

**BOARD OF COUNTY COMMISSIONERS MEETING  
TUESDAY, AUGUST 26, 2008 – 2:59 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; and Kenneth T. Welch.

**Members Absent:** None.

**Members Late:** Ronnie E. Duncan.

**Members Excused:** None.

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

**INVOCATION:** Bishop Mike Christenson, the Church of Jesus Christ of Latter-Day-Saints, Safety Harbor.

**PLEDGE OF ALLEGIANCE:** Commissioner Latvala.

**CONSENT AGENDA ITEMS NOS. 1 THROUGH 17 – APPROVED.**

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

# 1 Minutes of regular meeting of July 1, 2008.

# 2 Reports received for filing:

a. Internal Audit Division, Clerk of the Circuit Court, Report No. 2008-04 dated July 17, 2008 – Audit of Lease Management.

b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2008-05 dated July 24, 2008 – Audit of Transportation Impact Fee.

# 3 Vouchers and Bills Paid - Period of July 8 through July 11, 2008:

Payroll Journal Expenditures  
Payroll Journal page numbers 1 through 2544  
Payroll checks numbered 557679 through 557912

Imprest Fund Expenditures  
Manual checks numbered 751500 through 751503  
System checks numbered 932472 through 933079

ACH Transfers numbered 618 through 625

Wire Transfers numbered 010677 through 010681

- # 4 Miscellaneous items received for filing as noted on the agenda:
- a. City of Oldsmar Notice of Public Hearing regarding Ordinance No. 2008-17 annexing certain property; public hearing to be held August 19, 2008.
  - b. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 9 dated June 19, 2008, and financial statement for the month of May 2008.
- # 5 Release of retainage in connection with the contract with Johnson Bros., LLC – Misener Marine Construction, Inc., a Joint Venture, for Belleair Beach Causeway Bridge replacements (PID Nos. 922142 and 1212; Bid No. 056-0791-C) in the amount of \$1,686,400.00 approved; retainage corresponds to a federal grant received by the County through the Florida Department of Transportation (FDOT); work completed to date has been inspected and deemed acceptable by FDOT and the Construction Engineering Inspector.
- # 6 Ranking of firms to provide construction engineering and inspection professional engineering services to assist the Public Works Department with the implementation of projects for the Capital Improvement Program approved as follows:
1. Consul-Tech Construction Management, Inc.
  2. E.C. Driver & Associates, Inc.
  3. HDR Construction Control Corporation.
  4. KCCS, Inc.
  5. KCI Technologies, Inc.
  6. MACTEC Engineering and Consulting, Inc.
  7. Reynolds, Smith and Hills CS, Incorporated.
  8. URS Construction Services, Inc.

Staff authorized to negotiate contracts for Board approval with each of the top eight ranked firms.

- # 7a Award of bid to David Nelson Construction Co. for Walsingham Road Sidewalks and Walsingham Road – 119<sup>th</sup> Street/Old Ridge Road approved in the amount of \$3,481,639.69, on the basis of being the lowest responsive, responsible bid received that meets specifications (Bid No. 078-0508-C; PID Nos. 940 and 922518). 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.

- # 7b Award of bid to Pepper Contracting Services, Inc. for Palm Harbor Safety and Access Improvements approved in the amount of \$339,687.00, on the basis of being the lowest responsive, responsible bid received that meets specifications (Bid No. 078-0507-C; PID No. 1529). 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.
- # 8a Change Order No. 2 (Final) to agreement with Bayshore Construction, Inc. for Boardwalk Construction (Various Locations) (PID Nos. 1269, 1283, 1453, 1454, and 1473; Bid No. 056-0658-C) approved decreasing the agreement amount by \$214,712.77 (revised total agreement amount, \$1,668,560.33); contract accepted as complete as of January 3, 2008, and retainage released; Chairman authorized to execute and the Clerk to attest.
- # 8b Change Order No. 3 (Final) to agreement with Kamminga & Roodvoets, Inc. for the Option of Renewal for General Storm Sewer Construction 2005-2006 (PID No. 1190 [RN]; Bid No. 045-470-C) approved decreasing the agreement amount by \$98,675.29 (revised total agreement amount, \$1,582,346.81) and increasing the contract time by 87 days; contract accepted as complete as of January 18, 2008, and retainage released; Chairman authorized to execute and the Clerk to attest.
- # 9a Change Order No. 1 (Final) to agreement with Bandes Construction, Inc. for Bridgeway Acres Redevelopment Project–Phase 2, Landfill Contractor Facility and Vehicle Wash (Re-Bid) (Project No. 1482; Bid No. 045-568-C) approved decreasing the agreement amount by \$1,763.58 (revised total agreement amount, \$2,520,510.43) and increasing the contract time by 651 days; contract accepted as complete as of March 31, 2008 and retainage released in the amount of \$126,025.52; Chairman authorized to execute and the Clerk to attest.
- # 9b Change Order No. 1 (Final) to agreement with Bandes Construction, Inc. for Bridgeway Acres Redevelopment Project–Phase 3, Maintenance Storage Building (Project No. 1482; Bid No. 045-569-C) approved decreasing the agreement amount by \$22,028.79 (revised total agreement amount, \$1,451,818.21) and increasing the contract time by 621 days; contract accepted as complete as of March 31, 2008 and retainage released in the amount of \$72,590.91; Chairman authorized to execute and the Clerk to attest.
- # 9c Change Order No. 1 (Final) to agreement with Inliner American, Inc. for the Sanitary Sewer Cured-in-Place Pipelining Annual Contract 2005 (Project No. 1833; Bid No. 056-0183-C) approved decreasing the agreement amount by \$22,995.50 (revised total agreement amount, \$1,292,404.50) and increasing the contract time by 24 days; contract accepted as substantially complete as of March 20, 2008 and retainage released in the amount of \$64,620.33; Chairman authorized to execute and the Clerk to attest.

- # 9d Change Order No. 1 (Final) to agreement with PCL Civil Constructors, Inc. for City/County Reclaimed Water Interconnect (Re-Bid), Pump Station and Storage Tank (Project No. 1265-B; Bid No. 056-0839-C) approved decreasing the agreement amount by \$458,860.37 (revised total agreement amount, \$4,899,139.63); contract accepted as complete as of March 11, 2008 and retainage released in the amount of \$244,956.93; Chairman authorized to execute and the Clerk to attest.
  
- # 9e Change Order No. 2 (Final) to agreement with Wharton-Smith, Inc. for Town of Belleair Wastewater System Acquisition Project – Belleair Pump Station (Project No. 1673-A; Bid No. 045-647-C) approved decreasing the agreement amount by \$72,280.21 (revised total agreement amount, \$1,970,605.56) and increasing the contract time by 421 days; contract accepted as complete as of June 4, 2008 and retainage released in the amount of \$98,213.53; Chairman authorized to execute and the Clerk to attest.
  
