

Pinellas County

*315 Court Street, 5th Floor Assembly Room
Clearwater, Florida 33756*



Minutes - Final

Tuesday, March 29, 2016

2:00 PM

BCC Assembly Room

Board of County Commissioners

*Charlie Justice, Chairman
Janet C. Long, Vice-Chairman
Dave Eggers
Pat Gerard
John Morroni
Karen Williams Seel
Kenneth T. Welch*

ROLL CALL

2:05 PM

Present: 7 - Charlie Justice, Janet C. Long, Dave Eggers, Pat Gerard, John Morroni, Karen Williams Seel, and Kenneth T. Welch

Others Present: James L. Bennett, County Attorney; Mark S. Woodard, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Lynn Abbott and Michael Schmidt, Board Reporters, Deputy Clerks.

INVOCATION by Pastor Wayne A. Robinson with Pilgrim Congregational United Church of Christ in St. Petersburg**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS****1. Presentations and Awards:**

Water Conservation Month Proclamation

Doing Things Employee Recognition - Carol Gray, Parks and Conservation Resources

Presentation of a Proclamation to the Board:

Pinellas Trail 25th Anniversary Recognition - Florida Greenways & Trails Foundation

Partner Presentation:

Bikepath Country - Ivan Bellotto, President

Water Conservation Month Proclamation

Presented to Shannon Ransom, Water Conservation Coordinator, Pinellas County Utilities Department.

Doing Things Employee Recognition - Carol Gray, Parks and Conservation Resources**Pinellas Trail 25 Anniversary Recognition - Florida Greenways and Trails Foundation**

Proclamation presented to the Pinellas County Board of County Commissioners by Brian Smith, Florida Greenways and Trails Foundation and Scott Daniels and Bert Valery, Pinellas Trails, Inc.

Partner Presentation: Bikepath Country - Ivan Bellotto, President

Mr. Bellotto conducted a PowerPoint presentation regarding the Bikepath Country sponsorship program on the Pinellas Trail and indicated that the first commission check for Pinellas County in the amount of \$6,480.00 was delivered today.

CITIZENS TO BE HEARD

2. Public comment.

Lenore Faulkner, Madeira Beach, re education excellence

David Ballard Geddis, Jr., Palm Harbor, re storm water political poker play

Greg Pound, Largo, re truth

Bonnie Audette Solorzano, Palm Coast, re parental alienation through DCF - In response to query by Chairman Justice, Assistant County Administrator John A. Bennett indicated that he would discuss with Ms. Solorzano where to obtain assistance.

CONSENT AGENDA- Items 3 through 16 (Items 9, 10, 13, and 15 addressed under Regular Agenda)

A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

3. Minutes of the regular meeting held February 23, 2016.

4. Vouchers and bills paid from January 17 through February 20, 2016.

Period January 17 through January 23, 2016

Payroll - None

Accounts Payable - \$11,301,577.14

Period January 24 through January 30, 2016

Payroll - \$3,199,072.71

Accounts Payable - \$21,543,898.95

Period January 31 through February 6, 2016

Payroll - None

Accounts Payable - \$32,052,918.90

Period February 7 through February 13, 2016

Payroll - \$3,201,081.36

Accounts Payable - \$7,496,132.41

Period February 14 through February 20, 2016

Payroll - None

Accounts Payable - \$8,303,569.08

Reports received for filing:

5. Quarterly Donation Listings of \$500 or more for the quarters ended September 30 and December 31, 2015.
6. Quarterly Report of Routine Dock and Dredge/Fill Permits issued from October 1 to December 31, 2015.

Miscellaneous items received for filing:

7. Eastlake Oaks Community Development District minutes of the meeting held December 10, 2015.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

8. Resolution accepting Florida Department of Transportation Supplemental Joint Participation Agreement No. 2 for the remote parking lot expansion at St. Pete-Clearwater International Airport.

Resolution No. 16-19 adopted authorizing execution of the Agreement (FDOT Financial Project No. 412442-1-94-01, Contract No. ARN35; County CIP No. 000321A), which provides for an additional \$90,000.00 for the Remote Parking Lot Expansion Project (amended total project cost, \$2,230,000.00).

Human Services

11. Grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Care for the Homeless Program.

Service Area Competition grant award accepted and approved in the amount of \$922,179.00. County Administrator authorized to approve additional grant funding from the HRSA for the Program that may occur during the March 1, 2016 through February 28, 2017 grant year.

12. Resolution supplementing the Fiscal Year 2016 (FY16) General Fund Budget for unanticipated revenue to the Human Services Department.

Resolution No. 16-20 adopted appropriating earmarked receipts for a particular purpose

(unanticipated grant revenue in the amount of \$485,420.00).

Real Estate Management

14. Ranking of firms and execution of agreements with eight firms for mechanical, electrical, and plumbing engineering services.

Contract No. 145-0422-CN approved with the following firms:

Engineering Matrix, Inc.
Global Sanchez, Inc.
Hahn Engineering, Inc.
KPI Engineering, Inc.
Long & Associates Architects/Engineers, Inc.
Phoenix Engineering Group, Inc.
TLC Engineering for Architecture, Inc.
VoltAir Consulting Engineers, Inc.

Agreements are for a period of five years, effective upon execution; upset limit is \$500,000.00 for each firm for a total of \$4,000,000.00; County Administrator has delegated authority to increase the upset limits of contract purchase orders pertaining to the contract provided the negotiated rates remain the same. Chairman authorized to sign and the Clerk to attest.

COUNTY ATTORNEY

16. Notice of new lawsuit and defense of the same by the County Attorney in the case of Jean C. Ulloa v. John R. Beach & Associates, Inc., et al. v. Pinellas County, et al. - Circuit Civil Case No. 16-004812-CI-8.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

County Administrator

9. Receipt and file report of non-procurement items delegated to the County Administrator.

In response to query by Commissioner Welch, Mr. Woodard reviewed Delegated Item No. 22, Land Trust Agreement with the Housing Finance Authority (HFA) of Pinellas County for the Palms of Pinellas real property acquisition with Affordable Housing Land Assembly Funding. He briefly discussed the \$15 million of Penny for Pinellas revenue dedicated to the Land Assembly Trust Fund to acquire property and create affordable housing, and indicated that the HFA has recommended that Pinellas County draw on the

Trust Fund and provide \$930,000.00 in gap funding to assist with the purchase of the land.

In response to queries by the members, Assistant County Administrator Jake Stowers indicated that the site is located on the east side of Belcher Road, south of Ulmerton Road; and that the parcel is presently vacant but anticipated to be comprised of multifamily construction; whereupon, with input by Mr. Woodard, he presented further information regarding gap funding, and related that the land will remain in the ownership of the County.

A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Human Services

10. Grant agreement with the Florida Agency for Health Care Administration for Community & Primary Care Services (per grant no. GFA049).

Grant agreement in the amount of \$485,419.12 approved; agreement term is from the date of execution by both parties through June 30, 2016.

In response to queries by Commissioner Welch, Mr. Woodard indicated that the item recognizes approximately \$485,000.00 in grant proceeds from the State of Florida; and that those funds will be utilized to provide mental health services to homeless individuals who participate in the County's health program; whereupon, he clarified that the item is separate from and in addition to the \$900,000.00 that has been set aside for the High Utilizer Behavioral Health Pilot program.

A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Public Works

13. Award of bid to Kamminga & Roodvoets, Inc., for the intersection improvement project at Belcher and Belleair roads.

Bid No. 156-0079-CP approved in the amount of \$1,268,625.00 on the basis of being the lowest responsive, responsible bid meeting specifications; all work is expected to be completed within 400 consecutive calendar days. Chairman authorized to sign and the Clerk to attest.

In response to queries by Commissioner Seel, Mr. Woodard, with input by Traffic Division Manager Kenneth Jacobs, discussed the original project estimate versus the

accepted bid, and reported that the \$1.3 million project will be equally funded through a Florida Department of Transportation grant and Penny for Pinellas dollars; whereupon, he indicated that the project will not only increase vehicular capacity but will support improved safety through bike path and sidewalk improvements, and discussed future widening and infrastructure improvements for pedestrian accommodation.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Utilities

15. Award of bid to Wharton-Smith, Inc. for the Logan Pump Station modification project.

Bid No. 156-0118-CP approved in the amount of \$4,838,000.00 on the basis of being the lowest responsive, responsible bid meeting specifications; all work is expected to be completed within 540 consecutive calendar days. Chairman authorized to sign and the Clerk to attest.

In response to queries by Commissioner Eggers, Mr. Woodard related that purpose of the project is to reconstruct the 40-year-old pumps at the Logan Pump Station; and that the water disinfection system will also upgraded from gaseous chlorine to liquid sodium hypochlorite during the project; whereupon, Director of Engineering Kevin Becotte indicated that this is the third of five pump stations to be upgraded; that the remaining two pump stations will be completed over the next three to four years; and that the original project was rebid and redesigned in order to reduce costs by about \$1.6 million.

A motion was made by Commissioner Eggers, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

COUNTY ADMINISTRATOR DEPARTMENTS

Human Services

17. Agreement with BayCare Behavioral Health, Inc. for services to homeless clients of the Healthcare for the Homeless program.

Agreement approved for up to \$293,140.00 per year, contingent upon the approval and execution of a Community and Primary Care Services grant from the Florida Agency for Health Care Administration; no County match is required.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Planning

18. Amendment to the Citizen Participation Plan for federal housing and community development grants.

Resolution No. 16-21 adopted revising outdated information, updating certain criteria and descriptions, and ensuring compliance with changes to federal regulations.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Public Works

19. Authority to advertise a public hearing to be held on April 26, 2016 for a proposed ordinance amending Section 122-68 of the County Code specific to golf carts permitted in Highland Lakes by removing the restriction "to accommodate golf cart play."

A motion was made by Commissioner Welch, seconded by Vice-Chairman Long, that authority be granted. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

COUNTY ADMINISTRATOR

20. Other Administrative matters:

Support for the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority's joint application for a Transportation Investment Generating Economic Recovery Grant.

Mr. Woodard related that the staff recommendation is for the members to approve the item and allow the Chairman to write a letter in support of the joint PSTA/HART TIGER Grant application to be submitted to the federal government, and provided background information regarding recent unsuccessful attempts by Pinellas County to secure TIGER grant funding. Mr. Woodard indicated that the regional system would serve eight counties; that a joint effort would be beneficial to the entire area, including Pinellas County; that regional support will likely improve the chances of a grant being awarded; and that because Pinellas County does not want to compete with the joint application, it will not submit one of its own.

Commissioner Long discussed a recent trip to Washington, DC, in which PSTA/HART senior executives and she spoke with Federal Transportation Administration staff, relating that they were very positive about the regional collaboration; and that such efforts are what they would like to see across the nation; whereupon, she urged the members to support the item.

In response to queries by Commissioners Morrioni and Eggers, PSTA Chief Development Officer Cassandra Borchers related that PSTA and HART are shepherding letters of support from their respective counties; that Hillsborough County is in support of the joint application; and that the Port of Tampa is expected to submit an application of its own; whereupon, Commissioner Welch discussed the need for improved transit, indicating that traffic congestion could impact the competitiveness of the state with regard to tourism.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morrioni, Commissioner Seel, and Commissioner Welch

21. County Administrator miscellaneous - None.

COUNTY ATTORNEY

22. County Attorney miscellaneous.

County Attorney James L. Bennett indicated that he desires advice concerning specific litigation matters relating to The Richman Group of Florida, Inc. versus Pinellas County, et al., Circuit Civil Case No. 14-005608-CI-15; and requested that a meeting be scheduled for a time certain of April 5, 2016 at 1:00 P.M. He related that in addition to the County Commissioners and himself, those in attendance will be County Administrator Mark S. Woodard, Chief Assistant County Attorney Jewel White, Managing Assistant County Attorney Don S. Crowell, Senior Assistant County Attorney Nancy Meyer, and Ed Dion, Outside Counsel, Law Firm of Nabors Giblin & Nickerson.

Attorney Bennett related that pursuant to Section 286.011(8) of the Florida Statutes, the Board will meet in private session to discuss a settlement negotiation or strategy session related to litigation expenditures; that the shadow meeting will be recorded by a certified court reporter; that the notes will be transcribed and filed with the Clerk; and that the transcript will be made part of the public record upon conclusion of the litigation; whereupon, he estimated the length of the attorney-client session to be one hour.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Lealman Community Redevelopment Agency

23. Election of the Chairman and Vice-Chairman of the Lealman Community Redevelopment Agency.

Mr. Woodard indicated that, per Florida statutes, the governing body shall designate a Chairman and Vice-Chairman of a Community Redevelopment Agency from amongst its members; that the County Commission is the governing body of the unincorporated area; and that the common practice is for the sitting Chairman and Vice-Chairman to serve in the same capacity on the Agency Board.

Later in the meeting, Mr. Woodard reported that he had not provided staff an opportunity to give an update regarding the status of their work with the Citizen Advisory Committee; whereupon, following a brief introduction of the item by Planning Department Director Renea Vincent, Planning Department Principal Planner Rachel Booth conducted a PowerPoint presentation titled *Doing Things! Lealman Community Redevelopment Plan*, a copy of which has been filed and made a part of the record.

Ms. Booth presented information regarding the Lealman Community Redevelopment Area (CRA) boundary, indicating that a CRA is a Special District authorized by the State of Florida; that it is created to remove impediments to development within a designated district; that the Board of County Commissioners serves as the Community Redevelopment Agency; that it is staffed by the County; and that the Lealman CRA Advisory Committee provides advice to the Planning Staff and Agency; whereupon, she discussed how a CRA is created, relating that a determination is made regarding the Study Area boundary; that there is a Finding of Necessity as defined by statute; that a Redevelopment Plan is created; that the Trust Fund is established; and that the Plan programs and prioritization of projects are developed.

In response to queries by Commissioner Long, Ms. Booth provided further information regarding the establishment of a trust fund, relating that doing so is at the discretion of a municipality; and that even though the Lealman CRA is in the unincorporated area, state statute allows for the same discretion; whereupon, Mr. Woodard reported that the staff recommendation will be for the members to consider the creation of a Tax Increment Financing (TIF) District, which will be the primary funding source for advancing the Plan, and Attorney Bennett discussed how TIF dollars are leveraged to benefit specific Municipal Service Taxing Unit areas.

Continuing with her presentation, Ms. Booth discussed recent activities, indicating that appointments were made to the Lealman CRA Advisory Committee in August 2015; that the Committee "kicked off" the process of preparing the CRA Plan in September 2015; that twice-monthly meetings were held from September 2015 through February 2016; and that an Open House was held February 18, 2016.

Ms. Booth discussed the requirements of the Lealman CRA Draft Plan and presented information regarding a business owner who is undertaking a major renovation to a building he owns in the Industrial District, noting that it could be a catalyst to encourage other business owners to do the same; whereupon, she provided a schedule of events leading up to the June 7 BCC Public Hearing and County Commission approval of the

CRA Plan and Trust Fund establishment.

Following the presentation and in response to queries by Commissioners Eggers and Welch, Ms. Booth indicated that approval of the CRA Plan must be completed before the end of June for 2016 to be the tax base year; and that the money will be disbursed in 2017; whereupon, she related that the Community Redevelopment Agency will transmit the Plan to the Local Planning Agency on May 10, and the BCC is expected to authorize a June 7 public hearing on that date; and that TIF revenue for the first year is anticipated to be \$97,000.00.

In response to further queries by Commissioner Welch, Ms. Booth discussed topics brought forward by community residents, including urbanization projects, workforce and affordable housing, community facilities, and parks; and Commissioner Justice related that the mood at the Open House had been positive and optimistic.

A motion was made by Commissioner Welch, seconded by Commissioner Eggers, that Chairman Justice and Vice-Chairman Long be elected Chairman and Vice-Chairman, respectively, of the Lealman Community Redevelopment Agency. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Supervisor of Elections

24. FY16 Board Budget Amendment to realign appropriation from the General Government (Reserve for Contingencies) cost center to the Supervisor of Elections cost center within the General Fund.

Fiscal Year 2016 Board Budget Amendment No. 3 approved realigning appropriation in the amount of \$165,790.00 for costs associated with the 2016 Congressional and State Senate Redistricting.

In response to queries by Commissioner Eggers, Mr. Woodard indicated that the total cost of conducting those elections required as part of the redistricting activities is estimated at \$407,000.00.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

COUNTY ADMINISTRATOR REPORTS

25. County Administrator reports:

- Doing Things For You! 2015 Accomplishments.
- Advanced Traffic Management System/Intelligent Transportation System Update.

Doing Things For You! 2015 Accomplishments

Mr. Woodard referred to a report titled *Doing Things For You! 2015 Accomplishments*, a copy of which has been filed and made a part of the record, indicating that the report highlights accomplishments based on the five broad goals of the Strategic Plan; whereupon, he discussed how the County Commission recognizes employees for their commitment and dedication on behalf of Pinellas County citizens, and related that while hard copies are available, the document can be accessed via the County Website.

In response to comments and queries by Commissioner Eggers, Mr. Woodard agreed that there are additional ways to reach out to local residents and municipalities. He related that he would provide copies of the report to City Managers and Mayors; that the members may wish to share the report in person with local constituents and elected officials; and that a presentation can be offered to the Mayors' Council; whereupon, Commissioner Welch discussed the potential benefits of creating a YouTube video to reach out to young people and other individuals who may not wish to read an entire report, and Mr. Woodard provided input.

Commissioner Long indicated that with seven Commissioners and 24 municipalities, it would be easy to share the report in person with local mayors and City Council members; and that even though social media is a popular form of communication, not everyone uses it; whereupon, Commissioner Morroni discussed how volunteers are providing a significant financial savings to the County, relating that 265,000 hours have been volunteered thus far and saved local taxpayers \$6.1 million; and that the next Volunteer Appreciation Event will take place at the end of April.

Advanced Traffic Management System/Intelligent Transportation System Update

Mr. Woodard related that the members had requested an ATMS/ITS update; that Traffic Division Manager Kenneth Jacobs will provide an overview and discuss how the investment has made a difference in the lives of local residents; and that he will focus on statistical information obtained before and after implementation of the system; whereupon, Mr. Jacobs referred to a report titled *Doing Things! Public Works, Transportation*, a copy of which has been filed and made a part of the record, and utilizing corridor maps, pointed out and discussed the status of the various construction projects throughout the county.

Mr. Jacobs presented information regarding the benefits of the new signal timing, relating that the InSync adaptive traffic control software provides an easier and more efficient way to obtain traffic information than the previous software used by the County; whereupon, he discussed the following topics:

- Original Adaptive System Before/After Study Results
- Accident Analysis
- InSync Adaptive Control Software Test
- State Road 580 Before/After Study Results
 - Travel Time Comparison and Crash Histories

- Belcher Road Before/After Study Results
 - Travel Time Comparison

In response to queries by Commissioners Eggers and Welch, Mr. Jacobs indicated that the system has limitations and is less effective when the volume of traffic exceeds roadway capacity; that no contributing factor has been found to cause an increase in a left turn lane statistic; and that the matter will be further reviewed. He presented Bluetooth Travel Time Data and discussed how Bluetooth technology can track the travel time of vehicles and collect sufficient data to be statistically valid, and reported that his department will soon be launching its website; and that the travel time data and closed-circuit television will be available online; whereupon, he provided information regarding the Ninth-Cent Fuel Tax, and indicated that the new adaptive software will eventually replace the old software throughout the county.

In response to queries by Commissioner Welch, Mr. Jacobs related that the City of St. Petersburg does not wish to take advantage of the County's traffic control system; whereupon, Commissioner Seel provided historical background information, and related that during past discussions with St. Petersburg, the City has repeatedly declined to switch over to the County's system because it considers its own to be superior.

In response to further queries by Commissioner Welch, Mr. Jacobs discussed Phase Three of the construction project, relating that funding and construction will likely commence in 2018/2019; and that peak travel time in Pinellas County is from 3:00 P.M. until 7:00 P.M.; whereupon, he presented additional information regarding Bluetooth technology and how vehicles traveling along a roadway are anonymously tracked to determine travel times.

Thereupon, in response to a suggestion by Commissioner Long, Mr. Woodard indicated that he and Mayor Kriseman have a meeting on April 11; and that he will add an agenda item regarding the benefits of the County's traffic control system; whereupon, following brief discussion, Commissioner Seel thanked Mr. Jacobs and his staff for helping to promote a smoother traffic flow throughout the county.

COUNTY COMMISSION

26. Appointments to the Economic Development Council.

Sergio DeSanto appointed and Brian Book, Nancy Crews, Terry England, and George Nelson reappointed for two-year terms.

A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

27. County Commission miscellaneous.

Commissioner Eggers

Discussed citizens' concerns regarding County-owned land in Pasco County and acknowledged assistance provided by his staff and the County Administrator's Office in responding to their emails; requested a presentation by Tampa Bay Water or Utilities Department staff regarding the system used to deliver water to Pinellas County residents.

Expressed appreciation to the Supervisor of Elections and staff for their hard work with the recent Presidential Preference Primary Election, noting that approximately 50 percent of the eligible registered voters cast a ballot, and thanked the residents for getting out to vote and making a difference.

Announced that Relay for Life events begin soon, noting that a schedule is available at RelayForLife.org, and asked the public to support the effort.

Announced that Oldsmar is celebrating its 100-Year Anniversary with a parade on Saturday; that Dunedin is celebrating the 50th Anniversary of its Highland Games; and that the Palm Harbor Parrot Head Festival is coming soon.

Announced that "My VA" is a new board, chaired by Father Robert "Bob" Swick, to provide veteran assistance and positive information, noting that two summits are scheduled.

Commissioner Welch

Wished a speedy recovery to Tampa Police Officer Jose Rodriguez, who survived a gunshot wound, thanks to his vest.

Discussed Business Technology Services (BTS) business continuity and budget issues, citing an additional \$1.4 million request for the Tyler system, and indicated that the BTS Board will meet in a few weeks.

Referring to discussions with the Tampa Bay Rays, requested that Chairman Justice convey to St. Petersburg Mayor Rick Kriseman the importance of partnering at the County level and showing a united front.

Commissioner Gerard

Echoed Commissioner Eggers' comments regarding the Supervisor of Elections' Office, noting the low number of rejected ballots.

Commissioner Morroni

Moved, seconded by Commissioner Seel and carried unanimously, that Geraldine Raja be appointed to the Parks and Conservation Resources Advisory Board.

Reported that he attended a very positive meeting of the Government Affairs Committee of the Tierra Verde Community Association and related that the Commissioners will be asked to select a date for a meeting in Tierra Verde to discuss community issues.

Commissioner Long

Expressed concern regarding the small number of students and manufacturers participating in the AmSkills program. At her request, Commissioner Eggers provided a brief update regarding the program and agreed to relay her concerns at the upcoming Governing Board meeting.

Requested a Toytown project update; whereupon, Mr. Woodward related that recent negotiating sessions with the Sports Park Group have produced materials to assist with the County's evaluation, noting that a determination may be made shortly.

Chairman Justice

Congratulated Commissioner Seel on her induction into the Girl Scouts of West Central Florida Women of Distinction Hall of Fame.

Announced a Farm Share event to be held in Lealman on April 4, noting that volunteers are needed, and thanked participating partners.

Discussed a Hillsborough County ordinance banning the towing of patrons' vehicles parked at establishments that serve alcohol prior to noon the following day and inquired as to the members' interest in adopting a similar ordinance, and discussion ensued.

Meeting Recessed: 4:31 PM

Meeting Reconvened: 6:02 PM

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

28. Case No. Q Z/LU-5-2-16 (Janet O'Harrow)

A request for a zoning change from R-3, Single Family Residential to P-1, General Professional Office, and a land use change from Residential Urban to Residential/Office-General on approximately 0.7 acre located at 1003 Virginia Avenue in Palm Harbor.

Resolution No. 16-22 adopted approving the zoning change and Ordinance No. 16-16 adopted changing the land use designation. The Local Planning Agency recommended approval of the request. No correspondence has been received.

In response to the Chairman's call for persons wishing to be heard, Stephen O'Harrow indicated that he represents the applicant and expressed his support for the requested changes.

A motion was made by Commissioner Morroni, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:

Aye: 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Welch

Absent: 1 - Commissioner Seel

29. Ordinance amending the Water and Navigation regulations of Chapter 166 of the Land Development Code, specifically dealing with the permitting requirements for the repair or replacement of existing docks.

Ordinance No. 16-17 adopted. The Local Planning Agency recommended approval of the proposed ordinance. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard indicated that the intent of the ordinance is to codify historic and current practice pertaining to the repair and replacement of existing docks, noting that a water and navigation permit is not required if the action does not increase the impact on the environment.

At the request of Commissioner Welch, Mr. Woodard discussed implications with regard to replacement of the St. Petersburg Pier and provided examples pertaining to environmental impact; whereupon, Chief Assistant County Attorney Jewel White clarified that the ordinance removes the need for variances to certain criteria in the Code pertaining to the unincorporated areas of the county, noting that permits will still be required.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

30. Ordinance amending the goals, objectives and policies, and the Future Land Use Map Category Descriptions and Rules, of the Future Land Use and Quality Communities Element of the Comprehensive Plan, amending the legend of the Future Land Use Map, and amending the Future Land Use Map.

Ordinance No. 16-18 adopted. The Local Planning Agency recommended approval of the proposed ordinance. No correspondence has been received. No citizens appeared to be heard.

Referring to a PowerPoint presentation, Planning Department Director Gordon Beardslee provided an overview of the proposed amendments, relating that they reflect

flexibility and additional provisions provided by recent changes to the Countywide Plan and set the stage for Land Development Code amendments to be brought forth later in the year; whereupon, he noted that the changes align with the Strategic Plan's *Foster Continual Economic Growth and Vitality* objectives to invest in communities, catalyze redevelopment, and provide safe and effective transportation systems.

Mr. Beardslee discussed proposed changes to the Future Land Use Map category descriptions and rules, noting that newly created categories include Activity Center, which contains three levels of increasing density for neighborhood, community, and regional developments, and Mixed-Use Corridor, which corresponds to areas identified as multimodal, where transit use is encouraged within an intensive mix of uses. He indicated that Institutional Overlay will be replaced by Conditional Overlay, which places restrictions on development; and that Industrial Limited will be replaced by Employment, which better reflects the types of uses that are allowed within that category.

Mr. Beardslee provided a brief overview of the changes to the permitted uses in various categories and related that increases in allowable densities and intensities are consistent with the Countywide Plan and encourage redevelopment. He indicated that a proposed increase in floor area ratio and the resulting development will not impact the Level of Service conditions on U.S. Highway 19 in north county, noting that the Planning Department is coordinating with the Pinellas Planning Council/Metropolitan Planning Organization on a study of the corridor.

Mr. Beardslee related that the updates include several new and amended definitions and an updated list of compatible zoning districts in each land use category; whereupon, he briefly reviewed proposed Future Land Use Map amendments, policy changes, and changes resulting from state and regional agency reviews.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

31. Ordinance amending the Transportation, Capital Improvements and Intergovernmental Coordination Elements, and the Concurrency Management Section of the Comprehensive Plan.

Ordinance No. 16-19 adopted. The Local Planning Agency recommended approval of the proposed amendments. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

32. Ordinance amending portions of Chapter 134, Article VI (Concurrency System), of the Land Development Code.

Ordinance No. 16-20 adopted. The Local Planning Agency recommended approval of the proposed amendments. No correspondence has been received. No citizens appeared to be heard.

A motion was made by Commissioner Gerard, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

33. Ordinance amending portions of Chapter 150, Impact Fees, of the Land Development Code.

Ordinance No. 16-21 adopted. The Local Planning Agency recommended approval of the proposed amendments. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

34. Case No. Q DA-4-2-16 (GIB Properties, LLC)

A request for a modification of an existing Development Agreement for an assisted living facility by increasing the maximum number of beds from 39 to 58, allowing for the enlargement of the existing building, limiting the building height to 16 feet and one story, prohibiting the use of DeLong Way by commercial or delivery vehicles, and removing the parking variance on approximately 1.6 acres located at 7770 128th Street in the unincorporated area of Seminole.

Resolution No. 16-23 adopted approving the modification. The Local Planning Agency (LPA) recommended approval of the request. Fourteen letters in support of and nine letters in opposition to the application have been received; and four letters in favor were received in connection with the LPA hearing.

Referring to a PowerPoint presentation, Planning Department Zoning Manager Glenn Bailey pointed out the location of the subject property on the zoning and land use map and provided an overview of the application, noting that the request pertains to an existing assisted living facility (ALF).

Mr. Bailey stated that approval of the request would allow the Development Agreement to correctly reflect amendments to the code that the Board recently approved; and that the changes include reducing the parking requirements for ALFs from one space per bed to one per three beds, noting that the parking variance is no longer required. He indicated that the prohibitions of commercial and delivery vehicle usage on DeLong Way and mental health and drug rehabilitation services will remain in effect to provide assurance to the community, and discussion ensued.

Mr. Bailey discussed surrounding land uses, relating that the subject property is surrounded by a mix of industrial, commercial, office, and residential uses. He reviewed

the amendment history of the site since 1996, noting approved and denied requests, and stated that the current expansion will be confined to the existing parcel only; and that the project, if approved, will be subject to the site plan process.

Mr. Bailey related that the proposed modification is appropriate; that the ALF has been operational since 1996; and that there would be a minimal impact to Park Boulevard; whereupon, he recommended approval of the application, noting that the LPA unanimously recommended approval.

In response to query by Chairman Justice, Mr. Bailey confirmed that if the land was vacant and a developer proposed to build a new ALF on the site, the requests included in the Development Agreement would be allowed.

Responding to the Chairman's call for the applicant, Todd Pressman, Palm Harbor, indicated that he represents Christine Gibree and GIB Properties, LLC and related that the ALF received 100 percent approval at the last state inspection; and that 11 Medicare and Medicaid patients currently reside at the facility. He referred to aerial and ground-level photographs and pointed out the location of the subject property, noting buffering provided by forestation and a swale at the rear of the parcel.

Mr. Pressman presented an overview of the proposal and discussed the surrounding land uses, indicating that there are a number of very intense uses along Park Boulevard. He discussed the site plan and presented the conceptual parking plan, noting that the report was prepared by a traffic engineer to ensure that parking standards are met. He stated that the applicant's property to the west is not included in the application; that the expansion includes no zoning changes, land use amendments, or variances; and that approval of the modification to the existing Development Agreement would bring the ALF up to code to include recent Board-generated code changes.

Mr. Pressman provided background information with respect to previous requests, noting that two prior expansion requests that included the neighboring parcel and generated strong opposition were denied by the Board; and that requests that included only the subject property and had no opposition were approved three times.

Mr. Pressman related that the revised Development Agreement includes the prohibitions on mental health facilities, drug rehabilitation services, and delivery and commercial vehicle usage on DeLong Way, and continues to limit the height to 16 feet and one story. He indicated that he checked police department and code enforcement records and found no calls or complaints regarding parking, traffic, or code violations; and that the ALF operates in a problem-free and quiet manner with little impact to the neighborhood.

Mr. Pressman reported that the applicant reached out to the community by hosting a meeting where 15 persons showed up and concerns were discussed; that the LPA unanimously recommended approval; and that staff strongly supports the request; whereupon, he presented email documentation from adjacent neighbors establishing support for the request.

In response to the Chairman's call for persons wishing to speak, the following individuals expressed their support for the application:

Doris Berry, Seminole
Len Krysko, Seminole
Bob Matthews, Seminole
Joe Raissi, Seminole
Patrick Shaughnessy, Seminole
Todd Runkle, Seminole
Karen Martinotti, Seminole
Paula Blankenship, Seminole

The following individuals expressed their concerns regarding property values, noise, traffic, inadequate parking, emergency vehicle access, and neighborhood compatibility, commercialization, and safety:

Glen Getchell, Seminole
Marcy Getchell, Seminole
Patty Gaston, Seminole
Rick Koontz, Seminole
Donna Chisholm, Seminole
Barb Krall, Seminole
Deborah Raines, Seminole
Michael Lydon, Seminole

In rebuttal, Mr. Pressman indicated that many of the adjacent neighbors support the applicant; that a number of opponents live across Park Boulevard, which consists of four lanes and a median, and are further separated by a buffering of forestation, a swale, and a fence; and that Park Boulevard carries a mixture of uses ranging from Institutional to Commercial, noting that several uses are larger, more intensive, and have a greater impact on the neighborhood. He reiterated that the ALF has an exemplary inspection record; that the request is being presented because of recent code changes; and that while no further changes are anticipated, any requests would require approval by the Board.

In response to queries by the members, Mr. Pressman referred to photographs and related that the expansion is confined to the subject property only and would conform to strict code requirements. Ms. Gibree indicated that the current facility is approximately 10,000 square feet; that she is unsure of the square footage of the expansion; that construction might be delayed; that the Florida Agency for Health Care Administration enforces ALF standards; and that the ALF can assign two people to a room; whereupon, Mr. Bailey discussed setback requirements and provided further explanation of the zoning and land use amendment approval process.

Responding to queries by Commissioners Welch and Eggers, Mr. Bailey, with input by Attorney Bennett, indicated that the Development Agreement does not apply to the

adjacent parcel; that the applicant cannot request additional changes to the subject property under the current regulations, but is not prohibited from requesting changes on the western parcel; and that the Development Agreement would expire in five years, and a deed restriction would be placed on the property. Discussion ensued.

Chairman Justice closed the public hearing, and during continued discussion, the members indicated that the neighbors deserve certainty that no further expansion will be allowed; and that they would not support additional requests by the applicant.

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

Aye: 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

Nay: 1 - Commissioner Morroni

ADJOURNMENT

7:43 PM



Chairman

ATTEST: KEN BURKE, CLERK

By 
Deputy Clerk

