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At this time, 2:01 P.M., in the County Commissioner Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, the following individuals were sworn in for their new terms as Pinellas County Commissioners: Commissioner Kenneth T. Welch by Circuit Court Judge Myra Scott McNary; Commissioner Karen Williams Seel by Circuit Court Judge George W. Greer; Commissioner Nancy Bostock by Circuit Court Judge Susan Bedinghaus; and Commissioner Neil Brickfield by Circuit Court Judge George W. Greer.

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**BOARD OF COUNTY COMMISSIONERS MEETING  
TUESDAY, NOVEMBER 18, 2008 – 2:59 P.M.  
ASSEMBLY ROOM, FIFTH FLOOR  
315 COURT STREET, CLEARWATER, FLORIDA**

**Members Present:** Calvin D. Harris, Vice-Chairman; Karen Williams Seel; Susan Latvala; John Morrioni; Kenneth T. Welch; Nancy Bostock; and Neil Brickfield.

**Others Present:** Ken Burke, Clerk of the Circuit Court; James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; Arlene J. Kennare and Arlene L. Smitke, Deputy Clerks.

**INVOCATION:** Pastor Tom Hamilton, Feather Sound Community Church, Clearwater.

**PLEDGE OF ALLEGIANCE:** Commissioner John Morrioni.

**PRESENTATIONS AND AWARDS:**

1. 2008 Care Cup Trophy presented to the Board of County Commissioners by Daniel Bernard, President, Somebody Cares Tampa Bay.
2. Geographic Information Systems Day Proclamation presented to Business Technology Services Deputy Director David James.

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Deviating from the agenda, Vice-Chairman Harris noted that item No. 31 will be addressed at this time.

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#31 At the request of the Vice-Chairman, Clerk of the Circuit Court Ken Burke assumed the gavel and presided as Acting Chairman for the purpose of electing a Chairman of the Board of County Commissioners for the remainder of 2008 and the Calendar Year 2009; and indicated that the floor is open for nominations.

Commissioner Seel nominated Vice-Chairman Calvin D. Harris for the Chairmanship of the Board of County Commissioners, which was seconded by Commissioner Latvala. There being no further nominations, Commissioner Welch moved to close the nominations; and the motion, seconded by Commissioner Morroni, carried unanimously.

Commissioner Seel moved that Vice Chairman Harris be elected Chairman, which was seconded by Commissioner Bostock. Upon call for the vote, the motion carried unanimously.

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At this time, 3:11 P.M., Chairman Harris assumed the gavel, Clerk Burke left the meeting, and Chief Deputy Clerk Clareth N. Harris assumed Clerk Burke's place on the dais.

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Commissioner Welch nominated Commissioner Karen Williams Seel for the Vice-Chairmanship, which was seconded by Commissioner Latvala. Upon call for the vote, the motion carried unanimously.

**CONSENT AGENDA ITEMS NOS. 1 THROUGH 18 – APPROVED WITH THE EXCEPTION OF ITEM NO. 2a., WHICH WAS CONSIDERED UNDER ITEM NO. 19.**

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

# 1 Minutes of regular meeting of October 7, 2008.

# 2 Reports received for filing:

- a. See Agenda Item No. 19.
- b. State of Florida Constitutional Officer Financial Report for 2007-2008 – Pinellas County Property Appraiser.
- c. Florida Division of Forestry, Lakeland District, Annual Report to County Commissioners for the period July 1, 2007 through June 30, 2008.

November 18, 2008

- d. Juvenile Welfare Board Interim Financial Report (Unaudited) dated September 30, 2008.

# 3 Vouchers and Bills Paid - Period of October 6 through October 10, 2008:

Imprest Fund Expenditures  
System checks numbered 942978 through 943794

ACH Transfers numbered 1138 through 1171

Wire Transfers numbered 010758 through 010761

# 4 Miscellaneous Items to be Received for Filing

- a. Florida Public Service Commission Notice of Customer Service Hearings regarding petition for a rate increase by Tampa Electric Company held in Tampa and Winter Haven on October 21 and 22, 2008, respectively, issued September 24, 2008.
- b. City of Clearwater Public Hearing Notice of Annexation, Land Use Plan, and Zoning Atlas Amendments regarding Ordinances Nos. 7890-07 through 7892-07 held November 6, 2008.
- c. Correspondence from the City of Largo re notice of action on November 5, 2008 to amend the Clearwater-Largo Road Community Redevelopment District Plan (Ordinance No. 2009-05) to include additional properties.
- d. City of Oldsmar Notice of Public Hearings regarding Ordinance No. 2008-26 annexing certain property; public hearing held October 18, 2008.
- e. City of St. Petersburg Notice of Public Hearing to be held November 20, 2008, regarding amendments to the Future Land Use Map and Official Zoning Map designations for certain property.
- f. Pinellas Park Water Management District minutes of Regular Authority Meeting No. 12 dated September 18, 2008, and Financial Statement for the month of August 2008.

# 5 Award of bid to Ferguson Enterprises, Inc., d/b/a Ferguson Waterworks, for meter boxes (co-op) approved on the basis of being the lowest responsible, responsive bid received meeting specifications (Contract No. 078-0621-B); total estimated 24-month expenditure not to exceed \$691,914.85; county estimated 24-month expenditure not to exceed \$557,764.85.

- # 6 Change Order No. 1 (Final) to the agreement with Caladesi Construction Co. for the Oakhurst Pump Station Neighborhood Park (Re-Bid) (Bid No. 067-0768-C; Project No. 1730) approved increasing the agreement amount by \$11,167.80 (total revised agreement amount, \$717,167.80) and granting a time extension of 126 days; contract accepted as complete as of September 4, 2008, and retainage in the amount of \$35,299.95 released; Chairman authorized to execute and the Clerk to attest.
- # 7 Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) for the Pinellas County North Reclaimed Water Telemetry Control Project (L804) (Project No. 1818) approved; total estimated cost for the design and construction of the project, \$800,000.00 (SWFWMD to provide \$400,000.00); Chairman authorized to sign and the Clerk to attest.
- # 8 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR – RECEIVED FOR FILING (COUNTY ADMINISTRATION)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Airport	Lessor's Agreement with Bank of Florida – Tampa Bay for Mortgage Financing	N/A	10.13.08
Community Development	Specific Performance Agreement (SPA) and Land Use Restriction Agreement (LURA) with Pinellas Village, Inc. for the Replacement of Existing Chain Link Fence and Sealing and Restriping of Existing Parking Lot	\$28,106.00 Community Development Block Grant (CDBG) funds	10.20.08
Community Development	SPA and LURA with Personal Enrichment through Mental Health Services, Inc. for Resurfacing Existing 62,000 Square Foot Parking Lot	\$95,700.00 CDBG funds	10.10.08
Community Development	SPA and LURA with YMCA of the Suncoast, Inc. for High Point YMCA Rehabilitation	\$31,120.00 CDBG funds	10.8.08
Community Development	SPA and LURA with Religious Community Services, Inc. for Removal and Replacement of Existing Kitchen and Bathroom Cabinetry and Flooring for Thirteen Emergency Housing Apartments	\$78,500.00 CDBG funds	10.7.08

November 18, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Community Development	Satisfaction and Release of Claim for the Estate of Donald Edward Talkington, a/k/a Donald E. Talkington	N/A	10.2.08
Community Development	Amendment to SPA with YMCA of the Suncoast, Inc. for Repairs to Pool Area and Gymnasium , Electrical Improvements, and Sidewalks and Landscape Improvements to the Playground at the Greater Ridgecrest Branch YMCA  SPAs with:  (a) Westcare GulfCoast – Florida, Inc. for Shelter Operations; and  (b) Clearwater Neighborhood Housing Services Incorporated for Housing Counseling Services	N/A, no additional funds, change in scope and time extension  (a) \$127,039.00 in Emergency Shelter Grant funds; and  (b) \$50,000.00 State Housing Initiatives Program funds	9.30.08
Community Development	Satisfaction of Mortgage with Daniel S. and Deeana Eckley	Lien is paid in full.	9.23.08
Community Development	(a) Release of Land Use Restriction Agreement with Pinellas Center for the Visually Impaired; and (b) Satisfaction of Mortgage with Donald E. Talkington	(a-b) All liens are paid in full.	9.18.08
Community Development	Satisfactions of Mortgage with: William H. Thomas; Marie Clark; and James Brockman	All liens are paid in full.	9.2.08
Convention & Visitors Bureau	Fifth Amendment to Contract with Touristikdienst Truber for Mailing House/Storage Facility to Service Markets in Central Europe	\$25,000.00	10.10.08
Convention & Visitors Bureau	(a) Third Amendment to Agreement with Tampa Bay Convention & Visitors Bureau, Inc. (TBCVB) for Cooperative Marketing Program in the Washington, D.C. Area; (b) Second Amendment to Agreement with TBCVB for Cooperative Marketing Program in the Midwest Region	(a-b) \$50,000.00 each	10.2.08

November 18, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
County Administrator	Memo Authorizing Execution of a Petition of Eminent Domain for Real Property Acquisition/Settlement in Pinellas County v. Benjamin E. Rogers	\$38,716.25	10.14.08
County Administrator	First Renewal with Walgreens Health Initiatives, Inc. for Pharmacy Benefits for Pinellas County Employees Group Health Plan	\$8,950,000.00, estimated annual expenditure	9.30.08
Culture, Education, and Leisure	Agreement with the Florida Botanical Gardens Foundation, Inc. for Holiday Lights Event	\$20,000.00	10.15.08
Culture, Education and Leisure	Amendment with the School Board of Pinellas County for Extension of Term of the Arts Teacher Incentive Program	N/A – time only extension	10.6.08
Culture, Education, and Leisure	Interlocal Agreement with Tampa Bay Water, a Regional Water Supply Authority for Florida Yards & Neighborhoods Community Outreach Program	\$61,750.00 revenue	9.30.08
Emergency Medical Services (EMS) and Fire Administration	Addendum to Cooperative Agreement with Department of Agriculture and Consumer Services, Division of Forestry for Fire Protection	\$706.26 (increase in annual payment from \$1,065.51 to \$1,772.00)	10.17.08
EMS and Fire Administration	EMS Communications Agreements for the Use of Hospital Premises for Access to EMS Owned Communications Equipment with: Edward White Hospital; Helen Ellis Memorial Hospital; Mease Hospital – Countryside; Mease Hospital – Dunedin; Morton Plant Hospital; Northside Hospital; Palms of Pasadena; and St. Anthony’s Hospital	N/A	10.7.08
EMS Fire Administration	Settlement Agreement with the State of Florida, Medicaid Fraud Control Unit, Office of the Attorney General for an Overpayment Refund and Investigative Fees	\$25,811.00	10.2.08