- #10 First renewal and acknowledgement of award of contract with Marion S. Wolf for International Marketing Representation, Central Europe, for services to be rendered to the Convention and Visitors Bureau (Contract No. 067-0138-P) approved in a total estimated annual amount not to exceed \$273,639.00; renewal contract period to begin October 1, 2008, and continue for 12 months; contract may be renewed for one additional 12-month period. Chairman authorized to execute and the Clerk to attest (Convention and Visitors Bureau).
  
- #11 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	Consent to Assignment of Lease with Market Place Hospitality, Inc. and Clearwater Hotel Complex, Inc. for the Purpose of Securing Preferential Long-Term Financing for a Proposed Hotel Development at the Airport	N/A	3.14.08
Animal Services	First Amendment to Agreement with St. Petersburg College for a Staff Member Adjunct Instructor for State Animal Control Officer Certification Courses, Facility Use, and Services and Materials for Euthanasia Certification Course	\$150.00 annual maximum County expense for services and materials related to Certification course; plus \$25.00 per hour instructor credit to offset annual enrollment cost for County employees	7.11.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Communications	Agreement for Provision of Media Equipment with Great Explorations, Inc. for New Television Studio Exhibit Multimedia Equipment	N/A	7.23.08
Community Development	Specific Performance and Amendment to Land Use Restriction Agreement with Pinellas Village, Inc. for Rehabilitation of Pinellas Village	\$30,000.00 Community Development Block Grant funds	7.18.08
Community Development	Satisfaction of Mortgage with Lawrence A. Hale	Lien is paid in full.	7.22.08
Community Development	(a) Satisfaction of Mortgage with Carol J. Callen; and  (b) Release of Lien with Darryl and Joan Woodruff	(a-b) All liens are paid in full.	7.21.08
Community Development	Satisfaction of Second Mortgage Note with Michael A. and Shelley A. Sarabia	Liens are paid in full.	7.14.08
Community Development	Satisfaction of Mortgage with Dorothy J. Woodhouse	Lien is paid in full.	7.8.08
Community Development	Satisfaction of Mortgage with Renee Elliott, f/k/a Renee Williams, a/k/a Renna Williams; and Marianne Nieves and Pablo Estrada	All liens are paid in full.	7.1.08
Community Development	Satisfaction of Mortgage with A. Louise Carpenter	Lien is paid in full.	6.10.08
Community Development	Satisfaction of Mortgage with Harry G. and Marie L. Nugent	Lien is paid in full.	6.9.08
Convention & Visitors Bureau	Tourism Promotion Agreement with Tampa Bay Super Bowl XLIII Host Committee, Inc. for Super Bowl XLIII Promotional Activities	\$250,000.00	7.11.08
County Administrator	Sub-Grant Agreement with Palm Harbor Community Services Agency, Inc. for Renovation of the Palm Harbor Library	\$247,500.00 grant revenue, no match	7.15.08
Culture, Education and Leisure	Agreement with Michael Cain for Palm Harbor Library Public Art Project Artwork Design, Fabrication, and Installation; and	\$50,000.00; and	7.21.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education and Leisure	Grant Report Form with the State of Florida, Division of Cultural Affairs for Local Arts Agency Grant 2007-2008	N/A	
Culture, Education and Leisure	Cultural Development Grant Agreements with:		
Culture, Education and Leisure	(a) Sunsation Show Chorus, Inc. for Ten Smaller Versions of Regular Shows for Underserved Seniors in Adult Communities;	(a) \$3,606.00, plus equal agency match;	
	(b) Florida West Ballet, Inc. for Professional Training and Performances for Young Classical Ballet Dancers;	(b) \$3,825.00, plus \$19,360.00 agency match;	
	(c) Florimezzo, Inc. for Musical Education and Performances;	(c) \$8,761.00, plus \$66,300.00 agency match;	
	(d) City Players, Inc. for Summer Musical at Ruth Eckerd Hall;	(d) \$3,726.00, plus \$54,129.00 agency match;	
	(e) Tampa Bay Symphony, Inc. for 2008-2009 Season of Pinellas Concerts;	(e) \$9,523.00, plus \$89,177.00 agency match;	
	(f) Pinellas County African American History Museum, Incorporated for 2009 10 <sup>th</sup> Anniversary African-American Heritage Festival;	(f) \$3,759.00, plus \$27,500.00 agency match;	
	(g) St. Petersburg Little Theatre, Inc. for Stage as Classroom Community Theatre Education Outreach;	(g) \$22,872.00, plus \$199,564.00 agency match;	
	(h) Creative Clay, Inc. for Artlink 2009 Program;	(h) \$24,972.00, plus \$46,678.00 agency match;	
	(i) St. Petersburg International Folk Fair Society, Inc. for 2009 Folk Fair;	(i) \$10,852.00, plus \$124,000.00 agency match;	

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education and Leisure	(j) Clearwater Jazz Holiday Foundation, Inc. for Clearwater Jazz Holiday 2008;	(j) \$10,180.00, plus \$883,552.00 agency match;	
	(k) The Studio @ 620, Inc. for Reach One, Teach One, Heal One: Theatre that Fosters Community, One Play at a Time;	(k) \$20,782.00, plus \$25,530.00 agency match;	
	(l) Florida Craftsmen, Inc. for Series: Rock, Paper, Scissors;	(l) \$24,334.00, plus equal agency match;	
	(m) Gulf Coast Museum of Art, Inc. for Something to Look Forward to Exhibition;	(m) \$15,103.00, plus \$28,018.00 agency match;	
	(n) The Dunedin Fine Art Center, Inc. for Youth Interactive Outreach Programs;	(n) \$25,321.00, plus \$34,000.00 agency match;	
	(o) Arts Center Association, Inc. for Education Outreach Programs;	(o) \$26,424.00, plus \$99,442.00 agency match;	
	(p) Pinellas Youth Symphony, Inc. for Pinellas Youth Symphony String Program;	(p) \$13,449.00, plus \$138,521.00 agency match;	
	(q) Life Force Cultural Arts Academy, Inc. for Dundu Dole and The Chocolate Nutcracker Performances;	(q) \$20,884.00, plus \$239,616.00 agency match;	
	(r) Panama Canal Museum, Inc. for Panama Canal in Florida History Exhibition;	(r) \$11,455.00, plus \$14,500.00 agency match;	
	(s) Dunedin Historical Society, Inc. for Pinellas County, a Century of Political Change Exhibition;	(s) \$15,453.00, plus equal agency match;	
	(t) St. Petersburg Historical Society, Inc. for Time Travel Field Trip for 4 <sup>th</sup> and 5 <sup>th</sup> Graders;	(t) \$25,553.00, plus \$49,447.00 agency match;	
	(u) The Science Center of Pinellas County, Inc. for Mobile Outreach Program;	(u) \$25,263.00, plus equal agency match;	

