

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, JULY 1, 2008 – 9:33 A.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; and Kenneth T. Welch.

Members Absent: Ronnie E. Duncan.

Members Late: None.

Members Excused: None.

Others Present: James L. Bennett, County Attorney; Fred E. Marquis, Interim County Administrator; Claretha N. Harris, Chief Deputy Clerk; and MaryAnn Penhale, Deputy Clerk.

INVOCATION: Pastor Fleming Tarver, St. John’s Missionary Baptist Church, Clearwater.

PLEDGE OF ALLEGIANCE: William M. Davis, Bureau Director of Environmental Management.

PRESENTATIONS AND AWARDS

Presentation in recognition of a collection of letters dated 1851 through the 1960s donated by the McMullen family to the Pinellas County Heritage Village Archives and Library.

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

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

1 Resolution No. 08-98 adopted granting petition of Scott F. Friedman and Debra M. Friedman to vacate a portion of a drainage and utility easement on Lot 7, Feather Sound, Unit One Subdivision; authority granted for Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Morroni
Second	-	Commissioner Latvala
Vote	-	6 - 0

CITIZENS TO BE HEARD

Dot Miller, unincorporated Seminole, re annexation regulations.
W. C. Snipes, Clearwater, re Chapter 171 – Jobs (submitted documents).
David Waddell, Clearwater, re Comprehensive Plan/Land Trust.
Richard N. Shott, Clearwater, re Land Use Addition 2007-2010 (submitted letter).

CONSENT AGENDA ITEMS NOS. 2 THROUGH 17 - APPROVED WITH THE EXCEPTION OF NO. 8, WHICH WAS DENIED; AND NOS. 6 AND 9, WHICH WERE APPROVED SEPARATELY

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

2 Minutes of regular meetings of May 20 and June 3, 2008 approved.

3 Reports received for filing:

- a. Pinellas County Popular Annual Financial Report for the Fiscal Year ended September 30, 2007.
- b. Municipalities 2008 Annual Capital Improvement Plans.
- c. City of Clearwater Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2007.
- d. City of Dunedin Comprehensive Annual Financial Report and the Single Audit Report for the Fiscal Year ending September 30, 2007.
- e. City of South Pasadena Comprehensive Annual Financial Report for the year ended September 30, 2007, together with Auditor’s Letter regarding South Pasadena Fire Department.
- f. Dock Fee Report for the month of May 2008.

4 Vouchers and Bills Paid - Period of May 19, 2008 through June 6, 2008:

Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2548
Payroll checks numbered 556960 through 557192

Imprest Fund Expenditures
Manual checks numbered 751494 through 751496
System checks numbered 926588 through 929008

ACH Transfers numbered 359 through 455

Wire Transfers numbered 010629 through 010649

- # 5 Miscellaneous items received for filing:
 - a. City of Clearwater Notices of Public Hearings regarding Ordinance No. 7967-08 amending Beach by Design held June 19, 2008 and Nos. 7968-08 through 7970-08 and Nos. 7973-08 through 7978-08 amending the Annexation, Land Use Plan, and Zoning and Rezoning Atlas to be held August 7, 2008; and a Notice of Intent to Consider a Development Agreement regarding Resolution No. 08-06 to be held July 17, 2008.
 - b. City of Dunedin Resolution No. 08-15 adopted June 5, 2008, providing for the designation of the Dunedin Causeway as a significant Pinellas County Greenway.
- # 6 See Agenda Item No. 18.
- # 7 Resolution No. 08-100 adopted granting approval of and authorization to submit to the Florida Housing Finance Corporation an amendment to the 2006-2009 State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan (LHAP), for the purpose of defining the program area and establishing maximum award limits and maximum purchase prices for new and existing homes (Community Development).
- # 8 See Agenda Item No. 18.
- # 9 See Agenda Item No. 18.
- #10 Resolution No. 08-101 adopted authorizing the expenditure of public funds for interview and travel expenses in an amount not to exceed \$15,000.00 related to the position of County Administrator (County Administrator).
- #11 Resolution No. 08-102 adopted authorizing the acceptance of a donation from the Friends of Brooker Creek Preserve, Inc. of a canoe trailer for the Brooker Creek Preserve Environmental Education Center (Serial No. 420BB161081S07788) (Environmental Management).
- #12 In accordance with Resolution No. 05-61, the Report of Write-Offs for Accounting Purposes Delegated to the County Administrator for Approval for the period October 1, 2007 through March 31, 2008 was received for filing (Management and Budget).
- #13a Resolution No. 08-103 adopted supplementing the Fiscal Year 2008 General Fund budget (High Intensity Drug Trafficking Area Grant and Organized Crime Drug Enforcement Task Force Grant) to appropriate earmarked receipts for a particular purpose as requested by the Sheriff (Management and Budget).
- #13b Resolution No. 08-104 adopted supplementing the Fiscal Year 2008 General Fund budget (Economic Development) (Environmental Protection Agency Grant) to appropriate earmarked receipts for a particular purpose (Management and Budget).

July 1, 2008

- #14 Fiscal Year 2008 Budget Amendments Nos. 11 and 12 were filed and made a part of the record (Management and Budget).
- #15 Resolution No. 08-105 adopted declaring personal property surplus and transferring same to the Citrus County Sheriff's Office as requested by the Emergency Communications Department, together with revised Exhibit A, a copy of which has been filed and made a part of the record, showing an original cost in the amount of \$379,710.00, as read into the record by Mr. Marquis (Real Estate Management).
- #16 Interlocal Agreement between Pinellas County and the Clerk of the Circuit Court, the Property Appraiser, the Sheriff, the Supervisor of Elections, the Tax Collector, the Chief Judge of the Sixth Judicial Circuit, the Public Defender of the Sixth Judicial Circuit, and the State Attorney of the Sixth Judicial Circuit for oversight and direction of the Business Technology Services Department approved for execution.
- #17 Ranking of firms for group term life insurance (Contract No. 078-0343-P) approved as follows:
1. Hartford Life and Accident Insurance Company
 2. Standard Insurance Company
 3. Minnesota Life Insurance Company d/b/a Minnesota Life
 4. Metropolitan Life Insurance Company (MetLife)
 5. Life Insurance Company of North America d/b/a Cigna Group Insurance
 6. Aetna Life Insurance Company
 7. Reliance Standard Life Insurance Company
 8. United Healthcare Insurance Company d/b/a United Healthcare Specialty Benefits
 9. AIG Life Insurance Company
 10. ReliaStar Life Insurance Company d/b/a ING Employee Benefits
 11. Unum Life Insurance Company of America d/b/a UNUM
 12. Humana d/b/a Kanawha Insurance Agency

Final negotiated agreement with the number one ranked firm, Hartford Life and Accident Insurance Company, approved for an estimated annual cost to the County in the amount of \$485,000.00; agreement is for a 36-month period effective October 1, 2008 and may be renewed for up to four additional 12-month periods if all terms and conditions remain the same and approval is granted by the County Administrator.

Proposals from Lafayette Life Insurance Company, Prudential Insurance Company of America, and Sun Life Financial on behalf of Lon Bryan and Company, rejected for being non-responsive for submitting multiple proposals.

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

6 Resolution No. 08-99 adopted granting approval of and authorization to submit to the Florida Housing Finance Corporation an amendment to the 2003-2006 State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan (LHAP) for the purpose of defining the program area and establishing maximum award limits and maximum purchase prices for new and existing homes (Community Development). Responding to query by Commissioner Seel, Bureau Director of Community Development Anthony M. Jones provided input regarding the figures reflecting maximum allowable purchase prices.

Motion	-	Commissioner Seel
Second	-	Commissioner Morroni
Vote	-	6 - 0

8 Ranking of firms for advertising and promotional services (Contract No. 078-0289-P) not approved and authorization denied for staff to negotiate an agreement for Board approval with the number one ranked firm, Birdsall, Voss & Associates, Inc. (Convention and Visitors Bureau).

Commissioner Seel indicated that in the past, the Tourist Development Council (TDC) had reviewed the Evaluation Committee's recommendation before it was presented to the Board of County Commissioners (BCC) for approval; whereupon, Convention and Visitors Bureau Director D. T. Minich discussed procedural matters and indicated that the TDC was aware that the process had been completed and was moving forward to the BCC for approval. Chairman Stewart confirmed that the procedure had been outlined at a recent meeting and no objections had been noted. Responding to additional queries by the members, Mr. Minich discussed the selection process, the written proposal from Birdsall, Voss & Associates, Inc., the number of staff that would be provided by the firm, the proposed 100 percent reimbursable contract, the company's financials, the fact that most of the companies submitting proposals also represent other tourist destinations similar to that of Pinellas County, the additional resources that would be available through the firm's headquarters in Milwaukee, and the rankings of the top two firms before and after demonstrations.

Responding to query by Commissioner Morroni regarding procedural matters, Mr. Marquis indicated that items requesting authority to negotiate would normally appear on the consent agenda. Discussion ensued; and responding to queries by the members, Mr. Minich discussed the length of the contract and Managing Assistant County Attorney Dennis R. Long indicated that there would be no penalty for cancellation of the contract.

July 1, 2008

Commissioner Harris moved, seconded by Commissioner Morroni, that the ranking of firms be approved; and that authorization be granted for staff to negotiate a contract with the number-one ranked firm, Birdsall, Voss & Associates, Inc.

Motion - Commissioner Harris
Second - Commissioner Morroni
Vote - 3 – 3 (Commissioners Latvala, Welch, and
Seel dissenting)

Thereupon, Commissioner Welch moved, seconded by Commissioner Morroni, that the Board request a formal vote of the TDC at its meeting of July 9 regarding the ranking of firms; and that the recommendation be presented to the BCC.

Motion - Commissioner Welch
Second - Commissioner Morroni

Following discussion and additional input by Mr. Minich regarding time frame related issues, Chairman Stewart directed staff to ensure that the item is presented at the next BCC meeting of July 22, 2008.

Vote - 6 – 0

Mr. Marquis related that items originating with subcommittees of the TDC are often presented directly to the BCC; whereupon, he requested clarification as to whether the members wish to have all recommendations submitted to the full TDC before presentation to the BCC. Commissioner Seel referred to procedure, pointed out the size of the proposed contract, and indicated that it would be important for the TDC to consider an item of this magnitude.

- # 9 Annual WorkNet Pinellas, Inc. Fiscal Year 2008-2009 Budget approved pursuant to the interlocal agreement between WorkNet Pinellas, Inc. and Pinellas County (County Administrator).

Responding to query by Commissioner Seel, Finance Director of WorkNet Pinellas Diane Cox confirmed that the amounts for support services and direct client budgetary figures are down from last year; whereupon, Commissioner Seel requested that last year's figures be provided in the same format as presented in the backup material. Responding to further query by Commissioner Seel, Ms. Cox discussed the forthcoming vacation of the rental space at the Juvenile Welfare Board building; and discussion ensued.

Motion - Commissioner Harris
Second - Commissioner Welch
Vote - 6 - 0

REGULAR AGENDA

- #19 Authorization granted to advertise public hearings to be held on August 5 and 19, 2008, regarding proposed ordinances amending the Pinellas County Land Development Code to address proposed changes pertaining to dumpsters, recreational vehicles, and animated signs (Building and Development Review Services).

Chairman Stewart requested that there be a presentation and discussion regarding the item since the request contradicts County policy; whereupon, Paul Cassel, Director of Building and Development Review Services (BDRS), provided background information and clarified the proposed changes to the Land Development Code. Following discussion, Commissioner Welch moved, seconded by Commissioner Latvala and carried, that the amendments to the three ordinances be advertised separately.

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

- #20 Resolution No. 08-106 adopted approving Project A7110961090 as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A7110961090 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 (total tax refund of \$4,719,000.00; no more than 25 percent of the total refund to be taken in any single fiscal year; total contribution of Pinellas County for Project A7110961090 will not exceed \$471,900.00) (Economic Development).

Motion	-	Commissioner Welch
Second	-	Commissioner Latvala

In response to Commissioner Seel's request that language be included to prohibit the company being reimbursed under QTI for outsourcing or contracted employees from other countries, Director of Economic Development Mike Meidel indicated that it would be difficult for the County to set prohibitions as the QTI is a State program; and that the State sets the rules and provides 80 percent of the funds.

Discussion ensued and in response to queries by Commissioner Seel, Mr. Meidel indicated that he did not know if the County was prohibited under QTI from having a separate agreement; that he would make inquiries with the State; and that the creation of a separate agreement would place the County at a disadvantage since no other area in Florida carries out this practice. He emphasized that the issue of foreign nationals is a United States Government issue; whereupon, Commissioner Seel stated her concern that well qualified local residents would lose their jobs to foreign nationals; and Commissioner Welch concurred.

In response to queries by Commissioner Welch, Mr. Meidel confirmed that Nielsen Media Research employees had been displaced by foreign workers; and that the County

has the ability to place enforceable criteria and restrictions in such agreements; whereupon, he reiterated that placing any reference to foreign nationals in an agreement would reduce the value of the incentive to a company; and discussion ensued.

Chairman Stewart stated that the agenda item is about approving a resolution for the firm as a qualified applicant and to designate the source of local funds; and that the function of a QTI incentive is to make Pinellas County more financially attractive to companies contemplating relocation; whereupon, Mr. Meidel stated that this is not the same incentive as used with Nielsen.

Vote - 6 – 0

- #21 Resolution No. 08-107 adopted approving Project A8051656587 as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A8051656587 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 (total tax refund of \$50,000.00; no more than 25 percent of the total refund to be taken in any single fiscal year; total contribution of Pinellas County for Project A8051656587 will not exceed \$5,000.00) (Economic Development).

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

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At this time, 11:20 A.M., Commissioner Seel left the meeting.

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- #22 Resolution No. 08-108 adopted approving Project A8050531312 as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A8050531312 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 (total tax refund of \$567,000.00; no more than 25 percent of the total refund to be taken in any single fiscal year; total contribution of Pinellas County for Project A8050531312 will not exceed \$56,700.00) (Economic Development).

Motion - Commissioner Morrone
 Second - Commissioner Harris
 Vote - 5 – 0

- #23 Amendment No. 1 to the Substance Abuse and Mental Health Funding Agreement between Pinellas County and Directions for Mental Health, Inc., approved for execution retroactive to May 1, 2008; funding increase for Homeless Outreach Services in the amount of \$148,519.00 will come from anticipated lapse funds in the Department of

July 1, 2008

Health and Human Services Behavioral Health Program for Fiscal Year 2007-08 (Health and Human Services).

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

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At this time, 11:21 A.M., Commissioner Seel returned to the meeting.

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#24 Resolution No. 08-109 adopted amending and supplementing Resolution No. 93-292, as amended, authorizing the issuance of not to exceed \$42,500,000.00 Sewer Revenue Bond, Series 2008A, to finance the cost of certain capital projects for the sewer system, to make the required deposit to the reserve fund and to pay costs related thereto and the not to exceed \$63,000,000.00 Sewer Revenue Refunding Bonds, Series 2008B, to refund certain indebtedness and to pay costs related thereto; pledging the pledged funds of the sewer system of the County for the payment of such bonds; pledging to secure payment of the principal of and interest on such bonds certain pledged funds including the net revenues of such sewer system, all monies on deposit in and investments held for the credit of certain funds and the earnings on such investments on parity with certain other outstanding bonds; providing for an amendment to Section 4.05(C) of Resolution No. 93-292 upon certain conditions; approving a Commitment Letter with Bank of America, N.A.; approving the form of and authorizing the execution of an escrow deposit agreement; appointing a registrar, paying agent, and escrow holder; making certain covenants and agreements in connection therewith; and providing an effective date (Management and Budget).

Attorney Bennett reviewed the Standards of Conduct Law for Voting Conflicts of Interest pursuant to Chapter 112 of the Public Code of Ethics, Section 112.3143; whereupon, Chairman Stewart disclosed that he must abstain from voting on this matter due to a conflict of interest, and in accordance with the provisions of the Standards of Conduct Law, submitted a Memorandum of Voting Conflict which has been filed and made a part of the record. At the request of Attorney Bennett, Commissioners Seel, Morroni, Harris, Latvala, and Welch signed a *Certificate As To Public Meeting* indicating a certification of no Sunshine violation and no special private gain or loss associated with voting on the issue.

Motion	-	Commissioner Welch
Second	-	Commissioner Latvala
Vote	-	5 – 0 (Commissioner Stewart abstaining)

- #25 Authorization granted to advertise a public hearing to be held on August 19, 2008, regarding a proposed ordinance amending the Pinellas County Land Development Code to implement public school concurrency (Planning).

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

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At this time, 11:23 A.M., Chairman Stewart and Commissioner Seel left the meeting.

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- #26 Resolution No. 08-110 (Joint PPC/CPA Annexation Subcommittee Resolution) adopted for negotiation of one or more Interlocal Service Boundary Agreements as authorized in Florida Statutes, Chapter 171, Part II. Authorization granted for transmittal to all local government jurisdictions and the independent special districts (Planning).

Motion - Commissioner Latvala
 Second - Commissioner Welch

In response to queries by Commissioner Latvala, Planning Director Brian K. Smith provided additional background information regarding the item; and indicated that a subcommittee of Pinellas Planning Council (PPC) and BCC members created the resolution to establish a more flexible process for adjusting municipal boundaries; and that upon action by the county, the cities would have 60 days to respond by resolution indicating their desire to participate; whereupon, he noted that the public would have the opportunity to provide input.

Vote - 4 – 0

- #27 Resolution No. 08-111 adopted declaring a parcel of county-owned real property surplus, granting authorization to conduct a private sale, establishing a sale price of \$300.00, and approving a contract for sale and purchase with, and County Deed to, Norman W. Bond, for a parcel located east of Snug Harbor Boulevard and south of Gandy Boulevard; Chairman authorized to execute and the Clerk to attest and record the County Deed and resolution (Real Estate Management).

Motion - Commissioner Latvala
 Second - Commissioner Morrone
 Vote - 4 – 0

- #28 Contract for Sale and Purchase with Brian E. Redgrave and Celynda B. Redgrave for acquisition of improved real property located at 350 North George Street, 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 \$114,959.57 to

American Government Services Corporation (purchase price, \$100,000.00; attorney fees, \$7,000.00; engineering consultant fees, \$1,678.32; title insurance, \$770.00; appraisal fee [County], \$2,750.00; appraisal fee [Buyer], \$5,511.25; for a total estimated cost of \$117,709.57); Chairman authorized to sign and the Clerk to attest (Real Estate Management).

Motion - Commissioner Latvala
 Second - Commissioner Welch
 Vote - 4 – 0

#29 Resolution No. 08-112 adopted authorizing conveyance of two county-owned parcels to the Florida Department of Transportation (FDOT) for future extension of Roosevelt Boulevard, as authorized in Florida Statutes, Chapter 73 (sale price, \$650,000.00); Chairman authorized to execute revised offer and purchase agreement and County Deed; Clerk to attest and record the resolution (Real Estate Management).

Motion - Commissioner Welch
 Second - Commissioner Latvala
 Vote - 4 – 0

#30 Other Administrative Matters – None.

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At this time, 11:25 A.M., Commissioner Stewart returned to the meeting.

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#31 County Attorney authorized to defend the County’s interest in the case of Matilda Masciullo versus Pinellas County – Circuit Civil Case No. 08-7443-CI-7 – Allegations of Negligence Resulting in Personal Injuries.

Motion - Commissioner Morroni
 Second - Commissioner Latvala
 Vote - 5 – 0

#32 Amendment No. 1 to Prescription Service Agreement with Walgreens Health Initiatives, Inc. (WHI) approved to permit the County to offer a competing benefit prescription program to retirees enrolled in United Health Care Secure Horizon’s Medicare Advantage plan, to permit a link from the County intraweb directly to the WHI website, to provide for WHI to reimburse the County for travel and conference costs incurred by County employees participating in WHI training programs, and to authorize WHI to audit retail pharmacies and retain 20 percent of recoveries as compensation for providing the service, which reflects industry standards; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Welch
 Second - Commissioner Latvala

In response to queries by Commissioner Latvala, Personnel Benefits Manager David Blasewitz indicated that retail pharmacy locations have independent contracts with WHI to provide medication; and that auditing is a way to ensure that contract prices are applied accurately.

Vote - 5 – 0

#33 County Attorney Miscellaneous – None.

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At this time, 11:27 A.M., Commissioner Latvala left the meeting.

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#34 Sitting as the Industrial Development Authority, the Board granted authority to advertise a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing to be held at the Board of County Commissioners meeting on August 5, 2008, for issuance of not to exceed \$5,300,000.00 in Pinellas County Industrial Development Authority Revenue Bonds on behalf of Neighborly Care Network, Inc.

Motion - Commissioner Harris
Second - Commissioner Welch
Vote - 4 – 0

#35 Sitting as the Industrial Development Authority d/b/a the Economic Development Authority, the Board approved the Purchase and Sale Agreement and Environmental Indemnity Agreement with Florida Gateway Development I, LLC, relating to the sale of the Toytown site; Board of County Commissioners, on behalf of Pinellas County, authorized to execute Consent and Joinder to the Purchase and Sale Agreement for the Toytown site as evidence of its consent with the provision and terms of the agreement.

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At this time, 11:27 A.M., Commissioner Latvala returned to the meeting.

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Director of Economic Development Mike Meidel provided background information regarding a 240-acre parcel of land located on a former landfill known as Toytown; whereupon, Todd Pressman, Pressman and Associates, Representative, introduced the members of the development team and provided information regarding the companies' bases of operations and areas of expertise.

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At this time, 11:35 A.M., Commissioner Seel returned to the meeting.

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Stuart Lichter, President, Industrial Realty Group; Matthew Daniels, President, Bear Creek Capital; Bill Tippman, Vice-President of Development, Bear Creek Capital; and Greg Scheper, Director of Acquisitions, Bear Creek Capital, conducted a PowerPoint presentation titled *The Villages at Gateway Fields*, a copy of which has been filed and made a part of the record, and provided an overview of the proposed contract and presented the consortium's vision for the property, highlighting the following:

- Community will be a mixed-use development embracing the concepts of Pinellas by Design
 - Two million square feet of office space
 - Class A Office (high-wage, high-employment)
 - Boutique Office Space (integrated into retail-oriented town center)
 - Strategically situated super regional center
- Hospitality and Residential
 - Anticipate 2,113-unit residential village with a workforce housing component
 - Commitment to achieve affordable housing goals of Pinellas County
 - Approximately 70 acres in heart of property set aside for civic and recreational uses
 - Will connect with Pinellas Trail
- Traffic and Transportation Goals using current and proposed infrastructure, including land to be held in reserve for 10 years in anticipation of a proposed intermodal transportation station.

In response to query by Commissioner Latvala, Mr. Scheper clarified that no studies had been conducted relating to market share in Manatee County; whereupon, he emphasized the benefits relating to the strategic location of the Toytown property and reviewed the flow of retail dollars between Pinellas and Hillsborough Counties.

During discussion and in response to queries by Chairman Stewart and Commissioner Welch, Mr. Daniels stated that no discussions had taken place with the leadership of the Tampa Bay Rays regarding the placement of a stadium at the Toytown site. He affirmed that development at Tropicana Field and Toytown would be compatible because of their respective locations and the populations from which they would draw.

Mr. Tippmann stated that the Florida Department of Environmental Protection (FDEP) would be the lead regulatory agency for environmental matters; and that Robert Hauser, Pinellas County Solid Waste, would be present at discussions affecting the permit;

whereupon, Mr. Tippman discussed the time constraints in dealing with the Development of Regional Impact (DRI) process, noting that soil stabilization would probably be a larger issue than the environmental issues, and in response to queries by Commissioner Welch, Mr. Lichter provided information regarding building residential housing atop a landfill and the challenges relating to alleviating the concerns of the public.

During discussion and in response to query by Chairman Stewart regarding SPARKS RC, a radio controlled flying club in Pinellas County, Mr. Daniels, with input by Interim County Administrator Marquis, indicated that the members should be able to continue their operations for at least the next three years.

Managing Assistant County Attorney Dennis Long conducted a PowerPoint presentation titled *Toytown Redevelopment, Significant Agreement Points*, a copy of which has been filed and made a part of the record; and indicated that a Land Use Restriction Agreement will guarantee that the development team will develop the site as they have pledged; and that the interests of the County will be protected regarding existing landfill operations, including the costs relating to ongoing maintenance as well as eliminating exposure to potential liability after site closure; whereupon, Attorney Long discussed the two specific periods of time within which the buyer or developer can complete the due diligence and secure permits.

Mr. Meidel provided information regarding capital investment and potential jobs created from the project, stating that an estimated \$1,250,000,000.00 of total expenditures would take place on the site with an \$800,000,000.00 estimated taxable value, providing for the potential generation of \$16,400,000.00 in property taxes.

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

- #36 Resolution No. 08-113 adopted approving the Amendment to the Interlocal Agreement with the Housing Finance Authority of Pinellas County for administration of the Community Housing Program.

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

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At this time, 12:46 P.M., the meeting was recessed and reconvened at 1:02 P.M.

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#37 County Administrator Reports:

Stormwater Management Governance Study Summary

Mr. Marquis indicated that presentation of the report will be rescheduled for the July 22, 2008 BCC meeting.

#38 County Administrator Reports:

Inclusionary Housing Program Development Update

Bruce Bussey, Community Development, provided an update regarding outreach activities relating to the proposed Inclusionary Housing Ordinance; and indicated that presentations have been made throughout Pinellas County to organizations and municipalities to obtain stakeholder feedback; and that a half-day charrette had been held at the Largo Cultural Center on June 4, 2008, which included elected officials, developers, and citizens who were concerned with affordable housing issues in the County. Mr. Bussey indicated that formal responses have been received from the Cities of Pinellas Park and Seminole indicating their City Councils anticipate opting out of the proposed ordinance; whereupon, he addressed comments, questions, and concerns brought forward during the charrette regarding the specific aspects of the draft ordinance; and stated that there is broad support for workforce and affordable housing.

Mr. Bussey stated that the participants were concerned regarding the applicability of the 50 percent density bonus, the oversight of its implementation, and its integration with the comprehensive plan of each local jurisdiction. He reported that the attendees stressed that a local government decision-making process would be vital to the proposal; and that the consideration of alternative affordable housing options should be part of the local land use decision making process; whereupon, Mr. Bussey stated that several communities sought to make their own decisions regarding collecting, administering, and funding affordable housing programs with in-lieu fee dollars.

Mr. Bussey stated that charrette participants wanted language placed in the ordinance relating to tracking and monitoring of the affordability period to ensure enforcement; and that there is support for a unified county enforcement monitoring post-construction mechanism to be put in place regarding administrative costs.

Mr. Bussey stated that the ordinance revisions will be presented to the members at the July 22, 2008 BCC meeting with a request to advertise public hearings to be held on August 19 and September 2, 2008.

During discussion and in response to queries by Commissioner Welch, Mr. Bussey provided information relating to mandatory versus voluntary requirements, pointing out the benefits of each; and indicated that the program would be implemented over a one-

year time period; and that the municipalities would be able to opt in or opt out of the program.

Discussion ensued; whereupon, the Commissioners conveyed concerns of the attendees which were expressed at the various presentations:

- Commissioner Morroni indicated that he had attended the meeting in Seminole; and that the presentation was well received but he felt the City would opt out.
- Commissioner Seel indicated that she had attended meetings in Indian Rocks Beach, Belleair Bluffs, Belleair Beach, and Largo; and that good conversation had taken place among the attendees.
- Commissioner Latvala indicated that she had attended meetings in Oldsmar and Safety Harbor, noting that the cities were receptive and many questions were asked.
- Chairman Stewart indicated that he had attended meetings in Gulfport, Kenneth City, and South Pasadena; and that each community had responded to the issues based on how it would impact them.

Chairman Stewart stated that communities can opt in, opt out, or make a decision at a later date after observing the effectiveness of the program; that the Board had previously decided that affordable housing was necessary in Pinellas County; and that residents making moderate salaries are finding the county a more difficult and less affordable place to live; whereupon, he requested reassurance regarding the present need of the county to move forward with inclusionary housing.

During discussion and in response to queries by Chairman Stewart, Community Development Director Anthony Jones reviewed background information related to the proposed ordinance; and noted that allocated Housing Trust Fund dollars are on target in every jurisdiction except for the City of St. Petersburg; that a portion of the money has been used to fund a homeless project and assist the special needs population; that the real estate market is cyclical, comprising good and bad years; and that policy decisions should be long term, not market based; whereupon, he stated that a need exists for affordable housing.

Mr. Jones indicated that the public had expressed concerns relating to the issues of Home Rule, fees, affordability periods, income set asides, and “dumping” or building affordable housing units in offsite locations; and that although he has heard a range of responses regarding what would happen if a majority of the cities decided to opt out, he did not know the resultant consequences. He stated that the ordinance will be revised taking into consideration the concerns of the communities; and emphasized that creating a document which encompasses the needs of 24 communities is a challenging task; whereupon,

Attorney Bennett noted that the topic is progressive and is the subject of a two-part installment discussion in the Florida Bar Journal.

Commissioner Latvala questioned the value of passing the ordinance at the present time; and voiced her concern that if the ordinance was only passed in the unincorporated area, it would have limited effectiveness; whereupon, Chairman Stewart expressed his desire to move forward as scheduled and make a decision after the July 22 meeting; and Commissioners Welch and Morroni concurred. In response to queries by Commissioner Welch, Mr. Jones indicated that at the July 22, 2008 BCC meeting, he would provide information regarding average wages in the County versus the current price of housing and include an update on the affordable rental market.

Thereupon, Chairman Stewart directed staff to return with a revised proposed ordinance at the July 22, 2008 BCC meeting for further consideration by the members; and no objections were noted.

- #39 Reappointments to the WorkNet Pinellas Board of Directors for a two-year term (July 1, 2008 through June 30, 2010) approved.

Appointment of Maureen Nowotarski to the WorkNet Pinellas Board of Directors for a two-year term (July 1, 2008 through June 30, 2010) approved.

Motion	-	Commissioner Harris
Second	-	Commissioner Morroni
Vote	-	6 – 0

* * * *

Deviating from the agenda, the members reappointed Vice-Chairman Harris to the WorkNet Pinellas Board of Directors.

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

* * * *

Discussion ensued; whereupon, in response to queries by Chairman Stewart, Vice-Chairman Harris indicated that the WorkNet Pinellas Board of Directors consists of approximately 60 members with staggered terms; and that he did not know if term limits are imposed.

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At this time, 1:46 P.M., Commissioner Latvala left the meeting.

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#40 Appointment of Daphne S. Macfarlan to the Pinellas County Environmental Fund approved.

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

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At this time, 1:48 P.M., Commissioner Latvala returned to the meeting.

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#41 County Commission Miscellaneous:

- a. Commissioner Morroni wished residents a happy and safe 4th of July weekend.
- b. Commissioner Harris cautioned citizens re email scams for making money by working at home; thanked Commissioner Stewart re work on Gulf Boulevard.
- c. Commissioner Welch presented updates re meeting with Miami-Dade Juvenile Services Department and Juvenile Welfare Board meeting of June 30 re 211; commented re opening of last part of Pinellas Trail on July 12.
- d. Commissioner Stewart discussed upcoming Tourist Development Council (TDC) meeting on July 9; and commented on continuing education of TDC re value of baseball to Pinellas County.

July 1, 2008

#42 Meeting adjourned at 1:56 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk