

**BOARD OF COUNTY COMMISSIONERS
TUESDAY, JUNE 6, 2006 – 9:33 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Kenneth T. Welch, Chairman; Ronnie E. Duncan, Vice-Chairman; Robert B. Stewart; Karen Williams Seel; Calvin D. Harris; Susan Latvala; and John Morroni.

Members Late: None.

Members Excused: None.

Others Present: Stephen M. Spratt, County Administrator; Dennis R. Long, Managing Assistant County Attorney; Claretha N. Harris, Chief Deputy Clerk; and Arlene J. Kennare, Deputy Clerk.

INVOCATION: Dr. Andrew Strachan, North Dunedin Baptist Church, Dunedin.

PLEDGE OF ALLEGIANCE: Commissioner Seel.

PROCLAMATIONS AND AWARDS

Presentation of Coastal America 2005 Partnership Award for the Fort DeSoto Ecosystem Restoration Project by Vice-Chairman Ronnie E. Duncan to Guillermo "Billy" Bay, Public Works Engineering Supervisor, Utilities; and Eric Fehrman, Environmental Manager, Environmental Management.

CITIZENS TO BE HEARD

Liz Young, Clearwater, Magic Beans Village Foundation
Beth Harre-Orr, Tampa, Magic Beans Village Foundation
Dr. Patricia B. Wilmoth, Palm Harbor, Magic Beans Village Foundation
Carl R. Lavender, Jr., St. Petersburg, Children with Disabilities; Magic Beans Village Foundation

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

SCHEDULED PUBLIC HEARINGS – BCC

- # 1 First public hearing held re a proposed ordinance relating to solid waste management and disposal facilities; second public hearing for the proposed ordinance to be held on June, 20, 2006. One letter in opposition to the ordinance has been received. Comments of Robert M. Brumbeck, Clearwater were noted.

- # 2 Ordinance No. 06-44 adopted providing that Section 2-178(b) of the Pinellas County Code relating to contracting for designated professional services be amended. No correspondence has been received. No citizens appeared to be heard.

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

- # 3 Ordinance No. 06-45 adopted amending the adoption ordinance to correct a citation error with respect to a future land use map amendment which changed the land use designation of certain property. No correspondence has been received. No citizens appeared to be heard.

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

Responding to query by Commissioner Stewart, County Administrator Spratt indicated that he will provide an update re Terra Excavating.

- # 4 Ordinance No. 06-46 adopted amending Section 138-1281 of the Pinellas County Land Development Code to provide for limitations on the number of accessory utility sheds and storage buildings which may be permitted on residential properties. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Seel
Second - Commissioner Duncan
Vote - 7 – 0

SCHEDULED PUBLIC HEARINGS – WATER AND NAVIGATION CONTROL AUTHORITY (WNCA)

- # 5 Dredge and fill application No. D/F1702-06, Frank Burkett/WD Development, LLC, 400 Meres Boulevard, Tarpon Springs (Anclote River) subject to the following conditions:

1. Turbidity control devices must be properly installed prior to commencing and maintained throughout dredging. In the event of turbidity problems outside of the immediate work area, the applicant or contractor must take immediate corrective action.
2. The applicant may begin dredging during the appeal period at their own risk. Should an appeal be received during the 30-day appeal period, the applicant is advised that it may result in a rehearing of the application and possible revocation of the permit pursuant to the appeal procedure in Section 166-288 of the Pinellas County Code.

One letter in opposition to the application has been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

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

- # 6 Private dock application No. P36609-05/Revised, Thomas E. Smith, 19801 Gulf Boulevard, Indian Shores (The Narrows) approved; two letters in opposition to the application have been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

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

- # 7 Private dock application No. P36038-05/Revised, Patrick and Deborah Garrigan, 2063 North Pointe Alexis (Lot 129), Tarpon Springs (Anclote River) approved subject to the following conditions:

1. The pier is not to have any lower landings at any time.
2. The entire terminal head of this pier is to be railed. The rail must be of standard height for a handrail and have a midrail halfway between the top rail and deck surface.
3. The pier surface is to be elevated to a height of five feet above Mean High Water.
4. The use of this structure to accommodate the loading or off loading or the mooring of vessels with motors is strictly prohibited.
5. The pier is subject to periodic inspection by the Department of Environmental Management in order to review for compliance with these conditions.

Four letters in support of and one in opposition to the application have been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

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

- # 8 Multi-use dock application No. M36989-06, GFB Development, LLC, 125 and 143 Island Way, Clearwater (Clearwater Harbor) approved; no correspondence has been

received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

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

9 Multi-use dock application No. M36555-05/Revised, Westwinds Group, LLC/Bay Pines Manor, Inc., 10265 Gulf Boulevard, Treasure Island (Boca Ciega Bay) approved subject to the following condition:

1. Mooring is prohibited on the landward side of the 35.6-foot catwalk that is parallel to the seawall on the southern end of the project. A sign must be posted prohibiting mooring in this location and requiring bow-in mooring in the southern two slips.

One letter in support of the application has been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

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

#10 Commercial dock application No. CA36856-06, Anthony Amico, Danto Holdings of St. Pete, LLC, 11125 Gulf Boulevard, Treasure Island (Boca Ciega Bay) approved; one letter and one affidavit containing ten signatures in opposition to the application have been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

Motion - Commissioner Latvala
Second - Commissioner Duncan
Vote - 7 - 0

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

#11 First public hearing held re proposed amendments to the Countywide Rules that determine what countywide amendments qualify as subthreshold amendments. Second required hearing to be held on June 20, 2006. No correspondence has been received. No citizens appeared to be heard.

#12 Ordinance No. 06-47 adopted approving the proposed amendments to the Beach By Design special area plan; approving a related amendment to the City of Clearwater's Future Land Use Plan Map; and requiring the City to incorporate applicable portions of the City's Future Land Use Plan Map within the Beach By Design special area plan. No correspondence has been received.

Pinellas Planning Council Executive Director David P. Healey provided a summary of the proposed amendments to the Beach By Design special area plan; and in response to

queries by Commissioner Seel, explained that the additional density provided by the transfer of development rights is an internal shift; and that it will not increase the overall density.

Responding to queries by Commissioners Stewart and Latvala, Mr. Healey explained the process a municipality must use to effect a substantial amendment to a special area plan; and indicated that the County must rely on the municipality to assure that proper infrastructure is in place; whereupon, County Planning Director Brian Smith explained the reasoning used by staff in its recommendation to approve the amendments.

City of Clearwater Assistant Planning Director Gina Clayton related that the use of transfer of development rights in Clearwater Beach is a function of economics; that there are concurrency requirements and other internal controls in place to ensure that an acceptable level of service will not be degraded; and that a density pool was established for Clearwater Beach in order to provide incentive for resort developers.

During discussion and in response to queries by Commissioners Seel and Morroni, Ms. Clayton related that development agreements are in place with developers building along Beach Walk; and that the community has voiced its support for these amendments; whereupon, Commissioner Seel indicated that she could not support the unlimited increase in density which could result from the proposed transfer of development rights.

Following further discussion, Commissioner Stewart moved, seconded by Commissioner Morroni, that the Ordinance approving the proposed amendments to the Beach By Design special area plan, approving a related amendment to the City of Clearwater's Future Land Use Plan Map, and requiring the City to incorporate applicable portions of the City's Future Land Use Plan Map within the Beach By Design special area plan, be adopted; and, upon call for the vote, the motion carried six to one, with Commissioner Seel casting the dissenting vote.

SUBTHRESHOLD AMENDMENTS

#13a Ordinance No. 06-48 adopted approving Case No. CW 06-25, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from commercial general to residential urban, re 0.1 acre located on the south side of 8th Avenue North, approximately 80 feet east of 34th Street North (subthreshold amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred; no correspondence has been received; no citizens appeared to be heard.

Motion	-	Commissioner Morroni
Second	-	Commissioner Duncan
Vote	-	7 - 0

#13b Ordinance No. 06-49 adopted approving Case No. CW 06-26, the proposal by the City of Pinellas Park to amend the Countywide Future Land Use Plan from institutional and preservation to residential urban, re 6.5 acres located at 8021 60th Street, (subthreshold

amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred; no correspondence has been received; no citizens appeared to be heard.

Motion - Commissioner Morroni
Second - Commissioner Duncan
Vote - 7 - 0

#13c Ordinance No. 06-50 adopted approving Case No. CW 06-27, the proposal by the City of Largo to amend the Countywide Future Land Use Plan from residential urban and residential/office/retail to residential low medium, re 3.5 acres located on the northwest corner of Clearwater-Largo Road and Hudson Street (subthreshold amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred; no correspondence has been received; no citizens appeared to be heard.

Motion - Commissioner Morroni
Second - Commissioner Duncan
Vote - 7 - 0

#14 Ordinance No. 06-51 adopted approving Case No. CW 06-28, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from residential/office general to commercial general, re 1.9 acres located on the east side of 66th Street North between 49th Avenue North and 50th Avenue North (regular amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred; no correspondence has been received; no citizens appeared to be heard.

Motion - Commissioner Duncan
Second - Commissioner Seel
Vote - 7 - 0

CONSENT AGENDA ITEMS NOS. 15 THROUGH 23 – APPROVED

Motion - Commissioner Latvala
Second - Commissioner Duncan
Vote - 7 - 0

#15 Approval of minutes of meeting of April 18, 2006.

#16 Reports received for filing:

a. Continuing Bond Disclosures dated April 30, 2006 pursuant to Rule 15c2-12 of the Securities and Exchange Commission for:

\$83,250,000 Resource Recovery Revenue Bonds, Series 1996;
\$104,795,000 Sewer Revenue and Revenue Refunding Bonds, Series 1998;
\$86,580,000 Sewer Revenue Bonds, Series 2003; \$9,270,000 Second
Guaranteed Entitlement Revenue and Revenue Refunding Bonds, Series
1996; \$22,985,000 Transportation Improvement Revenue Refunding
Bonds, Series 1998; \$155,520,000 Capital Improvement Revenue Bonds,

Series 2000; and \$26,620,000 Capital Improvement Revenue Bonds, Series 2002.

- b. Office of the Clerk of the Circuit Court budget request for non-court related expenditures for the Fiscal Year 2006-2007.
- c. Pinellas County Sheriff's Office Florida Contraband Forfeiture Semiannual Report for the period October 1, 2005 – March 31, 2006.
- d. Pinellas County Historical Society Annual Report.
- e. City of Dunedin Comprehensive Annual Financial Report and the Single Audit Report for Fiscal Year ended September 30, 2005.
- f. Quarterly Reports of Routine Dock Permits issued from October 1, 2005 through December 31, 2005, and January 1, 2006 through March 31, 2006.
- g. Dock Fee Reports for the months of March and April 2006.

#17 Other Approvals:

- a. General – none.
- b. Vouchers and Bills Paid – Period of April 3 through May 5, 2006
Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2686 for the period of April 3 through April 7, 2006
Payroll Journal page numbers 1 through 2700 for the period of April 17 through April 21, 2006
Payroll Journal page numbers 1 through 2698 for the period of May 1 through May 5, 2006
Payroll checks numbered 540085 through 541122

Imprest Fund Expenditures
Manual checks numbered 751247 through 751250
System checks numbered 830998 through 835152

Wire Transfers numbered 006645 through 006898

#18 Miscellaneous items received for filing as noted on agenda:

- a. City of Clearwater Public Housing Notices of Annexation, Land Use Plan and Zoning Atlas Amendments regarding Ordinances Nos. 7607-06 through 7609-06, and Nos. 7637-06 through 7645-06 held May 18, 2006 and to be held July 20, 2006, respectively.
- b. Correspondence from City of Pinellas Park regarding five ordinances voluntarily annexing certain property; public hearing held May 25, 2006.
- c. Town of Kenneth City Resolutions Nos. 06-09 through 06-12 adopted April 26, 2006, opposing Pinellas County Charter Review Commission proposed revisions as follows: (1) exclusion of elected officials from future Charter Review Commissions, (2) allowing Pinellas County Commission to create countywide fire

- standards, (3) eliminating dual referendum requirement, and (4) proposed provisions relating to annexation policy.
- d. Eastlake Oaks Community Development District minutes of meeting held February 9, 2006.
 - e. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 6 dated March 16, 2006, and Financial Statement for the month of March 2006.
- #19 Release of completion surety funds in the amount of \$14,711.13 for Walgreens at Union Street, located in Section 35, Township 28 South, Range 16 East, to SR Patricia, LLC, 701 Enterprise Road East, Suite 202, Safety Harbor, Florida 34695; accept and record a Sidewalk Guarantee and Private Street Sign Installation Guarantee from First Tampa Hidden Bayou, LLC for Hidden Bayou Townhomes, located in Section 25, Township 30 South, Range 15 East.
- #20 Correction of a Scrivener's Error to Change Order No. 2 Final (Projects Nos. 922026, 998 and 1158, Bid No. 045-28-C) with Rowland Inc., for the 115th Lane at Irving Avenue Drainage Improvements, 115th Lane Municipal Services Taxing Unit (MSTU) Sidewalk and Bay Ridge Terrace MSTU Resurfacing, decreasing the agreement by \$2,398.00, for a correction to the final agreement amount to \$1,216,681.47; Chairman authorized to sign and the Clerk to attest.
- #21 Base bid, plus options one (1) and two (2) in the amount of \$922,383.00, awarded to Tagarelli Construction, Inc., a prequalified contractor, on the basis of being the lowest responsive, responsible bid received that meets specifications (PID No. 995, Bid No. 056-0513-C); Chairman authorized to sign and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- #22 Change Order No. 2 (Final) to Project No. 754-637114-1338 with Insituform Technologies, Inc. for the rehabilitation of Sewer District No. 114 (Kenneth City) Rebid, decreasing the agreement in the amount of \$517,195.30, for a revised total agreement in the amount of \$880,958.30 and granting a time extension of 197 days; contract accepted as complete as of April 26, 2005; final payment and retainage released for a total amount of \$102,187.91; Chairman authorized to sign agreement and Clerk to attest.
- #23 Bid awarded to Controls & Weighing Systems, Inc., (Contract No. 056-0323-B), in the amount of \$350,840.00 for new electronic truck scales, on the basis of being the lowest responsible, responsive bid received; bids are on file in the Purchasing Department.
- #24 Sitting as the Industrial Development Authority d/b/a the Economic Development Authority the bid of Caladesi Construction Company was accepted for the STAR Center Building Northwest Site Improvement (Contract No. 056-0449-C) in the estimated amount of \$515,411.00, on the basis of being the lowest responsive, responsible bid received and meeting project specifications; Chairman authorized to sign and the Clerk to attest.

#25 County-owned equipment declared as surplus; authorization granted for sale of a laptop computer to Judge Raymond O. Gross, Sixth Judicial Circuit Court; fair market value of \$40.00, as determined at the most recent internet auction sales of similar items, plus tax, for a total sales price of \$42.80.

#26 Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) - None.

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At this time, 10:42 A.M., Commissioner Latvala left the meeting.

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#27 Agreement for Exchange authorizing the transfer of county-owned property, and a Temporary Construction Easement Agreement between Pinellas County and Randy C. Packer and Benetta Leigh Packer approved; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Duncan
Second - Commissioner Seel
Vote - 6 - 0

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At this time, 10:46 A.M., Commissioner Latvala returned to the meeting.

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#28 Amendment No. 1 to the Agreement for Ongoing Design Professional Services with Mason Blau and Associates, Inc. and Plisko Architecture, P.A., each in the amount of \$150,000.00, for a revised agreement amount for each company of \$450,000.00 approved; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Harris
Second - Commissioner Duncan
Vote - 7 - 0

#29 Amendment No. 1 to the Agreement for Consultant Services for improvement to Bryan Dairy Road (County Road 296) from Starkey Road to 72nd Street North with TBE Group, Inc. (PID No. 920588) increasing the agreement amount by \$147,000.00 for a revised agreement amount of \$937,769.00 approved; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Seel
Vote - 7 - 0

#30 Amendment No. 1 to the agreement with Williams Earth Sciences, Inc. for geotechnical engineering consultant services for the Belleair Beach Causeway Bridge Replacements (PID No. 922142) in the amount of \$39,000.00 (revised agreement amount, \$384,348.78) approved.

Motion - Commissioner Seel
 Second - Commissioner Duncan
 Vote - 7 - 0

#31 Change Order No. 1 (Final) to agreement with Southwest Contracting, Inc. for the Belleair Pond Regional Stormwater Treatment Facility (Project No. 1135) (Bid No. 045-566-C), increasing the contract by \$10,630.82 (revised agreement amount, \$327,243.82); contract accepted as complete as of February 23, 2006; retainage released in the amount of \$13,967.05; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
 Second - Commissioner Seel
 Vote - 7 - 0

#32 Change Order No. 2 (Final) to agreement with Oakhurst Construction Co., Inc. for the Pinellas County Sheriff's Office Canine Training Facility (Project No. 976) (Bid No. 034-406-C), increasing the contract by \$57,106.78 (revised agreement amount, \$606,150.63); and granting a 61-day time extension; contract accepted as complete as of October 19, 2005; retainage released in the amount of \$54,798.99; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Duncan

During discussion, Commissioner Seel expressed concern with regard to the 30 percent increase over the original project estimate; whereupon, Director of Public Works Jan R. Herbst, Mr. Spratt, and Director of the Office of Management and Budget Jerry Herron provided input. In response to query by Commissioner Stewart, Messrs. Spratt and Herron indicated that they would provide a report confirming the expenditure source.

Second - Commissioner Latvala
 Vote - 7 - 0

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At this time, 10:58 A.M., Commissioner Seel left the meeting.

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#33 Bid awarded to Allied Universal Corp. for sodium hypochlorite-liquid (12 trade percent) on the basis of being the lowest responsive and responsible bid received meeting specifications; 24-month contract with one additional 24-month period beyond the primary contract period (total 24-month expenditure, \$731,313.00; annual estimated expenditure, \$365,656.50); contract renewal will allow for price adjustment in an amount

not to exceed the average of the Producer Price Index (PPI), Chemicals and Allied Products for the 12 months prior to renewal, or seven percent, whichever is less; option shall be exercised if all terms and conditions remain the same and approval is granted by the County Administrator or Director of Purchasing (Contract No. 056-0379-B); bid of Harcros Chemicals Inc. rejected on the basis of not meeting specifications.

Motion - Commissioner Latvala
Second - Commissioner Harris
Vote - 6 - 0

#34 Ranking of firms to provide multiple year and multiple work order continuing engineering consultant services for implementation of Utilities Six-Year Capital Improvement Program approved as follows:

1. Ash Engineering, Inc.
2. Boyle Engineering Corporation
3. Camp Dresser & McKee Inc.
4. Carollo Engineers, A Professional Corporation
5. CH2M Hill, Inc.
6. Cumbey and Fair, Inc.
7. Greeley and Hansen LLC
8. HDR Engineering, Inc.
9. Jones, Edmunds & Associates, Inc.
10. King Engineering Associates, Inc.
11. Malcolm Pirnie, Inc.
12. McKim & Creed, P.A.
13. Metzger & Willard, Inc.
14. Parsons Water & Infrastructure Inc.
15. Post, Buckley, Schuh & Jernigan, Inc.
16. Stearns, Conrad and Schmidt, Consulting Engineers, Inc.
17. TBE Group, Inc.
18. URS Corporation Southern

Staff authorized to negotiate a contract for Board approval with each of the top 18-ranked firms; value of each agreement for initial three-year term is \$1,500,000.00; total value of 18 agreements, including two, one-year options of renewal, is \$45,000,000.00.

Motion - Commissioner Stewart
Second - Commissioner Latvala

In response to queries by Commissioner Stewart, Mike Sweet, Director of Utilities Engineering, provided an overview of the selection process; and stated that utilization of the list would enable staff to achieve a cost effective, efficient approach when implementing Utilities projects.

Vote - 6 - 0

#35 Local Agency Program Agreement with Florida Department of Transportation (FDOT) for the joint construction project installing the County utilities reclaimed water transmission main and improving FDOT’s Gulf Boulevard from Park Boulevard to Walsingham Road (Narrows) within the Town of Indian Shores and a portion of the City of Indian Rocks Beach reapproved (Project No. 1863); County utility costs estimated at \$6,349,848.00; FDOT will reimburse County on a monthly payment basis for its portion of the project (total estimated cost of project, \$20,049,848.00); Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Harris
Vote - 6 - 0

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At this time, 11:03 A.M., Commissioner Seel returned to the meeting.

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#36 Authorization granted to advertise a public hearing to be held on June 20, 2006 to take comment on proposed amendments to the animal control ordinance which will assist pet owners in being reunited with their pets when separated due to a state of emergency such as a hurricane; and an unrelated housekeeping change that would allow provisions governing rabies to be in line with recent changes in state and federal guidelines (Animal Services).

Mr. Spratt noted that Animal Services Director Kenny D. Mitchell, D.V.M., had distributed suggested changes to the proposed code amendments based upon feedback from various shelter organizations, a copy of which has been filed and made a part of the record; and requested that Dr. Mitchell provide a summary of the changes.

Referring to the period of time in which owners may claim animals separated during an emergency, Dr. Mitchell related that a timeframe of six months had been agreed upon; and that the holding periods do not apply to pet owners who relinquish all rights to the animal. He provided a definition of state of emergency, and clarified how and when he would be permitted to invoke emergency holding periods for shelters. In response to query by Commissioner Stewart, Dr. Mitchell stated that the proposed changes would create a public record to assist people in their attempt to locate their animals; and that non-profit agencies would need to follow the same record-keeping standards.

Upon the Chairman’s call for the vote to authorize advertisement of the public hearing, Mr. Spratt commented that the action also includes the changes outlined in the supplemental material, and no objections were noted.

Motion - Commissioner Latvala
Second - Commissioner Harris
Vote - 7 - 0

#37 Declaration of Restrictive Covenants with Florida Communities Trust for a grant award in the amount of \$419,110.00 for the Wall Springs Coastal Addition III (total project cost \$726,500.00) (FCT Contract No. 06-CT-52-05-F5-A1-017) approved (Culture, Education and Leisure).

Motion - Commissioner Harris
 Second - Commissioner Duncan
 Vote - 7 – 0

#38 Final negotiated contract with United Park Services, Inc. for Fort DeSoto Park concession service (rebid) (Contract No. 056-0459-P) approved (five-year contract with two additional five-year periods after the initial term subject to mutual agreement of the terms as specified in the Concession License Agreement, and approval by County Administrator) (annual revenue to be generated, \$165,500.00); Chairman authorized to sign and the Clerk to attest (Culture, Education and Leisure).

In response to query by Commissioner Harris, Mr. Spratt reported that the contract scope may be viewed on the Pinellas County website; that the camp store is the only facility that will be improved due to its degraded condition; and that the services presently provided will remain essentially the same. Responding to queries by Commissioners Stewart and Seel, Director of Culture, Education and Leisure Paul A. Cozzie related that the new concessionaire is scheduled to begin operating on July 1, 2006; that additional revenue is expected due to increased hours of operation; and that staff will be able to conduct an audit of the records.

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

#39 First Amendment to the Memorandum of Understanding between Pinellas County and the Florida Cooperative Extension Service, a division of the Institute of Food and Agricultural Sciences of the University of Florida, for the establishment of a Regional Specialized Agent position in Urban Environmental Sustainability approved; (County to fund 60 percent, or approximately \$60,000.00, of the annual agreed upon cost) (Culture, Education and Leisure).

Motion - Commissioner Harris
 Second - Commissioner Latvala

Director of Culture, Education and Leisure Paul A. Cozzie provided input with regard to queries by Commissioners Stewart and Seel.

Vote - 7 – 0

#40 Authorization granted to advertise a public hearing to be held on July 11, 2006 regarding proposed revisions to the Zoning Code relating to dumpsters (Environmental Management).

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

#41 Second Amendment to agreement with Sunbelt Construction Services, Inc. for boardwalk and creek crossings at Brooker Creek Preserve Environmental Education Center (Contract No. 045-480-B), increasing funding in the amount of \$55,341.00 to permit additional boardwalk, handrails and pile splicing (total estimated expenditure not to exceed \$416,644.20) approved; Chairman authorized to execute and Clerk to attest (Environmental Management).

Motion - Commissioner Seel
 Second - Commissioner Morroni

In response to query by Commissioner Stewart, Director of Environmental Management William M. Davis clarified that the project is expected to be completed by the end of June 2006.

Vote - 7 – 0

#42 First Amendment to agreement with Linda M. Feltner Studios, LLC. for sign making services for Brooker Creek Preserve (Contract No. 045-709-P), revising the installation date of the Brooker Creek project to December 31, 2006, and increasing funding in the amount of \$177,805.00 for a signage program at the Weedon Island Preserve (revised estimated expenditure not to exceed \$377,805.00) approved; Chairman authorized to execute and the Clerk to attest (Environmental Management).

Motion - Commissioner Latvala
 Second - Commissioner Seel

In response to query by Commissioner Stewart, Director of Environmental Management William M. Davis provided a brief overview of the signage program; indicated that approximately \$80,000.00 in grant funding has been acquired; and that installation of the signs should be completed by the end of 2006.

Vote - 7 – 0

#43 Bid awarded to Ring Power Corporation for the provision of equipment for a generator lease program on the basis of being the only responsible, responsive bid received (Contract No. 056-0045-B); 36-month contract with a zero cost buyout option at the end of 36 months and one additional 36-month option of renewal (36-month contract expenditure not to exceed \$4,850,465.76); contract allows for price adjustments on the cost of equipment in an amount not to exceed the average of the Consumers Price Index (CPI) for All Urban Users, not Seasonally Adjusted, for the 12 months prior to renewal, or ten percent, whichever is less; price adjustments and option of renewal contingent upon availability of funds and approval by County Administrator. Resolution No. 06-94

adopted approving a lease financing with SunTrust Leasing Corporation of not to exceed \$5,000,000.00; approving the form of a Master Lease Agreement, a schedule thereto and the execution thereof; providing certain other matters in connection therewith; and providing an effective date. Bids of CJ's Sales and Service and CCA Financial rejected on the basis of being non-responsive for an incomplete bid response; bid of Coastal Sales and Service rejected on the basis of being non-responsive for not meeting bid specifications (Fleet Management).

Motion - Commissioner Latvala
 Second - Commissioner Morroni

Director of Fleet Management Keith Grant and Senior Assistant County Attorney Dennis Long provided input in response to queries by the members.

Commissioner Duncan disclosed that he must abstain from voting on the item due to a conflict of interest, and in accordance with the provisions of the Standards of Conduct Law, submitted a Memorandum of Voting Conflict, which has been filed and made a part of the record.

Vote - 6 – 0 (Commissioner Duncan abstaining)

- #44 Second Amendment to lease agreement with Roosevelt Park, Ltd. for the conversion of five, one-year renewal options to one, five-year renewal term in exchange for renovations to the lease space for the Office of Justice and Consumer Services approved (current rental rate is \$12.87 per square foot and subject to an annual rental increase of four percent effective August 1, 2006); Chairman authorized to execute and the Clerk to attest (General Services).

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

- #45 Interlocal Agreement between Pinellas County and the Juvenile Welfare Board of Pinellas County for the establishment of a Health and Human Services Coordinating Council (County to cover the cost of staffing and office operations) approved (five-year fiscal impact to the County estimated to be \$577,595.00); Chairman authorized to sign and the Clerk to attest (Human Services).

Motion - Commissioner Latvala
 Second - Commissioner Harris

During discussion, Commissioner Seel volunteered to serve on the coordinating council; whereupon, at the request of Chairman Welch, Assistant Director of Human Services Cliff E. Smith and Juvenile Welfare Board (JWB) Director Browning Spence provided historical background information and an overview of the make-up and responsibilities of the council. In response to comment by the Chairman, Commissioner Latvala volunteered to serve on the council; and during additional discussion and in response to comments by Commissioner Stewart, Chairman Welch stated that the council would have no authority over the fiscal decisions of the Board of County Commissioners (BCC) or

the JWB. In response to query by the Chairman, Mr. Spence related that the council should be operational by the end of summer; and commented that a joint meeting of the BCC and JWB would be scheduled in the near future to set direction and discuss priorities.

Vote - 7 – 0

#46 Resolution No. 06-95 adopted appropriating earmarked receipts for a particular purpose in the fiscal year 2006 General Fund Budget for the Economic Development Department, (Environmental Protection Agency Brownfields Assessment Grant funds in the amount of \$178,180.00) (Management and Budget).

Motion - Commissioner Harris

Second - Commissioner Seel

Vote - 7 – 0

#47 Resolution No. 06-96 adopted to temporarily waive the requirements of Pinellas County Code Section 6-47(a) for the Old Palm Harbor Main Street to hold its fifth annual Palm Harbor Parrot Head party event on Florida Avenue, between Omaha Street (C.R. 1) and Alternate U.S. Highway 19, and on 12th Street and Omaha Circle, between Nebraska Avenue and Georgia Avenue, and on 11th Street between Nebraska Avenue and Michigan Avenue on June 10, 2006 from 1:00 P.M. to 10:00 P.M. in Historic Downtown Palm Harbor (Planning).

Motion - Commissioner Latvala

Second - Commissioner Harris

Vote - 7 – 0

#48 Other Administrative Matters – None.

#49 County Attorney authorized to defend the County’s interest:

a. Countrywide Home Loans, Inc. versus Elizabeth Hayes, et al. - Circuit Civil Case No. 06-3091-CI-13 – Mortgage Foreclosure involving a Community Development Mortgage.

b. JP Morgan Chase Bank versus Patricia E. Brannen, et al. - Circuit Civil Case No. 06-3269-CI-13 – Mortgage Foreclosure involving a Community Development Mortgage.

c. Elena Rosu versus Halime Berisha, et al. – Circuit Civil Case No. 06-2656-CI-8 – Mortgage Foreclosure Action.

Motion - Commissioner Harris

Second - Commissioner Duncan

Vote - 7 – 0

#50 County Attorney Miscellaneous.

Authority granted to initiate action in regard to the filing of an Emergency Petition for Mandatory Injunction in the case of Pinellas County versus JoEllen Janas, County Court Case No. 06-005010-CO-40.

Motion - Commissioner Seel
Second - Commissioner Duncan

In response to query by the Chairman, Senior Assistant County Attorney Dennis Long indicated that authority is being requested to initiate the action that was filed; and that it is his understanding that the matter has been resolved.

Vote - 7 - 0

#51 Sitting as the Countywide Planning Authority (CPA), the Board officially received and filed Pinellas Planning Council Resolution No. 06-3 regarding interim policy guidelines for Industrial Plan Categories.

Director of Planning Brian K. Smith provided historical background information; indicated that staff is of the opinion that it is not necessary to have a separate resolution under the CPA process; and in response to query by Chairman Welch, related that the county guidelines conform with the Pinellas Planning Council (PPC) guidelines.

PPC Executive Director David P. Healey pointed out that the PPC has adopted more generalized language in its resolution; suggested that the members adopt a similar resolution which would be preferable in reviewing proposed countywide plan amendments; and indicated that he does not believe that there is any conflict in what County staff has recommended; whereupon, he clarified that Commissioner Morroni had voted in opposition to PPC Resolution No. 06-3.

Motion - Commissioner Latvala
Second - Commissioner Duncan
Vote - 7 - 0

#52 Sitting as the Emergency Medical Services Authority, the Board approved the revisions to the Emergency Medical Services Billing Compliance Manual.

Motion - Commissioner Latvala
Second - Commissioner Seel
Vote - 7 - 0

#53 County Administrator Reports

- a. Building Department Assistant Director Jack L. Tipton provided historical background information and an overview of the plan review permitting process and timeframe challenges which have resulted in complaints by developers and architects. He delineated several procedures that staff has instituted to speed up the process; and in response to comment by Commissioner Stewart, noted that a

plans examiner position has been open for approximately six months; and that a Request for Proposal for staffing on an as needed basis is being issued.

During discussion and in response to queries by Commissioner Seel, Mr. Tipton related that an educational program pertaining to the new codes has been established but is poorly attended; and that the ability to file plans electronically is under development; whereupon, Commissioner Seel suggested that it be made a higher priority.

- b. Mr. Spratt distributed a document titled *Pinellas County Science Forum*, a copy of which has been filed and made a part of the record, and related that at the direction of the members, the document lists the agencies and individuals who would be invited to serve on the forum; that the list can be expanded or contracted as required with each issue; that the forum should consist of individuals who have a working knowledge and some experience; and that an organizational meeting is planned to be scheduled by the end of June. Discussion ensued concerning the appointment of forum members and Sunshine law requirements; whereupon, Mr. Spratt stated that the forum is intended to be an informal group acting in a consulting role to the County Administrator and, therefore, not required to meet in the Sunshine. During further discussion, Commissioners Seel and Harris suggested that the group meet in the Sunshine; whereupon, Attorney Long indicated that staff will consult with Mr. Spratt to determine the structure and intent of the forum.

Mr. Spratt distributed two documents for the members review titled *Department of Environmental Management Highlights* and *Parks and Recreation Department Highlights*, respectively, copies of which have been filed and made a part of the record; and related that the documents refer to highlights of the County's environmental record over the past several years; whereupon, Chairman Welch suggested that the list of achievements be placed on the website and discussed in further detail at a later date.

#54 County Commission Miscellaneous.

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| Commissioner Seel | referred to a citizen letter and expressed appreciation to staff in working together to resolve an issue. |
| Commissioner Latvala | reported that she had met with Don Ross re hurricane preparedness; and suggested that he be invited to address the Board. Chairman Welch indicated that he will work with staff to determine the best way for the information to be presented. |
| Commissioner Harris | presented a water conservation tip re lawn irrigation, and consumer tips re cell phones. |

Commissioner Duncan thanked Mr. Spratt and Chairman Welch for coordinating a meeting with the Emergency Operations Center re hurricane preparedness; discussed new cell phone technology that enables citizens to receive storm alerts; and noted that the company that developed the technology is a tenant at the STAR Center.

Chairman Welch reported that to register for the aforementioned cell phone storm alert notification, call 1-888-689-8905 and put in zip code; that the Drug Paraphernalia Task Force has completed its work and recommendations will be presented to the Board at a June 22 meeting; and that he will attend the opening of the Florida Avenue/Parrot Head Party in Palm Harbor on June 10.

#55 Meeting adjourned at 12:29 P.M.

Chairman

ATTEST: KEN BURKE

By: _____
Deputy Clerk