

# **Pinellas County**

*315 Court Street  
Clearwater, Florida 33756*



## **Minutes - Final**

**Tuesday, January 28, 2020**

**2:00 P.M.**

**Public Hearings at 6:00 P.M.**

**BCC Assembly Room**

## **Board of County Commissioners**

*Pat Gerard, Chair*

*Dave Eggers, Vice-Chair*

*Charlie Justice*

*Janet C. Long*

*Kathleen Peters*

*Karen Williams Seel*

*Kenneth T. Welch*

**ROLL CALL - 2:00 P.M.**

- Present:** 6 - Chair Pat Gerard, Vice-Chair Dave Eggers, Charlie Justice, Janet C. Long, Kathleen Peters, and Karen Williams Seel
- Absent:** 1 - Kenneth T. Welch

**INVOCATION by Reverend J.C. Pritchett, Faith Church, St. Petersburg.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Human Trafficking Prevention Month Proclamation:
  - Paul Valenti, Director, Office of Human Rights
  - Jeffery Lorick, Compliance Manager, Office of Human Rights
  - Daisy Rodriguez, Director, Human Services
  - Doug Templeton, Operations Manager, Consumer Protection
  - Jason Ohman, Senior Investigator, Consumer Protection
  - Jim Clark, Investigator, Consumer Protection
  - Celeste Fernandez, Community Development Administrator, Department of Children and Families

Chair Gerard invited the listed individuals to the podium and provided information regarding human trafficking and efforts to combat the problem in Pinellas County; whereupon, she presented a proclamation recognizing January 2020 as Human Trafficking Awareness Month.

2. Lincolnshire Cooperation Proclamation:
  - Colin Davie, Executive Councillor of Economy and Place

Chair Gerard invited Mr. Davie and his staff from Lincolnshire County, United Kingdom, to the podium; whereupon, she presented him with a plaque and proclamation promoting cultural, economic, and educational cooperation between the counties. Mr. Davie thanked the Commissioners and offered additional comments, and Economic Development Director Mike Meidel provided input.

3. Marketing and Communications Local and State Awards:
  - Florida Public Relations Association
  - Judges Award and Award of Distinction for Pinellas County's Red Tide Crisis Communication Response
  - Award of Distinction for a Life Saved: Kayaker Rescue Media Event
  - Public Relations Society of America
  - Award of Excellence for Pinellas County's Red Tide Crisis Communications Response

Chair Gerard provided information regarding the recent public information campaigns and presented the awards to Marketing and Communications Director Barbra Hernandez and her staff.

4. Partner Presentation:  
- Mike Sutton, President and CEO, Habitat for Humanity of Pinellas and West Pasco Counties

Mr. Sutton played a video featuring a local family served by Habitat for Humanity, and referring to a PowerPoint presentation, provided information regarding recent accomplishments of the organization, including developments in the Dansville and Ridgecrest areas; whereupon, he presented the Commissioners with a cardboard check for \$858,837.15, representing the property taxes paid by Habitat homeowners in 2019.

5. Partner Presentation:  
- #PurePinellas by Commissioner Justice

William Dean Chocolates founder and Chief Chocolate Officer Bill Brown provided background information regarding his business, showed a video, and distributed chocolates to the Commissioners, and Commissioner Seel provided input.

#### CITIZENS TO BE HEARD

6. Public Comment.

Tom Cuba, St. Petersburg, re staff performance

Stacey Pitts, Seminole, re Baypointe Golf Course

William Toner, Seminole, re Tamarac Historic District (submitted document)

Ben Wam, Palm Harbor, re South Cross utilities

Jerry Tetro, Seminole, re my home

David Ballard Geddis, Jr., Palm Harbor, re water jurisdictions, legislative laundering

#### CONSENT AGENDA - Items 7 through 19 (Item 15 addressed under Regular Agenda)

**A motion was made by Vice-Chair Eggers, seconded by Commissioner Justice, that the Consent Agenda items be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

#### CLERK OF THE CIRCUIT COURT AND COMPTROLLER

7. Vouchers and bills paid from November 17 through December 28, 2019.

Period: November 17 through November 23, 2019

Accounts Payable - \$34,038,324.28

Payroll - None

Period: November 24 through November 30, 2019

Accounts Payable - \$16,514,929.73

Payroll - \$3,898,208.85

Period: December 1 through December 7, 2019

Accounts Payable - \$46,692,430.47

Payroll - None

Period: December 8 through December 14, 2019

Accounts Payable - \$8,241,383.83

Payroll - \$3,937,014.80

Period: December 15 through December 21, 2019

Accounts Payable - \$14,138,837.01

Payroll - None

Period: December 22 through December 28, 2019

Accounts Payable - \$10,731,690.60

Payroll - \$3,874,189.47

## Reports received for filing:

8. Division of Inspector General, Clerk of the Circuit Court and Comptroller, 2020 Inspector General's Annual Audit Plan.
9. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2020-01 dated January 8, 2020 - Follow-Up Investigation of Misappropriation of County Laptop.
10. Report of Expenses Incurred Under Incentives, Awards, and Recruitment Ordinance No. 07-26 for quarter ended September 30, 2019.
11. Juvenile Welfare Board Quarterly Financial Statements for the period ended September 30, 2019.

## Miscellaneous items received for filing:

12. City of Clearwater Ordinances Nos. 9328-19, 9331-19, and 9334-19 adopted December 5, 2019, annexing certain properties.

## COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

13. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending December 31, 2019.
14. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending December 31, 2019.

Public Works

16. Award of bid to Suncoast Development of Pinellas County, Inc. for the Fiscal Year 2020-2022 Countywide ADA, sidewalk, drainage, and roadway improvements.  
  
Bid No. 189-0509-CP (PID No. 004184A) in the amount of \$14,365,444.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 830 consecutive calendar days. Chair authorized to sign the agreement and the Clerk to attest.

Utilities

17. Ranking of firms and agreement with Ardurra Group, Inc. for professional engineering services pertaining to the South Cross Bayou Dewatering Enhancement project.  
  
Ranking of firms and Contract No. 189-0371-NC approved in the amount of \$983,533.76 (including \$89,000.00 for owner contingency services). The design, permitting, bidding, and construction administration phases are expected to be completed within 1,025 consecutive calendar days. Chair authorized to sign and the Clerk to attest.

## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

18. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending December 31, 2019.
19. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending December 31, 2019.

**REGULAR AGENDA**

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Convention and Visitors Bureau

- 15. Ranking of firms and agreement with Birdsall, Voss and Associates, Inc. for advertising and promotional services pertaining to the Convention and Visitors Bureau.

In response to a request by Commissioner Eggers, Mr. Burton introduced Convention and Visitors Bureau President and CEO Steve Hayes, who provided information regarding the vendor selection process, account management procedures, and fee structure, noting that Birdsall, Voss, and Associates (d/b/a BVK) has served the County in the same capacity for 12 years; and that an account manager works with a team to carry out assigned projects.

Responding to query by Commissioner Long, Mr. Hayes confirmed that agents in other countries will continue to provide services under separate contracts.

Commissioner Long moved, seconded by Commissioner Peters, that the agreement be approved. Discussion ensued, and Messrs. Hayes and Burton responded to queries and concerns of the members regarding the BVK account manager and team members, and services provided under the various contracts. Commissioner Eggers suggested that the item be continued pending a work session presentation, and responding to his query, Deputy County Administrator Jill Silverboard indicated that the existing contract has already been extended, and staff would prefer that the Board move forward at this time.

Commissioner Seel provided insight regarding Tourist Development Council discussions during her tenure as Chair, and Commissioner Long withdrew her motion; whereupon, Commissioner Seel suggested that staff meet individually with the members regarding the matter, and Attorney White noted contract provisions pertaining to termination.

**A motion was made by Vice-Chair Eggers, seconded by Commissioner Long, that the item be deferred to the February 11, 2020 meeting. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

- 20. Updated Allegiant Air, LLC Operating and Use Agreement with St. Pete-Clearwater International Airport.

Updated agreement approved for Fiscal Years 2020 through 2024, providing approximately \$14,286,222.00 in revenue over the five year term. Chair authorized to sign and the Clerk to attest.

Mr. Burton related that the agreement was originally approved by the Board on September 24, 2019; and that it has been updated to correct a scrivener's error.

At the request of Commissioner Eggers, Airport Director Tom Jewsbury provided an update regarding aircraft noise complaints, compliance with noise abatement procedures, and operations within the voluntary quiet window. He related that Airport staff meets with Allegiant's chief pilots on a regular basis; and that the Federal Aviation Administration prohibits the imposition of curfews or restrictions on the airlines, and discussion ensued.

Responding to further query by Commissioner Eggers, Mr. Jewsbury discussed the upcoming runway rehabilitation project, noting that a secondary runway will be utilized for approximately three months; that measures will be taken to alleviate noise to the extent possible; and that a media campaign will be conducted to notify residents in the area of the change in procedures.

**A motion was made by Vice-Chair Eggers, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

### Human Services

21. Six-month Social Action Funding Awards under the Fiscal Year 2020 Decision Package for community programs.

Human Services Funding Agreements approved, providing grant funding in the amount of \$348,470.00, as follows:

- In Touch with Communities Around the World, Inc., d/b/a Arts Conservatory for Teens - \$50,000.00
- Pinellas Ex-Offender Re-Entry Coalition, Inc. - \$214,994.00 (First Amendment to the existing agreement; total 12-month funding amount, \$428,374.00)
- Area Agency on Aging of Pasco-Pinellas, Inc. - \$83,476.00 (First Amendment to the existing agreement; total 12-month funding amount, \$133,476.00)

**A motion was made by Commissioner Justice, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

Public Works

22. Agreement with the Gulf Consortium for partial grant funding of the Lake Seminole Sediment Removal and Restoration project.

(Gulf Consortium Project No. 16-1; County PID No. 000157A) Agreement approved providing funding in amount of \$1,160,000.00 through September 30, 2026. Chair authorized to sign and the Clerk to attest.

**A motion was made by Commissioner Justice, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

23. Resolution dedicating a portion of County-owned property being a portion of Taylor Park on 16th Avenue Southwest in Section 4, Township 30 South, Range 15 East, as public right-of-way.

Resolution No. 20-5 adopted. Clerk authorized to record.

**A motion was made by Vice-Chair Eggers, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

Safety and Emergency Services

24. Updated Medicaid Public Emergency Medical Transportation Letter of Agreement between Pinellas County Emergency Medical Services d/b/a Sunstar and the Agency for Health Care Administration allowing Pinellas County to participate in the State Fiscal Year 2019-2020 Medicaid Public Emergency Medical Transportation Intergovernmental Transfer program.

Updated Letter of Agreement and Intergovernmental Transfers Questionnaire approved in accordance with Agency for Health Care Administration requirements, providing for projected Fiscal Year 2020 net revenue in the amount of \$2,838,530.71.

**A motion was made by Commissioner Long, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch



Utilities

25. Change Order No. 3 with Polydyne, Inc. for requirements of polymers for wastewater treatment.

(Contract No. 178-0044-B) Change Order approved, increasing the contract amount by \$485,056.17 for a revised total expenditure of \$1,347,718.17 (annual amount, \$449,239.39).

**A motion was made by Commissioner Long, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

26. Revisions to the Emergency Medical Services Rules and Regulations.

Revisions approved, as recommended by the Medical Control Board and EMS Advisory Council and outlined in the Staff Report and accompanying documentation.

**A motion was made by Commissioner Peters, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

COUNTY ATTORNEY

27. Proposed settlement in the case of Glenn Fiore v. Pinellas County; Circuit Civil Case No. 19-004344-CI-13.

Settlement approved in accordance with the confidential memorandum dated January 28, 2020.

**A motion was made by Commissioner Long, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

**28. County Attorney Reports - None.**

COUNTY ADMINISTRATOR REPORTS

**29. County Administrator Reports:**  
- CareerSource Pinellas Update

Mr. Burton congratulated Kelli Levy on her promotion to Director of Public Works.

CareerSource Pinellas Chief Executive Officer Jennifer Brackney and Chief Financial Officer Steven Meier provided an update, including quarterly budget information, organizational changes and initiatives, and workforce development activities.

Ms. Brackney related that CareerSource is in the process of creating a strategic plan for 2020; that work is underway on the Local Workforce Development Plan; that career fairs are held every month, and a professional networking group has been formed; that two satellite offices have opened; and that the Department of Labor Compliance Review project continues; whereupon, she reported that the Science Center was sold in November for \$3.1 million.

In response to queries by Commissioner Eggers, Mr. Meier indicated that Pinellas Education Foundation had not utilized all of its allotted budget due to a late start-up, but enrollments have been up; and Ms. Brackney confirmed that Attorney Stephanie Marchman of GrayRobinson reports directly to the CareerSource Pinellas Board.

COUNTY COMMISSION

**30. Appointment to the Local Planning Agency (Individual Appointment by Commissioner Justice).**

Appointment of Mattaniah S. Jahn approved to fill a current vacancy; term to expire on November 3, 2020.

**A motion was made by Commissioner Justice, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 1 - Commissioner Welch

**31. County Commission New Business Items.**

The Commissioners expressed their condolences to Commissioner Welch on the passing of his sister and discussed various issues as follows. No votes were taken.

Commissioner Long related that Hillsborough and Pasco Counties have each established a commission to address the issue of human trafficking and inquired whether the members would be interested in taking similar action, and Chair Gerard indicated that a task force has been in existence for many years in Pinellas County. Discussion ensued, and the members suggested that the Marketing and Communications Department conduct outreach efforts to increase awareness of the issue.

Commissioner Seel noted that Assistant County Administrator Rahim Harji has submitted his resignation and thanked him for his service; whereupon, she related that the County's 2020 Recycle Guide is now available in local libraries and city halls.

**Meeting Recessed: 4:18 P.M.**

**Meeting Reconvened: 6:00 P.M.**

**PUBLIC HEARINGS**

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

**BOARD OF COUNTY COMMISSIONERS****32. Proposed ordinance amending Article IV of Chapter 70 of the Pinellas County Code Relating to Wage Theft/Recovery.**

Ordinance No. 20-01 adopted. No correspondence has been received. No citizens appeared to be heard.

Office of Human Rights Director Paul Valenti introduced Assistant County Attorney Diriki Geuka, noting that he was instrumental in crafting the language of the ordinance. Mr. Valenti provided background information regarding the ordinance and indicated that the proposed amendments would make it substantially equivalent to the City of St. Petersburg's ordinance by providing pertinent notices to employees; and that the goal is for the City to repeal its ordinance, allowing for countywide enforcement through his office.

**A motion was made by Commissioner Long, seconded by Vice-Chair Eggers, that the item be approved. The motion carried by the following vote:**

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 2 - Commissioner Justice, and Commissioner Welch

- 33.** Resolution supplementing the Fiscal Year 2020 Budget for unanticipated fund balances in the Surface Water Utility, Capital Projects, Solid Waste Renewal and Replacement, Water Renewal and Replacement, and Sewer Renewal and Replacement Funds.

Resolution No. 20-6 adopted appropriating unanticipated fund balances in the aggregate amount of \$33,768,900.00 for capital improvement projects. No correspondence has been received. No citizens appeared to be heard.

**A motion was made by Vice-Chair Eggers, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 2 - Commissioner Justice, and Commissioner Welch

- 34.** Case No. LU-30-12-19 (K G G K Venture, LLC)

A request for a land use change from Residential/Office/Retail to Commercial General on approximately 3.23 acres located at 28795 U.S. Highway 19 North in unincorporated Clearwater.

Ordinance No. 20-02 adopted approving Case No. LU-30-12-19. The Local Planning Agency recommended approval of the request, and staff concurred. One letter in opposition to the application has been received. No citizens appeared to be heard.

**A motion was made by Commissioner Peters, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Absent:** 2 - Commissioner Justice, and Commissioner Welch

- 35.** Case No. Q Z/LU-15-09-19 (McMullen Booth 2AC 3 2019 Trust, Martin J. Rosato, Trustee)

A request for a land use change from Recreation/Open Space to Institutional (Legislative) and a zoning change from R-A, Residential Agriculture to LI, Limited Institutional (Quasi-Judicial) with a Development Agreement limiting the use on the property to a one-story medical office having a maximum size of 18,000 square feet and requiring additional development parameters involving site access, roadway improvements, buffering, and building design, on approximately 2.0 acres located on the east side of McMullen Booth Road, approximately 900 feet north of Curlew Road in Palm Harbor.

Resolution No. 20-7 adopted approving the zoning change and Ordinance No. 20-03 adopted changing the land use designation. The Local Planning Agency (LPA) recommended approval of the request, and staff concurred. One letter and a petition with 19 signatures in support of and three letters and a petition with 82 signatures in opposition to the application have been received.

Planning Department Zoning Manager Glenn Bailey referred to a PowerPoint presentation containing maps and photographs of the area, pointed out the location of the subject property, described the surrounding uses, and provided background information regarding the application and the property, indicating that it is currently vacant; and that the applicant is proposing to build a medical office.

Mr. Bailey noted that a similar request by the applicant, considered in 2016, did not include a Development Agreement or address traffic and other concerns, and was recommended for denial by staff and the LPA and subsequently withdrawn. Referring to the proposed Development Agreement, a concept plan, and a conceptual diagram submitted with the current request, he explained how the concerns would be addressed by limiting the use and size of the facility, enhancing landscaping, adding a tree buffer, and providing site access and roadway improvements, including construction of a northbound right-turn lane and modifications to the median opening to prevent left turns, all at the applicant's expense.

Mr. Bailey indicated that development of the small, privately owned site is challenging and restricted under the current zoning and land use; that approval of the request will not set a precedent because the nearby properties are publicly owned; and that the roadway enhancements would increase public safety; whereupon, he stated that the proposed amendments are appropriate, noting that the LPA recommended approval by a 3 to 2 vote.

Responding to query by Commissioner Eggers, Mr. Bailey indicated that while a scenic corridor generally supports lower density residential uses, incorporating certain limited office and institutional uses is acceptable. He provided examples of such uses in the vicinity of the subject property, stressing that the change in use was duly considered by staff; that approval of the request will not set a precedent; and that the proposed landscaping exceeds requirements and will provide an extra buffer.

Ed Armstrong, Hill Ward Henderson, and Cynthia Tarapani, Tarapani Planning Strategies, indicated that they represent the applicant. Referring to various maps and photographs, they discussed the request, the history of the property, and related matters, highlighting the following:

- The site has unique characteristics limiting its use; there are no viable options to develop it under the current use by a private landowner.
- The Recreation/Open Space land use designation remaining from the former County ownership is no longer appropriate due to private ownership since 2014.
- The applicant and representatives met with staff and residents of the nearby Landmark Oaks Condominiums in an attempt to resolve concerns, including making significant road and access improvements; providing building design certainties through a site plan; and limiting the future use, building parameters, and hours of operation through a Development Agreement.

- There would be no negative impact to the Landmark Oaks residents.
- The site is an ideal fit for the applicant's medical office, allowing him to incorporate high technology and maintain close proximity to his client base.
- A traffic study confirmed that potential traffic generated through the facility would be minimal and not impact the level of service on McMullen Booth Road.
- A Development Agreement is a binding perpetual contract between the County and the developer.
- The request meets all Land Development Code criteria for approval, consistent with decisions regarding similar recent requests.
- The site is not adjacent to residential buildings, is not in the floodplain area, and would be subject to stormwater permitting requirements.

Dr. Michael Pikos, Palm Harbor, discussed his surgical dental and research practice, relating that it is renowned for accelerated treatment based on advanced technology and aimed at helping patients with severe dental problems. He indicated that he wishes to design and build a facility tailored to the specialized nature of the practice, which has outgrown the existing facility; that there is no other suitable location in the area; and that he intends to accommodate the Landmarks Oaks neighbors' concerns and requests.

Upon the Chair's call for proponents, the following persons spoke in support of the application, commending the work of Dr. Pikos and indicating that the new construction would improve traffic and access issues and enhance property values:

Karen Grof, Palm Harbor  
William Dovellos, Tarpon Springs  
Peg Capalongo, New Port Richey  
Debra Maida, Zephyrhills  
Lucie Bylsma, Spring Hill

Michael Raysor, Tampa, indicated that he is the traffic consultant for the applicant and offered to answer questions.

Responding to the Chair's call for opponents, the following individuals stated their concerns:

Angela Lockwood, Palm Harbor  
Peter Schweihs, Palm Harbor  
Jacqueline Man, Palm Harbor (representing Landmark Oaks Condominium Association Board of Directors and speaking on behalf of others in attendance; referred to the concept plan and photographs and submitted a petition)

Concerns expressed by the opponents included the following:

- Increased traffic
- Setting a precedent for commercial rezoning
- Preservation of green space and wildlife
- Insufficient tree buffer

In rebuttal, Mr. Armstrong reiterated that the proposed median improvements will enhance safety; that the landscape buffering is double the requirement; that McMullen Booth Road is a buffer in itself; and that approval of the request would not set a precedent. He clarified that the requested land use and zoning are institutional.

Commissioner Seel expressed support for the request, noting the minimal impact to the area and the benefits of the road safety improvements to residential neighbors; whereupon, she moved, seconded by Commissioner Long, that the request be approved.

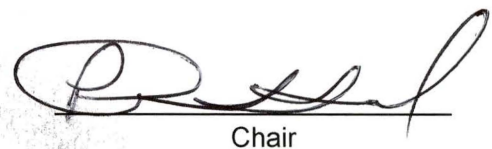
Referring to the property's ownership history, Commissioner Eggers expressed concern that a government agency sold it to a private citizen despite limitations on its use. He requested additional information regarding the median and indicated that while the Development Agreement alleviates traffic and other concerns, the applicant should continue working with the neighbors and possibly increase buffering.

**A motion was made by Commissioner Seel, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Long, Commissioner Peters, and Commissioner Seel

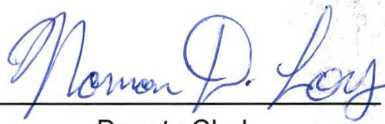
**Absent:** 2 - Commissioner Justice, and Commissioner Welch

**ADJOURNMENT - 7:07 P.M.**



Chair

ATTEST: KEN BURKE, CLERK

By   
Deputy Clerk

