

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, JUNE 17, 2008 – 3:04 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; Dennis R. Long, Managing Assistant County Attorney; Frederick L. Dean, Director, Finance Division; and MaryAnn Penhale and Arlene Smitke, Deputy Clerks.

INVOCATION: Reverend Glad McCurtin, St. John’s Episcopal Church, Clearwater.

PLEDGE OF ALLEGIANCE: Assistant County Administrator Mark S. Woodard.

PRESENTATIONS AND AWARDS

1. Recognition of retiring Deputy Clerk Linda R. Reed, Manager of Board Records.
2. Presentation recognizing the Law Day Poster Exhibition and contest, sponsored by the Clearwater Bar Association.
3. Youth Advisory Committee presentation by Christine Ochsner, Chairman.

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Deviating from the agenda, Chairman Stewart indicated that the following items would be addressed at this time.

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Sheriff James F. Coats conducted a PowerPoint presentation titled *Requested Update to the BCC on Status of Sheriff’s Budget*, a copy of which has been filed and made a part of the record, and related that due to position eliminations, there are 74 more deputies than authorized positions for Fiscal Year 2008-2009; and that the layoff process has started as of yesterday; whereupon, he discussed and responded to queries from the members regarding the following programs and the additional amounts needed from the Board of County Commissioners:

- ▶ Sexual Predator and Offender Tracking (SPOT) – \$37,000.00
- ▶ Pinellas Juvenile Assessment Center (PJAC) - \$283,198.00

- ▶ Central Breath Testing - \$87,115.00
- ▶ Selective Traffic Enforcement Program (DUI and Traffic) - \$551,061.00
- ▶ Community Policing Deputies - \$73,280.00
- ▶ Youth Services Unit - \$535,569.00
- ▶ Project New Attitudes (PNA) Project Success - \$800,000.00
- ▶ On-Track Program (replaced Weekend Boot Camp for Juveniles) - \$171,413.00
- ▶ Homeless Outreach Project (administered by Public Defender) - \$125,000.00

He outlined areas of implemented personnel and program reductions and related that the budget includes a wage freeze for employees in Fiscal Year 2008-2009.

Chairman Stewart referred to the amount of \$2,700,000.00 requested for the subject programs; whereupon, discussion ensued regarding public safety and related matters, with additional input provided by Chief Deputy Robert Gualtieri regarding the number of layoffs. Responding to queries by the members, Sheriff Coats discussed grant funding, prioritizing programs, the feasibility of a millage increase, the possible consideration of consolidating various departments, and other related matters. Mr. Marquis referred to the projected target of 97 percent for Fiscal Year 2008 that has been met by other departments and the Constitutional Officers; and in response to his query, Sheriff Coats indicated that he would be willing to take another look at whether a target of 98 percent could be achieved; whereupon, he responded to additional queries by the members and discussed proposed staffing reductions, the need to provide public safety, and the importance of various programs.

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Chairman Stewart referred to discussion at a previous meeting regarding the matter of whether to reconsider a request to provide funds in the amount of \$969,000.00 for Project Hope, which represents 70 percent of the social services portion of the anticipated budget for next year's Project Hope; whereupon, Commissioner Welch indicated that he would like to discuss the issue today; and no objections were noted.

Responding to queries by Commissioner Welch, Catholic Charities President Frank Murphy provided input regarding the budget for Pinellas Hope, the amount requested from the County, a commitment of participation received from the City of St. Petersburg, and the current operation of the project on a summer schedule; whereupon, Commissioner Welch suggested the possibility of using monies in the Housing Trust Fund over a four-year period. Discussion ensued, with input provided by Commissioner Latvala and Mr. Murphy. Responding to query by Commissioner Latvala, Health and Human Services Bureau Director Maureen A. Freaney indicated that July 15, 2008 is the target date for the receipt of the University of South Florida (USF) report. Following further discussion, with additional input from Chairman Stewart, Mr. Marquis, and Mr. Murphy, Commissioner Seel stated that she would like to see the USF report before making any decision; and Chairman Stewart noted that no definitive action is being taken

today; that the Board has expressed a willingness to participate as a partner in the project; and that the level of participation has not yet been determined.

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State Representative Daryl Rouson expressed his support for the programs discussed by Sheriff Coats, especially Project New Attitudes and Project Success.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 14 – APPROVED, WITH THE EXCEPTION OF ITEM NO. 6, WHICH WAS TEMPORARILY DEFERRED

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

1 Minutes of regular meeting of May 6, 2008.

2 Reports received for filing:

- a. Pinellas County Quarterly Donation Listing of \$500 and Greater for the period January 1 through March 31, 2008.
- b. Gulfcoast Legal Services, Inc., St. Petersburg, Florida, Audited Financial Statements and Supplementary Schedules (together with Independent Auditors' Report) for the Fiscal Year ended December 31, 2007.
- c. City of Largo Ability to Serve Report re 130th Avenue and Starkey Road Area Annexation.
- d. City of Tarpon Springs Ability to Serve Report for the St. Petersburg College Olympia Building and Surrounding Property Annexation dated May 13, 2008 and Revised Ability to Serve Report for the St. Petersburg College Olympia Building and Surrounding Property Voluntary Annexation dated May 20, 2008; public hearing to be held July 1, 2008.
- e. City of Tarpon Springs Pinellas County Fire Services Agreement, dated September 30, 2007.

3 Vouchers and Bills Paid - Period of April 28, 2008 through May 16, 2008:

Payroll Journal Expenditures

- Payroll Journal page numbers 1 through 2551 (period April 28 through May 2)
- Payroll Journal page numbers 1 through 2551 (period May 5 through May 8)
- Payroll Journal page numbers 1 through 2547 (period May 12 through May 16)
- Payroll checks numbered 556494 through 556959

Imprest Fund Expenditures

- Manual check numbered 751493
- System checks numbered 924385 through 926587

ACH Transfers numbered 215 through 358

Wire Transfers numbered 010612 through 010628

- # 4 Miscellaneous items received for filing:
 - a. Pinellas County Public Works Public Hearing Notice re improvements to Bryan Dairy Road from east of Starkey Road to 72nd Street North held June 12, 2008.
 - b. City of Safety Harbor Ordinance No. 2008-08 adopted May 19, 2008, annexing certain property.
 - c. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 7 dated April 17, 2008, and financial statement for the month of March 2008.

- # 5 Plats, Guarantees, Sureties, and Agreements:
 - Kotchman Estates Subdivision – completion surety funds released.
 - Westin Innisbrook Parcel “F” – Bee Pond Road – completion surety funds released.

- # 6 See Agenda Item No. 15.

- # 7 Sole source purchase of wireless in-pavement vehicle detectors manufactured by Sensys Networks – Public Works Transportation Division from Temple, Inc. (Contract No. 078-0399-SS) approved; 24-month contract with one 12-month option, for a total estimated annual expenditure not to exceed \$800,000.00 (estimated 24-month expenditure not to exceed \$1,600,000.00); option of renewal includes a price adjustment in an amount not to exceed the average of the Consumer Prices Index for the first 12 months prior to renewal, or five percent, whichever is less, will be allowed upon vendor’s request.

- # 8 Change Order No. 1 to the agreement with Johnson Bros.-Misener Marine, a Joint Venture, for Belleair Beach Causeway Bridge replacements approved (Bid No. 056-0791-C; PID Nos. 922142 and 1212); Chairman authorized to sign and the Clerk to attest.

- # 9 Award of bid to General Chemical Performance Products LLC for chemicals – aluminum sulfate approved, for a total estimated annual expenditure not to exceed \$341,031.60, on the basis of being the lowest responsive, responsible bid received (Bid No. 078-0359-B).

- #10 Ranking of firms for consultant selection, Independent Consulting Engineering Services – Solid Waste Landfill and other related ancillary facilities approved as follows:
 - 1. Camp Dresser & McKee Inc.
 - 2. Jones, Edmunds & Associates, Inc.
 - 3. HDR Engineering, Inc.
 - 4. Stearns, Conrad and Schmidt, Consulting Engineers, Inc.

Staff authorized to negotiate an agreement for Board approval with the number one ranked firm, Camp Dresser & McKee Inc.

#11 Change Order No. 2 to the agreement with DCR Engineering Services, Inc. for equipment, Motorola supervisory control and data acquisition (MOSCADA), Remote Terminal Unit (RTU) (Contract No. 056-0274-B) approved, increasing the contract by \$32,772.00 (estimated total expenditure not to exceed \$2,244,970.62).

#12 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Airport	Non-Tenant Rental Car Business Permit with DTG Operations, Inc., d/b/a Dollar Rent A Car, for Continued Operation of Car Rental Services	\$40,000.00 estimated annual revenue for 3 years	5.29.08
Airport	Permit for Commercial Operations In-Flight Food Service with Jerry's of Tampa Bay, Inc. for Use of Facilities	\$55,837.08 revenue from outstanding concession fees, plus \$12,000.00 additional estimated annual revenue	5.8.08
Communications	Option of Renewal with WTSP-TV 10 (CBS) for Use of Central Production Studios during a Natural Disaster	\$2,400.00 estimated revenue per 24-hour term	5.5.08
Community Development	Satisfaction of Mortgage with Charlene M. Blevins	Lien is paid in full.	5.20.08
Community Development	(a) Satisfactions of Mortgage with: Dario Mejia; Betty Schott; and Wendy M. Young; and (b) Releases of Lien with Contemporary Housing Alternatives of Florida, Inc. (2)	(a-b) All liens are paid in full.	4.29.08
Community Development	Ratification of Subordination Agreement with Opimian Group, Inc.	N/A	4.10.08
Community Development	Release of Lien with Alberta L. Ford, f/k/a Alberta Evans, and Charley E. Ford	Lien is paid in full.	4.7.08
Community Development	Satisfaction of Mortgage with Gene M. and Velda Mae Fitzgerald	Lien is paid in full.	4.3.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Community Development	Release of Lien with Richard L. and Mary Anne Smith	Lien is paid in full.	3.26.08
Community Development	Satisfaction of Mortgage with Bonita A. Peitzsch	Lien is paid in full.	3.14.08
Community Development	Satisfactions of Mortgage with Michael D. and Jordana S. Marzano; and Margaret Elder	All liens are paid in full.	2.27.08
Community Development	Satisfaction of Mortgage with John J. and Lynn L. Hannon	Lien is paid in full.	2.20.08
Community Development	Release of Lien with Leona M. Nottoli	Lien is paid in full.	2.12.08
Community Development	Satisfactions of Mortgage with: (a) Deaf and Hearing Connection for Tampa Bay, Inc., f/k/a Friends of Deaf Service Center of Pinellas, Inc.; and (b) Friends of Deaf Service Center of Pinellas, Inc.	(a-b) All liens are paid in full.	2.8.08
Community Development	Satisfaction of Mortgage with Beatrice Flaherty	Lien is paid in full.	2.6.08
Community Development	Release of Lien with Robert C. and Erika M. Lumsden	Lien is paid in full.	2.1.08
Community Development	Satisfaction of Mortgage with Valerie F. Hornbeck	Lien is paid in full.	1.31.08
Community Development	Satisfaction of Mortgage with Antonia R. Belanger, n/k/a Antonia R. Shelby	Lien is paid in full.	1.28.08
Community Development	Satisfaction of Mortgage with Mirjana Vujicic	Lien is paid in full.	1.16.08
Community Development	Satisfaction of Mortgage with Renna Bell Mustipher, a/k/a Renia Bell Mustipher	Lien is paid in full.	1.15.08
Community Development	Subordination Agreement with Steven G. and Susan V. Franks and SunTrust Mortgage, Inc.	\$78,000.00	12.6.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Community Development	Satisfaction of Mortgage with Doris L. Kirkland	Lien is paid in full.	11.20.07
Community Development	Satisfaction of Deferred Mortgage with Doris D. Clapper	Lien is paid in full.	11.9.07
Community Development	(a) Satisfaction of Mortgage with Mary Ann Bliss; and (b) Release of Lien with Felecia Nicole Johnson	(a-b) Lien is paid in full.	11.7.07
County Administrator	Interlocal Agreement with the City of St. Petersburg for Investigation of Housing Complaints by the Pinellas County Office of Human Rights	\$20,000.00 revenue	5.30.08
Culture, Education and Leisure	Fourth Amendment to Grant Funding Agreement with Pinellas NBL Parents Council, Inc. for Relocation of St. Pete BMX Track	N/A – time only	6.4.08
Culture, Education, and Leisure	Cultural Development Grant Agreement with Panama Canal Museum, Inc. for the 2007-2008 Cycle 2 Individual Artist Grant Program	\$3,700.00	5.30.08
Culture, Education, and Leisure	First Amendment to Grant Funding Agreement with East Lake Youth Sports Association, Inc. for Expansion of East Lake Youth Sports Complex	N/A – change in scope and time extension	5.1.08
Culture, Education, and Leisure	Concession License Agreement with South Marine, LLC for Pilot Bait House Concession Operation at Sutherland Bayou Boat Ramp	\$5,000.00 estimated annual revenue	4.29.08
Culture, Education, and Leisure	Grant Application with the Florida Fish and Wildlife Conservation Commission, Florida Boating Improvement Program for Replacement of Boat Launching Facilities at Belleair Boat Ramp Park	\$378,026.40 requested funds, plus \$1,545,325.39 County cash match, plus \$60,775.80 County in-kind match	4.3.08