November 18, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Environmental Management	Option of Renewal of Special Magistrate Services Contract for Code Enforcement with: (a) Harold W. Youmans; and (b) Herbert E. Langford, Jr.	(a-b) \$10,000.00 each	10.14.08
Environmental Management	Grant Application with the Florida Department of Agriculture for the Florida Urban and Community Forestry Super Bowl Grant	\$3,600.00 requested funds, plus \$5,800.00 in-kind County match	10.9.08
Health and Human Services	Memorandum of Understanding with Deborah A. Godfrey for STARS/Strive of Pinellas County, Inc.	N/A	10.16.08
Health and Human Services	Grant Agreement with Boley Centers, Inc. for Grove Park Village Project	\$50,000.00	10.7.08
Health and Human Services	Agreement with Catholic Charities, Diocese of St. Petersburg, Inc. for Fiscal Administrative Services Related to Distribution of Funding Received from the State of Florida Choose Life License Plate Sales	N/A, \$37,677.00 pass-through funds	9.30.08
Justice and Consumer Services	Agreements for Law Enforcement Services with the Sheriff and the Cities of:  (a) Largo; and (b) Pinellas Park  Contract with the Sheriff and the Pinellas County Housing Authority for Law Enforcement Services	(a) \$24,614.20 revenue; (b) \$135,074.00 revenue  \$62,550.77 revenue	10.16.08
Justice and Consumer Services	Grant Awards with the Florida Department of Law Enforcement, office of Criminal Justice Grants, Justice Assistance Grants for:  (a) Child Abuse Education and Prevention; (b) Community Placement Intake Services; and (c) Firearm Safety and Education	(a) \$50,000.00 revenue, no match; (b) \$40,000.00 revenue, no match (c) \$13,761.00 revenue, no match	10.15.08

November 18, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Justice and Consumer Services	Agreement with the City of Gulfport and the Sheriff for Law Enforcement Services	\$44,125.75 revenue	10.8.08
Justice and Consumer Services	Grant Award with Department of Justice, Office of Justice Programs for Forensic Laboratory DNA Expansion Project	\$661,818.00 grant revenue, no match	10.6.08
Justice and Consumer Services	Renewal of Interlocal Agreement with the Statewide Guardian Ad Litem Office for the Sixth Judicial Circuit for Program Operational Support	\$35,000.00	9.30.08
Public Works	Interlocal Agreement with the City of Pinellas Park for Construction of a Bridge on 114 <sup>th</sup> Avenue North	\$246,000.00	10.8.08
Real Estate Management	Corrective Instrument Clearing a Title Defect with the City of Tarpon Springs	N/A	10.14.08
Real Estate Management	Access License Agreement with Keystone Excavators, Inc. for Access to Alligator Creek via County-Owned Property for Purposes of Contractual Work on the Creek	N/A	10.10.08
Real Estate Management	Substation and Aerial Easement with Florida Power Corporation, d/b/a Progress Energy Florida, Inc., for Operation of the County's Water Blending Facility	N/A	10.6.08
Real Estate Management	Correspondence with Florida Power Corporation, d/b/a Progress Energy, Inc., for Renewal Option of a Limited License Privilege Agreement for an Extension of 5-Years	N/A	10.2.08
Utilities	Payment Request Summary Form with Florida Department of Environmental Protection for Innovative Waste Reduction and Recycling Grant for the Period of July 1, 2008 through September 30, 2008	\$17,161.78 requested funds, plus \$2,865.00 in-kind County match	10.6.08

November 18, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Utilities	Notices of Lien with: John David Bolden; Holly Laufenberg; Rick Berry; David G. Staples; Debra Devito Godoy; Julie Forbes; Ronald Smith; Donald W. McAlister; Anthony J. Pepe; Pamela J. Humiston; Rickey Poole; Terry L. Behr; Theodore Stegman; Jay Ortiz; Daniel A. Nelson; Ruth M. TRE Colvin; Lance Hall; Vasil Paci; and Mildred R. Gold	N/A	8.26.08
Utilities	Notices of Lien with: Darlene Grimstad; Paul R. Gunter; Joseph M. Wood; Suely S. Barroso; Micheal Hines; Nathan E. Coffin; Joseph D'Angelo; Truc Nguyen; Marilyn E. Gable; Karen Hulbert; Karen M. Ross-Lundquist; Candice Sabin; Theodore Prindle; James A. JR. Seabol; Steven P. Reeves; Mission Ventures Inc.; Ellen Miller; Alvin Howard; Timothy Roberts; Bismark Florenciani; Richard Kippings; John Cotton; William M. Owens; Pauline Blancke; Antoniette M. Hoffer; D Johnson; Joy Kassandra; Tammy A. Pence; Miriam Kinslow; Peter Hamilton; Heidi Christiansen; and Helene Fawkes	N/A	8.21.08
Utilities	Release of Lien with: Gary Akins	Lien is paid in full.	8.20.08
Utilities	Release of Lien with: Merlin D. and Janene R. Redfield	Lien is paid in full.	8.18.08
Utilities	Notices of Lien with: Brenda M. LeMaster; Steven Bellavigna and Susie Moyer; Deanna Nieves; and Kyle B. and Leah M. Koehler	N/A	8.13.08
Utilities	Releases of Lien with: Atlantis West Development LLC; Bernice C. Allen; Concezio Traficante; Atlantis West Development LLC (3); and Atlantis West Development, in Care of Salvatore Cottone	All liens are paid in full.	8.12.08

November 18, 2008

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Utilities	Notices of Lien with: Melissa Duval; Chris R. Sotnick; Ana C. Vivas; F. Selph; Diana Pidgeon; Jack E. Davies; Jay Echevarria; Deutsche Bank National; Daniel Atchison; Erick Ferrer; Jung H. Seo; Ronda Cochran; Stephen and Erin K. Pruitt; Victor Tavares and Jenny Brogan; and Alvaro Barrera and Oscar A. Ayala	N/A	8.11.08
Utilities	Releases of Lien with: Alexander Napier EST., in Care of Pam Zibell; Paul and Elizabeth Rohrer; Mabel Castaneda; and Krzysztos Koolodzrejazyk, in Care of World Savings Bank	All liens are paid in full.	7.28.08
Utilities	Release of Lien with: John M. Dunn	Lien is paid in full.	7.25.08
Utilities	Releases of Lien with: Victor and Rebecca Netschi; Gulf Beaches Church by the Sea; Patrick L. Lincoln; Holiday Villas III Condo; Vincent M. Ambrosino and Vincent M. Ambrosino, Jr.; Karen E. Breitman and Saul Davis (2); Gerald W. and Brenda S. Huddleston; Manfred Kramer EST, in Care of Willy Kramer PR; Scott A. Smith; James Merrill, Long Beach Mortgage Loan Trust, and Deutsche Bank National Trust; and Armstrong Village at Indian Rocks Beach Dev LLC, in Care of P. Bush (2)	All liens are paid in full.	7.21.08

# 9 Renewal Certificates of Public Convenience and Necessity issued for advanced life support (ALS) first responders, ALS helicopter ambulances, the Pinellas County Emergency Medical (EMS) Authority, d/b/a Sunstar, and All Children's Hospital, in accordance with Pinellas County Code Section 54, and Section 401.25 Florida Statutes:

ALS First Responders

Cities of Belleair Bluffs, Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas Park, Safety Harbor, Seminole, South Pasadena, St. Pete Beach, St. Petersburg, Tarpon Springs, and Treasure Island; East Lake Tarpon Special Fire Control District; Lealman Special Fire Control District; Palm Harbor Special Fire Control District; Pinellas Suncoast Special Fire Rescue District

ALS Helicopter Ambulances

Florida Health Sciences Center, Inc., d/b/a Tampa General Hospital – Aeromed  
Bayfront Medical Center, Inc. d/b/a, Bayflite

Sunstar Ambulance Service

Pinellas County Emergency Medical Services Authority d/b/a Sunstar

All Children's Hospital

Neonatal Intensive Care Patients

Non-Discharged Pediatric Patients

Non-Discharged Adult Cardiac Patients

Chairman authorized to execute and the Clerk to attest (EMS and Fire Administration).

- #10 Bid of Indigo Energy Partners, LLC. rejected on the basis of being non-responsive for not meeting bid conditions; bids of B. V. Oil Company, Inc., J. H. Williams Oil Company, Inc., and Port Consolidated, Inc. accepted for Fuel: Gasoline and Diesel (Co-op) (Contract No. 078-0533-B) for the specific groups as indicated in the agenda memorandum dated November 18, 2008, which has been filed and made a part of the record; contract is for a 12-month period effective December 16, 2008, through December 15, 2009 and may be renewed for four additional 12-month periods, pending availability of funds and approval by the County Administrator (total annual estimated expenditure not to exceed \$16,018,345.00; Pinellas County's annual estimated expenditure not to exceed \$5,559,332.00) (Fleet Management).
- #11 Contract for Law Enforcement Services between the City of Dunedin, Jim Coats as Sheriff of Pinellas County, and Pinellas County effective October 1, 2008, in the annual amount of \$4,096,686.27 to be paid in monthly installments of \$341,390.52 for the first 11 months and \$341,390.55 for the last month approved; agreement to remain in effect for a term of five years, except that the Sheriff and the County may increase the total cost of the services by an amount not to exceed the general increase applicable to other contract cities; Chairman authorized to execute and the Clerk to attest; County Administrator authorized to approve all future renewals of the agreement (Justice and Consumer Services).
- #12 Fiscal Year 2008 Budget Amendments Nos. 17, 18, and 19 were filed and made a part of the record (Management and Budget).
- #13 Resolution No. 08-195 adopted supplementing the Fiscal Year 2009 General Fund budget to appropriate unanticipated fund balance to the Emergency Management cost center for the Public Safety Shelter Retrofit Reimbursement program (Management and Budget).

- #14 Resolution No. 08-196 adopted supplementing the Fiscal Year 2009 Emergency Communications E911 System Fund (0225) budget to appropriate earmarked receipts for a particular purpose (Management and Budget).

Responding to query by Commissioner Seel, Assistant County Administrator James A. Dates related that the purpose of the funding is to provide for in-house emergency medical dispatch; and Director of Emergency Medical Services (EMS) and Fire Administration Dick Williams provided detailed information with respect to software, training, and national certification necessary to achieve that goal; and noted that he anticipates that in-house emergency medical dispatch will result in a cost savings for the County.

In response to queries by Commissioners Brickfield and Bostock, Mr. Williams provided information relating to the current medical dispatch procedures as compared with those anticipated when the dispatch function is moved in-house; noted that in-house dispatch personnel will be trained and nationally certified; that Pinellas County EMS currently has the best response time in the nation; and that the loss of even ten seconds in response time would still provide results significantly better than any other organizational nationally.

- #15 Resolution No. 08-197 adopted supplementing the Fiscal Year 2009 Transportation Trust Fund budget to appropriate earmarked receipts for a particular purpose (McMullen-Booth Road Advance Street Name Signs Project Florida Department of Transportation [FDOT] Grant) (Management and Budget).
- #16 Resolution No. 08-198 adopted declaring personal property as surplus and transferring same to Covalent Scientific Industries, LLC, as requested by the Justice and Consumer Services Department on behalf of the Pinellas County Forensic Lab (Real Estate Management).
- #17 Transferral of assets purchased in the course of the Jail Health Care Facility construction to the Sheriff's Office approved, retroactive to October 1, 2007, as indicated in the board memorandum dated November 18, 2008, which has been filed and made a part of the record (total value of assets transferred, \$1,365,003.57) (Real Estate Management).
- #18 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the renewal of Certificates of Public Convenience and Necessity for providers of non-medical wheelchair transport, as follows, in accordance with Section 54, Pinellas County Code:

Care on Wheels, Inc.  
Care Ride, L.L.C.  
Comfort Coach Wheelchair Transportation, Inc.  
Lifefleet Southeast, Inc., d/b/a American Medical Response (AMR)  
Mac-Transport  
MedFleet Systems, Inc.  
Stretcher Limo, Inc.  
T.L.C. Transportations, Inc.  
Trinity Mobility, Inc., d/b/a A Trinity Wheelchair Transportation  
Wheelchair Transport Service, Inc.

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

#2a. City of St. Petersburg North Tierra Verde Annexation Report pursuant to Chapter 171.042, Florida Statutes, dated October 10, 2008.

Responding to query by Commissioner Morroni, Planning Director Brian K. Smith provided information relating to voluntary annexation reporting requirements; and noted that the report dated October 10, 2008 from the City of St. Petersburg is not the *Ability to Serve Report* as required by the Pinellas Planning Council (PPC). Referring to two aerial maps, copies of which have been filed and made part of the record, Mr. Smith identified the area being considered for annexation; provided background information on the proposed annexation; related that an overlay for the Tierra Verde community had been developed, approved by the Department of Community Affairs, and added to the Comprehensive Plan; and noted that the overlay was the first of its kind in the State of Florida.

Mr. Smith stated that a response to the October 10, 2008 report, a copy of which has been filed and made a part of the record, was sent to the City of St. Petersburg by the Pinellas County Planning Department on behalf of the Board of County Commissioners on November 5, 2008; that the response expressed the County's concerns with regard to the legality of the annexation and placed the County on record as defending unincorporated areas such as Tierra Verde. He indicated that there has been a strong statement by the community in opposition to the annexation; and noted that the annexation is scheduled for action before the PPC on November 19, 2008 and the St. Petersburg City Council on November 21, 2008.

Discussion ensued wherein Commissioner Morroni expressed his concerns with respect to the City's inability to provide adequate and timely law enforcement services to the proposed annexation area. In response to additional comments by Commissioner Morroni, County Administrator LaSala clarified that the action requested of the Board with respect to this agenda item is for receipt and file only; and Chairman Harris provided additional comments, noting that it should be made clear that receiving the report for filing does not mean that the report has been approved.

Commissioner Welch suggested that the Chairman be directed to send a letter to the Chair of the St. Petersburg City Council suggesting that the matter be postponed until such time as the Section 171 process is complete and there is a plan set forth for all voluntary and referendum annexations in the County; and noted that Mayor Robert Hackworth, Chairman of the PPC, has sent a letter to the St. Petersburg City Council on behalf of the PPC expressing that sentiment; whereupon, Commissioner Welch moved, seconded by Commissioner Latvala and carried unanimously, that the Chairman be directed to send a letter to the St. Petersburg City Council expressing the Board's concerns and noting its opposition to moving forward with the proposed annexation at this time.

Responding to query by Commissioner Welch, Mr. Smith noted that he is not aware of any firm plans for more intense development of the parcels proposed for annexation with respect to height; and that the current height requirements for commercial zoning are the same in the County and the City.

County Attorney Bennett provided information with respect to the procedure to be followed if the St. Petersburg City Council moves forward with the annexation; and noted that a resolution will be brought to the Board, possibly at its meeting on December 16, 2008, for approval to engage in the Chapter 164 process.

Following additional discussion, Commissioner Bostock moved, seconded by Commissioner Seel and carried unanimously, that agenda item No. 2a be accepted for filing; and that the earlier direction by the Board for the Chairman to send a letter to the St. Petersburg City Council in opposition to the annexation be reconfirmed.

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

- #20 Resolution No. 08-199 adopted approving an amendment to Pinellas County Consortium's Fiscal Years 2006-2010 Consolidated Strategic Plan and Fiscal Years 2008-2009 Action Plan for the purpose of receiving Neighborhood Stabilization Program (NSP) funds in the amount of \$8,063,759.00 and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD); Chairman or designee authorized to sign certain agreements and the Clerk to attest; Community Development Director authorized to sign and file reports and other documents required by the program (Community Development).

Responding to queries by the members, Community Development Director Anthony M. Jones indicated that the amendment must be submitted by December 1; and that hopes are to receive approval in early January and release of funds in mid to late January. He noted that the NSP program is new and detailed information has only recently been received; that discussions have been held with various groups throughout the county and information e-mailed to inquirers; that the funds will initially serve a relatively small number of households, but plans are to leverage and recycle the funds; and that the purpose of the program is to stabilize the neighborhoods at highest risk of additional foreclosures and having the highest percentage of subprime loans, as indicated in HUD-provided data as depicted on maps included in the Plan; whereupon, he provided information pertaining to the HUD funding process, noting that the number of households to be served, as indicated in the amendment document, is based on the most conservative estimate.

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

- #21 Authorization granted to advertise a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing to be held at the Board of County Commissioners meeting on December 2, 2008, for issuance of not to exceed \$3,200,000.00 in Pinellas County Industrial Development Authority Industrial Development Revenue Bonds on behalf of R'Club Child Care, Inc. (Economic Development).

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

- #22 Amendment to the Economic Development Grant Funding Agreement with The Charles Stark Draper Laboratory, Inc. (Project No. A7101546982) approved providing for the lease or purchase of a production facility in Pinellas County; County's financial commitment remains at \$2,000,000.00, as previously approved (Economic Development).

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

#23 Contract for Sale and Purchase with Brian Dopirak for acquisition of real property located west of U.S. Highway Alternate 19 and south of Wai Lani Road in Palm Harbor for the Wall Springs Park General Development Project (PID No. 921370) in the amount of \$115,000.00 approved (property cost, \$115,000.00; appraisal fee, \$400.00; title search fee, \$175.00; total estimated cost, \$115,575.00); authorization granted for issuance of a wire transfer to American Government Services Corporation in the amount of \$115,000.00 at the time of closing; Chairman authorized to sign the contract and the Clerk to attest (Real Estate Management/Culture, Education, and Leisure).

Motion - Commissioner Latvala  
 Second - Commissioner Welch

In response to queries by the members, James R. Meloy, Real Property Division, indicated that the County approached the property owner regarding acquisition of the property; that one appraisal was conducted in March, 2008; that the final negotiated settlement amount was based on the appraised value of \$115,000.00; that the property consists of two vacant, buildable lots; that it was the appraiser’s opinion that the value had not changed prior to signing of the contract in August; that the property is located in a desirable area, surrounded by County parkland; and that the value had probably reached its low point. At the request of Commissioner Morroni, Mr. Meloy agreed to include the appraiser’s name and appraisal date in the agenda backup materials for future property acquisitions.

Vote - 7 – 0

#24 Other Administrative Matters:

a. Mr. LaSala related that he has been contacted by the Hillsborough County Administrator, who indicated that the Hillsborough Board of County Commissioners has directed its staff to explore the possibility of obtaining state funding for maintenance of the Friendship Trail Bridge; and that it was her hope that Pinellas County would join Hillsborough in their efforts.

Discussion ensued wherein Commissioner Latvala stated that she would be supportive of seeking grants or other funding, but that she will not support spending additional taxpayer dollars to refurbish the bridge. She indicated that the Board knew from the outset that the bridge’s use for recreational purposes would be for a limited period of time; and that it has served the people well, but it would be inappropriate to support a bridge that is not used for transportation purposes at a time when so many other bridges are in need of work, and

Commissioners Morrone and Welch concurred. Chairman Harris stated that the request was not for the County to support the refurbishment, but to support seeking outside funding, noting that there is money available in the state budget for recreational trails and similar purposes.

Responding to query by Commissioner Welch, Director of Public Works Peter J. Yauch related that a report is pending from Hillsborough County Public Works regarding the structural integrity of the bridge; that all costs related to operation, maintenance, and demolition of the bridge are jointly shared by Pinellas and Hillsborough Counties; and that state funding originally earmarked for demolition of the bridge had been used for its rehabilitation and modification for use as a recreational trail; whereupon, Commissioner Latvala suggested that the matter be scheduled for discussion at an upcoming work session, and Chairman Harris concurred.

Chairman Harris informed Commissioner Bostock that it was the consensus of the members that she be requested to serve on the Friendship Trail Bridge Committee, and she accepted.

Thereupon, Commissioner Bostock stated that the Board needs to determine whether to direct the County Administrator to proceed with Hillsborough County in seeking outside sources of revenue for the project; and Commissioner Seel seconded with the caveat that the project not interfere with other projects already prioritized by the Board in its federal and state legislative funding package.

Vote - 7 - 0

- b. Administrator LaSala informed the members that the Florida Senate has announced that it will begin committee meetings the week of December 8, precluding the Board's Legislative Delegation meeting scheduled for December 9; whereupon, at his suggestion, the members agreed to move the work session scheduled for the afternoon of December 9 to the morning.

#25 County Attorney authorized to initiate litigation in the case of Pinellas County versus Jennifer L. Dockus – Negligence in the Operation of a Motor Vehicle.

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

#26 Agreement for Legal Services with Gulfcoast Legal Services, Inc. to provide legal representation to individual complainants in Fair Housing actions in accordance with the

Fair Housing Provisions of the County's Human Rights Ordinance approved for execution.

Motion - Commissioner Latvala  
Second - Commissioner Brickfield

Responding to queries by Commissioner Bostock, Attorney Bennett indicated that the legal fees are financed by the Department of Housing and Urban Development under its contract with the County; that the costs are monitored to ensure they are within reasonable budgetary constraints; and that the information will be included in future quarterly Outside Counsel reports to the Board.

Vote - 7 – 0

#27 County Attorney Miscellaneous:

County Attorney James L. Bennett recommended approval of public official bonds for Commissioners Bostock, Brickfield, Seel, and Welch in accordance with Section 137.04, Florida Statutes.

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

Responding to comments by Commissioner Brickfield, Attorney Bennett indicated that statute requires every Commissioner to have a bond in an amount determined by the Board of County Commissioners; that the Board passed a resolution in 1998 establishing bond amounts for various public officials, the Commissioner bond amount being \$2,000.00; that the matter has not been reviewed by Risk Management since that time; that the statute does not appear to have a mechanism for having no bond; and that he will research the matter and report back to the Board as to any available options.

#28 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the appointment of Mayors Beverley Billiris, City of Tarpon Springs; Andy Steingold, City of Safety Harbor; and Patricia Gerard, City of Largo, as Pinellas County Mayors' Council Representatives to the Pinellas County EMS Advisory Council.

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

#29 Daniel M. Andriso reappointed to the Unified Personnel Board for a two-year term commencing in January 2009.

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

#30 County Administrator Reports – None.

#32 County Commission Miscellaneous:

The Commissioners extended congratulations and thanks to their fellow Commissioners and welcomed Administrator LaSala.

a.	Raymond T. Krepfle, Tierra Verde Community Association, Inc.	thanked the Board and staff for their efforts on behalf of Tierra Verde residents and urged their continued support in efforts to oppose annexation by the City of St. Petersburg.
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b.	Commissioner Latvala	recommended appointment of Brian T. O’Connell to the Downtown Palm Harbor Review Committee. Motion by Commissioner Morroni, seconded by Commissioner Welch. Vote: 7–0.
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related that the Florida Association of Counties (FAC) Legislative Conference begins tomorrow; encouraged Commissioners Bostock and Brickfield to participate in FAC orientation meetings in January.

c.	Commissioner Seel	related that she has asked Administrator LaSala to schedule an orientation session and encouraged the members to submit agenda items.
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d.	Chairman Harris	noted new water restrictions and offered a water conservation tip.
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At this time, 4:19 P.M., the meeting was recessed and reconvened at 6:30 P.M. with all members present.

\* \* \* \*

**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**

#33 Resolution No. 08-200 adopted approving amendments to the Clearwater-Largo Road Corridor Community Redevelopment Plan for the City of Largo pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, and delegating specific redevelopment powers to the City of Largo. No correspondence has been received. No citizens appeared to be heard.

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

#34a Resolution No. 08-201 adopted approving the application of 1997 Richmar Group, Ltd. through Steven A. Williamson, Esquire, for a change of zoning from CP, Commercial Parkway, to CR, Commercial Recreation (Z-1-9-08), re a parcel of land containing approximately 3.5 acres located on the east side of Seminole Boulevard, 130 feet north of the intersection with 106th Avenue North (Richmar Mobile Home Park, 10675 Seminole Boulevard, Largo). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received.

Zoning Manager John F. Cueva referred to an aerial photograph and a zoning and land use map, pointed out the subject property, and described surrounding land uses. He indicated that the applicant owns a grandfathered mobile home park which also contains recreational vehicles (RVs); that if destroyed, the mobile homes could not be replaced or rebuilt; that a total of 47 units are allowed on the site, which would not change; and that the requested zoning would allow for additional RVs to be brought into the site without causing a violation. Responding to query by Commissioner Latvala, he indicated that a proposed affordable housing project on the parcel to the east is currently undergoing site plan review.

Steven A. Williamson, Esquire, indicated that he represents the property owner; that the site has historically been operated as a mobile home park; and that over the past 20 years it has transitioned to predominantly RV use, due to the lack of on-site amenities and code changes which have prevented older mobile homes from being moved onto the site. He noted that RV use is not allowed under the current zoning; that mobile homes are allowed only under the grandfathering clause; that the purpose of the rezoning request is to bring the RV use into compliance with the current code; that CR zoning is consistent with the locational requirements of the area; and that the site provides lower affordable housing opportunities for residents in the county.

Responding to the Chairman's call for persons wishing to be heard, the following individuals expressed their concerns and asked the Board to vote in favor of the proposed zoning change:

Isabelle H. Solomon, Largo  
Vincent Salce, Largo  
Michael Hendry, 106th Avenue Townhomes, LLC, Seminole  
Dennis Holt, Largo  
Roger Lapham, Largo  
Ruth E. Rogerson, Largo  
Carol Krause, Largo  
Harold W. Castings, Largo  
Ronnie Allred, Largo  
Carol McClure, Largo  
E. Rocky Dierolf, Largo  
Shirley Cloutier, Largo  
Betty Lou Kapela, Belleview, Washington  
Ron Spoor, Habitat for Humanity, Pinellas County  
Linda Peluso, Largo  
Barbara Kay Steele, Largo

Mark P. Klutho, Largo, expressed his concerns; and Jo L. Morris, Largo, spoke in opposition to the proposed zoning change.

Referring to comments by the park residents, Mr. Williamson stated for the record that there are no current plans to partner with the adjacent property owner to redevelop the park into affordable housing; and that the purpose of the rezoning request is to keep the current residents in the park; whereupon, responding to queries by Commissioner Latvala, he indicated that the owner of the adjacent property is partnering with Habitat for Humanity; that there are no plans or agreements today to include the subject property in that project; that without RVs, the mobile homes do not generate enough income to keep the park viable; that he is unaware of future plans for the park; and that, for the immediate future, the purpose of the rezoning is to keep the park alive.

During discussion, Commissioner Latvala expressed concern on behalf of the park residents in regard to the intent of the owners; and Mr. Williamson noted that, should the owner apply for rezoning for a different use at some future date, compliance with the County's Mobile Home Transition Ordinance would be required. Mr. Cueva indicated that development of the adjacent property to the east had no bearing on staff's recommendation for approval; and that the site stood on its own merits; whereupon, in response to concerns of Commissioner Welch, park resident Barb Steele displayed and

read notices distributed to the residents by park employees on November 10 and 18, 2008.

Assistant County Administrator Elizabeth A. Warren clarified for the record that she and Commissioner Seel had met recently with the adjacent land owner, Mr. Hendry, regarding code enforcement, building, and affordable housing issues; and Attorney Bennett discussed statutory requirements pertaining to redevelopment of mobile home parks.

Chairman Harris closed the public hearing and Commissioner Welch moved, seconded by Commissioner Morroni, that the zoning change be approved. Commissioner Latvala reiterated her concerns regarding plans for redevelopment of the property; whereupon, Mr. Hendry provided historical background information regarding his interest in purchasing the park. He stated that no contract currently exists; that he is in favor of the rezoning to allow RVs, which would enable the park to remain viable during the preconstruction process, should he have the opportunity to purchase and redevelop the property; and that his intent would be to work with the park residents to help transition them to housing alternatives of their choice.

During continued discussion, Commissioner Latvala pointed out that the residents have been led to believe that they will be allowed to stay in their homes if the rezoning is granted; Chairman Harris stated that the Board would have concerns if it subsequently learned that the applicants were being disingenuous with the residents and the Board regarding today's application; and Messrs. LaSala and Williamson provided input and clarification of the issues.

Vote - 7 - 0

- #34b Resolution No. 08-202 adopted approving the application of the Pinellas County Board of County Commissioners, c/o Community Development, for a change of zoning from R-4, One, Two, and Three Family Residential, to R-3, Single Family Residential (Z-3-9-08), re two lots containing approximately 0.6 acre located on the southwest corner of Palm Avenue and Gooden Crossing, Largo. Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

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

- #34c Resolution No. 08-203 adopted approving the application of the Pinellas County Board of County Commissioners, c/o Community Development, for a change of zoning from C-1, Neighborhood Commercial, to R-3, Single Family Residential; Ordinance 08-76 adopted

approving a change in land use designation from Commercial Neighborhood to Residential Low (Z/LU-4-9-08), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 0.3 acre located on the north side of Gooden Crossing lying just east of 13th Lane Southwest, Largo. Staff recommended approval of the application, and the Local Planning Agency recommended approval of the staff recommendation with an additional recommendation that any surrounding properties be similarly amended if they are subsequently acquired by the County for a similar purpose. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala

Commissioner Welch referred to the Board Memorandum and inquired whether the application includes a request for a variance; whereupon, Zoning Manager John F. Cueva acknowledged a scrivener's error, confirming that the recommendation is for approval of land use and zoning changes.

Second - Commissioner Welch  
Vote - 7 - 0

- #34d Resolution No. 08-204 adopted denying without prejudice the application of Raymond and T. Mozelle Varner through Gerald A. Figurski, Esquire, for a change of zoning from E-1, Estate Residential, to CR, Commercial Recreation, a change in land use designation from Residential Low to Commercial Recreation, and a Conditional Use to allow the expansion of a marina (Z/LU/CU-1-4-08), re a parcel of land containing approximately one acre located on the north shore of the Anclote River, south and east of the Anclote Village Marina (street address: 1366 Riverside Avenue, Tarpon Springs). One letter of objection has been received (earlier correspondence submitted for the Planning and Zoning Examiner's Hearings includes 18 letters in opposition to the application). No citizens appeared to be heard.

Chairman Harris indicated that the application has been withdrawn; whereupon, Administrator LaSala noted that the item was advertised for action at today's meeting; and that staff recommends denial without prejudice. In response to query by Commissioner Brickfield, Mr. LaSala confirmed that staff had planned to recommend that the Board deny the application, but changed the recommendation to *deny without prejudice* to enable the application to be resubmitted within one year.

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

November 18, 2008

**CITIZENS TO BE HEARD**

Peter White, Largo, re Hope Pinellas.

Mark P. Klutho, Largo, re stupidity, waste – “G.”

#35 Meeting adjourned at 7:37 P.M.

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Chairman

ATTEST: KEN BURKE, CLERK

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