

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, SEPTEMBER 16, 2008 – 2:57 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Members Absent: None.

Members Late: None.

Members Excused: None.

Others Present: Ken Burke, Clerk of the Circuit Court; James L. Bennett, County Attorney; Fred E. Marquis, Interim County Administrator; and Arlene J. Kennare and MaryAnn Penhale, Deputy Clerks.

INVOCATION: Pastor Martin Lewis, Chapel on the Hill Church, Seminole.

PLEDGE OF ALLEGIANCE: Commissioner Calvin D. Harris.

PRESENTATIONS AND AWARDS

1. Proclamation presentation by Commissioner Seel to Representative Ed Hooper; John DeMuro, Supervisor of Government Relations at Moffitt Cancer Center; Mary Harvey, Volunteer, Moffitt Pinellas Partners Committee; and Rob Molina, Volunteer, Speak Out for Moffitt Group and cancer survivor, designating September as Leukemia and Myeloma Awareness Month.
2. Recognition of Pinellas Olympians Zack Railey and Ben Barger.
3. Youth Advisory Committee presentation by Parth Desai, Chairman.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 19 – APPROVED.

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

1 Minutes of regular meeting of August 5, 2008 and special emergency session of August 18, 2008.

2 Reports received for filing:

Pinellas County Property Appraiser's Summary of the 2008-09 Budget by Appropriation Category.

3 Vouchers and Bills Paid - Periods of August 4 through August 15, 2008:

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2281 (period August 4 through August 8)

Payroll checks numbered 558139 through 558364 (period August 4 through August 8)

Imprest Fund Expenditures

System checks numbered 935518 through 937175

ACH Transfers numbered 755 through 837

Wire Transfers numbered 010697 through 010712

4 Miscellaneous items received for filing as noted on the agenda:

- a. Manatee County 2008 Cycle II Plan Amendments (proposed).
- b. Florida Public Service Commission Notice of Hearing regarding the Nuclear Cost Recovery Clause held and to be held September 11, 12, 17, and 18, 2008 in Tallahassee.
- c. Tampa Electric Company Petition to the Florida Public Service Commission to increase base rates (Docket No. 080317-EI) filed August 11, 2008.
- d. Peoples Gas System Petition to the Florida Public Service Commission for rate increase (Docket No. 080318-GU) filed August 11, 2008.
- e. City of Pinellas Park Notices of Public Hearings re Ordinances Nos. 3638 and 3639 to be held September 25, 2008, annexing certain property.
- f. City of Seminole Ordinances Nos. 18-2008 through 21-2008 effective August 12, 2008, voluntarily annexing certain property.
- g. Correspondence from YWCA of Tampa Bay regarding Notification of Layoffs, pursuant to the Worker Adjustment and Retraining Notification Act.

5 In accordance with Resolution No. 05-61, the Board approved the write-off of prior bad debt for accounting purposes in the amount of \$195,555.50 for the St. Petersburg-Clearwater International Airport.

6 Addendum No. 3 to Interlocal Agreement with the Pinellas County Sheriff's Office for law enforcement coverage at the St. Petersburg-Clearwater International Airport for the period from October 1, 2008 through September 30, 2009, in the amount of \$583,749.01, representing an increase of \$24,611.21 approved; Chairman authorized to execute and the Clerk to attest.

- # 7 Supplemental Lease Agreement with the United States of America General Services Administration for a one-year period effective retroactively to September 1, 2008 approved extending the Transportation Security Administration lease for an additional one-year period (total annual lease revenue, approximately \$46,508.00); Chairman authorized to execute and the Clerk to attest.

- # 8 Completion surety funds released to Zarembo Group, LLC – CVS at Central Avenue and 34th Street.

- # 9 Award of bid to AKCA Incorporated for traffic marking materials and installation services (co-op) approved on the basis of being the lowest responsible, responsive bid received meeting specifications (Contract No. 078-0372-B); total estimated 24-month expenditure not to exceed \$1,213,971.10; county estimated 24-month expenditure not to exceed \$793,717.38.

