa M. Walker; and Vincent M. Ambrosino and Vincent M. Ambrosino, Jr.	N/A	12.4.07
Utilities	Notices of Lien with: Victor and Jo C. Tambone; Mohamed N. Elitreby; Lori Fisher; Daniel S. and Melissa N. Roberts; Michelle R. Webster; James D. Batt; Jose and Jacqueline J. Corrales; Bryan and Hilary Butts; Patrick J. Siewak; Michael and Tamara Jones; and Jerome and Robin Muetzel	N/A	11.26.07
Utilities	Releases of Lien with: Duetsche Bank National Trust Co. Trustee, in Care of Ameriquest Mortgage Co.; and James and Deanna Cooke	All liens are paid in full.	11.20.07
Utilities	(a) Notices of Lien with: USA Federal National Mortgage Association; and Johnathan E. Hart, Charles Oliver Anderson, Jr., and Aaron L. Sands; and (b) Releases of Lien with: Geo and Ann Papazoglou; Eric C. Synstad; and Brian and Kristina Middlebrook	(a-b) N/A	11.13.07
Utilities	Notices of Lien with: Gerald W. and Brenda S. Huddleston; and Gale Earnest	N/A	11.8.07
Utilities	Releases of Lien with: 154 175 TH AVE LLC; 115 th 174 th Terrace LLC; 150 175 TH Ave LLC (2); and Lucy Lo Presti	All liens are paid in full.	11.7.07
Utilities	Release of Lien with Helene A. and Kenneth A. Miner	Lien is paid in full.	11.5.07
Utilities	Notices of Lien with: Oceans Gate LLC; Sol-Y-Mar LLC; Mabel Castaneda; William M. and Carolyn Bradham; and Angela J. Berry	N/A	10.29.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Utilities	Releases of Lien with: Gina Hammesfahr; Steven Epperson and Mango Bay Property; US Bank National Association Trustee, in Care of Fidelity/Homecoming LLC; Deborah Loibl-Reed and John E. Loibl	All liens are paid in full.	10.25.07
Utilities	Notices of Lien with: Victor and Rebecca Netschi; Richard F. Piccirillo; Cynthia Bernardi; 116 175 th Avenue LLC; Patricia Ann and Jerry Halstead; Residential Funding Co LLC, in Care of GMAC Mortgage Corporation; Deutsche Bank National Trust Co Trustee, in Care of Ameriquest Mortgage Co.; Samuel C. and Heather M. Pressley; Mary Fowler Estate, in Care of Robert Fowler Estate; Clint Dinkins; Brian and Kristina Middlebrook; Misti and Alvin Tyson; Dale Hedrick; Florida Residential Land Trust, in Care of Help Is Here Foreclosure Prevention Trustee; Stephen Podhorsky and Georg Martinez; Glenn H. Logsdon; Eric C. Synstad; Suzanne L. Myers; and Concezio Traficante	N/A	10.24.07
Utilities	Releases of Lien with: George G. Hatfield; Stevie L. Walker; Leslie and Beverly Hollidge and Elisa Ballew; and Erick Maillard	All liens are paid in full.	10.17.07
Utilities	(a) Releases of Lien with: Michael Mergell and North American Realty; Blanche A. Kraus Estate; and Suzanne K. Mayeski; and (b) Notices of Lien with: Karen L. Zant; 115 174 th Terrace LLC Ste E; Atlantis West Development LLC; Helene A. and Kenneth A. Miner; Tarso Sanchez, Baca Rosendahl, and G. Florence; Mary Upton and Pamela K. Anderson, Estate; and Kathleen Calcek	(a) All liens are paid in full; and (b) N/A	10.15.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Utilities	Notices of Lien with: Cormier Living Trust, in Care of Kevin B. Cormier; Holders Of Truman Mortgage Loan Trust 2002-1, in Care of J P Morgan Chase Bank, Trustee; and US Bank National Association, Trustee, in Care of Fidelity/Homecoming LLC	N/A	10.11.07
Utilities	Notices of Lien with: Nonie M. and Kenneth E. Stebbins; Roy J. Zalewski and Linda Riola; and Jordan Erdman	N/A	10.5.07
Utilities	Releases of Lien with: Jorge L. Cruz, in Care of Serafina Haulk; and Daniel and Sarah Kyburz, in Care of First American Title Insurance	All liens are paid in full.	10.4.07
#10	Grant agreement in the amount of \$430,837.00 with the Florida Fish and Wildlife Conservation Commission (FWC Contract No. 07084) for the Belleair Boat Ramp Park Reconstruction project approved (County matching funds, \$402,999.42); Chairman authorized to sign and the Clerk to attest (Culture, Education, and Leisure).		
#11	Agreement with the Pinellas Cultural Foundation, Inc. to provide program enhancements and sponsor special projects benefiting cultural programs offered by the Pinellas County Cultural Council and the Cultural Affairs Department approved for execution (Culture, Education, and Leisure).		
#12a	Resolution No. 08-27 adopted declaring personal property as surplus and transferring same to the Polk County Health Department as requested by the Pinellas County Health Department (Facility Management).		
	Responding to query by Commissioner Seel, Mr. Marquis indicated that funding for the Region Four Special Needs Shelter Coordinator position has been transferred to Polk County in accordance with the State revenue balancing program; and that the Coordinator will continue to work with Pinellas County in the same capacity, including serving in the Emergency Operations Center when it is activated.		
#12b	Resolution No. 08-28 adopted declaring personal property as surplus and transferring same to the Pinellas County School Board as requested by the Pinellas County Health Department (Facility Management).		
#13	Ranking of firms for the purchase of an automated fueling and accounting system (furnish, install, train and maintain) (Contract No. 067-0753-P) as follows:		