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Culture, Education and Leisure	(v) Pier Aquarium, Inc. for Oceans in Motion and Fish-Ful Saturdays Education Programs;	(v) \$24,798.00, plus \$46,668.00 agency match;	
	(w) Great Explorations, Inc. for Foster Great Futures Program for Children in Foster Care;	(w) \$28,167.00, plus \$520,480.00 agency match;	
	(x) First Night St. Petersburg, Inc. for First Night 2009;	(x) \$10,155.00, plus \$123,090.00 agency match;	
	(y) Soulful-Arts Dance Academy, Inc. for Soulful Arts Steps Up: Langston Hughes Black Nativity;	(y) \$25,031.00, plus equal agency match;	
	(z) Florida Holocaust Museum, Inc. for Icons of Loss, Holocaust Portfolio, Pieces for Peace and Courage and Compassion, the Legacy of the Bielski Brothers Exhibitions;	(z) \$29,336.00, plus equal agency match;	
	(aa) Ruth Eckerd Hall, Inc. for Community Arts and Arts Education Programs;	(aa) \$28,407.00, plus equal agency match;	
	(bb) The American Stage Company, Inc. for American Stage in the Park and School Tours;	(bb) \$29,005.00, plus \$1,561,800.00 agency match;	
	(cc) Museum of Fine Arts of St. Petersburg, Florida, Inc. for Albrecht Durer: Art in Transition Exhibition;	(cc) \$28,805.00, plus \$158,150.00 agency match;	
	(dd) The Florida Orchestra, Inc. for 2008-2009 Masterworks Series; and	(dd) \$29,801.00, plus \$2,189,118.00 agency match; and	
	(ee) Salvador Dali Museum, Inc. for Wilfredo Lam Exhibition and Programming	(ee) \$30,398.00, plus \$137,486.00	
Culture, Education and Leisure	Cultural Tourism Grant Funding Agreements with:		7.11.08
	(a) Salvador Dali Museum, Inc. for Dali, Freud, and Surrealism Event;	(a) \$64,441.00, plus \$266,409 agency match;	

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education and Leisure	(b) Museum of Fine Arts of St. Petersburg, Florida, Inc. for Albrecht Durer: Art in Transition Event;	(b) \$64,247.00, plus \$158,150.00 agency match;	
	(c) Clearwater Jazz Holiday, Inc. for 29 <sup>th</sup> Annual Clearwater Jazz Holiday Event;	(c) \$42,767.00, plus \$883,552.00 agency match;	
	(d) The Studio @ 620, Inc. for Who's On First? Variety and Performing Arts Event;	(d) \$16,822.00, plus \$22,610.00 agency match;	
	(e) Creative Clay, Inc. for Third Annual Folkfest St. Pete;	(e) \$41,090.00, plus \$94,000.00 agency match;	
	(f) Arts Center Association, Inc. for Behind Glass II and Jasper Johns Exhibitions;	(f) \$41,025.00, plus \$119,000.00 agency match;	
	(g) Ruth Eckerd Hall, Inc. for 26 <sup>th</sup> Season of Performances;	(g) \$61,248.00, plus \$61,819.00 agency match;	
	(h) Florida Holocaust Museum, Inc. for Icons of Loss: Angels and the Warsaw Boys Exhibition;	(h) \$60,957.00, plus equal agency match;	
	(i) Florida Craftsmen, Inc. for Craft Art 2008 and Craft Art 2009;	(i) \$40,122.00, plus equal agency match;	
	(j) The Dunedin Fine Arts Center, Inc. for 2008-2009 Season of Exhibitions;	(j) \$39,886.00, plus \$135,414.00 agency match;	
	(k) The Florida Orchestra, Inc. for Soundtrack to a Life Well Lived Masterworks and SuperPops for 2008-2009;	(k) \$59,603.00, plus \$3,805,237.00 agency match;	
	(l) Great Explorations, Inc. for Touring Exhibitions Based on Fit4AllkidsVille and Five In-Museum Exhibits;	(l) \$59,312.00, plus \$190,000.00 equal agency match;	
	(m) Pier Aquarium, Inc. for 20 <sup>th</sup> Anniversary Year of the Fish Event;	(m) \$39,348.00, plus \$52,023.00 agency match;	

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education and Leisure	(n) Life Force Cultural Arts Academy, Inc. for Performances of The Chocolate Nutcracker and The Patch;	(n) \$15,970.00, plus \$244,530.00 agency match;	
	(o) Gulf Coast Museum of Art, Inc. for Christopher Still, Coming Home Exhibition;	(o) \$23,106.00, plus \$78,922.00 agency match;	
	(p) The American Stage Company, Inc. for American Stage in the Park: Altar Boyz Event; and	(p) \$57,571.00, plus \$1,601,800.00 agency match; and	
	(q) St. Petersburg Historical Society, Inc. for Second Annual Diversity in Aviation Art Show	(q) \$22,485.00, plus \$37,515.00 agency match	
Culture, Education and Leisure	(a) Agreement with Xavier Cortada for Florida Botanical Gardens Artist in Residency Public Art Project for Artwork Design, Fabrication, and Project Implementation; and	(a) \$45,000.00; and	7.2.08
	(b) Third Amendment to Grant Funding Agreement with Palm Harbor Community Services Agency, Inc. for Construction of a Hockey Rink Roof	(b) \$78,225.00 estimated County expense; time extension and change in scope	
Culture, Education and Leisure	Task Assignment Notification Form with the Florida Department of Environmental Protection (FDEP), Bureau of Invasive Plant Management for Treatment of Invasive Exotic Plants at War Veterans' Memorial Park	\$90,300.00 grant revenue, plus \$39,356.59 County in-kind match	1.18.08
Culture, Education and Leisure	Task Assignment Notification Form with the FDEP, Bureau of Invasive Plant Management for Treatment of Invasive Exotic Plants at McKay Creek Greenway	\$126,700.00 grant revenue, plus \$80,566.00 County in-kind match	12.5.07
Emergency Management	Modification No. 1 to Memorandum of Understanding (MOU) with the Pinellas County Health and Human Services Coordinating Council for Design and Implementation of Data Collection, Development of a Services Matrix of Disaster Leadership Recovery Network, Written Reports of Findings, Testing, Training and Delivery Exercises	\$40,000.00	6.24.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Emergency Medical Services (EMS) and Fire Administration	MOU with Bay Pines Veterans Affairs Health Care System for Coordination of Ambulance Services	N/A	7.10.08
Environmental Management	(a) Cooperative Agreement with the U.S. Department of Homeland Security for the BioWatch Program; and  (b) Order Authorization with Southwest Florida Water Management District (SWFWMD) for the Water Atlas Website	(a) \$143,482.00 grant revenue, no match; and  (b) \$39,500.00 grant revenue, no match	7.21.08
Environmental Management	Amendment No. 7 to the Agreement with FDEP, Bureau of Beaches and Coastal Systems, Beach Management Funding Assistance Program for Sand Key Beach Restoration	N/A; time only extension	6.30.08
Environmental Management	Second Amendment to the Agreement with SWFWMD for Roosevelt Creek Watershed Management Program	N/A – time only extension	6.4.08
Health and Human Services	St. Petersburg College Funeral Services Program Agreement with St. Petersburg College for Student Funeral Services Program	N/A	7.31.08
Health and Human Services	MedNet Services Funding Agreement with Suncoast Health Council, Inc. for a Drug Patient Assistance Program for County Residents	\$248,000.00	7.25.08
Health and Human Services	(a) Interlocal Agreement with the Pinellas County Health Department for Medical Care to Uninsured and Under Insured Residents of Pinellas County; and  (b) Grant Application with the United States Department of Health and Human Services, Health Resources and Services Administration for a Non-Competing Continuation Grant for the Mobile Medical Unit (MMU)	(a) \$249,499.00; and  (b) \$327,521.00 requested funds, no match	7.24.08
Health and Human Services	Service Agreement with Florida Department of Law Enforcement, Public Assistance Fraud Unit for Exchange of Information to Combat Public Assistance Fraud	\$5,000.00	7.21.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Health and Human Services	Service Funding Agreements with:  (a) Gulfcoast Legal Services, Inc. for Legal Services for Homeless Citizens on the MMU; and  (b) Religious Community Services, Inc. for Support Services for Victims of Domestic Violence  Mental Health Services Agreement with Directions for Mental Health, Inc. for Health Care Services for Homeless Indigent Citizens on the MMU  Funding Agreement with Daystar Life Center, Inc. for the Traveler's Aid Emergency Assistance Program	(a) \$15,000.00 and  (b) \$116,500.00  \$100,000.00  \$15,000.00	7.9.08
Justice and Consumer Services	Funding Agreement with Westcare Gulfcoast – Florida, Inc. for Shelter, Substance Abuse Education, and Case Management	\$190,000.00	7.31.08
Justice and Consumer Services	Agreement for Law Enforcement Services with the Town of Redington Beach and the Sheriff	\$211,456.73	7.21.08
Justice and Consumer Services	Grant Application with Office of the Attorney General, Crime Stoppers Trust Fund for Continued Funding of Crime Stoppers of Pinellas County, Inc.	\$325,000.00 requested funds, no match	7.7.08
Justice and Consumer Services	MOU with the State of Florida, Department of Children and Families for Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program	\$117,419.00 requested funds, plus equal Public Defender match	6.18.08
Public Works	Temporary Waiver with Morton Plant Mease Healthcare for Consumption of Alcoholic Beverages and/or Possession of Open Containers at the Morton Plant Mease Triathlon	N/A	6.30.08
Real Estate Management	License Agreement with Conservation Trust for Florida, Inc. for a Public Landowner Conservation Seminar at the Cross Bar Ranch Visitor Center	N/A	7.23.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Real Estate Management	Transmittal Letter and Grant Application with Florida Communities, Florida Forever Program for Wall Springs Coastal Addition IV	\$720,920.00 requested funds, plus equal County match	7.8.08
Utilities	Payment Request Summary Form with FDEP for Innovative Waste Reduction and Recycling Grant for the Period of April 1, 2008 through June 30, 2008	\$5,317.62 requested funds; plus \$605.00 in- kind County match	7.11.08
Utilities	(a) First Amendment to the Agreement with SWFWMD for Spray Nozzle Valve Replacement Project; and  (b) Cooperative Funding Agreement with SWFWMD for the Alternative Source Rebate Program Phase II	(a) \$44,000.00 reduction in total project cost, time extension; and  (b) \$75,000.00 SWFWMD, plus \$75,000.00 County match	6.18.08
Utilities	Releases of Lien with: Mary Fowler Est, in Care of Rober Fowler Est; Donna May Horn, in Care of Wells Fargo Bank; 2075 S LLC; and 2208 Gulf Blvd Development LLC	All liens are paid in full.	3.17.08
Utilities	Releases of Lien with: Dorothy M. Woehlcke; Phyllis J. Brown; Florida Residential Land Trust, in Care of Helps is Here Foreclosure Prevention Tre.; Four Star General Investments Inc.; and Mary Upton and Pamela K. Anderson Est.	All liens are paid in full.	3.3.08
Utilities	Releases of Lien: William F. Duckett; Bryan and Hillary Butts; Gary and Lisa Walker; and Dorothy M. Cyrway	All liens are paid in full.	2.22.08
Utilities	Notices of Lien with: Steve Bellavigna; Giau Nguyen; Joseph and Amber Champlin; John W. Padykula; and Robert L. Gick	N/A	2.12.08
Utilities	Releases of Lien with: Jason Thomas; and Susan Conley, in Care of Jeff Beggins	All liens are paid in full.	2.8.08

- #12 Third amendment to the agreement with Albertson's LLC (Albertson's) for pharmacy services (Contract No. 045-278-P) approved providing that Albertson's will continue to manage the pharmacy program currently in place in a majority of structures and facilities owned by Publix Supermarkets. All other pharmacies previously contracted with by Albertson's will remain unchanged; Publix Supermarkets has agreed to allow Albertson's to continue to provide pharmacy services to the County. Amendment will be effective immediately upon execution by both parties and will remain in effect until June 29, 2009. Chairman authorized to sign the amendment and the Clerk to attest (Health and Human Services).
- #13 Contract for Law Enforcement Services between the City of South Pasadena, Jim Coats as Sheriff of Pinellas County, and Pinellas County for the period from October 1, 2008 through September 30, 2009, in the amount of \$670,902.42 approved; Chairman authorized to execute and the Clerk to attest (Justice and Consumer Services).
- #14 Resolution No. 08-128 adopted appropriating earmarked receipts for a particular purpose, reallocating funds from the Sewer Construction Fund Series 2003 (Fund 0557) to the Capital Improvement Program associated with the 2003 Sewer Construction bonds in the Fiscal Year 2008 Budget, and authorizing the closure of Fund 0557 upon payment of all remaining liabilities (Management and Budget).
- #15a Declaration of miscellaneous County-owned equipment as surplus and authorization for liquidation of same through sale from County fixed asset inventory as set forth in memorandum dated August 19, 2008; approval of distribution of proceeds from vehicles sold from Governmental Funds to the Fleet Internal Service Fund to offset the replacement cost of future vehicles (Real Estate Management/Fleet Management).
- #15b Declaration of two absentee ballot tabulators (Model 400C) and 855 card activators as surplus and authorization for liquidation of same through sale to the highest responsible bidder in accordance with Sections 274.05 and 274.06, Florida Statutes and the Board of County Commissioners surplus disposition procedures approved (Real Estate Management/Supervisor of Elections).
- #16 Fourth Amendment for Drug Court treatment services for outpatient Level III to agreements with Operation PAR, Inc. and Westcare Gulfcoast Florida, Inc., for outpatient Level II with Westcare Gulfcoast Florida, Inc., and for adult residential services with Goodwill Industries-Suncoast, Inc. approved as amended (Contract No. 067-0013-P); estimated annual expenditure not to exceed \$668,000.00; Chairman authorized to sign agreements and the Clerk to attest.

**REGULAR AGENDA**

#17 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.

#18 Agreements for traffic engineering consulting services for Advanced Traffic Management System/Intelligent Transportation System, each in the not-to-exceed amount of \$2,000,000.00 for a term of three years with one three-year option of renewal based on performance (total value of eight agreements for the three-year term, \$16,000,000.00), with each of the following eight firms:

1. Concurrent Technologies Corporation of Pennsylvania
2. DKS Associates, Inc.
3. HNTB Corporation
4. Kimley-Horn and Associates, Inc.
5. PB Americas, Inc.
6. TBE Group, Inc.
7. TransCore ITS, LLC
8. Vanus Engineering Evolution, Inc. d/b/a VANUS, Inc.

Chairman is authorized to sign and the Clerk to attest.

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

#19 Resolution No. 08-129 adopted rescinding Resolution No. 07-27 ordering drainage improvements to the Glades Phases I and II, and Catalina Cove, Unit 5, Lots 1 through 4, ordering assessment of the properties benefitted thereby, and authorizing the Director of Public Works to begin plans preparation and develop an estimate of cost.

Motion	-	Commissioner Harris
Second	-	Commissioner Latvala

Responding to query by Commissioner Seel, Director of Public Works and Transportation Peter J. Yauch stated that he believes construction will begin in approximately 18 months.

Vote	-	6 – 0
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#20 Resolution No. 08-130 adopted granting preliminary approval of the creation of a street lighting district for Country Square Subdivision as requested in petition; authorizing advertisement of a public hearing to be held on October 7, 2008, to consider the proposed ordinance creating said district; and authorizing funds for administrative expenses directly incident to creating said district (Companion to Item No. 21).

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

#21 Authorization granted to advertise a public hearing re proposed resolution intending to use the uniform method of collecting non-ad valorem assessments for servicing of Country Square Subdivision street lighting district within unincorporated areas of Pinellas County as permitted by Section 197.3632, Florida Statutes, to be held October 7, 2008 (Companion to Item No. 20).

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

#22 Resolution No. 08-131 adopted granting preliminary approval of the creation of a street lighting district on 49<sup>th</sup> Avenue North between 46<sup>th</sup> Street North and the easterly terminus within the Royal Palm Trailer Homes Subdivision as requested in petition; authorizing advertisement of a public hearing to be held on October 7, 2008, to consider the proposed ordinance creating said district; and authorizing funds for administrative expenses directly incident to creating said district (Companion to Item No. 23).

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

#23 Authorization granted to advertise a public hearing re proposed resolution intending to use the uniform method of collecting non-ad valorem assessments for servicing of Royal Palms Trailer Homes street lighting district within unincorporated areas of Pinellas County as permitted by Section 197.3632, Florida Statutes, to be held October 7, 2008 (Companion to Item No. 22).

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

\* \* \* \*

At this time, 3:06 P.M., Commissioner Duncan entered the meeting.

\* \* \* \*

#24 Third amendment to the agreement with Langham Consulting Services, Inc. for Consultant Services, Customer Information System (RFP No. 034-911-P) approved providing for post-go-live support (\$85,120.00) for a revised contract total of \$929,920.00; 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 Harris

Responding to queries by Commissioner Welch, Director of Utilities Customer Service Tim Wiley indicated that no additional funding should be needed for ongoing support; that Langham has expertise both on the technology side and the business process side; that Langham has been working on this project since its inception; and that approval of this contract amendment will ensure that the processes now in place can be refined in order for the system to operate more efficiently; and Interim County Administrator Marquis provided input.

Vote - 7 – 0

- #25 Final negotiated agreement with Veolia ES Solid Waste Southeast, Inc. for the Bridgeway Acres Landfill operation approved (Contract No. 078-0117-P); estimated cost for seven-year initial contract period not to exceed \$80,000,000.00; seven-year contract with one additional three-year option of renewal at the same terms and conditions; unit prices, lump sum prices and unit values charged by Veolia shall be adjusted on an annual basis beginning April 1, 2009, and each subsequent 12 months thereafter, as reflected by fluctuations in the Consumer Price Index, U.S. City Average, All Urban Wage Earners and Clerical Workers (CPI-W), U.S. City Average, as published by the U.S. Department of Labor, Bureau of Labor Statistics. On a monthly basis, invoices submitted by Veolia shall be adjusted as reflected by fluctuations in the U.S. Department of Energy, Energy Information Administration PADD1C Price for Low-Sulfur Diesel Sales to Commercial/Institutional Users for vehicles/equipment used in landfill operations. Payment for Contingency Work shall be based on written cost estimates and scopes of work submitted in advance to the Director of Pinellas County Solid Waste Operations for approval; the Director may not authorize expenditures in excess of \$100,000.00 annually for contingency work. Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Harris  
Second - Commissioner Duncan

Director of Utilities Solid Waste Operations Robert Hauser, Jr. conducted a PowerPoint presentation titled *Contract for Operations and Maintenance of the Bridgeway Acres Landfill*, a copy of which has been filed and made a part of the record. During the presentation, Mr. Hauser provided a detailed background of the County's business relationship with Veolia, a description of the bidding process, a summary of the provisions contained in the proposed contract, and noted the significant changes from the current contract, as described below:

- Addition of a fuel adjustment provision.
- Adjustment to standby charge (annual lump sum) based upon CPI.

- Operation and maintenance of new Hand unload facility.
- Operation of mulch program (currently performed by the county).
- Maintenance of truck wash facility.
- Expansion of some contractor responsibilities regarding maintenance.
- Deduction in price if Toytown landfill is sold.
- Updated language to reflect current and planned operations.
- Miscellaneous clarifications.

Mr. Hauser stated that Veolia is well-qualified and has done an excellent job in the past; and that he believes the price is fair and reasonable; whereupon, he recommended that the Board approve the proposed agreement.

Responding to queries by Commissioners Seel and Stewart, Mr. Hauser related that there were three bids received for the project in 2000; that including the new services added to the proposed contract, there is an increase in cost of approximately 35 to 40 percent; and that if the new services were not included, the increase in cost would be approximately 27 to 30 percent. He noted that while increased fuel costs may have been an issue when Veolia submitted its bid, escalation on the standby charges and the high maintenance of equipment also factor into the increase in cost; and that although staff has checked with other entities, the operation of this site is unique, making the determination of a benchmark difficult. Mr. Hauser indicated that staff has investigated cost of equipment and manpower necessary to operate the site and believes that the prices in the contract are within reasonable ranges; that the base bid cost to the County per year will be approximately \$7,800,000.00; and that tipping fees will not be increased.

Vote - 7 - 0

- #26 Authorization granted to advertise a public hearing to be held on October 7, 2008 re amendments to the Animal Services Ordinance (Animal Services).

Motion - Commissioner Latvala

Second - Commissioner Duncan

Vote - 7 - 0

- #27 Resolution No. 08-132 adopted approving Project B5041850956 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support of Project B5041850956 as local participation in the Qualified Target Industry Tax Refund Program; tax refund to be paid over a series of fiscal years as determined by the State; total tax refund of \$888,000.00; no more than 25 percent of the total refund to be taken in any single fiscal year; total contribution of Pinellas County for Project B5041850956 will not exceed \$177,600.00 (Economic Development).

Motion - Commissioner Harris

Second - Commissioner Welch

Vote - 7 - 0

#28 Brooker Creek Preserve Management Plan 2008 Update approved (Environmental Management).

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

\* \* \* \*

Update Re Wilde Tract Deviating from the agenda, Interim County Administrator Marquis provided an update regarding the acquisition of the Wilde tract; noted that there is a signed contract based on Board appraisals; and stated that the contract will come before the Board for approval at its meeting scheduled for September 16, 2008. Referring to the procedure to be used to fund the project, he related that the portion of the tract to be designated as endangered lands will be funded out of the Penny for Pinellas Endangered Lands fund; that the portion of the tract to be designated for the expansion of recreation will be funded out of the Penny for Pinellas Recreation fund; and that each of these funds will receive a rebate from the Utilities Department when it has been determined how much land around the wellheads must be turned over to Tampa Bay Water; whereupon, he described the existing commitment to Tampa Bay Water with respect to those wellheads; and noted that these accounting procedures are internal to the County and should have no effect on the Board’s approval of the contract or the closing.

Mr. Marquis stated that he met with the environmental groups to explain the contractual commitment with Tampa Bay Water, noting that the groups understand that the overlay which will be placed on this property must allow for horizontal well field development; and that the land cannot be designated as a pure preserve because of that contractual obligation; whereupon, he indicated that after the closing has taken place, the lands designated as endangered will be brought into the endangered lands protection of the Charter.

Responding to queries by Commissioner Latvala, Mr. Marquis indicated that he has contacted the East Lake Youth Sports Association and informed them of the developments; displayed the latest concept plan for the development of ball fields; noted that six soccer fields and two ball fields can be built without disturbing preserve land and for much less than the projected cost of the project which would have been built on the School Board property; and indicated that after closing, the lease on the School Board property will be terminated. He noted that the closing should take place in mid-November; that the designs are currently being reworked; and that by virtue of a signed contract being in place, the Land Use Plan can and will be amended prior to closing; whereupon, Commissioner Latvala provided historic information with respect to the acquisition of this land, and Mr. Marquis provided additional input.

- #29 Final negotiated contract with Universal Health Care, Inc. for specialty care approved (Contract No. 078-0384-P); estimated annual expenditure not to exceed \$6,500,000.00; 24-month contract effective October 1, 2008, with two additional 24-month options of renewal at the same prices, terms, and conditions if approval is granted by the County Administrator or the Director of Purchasing; Chairman authorized to sign and the Clerk to attest after proper execution of the contract by the contractor and written approval as to form by the Office of the County Attorney (Health and Human Services).

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

- #30 Voluntary annexation by the City of Tarpon Springs of St. Petersburg College properties consisting of approximately 34.7 acres located southwest of the intersection of Klosterman Road and U.S. Highway 19 (with the exception of a 0.9-acre parcel located at the immediate southwest corner of the intersection) approved under the authority given the Board in Section 14(2) of Chapter 2000-386, Laws of Florida (Planning).

Commissioner Latvala indicated that while she will not oppose the voluntary annexation, the line around Palm Harbor was drawn for a reason when the fire district was created; and that she does not want to see precedent set by this voluntary annexation; whereupon, Commissioner Harris noted that this is a single action which stands on its own; that the annexation is necessary; and that he believes no additional annexation attempts will be triggered by the action.

Commissioner Welch 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.

Responding to queries by Commissioner Seel, Mr. Marquis related that the Palm Harbor Community Services Agency had not been advised of the proposed annexation since no tax dollars were involved and explained why the Fire Department would continue to provide the services; whereupon, Commissioner Seel noted that she would have preferred to hear this as a public input item.

Motion - Commissioner Harris  
Second - Commissioner Duncan  
Vote - 6 – 0 (Commissioner Welch abstaining)

- #31 Resolution No. 08-133 adopted declaring county-owned properties (Parcel Number 07/28/16/00000/210/1900 located at 2431 Tampa Road [North Center] and Parcels Nos. 28/30/15/75078/007/0040, 28/30/15/75078/007/0050, and 28/30/15/75078/007/0060 located at 8202 113<sup>th</sup> Street North [South Center]) as surplus; base bids established in the amounts of \$1,395,000.00 and \$745,000.00 for the North County and South County

Customer Service Centers, respectively; authorization granted to advertise and sell; proceeds from the sales to be placed in the Pinellas County Utilities Water Enterprise Fund (Real Estate Management).

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

#32 Contract for Sale and Purchase with Jamie Estrada and Amalita Salazar-Estrada, a/k/a Amalia Salazar-Estrada, for acquisition of a portion of land located at 2636 Keystone Road, Tarpon Springs for the 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 \$155,749.28 to American Government Services Corporation (total closing expenses, \$155,749.28; county appraisal fee, \$1,250.00; total estimated cost, \$156,999.28); Chairman authorized to sign and the Clerk to attest (Real Estate Management).

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

#33 Resolution No. 08-134 (third resolution) adopted determining the necessity to construct roadway and drainage improvements to Park Street/Starkey Road from Tyrone Boulevard to Bryan Dairy Road and directing the condemnation of the necessary properties and property rights required for construction (PID Nos. 864 and 865); Clerk authorized to record the resolution.

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

#34 Other Administrative Matters – None.

#35 County Attorney authorized to defend the County’s interests:

a. U.S. Bank National Associate, et al. versus Ruth Collins, et al. – Circuit Civil Case No. 08-10464-CI-20 – Mortgage Foreclosure involving a Community Development Mortgage.

b. Citimortgage, Inc. versus Sean T. Pitz, et al. – Circuit Civil Case No. 08-10145-CI-15 – Mortgage Foreclosure involving a Community Development Mortgage.

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

#36 Attorney Bennett provided a Status Report regarding the Pinellas County License Board for Children’s Centers and Family Day Care Homes and elaborated on the potential conflicts of interest relating to dual representation; whereupon, he related that following

further discussion with Dr. Claude M. Dharamraj, Director of the Pinellas County Health Department, the matter will be brought back for the members' consideration.

- #37 Extension of employment of Interim County Administrator Fred E. Marquis approved.
- |        |   |                     |
|--------|---|---------------------|
| Motion | - | Commissioner Harris |
| Second | - | Commissioner Welch  |
| Vote   | - | 7 – 0               |

#38 County Attorney Miscellaneous – None.

#39 County Administrator Reports – None.

#40 Appointment of Robert P. Symanski to the Pinellas County Value Adjustment Board approved.

Commissioners Morroni and Seel related that Mr. Symanski is a Certified Public Accountant; and that a CPA background will make him a valuable member on the Board.

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

#41 Reappointment of Commissioner Susan Latvala to the Pinellas Suncoast Transit Authority Board for a term of three years, commencing October 1, 2008 and expiring on September 30, 2011, approved.

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

#42 County Commission Miscellaneous:

- a. Commissioner Seel extended her thanks to a conscientious citizen.
- b. Commissioner Morroni wished Commissioner Harris a happy birthday; noted that a memorial dedication will take place at Friendship Park, Redington Beach, on Saturday, September 6, 2008 at 10:00 a.m.  
  
provided information re a Pinellas Park Water Management Board report and indicated that BCC feedback has been requested; whereupon, Chairman Stewart requested that the report be placed as an agenda item for the September 9, 2008 Work Session.

- c. Commissioner Welch provided information re Great Explorations Mock News Center.
- d. Commissioner Harris provided a consumer tip and a water conservation tip.
- e. Chairman Stewart noted that only one of the 24 municipalities has responded to the Board’s request for financial support for Project Hope; congratulated staff for their hard work in preparing for Tropical Storm Fay.

\* \* \* \*

At this time, 4:07 P.M., the meeting was recessed and reconvened at 6:29 P.M. with all members in attendance with the exception of Chairman Stewart; Vice-Chairman Harris presiding as Chair.

\* \* \* \*

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

Attorney Bennett advised that a copy of Resolution No. 08-127 has been submitted to the Clerk, which declared a state of local emergency due to Tropical Storm Fay and permitted public hearings scheduled for August 19 to be rescheduled to August 26, 2008.

**COUNTYWIDE PLANNING AUTHORITY PUBLIC HEARINGS**

- #43 Ordinance No. 08-43 adopted amending the Countywide Rules to update the traffic generation characteristic trip rates for certain Countywide Plan Map categories. No correspondence has been received. No citizens appeared to be heard.
  - Motion - Commissioner Welch
  - Second - Commissioner Duncan
  - Vote - 6 – 0

**SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS**

- #44 Resolution No. 08-135 adopted granting petition of Randolph A. Mabry to vacate a portion of a drainage easement on Lot 26-A, Horizon Estates 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.

Real Property Manager James Meloy referred to a map and pointed out the location of the subject parcel; whereupon, he specified the portion of the easement that will be affected by the vacation and provided its dimensions, indicating that there will be no impact to the overall functioning of the drainage easement.

Randolph A. Mabry, Largo, indicated that he is the owner of the property; that he wishes to install an elevated wooden platform for a storage building on the subject area; and that drainage will not be affected because the platform is elevated on pilings.

Responding to the Chairman's call for persons wishing to be heard, John W. Ronnlof III, Seminole, appeared and expressed his concerns.

During discussion and in response to queries by Commissioners Seel and Welch, Attorney Bennett, with input by Mr. Marquis, indicated that a building permit is not necessary to construct a platform for a shed; and that it is not in the regulatory purview of the county to enforce deed restrictions.

Following discussion, Commissioner Seel moved that the Petition to Vacate be denied; and the motion died for lack of a second.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Morrone and carried, that the Petition to Vacate be approved.

Motion	-	Commissioner Latvala
Second	-	Commissioner Morrone
Vote	-	5 – 1 (Commissioner Seel dissenting)

#45 Ordinance No. 08-44 adopted amending the Pinellas County Land Development Code to implement public school concurrency.

Planning Director Brian K. Smith provided a brief summary relating to public school concurrency and specified how the County will put into practice effective intergovernmental coordination with its partner local governments and the School District to ensure that land use plans, development approvals, and capital facilities planning are coordinated with the availability of public school facilities; whereupon, Commissioner Latvala expressed her appreciation to staff and the many individuals who provided support in the development of the ordinance.

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

Thereupon, Commissioner Duncan moved, seconded by Commissioner Latvala and carried, that the ordinance be approved.

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

- #46 First public hearing held regarding a proposed ordinance establishing a Countywide Inclusionary Housing Program. One letter in opposition to and 142 letters in favor of the proposed ordinance have been received.

Community Development Director Anthony M. Jones referred to a flowchart titled *Pinellas Inclusionary Housing Program*, a copy of which has been filed and made a part of the record; whereupon, he provided an overview of the proposed ordinance, stated its intent, pointed out the various opt-out provisions available to developers, and discussed recent revisions.

Thereupon, Bruce Bussey, Community Development, conducted a PowerPoint presentation titled *Pinellas County Housing Market Data*, a copy of which has been filed and made a part of the record, and provided background information relating to area median incomes, projected housing needs, home program rents, and ownership and rental housing markets.

During discussion and in response to queries by Commissioner Welch as to why the ordinance is needed since the median price of a single-family home has dropped back to 2003-2004 prices, Mr. Jones indicated that the market is cyclical and the ordinance might be necessary at a future point in time; and that despite a drop in purchase prices, costs for rental property have remained mostly unchanged; whereupon, discussion ensued regarding property taxes, homeowner's insurance, and Amendment One.

During further discussion, Vice-Chairman Harris suggested that the County begin building affordable housing units in the unincorporated area, noting the lack of support the municipalities have shown for the ordinance.

Rick MacAulay, City of St. Petersburg Development Review Services Department, with input by Stephanie Lampe, City of St. Petersburg Housing and Community Development Services Department, stated that although the City of St. Petersburg does not oppose the ordinance, it will not be participating; and that the City has implemented a voluntary workforce housing program which was adopted by the City in November 2007 and approved by the Pinellas Planning Council and the Countywide Planning Authority in December 2007 and January 2008, respectively; whereupon, he provided detailed information regarding the program.

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Commissioner Duncan expressed his concerns relating to the cities opting out of the ordinance and the ensuing lack of uniformity due to dissimilar rules being applied; and suggested that the laws of supply and demand in the marketplace are addressing the problems caused by the housing bubble; whereupon, Vice-Chairman Harris reiterated his position of utilizing County partnerships and previously set-aside resources and proceeding with the construction of housing; and Commissioner Seel provided input.

In response to queries by Commissioner Welch, Mr. MacAulay indicated that the City of St. Petersburg has recently approved two site plans which are expected to result in finished units within the next 18 months; that the plans incorporate the workforce housing density bonus; and that the County and City have similar definitions regarding workforce housing; whereupon, Commissioner Welch questioned whether a voluntary or a mandatory approach would lead to more affordable housing; and Commissioner Duncan provided input.

Following discussion and in response to queries by the members, Mr. Marquis, with input by Mr. Jones, reported that Clearwater, Indian Rocks Beach, Largo, Pinellas Park, Safety Harbor, and Seminole have formally opted out of the ordinance; and that while some municipalities have their own workforce housing ordinance in place, others simply have no desire to be a part of it; whereupon, Mr. MacAulay noted that St. Petersburg has not officially opted out; and discussion ensued.

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

Donna Davis, Clearwater  
Carol Mitchell, Largo  
Nora Lewis, Clearwater  
Elaine Demyan, Largo  
Lanadee Lampman, Dunedin  
Esther Miseroy, Palm Harbor  
Barbara Inman, St. Petersburg  
Josephine Germann, Seminole  
Katherine M. Filippelli, St. Petersburg  
James E. Byrd, Clearwater  
Glad McCurtain, Largo  
Emma Mitchell, St. Petersburg  
Mary Harvard, St. Petersburg  
Alberta Coston, St. Petersburg  
John Lawrence, Palm Harbor  
Linda Byrd, Clearwater

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

Marty Brinsko, St. Pete Beach  
Judy Smith, Palm Harbor

Jennifer Doerfel, Tampa  
Joseph Narkiewicz, Tampa, Tampa Bay Builders Association  
Lawrence Poindexter

Following public comment, Vice-Chairman Harris noted that the second public hearing will be held on October 7, 2008.

- #47 Ordinance No. 08-45 adopted adding Article II, Section 2.08 to the Pinellas County Charter relating to environmental lands and scheduling a referendum on a proposed Charter amendment. Three letters in favor of and ten letters in opposition to the proposed ordinance have been received. No citizens appeared to be heard.

Attorney Bennett advised that modifications were made to the ordinance regarding leases; and that at the request of the Supervisor of Elections, the words *for* and *against* were replaced with *yes* and *no*.

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

- #48 Ordinance No. 08-46 adopted amending Sections 90-102 and 90-112, Pinellas County Code, designating the boundaries by map of County-owned environmental lands that will be subject to Charter limitations on the conveyance, lease, license or designation of environmental lands. Correspondence received for Agenda Item No. 47 also applies to this companion item.

Responding to the Vice-Chairman's call for persons wishing to be heard, Mark P. Klutho, Largo, appeared and expressed his concerns.

Motion	-	Commissioner Duncan
Second	-	Commissioner Seel
Vote	-	6 – 0

- #49 Proposed ordinance amending Section 138-1286 of the Pinellas County Land Development Code regarding dumpsters in Commercial and Industrial zoning districts temporarily deferred.

Mr. Marquis related that a conflict must be resolved relating to the zoning code; and suggested that the item be temporarily deferred until the appropriate research has been completed. Thereupon, Commissioner Morrone moved, seconded by Commissioner Welch and carried, that the item be temporarily deferred.

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

- #50 Ordinance No. 08-47 adopted amending Section 138-1 of the Pinellas County Land Development Code regarding recreational vehicles. Two letters in favor of and one letter in opposition to the proposed ordinance have been received.

Building and Development Review Services Director Paul Cassel provided a summary regarding the ordinance; and indicated that a recent variance request highlighted a general need to update recreational vehicle width and length regulations to be consistent with the State of Florida's regulations and to keep up with industry standards; that the Florida Department of Transportation (FDOT) currently permits a maximum vehicle width of 8.5 feet and a maximum length of 40 feet; and that the changes to the Pinellas County Code will be consistent with the current regulations of FDOT regarding the permitted size of recreational vehicles.

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

Ray Sherman, Largo  
Dale Baum, Largo  
Nelson E. Gonzales, Seminole  
Timothy Horsman, Seminole

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

Andy G. Strickland, Seminole  
JoAn Totty, Palm Harbor

Thereupon, Commissioner Morroni moved, seconded by Commissioner Latvala and carried, that the ordinance be approved.

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

Following the vote, Commissioner Seel referenced a matrix titled *Comparison of City/County Restrictions for Recreation Vehicles* and pointed out that Clearwater, Largo, Pinellas Park, Safety Harbor, and Seminole all follow the state law.

- #51 Resolution No. 08-136 adopted granting the application of Mar Mar, LLC for a change in zoning from RPD-5, Residential Planned Development, five units per acre, to M-2, Heavy Manufacturing and Industry; Ordinance No. 08-48 adopted approving a change in land use designation from Residential Low to Industrial General (Z/LU-2-6-08), subject to further review and approval by the Pinellas Planning Council and the Countywide Planning Authority; and variances to the Performance Standards (distance to residential, screening, and outside fabrication) and to allow the existing buildings to remain within the required 20-foot side setback, re a parcel of land containing approximately 3.5 acres

located with Anclote Road to the north and the Anclote River to the south and lying on the south side of Anclote Road directly south of the former Stauffer Chemical Plant, 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.

Interim County Administrator Marquis indicated that Items Nos. 51, 52a, and 52b are companion items; whereupon, County Attorney Bennett advised that a vote must be taken on each item individually.

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

**WATER AND NAVIGATION CONTROL AUTHORITY PUBLIC HEARINGS**

#52a Commercial Dock Application No. CD39187-08/Revised submitted by Mar Mar, LLC/Carol Martin, 761 Flaherty Road, Tarpon Springs (Anclote River) approved; no correspondence has been received; no citizens appeared to be heard; the biological report has been filed as part of the record. There are no environmental or navigational concerns with the project. The Department of Environmental Management has reviewed the application and does not object to the requested variances or approval of the application.

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

#52b Dredge and Fill Application No. DF1953-08 submitted by Mar Mar, LLC/Carol Martin, 761 Flaherty Road, Tarpon Springs (Anclote River) approved; no correspondence has been received; no citizens appeared to be heard; the biological report has been filed as part of the record; and approval is subject to the following condition:

Turbidity control devices must be properly installed throughout dredging. In the event of turbidity problems outside of the immediate work area, the applicant or contractor must take immediate corrective action.

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

Commissioner Latvala expressed her pleasure relating to the private sector building marinas and improving citizen access to the water.

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**CITIZENS TO BE HEARD**

Mark P. Klutho, Largo, re Stupidity, Waste.  
JoAn Totty, Palm Harbor, re Political Signs.  
Greg Pound, Largo, re Pinellas Families.

#53 Meeting adjourned at 8:38 P.M.

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Chairman

ATTEST: KEN BURKE, CLERK

By \_\_\_\_\_  
Deputy Clerk