- #10 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	Permit for Commercial Ground Transportation – Taxicab with Bay Area Metro, LLC d/b/a United Cab for Commercial Operating Privileges	\$1,000.00 revenue per month	8.25.08
Airport	Application for Federal Assistance with the Federal Aviation Administration for Terminal Renovation, Loading Bridges, and Airfield Drainage Study	\$554,638.00 requested funds, plus \$14,596.00 County match	7.25.08
Communications	Option of Renewal with Kathleen Ferguson for Freelance Writing Services	\$30,000.00	8.6.08
Community Development	Satisfaction of Mortgage with Mildred M. Beck	Lien is paid in full.	8.13.08
Convention & Visitors Bureau	Special Event Marketing Grant Funding Agreements with:		8.26.08
	(a) Clearwater Jazz Holiday, Inc. for Clearwater Jazz N Art Walk;	(a) \$55,000.00;	
	(b) Tampa Bay Beaches Chamber of Commerce for Special Events Support;	(b) \$75,000.00;	
	(c) City of Tarpon Springs for Special Events Support;	(c) \$66,300.00;	

September 16, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
	(d) Beach Charities, Inc. for Detailed Advertising Plan;	(d) \$30,775.00;	
	(e) City of Clearwater for 2009 Sea-Blues Festival;	(e) \$50,000.00;	8.26.08
	(f) First Night St. Petersburg, Inc. for First Night St. Petersburg Event;	(f) \$25,000.00;	
	(g) Le Italo-Americane Di Oggi, Inc. for 2009 San Gennaro Festa;	(g) \$40,000.00;	
	(h) St. Petersburg Clearwater Film Society, Inc for 2009 Sunscreen Film Festival;	(h) \$30,000.00;	
	(i) Upper Tampa Bay Regional Chamber of Commerce for Oldsmar Days; and	(i) \$15,000.00; and	
	(j) Upper Tampa Bay Regional Chamber of Commerce for Oktoberfest	(j) \$20,000.00	
Convention & Visitors Bureau	Agreements with Tampa Bay Convention & Visitors Bureau, Inc. to Establish Cooperative Sales Initiatives for:		8.25.08
	(a) Argentina	(a) \$22,800.00; and	
	(b) Brazil	(b) \$32,400.00	
Culture, Education, and Leisure	Assurance of Compliance and Signature Authorization and Related Correspondence with the State of Florida, Department of State, Division of Cultural Affairs for 2008-2009 Local Arts Agency Grant	\$14,781.00 grant revenue	9.2.08
Culture, Education, and Leisure	Donation Agreement with Master Gardener Advisory Association for the County Extension's Horticulture Division	\$10,000.00 revenue	8.14.08
Culture, Education, and Leisure	First Amendment to Grant Funding Agreement with Kiwanis Club of Gulf Beaches Foundation, Inc. for Construction of a Bathroom, Handicapped Parking, Storage Shed, Fencing, and Flag Pole at the Miracle League Field	N/A – time only	8.11.08
Culture, Education, and Leisure	Project Agreement with Florida Department of Environmental Protection (FDEP) for the Florida Recreation Development Assistance Program	\$135,611.00 revenue, plus equal County cash match	7.31.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Economic Development	License Agreement Amendment with Florida Gateway Development I, LLC for Access and Testing at Toytown Landfill	N/A	9.2.08
Emergency Management	Federally-Funded Subgrant Agreement with the State of Florida, Division of Emergency Management for Eligible and Approved Planning, Training, and Exercises	\$127,334.00, no match	6.26.08
Environmental Management	Amendment No. 3 to Interlocal Agreement with the City of St. Petersburg for Maintenance of Regulatory Zone Signage	N/A – time only	8.18.08
Environmental Management	Pinellas County National Pollutant Discharge Elimination System Annual Report for March 1, 2007 through February 29, 2008	N/A	8.14.08
Environmental Management	Notice of Award Assistance Agreement with the U.S. Environmental Protection Agency (EPA) for the National Air Toxics Trends Site	\$85,665.00 grant revenue, plus \$69,335.00 EPA in-kind services, no match	8.11.08
Environmental Management	Amendment No. 1 to Agreement with the University of South Florida for Physical Monitoring of the Sand Key and Treasure Island/Long Key Nourishment Projects	\$124,700.00	8.7.08
Environmental Management	Amendment No. 1 to the Agreement with the FDEP for Ambient Air Monitoring Services	\$66,471.00 grant revenue, no match	7.21.08
Health and Human Services	Service Agreement with Community Action Stops Abuse, Inc., d/b/a CASA of Pinellas County, for Domestic Violence Support Services	\$183,500.00	8.13.08
Health and Human Services	Amendment No. 2 to the Contract with the State of Florida, Department of Health for Operation of the Pinellas County Health Department	N/A	6.26.08
Justice and Consumer Services	Conflict Counsel Services Agreement with Criminal Conflict and Civil Regional Counsels for County Funding of Court-Related Functions	\$31,999.00	8.27.08
	Renewal of Interlocal Agreements with the Pinellas County Public Defender for:		

