

**BOARD OF COUNTY COMMISSIONERS MEETING  
TUESDAY, MAY 18, 2010 – 3:01 P.M.  
ASSEMBLY ROOM, FIFTH FLOOR  
315 COURT STREET, CLEARWATER, FLORIDA**

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

**Not Present:** Karen Williams Seel, Chairman.

**Others Present:** James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; Claretha N. Harris, Chief Deputy Clerk; and Tammy L. Burgess and Michael P. Schmidt, Deputy Clerks.

**INVOCATION:** Pastor Machtel, First United Methodist Church, Dunedin.

**PLEDGE OF ALLEGIANCE:** Commissioner Morroni.

**PRESENTATIONS AND AWARDS:**

1. Proclamation in recognition of United States Coast Guard 60<sup>th</sup> Year of Service Day presented to Jerry Osburn, Flotilla Vice-Commander.
2. Emergency Medical Services Week Proclamation presented to Dick Williams, Director of Public Safety Services.
3. Presentation of the Emergency Medical Technician of the Year Award to Dave Selbach; and Presentation of the Paramedic of the Year Award to Christopher Henderson.
4. 2010 Civility Month Proclamation presented to James L. Bennett, County Attorney.
5. Youth Advisory Committee Presentation by Amy Smith, President. (Distributed pamphlet titled *Helping teens help their county.*)
6. Tampa Bay Water Presentation by General Manager Jerry Seibert and Director of Finance and Administration Connie Cassini.

Mr. Seibert and Ms. Cassini conducted a PowerPoint presentation, a copy of which has been filed and made a part of the record, and provided an update on the status of Tampa Bay Water (TBW) and a budget overview. During the presentation, Ms. Cassini noted that the budget figures reflected in the presentation were since reduced by \$3.5 million.

In response to comments and queries by Commissioners Morroni and Welch, Ms. Cassini indicated that TBW is required to have two months of variable costs held in reserves; that the reserve funding decreases as the variable costs decrease; and that the contract operations for facilities is increasing due to contract costs and the expansion of the surface water treatment plant; whereupon, she provided input regarding the location and

the maximum and average capacities of the surface water treatment plant, noting that the average net rate increase per household is \$1.05.

Following the presentation, Mr. Seibert responded to comments and queries by Commissioners Harris and Welch regarding a unified system based on regional partnerships to reduce groundwater reliance, cities pulling permits for their own systems built on groundwater, rate increases resulting from water conservation, the breakdown of the \$140 million in compensation to the County for its initial investment and supplies, and TBW's water supply planning horizon; whereupon, Mr. Seibert noted that the desalination plant is working well and is not running at capacity, and Vice-Chairman Latvala provided input.

**CITIZENS TO BE HEARD**

Lenore Faulkner, Madeira Beach, re Pinellas Park Middle World Class Career and Technology School.

Mary Chernesky, Madeira Beach, re Heritage Village (submitted notebook of original petitions with 3,792 signatures).

Frances F. Johnson, Largo, re Heritage Village.

Amy Smith, Seminole, re School Board – 14 percent pay cut.

Loren Knuth, St. Petersburg, re hours of operation extend (Commissioner Welch requested that extending the closing time for Pinellas County bars be scheduled as a future agenda item for discussion).

Mark Klutho, Largo, re stupidity, waste.

**CONSENT AGENDA ITEMS NOS. 1 THROUGH 13 – APPROVED.**

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

# 1 Minutes of regular meeting of April 20, 2010, approved.

# 2 Reports received for filing:

- a. Pinellas County Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2009.
- b. Audit Services, Division of Inspector General, Clerk of the Circuit Court, Report No. 2010-08 dated April 15, 2010 - Follow-Up Review to Audit of Operations and Maintenance of County Traffic Signals.

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- c. Pinellas County Quarterly Donation Listing of \$500 and Greater for the period ended March 31, 2010.
- d. St. Petersburg-Clearwater International Airport Enterprise Fund Financial Statements for the years ended September 30, 2009 and 2008.
- e. Pinellas County Sewer System Enterprise Fund Financial Statements for the years ended September 30, 2009 and 2008.
- f. Pinellas County Solid Waste System Enterprise Fund Financial Statements for the years ended September 30, 2009 and 2008.
- g. Pinellas County Water System Enterprise Fund Financial Statements for the years ended September 30, 2009 and 2008.
- h. City of Belleair Beach Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2009.
- i. Palm Harbor Special Fire Control and Rescue District Annual Financial Report for Fiscal Year ended September 30, 2009.
- j. City of Seminole Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2009.

# 3 Vouchers and Bills Paid – Periods April 5 through April 9, 2010, April 12 through April 16, 2010, and April 19 through April 23, 2010.

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2261

Payroll checks numbered 567239 through 567409

Imprest Fund Expenditures

Manual checks numbered 751658 through 751659

System checks numbered 997511 through 999251

ACH Transfers numbered 5260 through 5446

Wire Transfers numbered 11288 through 11304

# 4 Miscellaneous items received for filing:

- a. City of Clearwater Public Hearing Notice of Annexation, Land Use Plan, and Zoning Atlas Amendments regarding Ordinances Nos. 8163-10 through 8165-10 to be held June 3, 2010.
- b. City of Pinellas Park Notice of Public Hearing regarding Ordinance No. 3727 held May 13, 2010, voluntarily annexing certain property.

- c. Homeowners Association of Highland Lakes, Inc. Board of Directors 2010 Slate of Officers.
- d. Pinellas Park Water Management District minutes of Regular Authority Meeting No. 6 dated March 18, 2010.

# 5 Joint Participation Agreement with the State of Florida Department of Transportation (Financial Project No. 41812319401, Contract No. APV25) providing \$2,305,060.00 in grant funds for continued rehabilitation of the terminal building at the St. Petersburg-Clearwater International Airport approved; Resolution No. 10-66 adopted authorizing the execution of the Agreement; Chairman authorized to execute and the Clerk to attest.

In response to queries by Commissioner Bostock, Director of Public Works and Transportation Peter J. Yauch discussed passenger facility charges, projects to maintain and upgrade the terminal building, and funding sources for the projects.

# 6 Bid of QT Construction, Inc. for Booster Pump Station Rehabilitation – Tierra Verde Reclaimed Water (Project No. 1997, Bid No. 090-0179-C) rejected for being non-responsive for not complying with bid requirements; award of bid to Rowland, Inc. approved for an estimated total expenditure in the amount of \$365,250.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign the agreement and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

# 7 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Airport	Second Amendment to Permit for Commercial Business with Smarte Carte, Inc. for Baggage Carts in the Terminal	\$6,000.00	4.15.10
Business Technology Services	Application Software Technology Corporation Deliverable 2 for Project SOW – OPUS Project	\$19,060.00	4.22.10
Community Development	Specific Performance Agreement with St. Petersburg Neighborhood Housing Services, Inc. for Housing Counseling Services	\$50,000.00 in State Housing Initiative Partnership funds	4.27.10

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Community Development	Amended Scope of Services to the Agreement for Homelessness Prevention and Rapid Re-Housing Program	N/A	4.6.10
Culture, Education, and Leisure	(a) Arts Education and Outreach Grant Agreements with 13 Organizations for Funding for Arts Education and Outreach Projects for Fiscal Year 2010; and	(a) \$34,600.00 total funding; and	4.19.10
	(b) Notice of Limitation of Use/Site Dedication to Close Out the Grant with Florida Department of Environmental Protection for the Florida Recreation Development Assistance Program at Eagle Lake Park	(b) N/A	
Culture, Education, and Leisure	Memorandum for the Establishment of Parking Fees Area at Madeira Beach Parking Lot	N/A	4.15.10
Environmental Management	First Option of Renewal Agreement with the Friends of Brooker Creek Preserve, Inc. for Support of the Preserve and Environmental Education Center	N/A	4.15.10
Environmental Management	Application for Federal Assistance with the U.S. Environmental Protection Agency for the National Air Toxics Trends Site Program	\$155,000.00 requested funds; no required County match	4.8.10
Environmental Management	Application for Federal Assistance with the U.S. Fish and Wildlife Service for the Florida Golden Aster Habitat at Weedon Island Preserve	\$2,000.00, no required County match	3.12.10
Environmental Management	Short-Term Facility License Agreement (STFLA) with Southwest Florida Water Management District (SWFWMD) for Use of the Auditorium at Brooker Creek Environmental Education Center (Brooker Creek)	N/A	2.26.10
Environmental Management	STFLAs for Use of Brooker Creek with:		2.18.10
	(a) United Methodist Church, Inc. for the Gulf Central District, Florida Annual Conference Women's Retreat;	(a) \$680.00 revenue;	
	(b) George Heinrich (2) for Herpetology Camp on July 6, 2010 and Three Camps on July 12 – July 30, 2010; and	(b) \$6,840.00 total revenue; and	
	(c) James E. Barone for Metal Artwork Merchandise Space in the Gift Shop	(c) \$100.00 estimated revenue	

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Environmental Management	STFLAs for Use of Weedon Island Preserve Cultural and Natural History Center with:		8.27.10
	(a) Gilkermaxis Gamez for Photographic Art Display;	(a) \$750.00 revenue;	
	(b) SWFWMD for Governing Board Workshop and Meeting;	(b) N/A;	
	(c) Concepcion Pooou Coy Tharin for Maya Family Day; and	(c) \$20.00 revenue; and	
	(d) Kevin Grass for Landscape Art Display	(d) N/A	
Health and Human Services	(a) Funding Agreement and Letter of Agreement with Community Health Centers of Pinellas, Inc. and the State of Florida, Agency for Health Care Administration for the Federally Qualified Health Centers Low Income Pool Program, Retroactive to July 1, 2009; and	(a) \$83,937.00; and	3.30.10
	(b) Amendment No. 5 to the Agreement with Area Agency on Aging of Pasco-Pinellas, Inc. for the Emergency Home Energy Assistance Program for the Elderly	(b) N/A	
Real Estate Management	Lease Agreement with the Pinellas County Industrial Development Authority, d/b/a Pinellas County Economic Development Authority, and Vaporgenics, Inc. for Leased Space at the Young – Rainey STAR Center	\$1,564.98 monthly rental revenue	4.21.10
Real Estate Management	Correspondence Regarding a Six Month Extension for Permit 2009-7016 – CVS #8982 (Bay Pines and Park Boulevard)	N/A	4.19.10
Real Estate Management	Subordination Agreements (22) with Florida Power Corporation, d/b/a Progress Energy Florida, Inc. for Easement on Properties Located within the Limits of the Bryan Dairy Road Project from Starkey Road to 72 <sup>nd</sup> Street North	N/A	4.15.10
Utilities	Release of Lien (11)	All liens are paid in full	3.29.10
Utilities	Notices of Lien (34)	N/A	3.23.10
Utilities	Notices of Lien (58)	N/A	3.17.10
Utilities	Notices of Lien (44)	N/A	3.11.10

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Utilities	Release of Lien (11)	All liens are paid in full	3.10.10
Utilities	Notices of Lien (39)	N/A	3.5.10
Utilities	Release of Lien	All liens are paid in full	3.3.10

- # 8 Request for payment for final negotiated settlement with Wharton-Smith, Inc. in an amount not to exceed \$527,745.16 for the Lake Tarpon Alum Injection Project (PID No. 921812; Bid No. 089-0128-C) approved (Environmental Management/Purchasing).
- # 9 Resolution No. 10-67 adopted supplementing the Fiscal Year 2010 General Fund Budget (unanticipated grant revenues) to appropriate earmarked receipts for a particular purpose as requested by the Sheriff (Management and Budget).
- #10 Award of bid to Air Mechanical & Service Corp. for Pinellas County Jail Air Handling Unit Renovations, D & E Wings (Project No. 1309, Bid No. 090-0208-CP) approved for an estimated total expenditure in the amount of \$285,000.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign the agreement and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney (Real Estate Management/Purchasing).
- #11 Quarterly report of claim settlements for January 1 through March 31, 2010 for claims requiring the mutual consent of the County Attorney and Risk Management in the settlement area of \$25,001.00 to \$50,000.00 (total claims paid, \$35,000.00) received for filing (Risk Management/County Attorney).
- #12 Award of bid to High Performance Technologies, Inc. for computer hardware (Hewlett Packard servers) (Contract No. 090-0254-B) approved for an estimated 36-month expenditure in an amount not to exceed \$1,295,000.00 on the basis of being the lowest responsive, responsible bid received meeting specifications.
- #13 Sitting as the Countywide Planning Authority, the Board received for filing the Composite Annexation Report for Pinellas County for Fiscal Years 2000/01 – 2008/09.
- #14 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.

- #15 Resolution No. 10-68 adopted designating a platted public alley, east of 32<sup>nd</sup> Street North from 66<sup>th</sup> Avenue North to 69<sup>th</sup> Avenue North, as 31<sup>st</sup> Lane North. Clerk authorized to record the resolution in the public records of Pinellas County.

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

- #16 Facility Encroachment Agreement with CSX Transportation, Inc. for the Bryan Dairy Road Reconstruction project (PID No. 920588) approved; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Harris  
Second - Commissioner Welch

In response to queries by Commissioner Bostock, Attorney Bennett discussed waiving sovereign immunity and defending CSX; and indicated that the County is immune up to certain limits for operations within the right-of-way.

Vote - 6 – 0

- #17 Resolution No. 10-69 adopted approving Project A0060160917 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support as local participation in the Qualified Target Industry (QTI) Tax Refund Program (total contribution of Pinellas County will not exceed \$52,000.00 to be paid over a series of fiscal years as determined by the State) (Economic Development).

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

- #18 Agreement with Ayres Associates, Inc. (Ayres) for consulting services for the Starkey Basin Watershed Evaluation and Management Plan (Project No. 1233; Contract No. 078-0331-A) terminated for convenience due to Ayres' failure to successfully complete the initial deliverables and to cure the breach after notice (agreed upon amount of deliverables by consultant, \$8,463.00) (Environmental Management/Purchasing).

Motion - Commissioner Welch  
Second - Commissioner Morroni

In response to query by Commissioner Welch, Director of Environmental Management William M. Davis indicated that the consultant services will be replaced.

Vote - 6 – 0

#19 Release of Sublease No. 4103 approved; Amendment One to Lease Number 3985 incorporating the property under Sublease Number 4103 into Lease Number 3985, regarding two parcels of land in the Weedon Island Preserve sublet to the Pinellas County Department of Environmental Management by the State, approved (annual County savings, \$300.00); Chairman authorized to sign and the Clerk to attest (Real Estate Management).

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

#20 Authorization granted to advertise a public hearing to be held on June 15, 2010 to consider an amendment to Section 114-246, Pinellas County Code, authorizing an increase in the millage rate cap in the Tierra Verde Fire Control District Municipal Services Taxing Unit from 1.5 mils to 3.0 mils (Public Safety Services).

Motion - Commissioner Harris  
Second - Commissioner Welch

In response to queries by Commissioner Welch, Mr. LaSala indicated that the advertisement will be done in accordance with the Statute; and that the issue requires one public hearing; whereupon, Commissioner Morrioni noted that the Tierra Verde Association is aware of today's agenda item and the public hearing on June 15, 2010, and will help inform the community.

Vote - 6 – 0

#21 Resolution No. 10-70 adopted authorizing the lease of County-owned property at the Criminal Justice Center to the Salvation Army; five-year lease with two additional, successive five-year terms; County may terminate the lease at any time with six months notice to the tenant; County will collect rent to cover operational costs; Salvation Army will reimburse County annual operational costs of \$5,549.42. County Administrator authorized to approve and execute the lease (Real Estate Management).

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

#22 Other Administrative Matters – None.

#23 Consent Order No. 09-3566 between Pinellas County and the Florida Department of Environmental Protection (FDEP) pertaining to the South Cross Bayou Wastewater

Reclamation Facility approved. Chairman authorized to execute and the Clerk to attest. Payment of the fine approved; authorization granted to proceed with the referenced in-kind project and proposed corrective actions required by the Consent Order.

Assistant Director of Utilities Kevin Becotte presented detailed information relating to the operational violations that occurred at the South Cross Bayou Wastewater Reclamation Facility, and indicated that the FDEP has proposed a Consent Order to settle the violations; that the Consent Order proposes the payment of a monetary penalty, the construction of in-kind projects in lieu of payment of the entire penalty, and changes in operation of the Facility or the construction of new treatment processes at the Facility; whereupon, in response to queries by Commissioner Bostock, Mr. Becotte emphasized that most of the excursions were in-plant excursions; that the Facility never violated limits for wastewater being sent to the reclaimed water system; and that it never violated discharge limits for fecal coli or total dissolved solids being discharged into Boca Ciega Bay.

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

#24 Reports – Notices of new lawsuits and defense of the same by the County Attorney in the cases of:

- a. Catherine H. Barber and Robert Barber versus Pinellas County Board of County Commissioners – Circuit Civil Case No. 10-006074-CI-015 – Allegations of Personal Injury as a Result of Negligence.
- b. Bright House Networks, LLC, a Florida Corporation versus Johnson Bros., LLC, a Florida Limited Liability Company, Misener Marine Construction, Inc., a Florida Corporation, and Pinellas County, Florida – Circuit Civil Case No. 10-005384-CI-007 – Allegations of Negligence by a County Contractor.

Attorney Bennett advised that the items require no Board action.

#25 County Attorney Miscellaneous – None.

#26 County Administrator Reports – None.

#27 County Commission Miscellaneous:

- a. Commissioner Morroni thanked Director of Utilities Tom Crandall for his many years of fine service to the county and wished him a happy retirement.
- b. Commissioner Welch provided an update regarding the recent activities of the Charter Review Commission.
- c. Commissioner Brickfield in response to queries by Commissioner Brickfield, Mr. LaSala provided information regarding the oil spill in the Gulf of Mexico and the efforts to protect the beaches and local waters of Pinellas County.
- d. Commissioner Harris provided a water conservation tip.

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At this time, 4:44 P.M., the meeting was recessed and reconvened at 6:29 P.M. with all members present.

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

**SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS (BCC)**

#28 Resolutions Nos. 10-71 and 10-72 adopted reallocating reserves for future years in the Fiscal Year 2010 Emergency Communications E911 (0225) System Fund Budget and transferring to the Fiscal Year 2010 General Fund Budget (0101), respectively, for reimbursement of allowable personal services expenditures.

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

#29a Resolution No. 10-73 adopted approving the application of Pinellas County Planning Director Brian K. Smith for a change of zoning from R-4, One, Two, and Three Family Residential, to C-2, General Retail Commercial and General Services (Z-1-4-10), re a

parcel of land containing approximately 0.18 acre located on the west side of South Martin Luther King Jr. Avenue, 340 feet south of Belleair Road. The Local Planning Agency recommended approval of the application. No correspondence has been received. No citizens appeared to be heard.

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

- #29b Resolution No. 10-74 adopted denying the application of Pinellas County Planning Director Brian K. Smith for a change of zoning from RM-12.5, Residential, Multiple Family, 12.5 units per acre, to R-4, One, Two, and Three Family Residential (Z-2-4-10), re a parcel of land containing approximately 0.579 acre located on the north side of 42<sup>nd</sup> Avenue North, 454 feet east of 28<sup>th</sup> Street North. The Local Planning Agency (LPA) recommended that the proposed zoning change be denied and the current RM-12.5 zoning be retained as requested by the property owner. No correspondence has been received.

Planning Department Zoning Manager John F. Cueva referred to a map, pointed out the location of the site and surrounding uses in the area, and presented background information relating to the subject property.

In response to queries by the members, Mr. Cueva, with input by Mr. Smith, indicated that the case was previously heard and approved by various boards, including the BCC, without opposition; that staff had mistakenly submitted the application to the Department of Community Affairs (DCA) as a small-scale amendment; and that the DCA returned the case for resubmission as a large-scale amendment because the land use change was from Preservation, which is very restrictive, to an increase in density that would allow 12.5 units per acre. Mr. Cueva indicated that the case went back through the process and was approved by the DCA and the BCC. He indicated that at its public hearing, the LPA had directed staff to bring forth an application to rezone the property after hearing concerns raised by the neighbors regarding crime in a nearby development, which they feared would occur at this location if the RM-12.5 was approved; but that when staff took the application back before the LPA, the owner had appeared and requested the original RM zoning and the LPA had approved her request.

Lois Bozarth Pendley, Seminole, property owner, provided a brief history regarding her attempts to resolve the zoning issue on the property over the past three years and

responded to queries by the members, indicating that she is not comfortable with the proposed zoning designation and would prefer to retain the current zoning designation.

Following discussion, staff's recommendation to deny the zoning change was approved.

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

**SCHEDULED PUBLIC HEARINGS – COUNTYWIDE PLANNING AUTHORITY (CPA)**

#30 Ordinance No. 10-27 adopted approving Case No. CW 10-05, the proposal by the City of Largo to amend the Countywide Future Land Use Plan from Residential Low (up to five units an acre) to Residential/Office General, re 0.3 acre m.o.l., located at 1170 7th Avenue NE and 1169 8<sup>th</sup> Avenue NE (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 Morroni
Second	-	Commissioner Harris
Vote	-	6 – 0

#31a Ordinance No. 10-28 adopted approving Case No. CW 10-06, the proposal by the City of Safety Harbor to amend the Countywide Future Land Use Plan from Residential Suburban (up to 2.5 units an acre), Preservation, and Water/Drainage Feature Overlay to Residential/Office Limited and Preservation with Water/Drainage Feature Overlay, re 2.6 acres m.o.l., located at the northeast corner of McMullen-Booth Road and Cedar Street (regular amendment). Pinellas Planning Council recommended approval of the proposed amendment subject to the amendment being considered an exception to the Scenic/Noncommercial Corridor “Residential” Subclassification and the accompanying Development Agreement, and separately and additionally recommended that the City give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the Scenic Noncommercial Corridor Master Plan, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

#31b Ordinance No. 10-29 adopted approving Case No. CW 10-07, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Industrial Limited and Water to Planned Redevelopment–Mixed Use, re 8.1 acres m.o.l., generally located

on the northeast corner of 32<sup>nd</sup> Street North and 17<sup>th</sup> Avenue North (regular amendment). Pinellas Planning Council recommended approval of the proposed amendment subject to the amendment of St. Petersburg's Vision 2020 Special Area Plan to address the application of the Planned Redevelopment–Mixed Use Category in other than Mixed-Use Corridors prior to, or coincidental with, final site plan approval, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

In response to queries by Commissioner Welch, City of St. Petersburg Planning and Economic Development Department Manager Rick MacAulay related that the initial traffic analysis performed by St. Petersburg shows that redevelopment at the intersection of 34<sup>th</sup> Street North and 17<sup>th</sup> Avenue North will not contribute to a lowered level of service; that the intersection is expected to be signalized, which will enhance access to the shopping centers on both sides of the street; and that traffic traveling east on 22<sup>nd</sup> Avenue North toward Interstate 275 will increase slightly; whereupon, he reported that St. Petersburg has agreed to amend the Special Area Plan as requested by the Pinellas Planning Council.

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

Following the vote, Pinellas Planning Council Executive Director David P. Healey confirmed that the conditions and supplemental recommendations included in Agenda Items Nos. 34a, 34b, 34c, and 34d were included as part of the motion.

- #31c Ordinance No. 10-29 adopted approving Case No. CW 10-08, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Recreation/Open Space, Water, Water/Drainage Feature Overlay, with Activity Center Overlay to Planned Redevelopment–Mixed Use, Water, Water/Drainage Feature Overlay, with Activity Center Overlay, re 247.2 acres m.o.l., generally located on the east side of Interstate 275 between Roosevelt Boulevard and 102<sup>nd</sup> Avenue North (regular amendment). Pinellas Planning Council recommended approval of the proposed amendment subject to the restrictions contained in the accompanying Development Agreement; and approval of a Special Area Plan for the subject area, in accordance with Section 4.2.7.5 of the Countywide Rules, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

#31d Ordinance No. 10-29 adopted approving Case No. CW 10-09, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Institutional to Residential/Office General and Residential Medium, re 18 acres m.o.l., generally located on the northeast corner of 9<sup>th</sup> Avenue North and 66<sup>th</sup> Street North (regular amendment). Pinellas Planning Council recommended approval of the proposed amendment subject to the accompanying Development Agreement, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

#31e Ordinance No. 10-30 adopted approving Case No. CW 10-10, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Urban to Institutional, re 5.2 acres m.o.l., containing multiple lots located approximately 950 feet south of Drew Street, west of McMullen-Booth Road, and south of 110 North McMullen-Booth Road (Calvary Baptist Church) (regular amendment). Pinellas Planning Council recommended approval of the proposed amendment, and separately and additionally recommended that the City give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the Scenic/Noncommercial Corridor Master Plan, and staff concurred. No correspondence has been received.

Mr. Healey referred to a map, pointed out the location of the site and surrounding uses in the area, and presented background information relating to the subject property. He related that Calvary Baptist Church has been acquiring adjacent parcels, which will be added to the church complex for recreational purposes and for additional drainage; whereupon, in response to queries by Commissioner Latvala regarding why the church requires additional drainage, Mr. Healey related that as part its overall master plan, the church may eventually build on areas currently used for recreational purposes.

Responding to the Chairman's call for persons wishing to be heard, Robert Avery, Clearwater, appeared and expressed his concerns; whereupon, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the Board approve the application.

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

#31f Ordinance No. 10-30 adopted approving Case No. CW 10-11, the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Low Medium and Water to Residential Medium and Residential/Office/Retail, re 30.1 acres m.o.l., located at the southwest corner of Gulf-to-Bay Boulevard and Belcher Road (regular amendment). Pinellas Planning Council recommended approval of the proposed amendment subject to the accompanying Development Agreement, and staff concurred. No correspondence has been received.

Mr. Healey referred to a map, pointed out the location of the site and surrounding uses in the area, and presented background information relating to the subject property, indicating that the site was formerly occupied by the Lakeside Mobile Home Park; and that the proposal seeks to reclassify the vacant property to Residential/Office/Retail (R/O/R) and Residential Medium (RM).

Mr. Healey related that a development agreement has been submitted in conjunction with the requested amendment; that the agreement limits the site to 90,000 square feet of commercial use on the northern 11.6 acres and 243 residential dwelling units on the southern 18.4 acres; that this translates to a residential density of approximately 13.2 units per acre on the RM portion of the site and a 0.18 floor area ratio on the portion of the site requested to be amended to R/O/R; and that the development agreement further provides for significant traffic improvements and is accompanied by a site plan detailing the project design.

Responding to the Chairman's call for persons wishing to be heard, Robert Avery, Clearwater, appeared and expressed his concerns; whereupon, in response to queries by Commissioner Harris, Mr. Avery responded that he was aware mobile homes no longer occupied the subject property; that the former mobile home park tenants kept the property in excellent condition; that it would be nice to see veterans and seniors return to the property; and that they might be able to do so if the new apartments were affordable.

Thereupon, Commissioner Harris moved, seconded by Commissioner Bostock and carried, that the Board approve the application.

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

May 18, 2010

- #32 First public hearing held regarding a proposed ordinance amending the Countywide Future Land Use Rules regarding Agricultural and Community Garden uses. No correspondence has been received. No citizens appeared to be heard. Second public hearing to be held June 1, 2010.
- #33 Meeting adjourned at 7:00 P.M.

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Chairman

ATTEST: KEN BURKE, CLERK

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