1. E. J. Ward, Inc.
2. Trak Engineering, Inc.
3. CoenCorp
4. Maximus Asset Solutions

Staff authorized to negotiate an agreement for Board approval with the No. 1 ranked firm, E. J. Ward, Inc. (Fleet Management).

- #14 Pinellas County Metropolitan Planning Organization Staff Services Agreement approved for execution (Planning).
- #15 Bids of All About Hauling, Inc.; Bernie Marble Construction, Inc., dba Emmett McCabe Trucking; Cypress Creek Landscape Supply, Inc.; E. R. Jahna Industries, Inc.; Gibbs-Trevena, Inc.; Infinity Aggregate, LLC; J & K Enterprises of Largo, Inc.; and Larry Larson's Top Soil, Inc. accepted for road and landscape materials by line item as indicated on the Tabulation of Bids, which has been filed and made a part of the record (co-op) (Contract No. 078-0129-B), on the basis of being the lowest responsible, responsive bids received meeting specifications (total contract estimated annual expenditure not to exceed \$632,715.50; Pinellas County's annual estimated expenditure not to exceed \$278,838.50) (12-month contract with one additional 12-month option of renewal at the same terms and conditions; contract renewal allows for price adjustments based on the Producers Price Index [PPI] for materials and components for construction, WPUSOP2200, not seasonally adjusted, for the twelve months prior to renewal, or six percent, whichever is less, subject to availability of funds and County Administrator approval). Line Item No. 17, River Gravel #5, not awarded due to no bids received; item will be purchased via quotation if available on the open market (Purchasing).
- #16 Quarterly report of claim settlements for October through December 2007 for claims requiring the mutual consent of the County Attorney and Risk Management in the settlement area of \$25,001.00 to \$50,000.00 (total claims paid, \$69,864.43) approved for filing (Risk Management/County Attorney).
- #17 Amendment to the contract with Standard Insurance Company for group long-term disability and short-term disability, Accessibility Services Office (ASO) (Contract No. 012-379-P) approved realigning existing contract dates to conform to fiscal year timeframe (additional estimated expenditure for extension period, \$440,000.00; revised estimated 18-month expenditure not to exceed \$1,320,000.00).

REGULAR AGENDA

- #18 Items for Discussion from Consent Agenda (County Administrator and Clerk of the Circuit Court).

8 Award of Bid to Rowland, Inc., a pre-qualified contractor, for the North County Phase 2B, Part 3, Reclaimed Water Distribution System - Ozona in the amount of \$2,105,598.05 on the basis of being the lowest responsive, responsible bid received meeting specifications (Bid No. 078-0179-C, Project No. 1820-C); 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.

Motion - Commissioner Latvala
Second - Commissioner Duncan
Vote - 6 – 1 (Commissioner Seel dissenting)

#19 Amendment No. 2 to the Agreement for Consultant Services with LPA Group, Incorporated for the St. Petersburg-Clearwater International Airport Terminal Building schematic design phase (PID No. 674) approved increasing the agreement in the amount of \$982,220.00 for a revised total amount of \$2,164,020.50.

Motion - Commissioner Harris
Second - Commissioner Duncan

Responding to queries by Commissioner Seel, Airport Director Noah Lagos provided information pertaining to reimbursable expenses and project costs.

Vote - 7 – 0

#20 Interlocal Agreements with the City of Indian Rocks Beach and the Town of Indian Shores for Advanced Traffic Management System/Intelligent Transportation System (ATMS/ITS) and Roadway Transfer Agreements to transfer traffic control authority approved; Chairman authorized to sign and the Clerk to attest. Agreements are effective for a period of ten years with subsequent ten-year renewals, subject to mutual agreement.

Motion - Commissioner Latvala
Second - Commissioner Welch

Commissioner Seel indicated that software changes will be implemented this month in response to the City of Clearwater’s concerns regarding traffic timing on Gulf-to-Bay Boulevard; and that staff is making arrangements for a tour of the Primary Control Center, as requested by City officials.

Vote - 7 – 0

#21 Amendment No. 4 to Agreement for Consultant Services with URS Corporation Southern for Park Street/Starkey Road (County Road 1) from Tyrone Boulevard to Bryan Dairy Road improvement project (PID Nos. 864 and 865) approved increasing the agreement by \$96,539.53 for a revised total of \$2,477,692.53; Chairman authorized to sign and the Clerk to attest.

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

#22 Contract for Sale and Purchase with James Brent Bronson and Robin Marie Bronson for acquisition of improved real property located at 2499 Keystone Road, Tarpon Springs (Keystone Road–U.S. Highway 19 to East Lake Road Project) (PID No. 920522) approved; authorization granted for issuance of a check in the amount of \$5,350.00 to Alday-Donalson Title Company (purchase price, \$5,000.00; title insurance, \$350.00); Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Morroni
 Second - Commissioner Harris
 Vote - 6 – 1 (Commissioner Seel dissenting)

#23 Change Order No. 1 to the Option of Renewal of the agreement with QRC, Inc. for Water and Reclaimed Mains Installation Requirements (rebid) (Projects Nos. 1856 and 1686; Bid No. 056-0908-C) approved increasing the contract by \$827,698.14 for a revised total agreement amount of \$4,693,098.14; Chairman authorized to execute the change order and the Clerk to attest.

Motion - Commissioner Harris
 Second - Commissioner Duncan
 Vote - 7 – 0

#24 Second amendment to the agreement with Langham Consulting Services, Inc. for Consulting Services, Customer Information System (RFP No. 034-911-P) approved providing for scale house software acquisition services (\$64,000.00) and consulting services for the Maximo work management system upgrade (\$172,800.00) for a revised contract total of \$844,800.00; Chairman authorized to sign and the Clerk to attest after proper execution of the amendment by the contractor and written approval as to form by the Office of the County Attorney.

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

#25 Authorization granted for the Clerk to advertise a Notice of Intent to Adopt Proposed Ordinance and Request for Public Comment, re establishment of a countywide inclusionary housing program (Community Development).

Motion - Commissioner Welch
 Second - Commissioner Seel

Noting the importance of the proposed ordinance in addressing the affordable housing issue, Commissioner Duncan requested that public hearing information be disseminated to a larger-than-usual audience in order to engage as many stakeholders as possible; and

Mr. Marquis agreed, noting that there will be a 90-day comment period prior to scheduling of the public hearing.

During discussion and in response to query by Commissioner Seel, Urban Development Manager Bruce Bussey provided an update regarding discussions held to date with the municipalities and various stakeholder groups; whereupon, following a suggestion by Commissioner Seel, Chairman Stewart requested that staff send a letter to each municipality providing information and offering to have a County Commissioner make a presentation to their Commission or Council.

At the request of Chairman Stewart, Mr. Bussey provided information pertaining to developer incentives included under the proposed ordinance.

Vote - 7 - 0

- #26 Resolution No. 08-29 adopted approving Project A7092558605 as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A7092558605 as local participation in the Qualified Target Industry (QTI) Tax Refund Program; tax refund to be paid over a series of fiscal years as determined by the State, with the first payment expected to be requested in fiscal year 2010 (total tax refund of \$102,600.00; no more than 25 percent of the total refund to be taken in any single fiscal year; total contribution of Pinellas County for Project A7092558605 will not exceed \$51,300.00) (Economic Development).

Motion - Commissioner Duncan
Second - Commissioner Welch
Vote - 7 - 0

- #27 Agreement with Ayres Associates, Inc. for consulting services for the Starkey Basin Watershed Evaluation and Management Plan (PID No. 1233) in the amount of \$599,996.25 approved; Chairman authorized to sign the agreement and the Clerk to attest (Environmental Management).

Motion - Commissioner Latvala
Second - Commissioner Duncan
Vote - 7 - 0

- #28 Change in financial assistance services provided by the Department of Health and Human Services (HHS) approved reducing the per-household amount from \$550.00 to \$450.00; change is effective February 25, 2008 for the remainder of Fiscal Year 2008 (Health and Human Services).

Responding to query by Commissioner Welch, HHS Director Maureen A. Freaney indicated that, to date, 24 apartment properties have been identified that will accept the \$450.00 rental amount, down from 65 properties at the \$550.00 level; that a property list will be provided to the Board; that she is comfortable with the quality of the apartments,

but would not recommend a further reduction; and that the reduction is necessary to avoid depleting program funds before the end of the fiscal year. During discussion, Ms. Freaney responded to various queries by the members, and Mr. Marquis and HHS Assistant Director Clifford Smith provided input.

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

#29 Ranking of firms to plan and organize the search process for the position of County Administrator (Contract No. 078-0038-P) approved as follows:

1. The Walter Consulting Group, Inc.
2. The Par Group
3. The Mercer Group

Proposal of Colin Baenziger & Associates rejected as being nonresponsive for not providing a proposal deposit as required by the terms of the request for proposal.

Following input by Mr. Marquis regarding the firm’s qualifications and proposed scope of services, staff was authorized to negotiate an agreement for Board approval with the No. 1 ranked firm, The Walter Consulting Group, Inc. (Unified Personnel System).

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

#30 County Attorney authorized to defend the County’s interest:

- a. U.S. Bank National Association versus Jerome Muetzel, et al. - Circuit Civil Case No. 08-1135-CI-13 – Mortgage Foreclosure Action.
- b. Kenneth J. and Dolores Kania versus Diane Nelson in her capacity as Tax Collector, Pinellas County, Florida; Jim Smith in his capacity as Tax Appraiser, Pinellas County, Florida; Pinellas County, Florida, a Subdivision of the State; Robert B. Stewart, Chairman, Pinellas County Board of Commissioners; Nancy N. Bostick (sic) in her capacity as Chairperson, School Board - United States District Court, Middle District of Florida, Tampa Division Case No. 8:08-cv-00057-T-17TGW - Challenge to the Florida Ad Valorem Tax Structure

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

#31 Authorization granted to advertise a public hearing to be held on March 11, 2008, to consider amending Pinellas County Code Section 46-34 pertaining to court costs and services.

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

- #32 Revised Exhibit “A” to Special Counsel Contract for legal services with Carlton Fields, P.A. for legal consultation in the matter of construction law approved; Lori Y. Baggett added to list of attorneys who provide legal services regarding specialized construction law advice for Pinellas County Public Works.

Motion - Commissioner Morroni
Second - Commissioner Duncan
Vote - 7 - 0

- #33 County Attorney Miscellaneous – None.

- #34 Industrial Land Study Update.

Director of Economic Development Mike Meidel provided background information on the events precipitating the decision to conduct an Industrial Land Study; and, referring to a PowerPoint titled *Industrial Land Study*, a copy of which has been filed and made a part of the record, Pinellas Planning Council (PPC) Executive Director David P. Healey noted that Pinellas by Design identified the need for 50,000 high-wage jobs in the County; that the challenge was to identify sufficient and appropriate land to accommodate these new jobs; and that the study is designed to examine those premises in greater detail and suggest means by which to address them; whereupon, he described the goals of the study and the methodology used, with PPC Program Planner Linda A. Fisher and Planning Manager Larry S. Pflueger providing addition detailed information.

Mr. Healey presented the recommendations of the PPC to address the issues arising from the study, including the integration of conversion review criteria into the Countywide Plan Rules, the establishment of new or revised Countywide Plan categories and processes, and the implementation of expanded financial incentives and programs. He noted that the study will be presented to the PPC for input at its February meeting; and that PPC input, together with the input received from the members today, will be included in a final draft to be brought back in April for the Board’s approval; whereupon, Mr. Meidel related that the ultimate goal of the recommendations outlined by Mr. Healey is to encourage the development necessary to create high-quality jobs as described in the study.

Responding to queries by Commissioner Seel, Mr. Meidel indicated that Pinellas County is the second most intense manufacturing center in Florida, ranking only behind Dade County; and Mr. Healey related that current target industries average a floor area ratio (FAR) of 0.20 to 0.22; that current rules permit 0.50; and that if the industry were to be

located in an office tower rather than a one-story building, there would be an opportunity under the current rules for increased FAR.

In response to queries by Commissioner Welch, Mr. Healey identified the five “prime” areas of industrial concentration; indicated that a detailed map of each prime area is contained in the appendices to the study; and described the process by which increased density could be encouraged and implemented; whereupon, Mr. Meidel related that transit and transportation are critical issues for targeted industry employers and employees; and discussion ensued with input provided by Commissioner Duncan.

During additional discussion and in response to query by Chairman Stewart, Mr. Meidel clarified the financial incentives and programs recommended in the study; and Mr. Healey noted that current incentives could be redirected to meet those objectives.

#35 Upham Beach Renourishment Update.

Referring to a PowerPoint presentation titled *Update on Upham Beach Geotextile T-Groins*, a copy of which has been filed and made a part of the record, Coastal Management Coordinator Nicole A. Elko, Ph.D., provided a summary of the history of coastal management on Upham Beach; explained the reason for using t-groins; described the preliminary performance of the t-groins; and presented a summary of future plans for the area.

Responding to queries by Chairman Stewart, Dr. Elko related that an abundance of data has been collected and examined in order to determine the average performance of the project over time; that the t-groins, which are constructed of geotubes, are not as effective as rocks would be at dampening wave energy, making it unsafe to surf or swim in the area; and that once the structures are replaced with rocks, the unsafe environment will be reduced.

#36 Appointment of Patricia Mason to the Pinellas County Cultural Council to fill an unexpired term ending December 31, 2009, approved.

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

#37 Appointment of Catherine Burke to the Youth Advisory Committee for the term of February 19 through July 31, 2008, approved.

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

- #38 a. Reappointment of Michael S. Farrell to the Board of Directors of the Pinellas Park Water Management District for the term of November 1, 2007 through November 1, 2010, approved.

Motion - Commissioner Morroni
Second - Commissioner Seel

Responding to comments by Commissioner Welch, Commissioner Duncan suggested that the motion be amended to include the appointment of Commissioner Morroni as Liaison to the Pinellas Park Water Management District, and the maker and seconder concurred.

Vote - 7 – 0

- b. Report on Pinellas County’s Moving Ordinance and the impact of proposed State legislation.

Referring to a memorandum dated February 11, 2008, from Assistant County Administrator Elithia V. Stanfield titled *HB 611/SB 530 – Pinellas County Moving Ordinance*, a copy of which has been filed and made a part of the record, Commissioner Morroni suggested that if the legislation is enacted, the Board may wish to consider repealing the ordinance. Following discussion with Senior Assistant County Attorney Carl E. Brody and Chief Consumer Protection Investigator Deborah A. Berry providing additional input, Chairman Stewart noted that the ordinance currently in place is working; and the members concurred.

- c. Commissioner Welch described his experience at the Field of Flags service.
- d. Commissioner Latvala reported on citizens’ requests for ordinances and noted that she will be in Tallahassee on February 20, 2008, re Cross Bar/AL-BAR.
- e. Commissioner Morroni described Bay Pines Health Care System Valentine’s Day program for veterans and invited the members to participate in 2009.
- f. Commissioner Duncan related that the Tampa Bay Area Regional Transportation Authority will report at next week’s work session and has scheduled a public open-house on March 13, 2008, from 5:30 P.M. to 7:30 P.M. at the Holiday Inn on Ulmertown Road in Clearwater; and expressed thanks to Geographic Solutions, Inc. for the employee recruitment program they held for the residents of Pinellas Hope.

- g. Commissioner Harris provided water conservation tip re use of grass clippings as mulch.
- h. Chairman Stewart noted that the Job Corps groundbreaking will be held on February 21, 2008, at 1:00 P.M.

* * * *

At this time, 5:03 P.M., the meeting was recessed and reconvened at 6:30 P.M. with all Commissioners in attendance. Frederick L. Dean, Director, Finance Division, assumed Ms. Harris' place on the dais.

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SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

#39 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 08-30 adopted approving issuance of not to exceed \$3,500,000.00 in Pinellas County Educational Facilities Authority Revenue Bonds on behalf of Veritas Academy, Inc. pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. One letter in opposition to the application has been received. No citizens appeared to be heard.

Interim County Administrator Marquis related that the City of Pinellas Park has delayed action on the zoning change for the property associated with the bond issuance; and that the matter has been rescheduled for hearing on March 14, 2008. He recommended that the Board approve the resolution at this time subject to the zoning change or take public comments and continue the matter until after Pinellas Park has taken action.

Discussion ensued wherein Commissioner Seel noted that a letter in opposition to the issue has been submitted by four neighborhood associations; and that it would be her preference to continue the matter; and the members concurred. Thereupon, Commissioner Seel moved, seconded by Commissioner Duncan, that the public hearing be held at this time and that a decision on the matter be deferred to the meeting of March 18, 2008.

President of the Veritas Academy Board Rick Hermanns appeared and indicated that the City of Pinellas Park voted to continue the matter until the Board of County Commissioners has acted; and that the financing provided by the issuance of the bonds must be in place before the matter can go forward.

Kareem Spratling of Bryant Miller Olive, bond counsel, appeared and indicated that approval of the resolution does not ensure that financing will go forward; that there will

be a meeting with the Educational Facilities Authority (EFA), after which a bond counsel opinion will be executed allowing the financing to take place; that the financing cannot take place until evidence is presented that the rezoning has been approved; that it is his understanding that 40 percent of the proceeds will be used for rehabilitation of the building; that the County is merely the conduit for the financing; and that no legal ramifications would occur as a result of the Board's actions; whereupon, Mr. Hermanns addressed the issues raised in the letter from the neighborhood associations; and indicated that the Academy will hold a public meeting on the matter in the near future.

Responding to query by Chairman Stewart, Managing Assistant County Attorney Dennis R. Long explained the procedure used by the EFA in connection with the issuance of its bonds; and confirmed that if the Board does not take action today, Pinellas Park is not likely to move forward with the required rezoning and the financing will not take place.

During additional discussion and at the suggestion of Commissioner Welch, Commissioner Seel amended her motion to reflect approval of the resolution contingent upon the change in zoning designation by the City of Pinellas Park, and the seconder concurred.

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

#40a Resolution No. 08-31 adopted approving amendments to the Tangerine Avenue Community Redevelopment Plan for the City of St. Petersburg pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of St. Petersburg; 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 Duncan
Second	-	Commissioner Welch
Vote	-	7 – 0

#40b Resolution No. 08-32 adopted approving amendments to the Dome Industrial Park Pilot Project Community Redevelopment Plan for the City of St. Petersburg pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of St. Petersburg; 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 Duncan
Second	-	Commissioner Latvala
Vote	-	7 – 0

#40c Resolution No. 08-33 adopted approving amendments to the 16th Street South Commercial Revitalization Project Plan for the City of St. Petersburg pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of St. Petersburg; 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 Duncan
Vote - 7 – 0

#40d Resolution No. 08-34 adopted approving amendments to the Bayboro Harbor Redevelopment Plan for the City of St. Petersburg pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of St. Petersburg; 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.

In response to queries by Commissioners Seel and Welch, Economic Development Coordinator for the City of St. Petersburg Rick Smith confirmed that no changes have been made to the Tax Increment Financing (TIF) district projects; and that the projections have been revised in order to provide fiscal assessment.

Motion - Commissioner Duncan
Second - Commissioner Harris
Vote - 7 – 0

#40e Resolution No. 08-35 adopted approving amendments to the Intown Redevelopment Plan for the City of St. Petersburg pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of St. Petersburg; 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 Seel
Second - Commissioner Duncan
Vote - 7 – 0

#40f Resolution No. 08-36 adopted approving amendments to the Intown West Redevelopment Plan for the City of St. Petersburg pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, delegating specific redevelopment powers to the City of St. Petersburg; 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 Duncan

Responding to queries by Commissioner Welch and Interim County Attorney Bennett, Economic Development Director for the City of St. Petersburg David Goodwin related that the litigation regarding the use of TIF revenues is still in process; that if the court finds that the revenues have been bonded, then a countywide referendum may be required; and that the revenues have not been validated; whereupon Mr. Bennett explained the validation process.

Second - Commissioner Welch
 Vote - 7 – 0

- #41 Ordinance No. 08-11 adopted establishing a Pinellas County Countywide Historic Preservation Program; providing for declaration of historic preservation as a public policy; providing for the benefits of historic preservation; providing for local historic preservation programs for the County and municipalities; providing for implementation of a historic preservation program; providing for severability; providing for other modifications that may arise from review of the ordinance at the public hearings and with responsible authorities; and providing for the filing of the ordinance and for an effective date. No correspondence has been received. No citizens appeared to be heard.

Commissioner Seel provided a document titled *Historic Preservation in Pinellas County*, a copy of which has been filed and made a part of the record; noted that this ordinance sets the course for the County’s plan to move ahead in historic preservation; and expressed her appreciation for the hard work of the task force members.

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

- #42a Application of Sunshine Property Partners, LLC granted for an amendment of a previously approved conditional use request to allow specialized light industrial uses (medical manufacturing of cardiac leads) in a commercial zoning district and to allow expansion of the existing building and a two-story, 40,000-square foot additional building, re a parcel of land containing approximately seven acres located on the southwest corner of Klosterman Road and Palm Harbor Boulevard (U.S. Highway Alternate 19), Palm Harbor (CU-1-12-07). Staff recommends approval of the application. No correspondence has been received. No citizens appeared to be heard.

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

- #42b Resolution No. 08-37 adopted approving the application of 1515 Lakeview Road, LLC and Blue Harbor Holdings, LLC for a change of zoning from R-3, Single Family Residential to P-1, General Professional Offices; Ordinance No. 08-12 adopted allowing a change in land use designation from Residential Low to Residential/Office-General, subject to further review and approval by the Pinellas Planning Council and Countywide

Planning Authority, re a parcel of land containing approximately 0.2 acre located on the south side of Lakeview Road, 360 feet east of South Highland Avenue (street address: 1515 Lakeview Road, Clearwater) (Z/LU-3-12-07). Staff recommends approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Responding to query by Commissioner Harris, Interim County Administrator Marquis noted that by approval of the application, one additional lot would be added to an existing office development; and Zoning Program Manager John F. Cueva provided information with respect to uses in the neighborhood and zoning designations of properties surrounding the subject parcel.

Motion	-	Commissioner Duncan
Second	-	Commissioner Seel
Vote	-	6 – 1 (Commissioner Harris dissenting)

- #42c Ordinance No. 08-13 adopted approving the application of Tristar-FS, LLC through E. D. Armstrong, III and Ethel Hammer for a change in land use designation from Commercial Recreation to Residential Low (Parcel A), a Development Agreement to include Parcels B and C, extinguish development rights on certain defined portions of the applicant-owned property, allow for density averaging of residentially-designated property under unified control of the applicant, and allow development of 71 multi-family units and four six-story buildings with a building height of 74 feet from finish floor required elevation; a special exception to allow overflow and shared parking serving the golf course and the proposed development; and variances to decrease the minimum setback requirement for the golf course clubhouse structure to that of a residential structure from 150 to 50 feet and the minimum separation requirement for principal structures from 34.5 to 17.5 feet subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re three parcels of land containing approximately 14.3 acres located on the north side of Feather Sound Drive (street address: 2201 Feather Sound Drive) (LU-4-12-07). Staff recommends approval of the application based on the Local Planning Agency Report. Seven e-mail messages in support of and one e-mail message in opposition to the application have been received.

Zoning Program Manager John F. Cueva referred to an aerial photograph and land use map and pointed out the subject parcels. He identified uses in the neighborhood, reviewed surrounding zoning designations, and provided information relative to the Development Agreement, special exception, and variances, noting that the setback variances are internal to the project.

Mr. Armstrong provided background information relative to the application; submitted six additional letters in support of the application, together with a document titled *Feather Sound Meeting Information for Phase II*, all of which have been filed and made a

part of the record; noted that a number of people in support of the project are in attendance; and requested that these individuals stand and be acknowledged.

Referring to an aerial map and graphics, Ms. Hammer pointed out the location and described the current land use categories of the subject parcels. Ms. Hammer noted that the project will encompass the construction of four buildings housing 71 condominium units; that the units will be compatible with the existing residential mix; and, referring to the concept plan, noted that the clubhouse will be rebuilt to the west of its current location; and that parking will be greatly increased.

Ms. Hammer noted that the special exception requested for parking will enable the spaces to be shared between the residential and clubhouse components; related that the number of parking spaces provided will be approximately twice the number required under the Code; provided a brief summary of the requested variances which are internal to the site and have no effect on external property owners; and confirmed that all new construction will be more than 150 feet from any existing residential structures.

Responding to query by Commissioner Seel, Ms. Hammer confirmed that there are currently 205 parking spaces at the existing clubhouse; and indicated that the number of spaces will be more than doubled when the project is completed.

Responding to the Chairman's request for individuals wishing to be heard in support of the applications, the following persons appeared:

Renee Rood, Tampa
W. Fred Petty, Clearwater
Jack Rice, Clearwater
John Purcell, Clearwater
Lee Madenberg, Clearwater
Jenna Wells, Clearwater
Patrick Keller, Clearwater
Gene Strite, Clearwater
Marianne Bender, Clearwater
Douglas Bender, Clearwater
Walter Surprenant, Clearwater

* * * *

Later in the meeting, Dr. Jerry Sewell, Clearwater, confirmed his support for the application

* * * *

Responding to the Chairman's request for individuals with concerns, the following persons appeared:

Joyce Sewell, Clearwater
Diane Clemmons, Clearwater

In response to the concerns, Ms. Hammer reiterated that the setback from the clubhouse will be a minimum of 150 feet from the existing residential structures; whereupon, following discussion with input provided by Commissioners Duncan and Seel, Mr. Cueva confirmed that the Code requires a distance setback of at least 150 feet from the proposed clubhouse to the nearest residential boundary line of the platted subdivision.

Responding to query by Chairman Stewart, Ms. Hammer confirmed that the applicant will meet the Code requirement; and that it is not asking for a variance with respect to the distance from the clubhouse to the existing residences to the west; whereupon, following additional discussion, Commissioner Seel explained that the variance for a distance setback referenced in the Development Agreement relates to the setback between the clubhouse and the new units to be constructed; and that this setback is internal to the project.

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

- #42d Resolution No. 08-38 adopted approving the application of Mary Brettner through Dan Porter, Representative, for a change of zoning from E-1, Estate Residential to R-R, Rural Residential, re three parcels of land containing approximately four acres located on the northeast corner of Oakhurst Road and 74th Avenue North (street address: 7450 Oakhurst Road, Seminole) (Z-2-12-07). Staff recommends approval of the application based on the Local Planning Agency report. Seven e-mail messages in opposition to the application have been received.

Zoning Program Manager John F. Cueva referred to an aerial photograph and land use map and pointed out the subject parcel. He identified uses in the neighborhood, reviewed surrounding zoning designations, and noted that staff recommends approval of the application.

James C. Brock, Jr., Seminole, indicated that the request for a change of zoning to Rural Residential is conservative and will not be disruptive to the neighborhood; and that the principals wish to maintain the property in an estate-style arena; whereupon Jack Buns, Largo, related that deed restrictions limiting subdivision of the parcels have been put in place.

February 19, 2008

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

Hector Corzo, Seminole
Harriet Andries, Pinellas Park
Zoila Corzo, Seminole
Jacqueline Gallagher, Pinellas Park

Responding to query by Commissioner Seel, Mr. Cueva confirmed that the current zoning designation allows four homes to be built on these parcels; and that if the application is approved, the building of ten homes would be permitted, although the parcels have been surveyed and platted for seven lots.

Referring to the comments by the objectors, Commissioner Seel noted that staff follows Board policy in making recommendations; and that there is no shortcut when it comes to applications for changes in zoning or land use designations.

Motion	-	Commissioner Seel
Second	-	Commissioner Duncan
Vote	-	7 - 0

CITIZENS TO BE HEARD

Hamilton Hanson, St. Petersburg, re Budgets.
Mark P. Klutho, Largo, re Stupidity, Waste.

#43 Meeting adjourned at 8:06 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By: _____
Deputy Clerk