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
	(a) Incompetent to Proceed Misdemeanants Program; and	(a) \$153,000.00; and	
	(b) Information Technology Services	(b) \$40,648.00	
Justice and Consumer Services	(a) Service Funding Agreement with Alpha House of Pinellas County, Inc., for Child Abuse Education and Prevention Project; and	\$18,880.30, no match; and	8.25.08
Justice and Consumer Services	(b) Funding Agreement with Help A Child, Inc., for Specialized Diagnostic Assessments of Allegedly Abused and Neglected Children	\$210,000.00	8.25.08
Justice and Consumer Services	Service Funding Agreement with Family Resources, Inc. for Community Placement Intake Service Project	\$18,880.30	8.13.08
Justice and Consumer Services	Addendum No. 1 to the Contract with the Town of Belleair Shore and the Sheriff for Law Enforcement Services	\$20,548.09 revenue	8.6.08
Public Works	Joint Participation Agreement with the State of Florida, Department of Transportation (FDOT) for the Bridgeway Acres Landfill Slurry Wall Relocation Project	N/A	6.23.08
Real Estate Management	(a) Assignment and First Amendment to Lease Agreement with Continental Business Development, Inc. and Cabot II – FL4W01, LLC for Transfer of Property Ownership; and	(a) N/A; and	8.25.08
	(b) Communication Easement with Verizon Florida, LLC for Relocation of Communication Equipment from the FDOT's Right-of-Way for Ulmertown Road Improvements	(b) \$500.00 revenue	
Real Estate Management	Corrective County Deed with the City of Clearwater for Correction of a Scrivener's Error	N/A	8.21.08

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Real Estate Management	Correspondence to the Department of Energy, National Nuclear Security Administration and Supporting Documentation for Satisfaction of Closeout Requirements for Termination of the Department of Energy Cooperative Agreement for the Young – Rainey STAR Center	N/A	8.18.08
Real Estate Management	(a) License Agreement with the City of Clearwater for Access to County Property Located at 310 Myrtle Avenue for Ongoing Contamination Assessments from the Clearwater Gas System Property; and (b) Modification of Drainage Easement and Easement with Evergreen 114, LLC for Clarification of Conditions for Construction, Operation, and Maintenance of Private Roadway, Utility, and Sewer Facilities	(a-b) N/A	8.14.08
Real Estate Management	Joint Use Agreement with the School Board of Pinellas County for County-Owned and School Board-Owned Properties to be Used by Each Entity for Purposes of Recreation Programs, Public Meetings, and Other Related Programs	N/A	8.13.08
Real Estate Management	Amended Utility Easements for Harbor View Lane Project with: (a) John B. Gay III and Peggy Ann Gay for Property Located at 12625 70 th Avenue North; and (b) Tommy and Julie Tharp for Property Located at 7077 Harbor View Lane	(a-b) N/A	8.6.08
Real Estate Management	Temporary Construction Easement with Caribbean Isles Co-Op, Inc., f/k/a Stella Del Mar Co-Op, Inc., for Walsingham Road Sidewalks and Walsingham Road – 119 th Street North to Old Ridge Road Projects	\$5,100.00	8.4.08

#11 Contract with Pinellas County Sheriff Jim Coats for Law Enforcement Services – Environmental Lands Unit approved for Fiscal Year 2008/09, in the amount of \$541,155.15, representing an increase of \$30,867.99 approved; Chairman authorized to execute and the Clerk to attest (Environmental Management).