June 17, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Emergency Medical Services (EMS) and Fire Administration	Mark Renewal Application with the Florida Department of State for SUNSTAR Service	\$96.25 filing and renewal fees	6.2.08
EMS and Fire Administration	Agreement with Werfel & Werfel, PLLC for EMS Billing Consultation Services	\$18,000.00	5.22.08
EMS and Fire Administration	First Responder Agreement with Eckerd College, Inc. for Maritime Basic Life Support First Responder Services	\$10,000.00 for fiscal year (FY) 2008, plus \$30,000.00 annually with 3-percent or Consumer Price Index increase, up to 5-percent annual increase through FY 2013	5.16.08
Environmental Management	(a) Amendment No. 1 to Interlocal Agreement with the City of Treasure Island for Construction of New Dune Walkover at Public Beach Access Site; and (b) Interlocal Agreement with the Town of Redington Shores for Construction of New Dune Walkovers at Public Beach Access Sites	(a) N/A – time only; and (b) \$25,000.00, plus \$25,000.00 State match	5.22.08
Environmental Management	Cooperative Agreement with U.S. Environmental Protection Agency (EPA) for Particulate Matter Ambient Monitoring Network	\$41,286.00 grant revenue, plus \$48,714.00 EPA in-kind services match	5.8.08
Environmental Management	Assistance Amendment No. 1 with EPA for Air Pollution Control Program	\$126,576.00 additional grant revenue, and \$96.00 EPA in-kind services reduction	5.6.08
Environmental Management	Donation Agreement with Free Family Foundation for Brooker Creek Preserve Environmental Education Center	\$20,000.00 revenue	5.1.08

June 17, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Environmental Management	Interlocal Agreement with the University of South Florida, Department of Geology, Coastal Research Laboratory for Modeling Coastal Processes at John's Pass and Blind Pass and Adjacent Beaches	\$82,735.00	4.29.08
Health and Human Services	Standard Contract with Area Agency on Aging of Pasco – Pinellas, Inc. for Emergency Home Energy Assistance Program for the Elderly	N/A	5.12.08
Health and Human Services	MedNet Agreement with Suncoast Health Council, Inc. for Drug Patient Assistance Program for Residents for Free Prescription Medications from Pharmaceutical Manufacturers, Retroactive to April 13, 2008	\$60,000.00	4.21.08
Justice & Consumer Services	Grant Application and Award Continuation Sheet with U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for Address Verification Project/SMART Office Support for Adam Walsh Act Implementation	\$256,452.00 grant revenue, plus \$64,113.00 (25%) Sheriff in-kind salary match	5.15.08
Public Works	Pinellas County Temporary Waiver with Old Palm Harbor Main Street, Inc. for First Friday Block Party	N/A	5.1.08
Real Estate Management	License Agreement with BRE/Clearwater Owner L.L.C., d/b/a Hilton Clearwater Beach Resort, for Use of the Northwest Parking Garage	\$750.00 revenue	5.21.08
Real Estate Management	License for Extended Stay After Closing for the Keystone Road, U.S. 19 North to East Lake Road Improvement Project with: (a) Thomas F. Magnee; and (b) Bonnie G. Reynolds; and Access License with A2L Technologies, Inc. for Temporary Ingress/Egress Access to County-Owned Property for Installation, Maintenance, and Monitoring of Soil and Groundwater Wells	N/A; and N/A; 1-year term with four additional, 1-year terms	5.14.08

June 17, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Real Estate Management	General Utility Easement with Bayou Golf, LLC for Replacement and Maintenance of Pump Station No. 2 and Reconstruction of Golf Cart Parking Area	N/A	5.12.08
Real Estate Management	License Agreements with the Church of Scientology Flag Service Organization, Inc. for: (a) Use of a Parking Lot as a Staging Area During Building Renovation; and (b) Temporary Ingress/Egress Access to Church-Owned Property via County-Owned Property	(a-b) N/A	5.7.08
Real Estate Management	First Amendment to Management Agreement with Officer James E. Manson, Jr. for Improvements to a County-Owned Residence at Alligator Lake	N/A; Two 3-year options of renewal	5.5.08
Real Estate Management	Second Amendment to License Agreement with Land Trust Services Corporation for a Post-Storm Animal Collection Site	\$100.00 reimbursement of attorney fees; \$1,000.00 estimated monthly expense during occupancy and use	5.1.08
Utilities	First Amendment to Agreement with Southwest Florida Water Management District for Pinellas County PILOT Industrial, Commercial, and Institutional Water Conservation Project	N/A	4.21.08

#13 Resolution No. 08-91 adopted appropriating earmarked receipts for a particular purpose in the Fiscal Year 2008 General Fund for the Tampa Bay Estuary Program Grant for the Department of Culture, Education, and Leisure (Management and Budget).

#14 Termination of a portion of a utility easement by general release for vacant property located at 122nd Avenue North and Seminole Boulevard approved; Chairman authorized to sign and the Clerk to attest (Real Estate Management).

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

6 Approval of the ranking of firms and authorization for staff to negotiate with the top eight ranked firms for Advanced Traffic Management System/Intelligent Transportation System traffic engineering consulting services temporarily deferred.

REGULAR AGENDA

#16 Authorization granted to advertise a public hearing to be held July 22, 2008 regarding the FY 2008-2009 Pinellas County Consortium's Action Plan for community planning and development programs to be funded with federal grant funds (Community Development).

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

#17 Authorization granted to advertise a public hearing to be held on July 22, 2008 regarding a proposed amendment to Ordinance No. 93-30, State Housing Initiatives Partnership (SHIP) Program (Community Development).

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

#18 Recommendations from the Tourist Development Council (TDC) to issue the following special event marketing grants for Fiscal Year 2009 approved: Albert Whitted Airfest, Inc. for \$80,000.00; Beach Charities, Inc. for \$30,775.00; Clearwater Jazz Holiday, Inc. for \$55,000.00; City of Clearwater for \$50,000.00; First Night St. Petersburg, Inc. for \$25,000.00; Le Italo-American Di Oggi, Inc. for \$40,000.00; St. Petersburg Clearwater Film Society, Inc. for \$30,000.00; Tampa Bay Beaches Chamber of Commerce for \$75,000.00; City of Tarpon Springs for \$66,300.00; and two grants to the Upper Tampa Bay Regional Chamber of Commerce for \$20,000.00 and for \$15,000.00; \$31,000.00 approved by the TDC for Old Palm Harbor Main Street, Inc. approved to be returned to the advertising budget based upon the withdrawal of the grant request (Convention & Visitors Bureau).

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

#19 Recommendations from the Cultural Tourism Grants Panel approved for Fiscal Year 2009 Cultural Tourism Grants to 17 arts and cultural organizations as delineated in the document titled *2008-2009 Cultural Tourism Grant Recommendations*, a copy of which has been filed and made a part of the record, in the total amount of \$750,000.00 (Culture, Education, and Leisure).

Motion	-	Commissioner Harris
Second	-	Commissioner Morrone
Vote	-	7 - 0

#20 Resolution approving Project A7110961090 as a qualified applicant for the Qualified Target Industry Tax Refund Program temporarily deferred. Mr. Marquis indicated that the applicant had notified staff regarding increasing its commitment to employment; and that the item will be revisited as soon as possible; and no objections were noted (Economic Development).

#21 Resolution No. 08-92 adopted authorizing an Economic Development Grant establishing a commitment of up to \$1,275,000.00 to Project No. A7110961090 to retain an expanding business enterprise in Pinellas County, Florida subject to further approvals and providing an effective date (Economic Development).

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

#22 Resolution No. 08-93 adopted amending the Countywide Sponsorship Policy approved in Resolution No. 05-152 (Management and Budget).

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

#23 Mr. Marquis announced that a public hearing by the Local Planning Agency (LPA) will be held on July 1, 2008 at 5:00 P.M. at the Largo City Hall Community Room, 201 Highland Avenue, Largo, regarding the designation of the Clearwater/Largo Road Community Redevelopment District (CRD), the West Bay CRD, a commercial corridor of Missouri Avenue, and a supplementary area which consists of parcels owned by the City of Largo, as a Brownfield area; that the Board of County Commissioners will consider the matter at its meeting of August 5, 2008; and that the designation would allow the County to offer economic incentives to encourage redevelopment of the area.

#24 County Attorney authorized to defend the County's interest:

- a. Robert Ferguson versus Pinellas County, a Political Subdivision - Circuit Civil Case No. 08-006361-CI-015 – Allegations of Personal Injuries.
- b. Gibbs-Trevena, Inc. versus CAM Industries, LLC, Onyx Waste Services Southeast, Inc., Bank of America, N.A., and Pinellas County - Circuit Civil Case No. 06-000048CI-13 – Allegations of Non-Payment Involving a Claim Against a Public Work Bond.

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

- #25 Amendment and restatement of Nationwide Retirement Solutions, Inc. §457 Deferred Compensation Plan for Public Employees approved allowing for loans to participants and changes to the investment options; Chairman authorized to sign the Plan Amendment, the Administrative Services Agreement, and the Participant Loan Administrative Procedures, and the Clerk to attest.

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

- #26 Amended Tolling Agreement with L. Robert Kimball & Associates, Inc., effective October 5, 2007, approved adding clarification language as to the tolling time period in connection with the Pinellas County Jail Expansion, Phase II, Health Care Facility project.

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

- #27 County Attorney Miscellaneous - None.

- #28 Resolution No. 08-94 adopted approving the issuance by the Housing Finance Authority of Pinellas County of its Multifamily Housing Revenue Bonds, Series 2008, in the aggregate amount not to exceed \$12,500,000.00 to provide funds to finance the multifamily residential rental housing projects for the benefit of Booker Creek Apartments, Ltd., a Florida limited partnership, or its affiliate. No correspondence has been received. No citizens appeared to be heard.

Mr. Marquis noted a scrivener's error in the agenda and clarified that the project name is Booker Creek Apartments, Ltd.

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

- #29 Assistant County Administrator Elithia V. Stanfield provided a brief report regarding the appraisal process for the sale of the Cross Bar/AL-BAR Ranch properties to Pasco County and the State of Florida. She explained the Department of Environmental Protection's process for acquiring property, which utilizes private-sector appraisers from a pre-approved list, as well as a review appraiser to ensure the use of correct and comparable data; whereupon, she suggested that the County select an appraiser from the state-approved list who will be familiar with the process and can provide advice during the negotiation process.

Responding to query by Commissioner Seel, Ms. Stanfield indicated that the Governor has signed the budget, but all bills have not yet been signed; and that she will provide more information as it becomes available.

#30 Thomas C. McKone III appointed to the East Lake Community Library Advisory Board for the term of October 1, 2007 through December 31, 2009.

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

#31 County Commission Miscellaneous:

a. Commissioner Duncan reported on the Tampa Bay Area Regional Transportation Authority board members' tour of regional transit facilities in Charlotte, Dallas, and Denver.

b. Commissioner Seel acknowledged donation by the Free Family Foundation to the Brooker Creek Preserve.

c. Commissioner Morroni requested direction from the Board re updating Recreational Vehicle codes to reflect current industry standards; staff directed to prepare updated ordinance.

reported on Area Agency for Aging initiative re Silver Alert for missing Alzheimer's patients.

provided update on first meeting of task force re Bayway toll issue.

d. Commissioner Harris offered a water conservation tip re sprinkler system use; assured citizens of Pinellas County Utilities' water quality and cautioned against needless water testing by private companies.

e. Chairman Stewart provided update on Tourist Development Council's (TDC) consideration of request by Tampa Bay Rays re continuation of fourth cent tax for debt reduction; TDC work session to be held on July 8, with action expected at its July 9 meeting. Following discussion, Board reached consensus to deal with the issue at the August 5 Board of County Commissioners meeting.

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At this time, 5:20 P.M., the meeting was recessed and reconvened at 6:30 P.M. with all members in attendance.

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

COUNTYWIDE PLANNING AUTHORITY PUBLIC HEARINGS

#32a Ordinance No. 08-33 adopted approving Case No. CW 08-23, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Industrial Limited to Commercial General, re 19.0 acres m.o.l. located at 1500, 1510, 1520, 1530, 1540, 1550, 1560, 1570, 1580, 1590, 1600, 1610, and 1620 McMullen Booth Road (regular amendment). The Pinellas Planning Council recommended approval of the proposed amendment subject to the following conditions, and staff concurred.

1. An evaluation by the City of Clearwater of any future development of the site regarding traffic impacts pursuant to the City's Concurrency Management System.
2. The City give special consideration to the improvement of the site with respect to the buffering and landscape guidelines of the Scenic/Non-Commercial Corridor Master Plan.

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

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

#32b Case No. CW 08-24, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Suburban to Residential Low and Institutional, re 4.5 acres m.o.l. located at 3280 and 3290 McMullen Booth Road temporarily deferred to the meeting of July 22, 2008. The Pinellas Planning Council recommended conditional approval of the proposed amendment; however, staff recommended a continuance to allow the City to complete its annexation of a one-half acre portion of the property. No correspondence has been received. No citizens appeared to be heard.

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

#32c Ordinance No. 08-34 adopted approving Case No. CW 08-25, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Planned Redevelopment – Mixed Use to Planned Redevelopment – Residential, re 0.2 acre m.o.l. located at 2301 3rd Avenue South (regular amendment). The Pinellas Planning Council recommended approval of the proposed amendment subject to the following condition, and staff concurred.

The City of St. Petersburg shall submit a modified infrastructure analysis by September 30, 2008, indicating

the cumulative impacts expected from incremental Countywide Plan Map amendments to the Vision 2020 Special Area Plan, and updating all other relevant portions of the Special Area Plan, including but not limited to maps, acreage calculations, and other relevant analysis and discussion.

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

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

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

#33 Resolution No. 08-95 adopted granting petition of Brian L. Anderson and Adriana L. Anderson to vacate a portion of a private drainage and public utility, upland preservation area, and conservation easement on Lot 14, Coachman Hill Preserve Subdivision; authority granted for Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified of the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

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

#34 Ordinance No. 08-35 adopted amending the Pinellas County Code pertaining to the abatement, reduction, monitoring and control of air pollution in order to maintain consistency with state and federal air quality regulations. No correspondence has been received. No citizens appeared to be heard.

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

#35 Resolution No. 08-96 adopted approving and authorizing the submittal to the State of Florida the Revised 2007-2010 Pinellas County Affordable Housing Land Inventory List and authorizing the Chairman or his designee to sign and the Clerk to attest any certifications required by the State of Florida to submit the list. No correspondence has been received.

Bruce Bussey, Community Development Department, indicated that the Affordable Housing Land Inventory List was established in 2006 pursuant to legislative mandate; that the County had established its Community Housing Program prior to that time; that the three parcels were not included in the 2006 inventory list due to uncertainties

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regarding possible conflict with the Community Land Trust Program; and that it is appropriate to include them at this time.

Mr. Bussey explained options available for disposition of the land included on the list; and displayed maps showing the parcels proposed for inclusion; whereupon, he noted that the property commonly known as the “Bayside” tract will be the subject of a zoning and land use public hearing on July 22, 2008.

Steven A. Williamson, Esquire, Johnson, Pope, Bokor, Ruppel & Burns, LLP, indicated that he represents Broderick & Associates and Banc of America, which were chosen by the County to develop the Bayside property and adjacent properties; and offered to answer questions related to the site.

Responding to the Chairman’s call for persons wishing to speak, the following individuals appeared and stated their opposition to inclusion of the Bayside property on the inventory list:

Janet Modrakovic, Clearwater – submitted articles
Patricia L. Roxby, Clearwater
Barbara Walker, Palm Harbor, representing the Clearwater Audubon Society
David S. Waddell, Clearwater – spoke on behalf of others in attendance; referred to petition, previously submitted
Alan Waldauer, Clearwater

Richard N. Shott, Spokesperson, submitted a letter and statement on behalf of the Pinellas Groves Citizens Committee in opposition to zoning and land use Case No. Z/LU-3-8-07.

Discussion ensued, and Messrs. Bussey and Marquis provided input in response to queries by the members and concerns raised by the objectors, which included the following topics:

- › Relocation of wildlife/destruction of habitat
- › Hurricane shelters and evacuation
- › Additional traffic
- › Location in floodplain
- › Destruction of trees
- › Use of land purchased with taxpayer dollars
- › Specifications of the proposed development, including affordable housing requirements

Mr. Marquis indicated that most of the comments pertain to site plan issues; and that there are a lot of legitimate concerns that need to be addressed as part of the zoning and land use case; whereupon, Attorney Long clarified that tonight’s decision is a determination as to whether the properties in question are appropriate for use as affordable housing; and that it does not impact the zoning and land use case, which could

be approved whether the property is on the Affordable Housing Land Inventory List or not.

Mr. Marquis indicated for the record that the zoning/land use case has been delayed to allow time for staff to confer with the Florida Department of Transportation regarding proposed intersection improvements near the site.

Chairman Stewart reiterated that objectors' concerns regarding site plan issues will be addressed at the July 22 public hearing.

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

- #36 Authorization granted for transmittal of a proposed amendment to the Future Land Use Map category descriptions and rules of the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan to the Florida Department of Community Affairs for review and comment; proposed amendment provides for alternative density and intensity standards for permanent transient accommodation use. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Duncan

Responding to query by Commissioner Seel, Planning Director Brian K. Smith indicated that the density increase will not apply to the high-end resort category; whereupon, referring to a comparison chart, he reviewed the existing and proposed maximum densities for the Residential/Office/Retail, Commercial Recreation, Commercial General, and Industrial Limited land use categories in conjunction with the Transient Accommodation (C-T) Overlay zoning. He explained that a developer must apply for the C-T Overlay zoning; that a public hearing will be held; and that a development agreement will be required.

Vote	-	7 – 0
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- #37 First public hearing held regarding a proposed ordinance to amend Chapter 138, the zoning provisions of the Pinellas County Land Development Code, to create the Transient Accommodation (C-T) Overlay Zoning District allowing for increased hotel densities and intensities; staff authorized to prepare a proposed amendment to the Countywide Rules pertaining to development agreements associated with the higher hotel densities and intensities. No correspondence has been received. No citizens appeared to be heard.

