

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, APRIL 3, 2007 – 9:32 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Members Absent: John Morroni.

Members Late: None.

Members Excused: None.

Others Present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and MaryAnn Penhale, Deputy Clerk.

INVOCATION: Reverend Bernard S. Smith, Green Chapel African Methodist Episcopal Church, Largo.

PLEDGE OF ALLEGIANCE: Commissioner Stewart.

PROCLAMATIONS AND AWARDS

1. Proclamation for National Public Health Week to Claude M. Dharamraj, M.D., Director of Pinellas County Health Department.
2. Proclamation for YMCA Support Healthy Kids Day to Scott Goyer, Executive Director of Suncoast YMCA.
3. Proclamation for Water Conservation Month to Rich McLean, Utilities Water Program Manager.

CITIZENS TO BE HEARD

JoAn Totty, re Palm Harbor.

Mark P. Klutho, Largo, re stupidity, waste.

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

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

- # 1 Resolution No. 07-44 adopted granting petition of Hillsborough County to vacate a portion of right-of-way adjacent to Tampa Bay Downs on Race Track Road, located in Section 13, Township 28 South, Range 16 East; \$500.00 filing fee waived; authority granted for Clerk to record the resolution. Interested property owners were notified as to the date of the public hearing. Staff recommended that the vacation be granted. No correspondence has been received. At the request of Commissioner Seel, Peggy Hamric,

Hillsborough County Real Estate Department, presented a brief update regarding the project schedule.

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

- # 2 Resolution No. 07-45 adopted granting petition of John J. Welsh and Beverly R. Brunson to vacate a portion of an easement on Lot 27, Block E, Replat of Alston Heights No. 3, Unit Two Subdivision, located in Section 17, Township 30 South, Range 15 East; authority granted for Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

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

- # 3 Ordinance No. 07-21 adopted providing that Section 130-103 relating to idle speed/no wake zones be amended to increase the coverage of the South Pasadena zone. Staff recommended approval of the proposed ordinance. No correspondence has been received.

In response to the Chairman's call, Lyn Reitz, Community Manager, Sun Island Association, South Pasadena, expressed support for the proposed ordinance. Responding to query by Commissioner Seel, Director of Environmental Management William M. Davis indicated that the area referenced by the speaker will be covered by the idle speed/no wake zone. In response to the Chairman's call, Jim Heady, South Pasadena, expressed support for the proposed ordinance.

Motion - Commissioner Seel
Second - Commissioner Latvala

Responding to query by Commissioner Stewart, Mr. Davis related that the Marine Unit of the Pinellas County Sheriff's Office is responsible for enforcement of the ordinance.

Vote - 6 - 0

- # 4 Application of Sembler Creekside Partnership, #1, Ltd., c/o Pete Flint and Pinellas County, c/o Jim Meloy, Real Estate Division, through Johnson, Pope, Bokor, Ruppel & Burns, LLP, Representative for an amendment to a previously approved Development Agreement approved (Z/LU-2-12-05) to include single-family attached and detached development for a total of 90 units which includes a 50 percent density bonus for affordable housing, a building height of 45 feet and variances to reduce the minimum common open space requirement, distance between structures, front setback, setback separation requirement between single-family attached and detached units, lot size, and sidewalk requirements, re approximately 9.7 acres located on the south side of 52nd

Avenue and the CSX Railroad and lying north of Joe’s Creek. Staff recommended approval of the application based upon the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

At the request of Commissioner Stewart, Director of Building and Development Review Services Paul Cassel referred to an aerial map, pointed out the location of the site, and presented a brief overview of the amendment. Responding to queries by Commissioner Seel, he indicated that a minimum of 20 percent of the 90 units will be affordable housing; and Public Works Director of Geographic Services Charles R. Norwood discussed estimated costs related to permitting and road construction; whereupon, Mr. Cassel added that the agreement is subject to a swap agreement which will be presented at a future date. Responding to further queries by the members, Director of Community Development Anthony M. Jones provided input regarding affordable housing; and Mr. Cassel discussed the proposed architectural features of the project and the sidewalk circulation system.

E. D. Armstrong, III, Esquire, Clearwater, stated that he represents the applicant and is available to answer any questions; and in response to query by Commissioner Welch, Peter Flint, Director of Development for the Sembler organization, confirmed that the applicant will provide right-of-way along the western boundary as well as the east-west road that enters to the property.

Motion - Commissioner Latvala
Second - Commissioner Harris

Commissioner Welch commented regarding the advantages of the County working together with the community and the developer in providing greenspace and affordable housing in the area.

Vote - 6 - 0

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At this time, 10:18 A.M., Commissioner Welch left the meeting.

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SCHEDULED PUBLIC HEARINGS – COUNTYWIDE PLANNING AUTHORITY

5a Ordinance No. 07-22 adopted approving Case No. CW 07-11, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Urban to Residential Medium, re 1.8 acres m.o.l. located at 2060 Evergreen Drive (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 Latvala
Second	-	Commissioner Harris
Vote	-	5 - 0

5b Ordinance No. 07-23 adopted approving Case No. CW 07-12, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Low Medium to Residential/Office General, re 0.2 acre m.o.l. located on the northwest corner of County Road 1 and Sandra Drive (regular amendment). Pinellas Planning Council recommended approval of the proposal, subject to an exception to the Scenic/Non-Commercial Corridor Residential sub-classification for the portion of County Road 1 that serves this site, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Seel
Vote	-	5 - 0

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At this time, 10:20 A.M., Commissioner Welch returned to the meeting.

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5c Ordinance No. 07-24 adopted approving Case CW 07-10 (Special Area Plan 07-01), the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Recreation/Open Space, Residential Urban, Residential Medium, Residential High, Residential Very High, Residential/Office General, Residential/Office/Retail, Commercial General, Institutional, Industrial Limited, Industrial General, and Community Redevelopment District to Planned Redevelopment-Residential, Planned Redevelopment-Mixed-Use, and Planned Redevelopment-Commercial, re 7,789 acres located throughout the City of St. Petersburg (regular amendment). Pinellas Planning Council (PPC) recommended approval of the proposal, less and except the ten withdrawn areas identified in the Revised Support Document 4; and subject to the conditions enumerated as follows:

1. Submission by the City of any future amendment to the Special Area Plan for receipt and acceptance, or for any consideration as an amendment, as is determined necessary, under the Countywide Plan Map amendment process.
2. Submission of the finalized Workforce Housing Plan as a minor amendment to the Special Area Plan prior to utilization of the workforce housing density bonuses.
3. Submission of any zoning amendments that result in increases in the allowable density or intensity within an area overlaid with the Activity Center Countywide Plan Map Category (i.e., CCS-1, CRC-2, CCS-2,

RC-1, and RC-2), and that such submission will constitute substantive amendment of the Special Area Plan.

4. Submission of any zoning amendments in the Coastal High Hazard Area from NS-2 and NSE that result in an increase in residential density; and that such submission will constitute substantive amendment of the Special Area Plan.
5. Submission by the City of an assessment of the Special Area Plan's progress with respect to its enumerated objectives and submission of updated links to the applicable land development regulations, design guidelines, and Workforce Housing Plan within five years from the effective date of the Countywide Plan Map amendments pursuant to this Special Area Plan.

County staff concurs with the PPC recommendation, which includes approval of the Vision 2020 Special Area Plan. No correspondence has been received.

Planning Director Brian K. Smith provided a brief overview of procedural matters regarding the modification of the Countywide Plan to allow for the Special Area Plan and the new redevelopment categories.

PPC Executive Director David P. Healey summarized the notification process and the five enumerated conditions; whereupon, he noted that the City of St. Petersburg is agreeable to the conditions. He related that the PPC voted approval of the amendments by a vote of 11 to 1; and pointed out the ten areas excepted out of the original request.

City of St. Petersburg Assistant Director of Development Services Bob Jeffrey displayed slides from a PowerPoint presentation titled *St. Pete Vision 2020*, and confirmed that the City is agreeable to the conditions; whereupon, he provided historical background information regarding the proposal, the City's willingness to work with individual property owners regarding issues related to specific parcels, and the elements of the three new redevelopment categories.

City of St. Petersburg Senior Planner Rick MacAulay provided additional background information regarding the amendment and the Special Area Plan; and stated that the Plan will serve as a blueprint or framework for future redevelopment; whereupon, he indicated that staff has set up laptops and maps in the Commissioners' Conference Room and is available to meet with individuals regarding their questions or concerns. Responding to query by Commissioner Seel as to whether the City has adopted the Concurrency Management Plan put forth by the Metropolitan Planning Organization (MPO), he indicated that the City has its own concurrency management process; and Mr. Jeffrey stated that there had been discussion regarding the matter; but that he does not know the final determination regarding the issue. Responding to additional queries by the members, Messrs. MacAulay and Jeffrey discussed current and proposed densities, projected population estimates, opportunities for redevelopment, the areas withdrawn

from the original proposal (with additional input provided by Mr. Healey), and incentives for attracting affordable housing.

Responding to the Chairman’s call, Council of Neighborhood Associations (CONA) President Barbara Heck, Jim Longstreth, and Cathryn Wilson, St. Petersburg, expressed their support for the proposal.

Mr. Smith suggested that encouraging the City to approve the MPO Concurrency Management Plan be tied to the recommendation; whereupon, discussion ensued regarding the matter.

Motion - Commissioner Harris
Second - Commissioner Stewart

Responding to query by the Chairman, Commissioner Harris stated that his motion for approval does not encompass the aforementioned matter related to the MPO Concurrency Management Plan; and the seconder of the motion concurred; whereupon, additional discussion ensued. Commissioner Stewart indicated that the concurrency requirements could be presented separately; and responding to query by Mr. Spratt, the maker and seconder of the motion confirmed that the approval is subject to the five conditions and excepts the ten areas withdrawn from the original proposal.

Vote - 6 - 0

Thereupon, Commissioner Seel moved, seconded by Commissioner Stewart and carried, to request action by the City of St. Petersburg on the MPO Concurrency Management Program.

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

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At this time, 10:58 A.M., Commissioner Latvala left the meeting.

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CONSENT AGENDA ITEMS NOS. 6 THROUGH 15 - APPROVED

Motion - Commissioner Harris
Second - Commissioner Stewart
Vote - 5 - 0

6 Approval of minutes – None.

7 Reports received for filing:

- a. Capital Improvement Program, Six-Year Work Plan, FY2007 through FY2012, Pinellas County, Florida.
- b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2007-02 dated March 8, 2007 – Audit of Employee Health Benefit Funds.
- c. Southwest Florida Water Management District 2007 Consolidated Annual Report.
- d. Juvenile Welfare Board Financial Statements and Schedules and Reports for Fiscal Year ended September 30, 2006.
- e. Pinellas County Arts Council Financial Statements dated September 30, 2006.
- f. Dock Fee Report for the month of February 2007.

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- a. Other approvals – None.
- b. Vouchers and Bills Paid – Period of February 26 through March 2, 2007.

Imprest Fund Expenditures

Manual checks numbered 751348 through 751352

System checks numbered 870704 through 871579

Wire Transfers numbered 008432 through 008517

9 Miscellaneous items received for filing as noted on agenda:

- a. Correspondence from City of Pinellas Park regarding two ordinances voluntarily annexing certain property; public hearing held March 22, 2007.
- b. Homeowners Association of Highland Lakes, Inc. 2007 Board of Directors Slate of Officers.

#10 Plats, Guaranties, Sureties, and Agreements:

- a. Ryan's Woods Unit Two, Ithaca Enterprises, LLC. - plat accepted and approved for recording.

#11 Partial release of completion surety funds in the amount of \$28,579.03 for the J. D. Byrider Auto Sales site, located in Section 30, Township 30 South, Range 16 East, to Byrider Finance, Inc.; remaining \$7,144.76 held as maintenance surety for the project.

#12 Termination of Easement by General Release for a drainage and utility easement located at 921 Berkley Place, Clearwater; Chairman authorized to sign and the Clerk to attest.

#13 Ratification of emergency award of bid for Pinellas Suncoast Transit Authority (PSTA) building renovations, Minimum Security Detention Facility, in the amount of \$2,669,560.00 to Angle & Schmid, Inc. (PID No. 1601; Bid No. 067-0239-C).

- #14 Amendment No. 1 to Social Action Funding Agreement between Pinellas County and the Young Women’s Christian Association of Tampa Bay, Inc. for services directly related to human trafficking (Human Services).
- #15 Sitting as the Countywide Planning Authority, the Board approved the receipt and file of the Composite Annexation Report Fiscal Years 2000/01 to 2005/06.

REGULAR AGENDA

- #16 Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.

#17 Contract for Sale and Purchase with Anna L. Murray for acquisition of real property located at 1108 East Tarpon Avenue, Tarpon Springs, for the Keystone Road, U.S. 19 to East Lake Road project (PID No. 920522) approved by extraordinary vote; authorization granted for issuance of a check in the amount of \$173,316.00 to Somers Title Company (total closing expenses of \$173,316.00; county appraisal fee of \$2,000.00; estimated asbestos survey and demolition costs of \$10,000.00; total estimated cost of \$185,316.00); declaration of structures as surplus and authorization for Real Estate Division to donate, sell, or demolish the structures and dispose of any personal property, as appropriate, in accordance with the law and established county policy; owner granted a license to remain on the premises until May 1, 2007, with a provision for a ninety-day extension; Chairman authorized to sign the contract and the Clerk to attest.

Motion - Commissioner Stewart
 Second - Commissioner Welch

Responding to query by Commissioner Welch, Public Works Director of Geographic Services Charles R. Norwood confirmed that the attorney fees shown are for the Seller’s attorney, noting that some attorneys bill \$300.00 per hour; that it has taken 30 to 40 hours to come to an agreement; and that detailed invoices can be provided.

In response to query by Commissioner Stewart, Mr. Norwood indicated that an extraordinary vote is necessary because the purchase price is above the appraised value of the property; whereupon, Attorney Churuti related that the requirement is Board policy, rather than state law.

Vote - 5 - 0

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Later in the meeting, Attorney Churuti corrected her previous statement and advised that the extraordinary vote requirement is governed by Chapter 125 of the Florida Statutes, as well as by Board policy.

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#18 Contract for Sale and Purchase with Frank J. Cosenza, Frank Cosenza, Jr., and Donna Cosenza for acquisition of real property located at 124 Knollwood Road, Tarpon Springs, for the Keystone Road, U.S. 19 to East Lake Road project (PID No. 920522) approved by extraordinary vote; authorization granted for issuance of a check in the amount of \$103,020.01 to Somers Title Company (total closing expenses of \$103,020.01; County appraisal fee of \$1,850.00; total estimated cost of \$104,870.01); Chairman authorized to sign the contract and the Clerk to attest.

Motion - Commissioner Harris
Second - Commissioner Stewart
Vote - 5 - 0

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At this time, 11:01 A.M., Commissioner Latvala returned to the meeting.

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#19 Interlocal Agreement with the City of Clearwater for maintenance of traffic control signals and devices, in an amount not to exceed \$500,000.00 annually, approved; Chairman authorized to sign the Agreement and the Clerk to attest.

Responding to queries by Commissioner Harris, Mr. Spratt related that the ninth-cent gas tax is dedicated to the Intelligent Traffic System (ITS); that the City has transferred control responsibility to the County to enable signal synchronization; that the County is now responsible for signal maintenance; that this agreement contracts the maintenance to the City, which currently maintains the equipment, with payment provided for by the dedicated tax revenue; and that the County is currently providing traffic control devices maintenance under service agreements with all other municipalities, with the exception of St. Petersburg.

In response to query by Commissioner Seel, Public Works Transportation Director Mashid D. Arasteh reviewed the provisions of the contract; and responding to query by Commissioner Stewart, Commissioner Seel and Assistant County Administrator Peter J. Yauch provided information regarding the City of St. Petersburg's participation in the ITS system.

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

#20 Increase in the Master Purchase Order for pumps, parts, and repairs (Contract No. 034-57-B) with ITT Flygt, LLC, in the amount of \$225,000.00 approved (revised estimated expenditure for ITT Flygt not to exceed \$1,525,000.00; total contract amount for six vendors, of which ITT Flygt is one, \$3,225,000.00).

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

- #21 Increase in the Master Purchase Order for magnesium hydroxide suspension (Contract No. 045-673-B) with Premier Chemicals, LLC, in the amount of \$450,000.00 approved (revised total estimated expenditure not to exceed \$1,270,000.00).

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

Responding to query by Commissioner Latvala, Mr. Spratt and Director of Utilities Pick Talley indicated that the product is used for corrosion and odor control in the sewage collection system.

- #22 Resolution No. 07-46 adopted approving Project A7020537517 as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A7020537517 as local participation in the Qualified Target Industry Tax Refund Program; tax refund to be paid over a series of fiscal years as determined by the State, with the first payment expected to be requested in fiscal year 2008 (total tax refund of \$150,000.00; Pinellas County's contribution is \$30,000.00); no more than 25 percent of the total refund to be taken in any single fiscal year (Economic Development).

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

- #23 Resolution No. 07-47 adopted authorizing the closure of the Solid Waste Trust Fund and transfer of assets, liabilities, and equities to the Solid Waste Revenue and Operating Fund (Management and Budget).

Motion - Commissioner Seel
 Second - Commissioner Stewart

Responding to query by Commissioner Stewart, Commissioner Seel and Mr. Spratt indicated that the fund is related to the 1996 Solid Waste Resource Recovery Revenue Bonds; and that the fund is being closed because it has been dormant for a few years; and Director of Utilities Pick Talley related that the bonds have been paid off and there is approximately \$5,000,000.00 left in the fund.

Vote - 6 - 0

- #24 County Administrator Spratt announced that staff plans to publish a notice regarding a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing, to be held at the Board of County Commissioners meeting on April 17, 2007 at 6:30 P.M., to consider authorization

of not to exceed \$14,500,000.00 in Pinellas County Health Facilities Authority Health System Revenue Bonds (St. Mark Village Project).

Commissioner Stewart indicated his objection to the waiver of the indigent care fee, as recommended by staff, and Commissioner Seel requested additional information regarding the project; whereupon, Assistant County Administrator Mark S. Woodard related that the proposed bonds are for refunding of an assisted living facility; that the fee was paid at the time of the original funding; and that the borrower provides subsidies to residents who cannot pay the entire amount for their care.

Responding to a request by Chairman Duncan, Mr. Spratt agreed to provide more detailed background information on similar requests in the future, particularly in the case of a recommendation for waiver of the indigent health care fee.

- #25a County Attorney authorized to defend the County's interest in the case of Natasha Allen versus Robert Cahoon, Jr., and Pinellas County Sheriff's Office, Circuit Civil Case No. 07-1882-CI-007 – Allegations of Negligence Resulting in Personal Injuries.

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

- #25b County Attorney authorized to defend the case of Gwendolyn Garland versus Jim Coats, Deputy D. Bradley, and Deputy B. Sison, U.S. Middle District Court Case No. 8:06cv1948-T26 EAJ – Allegations of Assault and Battery, Excessive Force and Violation of Federal Civil Rights; Contract for Legal Services with Zinober & McCrea, P.A, to undertake that defense, retroactive to December 1, 2006, approved for execution.

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

- #26 Request for authority for the County Attorney to initiate foreclosure action in the case of Pinellas County versus Crest Capital, LLP and Milmarson Development Corporation, LLC, under the terms and conditions of a developer agreement and mortgage, re \$3,429,126.00 in State Housing Initiatives Partnership (SHIP) funds withdrawn for a time certain of two weeks at the request of County Attorney Susan H. Churuti.

Questioning the reason for the delay, Commissioner Stewart reviewed the timeline of the project, noting that the development agreement was executed in October 2004; that four extensions have been granted; that notices of default have been issued; and that the general liability insurance has lapsed; whereupon, Attorney Churuti related that there has been a flurry of activity in the past 24 hours; that the two-week delay would allow for further negotiation; and that there is a likelihood that there will be substantial movement in the matter which would make the litigation unnecessary. She further indicated that

there is no impediment to filing the litigation and continuing to negotiate, if that is the desire of the Board.

Commissioner Duncan stated his preference that the matter be settled without incurring additional attorneys' fees; and that if a settlement is not reached within the two-week time period, the County will move forward with the litigation; and noting his reluctance to extend the matter further, Commissioner Stewart stated that it is important to the residents in the neighborhood that the property be cleaned up and developed with additional housing.

Responding to query by Commissioner Latvala, Mr. Spratt indicated that if the matter moves forward to litigation, a different developer will be selected to carry out the project; that the selection process generally takes 90 to 120 days; and that the matter could possibly be expedited through a targeted solicitation to not-for-profit developers.

- #27 Revised Exhibit "A" adding one associate, Cameron Prell, to the contract with Williams, Mullen, Clark & Dobbins for special counsel services involving federal environmental matters, contracts, and electrical production and sales relating to the County waste-to-energy facility approved; amendment effective March 19, 2007.

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

- #28 County Attorney Miscellaneous:

See Agenda Item No. 17.

- #29 Sitting as the Countywide Planning Authority (CPA), the Board adopted Resolution No. 07-48 approving the final draft of the Countywide Consistency Report and noting their concerns regarding the second paragraph on Page 5 and Recommended Action No. 8.

Mr. Spratt presented the staff recommendation, as noted in the agenda memorandum dated April 3, 2007, which included the provision to delete the aforementioned two paragraphs; whereupon, Pinellas Planning Council (PPC) Executive Director David P. Healey provided information regarding the study and recommendations. He indicated that PPC staff had met with each of the 25 local jurisdictions and had identified areas of possible inconsistency; and proposed that during the coming year, PPC staff evaluate the Countywide Rules relative to potential amendments and work with local governments to resolve inconsistencies in their plans and regulations.

Mr. Healey stressed that approval of the draft report is not a final determination of consistency; and acknowledged that the local governments do not agree with each other or with every one of the findings, noting that approval of the report is an interim step to be used as a basis for further negotiation to resolve the issues in question. Referring to

the staff recommendation, he urged that the Board not delete the provisions regarding compliance, as there needs to be a mechanism to resolve potential differences.

Discussion ensued, and responding to queries by Commissioner Seel, Mr. Healey confirmed that the Planners Advisory Committee had voted 7 to 6 to approve the final draft, noting that not all members had seen the report or given it a full review, and that others did not agree with the findings regarding consistency as related to their local jurisdictions; whereupon, he explained proposed amendments pertaining to recreational vehicle parks and crematories, pointing out that local governments have the option of being more restrictive.

Referring to a diagram illustrating the process for determining a development's consistency with the Land Development Regulations, local Comprehensive Plan, and the Countywide Plan, County Planning Director Brian K. Smith indicated that Recommended Action No. 8 would circumvent the sequence. During discussion and responding to query by Commissioner Welch regarding staff's recommendation, Mr. Smith clarified that the second sentence is a restatement of the recommendation, rather than a request for separate action.

Following further discussion, Commissioner Seel moved that the report be received; and Commissioner Stewart seconded, noting the Board's concern with the paragraphs relating to enforcement; whereupon, Mr. Healey requested that the Board approve the proposed resolution, which clarifies the point that there has been no determination as to final consistency and recognizes the fact that the local governments do not agree with all of the findings.

Thereupon, Commissioner Seel amended her motion, providing that Resolution No. 07-48 be adopted approving the final draft of the Consistency Report and noting the Board's concerns regarding the second paragraph on Page 5 and Recommended Action No. 8.

Responding to query by Commissioner Harris, Mr. Healey provided additional information regarding the sequence of events to date and the tasks to be completed over the coming year.

Vote - 5 - 1 (Commissioner Harris dissenting)

#30 Sitting as the Water and Navigation Control Authority, the Board denied the appeal of the homeowners of the Villas of Seagate at St. Joseph Sound pertaining to Private Dock Permit No. P37718-06 (Sally Fonner, 1268 Bayshore Boulevard, Dunedin, Clearwater Harbor), approved by the Authority at public hearing on January 9, 2007, due to the absence of relevant, new, supporting information.

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

Responding to query by Commissioner Stewart, Director of Environmental Management William M. Davis indicated that there is no cost to an applicant to make an appeal; that, after denial, if an applicant wishes to bring the matter back at a future date, they would be required to reapply; that the subject appeal was made by objectors to an approved permit; and that the objectors were made aware that the information they submitted had been previously considered.

- #31 Sitting as the Pinellas County Water and Navigation Control Authority, the Board approved a request by the City of Clearwater for an extension of the expiration date for Commercial Dock Permit No. CC34834-04 for a pedestrian bridge (State Road 60 [Memorial Causeway] at Mandalay Channel, Clearwater) to March 7, 2009.

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

- #32 County Administrator Reports:

Referring to two handouts, copies of which have been filed and made a part of the record, Assistant County Administrator Elithia V. Stanfield presented a report on property tax reform proposals currently under consideration by the State Legislature.

During discussion and responding to query by Commissioner Welch, Mr. Spratt indicated that staff is in the process of calculating the estimated impact of a rollback of property tax revenues to the fiscal year 2005-2006 level; and that the information will be provided to the Board in the near future.

- #33 Appointment of Derek Peeples to the Pinellas County Youth Advisory Committee approved for the term of April 3, 2007 through July 31, 2007.

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

- #34 County Commission Miscellaneous:

- a. Commissioner Latvala commented regarding property tax reform.
- b. Commissioner Welch thanked Commissioner Latvala for her leadership; thanked Elithia Stanfield and Sally Everett for assistance with the Legislative Delegation.
- c. Commissioner Harris offered a water conservation tip; provided an update re the Youth Advisory Committee's trip to Tallahassee.

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- d. Commissioner Stewart expressed congratulations to the Florida Gators on their national championship; provided an update re the Tampa Bay Regional Planning Council awards luncheon.
- e. Chairman Duncan indicated that a revised schedule for the budget information sessions will be forthcoming.

#35 Meeting adjourned at 12:30 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By: _____
Deputy Clerk