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- #12 Grant Agreement with Boley Centers, Inc. for two Safe Haven projects approved; estimated annual expenditure not to exceed \$300,000.00 for the period October 1, 2008 through September 30, 2009 (Health and Human Services).
- #13 Addendum No. 1 to Contract for law enforcement services between the City of Belleair Bluffs, Jim Coats as Sheriff of Pinellas County and Pinellas County for the period October 1, 2008 through September 30, 2009, in the amount of \$422,528.10 (representing a 3.79 percent increase in service costs) approved; Chairman authorized to execute and the Clerk to attest (Justice and Consumer Services).
- #14 Fiscal Year 2008 Budget Amendment No. 14 was filed and made a part of the record (Management and Budget).
- #15 Cancellation of contract for financial advisory services with RBC Capital Markets Corporation (Contract No. 023-706-P) approved; Chairman authorized to execute the Termination Agreement and the Clerk to attest following proper execution by the contractor and written approval as to form by the Office of the County Attorney (Office of Management and Budget).
- #16 Declaration of miscellaneous county-owned equipment as surplus approved and authorization granted for the disposition of same to include sale of scrap material, disposal of junked material, and removal of stolen and lost items from county fixed asset inventory as set forth in a memorandum dated September 16, 2008 (Real Estate Management).
- #17 Award of bid to General Elevator Sales & Services, Inc. for elevator modernization approved in the amount of \$322,695.00, on the basis of being the only responsive, responsible bid received meeting specifications (Contract No. 078-0427-CP); Chairman authorized to execute and the Clerk to attest (Real Estate Management).
- #18 First amendment to contract with Aurigo Software Technologies, Inc. for construction management software, Public Works (Contract No. 045-374-P) approved increasing the agreement amount by \$4,800.00 (revised total agreement amount, \$377,775.00); maintenance fee is waived for this feature; Chairman authorized to execute and the Clerk to attest.
- #19 Sitting as the Emergency Medical Services Authority, the Board approved execution of a Certificate of Public Convenience and Necessity to Lifefleet Southeast, Inc., d/b/a American Medical Response, to provide non-medical wheelchair transport services in Pinellas County.

- #20 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.
- #21 Resolution No. 08-151 adopted authorizing the continuation of the passenger facility charge (PFC) for the St. Petersburg-Clearwater International Airport; Airport Director authorized to submit the PFC application to the Federal Aviation Administration.
- | | | |
|--------|---|---------------------|
| Motion | - | Commissioner Harris |
| Second | - | Commissioner Duncan |
| Vote | - | 7 – 0 |
- #22 Resolution No. 08-152 adopted rescinding Resolution No. 04-209 recorded on November 18, 2004 relating to an assessment for improvements to 20th Avenue Southeast from Lake Avenue to Starkey Road, and cancelling the Notice of Pending Lien; Clerk authorized to record resolution.
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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |
- #23 Authorization granted to advertise a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing to be held at the Board of County Commissioners meeting on October 7, 2008, for issuance of not to exceed \$28,500,000.00 in Hernando County Industrial Development Private Activity Bonds, Series 2008, for Goodwill Industries-Suncoast, Inc. (Economic Development).
- | | | |
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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |
- #24 Resolution No. 08-153 adopted designating the area known as the Ashley Place site as a Brownfield Area pursuant to Chapter 376, Florida Statutes; identifying the person responsible for Brownfield site rehabilitation; authorizing the County Administrator to notify the Florida Department of Environmental Protection of said designation; and providing an effective date (Economic Development).
- | | | |
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| Motion | - | Commissioner Duncan |
| Second | - | Commissioner Harris |
| Vote | - | 7 – 0 |
- #25 Third Amendment to the Health Care Services Agreement with Comprehensive Health Management (Wellcare) (Contract No. 012-705-P) for an estimated total cost of \$3,262,432.00 effective for the period beginning ten days following full execution of the agreement through June 30, 2009 approved; Chairman authorized to execute and the

Clerk to attest following proper execution by the vendor and written approval as to form by the Office of the County Attorney (Health and Human Services).

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

#26 Final negotiated contracts approved for dental services for the Health and Human Services Department (Contract No. 078-0482-P) with the following:

- a. Anthony R. Cheslock, D.D.S., P.A.
- b. The TMJ and Facial Pain Center, P.A., d/b/a Arbor Dental Care.
- c. Neil M. Brodsky, D.D.S., P.A., d/b/a Central Dental Arts.
- d. Reconstructive Dentistry, Inc.

Chairman authorized to execute and the Clerk to attest following proper execution by the vendors and written approval as to form by the Office of the County Attorney (Health and Human Services).

Motion - Commissioner Harris
Second - Commissioner Latvala

Responding to queries by Commissioner Seel, Director of Health and Human Services Maureen A. Freaney provided information with regard to the scoring of the proposal received from Anthony R. Cheslock, D.D.S., P.A.; and indicated that she will provide information on the quality control process in place.

Vote - 7 – 0

#27a Letter of Agreement between Pinellas County and the State of Florida, through its Agency for Health Care Administration, retroactive to July 1, 2008 (agreement effective July 1, 2008 through June 30, 2009) approved for an estimated expenditure not to exceed \$24,165,594.00 to be sent to the state in four quarterly payments (Health and Human Services).

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

#27b Master Florida Low Income Pool Program Agreement with local Pinellas County hospitals approved for the period October 1, 2008 through September 30, 2009; authorization granted for execution of individual agreements and subsequent amendments and/or changes in allocated funds pursuant to the funding allocation chart in Attachment No. 1 to the Agreement (Health and Human Services).

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

- #28 Pinellas County Health Care Services Plan Interlocal Agreement with the State of Florida, Department of Health, Pinellas County Health Department approved for the period October 1, 2008 through September 30, 2009 with two one-year options of renewal (Health and Human Services).

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

- #29 Funding Agreement with 2-1-1 Tampa Bay Cares, Inc. in an amount not to exceed \$325,000.00 for the period October 1, 2008 through December 21, 2009 approved for execution; services to be completed by September 30, 2009 (Health and Human Services).

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

Commissioner Welch noted that the Juvenile Welfare Board will not be funding 2-1-1 Tampa Bay Cares, Inc. after the 2008-2009 Fiscal Year; and queried whether Health and Human Services has a vision for the agency beyond that time; whereupon, Director of Health and Human Services Maureen A. Freaney related that a Request For Proposal has been issued for a study of the services 2-1-1 Tampa Bay Cares, Inc. provides for the community with a view toward analyzing its strengths, weaknesses and efficiencies; that the process is on the fast track; and that Health and Human Services will be an active partner in this review.

Responding to query by Chairman Stewart, Assistant County Administrator Elithia V. Stanfield related that between October 2007 and June 2008, 2-1-1 Tampa Bay Cares, Inc. received 42,685 calls; and that she believes that would be 80,000 calls annually; and Commissioner Seel provided additional information; whereupon, in response to additional queries by Chairman Stewart, Ms. Freaney noted that information with regard to 2-1-1 Tampa Bay Cares, Inc. is disseminated to citizens through various agencies as well as its own website.

Responding to comments by Chairman Stewart, Ms. Freaney noted that many Health and Human Services contracts are on an annual cycle matching that of the county's fiscal year; and that due to the change in health care strategies, contracts with several new vendors are necessary; whereupon, Commissioner Seel commended Ms. Freaney and her

staff for the fine work they have done in connection with the new plans for health care delivery in the county.

- #30a Master Homeless Initiative Funding Program Agreement with recommendations of the Social Action Funding Board for funding to local social service agencies approved with authorization for the execution of individual agency agreements pursuant to the attached funding recommendations matrix in the amount of \$250,000.00 for the Fiscal Year 2008-2009 (Health and Human Services).

Motion - Commissioner Latvala
Second - Commissioner Duncan

Responding to queries by Commissioner Seel, Director of Health and Human Services Maureen A. Freaney noted that an opportunity for these agencies to receive matching funds was the number one criteria for the grants; whereupon, Grants Coordinator for Health and Human Services Kathy A. Mitchell related that due to limited funds, not every grant requesting matching funds was 100 percent funded, but was at least partially funded; and that Community Action Stops Abuse, Inc., a/k/a CASA, is a first-time funding recipient. Ms. Freaney related that the Society of St. Vincent de Paul South Pinellas, Inc. has been funded in the past, but not through the homeless initiative; and provided additional information.

Vote - 7 - 0

- #30b Master Social Action Funding Agreement with recommendations of the Social Action Funding Board for funding to local social service agencies approved with authorization for the execution of individual agency agreements pursuant to the attached funding recommendations matrix in the amount of \$760,000.00 for the Fiscal Year 2008-2009 (Health and Human Services).

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

- #31 Master Substance Abuse and Mental Health Funding Agreement with recommendations for funding to state-contracted local substance abuse and mental health agencies approved with authorization for the execution of individual agency agreements pursuant to the attached funding recommendations matrix in the amount of \$2,901,746.00 for the Fiscal Year 2008-2009 (Health and Human Services).

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

- #32 Contract with Jon R. Thogmartin, M.D., P.A., for the provision of medical examiner and forensic laboratory services in the amount of \$4,171,920.00 for Fiscal Year 2008-2009 approved; Chairman authorized to execute (Justice and Consumer Services).

Motion - Commissioner Duncan
Second - Commissioner Latvala

Responding to query by Commissioner Seel, Dr. Thogmartin indicated that Pasco County is paying its share of the cost and Mr. Marquis provided additional input regarding the matter. In reply to query by Commissioner Welch, Dr. Thogmartin and Laboratory Director Reta Newman provided an update regarding the deoxyribonucleic acid (DNA) lab.

Vote - 7 - 0

- #33 Interlocal Funding Agreement with the City of Dunedin for the Community Parkland purchase of the Weaver property and an adjacent tract for an amount not to exceed \$4,400,000.00 approved; Chairman authorized to sign and the Clerk to attest following execution by the City of Dunedin (Management and Budget).

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

- #34 Resolution No. 08-154 adopted delegating certain authority and powers conferred upon Pinellas County by the Community Redevelopment Act of 1969, Chapter 163, Part III, to the City of Largo City Commission for redevelopment in an area in the City of Largo, Florida within certain geographic boundaries; inclusion of the three subject areas in the expansion of the Clearwater-Largo Road Corridor Community Redevelopment District (CLR-CRD) approved; authority delegated to the Largo City Commission to declare itself a Community Redevelopment Agency for the expansion to the existing CLR-CRD, with authorization to prepare an amendment to the Clearwater-Largo Road Corridor Community Redevelopment Plan to include the expansion area (Planning).

Referring to an earlier inquiry by Commissioner Seel regarding the status of lawsuits, Mr. Marquis related that a final order will be issued tomorrow regarding the second section of the designated area; whereupon, Commissioner Seel moved approval of Sections 1 and 3 and approval of Section 2 contingent on the settlement of the lawsuit tomorrow.

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

- #35 Authorization granted to the Clerk to advertise a public hearing to be held on October 7, 2008 regarding a proposed ordinance amending Section 2-156 et seq. of the Pinellas County Code relating to purchasing (Purchasing/County Attorney).
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| Motion | - | Commissioner Harris |
| Second | - | Commissioner Welch |
| Vote | - | 7 - 0 |
- #36 Second Amendment to Lease Agreement with Make Us An Offer Four, LLC for the Tax Collector approved for office space located at 29399 U.S. Highway 19 North, Clearwater for an extended renewal term beginning October 1, 2008 through September 30, 2013; Chairman authorized to execute and the Clerk to attest (Real Estate Management).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 - 0 |
- #37 Contract for Sale and Purchase with JPMorgan Chase Bank, N.A., f/k/a Morgan Guaranty Trust Company of New York, G. William Wilde and Jefferson Norman Powell, Jr., as Trustees of the H. George Wilde 1989 Trust, and G. William Wilde, Individually, and Peter O. Wilde, Individually, for real property acquisition of the Wilde Family Trust Property (PID No. 154) approved; authorization granted for issuance of a wire transfer in the amount of \$17,353,850.00 at the time of closing, and \$100,000.00 within ten business days of Board of County Commissioners approval, to American Government Services Corporation; Chairman authorized to sign and the Clerk to attest (Real Estate Management).
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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Duncan |
| Vote | - | 7 - 0 |
- #38 Other Administrative Matters – None.
- #39 County Attorney authorized to defend the County’s interest in the case of Alice Hankins versus Pinellas County Board of County Commissioners, Pinellas County, Florida – United States District Court Case No. 8:08-cv-00834-JDW-TGW – Allegation of Civil Rights Violation.
- | | | |
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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Harris |
| Vote | - | 7 - 0 |
- #40 Authorization granted to advertise a public hearing to be held on October 7, 2008 regarding a proposed ordinance amending Sections 2-62(a) and (b) of the Pinellas County Code relating to delegated authority. Attorney Bennett indicated that the additions shown

in blue on the proposed ordinance, a copy of which has been filed and made a part of the record, are included.

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

- #41 Resolution No. 08-155 adopted appointing Leon W. Russell, Director of the Pinellas County Office of Human Rights, as the Pinellas County Americans with Disabilities Act (ADA) Coordinator and adopting grievance procedures required by the Americans with Disabilities Act of 1990 regarding discrimination on the basis of disability in the delivery of Pinellas County's programs and services.

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

- #42 County Attorney Miscellaneous

Resolution No. 08-156 adopted denominating the current, challenging economic conditions as sufficient justification for providing for the extension of building permits that are about to expire. During discussion, Commissioner Latvala expressed concerns regarding notification matters; whereupon, Mr. Marquis provided input and explained procedural matters that would address the issue.

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

- #43 Amendment No. 8 to the Order Form and Addendum effective May 24, 2002 with CA, Inc. for the prepayment of expenditures for the purchase of additional licensed product, increase in authorized users, upgrade, and support of existing sole source software products approved (Amendment No. 8 total estimated expenditures, \$747,796.59; total contract estimated expenditure not to exceed \$881,083.59) (Contract No. 067-0625-SS); Chairman authorized to sign and the Clerk to attest.

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

- #44 County Administrator Reports

Mr. Marquis presented a brief update regarding the potential Cross Bar property acquisition and related that the state has selected its two appraisers for the valuation; that an appraiser for the County will be selected from the state's bid list; and that the highly detailed appraisal process for the acquisition is anticipated to begin within approximately 30 days.

#45 Appointment of Commissioner Ronnie E. Duncan to Canvassing Board approved.

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

#46 Resolution No. 08-157 adopted approving an up to 90-day holdover period to allow replacement of a Board/Committee appointee whose tenure expires concurrent with the term of the appointing Commissioner.

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

#47 County Commission Miscellaneous

a. Commissioner Welch Extended “healing vibe” to Tampa Bay Rays to get the job done.

b. Commissioner Latvala Upon presentation by Commissioner Latvala, the Board granted authorization to advertise a public hearing to be held on October 7, 2008 regarding a proposed resolution exempting the County from Florida Statute 316.2123 regarding operation of an All Terrain Vehicle (ATV).

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

c. Commissioner Harris Presented a water conservation tip and commented re Tampa Bay Rays.

d. Commissioner Morroni Requested residents to remember all those affected by Hurricane Ike.

e. Commissioner Seel Agreed with comments of Commissioners Morroni and Latvala re hurricane victims and evacuation warnings.

f. Commissioner Duncan Agreed with previous comments regarding hurricane evacuation warnings.

g. Chairman Stewart Commented regarding mandatory hurricane evacuation warnings and public safety issues.

h. Clerk Burke At the request of Chairman Stewart, presented a brief overview regarding the security of the County's investments in light of recent economic developments.

* * * *

At this time, 4:10 P.M., the meeting was recessed and reconvened at 6:30 P.M. with all members in attendance.

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

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

#48 Second public hearing held re proposed final 2008-2009 millage rates and budgets for Pinellas County; resolutions adopted approving final millage rates and budgets for Pinellas County Countywide (Nos. 08-158 and 08-159), Pinellas County Emergency Medical Services Authority (Nos. 08-160 and 08-161), Pinellas County Municipal Service Taxing Units (MSTU) (Nos. 08-162 and 08-163), Pinellas Planning Council (Nos. 08-164 and 08-165), and Resolution No. 08-166 approving total final 2008-2009 County Budget, Pinellas County Board of County Commissioners (BCC).

Clerk of the Circuit Court Ken Burke reported that one e-mail in opposition to the approval of the budget and one letter in opposition to funding cuts to the Affordable Housing Trust Fund have been received; and that earlier correspondence submitted for the first public hearing includes a combined total of 288 letters, e-mails and phone calls in support of funding the Sheriff's budget; and that 62 phone calls have been received regarding the TRIM notices.

At this time, Chairman Stewart opened the second public hearing on the proposed final 2008-2009 millage rates and budgets, including the millage rate and budget of the Pinellas Planning Council. He indicated that representatives of the Property Appraiser's Office are available to respond to anyone having questions or concerns about the assessed value of their property.

Clerk Burke related that the public hearing is required by Chapters 129 and 200 of the Florida Statutes; that notice has been provided by advertisement in the September 12, 2008 edition of the St. Petersburg Times; and that an affidavit stating proof of publication is to be received for filing.

September 16, 2008

Chairman Stewart announced that the BCC as taxing authority for Pinellas County Countywide, including the Emergency Medical Services Authority, the Unincorporated Area Municipal Services Taxing Unit, the Public Library Cooperative, the Palm Harbor Recreation and Library District, the Feather Sound Community Services District, the Special Fire Protection Districts, and the Pinellas Planning Council will proceed with the public hearings.

Interim County Administrator Fred E. Marquis related that the percentage decrease in the millage rate (for all budgets, including the Pinellas Planning Council) from the rolled-back rate based upon the maximum rates on the TRIM Notice to fund the FY09 proposed budget is an 11.0 percent decrease from the aggregate rolled-back rate.

Chairman Stewart announced that the Board will continue the hearing as taxing authority for the Countywide levy, including Emergency Medical Services.

Chairman Stewart inquired as to whether there are any proposed amendments adjusting the millages and budgets; and Mr. Marquis related that there are none.

In response to the Chairman's call for persons wishing to be heard regarding the Countywide Budget, the following individuals appeared and offered their comments:

Joe Paige, Clearwater, in opposition
Linda Osmundson, St. Petersburg, in support
Mark P. Klutho, Largo, in opposition

No one responded to Chairman Stewart's query as to whether any member of the Board recommends any changes to the budget.

Chairman Stewart announced that the Board will continue the meeting as a separate hearing for the Special Dependent Districts and MSTUs within the unincorporated area including the Unincorporated Area MSTU, Public Library Cooperative, Palm Harbor Community Services District, Feather Sound Community Services District, and the Special Fire Protection Districts.

Chairman Stewart inquired as to whether there are any proposed amendments adjusting the millages and budgets for the MSTUs; and Mr. Marquis responded that there are none.

Chairman Stewart stated that Florida law allows a taxing authority to adopt the tax levies for all of its dependent special taxing districts and MSTUs, and to adopt the budgets for all of its special dependent taxing districts and MSTUs by a single unanimous vote. However, if a member of the general public requests that the tax levy or budget of a

dependent special taxing district or MSTU be separately discussed and separately adopted, the taxing authority shall discuss and adopt that tax levy or budget separately.

No one responded to the Chairman's call for comments regarding the millages and budgets for the Special Dependent Districts or MSTU budgets.

No one responded to Chairman Stewart's query as to whether any member of the Board recommends any changes to the Special Dependent Districts or MSTU budgets.

Chairman Stewart announced that the Board will continue the meeting as a separate hearing on the Pinellas Planning Council millage and budget; whereupon, in response to his query, Mr. Marquis related that there are no proposed amendments.

No one appeared in response to the Chairman's call for comments regarding the Pinellas Planning Council millage and budget.

No one responded to Chairman Stewart's query as to whether any member of the Board recommends any changes to the Pinellas Planning Council budget.

Chairman Stewart announced that with no further comments or changes, resolutions will be considered to set the final millage rates and budgets for Pinellas County Countywide, Emergency Medical Services, Unincorporated Area MSTU, Public Library Cooperative, Palm Harbor Community Services District, Feather Sound Community Services District, Fire Protection Districts, and the Pinellas Planning Council.

Mr. Marquis related that the Board must adopt each resolution by separate motion and vote; whereupon, he recommended adoption of the final millage for Fiscal Year 2008-2009 for Pinellas County Countywide.

Chairman Stewart requested a motion; whereupon Resolution No. 08-158 adopting a final millage for Fiscal Year 2008-2009 for Pinellas County Countywide was adopted.

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

Resolution No. 08-159 adopting a final budget for Fiscal Year 2008-2009 for Pinellas County Countywide was adopted.

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

Resolution No. 08-160 adopting a final millage rate for Fiscal Year 2008-2009 for Pinellas County Emergency Medical Services was adopted.

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

Resolution No. 08-161 adopting a final budget for Fiscal Year 2008-2009 for Pinellas County Emergency Medical Services was adopted.

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

Mr. Marquis reiterated that the items setting the final millages for the MSTU and Special Dependent MSTU Districts can be adopted in one resolution if the Board's vote is unanimous and no member of the public has called for an independent adoption; whereupon, the Board approved proceeding with one resolution.

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

Thereupon, Mr. Marquis presented final millages for the Unincorporated Area MSTU and Special Dependent MSTU Districts, which have been filed and made a part of the record.

Resolution No. 08-162 adopting final millages for Fiscal Year 2008-2009 for the MSTU and the Special Dependent Districts adopted.

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

Resolution No. 08-163 adopting a final budget for Fiscal Year 2008-2009 for the MSTU and the Special Dependent Districts adopted.

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

Resolution No. 08-164 adopting a final millage for Fiscal Year 2008-2009 for the Pinellas Planning Council adopted.

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

Resolution No. 08-165 adopting a final budget for Fiscal Year 2008-2009 for the Pinellas Planning Council adopted.

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

Resolution No. 08-166 adopting a total final 2008-2009 County Budget, with Exhibit A as the Budget of All Funds and Accounts, adopted.

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

At this time, Chairman Stewart closed the public hearing on the final millages and budgets for Fiscal Year 2008-2009.

#49 Resolution No. 08-167 adopted establishing schedule of fees for services to be rendered by non-proprietary (governmental) departments during Fiscal Year 2009 (effective October 1, 2008) (Management and Budget).

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

CITIZENS TO BE HEARD

Hamilton Hanson, St. Petersburg, re Stadium.
Mark P. Klutho, Largo, re stupidity, waste.
Greg Pound, Largo, re Pinellas Families.

#50 Meeting adjourned at 7:05 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk