

MINUTES OF THE MEETING OF THE  
PINELLAS PLANNING COUNCIL  
July 15, 2009

The Pinellas Planning Council (PPC) met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 1:04 P.M. with the following members present:

Jerry Knight, Vice-Chairman, Town of North Redington Beach Vice-Mayor  
Patricia Gerard, Secretary, City of Largo Mayor  
John Morroni, Treasurer, County Commissioner  
Nina Bandoni, City of Safety Harbor Vice-Mayor  
Sandra L. Bradbury, City of Pinellas Park Councilmember  
David Carson, City of Dunedin Commissioner  
John Doran, City of Clearwater Councilmember  
Jim Kennedy, City of St. Petersburg Councilmember  
Linda S. Lerner, School Board Member  
Stephanie Oddo, Town of Belleair Commissioner  
Patricia J. Shontz, City of Madeira Beach Mayor

Not Present:

Beverley Billiris, Chairman, City of Tarpon Springs Mayor  
Jim Ronecker, City of Oldsmar Mayor

Also Present:

David P. Healey, Executive Director, PPC  
Willie L. Brown, Jr., PPC Staff  
Michael C. Crawford, PPC Staff  
Christopher Mettler, PPC Staff  
Michael Schoderbock, PPC  
Carolyn Shoemaker, PPC Staff  
Jewel White Cole, Managing Assistant County Attorney  
Other interested individuals  
Tammy L. Burgess, Deputy Clerk

AGENDA

- I. CALL TO ORDER
  - A. Invocation and Pledge
  - B. Identification of Members Present

II. CONSENT AGENDA

- A. Minutes of June 17, 2009 Meeting
- B. Financial Statement for June 2009
- C. Countywide Planning Authority (CPA) Actions – July 2009
- D. Annexation Report – June 2009
- E. Preliminary September 2009 Agenda
- F. Correspondence

III. PUBLIC HEARING – To begin at 1:00 P.M. or as soon thereafter as agenda permits

- A. Public Hearing Format Announcement and Oath
- B. Proposed Amendments to the Countywide Future Land Use Plan
  - Group 1: Subthreshold Amendments
    - 1. Case CW 09-17: Pinellas County
    - 2. Case CW 09-19: City of Largo
  - Group 2: Regular Amendments
    - 3. Case CW 09-18: City of Largo

IV. REPORTS/OTHER ACTION

- A. Curlew Road Scenic/Non-Commercial Corridor Pilot Study
- B. Ability to Serve Report No. 09-3: City of Gulfport
- C. 2009 Annual Plan Map Adjustments – Official Acceptance
- D. Annexation Report – Quarterly Summary, Third Quarter FY 2008/09

V. EXECUTIVE DIRECTOR ITEMS

- A. Transfer of Development Rights (TDRs) – Filing Form
- B. Determinations of Consistency – Belleair Beach, North Redington Beach, Oldsmar, and South Pasadena.
- C. Work Program and Budget for FY 2009-10:
  - 1. Annual and Five-Year Work Program – Final
  - 2. Annual Budget and Millage Rate for FY 2009-10 – Final
  - 3. Council Resolution Re: Budget and Related Considerations
- D. Interlocal Service Area Boundary Process Update
- E. Verbal Reports

VI. OTHER COUNCIL BUSINESS

- A. Chairman/Member Items
  - 1. Letter from City of St. Petersburg Council Chair Jeff Danner Re: Regional Transportation

VII. ADJOURNMENT

CALL TO ORDER

Vice-Chairman Knight called the meeting to order at 1:04 P.M.

INVOCATION AND PLEDGE

The Invocation was given by Vice-Mayor Bandoni, following which she led the Pledge of Allegiance to the Flag.

IDENTIFICATION OF MEMBERS PRESENT

At the request of Vice-Chairman Knight, a roll call was taken in which the members introduced themselves.

CONSENT AGENDA – APPROVED

Vice-Chairman Knight presented the Consent Agenda items, as follows:

- A. Minutes of June 17, 2009 Meeting
- B. Financial Statement for June 2009
- C. Countywide Planning Authority (CPA) Actions – July 2009
- D. Annexation Report – June 2009
- E. Preliminary September 2009 Agenda
- F. Correspondence

Commissioner Morroni moved, seconded by Councilmember Doran and carried, that the Consent Agenda items be approved (Vote 11 – 0).

PUBLIC HEARINGS

- A. Public Hearing Format Announcement and Oath

Upon request by the Vice-Chairman, all persons planning to give testimony were duly sworn by the Deputy Clerk.

B. Amendments to the Countywide Future Land Use Plan

**GROUP 1: SUBTHRESHOLD AMENDMENTS**

**PUBLIC HEARING: CASE CW 09-17, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL/OFFICE GENERAL (R/OG) TO COMMERCIAL GENERAL (CG) – APPROVED**

Pursuant to legal notice published in the June 29, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-17, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from R/OG to CG, re 0.4 acres m.o.l., located on the southeast corner of 46<sup>th</sup> Avenue North and 79<sup>th</sup> Way North.

Mr. Healey indicated that the case qualifies as a Type A Subthreshold Amendment; that the other three corners of the intersection are designated CG; and that staff recommends approval of the subthreshold amendment.

Mr. Healey indicated that the Planners Advisory Council (PAC) voted 11 to 0 to approve the amendment.

No one appeared in response to the Vice-Chairman's call for citizens wishing to be heard.

Commissioner Morroni moved, seconded by Mayor Gerard and carried, that Case CW 09-17 be approved as recommended by staff (Vote 11 – 0).

**PUBLIC HEARING: CASE CW 09-19, PROPOSAL BY THE CITY OF LARGO TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM (RM) TO RESIDENTIAL/OFFICE GENERAL (R/OG) – APPROVED**

Pursuant to legal notice published in the June 29, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-19, a proposal by the City of Largo to amend the Countywide Future Land Use Plan from RM to R/OG, re 0.6 acre m.o.l., located at 1460 East Bay Drive and adjacent parcel to the east.

Mr. Healey indicated that the case qualifies as a Type A Subthreshold Amendment; and that the property consists of an eight-unit apartment building and an adjacent

July 15, 2009

vacant parcel; described the existing Land Use Plan Map categories for the surrounding area; and related that staff recommends approval of the subthreshold amendment.

Mr. Healey indicated that the Planners Advisory Council (PAC) voted 11 to 0 to approve the amendment.

No one appeared in response to the Vice-Chairman's call for citizens wishing to be heard.

Mayor Shontz moved, seconded by Mayor Gerard and carried, that Case CW 09-19 be approved as recommended by staff (Vote 11 – 0).

## **GROUP 2: REGULAR AMENDMENTS**

**PUBLIC HEARING: CASE CW 09-18, PROPOSAL BY THE CITY OF LARGO TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM (RM) AND PRESERVATION (P) WITH WATER/DRAINAGE FEATURE OVERLAY (W/DF) TO COMMERCIAL GENERAL (CG) AND PRESERVATION (P) WITH WATER/DRAINAGE FEATURE OVERLAY (W/DF) – APPROVED**

Pursuant to legal notice published in the June 29, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-18, a proposal by the City of Largo to amend the Countywide Future Land Use Plan from RM and P with W/DF to CG and P with W/DR, re 1.6 acres m.o.l., located at 2174 and 2180 62<sup>nd</sup> Street North.

Mr. Healey indicated that staff recommends approval of the amendment; and that the Planners Advisory Council (PAC) voted 11 to 0 to approve the amendment.

Mr. Brown indicated that the property includes two single family dwellings; and described the existing Future Land Use Plan Map categories for the surrounding area, noting that the predominant land use in the area is CG; and that the creek to the north is within a Federal Emergency Management Agency (FEMA) designated 100-year floodplain. Mr. Brown related that staff recommends approval of the amendment as the Roosevelt Boulevard corridor is a principal arterial roadway that supports mass transit; that there are a variety of residential and non-residential uses along the segment of the corridor; and that the area is conducive to a concentration of intense commercial uses due to the high volume of traffic and capacity of the roadway and is consistent with the CG Purpose statement.

Largo Assistant Community Development Director Bob Klute related that the City supports the PAC and PPC recommendations; and that the land use change will create enough land area in the rear for the property owner to build a small retail center meeting the City's standards; and in response to queries by Commissioner Morroni, indicated that the request went through the City's public hearing process; and that there were no objectors to the requested amendment.

No one appeared in response to the Vice-Chairman's call for citizens wishing to be heard.

Commissioner Morroni moved, seconded by Commissioner Oddo and carried, that Case CW 09-18 be approved as recommended by staff (Vote 11 – 0).

\* \* \* \*

Deviating from the agenda, Vice-Chairman Knight indicated that Agenda Item No. VI would be addressed at this time; and no objections were noted.

\* \* \* \*

OTHER COUNCIL BUSINESS

A. Chairman/Member Items

Letter from City of St. Petersburg Council Chair Jeff Danner Re: Regional Transportation –  
Discussed/Expressed Desire to Participate

---

St. Petersburg City Council Chairman Jeff Danner indicated that he has invited the Metropolitan Planning Organization (MPO), the Pinellas Suncoast Transit Authority (PSTA), the Board of County Commissioners (BCC), and the PPC to participate in a joint meeting planned for August 10, 2009 from 9:00 A.M. until 12:00 P.M. to discuss regional transportation; and that the focus of the meeting will be determining the next steps for the County's transit system, planning and implementing the process, exploring opportunities for partnerships with the MPO and the Tampa Bay Area Regional Transit Authority (TBARTA), and avoiding redundancies in surveys and polling; whereupon, he noted that the Pinellas County Transit Funding Committee is researching alternate revenues to fund the transit system, and discussed the importance of including the PPC in the meeting.

July 15, 2009

In response to query by Commissioner Morroni, Councilman Danner indicated that a general land use discussion is currently on the agenda; that he has requested input from the MPO and the PSTA Board regarding items to be put on the agenda; that the intent is to keep the meeting general in nature due to the number of officials expected; and that the consensus appears to be that multiple meetings will be necessary; whereupon, he related that input from the PPC is being sought on land use; and that the land use discussion will likely be the first agenda item.

Mr. Healey related that several discussions have taken place regarding what role the PPC can play and what the relationship of the land use component will need to be relative to the transit plan; and that the PPC staff is participating in a land use working group to assist TBARTA and has met with the MPO to discuss opportunities to collaborate on work the PPC staff has identified as necessary; whereupon, he indicated that the role of the PPC relating to land use will be essential as the corridors become defined and their hierarchy established regarding the appropriate land use framework necessary to make transit work; and that staff believes the PPC should be involved in this important effort.

Discussion ensued wherein Councilmember Doran related that Clearwater Mayor Frank V. Hibbard inquired about the status of the responses from the MPO, regarding livable communities, and from TBARTA, regarding transportation-oriented development; and that Mayor Hibbard suggested it would be appropriate to request the reports as there has been no response; whereupon, Councilmember Doran solicited the Council's interest in requesting presentations from the MPO and TBARTA, and in response to query by Vice-Chairman Knight, Mr. Healey related that PPC staff has spoken with TBARTA's consultant regarding a presentation to update the Council; and suggested that presentations by the MPO and TBARTA be scheduled for the September PPC meeting, which would serve as a logical follow-up to the joint meeting scheduled for August 10; and no objections were noted.

In response to School Board Member Lerner's request, Councilman Danner agreed to provide a summary of the responsibilities of the various planning groups, definitions of the roles of the various organizations, and background on where the transit system process currently stands prior to the joint meeting; whereupon, discussion ensued wherein the members expressed interest in participating in the joint meeting.

Thereupon, Mr. Healey related that he will poll the Council once the date of the joint meeting has been confirmed or alternate dates have been provided, keep the Council apprised of the schedule, and assist with structuring the agenda as necessary.

REPORTS AND OTHER ACTION

Curlew Road Scenic/Noncommercial Corridor Pilot Study – Received/Discussed/Continued to September PPC Meeting

---

Mr. Healey provided background on the Scenic/Noncommercial Corridor master plan, Countywide Plan component, and provisions incorporated into the Countywide Rules in 1995. He indicated that due to the number of requests for amendment on the scenic corridors, staff became concerned about whether adequate criteria and standards to evaluate the amendments were in place and whether the desired end result was accomplished by the amendments. He related that Tindale-Oliver and Associates, Inc. was engaged to assist in evaluating the amendment policies on the scenic corridors; and provided a brief overview of the company's history with the PPC; whereupon, he recommended that the Council receive the report and defer action until the September PPC meeting, noting that the PAC recommended that the matter be continued to allow them time to review the study and provide additional feedback.

Tindale-Oliver and Associates, Inc. Vice President Bob Wallace provided an overview of the purpose of the study and stated that the study focused on evaluating the proposed Plan amendments based on scenic, land use, and traffic operations criteria on the Curlew corridor; whereupon, Mr. Wallace conducted a PowerPoint presentation, a copy of which has been filed and made a part of the record, and indicated that the study expands how the criteria is applied to evaluate amendments within the framework of Scenic/Noncommercial Corridors and establishes a process to apply the concept to other corridors within the County.

Mr. Wallace indicated that the objective is to develop criteria to address individual amendments from a Scenic/Noncommercial Corridor perspective and to determine if modifications to the five subclasses used in the evaluation process are necessary; whereupon, he discussed the scenic, land use, and traffic operations criteria, the Subclass Matrix, acreage density allowed, trip generation, and trips per acre.

Mr. Wallace indicated that the residential land uses currently allowed under the Residential Subclass Plan Categories are not as flexible as they should be; and recommended that Residential/Office Limited and Residential Low Medium be added as additional allowable residential uses; and that a Transitional Subclass be developed that could be used and applied to proposed Plan amendments being evaluated under the Scenic/Noncommercial Corridor criteria; whereupon, he outlined the Transitional Subclass criteria and the attributes reviewed, noting that the Council must be sensitive to encroachment upon the local government codes; and indicated that after receiving input from the PAC and the PPC, a recommendation for implementation reflecting the direction received will be brought forward in September.

July 15, 2009

Mr. Healey summarized the proposed changes to the Rules and outlined the three levels of the amendment, indicating that the first level would be the potential addition of the Residential Low Medium and Residential/Office Limited Plan categories to the existing Residential Subclass in the Rules, which would provide more flexibility and incentives for redevelopment in a desired manner; that the second level would be the creation of a new Transitional Subclass category, which would be available to the PPC when reviewing new applications or to proactively review corridors best suited for the category and reclassify the corridors; and that the third level would be to develop additional criteria for Plan amendments relating to what is or is not provided for in local government codes and how to make the recommendations to the local governments so that there is a reasonable expectation of what might occur when the site plan details are brought forward; whereupon, he requested the members' input.

Commissioner Oddo stated that she would not oppose minimal guidelines being provided to local governments to try to preserve the corridors. Mr. Healey indicated that the toughest challenge may be recommending criteria at the local government level without intruding upon the local government's prerogatives relating to the site plan details; whereupon, referring to the July 6, 2009 draft PAC minutes, Vice-Chairman Knight indicated that imposing conditions on local government's land development regulations seemed to be a critical issue.

Discussion ensued regarding the Transitional Subclassification and the additional Residential Subclass Plan Categories, and in response to comments and queries by Vice-Chairman Knight and School Board Member Lerner, Mr. Wallace, with input by Mr. Healey and Project Manager Demian Miller, discussed having suggestive guidelines attached to the Rules and the limitations in doing so; and confirmed that the Transitional Subclass would allow for uses and intensities that have yet to be defined to be detailed and incorporated into the Plan and Rules as a new class; and that the changes would apply to all Scenic/Noncommercial Corridors; whereupon, Mr. Healey indicated that the item will be brought back at the September PPC meeting.

In response to comments and queries by Commissioner Morroni, Planning Department Division Manager Gordon R. Beardslee indicated that the County had concerns about the level of conditions and how far into site plan considerations the Rules should go for proposed map amendments; and that the general consensus at the PAC meeting was that additional time to review the issue and provide comments was necessary; whereupon, PAC Chairman Sharen Jarzen indicated that the PAC has major concerns that land development regulations will be used to determine whether or not an amendment will be approved; and that the PAC feels it should be up to the communities to establish their own standards, but that there was support for the development of model land development regulations that communities could adopt if they chose to do so.

July 15, 2009

Ability to Serve Report No. 09-3: City of Gulfport (Referendum Annexation Area) – Received/Adopted Finding Subject to and Inclusive of Accompanying E-mails Dated July 8 and 9, 2009/Authorized Finding to be Transmitted to the City

Mr. Healey related that the back-up packet contains follow-up e-mails dated July 8 and 9, 2009, from City of Gulfport Community Development Director Fred E. Metcalf, which respond to the concerns raised by the County at the PAC meeting, and an e-mail from South Pasadena City Attorney Linda Hallas questioning the Ability to Serve Report.

Mr. Schoderbock indicated that the referendum is scheduled to take place on November 3, 2009; that the PAC voted 11 to 0 in favor of the request; that based upon staff review, the City of Gulfport has the ability to serve the proposed annexation area; and that staff submits the following findings:

- The subject area is not located within an established planning area and the City of Gulfport has not established any planning areas pursuant to Chapter 163, Florida Statutes.
- The proposed annexation will not create any enclaves.
- The City of Gulfport has the ability to provide water, sanitary sewer service, solid waste pick up and disposal, law enforcement, fire and EMS services, and recreation and library services through city departments, county services, or private contractors.
- With the exception of the fire district, the existing service district boundaries will not change.

Mr. Schoderbock indicated that although the City of Gulfport has the ability to adequately provide services, the City has included additional documentation to support its findings regarding provisions for solid waste, recreation, and police to address questions and concerns raised at the PAC meeting; whereupon, he related that staff recommends approval of the proposed action.

Responding to comments and queries by Commissioner Morroni, Mr. Healey related that the cost of the additional fire rescue unit and additional firefighters and the City's ability to achieve the adopted level of service standards for recreation and open space is explained in the e-mails from Mr. Metcalf; and confirmed that the costs should be included as an

July 15, 2009

addendum to the Ability to Serve Report; whereupon, Commissioner Morroni indicated that the additional information relating to recreation and open space should also be included as an addendum and should travel with the motion.

In response to comments and queries by Vice-Chairman Knight, Mr. Healey clarified that there is only one report; and that the original report was modified to include supplemental information; and discussion ensued.

In response to concerns expressed by Councilmember Bradbury, Mr. Metcalf, with input by Gulfport City Manager Jim O'Reilly and Gulfport City Attorney Thomas H. Minkoff, discussed the existing and proposed police coverage for the City of South Pasadena.

No one appeared in response to the Vice-Chairman's call for individuals wishing to be heard.

Mayor Gerard moved, seconded by Commissioner Morroni and carried, that the report be approved subject to and inclusive of the e-mails dated July 8 and July 9 (Vote 11-0).

2009 Annual Plan Map Adjustments – Official Acceptance – Received/Accepted/Authorized Transmittal

---

Mr. Healey explained that the adjustments are made once a year to coincide with the annual update of the Countywide Plan Map to correct any inconsistencies on the map. Mr. Brown indicated that a total of five adjustments have been received from the cities of Clearwater and Seminole; whereupon, he reviewed the adjustments submitted.

Mayor Gerard moved, seconded by Councilmember Bradbury and carried, that the proposed plan map boundary adjustments be accepted and recommended to the CPA for its approval (Vote 11-0).

Annexation Report – Quarterly Summary, Third Quarter FY 2008/09 – Received/Discussed

Referring to a PowerPoint presentation, a copy of which has been filed and made a part of the record, Mr. Schoderbock indicated that from April 1, 2009 through June 30, 2009, voluntary annexations consisted of 13.59 acres of land and a total of \$16,573,573 in taxable value; and that approximately ten percent of the annexations, 1.39 acres, helped to eliminate or reduce enclaves.

Displaying graphs showing historical data for the past eight years, Mr. Schoderbock noted that annexations are occurring at a slower pace than in previous years; that annexations occurring in enclaves are running slightly ahead of average compared to prior years; and that there were no referendum annexations in the third quarter.

#### EXECUTIVE DIRECTOR ITEMS

A. Transfer of Development Rights (TDRs) – Filing Form – Received/Discussed/Approved as Amended

---

Mr. Healey called attention to the *Notice of Transfer of Development Rights* form attached to the agenda memorandum, and indicated that there has always been a requirement that TDRs be filed of record with the Clerk of Court, with a copy to the Council; that there has never been an approved form for doing so; that the last amendment of the Countywide Rules included a requirement that a form be established and approved by the CPA; that the PAC voted 11 to 0 to approve the form with modifications; and that the form has been modified, but may not fully satisfy the PAC; whereupon, he reviewed the modifications proposed by the PAC and suggested that the Council hear from the PAC representative; and noted that if having the PPC signatories on the form is an impediment, he and Attorney Cole have no objection to their names being removed from the form.

PAC Chairperson Sharen Jarzen stated that there appears to have been a misunderstanding of the motion made during the July PAC meeting; that the maker of the motion confirmed that the motion the PAC members believed they were voting on was that the signatories of the cities would be added to the form and the PPC signatories would be removed, as the PAC did not see the validity of the PPC signing the form after it has been approved by the Countywide Planning Authority (CPA); whereupon, Mr. Healey stated that the PPC does not agree with the PAC regarding the need for the PPC signatures on the form; and that the local signatories were added, but the PPC signatories were not deleted as the form is a function of compliance with the Countywide Rules and the PPC should acknowledge that the form was completed properly and contains accurate information before being recorded in the Official Records, and discussion ensued.

Responding to comments by Commissioner Oddo, Attorney Cole discussed the reasons for including the signatures of the PPC Executive Director and legal counsel and the information reviewed for accuracy. She indicated that she has concerns regarding a form with erroneous information being recorded in the Official Records, which could potentially constitute a cloud on title; and that the PPC signatures are a reasonable protection for the citizens. Discussion ensued and in response to comments and queries by Vice-Chairman Knight, Attorney

July 15, 2009

Cole confirmed that having the PPC signatures allows the information to be reviewed for accuracy before the form is recorded; and agreed that the PPC signatures can be removed if having them on the form is an impediment to approving the form; whereupon, Commissioner Morroni indicated his support for having the PPC signatures on the form.

Ms. Jarzen stated that a city is within its authority to do what it wishes with transferring development rights and does not need the PPC's approval; whereupon, she reiterated that the PAC voted 11 to 0 to approve the form with the local government signatures only.

Discussion ensued wherein Vice-Chairman Knight stated that it appears the cities want to protect their ability to create their own form and use their own devices for exercising their legitimate authority to transfer development rights; and confirmed that the cities can create their own forms to be approved by the CPA; but that the proposed form would provide the cities with an approved form that can be filled out and filed, which would be beneficial to smaller cities with limited staff and resources.

Mayor Gerard stated that approving the form with the PPC signatories will likely encourage the cities to create their own forms; and Councilmember Bradbury indicated that the CPA may not approve the form without the PPC signatories; whereupon, the members extended their appreciation for Mr. Healey's efforts in creating the form.

Thereupon, Mayor Gerard moved, seconded by Councilmember Doran, that the TDR form be approved without the signatures of the PPC legal counsel and the PPC Executive Director; and that the amended form be recommended to the CPA for its approval. Upon call for the vote, the motion carried 9 to 2, with Vice-Chairman Knight and Commissioner Morroni dissenting.

B. Determinations of Consistency – Belleair Beach, North Redington Beach, Oldsmar, and South Pasadena – Received/Discussed/Approved/Authorized Transmittal

Mr. Healey indicated that the local governments of Belleair Beach, North Redington Beach, Oldsmar, and South Pasadena have adopted the amendments to their comprehensive plans and land development regulations identified in the Consistency Report and are consistent with the Countywide Rules; and that it is appropriate to process updated Determinations of Consistency for the four local governments by adopting the four resolutions.

\* \* \* \*

At this time, 2:51 P.M., Commissioner Oddo left the meeting.

\* \* \* \*

Mr. Mettler provided an overview of the resolutions and indicated that as part of the process, the PPC staff will continue to review amendments to the local governments' plans and codes for consistency with the Countywide Rules; and that the resolutions acknowledge that the reviews will occur at five-year intervals from the date of the resolution; whereupon, he recommended that the Council approve the transmittal of the four Determinations of Consistency to the CPA with the recommendation that the CPA adopt the four resolutions approving the four Determinations of Consistency.

Commissioner Morroni moved, seconded by Mayor Shontz and carried, that the proposed resolutions be approved and transmitted to the CPA for adoption (Vote 10-0).

\* \* \* \*

At this time, 2:53 P.M., Commissioner Oddo returned to the meeting.

\* \* \* \*

C. Work Program and Budget for Fiscal Year 2009/10

Mr. Healey identified the four items to be considered and provided a brief overview of each item.

Annual and Five-Year Work Programs – Final – Received/Discussed/Approved as Amended

Referring to the Fiscal Year 2009-10 Work Program, Mr. Healey indicated that the document remains as presented at the June meeting; and noted that while the budget has been significantly reduced from that which was prepared and considered in concert with the work programs, the work programs remain unchanged; whereupon, he recommended that rather than selectively remove or reduce tasks that may not be attainable as a result of the budget reductions, the work program be retained as the preferred course of action and expression of target objectives allowing staff and the Council to make adjustments as priorities and resources dictate.

Mr. Healey indicated that the Five-Year Work Program is an outline of possible projects and tasks previously identified in the Strategic Plan or otherwise scheduled as a function of the Special Act and Rules; and that the Annual and Five-Year Work Programs are in a form for consideration by the Council in conjunction with the annual budget for next fiscal year.

July 15, 2009

Citing the statement, “The significant budget reduction will limit the Council to the current core requirements of the Special Act and require significant adjustment and reprioritization of the Council’s annual Work Program for fiscal year 2009-10,” from page three of the proposed annual budget, School Board Member Lerner suggested that the statement be included in the work programs; whereupon, following discussion, she moved, seconded by Councilmember Doran and carried, that the statement be added in the introduction on page one of the Annual and Five-Year Work Programs (Vote 11-0).

Thereupon, Commissioner Oddo moved, seconded by Councilmember Doran and carried, that the Annual and Five-Year Work Programs be approved as amended (Vote 11-0).

Annual Budget and Millage Rate for FY 2009-10 – Final – Received/Discussed/Approved by Resolution 09-1

---

Mr. Healey indicated that the millage rate was reduced 26.5 percent from 0.0170 to 0.0125; that the revenue raised from ad valorem taxes is proposed to be reduced by approximately \$415,310 or 35.1 percent; that the \$1,156,650 total proposed budget represents a 23.4 percent decrease of \$352,850; and that the difference between the reduction in the ad valorem tax revenue and the reduction in total budget (\$62,420) will be made up from the Council’s fund balance, and in response to query by Vice-Chairman Knight, indicated that the annual budget and millage rate for Fiscal Year 2009-10 and proposed PPC Resolution 09-1 can be approved with one vote, noting that if the Council approves the proposed resolution submitting the budget, it would also be approving and adopting the budget.

Council Resolutions Re: Budget and Related Considerations

Vice-Chairman Knight indicated that there are two separate resolutions addressing the current budget and the Council’s concerns expressed at the PPC special meeting regarding the impacts the budget cuts will have on the future of the PPC; and that the resolutions will be discussed separately.

Resolution No. 09-1 – Reviewed/Discussed/Adopted /Authorized Transmittal

Vice-Chairman Knight indicated that PPC Resolution 09-1 reflects the will of the Council to go along with the changes that were necessary to meet the new budget objectives; whereupon, Mr. Healey provided an overview of the proposed resolution approving and adopting the Fiscal Year 2009-2010 PPC budget and millage rate for transmittal to the Board of County Commissioners (BCC) for action.

July 15, 2009

In response to queries by Councilmember Bradbury, Mr. Healey discussed the County Administrator's original request to reduce the budget.

Thereupon, Councilmember Doran moved, seconded by School Board Member Lerner, that PPC Resolution 09-1 be adopted. Upon call for the vote, the motion carried by a vote of 9 to 2, with Councilmembers Bradbury and Kennedy dissenting.

In response to Mr. Healey's request, Vice-Chairman Knight clarified that the motion includes the authority to transmit the proposed budget.

Resolution No. 09-2 – Received/Discussed/Adopted/Authorized Transmittal

Mr. Healey provided an overview of the proposed resolution and indicated that at the July 6 PPC special meeting, the Council expressed the desire to communicate to the BCC the need to address and resolve a number of issues raised in the course of the year's budgeting process related to the Council's role and the potential for a more effective and equitable approach to planning in the County.

Vice-Chairman Knight referenced PPC Resolution 09-2 and indicated that Mr. Healey prepared a separate resolution to address the concerns discussed at the July 6 special meeting, which calls attention to the concerns and seeks a meeting with the BCC sitting as the CPA to discuss how the PPC and CPA can work together to address the impacts of the budget cuts; whereupon, Councilmember Kennedy expressed concerns regarding the potential demise of the PPC if it is required to use one-third of its reserves to fund its budget over the next three years; and indicated that the only option would be to raise the millage rate to support the PPC, noting that the proposed millage rate of 0.0125 will not produce sufficient revenue to allow the Council to continue the legislative intent of the PPC.

Commissioner Morroni expressed his satisfaction with the second to last "Whereas" clause as it indicates that a special act of the people is required to dissolve the PPC. He indicated that the PPC needs to meet with the CPA to discuss providing effective and efficient government and about possibly combining the BCC Planning Department with the PPC, reiterating that any action taken that changes any part of the Special Act will have to be approved by the people; whereupon, he stressed the importance of holding the meeting as soon as possible, and Councilmember Bradbury stated that she would like to see the meeting happen before the end of the year.

Commissioner Morroni discussed the timeline involved if legislative action is required, and indicated that the PPC also needs to hold a joint meeting with the BCC, separate from the meeting he previously discussed.

July 15, 2009

Councilmember Bradbury indicated that the PPC is the only board that sits for the County as a whole, is not biased, and ensures the actions taken are best for the cities and the County; and that the PPC should not be dissolved; whereupon, Commissioner Morroni referenced the Annexation Subcommittee, and the important work that the PPC does.

During discussion, School Board Member Lerner suggested that the third “Whereas” clause of the resolution contain a specific request for a meeting with the BCC; and Mayor Gerard suggested that the seventh “Whereas” clause be rewritten as follows: “Whereas, the budget reductions requested will hamper the long-term potential of the PPC to fulfill the purposes and intent of the countywide planning process;” and no objections were noted.

School Board Member Lerner suggested that the resolution be put in letter form and sent to the editor of *The St. Petersburg Times* identifying what the PPC is asking of the BCC; and no objections were noted. Mr. Healey stated that it would be appropriate for the letter to be sent by the PPC Chairman; and Commissioner Morroni stated that the request to meet with the BCC should also come from the PPC Chairman. Mr. Healey related that staff will transmit the resolutions by letter from the Chairman and will request a meeting as soon as possible; whereupon, Commissioner Morroni instructed Mr. Healey to request the meeting by the end of the year, if possible, as he is sure there will be a date that the seven Commissioners can get together after the budget process is completed in September.

Thereupon, Mayor Gerard moved, seconded by Councilmember Kennedy and carried, that PPC Resolution No. 09-2 be adopted (Vote 11 - 0).

D. Interlocal Service Area Boundary Process Update – Received

Referring to the ongoing process by which the County and its municipal and special district jurisdictions are attempting to reach an agreement regarding future annexations, Mr. Healey provided an update on the status of the process and reported that the parties held their third meeting on June 30; that the cities provided a response to various procedural matters proposed by the County; and that the major issues on which agreement has not been reached include the details of processing municipal plan amendments upon annexation, the provisions for annexing enclaves and how enclaves will be defined, the parameters for challenging an action under the terms of the Interlocal Agreements, if, when, and how the agreement can be amended, and the delineation of annexation area boundaries, which is the most difficult and major item. He indicated that the only issue directly involving the PPC pertains to the Ability to Serve Report requirement in the Special Act; and that the objective is to fold the requirement into whatever Interlocal Agreements can be reached by providing for a so-called “Master Ability to Serve

July 15, 2009

Report” prepared by each jurisdiction for their planning/annexation area as part of the process, with the one-time report fulfilling the requirement of the Special Act.

Mr. Healey indicated that the next public meeting is scheduled for September 30 at the Largo Library; and that Council staff will continue to monitor the process and periodically report to the Council, whose input and direction is welcomed; whereupon, he noted that the minutes from the previous meeting are included in the backup packet; and that no action is required.

E. Verbal Reports

Case CW 08-06 Pinellas County Re: Amended Development Agreement – Consensus Given to Concur With Amended Development Agreement

---

Mr. Healey provided a brief overview of the previous amendment approved in February 2008 and related that the PPC approved the amendment conditioned upon the accompanying development agreement; that the County added a condition relative to the development agreement that limited the adult living facility to 32 beds; and that the request is to add two additional beds to the facility to allow 34 beds. He indicated that the County is processing the amendment to the development agreement, noting that the previous amendment was approved prior to the amendment to the Rules requiring changes to development agreements to come back before the PPC; whereupon, he sought the Council’s concurrence that the amendment does not rise to a substantial level with respect to the PPC reconsidering the amendment, and no objections were noted.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:26 P.M.

---

Vice-Chairman