Mr. Marquis recommended that the second public hearing be held in conjunction with final approval of the related Comprehensive Plan Amendment (see Agenda Item No. 36), which is likely to occur in September or October of this year.

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

#38 Authorization granted for transmittal of a proposed amendment to Part II of the Future Land Use Map category descriptions and rules of the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan to the Florida Department of Community Affairs for review and comment; proposed amendment broadens the definition of *submerged lands* and clarifies that allowances and requirements for the transfer of development rights and for density averaging are not applicable to submerged lands. No correspondence has been received. No citizens appeared to be heard.

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

#39 Authorization granted for transmittal of proposed amendments to the Recreation, Open Space and Culture Element, the Natural Resource Conservation and Management Element, the Intergovernmental Coordination Element, the Transportation Element, and the Capital Improvements Element of the Pinellas County Comprehensive Plan to the Florida Department of Community Affairs for review and comment; proposed amendments provide minor revisions and corrections to Plan amendments adopted by the Board on March 18, 2008. No correspondence has been received. No citizens appeared to be heard.

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

#40a Application of Bayside Reserves, Inc. and Pinellas County Community Development through Pinellas County Community Development, c/o Anthony Jones, Director, and Roxanne Amoroso, Banc of America Community Development Corp., Representatives, for a change of zoning from R-3 and R-2, Single Family Residential, AL, Aquatic Lands, A-E, Agricultural Estate Residential, and RPD-5, Residential Planned Development, 5 Units Per Acre to RPD-5, AL, and RPD-10, Residential Planned Development, 10 Units Per Acre; a change in land use designation from Residential Low and Preservation to Residential Low, Preservation, and Residential Low Medium; and a development agreement providing for a building height of five stories (Z/LU-3-8-07) temporarily deferred, re several parcels of land containing approximately 23 acres located on the east and west sides of 49th Street, primarily lying north of 162nd Avenue North. One letter in objection to the application has been received. No citizens appeared to be heard.

Mr. Marquis indicated that the case was discussed earlier in the meeting under Agenda Item No. 35; and that staff recommends continuance to the July 22, 2008 meeting to address comments and concerns expressed by the Local Planning Agency.

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

#40b Application of Gulfside Enterprises, Inc., c/o Ruth Cabella, for a Conditional Use to allow research and development and manufacturing use (Class A) in a C-2 Commercial zoning district (CU-1-5-08) approved, re a 1.67-acre parcel of land located at the northwest corner of 137th Street and Oakhurst Road, Seminole (street address: 9021 Oakhurst Road, Units A-E). Approval is subject to the following conditions:

1. Hours of operation shall be Monday through Saturday, 8:00 A.M. to 10:00 P.M.
2. Shipping and receiving shall occur between the hours of 8:00 A.M. and 5:00 P.M., Monday through Saturday, on the north side of the building only.
3. Approval is for “Class A” industrial uses as defined in Section 138-270 (12) (a-e) of the Pinellas County Land Development Code.

Staff recommended conditional approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

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

#40c Resolution No. 08-97 adopted granting the application of Charles and Elizabeth Palmer through Merlin Seamon, Seabass Marine Corp., for a change of zoning from C-1, Neighborhood Commercial, and R-4, One, Two and Three Family Residential, to C-3, Commercial, Wholesale, Warehousing and Industrial Support, and a development agreement for a boat storage facility up to 50 feet in height; Ordinance 08-36 adopted approving a change in land use designation from Commercial General and Residential Urban to Commercial General and a development agreement for a boat storage facility up to 50 feet in height (Z/LU-4-7-07), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re three parcels of land containing approximately 3.1 acres located on the southwest corner of North Pinellas Avenue and Anclote Road, Tarpon Springs. 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 Morrioni
Second	-	Commissioner Duncan
Vote	-	7 - 0

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CITIZENS TO BE HEARD

Greg Pound, Largo, re Pinellas families.

Richard Bergeron, Palm Harbor, re fence on Robin Trail – submitted documentation.

Stephen LeFleur, Palm Harbor, re Robin Trail – staff provided input.

Julie Pappas, St. Petersburg, re Upham Beach erosion control.

John P. Pappas, St. Petersburg, re Upham Beach erosion control.

Jessica Emery, St. Petersburg, re Upham Beach.

Moses Garcia, New Port Richey, re Criminal Court – staff to follow up.

Jake Respondek, St. Petersburg, re Upham Beach T-Groins.

Mark Klutho, Largo, re stupidity – submitted photographs.

#41 Meeting adjourned at 7:53 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk