

5. APPROVAL OF MINUTES:

Regular Meeting held May 7, 2013.

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, MAY 7, 2013 – 9:32 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Kenneth T. Welch, Chairman; Karen Williams Seel, Vice-Chairman; Norm Roche; Susan Latvala; Charlie Justice; Janet C. Long, and John Morroni.

Others Present: James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; Claretha N. Harris, Chief Deputy Clerk; and Trudy Futch, Board Reporter.

INVOCATION: Attorney Bennett.

PLEDGE OF ALLEGIANCE: Commissioner Morroni.

PRESENTATIONS AND AWARDS:

1. Employee Appreciation Week Proclamation presented to Larry Resovsky, Sign Shop Supervisor, Department of Environment and Infrastructure.
2. National Emergency Medical Services (EMS) Week Proclamation presented to Bruce Moeller, Director of Public Safety Services.
3. Presentation of the Annual EMS Professionals of the Year Awards.

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

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS (BCC)

- # 1 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 13-35 adopted approving issuance of not to exceed \$14,000,000.00 Pinellas County Health Facilities Authority Health Care Facilities Refunding Revenue Bonds (Mease Manor, Inc. Project), Series 2013, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. Initial indigent care fee waived. No correspondence has been received. No citizens appeared to be heard.

May 7, 2013

Motion	-	Commissioner Latvala
Second	-	Commissioner Morroni
Vote	-	7 – 0

- # 2 Sitting as the Countywide Planning Authority, the Board adopted Resolution No. 13-36 denying Case CW 13-2, the proposal by the City of Safety Harbor to amend the Countywide Future Land Use Plan from Industrial Limited, Residential/Office Limited, Residential Low, Residential Urban, Preservation, and Water/Drainage Feature Overlay to Residential Medium, Residential/Office Limited, Preservation, and Water/Drainage Feature Overlay, re 34.6 acres, m.o.l., located at 1585 10th Street South (State Road 590) and generally to the northeast of the intersection of 10th Street South (State Road 590) and McMullen Booth Road (regular amendment). The Pinellas Planning Council (PPC) recommended approval of the proposal and staff concurred. By correspondence and petition, 308 people expressed opposition to this agenda item and 302 expressed opposition when the case was heard at the PPC public hearing.

PPC Interim Executive Director Michael C. Crawford referred to aerial and street-level photographs and the land use map and pointed out the location of the subject property, described surrounding land uses, and provided an overview of the proposal. He indicated that the proposed amendment is consistent with the Countywide Rules; and that the site meets the locational characteristics of the proposed land use categories; whereupon, he reviewed the request in relation to those categories. He indicated that the proposal involves not only the changing of the land use, but a Development Agreement associated with the change, noting that the Development Agreement reduces the total potential development on the site and mitigates a number of the impacts to the surrounding single family areas.

Mr. Crawford related that the PPC had recommended approval by a vote of eight to five, with a number of conditions and considerable discussion. He reported that the PPC had specifically requested that he relate the following concerns to the Board: (1) vehicle safety as it related to the intersection at State Road 590 and McMullen Booth Road, as well as the driveway leaving the site; and (2) the loss of 15 acres of Industrial land and the potential for a loss of future jobs there; whereupon, he discussed PPC Resolution 06-3, which addresses the loss of industrial land, noting that a meeting is scheduled for tomorrow to review the policy.

In response to Chairman Welch's request for an explanation of the term "special consideration" used in the staff report and whether it is enforceable, Mr. Crawford explained that, as the recommendation reads, approval is conditioned upon the Development Agreement, and its conditions would be mandatory, while the "separately and in addition" and "special consideration" clauses are much "softer," are not requirements, and only ask the City to consider them. Noting that it is up to the cities to decide how much effort to put into the consideration of any added recommendations, he stated that while the City of Safety Harbor has committed to try in this case, if the soft recommendations are not met, neither the Board nor the PPC could enforce them.

In response to queries by the members, Mr. Crawford, with input by Attorney Bennett, indicated that:

- There is a net deficit of about 320 industrial acres in Pinellas County, even though the Airco property was changed to industrial use and is included in the count.
- A little less than 4,000 acres of industrial land is left in the county. Four thousand acres are needed to just maintain the present economy.
- It is a 10-year Development Agreement, although Safety Harbor is trying to change its code to make it a 20-year agreement. The Board can make recommendations regarding changes, but the agreement is with the City.
- The area closest to the single family area is restricted to two-story buildings; inward, three-story buildings are allowed.
- A majority of the PPC members were concerned about the loss of industrial land, but felt the City of Safety Harbor had worked hard to bring in a project that would benefit the area. The discussion to be held tomorrow concerns how to give the resolution regarding the protection of industrial land more weight.
- The most intensive use of the land under the present Industrial Limited standards would involve truck access and warehousing activity. A citrus processing plant is allowed under Industrial Limited, as it is contained. Industrial General allows more outdoor-type processing, such as smelting, cement plants, and heavy industrial.
- The property has been marketed for approximately eight years without an industrial user coming forward, although Mr. Crawford does not know if it was marketed as industrial land. If it was marketed as mixed use, commercial use, or residential use, the price would be higher than an industrial user could afford, which could explain why no industrial users expressed interest.

May 7, 2013

- Most of the PPC members were concerned about the impact the traffic from the 264 apartments would have on the intersection and the roads. Although the traffic report assumed the count from the highest use currently allowed and showed a reduction in trips if the development is approved, in reality, it was understood that there would be more trips.
- There is an entrance for the apartment complex and another for the office area, but the two are not connected.
- Mr. Crawford does not have the specifics, but he believes it is a purchase-pending situation.

During discussion, Commissioner Latvala indicated that while she agrees the county needs more apartments, it is of great concern that the PPC approved the application and then scheduled an after-the-fact meeting to discuss protecting industrial land. She indicated that opposition from the neighboring residential areas does not carry as much weight as it normally would as the citizens would probably be just as upset if the land was redeveloped as industrial. Commissioner Long concurred with Commissioner Latvala's concerns about the after-the-fact meeting, and requested that the Board be informed as to the result of the discussion; whereupon, she related her concern that the apartment complex does not appear to be as aesthetically pleasing or have the unique, historic look and character of Safety Harbor; and suggested that there be additional buffering with better landscaping plans, and Commissioner Roche concurred.

Commissioner Morroni pointed out that, like the Board, most of the PPC members were concerned with the traffic implication to the corner of McMullen Booth and State Road 590, and with the conclusion of the traffic study. He related that he voted against the request at the PPC meeting, and had suggested that both the PPC and the BCC review the industrial land policy.

Safety Harbor Community Development Director Matt McLachlan stated for the record that this is a regular amendment subject to the six review criteria under Section 5.53 of the Countywide Rules; and that the City of Safety Harbor and the PPC staff are in agreement that the application positively meets all six relevant Countywide Rule considerations. He indicated that the Target Industrial Land Study adopted in 2008 recommended that the PPC establish a clear set of industrial land use guidelines and exception language in the Countywide Rules for regulatory effect, which has not occurred, and that the lack of guidelines clouds the review process, noting that PPC Resolution No. 06-3 is a non-binding statement of policy in regard to industrial land use cases.

May 7, 2013

Mr. McLachlan provided background information relating to the Development Agreement, the environmental considerations, rental housing needs, traffic, the Scenic/Noncommercial Corridor exception, and other issues; whereupon, he requested that the Board approve the amendment as recommended by the PPC, the Planning Advisory Committee, and the Pinellas County Planning Department and PPC staff.

In response to query by Commissioner Morroni, Mr. McLaughlin indicated that if the property was designated Residential Low for single family homes, approximately 150 homes would be allowed; whereupon, Commissioner Morroni reiterated his concern with the traffic report conclusion.

Thereupon, Chairman Welch announced that he had just been handed some correspondence in support of the application, and the six e-mails have been filed and made a part of the record.

Robert Pergolizzi, Gulf Coast Consulting, indicated that he is appearing on behalf of the property owner and the contract purchaser, The Richmond Group, noting that The Richmond Group develops apartment complexes nationwide. He indicated that the broker for the property and the traffic engineer who did the independent traffic study are available to answer any questions the Board may have. Mr. Pergolizzi addressed the loss of industrial land and the appropriateness of the Residential Medium designation. He discussed the public hearings before the City Commission and the PPC and described the changes that have taken place to the original application and concept plan as a result of those hearings.

Mr. Pergolizzi explained the process and figures used to arrive at the conclusion that there would be a 38 percent reduction in potential traffic, noting that the PPC guidelines were used. He indicated that in response to concerns expressed by Commissioner Morroni and others at the PPC public hearing, he had recalculated the figures, using reasonable floor area ratios of the existing zoning, the Industrial Limited land use, and the light manufacturing zoning, and determined that the Development Agreement provides for a 30 percent reduction in peak hour trips; whereupon, he requested that the Board approve the request.

In response to query by Commissioner Welch regarding the market rate pricing of the development as outlined in the Development Agreement, Mr. Pergolizzi indicated that in response to the concerns of the Safety Harbor neighborhoods regarding an influx of undesirable apartment dwellers, the developer made a commitment to the community that

May 7, 2013

it would be a high-end residential development, not a public assistance, or Section 8, project.

In response to query by Commissioner Seel, Gordon Beardslee, Pinellas County Planning Department, indicated that over half of the industrial acreage in the subject area has been amended to other land uses over the past 30 years, and pointed out the changes on the Future Land Use Map.

Economic Development Director Mike Meidel indicated that there used to be fairly large and consistent industrial areas scattered around Pinellas County, but over time the industrial land has eroded, pointing out that the subject area has contributed to the erosion, and that perhaps this particular property has already gone too far to be saved. He indicated that industrial land is a countywide resource that needs to be protected in the same way that environmental lands are protected; and that if industrial land is not saved, the economy and quality of life of the county will decline and people will leave the area, which is already happening; whereupon, he thanked the Board for its effort to support the preservation of industrial land.

In response to the Chairman's call for persons wishing to be heard in favor of the application, Jeff Evans, representing The Richman Group, appeared and offered to answer any questions of the Commissioners; and City of Safety Harbor Mayor Joe Ayoub appeared and indicated that the request is a good compromise to a passionate issue, as it preserves 48 percent of the land as open green space and is a good transitional use compared to what is allowed in the Industrial categories; whereupon, he stated that the City put a lot of thought and effort into the development plan and thanked the Board for its consideration.

In response to the Chairman's call for persons wishing to be heard in opposition to the application, the following individuals appeared and expressed their concerns:

Steven Rosenthal* (Old Harbor Place) (gave PowerPoint Presentation)

Russell Norman* (Wilder Oaks)

Nancy Besore, Safety Harbor

Michael Frangedis, Safety Harbor

Karrin Kallal, Safety Harbor

Barbara Hugg, Safety Harbor

*Representing neighborhood group or speaking for four other people present.

Concerns expressed by the citizens included:

- Traffic and ensuing safety issues; traffic analysis is suspect.
- Apartment complex would not be compatible with the quaint look, feel, and character of Safety Harbor and would be an isolated community.
- Apartment complex would lower property values and adversely affect the quality of life and privacy of the immediate neighborhood.
- Residents were not allowed to discuss concerns at the Safety Harbor workshop and disagree with conclusions of the staff evaluation.
- Buffer between single family homes and development is not sufficient.
- Environmental concerns, including potential loss of wetlands, loss of trees, destruction of permeable area, and protection of the natural habitat and local wildlife.
- Destruction of the Scenic Corridor.
- Flooding, drainage, and stormwater issues.
- Density of the project for the location and its adverse impact on regional resources, including water and sewer.
- Loss of jobs by losing industrial land and misinformation, perceived as threats, as to what could be built should the property remain industrial.
- Citizens are upset that officials are assuming they would oppose industrial development. Supported Firmenich operation, and were only opposed to a proposed five-story-high warehouse.

Traffic concerns expressed were that McMullen Booth Road is already rated Level of Service (LOS) F and would be rated even lower if a lower category existed; that a domino effect will be created throughout Safety Harbor and many neighborhood streets will be adversely impacted; and that increased traffic at the already-failed intersection of State Road 590 and McMullen Booth Road will create safety issues.

Chairman Welch recognized Ms. Besore as a Safety Harbor County Commissioner, and stated for the record that the card she filled out identified her as only as a citizen, and did not have her title; whereupon, he assured Ms. Hugg that all comments would be weighed equally.

In response to queries by the members, Mr. Meidel indicated that he understands that the broker has been marketing the property for about five years, as has Economic Development, and Economic Development has shown it at least 24 times; and that, ideally, the property would be leveled and sold as industrial property. He explained that industrial property has the lowest rent, but provides the highest paying jobs; that for many years, the BCC has been assembling industrial property throughout the county; and

May 7, 2013

that landowners and developers have every incentive to try to change the land use designation, as commercial and residential properties provide the highest return to the investor. Mr. Meidel related that if the land use is changed, the value of the jobs would be lowered, as retail salaries are much lower than industrial, and there would be no employment occurring on the site should it be designated residential.

Mr. Meidel reiterated that a vote to approve the type of land use change that is before the Board today instantly creates value for the property owner; and suggested that a way be established to capture that value and put it into a fund that would enable the County to assemble smaller industrial lots in the future, make the infrastructure changes, and raze old buildings.

In response to queries by Commissioner Roche, Mr. Meidel indicated that the land was marketed as-is; that redevelopment cost is incredible; and that the present industrial land needs to be preserved. Responding to query by Commissioner Long, Mr. Meidel indicated that converting land within the five pockets of poverty within the county from residential use to industrial use would be difficult. He confirmed to Commissioner Latvala that he is concerned that the subject property cannot survive as industrial property, although it is an ideal spot, because since the Target Industrial Land Study was adopted, the focus has been changing towards protecting large concentrations of industrial land rather than smaller parcels such as this, noting that he is also concerned about the property on the south side of State Road 590.

In response to queries by Commissioner Justice regarding whether there is a need for more apartments in the county as there was conflicting testimony, Mr. Crawford indicated that the PPC only reviews cases from a countywide perspective, and the number of apartments available does not come under its purview. He confirmed with the Chairman that the PPC staff recommended that the Council approve the application, and discussion ensued regarding places where Industrial property has been preserved. During discussion and in response to query by Commissioner Roche, Mr. Meidel discussed efforts to obtain grants and other funding to address clearing properties to preserve industrial land.

In rebuttal, Mr. Pergolizzi indicated that Firmenich is no longer a major employer; that the high-end apartments will not have a detrimental effect on property values; that approval of this amendment would not set a precedent that would put the industrial property on the south side of State Road 590 in jeopardy; that during the public hearing process, the developer agreed to increase the buffers on the east and north sides of the

May 7, 2013

property, reduced the height of the buildings, and put a left-turn lane on State Road 590. He stated that the transition is appropriate and the 246 families that would live in the apartments would patronize downtown businesses and be a benefit to Safety Harbor as a whole; and that he would pursue a target employer for the 2.8 acre parcel; whereupon, he discussed the marketability of the property, the traffic study, and where the best sites are in the county for industrial development.

Scott Cullen indicated that he is the broker for the property and that in the over four years he has marketed the property, he has not received an offer for industrial use; whereupon, Chairman Welch commented that marketing the property during the height of the recession could have been the reason. In response to queries by Commissioner Roche, Mr. Cullen indicated that there was no asking price for the property as it was marketed by a bid process; and that he would not comment on the cost differential had the property sold at its current zoning, but that he would not advise his seller to go through the rezoning process unless there was an increase in value involved.

In response to queries by Commissioner Long, Mr. Cullen indicated that he lives in Atlanta, and discussed the long-term prospects for the site, noting that the characteristics as they stand now will not change.

Chairman Welch indicated that a representative from The Richmond Group is available should the members have further questions regarding traffic, and hearing none, he closed the public hearing.

During deliberation, Commissioner Welch explained why he would not support the application, noting that the industrial policy was set for a purpose. Commissioner Roche concurred, and indicated that he could not support the application due to the loss of industrial land and the traffic issues; whereupon, he moved, seconded by Commissioner Latvala, that the item be denied.

Commissioners Justice, Seel, Morroni, and Long related the reasons they would not be supporting the application; whereupon, upon call for the vote, the motion to deny the request carried unanimously.

Motion	Commissioner Roche
Second	Commissioner Latvala
Vote	7 – 0

May 7, 2013

Following the vote, Administrator LaSala stated that Strategic Planning and Initiatives, Economic Development, and Planning Council staff would explore and rethink the industrial land use issue in light of the Board's ruling today and provide advice and input to the Planning Council. He indicated that staff would bring back a preliminary report to the Board to see whether the issue warrants a major research initiative; whereupon, Commissioner Welch agreed with the Administrator's action plan and confirmed with the members that it was the direction they wanted to go.

Commissioner Long expressed concern that staff had been unable to answer some of the Board's questions and requested that Mr. Crawford provide some after-the-fact information; whereupon, Mr. Crawford agreed to provide more information, reiterating that the PPC reviews cases from a countywide perspective and does not delve into site plan issues, such as the intersection problem, as those matters historically have fallen under the purview of the local governments.

Thereupon, Commissioner Morroni, as the Board's representative to the PPC, indicated that the unanimous vote today sends a message to the PPC that industrial land must be preserved, and Mr. Crawford concurred, noting that it also gives direction (1) to other communities that are considering similar projects and (2) to the update of the Countywide Plan.

CITIZENS TO BE HEARD

Lenore Faulkner, Madeira Beach, re Pinellas County schools.

David Ballard Geddis Jr., Palm Harbor, re reclaimed water.

Greg Pound, Largo, re families.

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At this time, 12:34 P.M., the meeting was recessed and reconvened at 1:05 P.M. with all members present, except Commissioners Long and Seel.

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CONSENT AGENDA ITEMS NOS. 3 THROUGH 9 – APPROVED.

Motion	-	Commissioner Morroni
Second	-	Commissioner Latvala
Vote	-	5 – 0

May 7, 2013

3 Minutes of regular meeting of April 9, 2013 approved.

4 Reports received for filing:

- a. City of Tarpon Springs Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2012, together with the Schedules of Revenues and Expenditures of the Fire and the EMS Departments.
- b. Southwest Florida Water Management District Comprehensive Annual Financial Report (CD) and Annual Financial Report for the Fiscal Year Ended September 30, 2012.
- c. Dock Fee Report for the month of March 2013.
- d. Quarterly Report of Routine Dock Permits issued from January 1, 2013 to March 31, 2013.

5 Vouchers and Bills Paid

Period February 24 through March 2, 2013

Payroll

ACH – \$2,864,592.57 (2,974 documents)

Checks – \$22,193.88 (20 documents)

Third Party ACH – \$15,463.09 (67 documents)

Third Party Checks – \$1,700.63 (11 documents)

Accounts Payable

Checks – \$9,022,172.97 (764 documents)

ACH Transfers – \$9,193,212.06 (90 documents)

Wire Transfers – \$583,799.90 (4 documents)

Period March 3 through March 9, 2013

Payroll – None.

Accounts Payable

Checks – \$5,465,700.99 (312 documents)

ACH Transfers – \$29,557,360.99 (108 documents)

Wire Transfers – \$560,984.76 (3 documents)

May 7, 2013

Period March 10 through March 16, 2013

Payroll

ACH – \$2,860,408.96 (2,990 documents)

Checks – \$50,990.56 (38 documents)

Third Party ACH – \$15,507.77 (66 documents)

Third Party Checks – \$1,525.85 (10 documents)

Accounts Payable

Checks – \$9,982,576.52 (645 documents)

ACH Transfers – \$6,429,529.36 (66 documents)

Wire Transfers – \$546,886.83 (7 documents)

Period March 17 through March 23, 2013

Payroll – None.

Accounts Payable

Checks – \$10,098,765.91 (529 documents)

ACH Transfers – \$4,418,379.43 (87 documents)

Wire Transfers – \$1,165,080.53 (5 documents)

Period March 24 through March 30, 2013

Payroll

ACH – \$2,993,852.40 (2,998 documents)

Checks – \$22,882.15 (24 documents)

Third Party ACH – \$15,789.52 (67 documents)

Third Party Checks – \$1,525.85 (10 documents)

Accounts Payable

Checks – \$8,303,407.14 (683 documents)

ACH Transfers – \$5,700,671.75 (90 documents)

Wire Transfers – \$921,262.97 (4 documents)

May 7, 2013

Period March 31 through April 6, 2013

Payroll – None.

Accounts Payable

Checks – \$5,535,211.62 (531 documents)

ACH Transfers – \$29,613,252.45 (102 documents)

Wire Transfers – \$4,814,232.70 (8 documents)

Period April 7 through April 13, 2013

Payroll

ACH – \$2,882,174.58 (2,995 documents)

Checks – \$50,888.03 (27 documents)

Third Party ACH – \$15,775.36 (67 documents)

Third Party Checks – \$1,713.62 (11 documents)

Accounts Payable

Checks – \$12,916,790.74 (381 documents)

ACH Transfers – \$6,448,994.64 (67 documents)

Wire Transfers – \$156,946.95 (6 documents)

6 Miscellaneous items received for filing:

City of Oldsmar Ordinances Nos. 2013-06 and 2013-07 adopted April 2, 2013, annexing real property.

- # 7a Award of bid to Smith Industries, Inc., d/b/a Smith Fence Company for fencing, chain link and miscellaneous (Co-Op) (Contract No. 123-0148-B; CATS No. 41454; Bid No. 123-0148-B) approved on the basis of being the lowest responsive, responsible bid received meeting specifications; 36-month contract with one additional 24-month term extension, contingent upon the availability of funds and approval by the County Administrator (Pinellas County estimated 36-month expenditure not to exceed \$1,266,871.50; total Co-op estimated 36-month expenditure not to exceed \$2,886,609.75; total contract estimated 36-month expenditure not to exceed \$4,153,481.25); contract allows for price adjustment every 12 months based on the average of the Producer Price Index – not seasonally adjusted.

- # 7b Award of bid for Uniforms, Industrial – Purchase and Rental to Designlab, Inc. (Group A, Purchase) and Unifirst Corporation (Group B, Rental) on the basis of being the lowest responsive, responsible bidders meeting specifications (Contract No. 123-0006-B; CATS No. 41543) (Group A contract [purchase] commences May 8, 2013 and expires August 19, 2014; Group B contract [rental] commences August 20, 2013 and expires August 19, 2014) (estimated total expenditure through 8/19/14, \$401,219.30 [uniform purchase – Group A, \$341,328.10; uniform rental – Group B, \$59,891.20]); contract has three 12-month term extensions contingent upon all terms and conditions remaining the same and approval by the County Administrator; term extensions provide for a price adjustment (decrease/increase) in an amount not to exceed the average of the Consumer Price Index for all Urban Consumers, not seasonally adjusted, for the 12 months prior to extension.
- # 8 Resolution No. 13-37 adopted supplementing the Fiscal Year 2013 General Fund Budget to appropriate earmarked receipts for a particular purpose (unanticipated Federal Equitable Sharing Law Enforcement Trust Fund appropriation to the Pinellas County Sheriff's Office in the amount of \$1,374,890.00).
- # 9 Declaration of miscellaneous County-owned equipment as surplus as set forth in the agenda memorandum dated May 7, 2013 approved and authorization granted for liquidation of same through public auction conducted by GovDeals.com.
- #10 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller) – None.
- #11 Non-competitive purchase of 20 RL3 Impellers for Chemineer Mixers from Chemineer, Inc. c/o Carl Eric Johnson, Inc. (Contract No. 123-0269-N) approved for an estimated total expenditure not to exceed \$302,379.00 (Department of Environment and Infrastructure).
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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Morroni |
| Vote | - | 5 – 0 |
- #12 Termination of Economic Development Grant Funding Agreement in the amount of \$1,275,000.00 between Pinellas County and Jabil Circuit, Inc. approved (Economic Development).
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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Roche |
| Vote | - | 5 – 0 |

May 7, 2013

- #13 Resolution No. 13-38 adopted approving Project B3032533540 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support as local participation in the Qualified Target Industry (QTI) Tax Refund Program (total contribution of Pinellas County will not exceed \$32,000.00 to be paid over a series of fiscal years as determined by the State) (Economic Development).

In response to queries by Chairman Welch, Administrator LaSala indicated that the total tax refund is projected to be \$160,000.00, which is calculated at \$4,000.00 per job with a total of 40 new jobs and based on pay scales at or above 150 percent of the average annual wage; and that no funds will be disbursed until the company meets its job creation and wage commitments.

Motion	-	Commissioner Latvala
Second	-	Commissioner Roche
Vote	-	5 – 0

- #14 Fiscal Year 2013 Board Budget Amendment No. 4 was filed and made a part of the record; amendment realigns appropriation from the General Government Non-Program and the Real Estate Management Asset Management cost centers to the Facility Operations and Maintenance program in the Northwest Section Operations and Maintenance cost centers in the Real Estate Management Department within the General Fund (Management and Budget).

Motion	-	Commissioner Morroni
Second	-	Commissioner Latvala
Vote	-	5 – 0

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At this time, 1:08 P.M., Commissioners Long and Seel returned to the meeting.

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- #15 Other Administrative Matters:

Administrator LaSala indicated that a joint workshop between the Board of County Commissioners and the Local Planning Agency (LPA) will be scheduled for June 6, 2013 with member approval; that the meeting will include a restatement of the role of the LPA and an update regarding the Land Development Code; and that holding such a meeting is consistent with Florida Statute; whereupon, Chairman Welch explained that the meeting

May 7, 2013

will involve the full participation of the LPA and a thorough discussion regarding the Land Development Regulation process, and no objections were noted.

- #16 Authority granted to advertise a public hearing to be held on June 18, 2013 regarding a proposed ordinance establishing a Surface Water Utility in the unincorporated area of Pinellas County. A resolution adopting an initial assessment for the Surface Water Utility will be heard if the ordinance is adopted by the Board.

Attorney Bennett discussed the proposed ordinance and resolution, and related that although the item has been previously identified as a stormwater fee, it would now be referenced by the more appropriate and legally constrained term of Surface Water Utility; whereupon, he pointed out that a July 1, 2013 deadline exists with regard to setting the public hearing. During discussion, Chairman Welch suggested that the public hearing be held at the June 18, 2013 evening meeting to better accommodate working citizens, and Commissioners Latvala and Seel agreed; whereupon, Commissioner Morroni related that he would provide a written statement and submit questions, since he would be unable to attend the hearing due to a prior commitment.

In response to queries by Chairman Welch and Commissioner Justice, Attorney Bennett discussed the initial assessment and establishment of an upper limit that will appear on the Truth-in-Millage notice. He explained that at the public hearing, the members will consider adopting an ordinance that includes the structure, tiers, and approaches of the assessment, and setting the upper limit of the fee; and clarified that the final limit will be adopted in September; whereupon, Commissioner Morroni related that residents within the Pinellas Park Water Management District (PPWMD) could perceive the fee as a double tax; and that it will be important for the BCC and PPWMD to educate local residents about the distinct role of the Water Management District versus the Surface Water Utility.

During discussion and in response to queries and concerns by Chairman Welch regarding a \$10.50 upper limit fee, Administrator LaSala agreed to provide information regarding how a lesser fee of \$8.50 would affect the program; whereupon, Commissioner Roche stated that he would not support the item and opined that a better option exists.

May 7, 2013

Thereupon, Commissioner Seel moved, seconded by Commissioner Latvala, that the public hearing date be set for June 18, 2013.

Motion	-	Commissioner Seel
Second	-	Commissioner Latvala
Vote	-	6 – 1 (Commissioner Roche dissenting)

- #17 County Attorney Miscellaneous – None.
- #18 County Administrator Reports – None.
- #19 Commissioner Roche Memorandum dated April 26, 2013 Regarding Pay Increases.

Commissioner Roche indicated that the Legislature and the Governor enacted changes to the Florida Retirement System (FRS) contribution structure that resulted in an annual reduction in countywide labor costs of approximately \$13 million; and that the action required Pinellas County employees to contribute three percent of their salary toward their FRS account and resulted in take-home pay reductions to those employees. He related that the approximately \$13 million in annual costs savings is being transferred into the Service Level Stabilization Account (SLSA); and that because the cost-saving benefit to the county is in perpetuity, it remains collected and budgeted, and stands unallocated going forward.

Commissioner Roche related that the County has been using the \$13 million to plug holes in the budget; that moving the funds back into the labor side of the budget would align accountability; that the success of the Penny for Pinellas tax supports his theory that it is always best to be upfront with the citizens as to how their money is being spent; and that every effort should be made to ensure that the taxpayers clearly understand why their tax dollars are needed and how those dollars are allocated; whereupon, he recommended that the three percent cost savings be shifted to the labor side of the ledger, and discussed key considerations and known factors, including:

- The approximate \$13 million in annual countywide labor cost savings is equivalent to approximately .25 mils.
- The County did not reduce its countywide millage rate commensurate with the cost savings.
- The County has increased its property tax rate for the past two budget cycles, and projects a third consecutive request for an increase this year.

May 7, 2013

- The labor cost savings is in perpetuity, collected, and existing within the budget structure.
- The action, itself, will not require a property tax increase.
- The action will avoid the incorrect assumption/perception that any upcoming potential property tax increases are due to employee raises.
- Staff will be afforded more time to focus on identifying specific and more direct accountability for any budget/funding increase requests.
- Although in reality it is more of a replacement than an actual raise, it affirms a BCC commitment to those committed to providing our citizens with continued standard-setting service.
- Organizational stabilization, while affording flexibility going forward; improved employee morale and production.

In response to queries by Chairman Welch and Commissioner Roche, Administrator LaSala related that Pinellas County Government's FRS contribution was reduced by three percent following action by the Legislature; and that the State of Florida has been enjoying the same fiscal benefit; whereupon, the Administrator related that following a market study conducted by the Human Resources (HR) Department, Pinellas County was found to compensate its employees at 2.8 percent below the base wages of other employers in the Tampa Bay region; that HR recommended that a commensurate increase to base wages take place effective October 1, 2013; and that such an increase would put the County in a competitive posture to recruit for open positions and retain skilled employees.

In response to Commissioner Roche's assertion that the Service Level Stabilization Account dollars are unallocated, Mr. Woodard related that per Board direction, monies have been set aside and placed in the stabilization fund for the express purpose of applying them to the budget; that those dollars are not unallocated; that it would have been very disruptive to the organization if those funds had not been set aside; and that the Fiscal Year 2014 forecast assumes an approximate three percent increase for salaries and a one percent increase for employee benefits, and lengthy discussion ensued.

Commissioner Seel noted that the market survey encompasses both the public and the private sectors; and that Pinellas County Government competes with both sectors when recruiting employees; whereupon, she opined that the budget process should move forward; that no change should take place with regard to the FRS and moving funds around; that the market survey demonstrates where the County stands with regard to the

marketplace; and that the percentage of funding dedicated to raises and benefits is an appropriate amount going forward, and Chairman Welch and Commissioner Latvala agreed, indicating that they are not in favor of accounting reclassifications.

Following brief discussion, Commissioner Roche moved that the three percent labor cost savings that resulted from the changes to the FRS contribution calculations be allocated to salaries of the classified employees; whereupon, Chairman Welch stated that the motion died for lack of a second, and acknowledged Commissioner Roche's consistency in advocating for the employees.

#20 County Attorney Annual Performance Review:

Chairman Welch indicated that the results of County Attorney James L. Bennett's annual performance review are included in the agenda package; whereupon, he thanked him for his advice and counsel, and acknowledged his integrity and leadership. Following comments by Commissioners Justice, Latvala, and Seel, Attorney Bennett thanked the Board and acknowledged the hard work of his staff.

#21 County Commission Miscellaneous:

- a. Commissioner Morroni expressed thanks for support of the community, noting that he has been declared cancer free.
- b. Commissioner Roche moved, seconded by Commissioner Morroni, that parking fees be waived for the entire day on May 11, 2013, for the 50th Anniversary of Fort De Soto Park. Mr. Woodard provided input; whereupon, the members discussed issues pertaining to budget, precedent, and county-sanctioned events. Upon call for the vote, the motion carried 7 to 0.
- c. Commissioner Justice reported that he had attended Junior Achievement Day at Sexton Elementary.
- d. Chairman Welch discussed achievements of Convention and Visitors Bureau and Tourist Development Council; briefly discussed National Tourism Week and Employee Appreciation Day.

May 7, 2013

e. Commissioner Seel requested a hard copy of most recent publication of St. Pete/Clearwater Visitors Guide.

expressed appreciation to Junior Achievement Day teachers.

f. Commissioner Long related that Honor Flight Welcome for World War II veterans would take place this evening at 9:00 P.M. at St. Petersburg-Clearwater International Airport.

#22 Meeting adjourned at 1:54 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk