

CITY OF LARGO CITY COMMISSION REGULAR MEETING

July 3, 2012
Minutes

COMMISSION PRESENT: Mayor Gerard, Commissioners Smith, Murray, Holmes, Arntzen

COMMISSION ABSENT: Commissioners Crozier, Brown

PARTICIPATING STAFF PRESENT: City Mgr. Craig, City Attorney Zimmet, Asst. City Mgr. Staffopoulos, City Clerk Bruner, Police Chief Carroll, Rec., Parks & Arts Dir. Byrne, Finance Dir. Adams, OMB Mgr. Davis, Economic Dev. Mgr. Brydon, Program Planner Nino

Mayor Gerard called the Regular Meeting to order at 6:02 pm. She stated that Vice Mayor Crozier and Commissioner Brown would not be in attendance

Invocation was given by Chaplain John Buckley, Largo Fire Rescue, followed by the Pledge of Allegiance.

AGENDA – APPROVED AS AMENDED

Approval of the Regular Commission Meeting agenda of July 3, 2012.

Discussion:

Commissioner Murray requested that Item 9 be removed from the Consent Docket.

Motion was made by Commissioner Arntzen, seconded by Commissioner Holmes, to approve the agenda for the Regular Meeting of July 3, 2012.

Vote:

Voting Aye: Commissioners Smith, Murray, Holmes, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Motion carried 5-0.

MINUTES – APPROVED

Approval of the Regular City Commission Meeting minutes of June 19, 2012 as on file in the City Clerk's Office.

Discussion:

None

Motion was made by Commissioner Arntzen, seconded by Commissioner Murray, to approve the minutes of the Regular Meeting of June 19, 2012.

Vote:

Voting Aye: Commissioners Smith, Murray, Holmes, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Motion carried 5-0.

CEREMONIAL

RECOGNITION OF MICHELLE O'CONNER

Michelle O'Conner Citizen Award

On June 18, 2012, an eight year old boy in the Northeast section of the City was angry with his mother and left his residence. The mother believed he was just cooling off outside and did not know he was walking toward East Bay Drive. Once she realized he was gone and could not locate him, she called the police in a panic. Sgt. Richelle Bradshaw was in the area when the call came into the Communications Center and she observed the child walking from Central Park back toward the Northeast section. He was walking with a young teenage girl, later identified as Michelle O'Conner. Sgt. Bradshaw stopped both of them and spoke with Michelle. She stated that she was walking to the library when she observed the child walking alone across the grass in Central Park. He appeared upset and she knew something was wrong, as it was not usual for a young child to be alone. She approached the child, gained his confidence, and persuaded him to let her walk him home. Michelle stated she was concerned for the boy's welfare and put her own agenda on hold to assist the young child. Michelle displayed a very responsible and caring attitude for a child whom she had no association with. Many people would have wondered about the young child, but being in a park, they might not have approached him to determine if he was okay the way Michelle did. There is always the possibility that this situation could have ended differently, but because Michelle had the courage and fortitude to do the right thing, a young child was returned home safely to his mother. Sgt. Bradshaw stated that in her thirteen years as a Police Officer with the City of Largo, she has never encountered a teenager with such a positive attitude and deep conviction to do the right thing.

Chief Carroll introduced Michelle O'Conner and Sgt. Bradshaw and described the incident on June 18th. Mayor Gerard presented a Certificate of Appreciation to Ms. O'Conner and thanked her for being a good citizen. The City Commission congratulated Ms. O'Conner.

PARK AND RECREATION MONTH PROCLAMATION

July is National Park and Recreation month. In recognition of this event, the Mayor has declared July as Park and Recreation Month in the City of Largo. During this month, all citizens are invited to enjoy the many park, recreation and cultural facilities offered in the City of Largo.

Ms. Byrne stated that parks and recreation had quantifiable economic benefits, provided low cost physical fitness opportunities, kept the living environment healthy, provided meeting and gathering places and provided a safe environment for children. Ms. Bruner read the Proclamation aloud.

CITIZEN COMMENT

Mayor Gerard stated that there were several people present to talk about the Southwest Pool, however she assured them that closing the pool was not on a list of budget cuts and that it was not an active discussion at this time.

1. Suzanne O'Connor thanked the City for the use of Southwest Pool. She stated that she has been using the pool since she was little and was now a member of West Florida Lightning Aquatics (WFLA).

2. Tara Skinner stated that she was a family physician and that she swam at the Southwest Pool. She stated that she was pleased to know that the pool would not be cut. She stated that she sent patients to the Southwest Complex for classes and exercise and that many users would be happy to work to help the City with the pool.
3. Wayne Pliss stated that he swam at the Southwest Pool and that he was glad to know the pool was not on the budget cut list. He stated that the pool was a shining facility for Largo and that swim meets put money into the local economy.
4. Rob Healy stated that he was president of WFLA Swimming and Diving. He stated that the group has been a part of the City for 30 years. He stated that their concern was the process for putting together the budget and the prospect that the pool could close in the future. He stated that citizens did not have an opportunity to discuss proposed budget cuts this year.
5. Joe Kurek stated that he was a longtime swimmer and moved to Largo specifically to be near the Southwest Pool. He stated that the indirect effects of the pool should be considered. He thanked the City Commission for supporting the pool.
6. Matthew Thompson stated that he was a former City employee at the Southwest Pool and was a member of WFLA. He stated that he has been fortunate to be able to train at the pool year round and that he was able to earn a swimming scholarship to college. He stated that he hoped the pool remained off of the budget cut list.
7. Troy Koser stated that he has been swimming at the Southwest Pool for 12 years. He stated that the City should keep supporting the pool because the swimming program taught kids perseverance, responsibility, accountability and respect for elders.
8. Geoff Moakley stated that he questioned employee productivity in the proposed FY 2013 budget, as City employees will receive four weeks of vacation after ten years instead of twenty years. He stated that the vacation amounted to lost productivity being paid for by the taxpayers. He stated that he was also concerned about personal days given.
9. Candy Caruso stated her support for the Southwest Pool. She stated that she was happy to hear that it would not be closed and that she hoped WFLA would be told if the pool was on a list of budget cuts. She stated that the swimming program was good for young people and encouraged Commissioners to visit the pool.

CONSENT DOCKET – APPROVED AS AMENDED

AUTHORIZATION FOR COMMISSIONER CURTIS HOLMES TO ATTEND THE 2012 FLORIDA LEAGUE OF CITIES ANNUAL CONFERENCE TO BE HELD AUGUST 23-25, 2012, IN HOLLYWOOD, FLORIDA, IN THE ESTIMATED AMOUNT OF \$1,120.48

In accordance with Legislative Policy 4-2: City Commission Travel Expenses, "In order for the Mayor or Commissioner to receive reimbursement for travel and other expenses, prior authorization must be granted by the City Commission."

Commissioner Holmes is requesting authorization to attend the 2012 Florida League of Cities Annual Conference to be held August 23-25, 2012, in Hollywood, Florida, in the estimated amount of \$1,120.48.

The Florida League of Cities annual conference offers educational opportunities through a variety of workshops, general sessions with keynote speakers, and information on technical assistance and resource materials from national, state, regional and non-governmental entities.

APPOINTMENT OF BEVERLY JEAN GATEWOOD AS A MEMBER OF THE COMMUNITY DEVELOPMENT

ADVISORYBOARD

The Community Development Advisory Board is composed of seven residents of the City of Largo who are nominated by the Mayor and subject to confirmation by the City Commission. Each member shall serve for a term of three years.

Ms. Beverly Jean Gatewood is being nominated for appointment to the Community Development Advisory Board by Mayor Patricia Gerard for the remainder of a three-year term which will expire in October 2013. Ms. Gatewood will fill the vacancy created by the recent resignation of Ms. Samantha Fenger.

Ms. Gatewood plans to attend the 2012 Citizens' Academy.

APPOINTMENT OF JAMES DEEM AS A MEMBER OF THE PLANNING BOARD

The Planning Board consists of not less than five and not more than seven members who are appointed by the Mayor with approval by the City Commission. Each member is appointed for a term of three years.

Mr. James Deem is being nominated by Mayor Patricia Gerard for appointment to the Planning Board for the remainder of a three-year term which will expire in October 2012. Mr. Deem will fill the vacancy created by the recent resignation of John May. Mr. Deem is a graduate of the 2006 Citizens' Academy.

AUTHORIZATION TO SETTLE THE AUTOMOBILE LIABILITY CLAIM OF HERION KASTRATI FOR \$40,000

On January 14, 2011, a City of Largo vehicle was involved in a motor vehicle collision, rear-ending Mr. Kastrati at the intersection of U.S. Highway 19 North and East Bay Drive in Largo. Mr. Kastrati incurred injuries as a result of the accident.

The City Attorney was able to negotiate a settlement of this matter within the authority approved by the Risk Committee in the amount of \$40,000, conditioned upon approval by the City Commission.

Property and liability claims are paid from the Human Resources Department Property and Liability Program within the Risk Fund. For FY 2012, property and liability claims have reached the total FY 2012 budget, due to higher than normal claims activity. The Human Resources Department's workers' compensation program is experiencing lower than normal claims activity year-to-date for FY 2012. These savings will be used to offset property and liability claims. Staff will be closely monitoring the level of property, liability and workers' compensation claims to ensure total claims activity does not exceed the budget for such claims. However, if claims do come close to the total budget, the City Commission will be made aware and a budget amendment will be presented to the City Commission.

The City Attorney, Risk Manager and Risk Committee recommend approval of this settlement.

AUTHORIZATION TO ENTER INTO AN AGREEMENT TO ACCEPT FUNDING UP TO \$35,538 FROM THE UNITED STATES DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) 2012 LOCAL PROGRAM

On May 1, 2012, the City Commission authorized the submission of an application to the United States Department of Justice (DOJ) for the 2012 Local Justice Assistance Grant (JAG) program for \$35,538. The funding was approved for \$34,700 for various computer and equipment purchases, and \$838 for staff costs associated with administering the grant and procurement of equipment. The computer and equipment purchases approved include:

- \$8,500 for the continued update of the Police computer system, to include a new OSSI Property Voucher Module (total cost \$14,000, balance of \$5,500 for the module will come from FY 2012 budgeted funds);*

- \$14,000 for upgrade of the computer network switch from 1 gigabyte to 10 gigabytes to accommodate additional bandwidth;
- \$6,600 for the purchase of two (2) pair of night vision binoculars for monitoring during night time investigations; and
- \$5,600 for replacement of seven (7) digital cameras.

DOJ has approved the application and staff is requesting authorization to enter into the grant agreement. The grant does not require matching funds, is valid until September 30, 2015, and the City may request funding be moved to a different project, should funds remain after the completion of the current project.

The Police Department has requested the purchases be initiated prior to October 1, 2012, therefore upon execution of the agreement a request to begin early will be made to DOJ. If this request is granted, a budget amendment will be brought before the City Commission. If DOJ does not approve this request, the funds to cover the expenses and the anticipated revenue from the grant will be appropriated as part of the FY 2013 budget process.

A copy of the agreement has been sent to the City Commission electronically and posted to the City's website.

Motion was made by Commissioner Murray, seconded by Commissioner Arntzen, to approve the Consent Docket without City Commission discussion and including staff background provided in the Commission packets.

Vote:

Voting Aye: Commissioners Smith, Murray, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Abstaining: Commissioner Holmes

Motion carried 4-0.

Mayor Gerard recognized Mr. Deem and thanked him for volunteering.

ITEMS REMOVED FROM THE CONSENT DOCKET

AUTHORIZATION TO EXPEND FLORIDA CONTRABAND FORFEITURE FUNDS, IN THE AMOUNT OF \$9,900, FOR THE PURCHASE OF FOUR REPLACEMENT TACTICAL SHIELDS – APPROVED

The Largo Police Department (LPD) requests authorization to expend Forfeiture funds for the purchase of four replacement ballistic shields used by the Tactical Team. The Tactical Team requires these specialty shields to carry out high-risk operations, such as search warrants, narcotic buy-busts, and tactical call-outs where there are possible gunmen and no other cover is available.

The Tactical Team requires replacement shields because the shield manufacturer does not guarantee the shields to be effective for longer than five years. The shield materials degrade over time, which is often accelerated due to heat and humidity. It was recently discovered that four of the shields are twelve years old and are therefore in need of immediate replacement.

A total amount of \$90,000 is budgeted in the FY 2012 Investigative Services Budget in the Forfeiture Fund for the purchase of Tactical Team equipment, uniforms, operating supplies and capital. Disposition of forfeiture funds is regulated by the Florida Contraband Forfeiture Act. The tactical shield purchase meets the applicable Act

standards, as specified in Chapter 932.7055 of the Florida State Statutes. City Commission approval is required for the authorization of all forfeiture fund expenditures.

Discussion:

Commissioner Murray questioned the number of tactical shields on hand. Chief Carroll stated that he would provide this information. Commissioner Murray stated his concern that the shields were seven years over their recommended expiration date. He questioned the system in place for tracking this type of inventory. Chief Carroll stated that there was a process in place and that the expiration dates should have been noticed sooner. He stated that the shields were stored on the first floor of the Police Department TAC Room and were not used on regular patrol operations.

Motion was made by Commissioner Murray, seconded by Commissioner Smith, to approve authorization to expend Florida Contraband Forfeiture funds in the amount of \$9,900, for the purchase of four replacement tactical shields.

Vote:

Voting Aye: Commissioners Smith, Murray, Holmes, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Motion carried 5-0.

PUBLIC HEARINGS

ORDINANCE NO. 2012-49 - SECOND READING – AMENDING CODE CHAPTER 22, ARTICLE III - STORMWATER UTILITY – ADOPTED

This memo requests approval of a stormwater utility fee increase to fund the costs of the City's stormwater utility system. The increase will be effective for all bills mailed on or after October 1, 2012. The last fee increase was effective April 1, 2008; therefore, if this increase is approved, it will be 4.5 years since the last increase.

Stormwater revenue only increases when new customers are annexed or when existing customers redevelop to higher levels of impervious surface; therefore, normal revenue growth is typically only 1% per year or less. The normally low level of revenue growth cannot keep pace with normal expenditure growth or fund any service enhancements.

The proposed increase was discussed at the May 8, 2012 City Commission Work Session and direction was received to implement Alternative 1, which included restructuring the multi-family customer rate to equal 60% of the single-family rate, which reflects the average amount of impervious surface for multi-family customers (the rate is currently at 80%).

Total revenue from this increase is approximately \$562,000, which is equal to a 15% increase. Since the multi-family fee is decreasing, the base Equivalent Residential Unit (ERU) fee will increase 19.5%. This increase is projected to be sufficient for five years (FY 2013 – FY 2017), unless enhanced service levels are mandated by regulatory changes.

Monthly Fee per ERU

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	Current Fee	Proposed Fee	Monthly Increase	
Single-Family Residential and Commercial Customers	\$4.45	\$5.32	\$ 0.87	
Multi-Family Residential (High-Density) Customers	\$3.56	\$3.19	-\$ 0.37	(decrease)

Fee Comparisons

The following table presents current stormwater fees for other jurisdictions in Pinellas County. Most of the entities listed below operate their stormwater systems as enterprise funds, which means all capital expenditures are recovered through fees, rather than through taxes.

Jurisdiction	ERU (Sq. Ft.)	Monthly Fee	Monthly Fee/1,000 Sq. Ft
Clearwater	1,830	\$13.04	\$7.13
Dunedin	1,708	\$8.80	\$5.15
Gulfport	2,300	\$2.87	\$1.25
Madeira Beach	1,249	\$5.00	\$4.00
Oldsmar	2,550	\$4.00	\$1.57
Pinellas County	None	None	N/A
Safety Harbor	1,865	\$5.00	\$2.68
St. Petersburg	2,719	6.84	\$2.52
Largo <i>current</i>	2,257	4.45	\$1.97
Largo <i>proposed</i>	2,257	5.32	\$2.36

Tiered Rate Structure for Single-family Residential Customers

All single-family residential customers in the City of Largo are currently charged one ERU per month, regardless of the size of a property's impervious surface. The City's current fee structure was originally adopted based on the average size of all single-family properties, which was relatively equitable, and was easier and less costly to implement and administer than calculating the actual impervious surface for each property.

Most stormwater utility systems have adopted fee structures that include one ERU for all single-family customers, including the jurisdictions listed in the table above; however, some stormwater utility systems have adopted tiered fee structures for single-family customers with multiple rates based on each property's size, including the cities of Tampa and Orlando. Staff is exploring the costs and benefits of adopting this type of tiered rate structure, which could be more equitable, but would be more difficult and costly to administer, because of the need to identify each single-family property's size. Also, a new rate structure must be discussed with the City's billing agent regarding programing changes.

Additional information and a recommendation will be brought to the City Commission at a later date regarding adoption of a tiered rate structure for single-family customers. Due to the time required to fully evaluate this alternative, staff recommends adopting the proposed fee increase as presented.

City Clerk Bruner read Ordinance No. 2012-49 by title only.

Public Hearing/Questions:

None

Motion was made by Commissioner Arntzen, seconded by Commissioner Holmes, to adopt Ordinance No. 2012-49 on second and final reading.

Discussion:

None

Vote:

Voting Aye: Commissioners Smith, Murray, Holmes, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Motion carried 5-0.

Ordinance No. 2012-49 will take effect immediately upon its final passage and adoption.

LEGISLATIVE MATTERS

APPROVAL OF CO-SPONSORED EVENTS FOR FY 2013 – APPROVED

City co-sponsorship assists approved organizations with the cost of their events by waiving a portion of the City's fees. This process has been in place for many years and allows non-profit organizations the chance to host a large event for fund-raising and/or awareness purposes. These events allow the City to partner with organizations that support the members of the community through service, advocacy and awareness. It includes a waiver of the park/facility rental and discounts on equipment available through the Recreation, Parks & Arts Department. Co-sponsored groups remain responsible to pay the cost of all direct City expenses such as police, staff, fuel, supplies, electricity, etc. Many of these local non-profit organizations may not have the opportunity to hold an event in such a venue without this program. Under the co-sponsorship process, all applicants have an equal opportunity to apply for City Co-sponsorship.

The Special Events Committee, comprised of representatives from Recreation, Parks and Arts, Police, Fire and Community Development, recommends the following 12 events for approval for FY 2013: Florida Clown Day, Nephcure Foundation Walk, Tampa Bay Buddy Walk, Narcotics Overdose Prevention Education Candlelight Vigil, Make a Difference Fishing Tournament, Paw-fest, Hydrocephalus Association Walk, Multiple Sclerosis Walk, Relay For Life, Pinellas County Council of Parent Teacher Associations Health and Safety Fair, Largo Live Food and Wine Tasting and Suncoast Mother's Day Fun Fest. All applicants applied for an event in Largo Central Park, the Nature Preserve or Ulmer Park. The new events are: Largo Live Food and Wine Tasting and Suncoast Mother's Day Fun Festival. Both events have been held in Largo previously, but they are new as co-sponsored events.

Questions:

Commissioner Holmes questioned the criteria for waiving fees. Ms. Byrne stated that typically the park rental fee is waived, along with reduced rates for equipment.

Motion was made by Commissioner Murray, seconded by Commissioner Arntzen, to approve co-sponsored

special events for FY 2013.

Discussion:

None

Vote:

Voting Aye: Commissioners Smith, Murray, Holmes, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Motion carried 5-0.

RESOLUTION NO. 2074 – SUPPORTING PINELLAS COUNTY'S DESIGNATION OF CERTAIN PARCELS LOCATED IN THE CITY OF LARGO AS A BROWNFIELD AREA (ULMERTON ROAD OPPORTUNITY CORRIDOR BROWNFIELD AREA) - APPROVED

The City of Largo's and Pinellas County's Economic Development Divisions are partnering to designate numerous properties along the Ulmerton Road corridor from Seminole Boulevard to Roosevelt Boulevard as a Brownfield Area in accordance with the Florida Brownfields Redevelopment Act. In 2010, Economic Development staff brought to the City Commission a request to designate the City properties along the Ulmerton Road corridor as a Brownfield Area and received approval to proceed. Discussions with a large property owner in the proposed area created a longer process time for the designation. The Brownfield Area will be referred to as "Ulmerton Road Opportunity Corridor" (UROC), which is a centrally located area of approximately four square miles that contains extensive industrial and commercial properties that have high job creation potential due to zoning, land use, parcel sizes, and geographic location. The intention of this memorandum is to seek formal approval by the City Commission of Resolution No. 2074 in support of the proposed UROC Brownfield Area. The Brownfield designation process is scheduled to be completed by August of 2012.

The redevelopment of the UROC properties will be an effective way to utilize existing infrastructure within the City and Pinellas County and to discourage urban sprawl. The designation will allow County and City staff to offer available economic incentives, encourage additional investment in the area, and support the economic development efforts described in the City's and County's Comprehensive Plans. Pinellas County is the lead organization for the UROC Brownfield Area designation. The City has provided assistance in public meetings, advertisements, and the review and drafting of documents. A public meeting was held on June 21, 2012 at the EpiCenter located at 13805 58th Street North, Largo. Approximately 20 people were in attendance and the meeting and presentation lasted for about two hours.

The State of Florida established the Brownfield Program to assist local governments with redevelopment projects. Brownfield sites are typically abandoned, idle, or underused industrial or commercial properties where the expansion, redevelopment, or reuse may be complicated by real or perceived environmental contamination. Evidence of contamination is not an eligibility requirement for State Brownfield designation, and designation alone does not imply that a property is contaminated. The designation does not render the City liable for costs of site remediation, rehabilitation, or source removal.

This designation will potentially allow businesses located within the Brownfield Area access to the following financial and regulatory incentives provided by the Florida Brownfield Program:

- Site Assessment and Technical Assistance (Environmental)

- Tax Incentives
- Job Creation Tax Credits (\$2,500 in state tax credits per new job created)
- Loan Guarantees
- Sales Tax Credits
- Expedited Review of certain technical documents
- Liability Protection

Cleaning up and reinvesting in Brownfield sites facilitates job growth, utilizes existing infrastructure, increases local tax bases, removes development pressures on undeveloped open land as well as both improving and protecting the environment. Brownfield designation encourages the highest and best use of blighted properties. Redevelopment of properties within the Brownfield Area will ultimately improve the quality of life for the citizens of Largo.

City Clerk Bruner read Resolution No. 2074 by title only.

Public Input:

1. Geoff Moakley stated that a large portion of the Brownfield Area appeared to be fully developed. He stated that development was not viable if it could only survive with government assistance.

Questions:

Commissioner Arntzen questioned whether there have been benefits from other Brownfield designated areas in the City. Ms. Brydon stated that Bayside Court was the most recent development to benefit. She stated that the designation also helped to market the sites. Mr. Nino stated that property owners had the option to opt out if they want to. Commissioner Smith questioned the impact on surrounding areas and businesses. Ms. Brydon stated that in her experience it has been very beneficial in terms of job creation and marketability. She stated that a Brownfield designation did not mean that there was contamination. Commissioner Smith stated his concern for property value impacts for those wanting to sell their properties adjacent to a Brownfield area. Ms. Brydon stated that it has not had an impact. Commissioner Smith questioned whether a particular business pushed for the designation, to which Ms. Brydon stated that it was a joint venture between Largo and Pinellas County. Commissioner Murray asked whether a business can lose a designation, to which Ms. Brydon stated that the designation stays, however property owners can opt out at any time. Commissioner Holmes questioned the incentives that could be available to businesses. Ms. Brydon stated that, for example, a jobs creation incentive would have to go through a process that includes the City, Pinellas County and State levels. She stated that minimum job requirements would have to be met and that \$2 million would have to be invested in the area. She stated that other incentives would require different processes and that there were many checks and balances in place.

Motion was made by Commissioner Arntzen, seconded by Commissioner Holmes, to approve Resolution No. 2074.

Discussion:

Commissioner Murray questioned how many times a business can come back. Ms. Brydon stated that it will be subject to City Commission approval each time.

Vote:

Voting Aye: Commissioners Smith, Murray, Holmes, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Motion carried 5-0.

APPROVAL OF ANNEXATION AGREEMENT NO. AA 12-42 FOR BRIARWOOD RV PARK PROPERTIES LOCATED BETWEEN RIDGE ROAD AND SEMINOLE BOULEVARD, AND NORTH OF 23RD AVENUE SOUTHWEST – APPROVED

City Commission approval is requested for Annexation Agreement No. AA 12-42 (AA). The AA covers two (2) properties located at 2098 Seminole Boulevard, including a contiguous southern vacant parcel, between Ridge Road and Seminole Boulevard, and north of 23rd Avenue SW (see attached Exhibit A). The properties total approximately 13.80 acres and have a Future Land Use designation of Residential Low Medium (RLM), Residential Estate (RE) and Resort Facility Overlay (RFO) as provided for in unincorporated Pinellas County. On June 15, 2012 Docksider Investors VII, LLC and BDC Investors II, LLC voluntarily executed an Annexation Agreement and Petition for Annexation allowing the City of Largo (“City”) to annex their properties.

Under the AA the City commits to providing \$50,000 in General Fund incentives. A summary listing of the incentives is attached on Exhibit B, and a copy of the AA will be distributed to the City Commission on Monday, July 2, 2012.

The majority of incentives being provided are associated with future development that may occur on the subject properties within the time frame stipulated in the AA. Staff anticipates that the incentives, in whole or in part, will not be utilized during the remainder of FY 2012, but may be requested in future years. In the event insufficient funding exists in any future years that annexation incentives are requested by this or other property owners, staff will prepare a budget amendment to appropriate the necessary funding. If no development occurs during the stipulated time frames of this AA, the City obligations through the AA will cease.

If the City Commission approves the Annexation Agreement, the City Commission will be asked to adopt Ordinance No. 2012-50 on first reading and schedule a second reading/public hearing for final adoption.

The following depicts the estimated annual revenues expected from this annexation:

PROJECTED ANNUAL REVENUES

Ad Valorem -----	\$8,936
Sanitary Sewer (Not in Largo Sewer)-----	\$0
Utility Tax & Franchise Fee -----	\$9,000
Stormwater Fee -----	\$1,869
Communications Services Tax -----	\$3,372
Sanitation -----	\$8,832
TOTAL PROJECTED REVENUES -----	\$32,009

LESS: CURRENT REVENUES

Fire District (Largo) -----	\$6,885
Sanitary Sewer (Not in Largo Sewer)-----	\$0
TOTAL CURRENT REVENUES -----	\$6,885

NET PROJECTED ANNUAL REVENUES ----- \$25,124

Upon the effective date of the annexation, City staff will proceed with the property owner's application for a Future Land Use Map (FLUM) amendment for the properties. This process involves the new Residential High

Future Land Use category that the Community Development Department is currently working to establish in the City's Comprehensive Plan. If the properties receive approval for a Residential High FLUM designation, the owner wishes to develop the properties as a 260 dwelling unit multifamily residential apartment complex, substantially increasing the annual revenues depicted above.

Public Input:

1. Geoff Moakley stated his concern for annexation incentives. He stated that General Fund revenues should not be used to pay for private development.

Questions:

Commissioner Smith questioned whether the applicant has been told of the requirement for a monument sign, to which Mr. Nino answered in the affirmative. Commissioner Murray stated that revenues from the development should far exceed the \$50,000 incentive. Commissioner Holmes questioned the disposition of the incentives if the property is sold. Mr. Nino stated that the annexation agreement and incentives will run with the land. Ms. Brydon stated that staff was comfortable that the property will be developed. Mayor Gerard stated that all of the incentives were tied to development of the property. Ms. Brydon stated that they were reimbursement funds.

Motion was made by Commissioner Smith, seconded by Commissioner Arntzen, to approve Annexation Agreement No. AA 12-42 and authorize the City Manager to execute agreement on the City's behalf.

Discussion:

None

Vote:

Voting Aye: Commissioners Smith, Murray, Arntzen, Mayor Gerard

Voting Nay: Commissioner Holmes

Absent: Commissioners Crozier, Brown

Motion carried 4-1.

ORDINANCE NO. 2012-50 – FIRST READING – AN ANNEXATION OF TWO PARCELS (BRIARWOOD RV PARK) LOCATED BETWEEN RIDGE ROAD AND SEMINOLE BOULEVARD, AND NORTH OF 23RD AVENUE SOUTHWEST, WITH LAND USE DESIGNATION OF RESIDENTIAL LOW MEDIUM AND RESIDENTIAL ESTATE – APPROVED

On June 15, 2012 Dockside Investors VII, LLC and BDC Investors II, LLC (both Florida limited liability companies) voluntarily executed an Annexation Agreement and Petition for Annexation allowing the City of Largo ("City") to annex their properties located at 2098 Seminole Boulevard including a contiguous southern vacant parcel, between Ridge Road and Seminole Boulevard, and north of 23rd Avenue SW. The City is commencing annexation procedures for the properties which total approximately 13.80 acres and are currently used as an RV Park (Briarwood RV Park). The properties will be annexed into the City of Largo with the same future land use designation of Residential Low Medium (RLM), Residential Estate (RE) and Resort Facility Overlay (RFO) as provided for in unincorporated Pinellas County. Annexation of these properties by the City is pursuant to criteria contained in Chapter 171.044, Florida Statutes.

The proposed annexation requires two readings before the City Commission ("Commission"). First reading for the annexation is July 3, 2012. The public hearing is scheduled for August 7, 2012 allowing the Pinellas Planning Council ("PPC") time to review the annexation. Pursuant to PPC Resolution No. 98-2, all proposed annexations of ten acres or more require the submission of an annexation report (Ability to Serve Report) setting forth the plans to provide urban services to any area to be annexed. Such report must be filed in a time frame that allows the PPC to act on the request prior to final action by the annexing local government. PPC staff accepted the report on June 19, 2012 and have scheduled the report to be heard before the PPC on July 18, 2012.

The area to be annexed is a voluntary annexation and will not result in the creation of an enclave. Instead it will significantly reduce the size of the existing Type "A" enclave, as defined in Chapter 171.031(13)(a), Florida Statutes. The properties to be annexed are contiguous, at several locations, to the City limits as shown on the attached Exhibit "A" map. In addition, the properties to be annexed are reasonably compact and no part of the annexation is located within the boundary of another incorporated municipality.

The Pinellas County Board of County Commissioners was noticed on June 7, 2012 for review and comment. The City has not received any objections. All City Departments have reviewed this annexation and indicated services can be provided to the property.

The City has provided the property owner \$50,000 in annexation/redevelopment incentives described in Exhibit "B," attached. The following depicts the estimated annual revenues expected from this annexation:

PROJECTED ANNUAL REVENUES

Ad Valorem -----	\$8,936
Sanitary Sewer (Not in Largo Sewer)-----	\$0
Utility Tax & Franchise Fee -----	\$9,000
Stormwater Fee -----	\$1,869
Communications Services Tax -----	\$3,372
Sanitation -----	\$8,832
TOTAL PROJECTED REVENUES -----	\$32,009
LESS: CURRENT REVENUES	
Fire District (Largo) -----	\$6,885
Sanitary Sewer (Not in Largo Sewer)-----	\$0
TOTAL CURRENT REVENUES -----	\$6,885
NET PROJECTED ANNUAL REVENUES -----	\$25,124

Upon the effective date of the annexation, City staff will proceed with the property owner's application for a Future Land Use Map (FLUM) amendment for the properties. This process involves the new Residential High Future land Use category that the Community Development Department is currently working to establish in the City's Comprehensive Plan. If the properties receive approval for a Residential High FLUM designation, the owner wishes to develop the properties as a 260 dwelling unit multifamily residential apartment complex substantially increasing the annual revenues depicted above.

City Clerk Bruner read Ordinance No. 2012-50 by title only.

Questions:

None

Motion was made by Commissioner Arntzen, seconded by Commissioner Smith, to approve Ordinance No. 2012-50 on first reading and schedule a second reading and public hearing on August 7, 2012.

Discussion:

None

Vote:

Voting Aye: Commissioners Smith, Murray, Holmes, Arntzen, Mayor Gerard

Absent: Commissioners Crozier, Brown

Motion carried 5-0.

STAFF REPORTS

GRANTING AD VALOREM TAX EXEMPTIONS AS AN INCENTIVE TO QUALIFYING NEW AND EXPANDING BUSINESSES WITHIN THE CITY OF LARGO – CONSENSUS TO SUPPORT

During the 2011 Florida legislative session, Section 196.1995, Florida Statutes, Economic Development Ad Valorem Tax Exemption was enacted. This statute authorizes any county or municipality to hold a referendum to determine whether to grant authority for economic development ad valorem tax exemptions to new and expanding businesses under Section 3, Art. VII of the Florida Constitution.

Cities and Counties including Hillsborough, Tampa, Sarasota, Sarasota County and St. Petersburg have utilized this provision and have successfully gone through referendum for the creation of an economic development ad valorem tax exemption program. Pinellas County and the City of Clearwater will be placing a referendum on the November 6, 2012 ballot that authorizes each government entity the ability to grant ad valorem tax exemptions to qualifying new and expanding businesses within their jurisdictions. Pinellas County's referendum, if approved, would provide the ad valorem tax exemption throughout the county (not just the unincorporated area) for their portion of the ad valorem taxes. Therefore in St. Petersburg, a business would have the ability to obtain an ad valorem tax exemption for the municipality as well as the county taxes (if the county referendum is approved). Attached is a breakdown of the programs in place or being recommended by the Tampa Bay communities.

City staff is presenting the ad valorem tax exemption program to the Largo City Commissioners in order to obtain direction as to whether or not they wish to pursue a referendum for the November 6, 2012 ballot. If the City Commission wishes to pursue the referendum, staff will return to the City Commission on July 17, 2012 with proposed ballot language and voter information for this initiative. If approved on November 6th, the City Commission would then decide the details of a specific program to put in place.

Discussion:

Mayor Gerard questioned the ballot language deadline, which Ms. Brydon stated was August 8th. Mr. Zimmet stated that the statute provided the language. He stated that there were two choices; to allow Citywide or to limit it to the CRA and Brownfield areas. He stated that if authorized by the voters, the ordinance would provide parameters and that specific exemptions would have to be done by ordinance. Commissioner Murray questioned the job creation time frame. Ms. Brydon stated that ten jobs would create the opportunity to apply for the exemption. She stated that there would also have to be a sizable amount of money added to the property

and that the ten jobs were a benchmark. Commissioner Murray asked whether this issue can be placed on a future ballot, to which Ms. Brydon stated that it could. She stated that Clearwater and Pinellas County will have this item on their November ballots and the City could benefit from their education efforts. Commissioner Murray stated that he would have a hard time supporting this item at this time, due to its impact on the General Fund. He stated that he would prefer to wait and see. Ms. Brydon stated that the subject request was only to place the issue before the voters. Commissioner Murray asked whether a developer could benefit from a QTI, Brownfield and an ad valorem tax incentive. Ms. Brydon stated that it would be a tremendous amount of work. Mr. Zimmet stated that voter approval and an ordinance did not entitle applicants to anything. Commissioner Holmes stated that he had no problem with the proposal, to which Commissioner Arntzen stated her agreement. Mayor Gerard stated that she did not want to wait two more years. Commissioner Smith stated that he also supported the proposal.

ITEMS FROM CITY ATTORNEY, COMMISSION, MAYOR, CITY MANAGER

Commissioner Arntzen wished everyone a Happy 4th of July.

Commissioner Smith thanked staff for their work during Tropical Storm Debby. He stated that there is a page on the Pinellas County website called "SeeClickFix, which can be used with cell phones to report problems. He wished everyone a happy and safe 4th of July.

Commissioner Murray wished everyone a happy and safe 4th of July.

Commissioner Holmes stated that he sent an email the previous week about looking into a robo caller for signs that were put up illegally. He stated that he got the request from Code Enforcement and that the email stated that two different plans are available. He requested a Work Session discussion on implementation of such a program. He stated that firefighters have been responding to nuisance calls that amounted to crimes and questioned the possibility for enacting a local ordinance to fine people for making such 911 calls to which the City responds. Mr. Zimmet stated that enforcement of the statute regarding false 911 calls was up to the State Attorney. He stated that he will look into this issue. Mayor Gerard stated that such calls were a part of the Police and Fire service. Commissioner Holmes complimented Fire staff on handling a large volume of calls during Tropical Storm Debby. He wished everyone a happy 4th of July.

Mayor Gerard stated that all departments that responded to Tropical Storm Debby did an amazing job. She wished Jonathan Evans good luck in his new job. She stated that one of the Sunshine Law exemptions allowed the City Commission to discuss litigation and union negotiations and that it was disappointing to see information shared in these meetings out in the public arena. She stated that this undermined the purpose of the meetings and trust among Commissioners and was not in the best interest of the City. She encouraged Commissioners to think about this for the next closed door session.

Mr. Craig stated that Friday was the last day for Jonathan Evans. He stated that Mr. Evans assisted with the Citizens' Academy for several years and was instrumental in obtaining donations of food and supplies for the Academy. He stated that Mr. Evans would be the Assistant City Manager in Haines City.

SUMMARY OF ACTION ITEMS

1. Request by Commissioner Murray that information be provided regarding the number of tactical shields in the Police Department's inventory.
2. Request by Commissioner Holmes that a Work Session discussion be scheduled regarding robo calls for signs that were put up illegally.
3. Request by Commissioner Holmes that a Work Session discussion be scheduled regarding the possibility for enacting a local ordinance to fine people for making nuisance calls to which Largo Fire

Rescue responds.

ADJOURNMENT

The meeting adjourned at 7:38 pm.

Diane L. Bruner, CMC, City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Holmes, Curtis A.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Largo City Commission
MAILING ADDRESS PO Box 296, Largo, FL 33779-0296	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Largo	COUNTY Pinellas
DATE ON WHICH VOTE OCCURRED July 3, 2012	NAME OF POLITICAL SUBDIVISION: City of Largo MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special private gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Curtis A. Holmes, hereby disclose that on July 3, 20 12 :

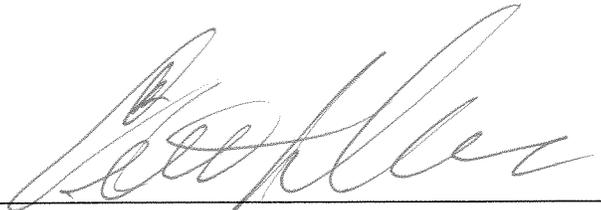
(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Item 5. Authorization for Commissioner Curtis Holmes to Attend the 2012 Florida League of Cities Annual Conference to be Held August 23-25, 2012, in Hollywood, Florida, in the Estimated Amount of \$1,120.48.

7 5 12
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.