

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, NOVEMBER 4, 2008 – 9:30 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Members Not Present: Commissioner Harris (Excused).

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

INVOCATION: Pastor Peyton Johnson, Lakeside Presbyterian Church, Tarpon Springs.

PLEDGE OF ALLEGIANCE: Interim County Administrator Marquis.

PRESENTATIONS AND AWARDS

1. Proclamation presentation by Chairman Stewart to Matthew Silverman, President of the Tampa Bay Rays, designating November 4, 2008 as Tampa Bay Rays Day.
2. Proclamation presentation by Chairman Stewart to Fred E. Marquis, Interim County Administrator, designating November 4, 2008 as Fred E. Marquis Day.
3. Recognition of retiring County Commissioner Robert B. Stewart, Chairman of the Pinellas County Board of County Commissioners.

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

BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING

- # 1 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 08-191 adopted approving issuance of not to exceed \$26,000,000.00 Pinellas County Health Facilities Authority Health Facilities Refunding Revenue Bonds (Inn on the Pond Project) on behalf of Menorah Manor Senior Living, LLC, Series 2008, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, and waiving the indigent care fee. No correspondence has been received. No citizens appeared to be heard.

Marshall Seiden, Chief Executive Officer of Menorah Manor Senior Living, LLC, related that Menorah Manor is a community sponsored organization which has provided extensive charitable and indigent care to Pinellas County senior citizens for 23 years; and that the organization proposes to construct an additional campus and broaden its range of services; whereupon, Mr. Seiden requested that the members consider waiving the indigent care fee; and Paul Towel, Investment Banker, Raymond James, provided input.

In response to comments by Commissioner Latvala, Mr. Seiden indicated that Menorah Manor will utilize certified outside audits, completed on a routine basis, to document the dollar amount of indigent care services provided.

Thereupon, Commissioner Duncan moved, seconded by Commissioner Morroni, that the application be approved.

Motion	-	Commissioner Duncan
Second	-	Commissioner Morroni

During discussion and in response to queries by Chairman Stewart, Chief Assistant County Attorney Dennis R. Long, with input by Mr. Marquis, provided background information regarding the indigent care fee; and indicated that it is charged against the total bond issue. Attorney Long related that although the fee is stipulated by ordinance, the members have the authority to waive the fee at their discretion.

Attorney Long, with input by Grace Dunlap, Bryant, Miller and Olive, indicated that when indigent care fees are collected, the funds are placed into an indigent care account that the County maintains; whereupon, he provided information regarding the process by which the Health Facilities Authority directs funds to appropriate facilities that support indigent and community care; and discussion ensued.

Chairman Stewart reported that a growing number of organizations are requesting that the BCC waive the indigent care fee; and that the fee provides funds which benefit residents in need of such assistance; whereupon, he questioned why the Board permits exceptions to the ordinance.

Following discussion, it was the consensus of the Board that Attorney Long would work in partnership with the Health Facilities Authority to develop a policy regarding waiving the fee to be brought before the Board at a later date.

Upon call for the vote, the motion carried unanimously.

Vote	-	6 – 0
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WATER AND NAVIGATION CONTROL AUTHORITY PUBLIC HEARINGS

2a Private dock Application No. P38971-08/Revised submitted by Brian F. and Indra Cabral, 2850 Phillippe Parkway, Safety Harbor (Tampa Bay) approved; no correspondence has been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

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

2b Dredge and Fill Application No. DF1934-08/Revised submitted by Robert H. Smith/Pirate’s Cove Marina, 2400 Bayshore Boulevard, Dunedin (Curlew Creek) 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 conditions:

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

2. Approvals from Pinellas County Building and Development Review Services may be required for the spoil disposal site.

Motion - Commissioner Duncan
Second - Commissioner Welch

Commissioner Seel reported that the dredging of Curlew Creek has been an ongoing problem and pointed out that it has been dredged an excessive number of times; whereupon, she emphasized that the City of Dunedin needs to attend to the problem; and Commissioner Latvala concurred.

Vote - 6 – 0

2c Commercial dock Application No. CD38985-08/Revised submitted by City of Madeira Beach Municipal Marina, 300 Municipal Drive, Madeira Beach (Boca Ciega Bay) approved; one letter in opposition to the application 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:

A hurricane plan for the marina must be received from the applicant prior to permit issuance.

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

COUNTYWIDE PLANNING AUTHORITY PUBLIC HEARINGS

- # 3 Ordinance No. 08-71 adopted approving substantive plan change amendments to the Vision 2020 Special Area Plan (Case CW 07-10; SAP Change No. 3-2008), a proposal initiated by the City of St. Petersburg.

Mr. Marquis indicated that on April 3, 2007, the Countywide Planning Authority (CPA) approved the City of St. Petersburg’s Vision 2020 Special Area Plan in support of extensive amendments to the Countywide Plan Map which affected nearly 7,800 acres throughout the City; that since April 2007, the City has submitted a number of smaller amendments which utilized the new Planned Redevelopment categories; and that the CPA determined that the Special Area Plan should be updated to include these various map amendments, along with an infrastructure analysis of the cumulative impact of these amendments and any other amendments that might be necessary since the original adoption date.

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

- # 4 Ordinance No. 08-72 adopted approving Case No. 08-39, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Medium (up to 15 units an acre) and Preservation to Recreation/Open Space and Preservation, re 4.0 acres located at 1551 Gulf Boulevard (subthreshold amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

- # 5a Ordinance No. 08-73 adopted approving Case No. 08-35, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Low (up to 5 units an acre) to Industrial General, re 3.5 acres m.o.l., located west of Anclote Road, approximately 1,000 feet south of Brady Road (regular amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Morroni
Second - Commissioner Duncan

Commissioner Latvala commented on the need for industrial land throughout the County.

Vote - 6 – 0

5b Mr. Marquis related that the City of Dunedin has requested the withdrawal of Case No. 08-36, a proposal by the City to amend the Countywide Future Land Use Plan from Residential Medium (up to 15 units an acre) to Commercial General, re 3.9 acres m.o.l., comprising a group of parcels approximately 300 feet north of Main Street at the northern end of Carnation Drive, a private street (regular amendment). The Pinellas Planning Council has accepted the request of the City of Dunedin to withdraw the case and County staff recommends that the CPA do the same, and no objections were noted.

5c Ordinance No. 08-74 adopted approving Case No. 08-37, the proposal by the City of Tarpon Springs to amend the Countywide Future Land Use Plan from Residential/Office General and Institutional to Planned Redevelopment–Mixed Use, re 16.6 acres m.o.l., located on the southeast corner of the intersection of South Pinellas Avenue (Alternate U.S. Highway 19) and Meres Boulevard (regular amendment). The Pinellas Planning Council recommended approval of the proposed map amendment and the Meres Crossing Special Area Plan subject to the following conditions, and staff concurred.

1. Maximum permitted density of 22 dwelling units per acre and non-residential intensity of 0.41 FAR (Floor Area Ratio).
2. Submission of an executed Local Funding Agreement for the Meres Avenue and Safford Avenue roadway improvements.
3. Submission by the City of a monitoring and evaluation report for the Special Area Plan that assesses the status of Special Area Plan implementation progress and measurable impacts to date within five years of the date of approval of the amendment.
4. Submission of any future amendment to the Special Area Plan, for receipt and acceptance, or for consideration as an amendment, as is determined necessary under the Countywide Plan Map amendment process.
5. Final resolution of additional wetland mitigation, on the golf course or elsewhere in the City of Tarpon Springs, at approximately a 1:1 ratio, to the satisfaction of the County and incorporation of said provision for mitigation into the Special Area Plan (condition added per the Council’s recommendation of approval).

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

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

- # 5d Ordinance No. 08-75 adopted approving Case No. 08-38, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Commercial General to Planned Redevelopment–Mixed Use, re 11.8 acres m.o.l., extending north and east of the intersection of Ulmerton Road and Evergreen Avenue (regular amendment). Pinellas Planning Council recommended approval of the proposal based on and correspondent with the City of St. Petersburg’s Vision 2020 Special Area Plan, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

- # 5e Ordinance No. 08-72 adopted approving Case No. 08-40, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Urban (up to 7.5 units an acre) and Institutional to Residential Low Medium (up to 10 units an acre), re 8.1 acres m.o.l., located northeast of the intersection of South Myrtle Avenue and Woodlawn Street. Pinellas Planning Council recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

- # 5f Mr. Marquis related that the Town of Kenneth City has requested a continuance for Case No. 08-41 to the December 16, 2008 Board meeting, re a proposal by the Town to amend the Countywide Future Land Use Plan from Residential/Office General to Commercial General, re 1.5 acres m.o.l., located northwest of the intersection of 62nd Street North and 54th Avenue North (regular amendment). Since the Pinellas Planning Council will hear the case at its November 19, 2008 meeting, County staff recommends that the case be heard by the Board at its December meeting.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Duncan, that Case No. 08-41 be continued to the meeting of December 16, 2008, and upon call for the vote, the motion carried unanimously.

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

CITIZENS TO BE HEARD

Richard N. Shott, Clearwater, re Bayside Reserves, Comprehensive Plan, Land Development Code.

Ken Burke, Clerk of the Circuit Court, Clearwater, re Commissioners.

Bob Matthews, Seminole, re Congratulations to Commissioners Duncan and Stewart.

CONSENT AGENDA ITEMS NOS. 6 THROUGH 15 – APPROVED, WITH THE EXCEPTION OF ITEM NO. 13, WHICH WAS CONSIDERED UNDER ITEM NO. 16.

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

6 Minutes of regular meeting of September 16, 2008 approved.

7 Reports received for filing:

- a. City of Largo Community Redevelopment Agency Resolution No. CRA-0803 adopted September 23, 2008, adopting an annual operating and capital improvements budget for the West Bay Drive Community Redevelopment Agency for Fiscal Year 2009.
- b. Pinellas County Sheriff’s Office 2008-2009 Budget Requisition and budget draw down schedule.
- c. Pinellas County License Board for Children’s Centers and Family Day Care Homes Resolution No. 08-02 effective October 1, 2008, relating to the budget for Fiscal Year 2008-2009.
- d. Pinellas Park Water Management District Truth in Millage (TRIM) package for Fiscal Year 2008-2009, along with the summary of activities presented to the Board of County Commissioners dated January 3, 2008.
- e. Pinellas Suncoast Fire & Rescue Operating & Capital Budget for Fiscal Year 2008-2009 and Resolutions Nos. 2008-06, 2008-07, and 2008-09 adopting the 2008-2009 Preliminary Budget, amending the 2007-2008 Budget, and adopting the 2008-2009 Budget and adopting the present rate of assessments and establishing pay raises for administrative staff/personnel, adopted September 4, 2008 and September 18, 2008.
- f. Dock Fee Report for the month of September 2008.
- g. Quarterly Report of Routine Dock Permits issued from July 1, 2008 through September 30, 2008.

8 Vouchers and Bills Paid – Period of September 22, 2008 through October 3, 2008:

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2329

Payroll checks numbered 559051 through 559279

Imprest Fund Expenditures

Manual check numbered 751515

System checks numbered 941241 through 942977

ACH Transfers numbered 1020 through 1137

Wire Transfers numbered 010739 through 010757

9 Miscellaneous items received for filing:

- a. City of Clearwater Public Hearing Notices of Annexation, Comprehensive Plan, Land Use Plan, and Zoning Atlas Amendments regarding Ordinances Nos. 7945-08, 7946-08 and 8016-08 held October 15, 2008 and to be held November 18, 2008.
- b. City of Clearwater Ordinance No. 7950-08 adopted September 18, 2008, amending the Utility Element Goals, Objectives, and Policies of the Comprehensive Plan.
- c. City of Pinellas Park Notice of Public Hearing re Ordinances Nos. 3646 and 3647 held October 23, 2008, annexing certain property.
- d. Pinellas Park Water Management District minutes of Regular Authority Meeting No. 11 dated August 21, 2008, Financial Statement for the month of July 2008, and Calendar of Regular Authority Meetings for Fiscal Year 2008-2009.
- e. Pinellas Suncoast Fire & Rescue Resolution No. 2008-08 adopted September 18, 2008 agreeing to participate in the negotiation process regarding annexation provided for under Chapter 171, Part II, Florida Statutes, the Interlocal Service Boundary Agreement Act.
- f. Peoples Gas System Rate Case Synopsis re its Petition to the Florida Public Service Commission for rate increase (Docket No. 080318-GU).
- g. Eastlake Oaks Community Development District minutes of the meeting held June 12, 2008 and Calendar of Regular Authority Meetings for Fiscal Year 2009.

#10a Installation of two speed humps on Kingfisher Drive between Laughing Gull Lane and Osprey Lane approved in accordance with the Residential Traffic Management (RTM) program adopted pursuant to Resolution No. 97-291 dated October 14, 1997 and revised June 4, 2002 and June 7, 2005.

