

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

**AGENDA ITEM:** II A.

**MEETING DATE:** February 18, 2009

***SUBJECT:***

Consent Agenda

A. Minutes of January 21, 2009 Council Meeting

***RECOMMENDATION:***

Council Approve Minutes for January 21, 2009 Council Meeting

***BACKGROUND***

Council minutes for January 21, 2009 are attached for your approval.

***PINELLAS PLANNING COUNCIL ACTION:***

***COUNTYWIDE PLANNING AUTHORITY ACTION:***

MINUTES OF THE MEETING OF THE  
PINELLAS PLANNING COUNCIL  
January 21, 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 1:03 P.M. with the following members present:

Beverley Billiris, Chairman, City of Tarpon Springs Mayor  
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 Commissioner  
Sandra L. Bradbury, City of Pinellas Park Councilmember  
Stephanie Oddo, City of Belleair Commissioner  
Jim Kennedy, City of St. Petersburg Councilmember  
Bob Minning, City of Treasure Island Vice-Mayor  
Jim Ronecker, City of Oldsmar Mayor

Not Present:

John Doran, City of Clearwater Councilmember  
Bob Hackworth, City of Dunedin Mayor  
Linda S. Lerner, School Board Member

Also Present:

David P. Healey, Executive Director, PPC  
Michael C. Crawford, PPC Staff  
Linda Fisher, PPC Staff  
Larry S. Pflueger, PPC Staff  
Michael Schoderbock, PPC Staff  
Carolyn Shoemaker, PPC Staff  
Jewel White Cole, Managing Assistant County Attorney  
Other interested individuals  
Arlene Smitke, Deputy Clerk

AGENDA

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

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- II. CONSENT AGENDA
  - A. Minutes of November 19, 2008 and December 17, 2008 Meetings
  - B. Financial Statement for December 2008
  - C. Countywide Planning Authority (CPA) Actions
  - D. Annexation Report – December
  - E. Preliminary February 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. Amendments to the Countywide Future Land Use Plan
    - Group 1: Subthreshold Amendments
      - 1. Case CW 09-01: City of St. Pete Beach
    - Group 2: Regular Amendments
      - None.
  
- IV. REPORTS/OTHER ACTION
  - A. Minor Plan Change: CW 94-55 (SAP Change No. 7-2009) – Clearwater CBD
  - B. Annexation Report – Quarterly Summary, First Quarter Fiscal Year 2008/09
  - C. Local Assistance – Quarterly Status Report
  - D. Review of the 2008 Tampa Bay Water Long-Term Water Supply Plan
  - E. Annual Report – Final Draft.
  
- V. EXECUTIVE DIRECTOR ITEMS
  - A. Annual Audit F.Y. 2007/08 – Acceptance and Distribution
  - B. Verbal Reports
  
- VI. OTHER COUNCIL BUSINESS
  - A. Chairman/Member Items
  
- VII. ADJOURNMENT

CALL TO ORDER

Chairman Billiris called the meeting to order at 1:03 P.M.

INVOCATION AND PLEDGE

The Invocation was given by Chairman Billiris, following which she led the Pledge of Allegiance to the Flag.

IDENTIFICATION OF MEMBERS PRESENT

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

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RECOGNITION OF NEW MEMBERS

Chairman Billiris welcomed new members Nina Bandoni, Bob Minning, and Stephanie Oddo.

CONSENT AGENDA – APPROVED

Chairman Billiris presented the Consent Agenda items, as follows:

- A. Minutes of November 19, 2008 and December 17, 2008 Meetings
- B. Financial Statement for December 2008
- C. Countywide Planning Authority (CPA) Actions
- D. Annexation Report – December
- E. Preliminary February Agenda
- F. Correspondence

Referring to Item C, Mr. Healey indicated that, following a second public hearing held on January 20, 2009, the CPA approved a proposed Countywide Rule change pertaining to the Resource Management Overlay category; and that the amendment will become effective upon its filing with the Secretary of State.

Vice-Mayor Knight moved, seconded by Councilmember Bradbury and carried, that the Consent Agenda items be approved (Vote 10-0).

PUBLIC HEARING

- A. Public Hearing Format Announcement and Oath

Upon request by the 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 09-01, PROPOSAL BY THE CITY OF ST. PETE BEACH TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW MEDIUM (RLM) TO RESIDENTIAL HIGH (RH) WITH RESORT FACILITIES OVERLAY (RFO) – OFFICIALLY ACCEPTED SUBJECT TO DEVELOPMENT AGREEMENTS**

Pursuant to legal notice published in the January 5, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-01, a proposal by the City of St. Pete Beach to amend the Countywide Future Land Use Plan from Residential Low Medium to Residential High with Resort Facilities Overlay, re 0.7 acre m.o.l., located at 1301 and 1307 Gulf Way.

Mr. Healey noted that the case is somewhat different than most subthreshold amendments in that the recommendation for approval is subject to two accompanying Development Agreements.

Mr. Crawford pointed out the subject site on an aerial photograph and the Countywide Future Land Use Plan Map, described the surrounding land uses, and provided an overview of the proposal. He noted that two parcels are involved with two separate land owners; that one parcel currently contains 11 transient accommodation units and the other contains 14; and that, if the application is approved, there will be a potential increase of eight transient accommodation units.

Mr. Crawford indicated that the current RLM land use allows for ten permanent residential units per acre; that the requested RH allows for 30; that the existing hotels are considered a nonconforming use; that allowing an additional 20 residential units per acre would be a concern, as the property is in the Coastal High Hazard Area; that the RFO would allow for hotels to be rebuilt on the property; that the City intends to apply its Traditional Hotel Zoning designation, which would not allow any permanent residential units; and that the City wishes to allow for redevelopment of the existing transient units; whereupon, he explained that the Development Agreements limit the density, regardless of the zoning, to a maximum of ten residential units per acre on the properties.

Responding to queries by the members, Mr. Healey related that the initial purpose of the request was to acknowledge the current nonconforming use and provide for reconstruction if the structures are destroyed; and Mr. Crawford noted that new buildings would be constructed at a higher elevation, would meet greater wind-load requirements, and include other structural

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improvements; whereupon, City of St. Pete Beach Community Development Director Karl Holley indicated that the applicants plan to redevelop the sites with two new hotels; that City code requires that a fractional number of allowable units be rounded down, for a potential increase of only five units; and that parcels cannot be combined for the purpose of redevelopment. He stated that the City's objective is to allow existing nonconforming tourist lodging facilities to be reconstructed; that 11 separate tracts of land in the Pass-a-Grille area have been identified, having an aggregate of 121 units; that all properties lie south of 115th Avenue; and that if all eligible properties applied for and received the Traditional Hotel District designation, a maximum of 115 units could be reconstructed.

Chairman Billiris related that the Planners Advisory Committee voted 10 to 0 to approve the request; whereupon, in response to her call for proponents of the application, Tom Reynolds, St. Petersburg, appeared and indicated that he represents the applicants. No one appeared in opposition to the application.

Commissioner Morroni moved, seconded by Councilmember Bradbury and carried, that Case CW 09-01 be officially accepted as recommended by staff (Vote 10-0).

**GROUP 2: REGULAR AMENDMENTS – None.**

**REPORTS AND OTHER ACTION**

A. Minor Plan Change: CW 94-55 (SAP Change No. 7-2009) – Clearwater CBD – Continued to PPC meeting of February 18, 2009

Mr. Healey related that the City of Clearwater, at the urging of the County, has requested that the matter be continued for one month; whereupon, Vice-Mayor Knight moved, seconded by Mayor Ronecker and carried, that the matter be deferred until the February 18, 2009 meeting of the PPC (Vote 10-0).

B. Annexation Report – Quarterly Summary, First Quarter Fiscal Year 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 October 1, 2008 through December 31, 2008, voluntary annexations consisted of 4.04 acres of land and a total of \$1,970,651 in taxable value; and that 49 percent of the annexations helped to eliminate or reduce enclaves; whereupon, displaying graphs showing historical data for the past eight years, he noted a substantial decrease

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in both acreage and taxable value of properties reviewed for voluntary annexation, and an increase in the percentage of annexations occurring in enclaves.

Mr. Schoderbock noted that the City of St. Petersburg initiated the only referendum annexation to occur during the quarter; that the City's annexation of 29.7 acres in Tierra Verde has been challenged by the County; and that the matter is currently going through the mediation process.

In a brief overview for the benefit of the new members, Mr. Healey provided historical information pertaining to the governance of voluntary annexation. He noted that a joint committee of the Board of County Commissioners (BCC) and PPC has recommended a process wherein the municipalities and the County work together to define, by interlocal agreement, where annexations can occur and the procedure by which they can take place; and that the second meeting in that process is set for February 4.

C. Local Assistance – Quarterly Status Report – Received

Mr. Crawford reported that PPC staff is wrapping up work with two communities on their Evaluation and Appraisal Report-based amendments; whereupon, he elaborated on assistance being provided to the City of Dunedin for its Patricia Avenue and Douglas Avenue corridor studies and to the City of Largo for its West Bay Drive Commercial Redevelopment District Plan update, noting that the PPC, under existing interlocal agreements with both cities, has contracted the firm of Wilson Miller to provide consultant services relative to the projects.

D. Review of the 2008 Tampa Bay Water Long-Term Water Supply Plan – Received/Discussed

Mr. Pflueger conducted a PowerPoint presentation, a copy of which has been filed and made a part of the record, and explained that Tampa Bay Water is the wholesale potable water provider to the region; and that it is obligated, under interlocal agreement, to meet the current and future needs of its member governments; whereupon, he provided an overview of the 2008 Tampa Bay Water Long-Term Water Supply Plan. He noted that the plan presents over 300 potential future projects, anticipates an additional demand of 40 million gallons per day by the year 2030, and concludes that the needs of the member governments will be met.

Referring to future water supply sources, Mr. Pflueger reported that, due to Southwest Florida Water Management District restrictions on extracting groundwater, a major shift is taking place from groundwater to surface water sources; that a small footprint reverse osmosis project is the only project recommended for Pinellas County; and that the plant will produce approximately five million gallons per day at a cost of \$135 million to \$144 million.

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During discussion and responding to queries by Councilmember Kennedy, Messrs. Pflueger and Healey indicated that problems with the reservoir and desalination plant are not addressed in the plan, which assumes that the reservoir will provide the capacity for which it was designed and that the desalination plant is online and operational as planned.

E. Annual Report – Final Draft – Received/Authorized Printing and Distribution

Ms. Fisher presented the final draft Annual Report for 2007/2008 and indicated that very few changes have been made since presentation of the draft report in December; whereupon, she noted that the End of the Year Financial Statement on Page 11 has been updated with information provided by the auditor; and that additional work has been done on the report layout and backgrounds.

Commissioner Morroni moved, seconded by Vice-Mayor Minning and carried, that the Annual Report be approved and authorization be granted for its printing and distribution (Vote 10-0).

EXECUTIVE DIRECTOR REPORTS

A. Annual Audit, FY 2007-2008 – Received/Accepted/Authorized Executive Director to File with Auditor General and Transmit Copy to the BCC

Mr. Healey referred to the Annual Audit Report prepared by LarsonAllen, LLP, a copy of which has been filed and made a part of the record, and noted that there had been an increase in net assets during the year; and that revenues were greater than, and expenditures less than, the budgeted amounts, resulting in a favorable budget variance of approximately \$202,000 and an excess of revenue over expenditures of over \$50,000; whereupon, he pointed out a finding pertaining to conversion of the records from a cash to accrual basis; and indicated that the matter will be attended to in the future.

Mr. Healey introduced G. J. “Gil” Hernandez, CPA, who indicated that the report presents a clean opinion on the financial statements and auditing standards. With respect to the finding of inadequate internal control, Mr. Hernandez noted that, while the Rules of the Auditor General require the disclosure, he has made a notation in the preamble; that he has agreed to provide a non-auditor accountant to assist with closing next year so that the finding will be cleared; and that, due to a large number of complaints, the standard-setting body has agreed to revisit the requirement regarding the accrual conversion.

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Thereupon, Mr. Hernandez reiterated that, even though revenues were down, primarily due to a reduction in property taxes, the PPC was able to cut expenditures, resulting in an excess of revenue over expenses for the period and an increase in net assets of approximately \$36,000.

Vice-Mayor Knight moved, seconded by Councilmember Bradbury and carried, that the Comprehensive Annual Financial Report for the year ended September 30, 2008 be approved; and that the Executive Director be authorized to transmit the report to the Auditor General and the BCC (Vote 10-0).

B. Verbal Reports

Mr. Healey referred to discussions held at the December 17, 2008 meeting regarding proposed Rule amendments and suggested that the February agenda include further discussion and review of maps depicting the Coastal High Hazard Area and Coastal Storm Area, and no objections were noted.

Referring to materials contained in the supplemental agenda packet, Mr. Healey discussed memoranda from County Administrator Bob LaSala regarding the FY09 and FY10 budgets and distributed copies of a newspaper article quoting Mr. LaSala, a copy of which has been filed and made a part of the record; whereupon, he provided a brief overview of the following items:

- Article regarding the State Growth Management Act.
- Supreme Court of Florida Advisory Opinion regarding the Florida Growth Management Initiative.
- Judicial Decision excerpts regarding annexation, beach access, and housing.

OTHER COUNCIL BUSINESS - None

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:01 P.M.

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Chairman