

**CITY OF TEMPLE TERRACE, FLORIDA  
MAYOR AND CITY COUNCIL  
M I N U T E S**

**Regular Meeting  
Tuesday, August 21, 2007  
Council Chambers-City Hall**

Having been duly advertised as required by law, the regular meeting of the Mayor and City Council of the City of Temple Terrace, Florida, was held on Tuesday, August 21, 2007, in the Council Chambers at City Hall.

**PRESENT WERE:** Mayor Joe Affronti, Council Members Frank M. Chillura, Alison M. Fernandez, Ron Govin, Ken Halloway, and Mark A. Knapp, City Clerk Lisa Burns, City Manager Kim Leinbach, and Acting City Attorney Mark Connolly.

**ALSO PRESENT WERE:** Code Compliance Director Joe Gross, Parks & Recreation Director James Chambers, Fire Chief Keith Chapman, Finance Director Diane Reichard, Community Services Director Ralph Bosek, City Engineer Joe Motta, Public Works Director Steve Hodge, Police Chief Tony Velong, Human Resources Director Woody Hubbard, Assistant Community Services Director Ann Sheller, Deputy City Clerk Linda Brewer, Public Information Officer Michael Dunn, Assistant Library Director Armand Ternak, Senior Planner Suzanne Hicks, Cheri Donohue, Debbie and Keith Carson, Harry Hedges, Candace Remington, Chris Kay, Richard Reina, Ruth Morris, Fraser Hale, Daniel Morris, Ken Verrett, Sal H., Farooq Mohammad, Pamela Jo Hatley, Pete Alfonso, Jr., and several other persons.

There being a quorum present, Mayor Affronti called the meeting to order at 7:15 p.m., led the Pledge of Allegiance to the flag, and offered a brief invocation.

**Proclamations, Recognitions, and Special Presentations:**

**1. Recognition – Temple Terrace Eagle Scouts – Mayor Affronti.**

With a PowerPoint presentation depicting the area Boy Scout Troops, with listing of the Eagle Scouts within those Troops, and photographs of projects they have completed within the City of Temple Terrace, Mayor Affronti spoke of how impressed he is with the young people in Temple Terrace and particularly those represented in the City's five Boy Scout Troops, which have produced 93 Eagle Scouts. He remarked this is the 100<sup>th</sup> Anniversary of Boy Scouts, and he presented a number of statistics concerning the life achievements of Boy Scouts and requirements for Boy Scouts to attain the rank of Eagle Scout.

Fraser Hale, Advancement Chairman of the Gulf Ridge Council of Boy Scouts, which covers eight counties in west central Florida, expressed appreciation to the Council for honoring the Eagle Scouts, and stated that last year there were 217 Eagle Scouts in the Gulf Ridge Council. While he said he can't tell them the total number of hours, he said service projects ran somewhere between 100 and 500 hours each. He recognized Daniel Morris, who is here to represent the Eagle Scouts. Mayor Affronti added that Ruth and Marc Morris have four sons who have become Eagle Scouts; he expressed appreciation for all that these young men do for our community.

**2. Special Presentation – “Florida Police Choice Award” presented by Chief McLeod to Police Chief Tony Velong, President of the Florida Police Chiefs Association.**

Nolan McLeod, Police Chief of the Auburndale Police Department and Past President of the Florida Police Chiefs Association, presented the 2006 Police Chief’s President’s Award to Temple Terrace Police Chief Tony Velong. He commented he has known Police Chief Velong for ten years and observed his great leadership qualities in the Police Chiefs Association; he selected Chief Velong for this award for the motivation, encouragement, and inspiration Chief Velong has provided.

**Minutes of Previous Meeting:**

Upon motion of Council Member Chillura, seconded by Council Member Govin, and unanimously carried, the **MINUTES** of the August 7, 2007, Regular City Council Meeting were **APPROVED**.

**Public Hearings:**

**1. Conditional Use – New Global Holdings, Inc. (Continued from July 3, 2007)**

Mayor Affronti reopened the Public Hearing, which had been continued from July 3, 2007, relative to the application for a Conditional Use Permit by New Global Holdings, Inc.

Senior Planner Susanne Hicks said tonight they are continuing the Public Hearing for Conditional Use Application #07-01 and related Site Plan Application #07-03 for Global Holdings, Inc., which is a Site Plan and a Conditional Use Approval for a package liquor sales store. She continued that the Community Services Department has received a conditional use application and site plan submitted by Pamela Jo Hatley, Esq., and Peter Alfonso, Jr., Architect, on behalf of Global Holdings, Inc., applicant, for a proposed conversion of an existing convenience store located at 13406 N. 56<sup>th</sup> Street to a liquor package sales store.

The Senior Planner stated the request was continued from the July 3, 2007, City Council meeting to allow the applicant the opportunity to respond to Council Members’ requests for clarification and additional information about the site plan and proposed improvements to the existing structure. One of the requests, she said, was for the applicant to provide evidence that the owner would allow the applicant to make the proposed changes to the site plan; staff has received an executed copy of that agreement. Regarding the site plan, she said the applicant was requested to show that a six-foot, commercial-grade, white PVC fence would be installed on the north and south lot lines, indicate that an approximately 5-foot high concrete wall along the rear lot line is to remain on the property, remove the existing chain-link fencing, and clarify on the landscaping plan that the materials to be used are live oak trees with a viburnum hedge. Regarding the building, she said the applicant plans to change the façade by painting and adding stucco, improving the overhang of the awnings, adding more attractive window and door treatments, adding some architectural ornaments including a pediment-type roof and decorative columns, and reducing the window sign clutter.

The Senior Planner said the recommended Conditions of Approval have been altered to reflect that they have received the agreement between the owner and the applicant, and also that the property will be improved per the elevation that was submitted:

CONDITIONS OF APPROVAL – CU # 07-01/SPR # 07-01

1. Operation of Business shall be in compliance with City Code Chapter 3, Alcoholic Beverages, including hours of operation for establishments selling alcohol for consumption off the premises.
2. Alcoholic Beverage License - The applicant will provide evidence that a 3PS license (for sale of alcoholic beverages in sealed containers for consumption off the premises only) has been obtained prior to issuance of a certificate of occupancy for package sales store.
3. Building Elevation – All construction on the site will be substantially the same in appearance as shown in the concept elevations and renderings. [Based on Section 25.674] (Elevations were provided to Council and are a part of the official record.)
4. Property owner's consent to proposed improvements – Executed agreement between building owner and the business owner/tenant permitting the proposed improvements to the building and site will be provided prior to issuance of infrastructure permits.
5. Existing Structural Deficiencies – Existing structure and accessories will be brought into compliance with all City building and fire codes, including electrical and fire safety, and hydrant locations. Existing chain link fencing will be removed and a 6' high commercial grade PVC fence will be installed along the north and south lot lines west of the principal structure (existing concrete block wall along west lot line will remain) prior to issuance of a certificate of occupancy for package sales store.
6. Right-of-Way Permit – Applicant will provide evidence that a Hillsborough County permit for work in the right-of-way has been obtained prior to issuance of infrastructure permits.
7. Exterior Light Plan – Applicant will provide verification that the existing parking lot and area lighting illumination complies with minimum Code standards prior to issuance of certificate of occupancy. [Section 25.640(a) (4) and Section 25.640(d) (9)]
8. Free-Standing Sign – The free standing sign is an existing non-conforming sign due to its location less than five feet from the north and east property lines. Any modifications to this sign shall be required to comply with City Code regulations regarding non-conforming signs. [Section 25.765 and Section 25.825.2]
9. Window Signs – All window signs, including but not limited to, size, number, type, and location, shall comply with the City sign ordinance. [Section 25.765]

10. Dumpster Enclosure – The dumpster enclosure shall be constructed of materials and colors including brick stucco finish\* that match those of the principal structure. [Section 25.640(a)(1) and 25.640(d)(3)] [\*As amended by City Council during the August 21, 2007 public hearing.]
11. Parking Area – Parking lot pavement markings will include stop bars and will appropriately delineate the loading zone, pedestrian crosswalk, and ADA accessible parking and ramp.
12. Landscaped Areas – The existing pavement on the south side of the property, between the future dumpster location and the east property line, shall be replaced with a pervious, green landscape area with curb. A landscape plan with irrigation system showing water line connection and coordinated with locations of lighting and utility structures will be provided prior to infrastructure permitting. [Section 25.780.7]
13. Expiration of Conditional Use/Site Plan - If the conditional use is not established within six (6) months from the date of approval, then the approval shall be null and void, except that City Council may grant one six month extension to said approval. [Section 25.535(e)]

All approved site plans are valid for six (6) months from the date of approval. When approval lapses, the new submittal must meet the rules, regulations, standards and criteria in force on the date of “acceptance.” Also, the building permit issued for the site shall be automatically revoked without further action by the City unless site clearing and substantial construction has been commenced within 180 calendar days after the date City Council approves the site plan; provided, however, City Council may grant one extension of up to 180 days within which site clearing and substantial construction must be commenced. The applicant must begin and substantially complete the development within two years from the time of final approval. If the development is to be constructed in stages, the applicant must begin and substantially complete the development of each stage within two years of the time provided for the start of construction of each stage in the development schedule. [Section 25.115 and Section 25.645]

Based on the additional information that has been submitted by the applicant, the Senior Planner said staff has recommended approval. She said the applicant representatives and the applicant are present to answer any questions Council may have.

Council Member Fernandez said that there are some concerns about a liquor store in general. Acknowledging that the owner would not want any problems, she asked how problems with persons loitering are addressed, questioning if these are normal Police or Code Enforcement issues. The City Manager responded affirmatively, coupled with the fact that there is no on-site consumption allowed.

Council Member Knapp said the Senior Planner mentioned in the presentation that there would be exterior façade improvements; however, looking at the picture provided, he couldn't see any.

The Senior Planner responded that the picture shows the façade will be stucco and painted, to which Council Member Knapp said the picture shows stucco and block. Mayor Affronti noted there are two pictures provided – one of the existing and one of the proposed.

Pete Alfonso, 5001B North Nebraska Avenue, Tampa, said they are changing the color of the awning to match the render; the sign will stay but they will add the top roof; they are putting cornice molding on the wall that currently sticks up there with nothing on the end; they are putting columns next to the window to soften the front view; and there are landscaping and paving improvements. He noted the orange color will be gone.

Council Member Knapp clarified that the aluminum roof will remain, but it will be painted, and the existing stucco brick finish will also remain, but will be painted. Mr. Alfonso noted they will also stucco the dumpster pad to match the building.

Council Member Knapp said the site plan is clear, but he continues to have concern about the elevation.

Council Member Chillura said he shares the same concerns, stating that he thought there would be a different look, not just a painted exterior and a couple of columns added to the building. He said he was surprised, because normally when they have site plans, they get an elevation from all sides, while this is just a picture of the front. He continued that the landscaping looks wonderful, but the change to the building appears to be the bare minimum. He cited as an example, the improvements made to the nearby Beverage Castle. Mr. Alfonso concurred, but noted these improvements are being done by the lessee and not the owner, like the Beverage Castle. He said if he owned the property, he would do a lot more. Council Member Chillura said that at the last meeting it was indicated that there were going to be substantial improvements to the building, but looking at it, that does not appear to be the case.

Council Member Govin noted that the dumpster is being relocated and sheltered. Mr. Alfonso added that there will also be landscaping by the dumpster, and while it doesn't show on the rendering, there will be landscaping down the side.

Mayor Affronti commented, in his opinion, it is asking a lot to ask a lessee to spend lots of money, adding that he believes the landscaping is great and adds a lot to the location, compared to how it is now. He said he hopes Council will move forward with the request.

Council Member Knapp asked about the licensing for package liquor. He questioned whether it travels with the owner or stays with the property. He explained his concern that the City is granting a Conditional Use to the facility. Farooq Mohammad said the license stays with the business; if he sells the business to someone, it would stay with the location. He said he can take his license and his business to another location. Council Member Knapp confirmed with Mr. Mohammad that the license stays in the business entity. Council Member Knapp said the City is very conservative about allowing package stores, and they look for certain things to ensure that their expectations are being met, and there are concerns because he is renting the property.

Mr. Mohammad said he has a 12- to 15-year lease with the owner and has no intention of moving. He said if he did have to move, he can either take his license with him or sell it along with the business.

Council Member Chillura asked that if this does go forward, to keep it consistent, he would like them to do a brick stucco on the dumpster so that it will match the building. Mr. Mohammad and Mr. Alfonso concurred and said that could be added as a condition. Mr. Alfonso also commented, in response to Mayor Affronti's question, that they have no problem with the Conditions of Approval presented to them by staff.

Stating this will not affect his vote, Council Member Knapp questioned whether Mr. Mohammad is planning to keep the bright yellow sign, commenting that it doesn't appear to match his new exterior finishes. Mr. Mohammad said he would change it, if they want him to do so. Mayor Affronti suggested Mr. Mohammad work with staff to come up with a more attractive sign, to which Mr. Mohammad agreed.

Upon motion of Council Member Govin, seconded by Council Member Hallway, **RESOLUTION NO. 081-07(m)**, was **ADOPTED**, approving the Conditional Use Application # 07-01 and related Site Plan Application #07-03 for Global Holdings, Inc., amended to provide that the dumpster enclosure have a stucco finish matching the exterior of the building and site plan. Vote on the motion being: Council Members Chillura, Fernandez, Govin, Hallway, and Knapp voting "aye," no "nay."

Prior to vote on the above motion, Council Member Knapp reiterated that it is within Mr. Mohammad's discretion to work with staff regarding appearance of the existing wall sign.

**Persons Wishing to be Heard on Items NOT Listed on the Agenda:**

Richard Reina, 216 Inverness Avenue, commented he has been out of town and missed the discussion on the alligator issue, but could see it was a struggle. He suggested that in those types of issues it might help to determine whether it involves an isolated issue or a condition; a lot of these decisions are really difficult. He continued that he wanted to congratulate the City Engineer and others responsible for the roundabout by the Country Club, stating it is absolutely beautiful.

Harry Hedges, representing Bella Terraza, briefly presented a national program called Hometown Heroes, which offers attractive mortgage rates for teachers, law enforcement officers, firefighters, and healthcare professionals. Mr. Hedges explained they have a program for those individuals, which includes almost \$600,000 in grants, not to be repaid, and not just for purchasing property in Bella Terraza, but other areas; Bella Terraza is partnering with Mercantile Bank to offer that program. He said since this is the first development in the new downtown redevelopment area, they wanted to go on record to say this is a great way to reward those citizens.

Candace Remington, representing Mercantile Bank, reiterated the grants available to that select group of individuals and emphasized the below market interest rates offered in the program. Ms. Remington said interested persons may contact her or their local bank. The City Manager said he thought it was a good program to benefit City employees and other individuals.

**There was no Correspondence, communications, petitions, no presentations before the Council, and no Site Plan Reviews for consideration and action.**

**Resolutions for Consideration and Action:**

The City Manager read through and briefly explained the two Resolutions listed on the Consent Agenda.

Council Member Govin pulled Resolution No. E-2 for further discussion.

Upon motion of Council Member Govin, seconded by Council Member Chillura, and unanimously carried, Resolution E-1 was adopted by consent, being:

**RESOLUTION NO. 082-07**, approving the agreement between the City and the Greater Temple Terrace Chamber of Commerce; said agreement with funding in accordance with the City's Fiscal Year 2007-2008 budget.

Regarding Resolution No. E-2, Council Member Govin said as he read through the information presented on this Resolution, he was also reading through the mutual aid report. He remarked that the report, coming from Hillsborough County, indicates that the Temple Terrace Fire Department has assisted Hillsborough County with 110 incidents compared to Hillsborough County assisting Temple Terrace with 35 incidents; technically, the City has covered 75 incidents for Hillsborough County. He said those covered for Tampa are shown on the report also and are even higher. In total, he said the City has covered 205 incidents for the City of Tampa or Hillsborough County and have received aid in only 62 incidents, concluding there is a tremendous imbalance. Referring back to the grant funds, he said he didn't see anything in here as to the allocation of these funds. He noted the total amount coming in to Hillsborough County is \$360,182 and of that the City receives \$18,009, which doesn't sound like a good balance. In addition to that, he said he is concerned that the City is continuing to give them heavy mutual aid. While he is grateful for the amount the City is proposed to receive, he said it seems as though they should be talking to Hillsborough County relative to the imbalance of mutual aid and allocation of these grant funds.

Mayor Affronti asked the City Manager to report on the meeting that he and the City Manager had with the County Administrator several months ago.

Commenting that he agrees with Council Member Govin's conclusions, the City Manager said he and Mayor Affronti approached the County with the concept of Hillsborough County reimbursing the City on a per-call basis.

The City Manager continued that Fire Chief Chapman has talked with his counterpart in Tampa, the administration is diligently considering those discussions, and will report back to the Council. He said they do realize there is an out-of-balance contribution of effort. Overall, he said the mutual aid is beneficial to the City as the City can handle the day-to-day operations, but does not have the manpower or resources for major events. He concluded that on a day-to-day basis, the mutual aid is out of balance and is something they are working on.

Mayor Affronti said that the other thing the County mentioned was that they were planning to build another fire station, which they thought would alleviate the imbalance.

Relative to the mutual aid issue, Fire Chief Chapman reported that as a result of the recent property tax legislation, most of the stations and additional firefighters in the County will be cut in the coming year. Chief Chapman said most people don't realize the seriousness of the response numbers in this particular area. He stated that Hillsborough County has Fire Rescue Station 14 located right behind University Square Mall and the City of Tampa has Station 20 located right by Busch Gardens. He said those two stations are the closest neighboring mutual aid stations to Temple Terrace; however, those two stations are ranked in the top 20 busiest fire stations in the United States, with Fire Rescue Station 14 running about 8,000 calls per year, while the City of Temple Terrace runs about 3,000 calls per year. He said when the City calls for mutual aid, those two stations are unavailable about 70% of the time, which means a truck comes from a lot further away, and is why the County had planned for the new fire stations and firefighters, but the tax reform put a halt on that development.

Fire Chief Chapman continued that he has been working closely with Fire Chiefs from Hillsborough County and the City of Tampa reviewing data and looking for ways to reduce those numbers. When calls come out, he said they respond and handle them in the best capacity they can. He commented the City does greatly depend on their mutual aid counterparts, not only for specialty services, such as hazardous materials and specialty rescue, which are very pricey specialized programs they are required to have available to respond, but also on a "first alarm" working structure fire, they are pulling from mutual aid units to help the City because the City does not have enough firefighters on duty to cover a full alarm requirement. He noted they have had several multi-alarm fires in the last year, reiterating they depend on them to provide that support to the City.

Relative to the grant funds, Fire Chief Chapman said he believes it is appropriated on a per capita basis between Plant City, City of Tampa, Temple Terrace, and Hillsborough County. He said it is generally about the same amount each year to help pay for some unfunded mandates, such as a new medical device for the rescue cars being required in January.

Council Member Govin said his question is whether it is a fair and equitable division of the grant funds, adding that per capita can be determined in a number of different ways. He asked whether anyone has looked at the formula. Fire Chief Chapman acknowledged he has not looked at the formula, but said he could do that. Chief Chapman noted it is regulated by the State and reported by the County, adding that the City also provides reports relative to the grant funding. He said he could get the specific calculation for the Council.

Council Member Govin said he would like to have a report on how that is proportioned and whether staff feels it is fair and equitable. He said he wouldn't hold up the Resolution, but reiterated he would like to see the report. He added that on a future agenda he would like to have a report on the mutual aid.

The City Manager commented that a number of their Interlocal Agreements are based on per capita, which has hurt the City because the City hasn't grown as exponentially as Plant City or Hillsborough County; they have gone up [per capita] while the City has remained relatively stable. He said the administration will be glad to provide both requested reports.

Upon motion of Council Member Govin, seconded by Council Member Chillura, **RESOLUTION NO. 083-07 was ADOPTED**, approving the Interlocal Agreement between the City and Hillsborough County to distribute \$18,009.00 of the funds from the State Department of Health Emergency Medical Services Grant. Vote on the motion being: Council Members Chillura, Fernandez, Govin, Halloway, and Knapp voting "aye," no "nay."

**There were no Proposed Ordinances for Consideration and Action.**

**Unfinished Business:**

Council Member Govin asked the City Manager to read into the record the letter sent to the Florida Fish and Wildlife Conservation Commission that includes the tenets, so that everyone understands the City did not pass a carte blanche hunting season.

The City Manager said the letter was addressed to Mr. Lindsey Hord, Coordinator, Statewide Nuisance Alligator Program at the Florida Fish and Wildlife Conservation Commission:

"At its August 7, 2007, regular meeting, the City of Temple Terrace City Council unanimously adopted a resolution, directing the administration to proceed with establishing a "Targeted Harvest Area" (THA) along the Hillsborough River within the City limits. Additionally, the City Council has stipulated the following THA conditions:

- Ninety-day (90) trial period
- Alligators nine (9) feet or longer only
- No firearms with the exception of a bang stick
- Trappers must check in with the Temple Terrace Police Departments' Marine Patrol Officer prior to and after retrieval
- Monthly reporting of the number of alligators harvested
- Valid on those portions of the Hillsborough River located within the Temple Terrace corporate limits
- Subject to immediate cessation

The THA request stems from information residents provided several weeks ago of an alligator consuming a dog. As a result, City elected officials determined large alligators could be a nuisance or a perceived threat. The City has control, specifically by the Marine Officer's patrol, of the proposed THA. A map depicting the general location is enclosed."

Council Member Halloway displayed a flyer he received in his mailbox, with large type, asking the City of Temple Terrace to stop killing alligators. While he is used to being lobbied for one thing or another, he said this is not the way to go about it. He said he hopes the citizens of Temple Terrace understand what they are trying to do and why. He said he believes the letter read by the City Manager explains it all. He said they are not out to kill alligators; the program is very restrictive, and well thought out.

Relative to the Temple Terrace River Watch Task Force mission, Council Member Chillura said he wanted to report on a couple of issues coming up and briefly read to them from *Partners in Planning, River News*, in reference to what SWFWMD will be approving in the near future. He commented it is of grave concern to the river as it passes through Temple Terrace and he feels strongly that too little attention is being given to it. He noted the River Board is comprised of persons from the Planning Commission and each jurisdiction. He read the following:

***"300+ DAYS and SHIFTING WATERS***

Since October 4, 2006, there has been no freshwater inflow into the lower Hillsborough River from upstream of the dam. That translates roughly into over 300 days of no flow of freshwater into the lower Hillsborough River [Council Member Chillura commented that no water is flowing over the dam because the level is too low; the water that would flow over the dam is the water that would flow through Temple Terrace] with the exception of minimal storm water contributions during spotty rain events that happened downstream of the dam. This number, 300, has been appearing with more frequency since records have been kept. This is due lack of rainfall in some years. Freshwater flow to the lower river has also decreased because demand by water managers for more water. This has kept the reservoir level [Council Member Chillura said they call the river, as the City knows it, the reservoir] lower than the 22.5-foot top of dam flow stage. Both these factors have become more prevalent in recent times, but help is on the way."

Council Member Chillura asked that they pay particular attention to comments from the River Board as to how they feel it would affect the portion of the river, stating that at the By-Pass Canal at Harney, SWFWMD is planning to approve taking the water out at the By-Pass Canal and instead of pumping it back into the river so it flows through the river to the dam, they want to pipe it around and about; they're going to take it out of the river, but they are not going to pump it back into the river so that it flows naturally through the rest of the river – they're going to pipe it out of the river to the Tampa plant. The lower part of the river, as Temple Terrace knows it, through Temple Terrace from the By-Pass Canal all the way to the dam. is not going to be receiving the water that it receives, he said.

Council Member Chillura continued reading from the article:

“The Southwest Florida Water Management District, in an agreement worked out with the City of Tampa, Tampa Bay Water and Friends of the River, [Council Member Chillura noted that Temple Terrace is not included in that agreement] will soon adopt a rule that will require a minimum of 20+cfs of freshwater to the lower river. Interestingly enough, none of the water is “new” to the lower river with the exception of some water from the Tampa by-pass canal that may or may not have been introduced to the river anyway. This agreement proposes to shift Sulphur Springs, Blue Sink, and by-pass water from where they now enter the lower river system and focus a portion of these flows at the face of the dam, creating a minimum flow that is to benefit a very limited portion of the lower Hillsborough River basin with freshwater inflow. In this plan, Sulphur Springs and the by-pass canal will pay an ecological price for these diversions of water. The District’s mandate in setting minimum flows (mfl) was to prevent further harm to ALL water bodies, not pick and choose which ones can suffer further degradation to meet the mfl needs and keep water suppliers satisfied. While it is worthy to note the attempt to establish an mfl for the lower river, the State’s directed intent and outcome in this case falls short.

This situation is like having three hundred dollars in your wallet or purse consisting of different denominations of bills. You can shift the bills back and forth, in order of ascending or descending currency value, or leave them all jumbled up. You still only have three hundred dollars. No more, no less. You haven’t added any value. The same principle holds true in the proposed mfl rule for the lower river. While in trying to “enhance” the use or value of the water sources available to meet an mfl, those sources aren’t improved as proposed. In some cases they will be diminished and that shouldn’t be supported.”

Council Member Chillura commented that the River Board is actually seeing that there is a problem out there. He said the Task Force, with great assistance from the new Liaison, Joe Gross, has proposed a draft letter that they would like approved by Council to forward to the SWFWMD Board Members to express their concern. Basically, he said they have been sitting at the starting line and spinning their wheels; it is starting to take off now. He said it is time for some action, commenting they have been promised studies and nothing is happening; they have an August 28, 2007, 9 a.m. (very important) meeting at SWFWMD in Brooksville, where they will discuss the rule change, addressing the water to be taken out of By-Pass and piped down to the dam. He said Mr. Gross is planning to attend that and while he [Council Member Chillura] has a conflict that day, he or another member of the Task Force will also attend the meeting to make a presentation to the SWFWMD Board. He emphasized the seriousness of this issue and said the City needs to speak out now or will face major issues. He said there is a huge reservoir to the south and another one proposed; they are trying to do all they can to fill that reservoir, but it is at the cost of the river, as they know it, in Temple Terrace. He noted that is primarily the source of Tampa Bay Water as it goes into the By-Pass Canal.

Council Member Chillura said he draws attention to this because they see the storm coming, and he hopes that issue will be addressed by the River Board also, adding it is a very political issue and SWFWMD has the ability to set parameters. He said he isn't sure the City is at the point of having SWFWMD take a firmer action. He said they will continue to pursue this, but said it is starting to get elevated now that they will be attending SWFWMD meetings and speak out. He asked for the Council to consider and approve the drafted letter to forward to the SWFWMD Board. He concluded that Liaison Joe Gross has the agenda for the August 28 meeting if anyone has any questions.

Upon motion of Council Member Govin, seconded by Council Member Fernandez, **RESOLUTION NO. 084-07(m)** was **ADOPTED**, directing that the letter proposed by the Temple Terrace River Watch Task Force be sent to the Southwest Florida Water Management District on behalf of the Council. Vote on the motion being: Council Members Chillura, Fernandez, Govin, Hallway, and Knapp voting "aye," no "nay."

Mayor Affronti reminded the City Manager that they also wanted to meet with Victor Crist about this and other issues. The City Manager said he has been talking to the lobbyist about that.

### **City Manager's Report:**

The City Manager acknowledged the Community Services Department and specifically Tom Moore, who took a lead position, in regard to school concurrency. He said it is his understanding that all of the jurisdictions in Hillsborough County agreed with the Council's decision about the 95%, adding that was quite a coup. Mayor Affronti said the County Commission still has to approve it, but it is believed that they will do so.

The City Manager announced that for the 29<sup>th</sup> year, the City has been honored for excellence in financial reporting by the Government Finance Officers Association for its Comprehensive Annual Financial Report. He said the Finance Department and all of the City's Department Directors are to be commended for this honor.

The City Manager asked Public Information Officer (PIO) Michael Dunn to brief the Council on new legislation that may impact our cable television and local government channel.

The Public Information Officer said the City received a letter from Bright House Networks recently, stating that they are realigning channels in Tampa Bay, and as part of that, they will be moving their government channels to the lowest digital tier effective December 11. He explained this means that a Bright House subscriber would have to subscribe to the digital tier to receive the government channels after that date or purchase a converter box from Bright House at a discounted rate. In addition, he said the Consumer Choice Act of 2007, recently signed by Governor Crist, will require the City to broadcast 10 hours per day of municipal programming, five hours of which cannot be repeated; the scrolling bulletin board would not count towards this requirement. He said the City would have to come up with a lot of programming to meet this requirement, which will be very difficult to do, adding that County representatives have said they will have a tough time, too.

The Public Information Officer said he has talked to the Bright House General Manager, who has indicated that as long as the City is showing a good faith effort, taking this seriously, and trying to get programming on there to reach the residents, they won't cut us off. The Public Information Officer said he does have two programs he will introduce next week; one is *Timeline Temple Terrace*, which is a documentary on Temple Terrace, and the other is a water management program narrated by Hal Holbrook.

Council Member Halloway confirmed with the Public Information Officer that Verizon is not planning any changes; only those with Bright House who do not have digital cable will be affected. Mayor Affronti questioned whether they would be able to run scrolling, to which the Public Information Officer responded they would be able to run the message scrolling, but not ten hours a day; he did not have an exact date when those changes would take effect. While the law is in effect now, he said they realize everything is being phased in; over the next few months the City has to increase its level of programming.

Council Member Govin commented that during the Planning Commission presentation in the work session meeting, one of the things they talked about was trying to partner with other agencies. He questioned whether USF or MOSI may have a lot of programming that doesn't get aired. The Public Information Officer said he has already placed calls to USF and Hillsborough County, but had not thought of MOSI; he will follow up with MOSI, adding that perhaps they can partner with some of them to provide the required programming.

Council Member Fernandez questioned who would pay for the programming, asking whether the City would buy programming already produced. The Public Information Officer responded he didn't believe the City had any funds to use for that purpose; they will have to rely on programming already done and contributed at no cost.

**There was no New Business to come before the council for consideration and action.**

There being no further business to consider, upon proper motion, the meeting was adjourned at 8:16 p.m.

Joseph A. Affronti, Sr.  
Mayor

Frank M. Chillura, Council Member

Alison M. Fernandez, Council Member

Ronald A. Govin, Council Member

Attest:

Ken Halloway, Council Member

Melissa E. Burns, MMC  
City Clerk

Mark A. Knapp, Council Member