- #10b Installation of two speed humps on Burnice Drive between Woodley Road and Belcher Road approved in accordance with the Residential Traffic Management (RTM) program adopted pursuant to Resolution No. 97-291 dated October 14, 1997 and revised June 4, 2002 and June 7, 2005.
- #10c Installation of three speed humps on 52nd Avenue North between Main Street North and 37th Street North approved in accordance with the Residential Traffic Management (RTM) program adopted pursuant to Resolution No. 97-291 dated October 14, 1997 and revised June 4, 2002 and June 7, 2005.
- #11 Bid of Caladesi Construction for the Bridgeway Acres Redevelopment Project – Phase IV - Household Electronics and Chemical Collection Center (HEC3) Building – Rebid (2) (Project No. 1482, Bid No. 078-0599-C) rejected as being non-responsive due to not being prequalified to bid on projects in excess of \$3,000,000.00; bid of the Diaz/Fritz Group, Inc., a prequalified contractor, in the amount of \$3,215,000.00 accepted on the basis of being the lowest responsive, responsible bid received meeting specifications; 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.
- #12a Fiscal Year 2008 Budget Amendment No. 15 was filed and made a part of the record (Management and Budget).
- #12b Fiscal Year 2009 Budget Amendment No. 2 was filed and made a part of the record (Management and Budget).
- #13 See Agenda Item No. 16.
- #14 Sitting as the Countywide Planning Authority, the Board adopted Resolution No. 08-192 accepting the Amended Countywide Future Land Use Plan Map and directing it be filed with the Clerk of the Board of County Commissioners as the official Countywide Future Land Use Plan Map, as recommended by the Pinellas Planning Council in its Resolution No. 08-3 adopted October 15, 2008, a copy of which has been filed and made a part of the record.

#15 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the Florida Department of Health EMS County Grant Application and adopted Resolution No. 08-193 certifying that monies received from the EMS Trust Fund shall be used solely to improve and expand prehospital emergency medical services (rollover from previous years, \$753,128.53; current grant award, \$287,949.00; total budget, \$1,041,077.53); Chairman authorized to sign the application.

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

#13 Contract for Sale and Purchase with George A. Shimp II and Heidi R. Shimp for acquisition of real property located west of U.S. Highway Alternate 19 and south of Wai Lani Road, Palm Harbor, for the Wall Springs Park General Development Project (PID No. 921370) in the amount of \$340,000.00 approved (property cost, \$340,000.00; appraisal fee, \$2,500.00; title search fee, \$470.00; total estimated cost, \$342,970.00); Chairman authorized to execute and the Clerk to attest; authorization granted for issuance of a wire transfer in the amount of \$340,000.00 to Security Title Company at the time of closing (Real Estate Management/Culture, Education, and Leisure).

Responding to query by Commissioner Seel, Interim County Administrator Marquis related that, on a square-foot-basis, the County will acquire the land for an amount that is less than the appraised value.

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

#17 Interlocal Agreement with the City of Clearwater for Intersection Improvements to Court Street, Oak Avenue, and Chestnut Street approved providing fifty percent of actual construction expenses up to an amount not to exceed \$400,000.00 to be comprised of a cash contribution not to exceed \$390,200.00 and an in-kind contribution of \$9,800.00; Chairman authorized to sign the agreement and the Clerk to attest.

Director of Public Works Peter J. Yauch stated that when the Memorial Causeway Bridge opened, all traffic heading toward the beach was routed toward the intersection of Court and Chestnut Streets, creating pedestrian concerns for staff and citizens visiting the Courthouse; whereupon, he referred to an aerial photograph and described the planned improvements. Responding to query by Commissioner Seel, he indicated that construction is scheduled to begin next week.

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

- #18 Commissioner Duncan indicated that Agenda Item No. 18 encompasses agreements with two separate entities; that he serves on the Tampa Bay Super Bowl XLIII Host Committee as a citizen volunteer; and that he wishes to abstain from the vote on that item; whereupon, he requested that the agreements be approved by separate vote. In accordance with the provisions of the Standards of Conduct Law, he submitted a Memorandum of Voting Conflict which has been filed and made a part of the record.

Amendment to Tourism Promotion Agreement with the Tampa Bay Super Bowl XLIII Host Committee, Inc. in the amount of \$500,000.00 approved (\$250,000.00 contributed in Fiscal Year 2008; total sponsorship commitment, \$750,000.00); Chairman authorized to execute the amendment and the Clerk to attest (Convention and Visitors Bureau [CVB]).

Motion - Commissioner Morroni
Second - Commissioner Seel

Commissioner Seel inquired as to the amount to be contributed by Hillsborough County; and later in the meeting, Mr. Marquis indicated that the contribution will be \$2,500,000.00; whereupon, Chairman Stewart specified that \$1,000,000.00 will be provided by the Tampa Bay Convention and Visitors Bureau and \$1,500,000.00 will be provided by the Hillsborough County Commission.

Vote - 5 – 0 (Commissioner Duncan abstaining)

Tourism Promotion Agreement with Andretti Green Racing, Inc. and Andretti Green Promotions, LLC in the amount of \$300,000.00 for the 2009 Honda Grand Prix of St. Petersburg approved; agreement represents a one-year contract with two one-year renewal options and also stipulates that the CVB will expend at least \$250,000.00 on a joint media campaign in partnership with Andretti Green Racing; Chairman authorized to execute the agreement and the Clerk to attest (CVB).

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

- #19 2009 Legislative Program adopted (County Administrator).
 - Motion - Commissioner Welch
 - Second - Commissioner Duncan
 - Vote - 6 – 0

- #20 Resolution No. 08-194 adopted approving Project A2060442618 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support of Project A2060442618 as local participation in the Qualified Target Industry (QTI) Tax Refund Program; tax refund to be paid over a series of fiscal years as determined by the State; total tax refund of \$30,000.00; no more than 25 percent of the total refund to be taken in any single fiscal year; total contribution of Pinellas County for Project A2060442618 will not exceed \$6,000.00 (Economic Development).

- Motion - Commissioner Latvala
- Second - Commissioner Welch

Commissioner Seel pointed out that rarely does a small business qualify for the QTI program; whereupon, she extended congratulations and wishes for continued growth.

- Vote - 6 – 0

- #21 Economic Development Grant Funding Agreement between Pinellas County and Jabil Circuit, Inc. in the amount of \$1,275,000.00, pursuant to Florida Statute 125.045 and Pinellas County Resolution No. 08-92, approved providing for 15 annual payments of not to exceed \$85,000.00 each, subject to conditions contained therein (Economic Development).

At the request of Commissioner Seel, Economic Development Director Mike Meidel reviewed the provisions of the agreement. He indicated that the County agreement provides local matching funds for the State of Florida Governor’s Quick Action Closing Fund Agreement, under which \$12,438,000.00 has already been paid to Enterprise Florida for distribution to Jabil Circuit; that the State is responsible for ensuring compliance with performance measures for job creation, wage level, and capital investment; that non-compliance would require repayment of funds by Jabil to the State and an adjustment to Pinellas County’s payment schedule; and that jobs created must be located on the project site by Jabil or one of its sister companies. Mr. Meidel noted that the State’s agreement ends on December 31, 2015, but the County agreement extends beyond that date; that, when the State’s agreement is fulfilled, the County agreement will consider its conditions fulfilled as well; and that County payments are merely spread over time based on conditions that will have already been met by Jabil.

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

#22 Pinellas Hope Project Agreement between Pinellas County and Catholic Charities DOSP, Inc. for funding in an amount not to exceed \$770,000.00 approved for execution (Health and Human Services).

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

#23 Other Administrative Matters:

Pinellas Suncoast Fire District Emergency Medical Services (EMS) funding reduced in the amount of \$427,152.00 for paramedic staffing at Station No. 28. Board to request the Pinellas County Legislative Delegation to support the district boundary line adjustment for the Pinellas Suncoast Fire District and assign the First Due Response Area to Station 31, to take necessary action to include the area formerly in Pinellas Suncoast into the Seminole district, to request that the Redington communities establish fire protection within their response area, and to support relocating the impacted Pinellas Suncoast apparatus to the Redington communities.

Interim County Administrator Marquis provided an overview of the proposal, as presented to the Board at its October 28, 2008 workshop, and indicated that the changes, if approved, would not become effective until the Fiscal Year beginning in October 2009; whereupon, responding to query by Commissioner Latvala, he indicated that the public would be informed of the proposed changes during informational meetings to be held in the affected communities during the next few months. Commissioner Seel expressed concern that the proposal may not be fair to Pinellas Suncoast Fire & Rescue.

In response to queries by Commissioner Welch, Mr. Marquis indicated that Representative Janet C. Long has agreed to present the proposal to the Pinellas County Legislative Delegation; whereupon, he discussed the estimated savings to the County and noted that a substantial millage reduction is anticipated for the entire Seminole service area as a result of the proposed consolidation. Referring to a map of the affected area, Seminole Fire Chief Daniel H. Graves described the proposed changes.

Commissioner Morroni stressed the importance of communication with the community to avoid the spread of misinformation, and Chief Graves noted that he is scheduled to address the Unincorporated Seminole Community Association (USEM-CA) on

January 29. Following discussion, Commissioner Morroni requested that the matter be included in the agenda for the Board’s meeting with the Legislative Delegation in early December; and that representatives of Pinellas Suncoast Fire & Rescue and the City of Seminole Fire Rescue Department meet with the USEM-CA as soon as possible following the Delegation meeting, rather than waiting until January 29.

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

#24 County Attorney authorized to initiate litigation in the case of Pinellas County versus Paul A. Mills – Negligence in the Operation of a Motor Vehicle.

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

#25 County Attorney Miscellaneous – None.

#26 Authorization granted to advertise public hearings to be held December 2 and December 16, 2008, to consider a proposed Countywide Plan Rule Amendment concerning Development Agreements, as recommended by the Pinellas Planning Council in its Resolution No. 08-4 adopted October 15, 2008, a copy of which has been filed and made a part of the record.

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

#27 County Administrator Reports:

Director of Utilities Thomas T. Crandall reported that Tampa Bay Water initiated a request with the Southwest Florida Water Management District (SWFWMD) to declare a Phase III water shortage; that a 14-day public information period commenced on October 28, with new regulations to go into effect on November 11; and that citations will be written for first-time violations.

Mr. Crandall related that SWFWMD is asking that people forego any lawn replacements or new lawn installations; that utility personnel restrict flushing activities as much as possible; and that local governments step up enforcement of their regulations; whereupon, he indicated that, in addition to those currently in effect, new restrictions imposed by the County will limit the use of water fountains from eight to four hours per day and limit hand watering of outdoor plants to before 8:00 A.M. and after 6:00 P.M.

He suggested that members of the public visit the County website to familiarize themselves with the restrictions; and that anyone having questions call the Utilities Department at 464-4000.

Responding to queries by the members, Mr. Crandall stated that the SWFWMD order affects residents of all municipalities served by Tampa Bay Water; that the County will enforce restrictions within the unincorporated area only; that no restrictions are currently imposed for use of reclaimed water; and referring to new North County reclaimed water service, that construction should be completed by the end of this month adding the potential for 6,000 additional customers, although some restrictions will need to be put in place before all connections are available.

Commissioner Duncan pointed out that restrictions apply not only to the potable water system, but also to the use of shallow wells, lakes and ponds for irrigation purposes.

* * * *

Referring to his “passing the baton” to incoming County Administrator Robert S. LaSala, Mr. Marquis reflected on his 32-plus years of service to Pinellas County and thanked the Commissioners for their trust and support, indicating that the past year serving as Interim County Administrator has been the pinnacle of his administrative career.

#28a Reappointment of Council Member Carlen Petersen by the City of Clearwater to the Tourist Development Council approved for a term to expire on October 31, 2012.

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

#28b Reappointment of Council Member Leslie Curran by the City of St. Petersburg to the Tourist Development Council approved for a term to expire on October 31, 2012.

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

#29 County Commission Miscellaneous:

a. Commissioner Welch extended his thanks to Chairman Stewart, Commissioner Duncan, and Mr. Marquis for their hard work and expressed his respect for each of them.

November 4, 2008

- b. Commissioner Latvala noted that it has been a pleasure to work with Chairman Stewart, Commissioner Duncan, and Mr. Marquis.
- c. Commissioner Morroni expressed his high regard for Chairman Stewart, Commissioner Duncan, and Mr. Marquis; thanked his Administrative Assistant, Barbara Banks, for her hard work and noted her upcoming retirement.
- d. Commissioner Seel offered her thanks to Chairman Stewart, Commissioner Duncan, and Mr. Marquis.
- e. James L. Bennett, County Attorney related his thanks to Chairman Stewart, Commissioner Duncan, and Mr. Marquis.
- f. Claretha N. Harris, Chief Deputy Clerk extended her thanks to Chairman Stewart, Commissioner Duncan, and Mr. Marquis; and stated that it has been a pleasure and honor to work with them.
- g. Chairman Stewart offered his thanks to Commissioner Duncan and Mr. Marquis; thanked his Administrative Assistant, Wanda Kimsey, for her hard work and noted her upcoming retirement.
- h. Commissioner Duncan Extended his thanks to Chairman Stewart, Mr. Marquis, and members of the Board; provided information re voting and efficient government.

#30 Meeting adjourned at 11:42 A.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk