

WEDNESDAY, AUGUST 18, 2010

A-70 Receive Commissioners Higginbotham and Sharpe's report regarding the Tampa Bay Water board meeting held on June 21, 2010.

A-71 Receive Commissioner Ferlita's report regarding the Tampa Port Authority meeting held on July 20, 2010.

F. COMMISSIONERS' SECTION

F-3 Direct the County Attorney's Office to review all pertinent State statutes and bring back to the Board an ordinance amendment that would permit the use of golf carts after sunset in self-contained, private retirement communities such as those in Sun City Center. (Chairman Hagan)

Mr. Merrill introduced the item. After outlining the reason for consideration noting current statute limitations and conditions for approval, asking the item be sent to the County Attorney's Office to look into the issue and report back with recommendations on an ordinance amendment that would permit the use of golf cart use after sunset in private retirement communities, and passing the gavel to Vice Chairman Sharpe, **Chairman Hagan made that motion, seconded by Commissioner Beckner.** Following remarks related to required safety enhancements, **the motion carried seven to zero.**

F-1 Board appointments to the following (continued from the July 14, 2010, meeting):

Public Library Board - Dr. Alma S. Hires.

Commissioner Norman moved to confirm, seconded by Commissioner Ferlita, and carried seven to zero.

G. STAFF REPORT

PLANNING AND GROWTH MANAGEMENT DEPARTMENT - 10:00 A.M. TIME CERTAIN

G-1 Receive the report from the Planning and Growth Management Department regarding the wireless communication tower study.

Mr. Merrill recalled Board direction, meetings held, and concerns expressed and recommended the Board form a formal committee comprised of community/industry representatives and independent volunteer experts. In response to Commissioner Higginbotham, Mr. Merrill expounded on anticipated committee makeup/appointments and meeting procedures. Commissioner Higginbotham cited public mistrust. Responding to Chairman Hagan, Mr. Merrill opined Board direction of committee scope would be helpful. Following discussion of technological expertise, balanced representation, and further dialogue, **Commissioner Beckner moved Mr. Merrill's recommendation.**

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Commissioner Norman felt Hillsborough County School Board representation was essential. Commissioner Ferlita commented on frustration and preferred hiring a consultant to serve the committee. After suggesting appointment of a Hillsborough County Medical Association Incorporated member, **Commissioner Higginbotham seconded the motion.**

Discussion ensued regarding legal issues not subject to consideration. County Attorney Renee F. Lee perceived a renewed beginning would benefit all. In response to Chairman Hagan, Mr. Merrill conceived committee recommendations could be presented by December 2010 or January 2011. Commissioner White sought clarification of legally permissible considerations in the interest of moving forward. In reply to Chairman Hagan, Ms. Carrie Grimail, 4423 West Estrella Street, agreed with committee establishment and expressed appreciation for the opportunity to meet and share ideas/concerns. Commissioner Ferlita sought to have County Attorney's Office representation at committee meetings. Attorney Lee concurred and touched on committee makeup. Attorney Jim Porter, with Adams and Reese LLP, 401 East Jackson Street, Suite 2600, representing interested parties, mentioned legal constraints in the context of the Land Development Code imposed by State and federal laws. Commissioner Beckner asked the County Attorney's Office to research surrounding County ordinances regarding the issue and wanted clarification of what was legally permissible for consideration. Mr. Merrill understood restrictions, thought those issues were best addressed in committee meetings, and sensed committee makeup should include members of unincorporated and incorporated County areas. Following clarification of model ordinance review, **the motion carried seven to zero.**

CONSENT AGENDA - REVISITED

Chairman Hagan requested reconsideration to withhold Item A-23. **Commissioner White moved to reconsider, seconded by Commissioner Beckner, and carried seven to zero.** Chairman Hagan called for a motion to approve the remainder of the Consent Agenda. **Commissioner Norman so moved, seconded by Commissioner Beckner, and carried seven to zero.**

Chairman Hagan called a recess at 10:28 a.m. and reconvened the meeting at 10:30 a.m.

B. REGULAR AGENDA

BUSINESS AND SUPPORT SERVICES DEPARTMENT - 10:30 A.M. TIME CERTAIN

B-1 (a) Consider the proposal for Change Order 1 to sole source Purchase Order POMB10348002, continuation of consulting services to implement

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- A-35 Receive Chairman Hagan's report regarding the Hillsborough County Aviation Authority board meeting held on August 5, 2010.
- A-36 Receive Chairman Hagan's report regarding the Tampa Bay Area Regional Transportation Authority board meeting held on August 27, 2010.
- A-37 Receive Chairman Hagan and Commissioners Beckner, Ferlita, and Sharpe's report regarding the Metropolitan Planning Organization board meeting held on August 3, 2010.
- A-38 Receive Commissioner Ferlita's report regarding the Southwest Florida Water Management District governing board meeting held on August 24, 2010.
- A-39 Receive Commissioner Beckner's report regarding the Juvenile Justice Task Force meeting held on August 24, 2010.
- A-40 Receive Commissioner Beckner's report regarding the Juvenile Justice Task Force meeting held on September 7, 2010.

B. REGULAR AGENDA

PLANNING AND GROWTH MANAGEMENT DEPARTMENT - 10:00 A.M. TIME CERTAIN

- B-5 Endorse the Interim County Administrator's recommended appointments to the Cellular Communications Advisory Committee. No financial impact would occur to the recommended budget with approval of the agenda item. There was no anticipated cost as a result of appointing members to the committee.

Mr. Merrill discussed previous Board direction, meetings held, staff recommendation, and committee makeup/representation; perceived the committee was balanced; and replied to Commissioner Higginbotham in regard to unincorporated area representation and appointees from the University of South Florida. Based on that, Commissioner Higginbotham moved to postpone approval of the membership until there was clear definition of unincorporated representation; see if there was somebody from the cities of Plant City and Temple Terrace (Temple Terrace) that had an interest in joining in and allow the university time to name their applicants before the Board voted on moving that forward, perceiving public buy-in was needed; and requested the item be moved to the next meeting. The motion died for lack of a second. Mr. Merrill responded to Chairman Hagan regarding a meeting date.

Remarks followed regarding identifying representation, community buy-in, moving forward, lack of unincorporated area representation, cell tower health effects, committee direction/makeup/balance, and reference to health/legal issues. County Attorney Renee F. Lee confirmed the Board and the committee could not make recommendations/regulations based on health effects. Commissioner White sensed no reason for delay based on the inability to

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recommend or enforce regulations and provided options. Commissioner Sharpe urged the Interim County Administrator to circumvent the committee from health discussions and move forward.

In answer to Commissioner Beckner, Attorney Lee commented on challenges to ordinances concerning health issues and advised federal laws were in place to avoid counties and governmental entities basing regulations on health effects. Commissioner Beckner noted the importance of legal guidance related to federal guidelines and regulations on what could/could not be addressed. Mr. Merrill explicated the committee purpose. Following annotations on topics of interest and bringing in additional resources, **Commissioner Beckner moved to move forward with the recommendations with the understanding that there might be flexibility as to the need for special experts that came in to address specific topics that needed to be covered for the group.** Mr. Merrill would commit to finding representation for Temple Terrace, if the Board decided to not delay the issue. Commissioner Higginbotham understood the legal limitations, reiterated community buy-in and medical/health issues, was not convinced about committee composition, and opposed moving forward. **Commissioner Ferlita seconded the motion** and asked to clarify the motion. Commissioner Beckner restated the motion, which included bringing in technical experts for specific conversations. **The motion carried five to one; Commissioner Higginbotham voted no.** (Commissioner Norman was absent.)

LIBRARY SERVICES DEPARTMENT - 10:30 A.M. TIME CERTAIN

B-3 (a) Accept a donation of \$116,819.24 from the Upper Tampa Bay Library Foundation Incorporated (UTBLF) to enhance the expansion of the Upper Tampa Bay Regional Library. (b) Approve a budget amendment appropriating an additional \$116,819.24 to the Upper Tampa Bay Library expansion project. That action increased the Upper Tampa Bay Library expansion project budget from \$2,655,000 to \$2,771,819. The donation did not require a County match.

Mr. Joe Stines, Director, Library Services Department, provided library expansion history. Mr. Brett Scharringhausen, president, UTBLF, introduced staff, commented on fundraising events, and offered a check for the Upper Tampa Bay Regional Library. Chairman Hagan made appreciative remarks. Mr. Daniel Klein, Chief Deputy Clerk to the Board, Clerk of the Circuit Court, said a motion to accept the donation was appropriate. **Commissioner Beckner so moved, seconded by Commissioner White, and carried five to zero.** (Commissioner Higginbotham was out of the room; Commissioner Norman was absent.)

COUNTY ATTORNEY'S OFFICE - 10:45 A.M. TIME CERTAIN

B-2 Discuss and provide direction to the County Attorney's Office regarding the resolution to establish policies governing the County Internal Audit

Dr. Navita James earned her Ph.D. in Communication in 1981 from The Ohio State University and has taught Communication at The University of South Florida, Tampa, for 29 years. Dr. James is former Chair of Africana Studies, has served as President of the Southern Communication Association, and is an Executive Committee Member of the National Communication Association.

Dr. James' expertise is in the area of diversity relations, and she brings extensive experience in facilitating groups, particularly those dealing with controversial issues. The University taps her skills annually to train new faculty to lead classroom discussions and to deal with diversity issues in the classroom. She has served as a facilitator for the National Episcopal Church and the Episcopal Diocese of Southwest Florida for their Anti-Racism Programs. She has also served as a facilitator for the Long Range Planning Workshop for the Florida Judicial Management Council, The Sylvia Rodriguez Study Circles, the Open Hearings of the Florida Commission on the Status of Women, and the Public Forum of League of Women Voters. Last year she was one of a small group of faculty recognized on the University's "Diversity Honor Roll," recognizing her contributions to diversity throughout the University and broader community.

Dr. James serves or has served as a Deputy to the General Convention of the Episcopal Church, Chair of the Florida Commission on the Status of Women, and Co-Chair of the Communication Committee of the Florida Judicial Management Council.

Dr. David Payne received his M.A. in Speech Communication and Human Relations from the University of Kansas in 1978 and his Ph.D. in Communication from The University of Iowa in 1982. He has served on the faculty of The University of Texas, Austin, and since 1988 has been Associate Professor of Communication at The University of South Florida, Tampa. He has chaired the Department of Communication, served as Director of Graduate Studies, and currently serves on the Faculty Council of the College of Arts and Sciences.

Dr. Payne's expertise is in the area of issues management, dealing with issues of advocacy, conflict, and public argument. He has worked with diverse organizations on the analysis and management of public issues, including the Internal Revenue Service, The National Conference of State Legislators, TECO, and the National League of Women Voters.

Dr. Payne is author of *Coping with Failure: The Therapeutic Uses of Rhetoric* (University of South Carolina Press "Studies in Rhetoric/ Communication"). He contributes to academic books and journals concerned with theories and practices of social influence and the psychological impact of media.

**Wade Trim Team Bios
Hillsborough County Communications
Facilities Regulations Update**

In response to Hillsborough County request for consulting services to update its Communications Facilities Regulations, the County specified the team qualifications to include a planner, land use attorney, communications engineer, structural engineer and architect. Key members of the Wade Trim team include the following individuals:

**David B. Gildersleeve – Senior Vice President, Professional Planner, Wade Trim, Inc.
Principal-in-Charge/Project Manager**

As a member of Wade Trim’s Board of Directors for 17 years, Dave Gildersleeve is intimately familiar with all phases of Wade Trim operations. With more than 35 years of urban and regional planning experience in Florida, 24 years with Wade Trim, Dave routinely serves as Principal-in-Charge, Client Manager and/or Project Manager on major public and private planning assignments. Areas of specific expertise include comprehensive plans, special area plans, land development regulations, urban design, economic development, urban redevelopment, community visioning and outreach, waterfront planning and design, parks and recreation master planning, community facility planning, capital improvement planning , grantsmanship, site analysis and feasibility studies, concurrency management, Developments of Regional Impact (DRI), and PD&E studies.

Dave is a seasoned public facilitator in workshop, public hearing, design charrette, focus groups, and advisory board settings. He served for eight years on Clearwater’s Community Development Board, four years a Chairman, facilitating quasi-judicial hearings associated with the final approval of public and private development proposals, including cellular tower applications. He also served as Chairman of the Pinellas Park Design Review Board.

Dave has a Bachelors of Science Degree and Masters of Urban and Regional Planning Degree from California State Polytechnic University and is an Executive Fellow, University of South Florida. He is a member of the Florida Chapter of the American Planning Association, Florida Planning and Zoning Association, American Public Works Association, and Society for the Marketing of Professional Services. Prior to joining Wade Trim in 1985, Dave served as DRI Coordinator for the Tampa Bay Regional Planning Council, Planning Director for the City of Pinellas Park, and owned Land Design Group, Inc., a planning consulting firm in Pinellas County.

**Nicholas. P. Lomako, AICP – Senior Professional Planner, Wade Trim
Project Planner**

Nick has over 27 years of diverse experience including land development code preparation and long range community planning. He has developed many special purpose ordinances in response to emerging issues including wind energy systems, wireless communications facilities, safescaping, community design, traffic impact, night sky preservation, electronic message display signs, big-box retail, and community gardens. Nick’s experience includes Euclidian and form-based zoning ordinances, land

use planning, corridor planning, capital improvements programming, project financing and public participation/group facilitation techniques.

Nick has extensive experience serving as a local planning official reviewing development proposals, providing municipal visioning and charrette facilitation, strategic planning and municipal consultancy. He has been with Wade Trim for over 26 years and holds a Masters of Public Administration Degree from Wayne State University and Bachelors of Science Degree in Urban Planning from Michigan State University.

**Sharon Heal-Eichler, RLA, LEED AP, Senior Professional Landscape Architect, Wade Trim, Inc.
Project Landscape Architect**

Sharon is an experience Landscape Architect with over 27 years of Florida experience. She is an award-winning designer and authority in project planning and landscape architecture. She has provided landscape and hardscape design for scores of municipalities and has over 15 years of experience reviewing cell tower applications as a Development Review Commissioner for the City of St. Petersburg. Sharon has provided landscape architecture design services associated with numerous types of public and private projects including parks, municipal buildings, schools, utility/infrastructure facilities and has written landscape ordinances.

Sharon has been with Wade Trim for 24 years and holds a Bachelor of Sciences Degree in Landscape Architecture from the University of South Florida.

**William “Chip” Hayward, AIA, CSI-CDT, Professional Architect, The LPA Group, Inc.
Project Architect.**

Chip enjoys a longstanding relationship with Wade Trim and has worked in Hillsborough County for over 25 years and is intimately familiar with local construction and land development issues. He currently serves as a Senior Architect and Project Manager with the LPA Group Architects & Engineers in Tampa. His 28 years of architectural experience has involved more than \$2.2 billion work of construction, including significant and high-profile projects throughout the Southeastern United States. Chip’s participation on this assignment will be in providing design strategies for stealth and camouflage transmission facilities. This extensive experience include a myriad of project types including government facilities, utilities, medical facilities and offices, aviation projects, office buildings hotels, high-rise structures, educational facilities, and recreational and sports complexes.

Chip holds a Masters and Bachelors of Architecture Degrees from Georgia Institute of Technology and is a member of the American Institute of Architects, and Design-Build Institute of America.

**Kevin P. Bauman, PE – Structural Engineer, Paul J. Ford & Company
Engineer/Communications Industry Specialist**

Kevin is a registered engineer in 37 states. For the past 28 years, Kevin has provided oversight of Paul F. Ford & Company’s guyed and self-supporting communication tower group. He is recognized as a national leader in the area of structural engineering relating to communications facilities. Experience includes fee estimating, project scheduling and coordination, communication tower drawings, calculations and specifications. Kevin has actively participated in the Telecommunications Industries Association Committee TR 14.7 “Structural Standards for Steel Antenna Towers and Antenna Supporting

Structures” since 1984. The ANSI/TIA/EIA-222-F is a design standard used throughout the United States as a guide to the design of steel communications towers and poles. The TIA-222 tower design standard is recognized by the International Building Code as the appropriate document us use for the design of telecommunications structures. Paul will be invaluable to the team in addressing safety issues related to towers and current and future industry trends.

Kevin holds a Bachelor of Architectural Engineering from Pennsylvania State University and is a member of the American Society of Civil Engineers and American Concrete Institute.

**Amanda Warner, AICP – Professional Planner, Wade Trim, Inc.
Project Planner**

Amanda has eight years of planning experience in the Tampa Bay area specializing in comprehensive planning, GIS, transportation planning, parks and recreation master planning, affordable housing studies, research and analysis, land development regulations, downtown redevelopment planning, research and analysis, and public facilitation.

Amanda’s knowledge of GIS, research skills and experience with public involvement make her a valuable resource to clients seeking outcomes based on informed decision-making. She holds a Bachelor of Arts Degree in Studio Art from Hollins University and completed graduate courses in Geography (Environmental Science and Policy/GIS), Architecture and Community Design at the University of South Florida.

Wade Trim, Inc.

Wade Trim is a multi-disciplined national urban planning, engineering, landscape architecture operating from 22 offices in nine states. We are no stranger to Hillsborough County having served the County on numerous planning and engineering assignments over the past two decades. Wade Trim opened its first Florida office in Tampa in 1984 and currently has five other offices located throughout the State. With annual revenues of nearly \$55 million and approximately 400 employees, the firm is consistently ranked in the top 500 design firms by Engineering News Record (ENR). We believe strongly in an innovative, collaborative and holistic approach to planning and design projects, often engaging specialists in a particular field to deliver solutions that meet specific client needs. Such is the case on this Communications Facilities Ordinance assignment where the team includes structural and communications industry specialists, a municipal land use attorney and registered architect.

Approximately 85% of our clients are public entities like the Hillsborough County Planning and Growth Management Department. Our municipal client base includes cities, towns, villages, counties, special purpose authorities, councils and commissions, and state and federal agencies. Remaining clients include private sector entities, which have enabled Wade Trim to provide a comprehensive approach to ordinance development. Effective public engagement and stakeholder involvement are at the center of most of our municipal assignments with most of our project managers experienced in working with stakeholder groups and the citizens at large.

CELLULAR COMMUNICATIONS ADVISORY COMMITTEE

MEMBERSHIP LIST

NAME	AFFILIATION	PERSPECTIVE
Stephanie Agliano	Tampa Electric	Affect of Government Regulation on Utility Provider
Bill Cook	Private Citizen	Impact of Towers
Laura Belflower	Private Attorney	Previous Zoning Administrator & Hearing Officer, Attorney Rep. for Cell Towers
Will Bissitt	Real Estate Broker/Developer	Affect of Cell Towers on Property Marketability
Michael Brooks	Private Attorney	Real Estate, Land Use and Citizen Interests
Richard E. Davis	Private Attorney	Real Estate and Land Use Attorney, Special Hearing Master for Several Local Governments
Carrie Grimail	Citizen Advocacy	Impact of Towers on Neighborhood Aesthetics and Children
Lisa Williams	Responsible Tower Placement of Tampa	Impact of Towers on Neighborhood Aesthetics
Manny Perotin	Private Citizen	Impact of Towers on Neighborhood Aesthetics & Children
David Smith	Private Attorney	Previous Tampa City Attorney, now represents Airport Authority with need to protect air space
Jim Porter	Private Attorney	Represents Clients with Interest in Siting Cell Towers, including School Board
Michael Rothenberg	Private Citizen	Impact of Towers
Lee Vaughan	Private Citizen	Impact of Towers on Neighborhood Aesthetics & Children
Denise Verril	Private Citizen	Impact of Towers on Neighborhood Aesthetics & Children
Dr. Tom Weller	USF	Director of Center for Wireless & Microwave Information Systems
Dr. Tom Mason	USF	Environmental & Occupational Health