

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, OCTOBER 16, 2007 – 3:00 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Robert B. Stewart, Vice-Chairman; Calvin D. Harris; Susan Latvala; John Morroni; and Kenneth T. Welch.

Members Absent: Karen Williams Seel.

Members Late: Ronnie E. Duncan, Chairman.

Members Excused: None.

Others Present: Fred E. Marquis, Interim County Administrator; James L. Bennett, Interim County Attorney; Clarethia N. Harris, Chief Deputy Clerk; and MaryAnn Penhale and Michael P. Schmidt, Deputy Clerks.

INVOCATION: Rabbi Arthur Baseman, Temple B’nai Israel, Clearwater

PLEDGE OF ALLEGIANCE: Commissioner Morroni

PRESENTATIONS AND AWARDS

1. Recognition of Deborah A. Cole, Utilities Solid Waste.
2. Proclamation presentation to Rabbi Arthur Baseman, Temple B’nai Israel and Dr. Herman Koren; and presentation of the book, “Histories of the Jewish People of Pinellas County, Florida – 1883-2005,” to the Board of County Commissioners.
3. Presentation by Vice-Chairman Robert B. Stewart to Commissioner Harris in appreciation for dedicated service as representative to Pinellas Suncoast Transit Authority (PSTA).
4. Youth Advisory Committee presentation by Christine Ochsner, Chairman.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 10

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch
Vote	-	5 - 0

1 Minutes of regular meeting of September 18, 2007.

2 Reports received for filing:

- a. Quarterly Investment Reports for the periods ended December 31, 2006 and March 31, 2007.
- b. Report of Expenses Incurred under Incentives, Awards, and Recruitment Ordinance for the quarter ended June 30, 2007.

- # 3 Vouchers and Bills Paid - Period of September 17 through September 21, 2007:
Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2649
Payroll checks numbered 552346 through 552618
- Imprest Fund Expenditures
Manual checks numbered 751415 through 751416
System checks numbered 896630 through 897584
- Wire Transfers numbered 009556 through 009577
- # 4 Miscellaneous items received for filing as noted on the agenda:
- a. Florida Public Service Commission Order No. PSC-07-0740-TRF-EG issued September 17, 2007, approving the Tampa Electric Company Residential Load Management Program.
 - b. Correspondence from City of Pinellas Park regarding three ordinances voluntarily annexing certain property; public hearings held October 11, 2007.
 - c. Eastlake Oaks Community Development District Public Meeting Schedule for Fiscal Year 2008.
 - d. Pinellas County License Board for Children's Centers and Family Day Care Homes Resolution No. 07-01 relating to the budget for Fiscal Year 2007-2008 and designating a registered agent, effective October 1, 2007.
 - e. Pinellas Park Water Management District Truth in Millage (TRIM) Package for Fiscal Year 2007-2008; minutes of Regular Authority Meetings Nos. 10 and 11 dated July 12 and August 16, 2007, respectively; Financial Statements for the months of June and July 2007; and Calendar of Regular Authority Meetings for Fiscal Year 2007-2008.
 - f. Pinellas Suncoast Fire and Rescue District Resolutions Nos. 2007-11 and 2007-12, adopted September 6, 2007 and September 20, 2007, adopting the 2007-2008 Preliminary Budget and the 2007-2008 Operating and Capital Budget, respectively, and adopting the present rate of assessments and establishing pay raises for administrative staff/personnel.
- # 5 Consultant's Competitive Negotiation Act (CCNA) procurement approved by the County Administrator for quarter ending September 30, 2007 received for filing.

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<u>Department</u>	<u>Type</u>	<u>Project</u>	<u>Vendor</u>	<u>Dollar Value</u>	<u>Award Date</u>
Environmental Management	Amendment No. 1	Consulting Services For Design of Regional Stormwater Treatment Facility for Lake Tarpon Water Quality Areas 23 and 63	Environmental Research and Design, Inc. (ERD), Orlando, Florida	To update ERD Agreement for Cooperative Funding Agreement (CFA) for SWFWMD (No dollar value)	7/25/07

6 Change Order No. 1 to agreement with Akerman Construction Co., Inc. for Capri Isle 16-inch and 24-inch water main replacements (Re-bid) (PID No. 1498; Bid No. 067-0053-C) revising the unit quantities and values and granting a time extension of 90 days, with no change in the total agreement amount of \$2,940,950.00; Chairman authorized to sign and the Clerk to attest.

7 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR PURSUANT TO ORDINANCE 04-63 – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Airport	Permit for Commercial Operations with Quantem Aviation Services, Inc. for Non-Exclusive, Commercial, Operating Privileges	\$10,560.00 annual revenue for 3-year term	9.07.07
Animal Services	State-Funded Subgrant Agreement with the State of Florida, Division of Emergency Management for an Animal Transport Trailer for Use during Disasters	\$19,455.00 grant revenue, plus \$22,245.00 County match	8.20.07
Clerk of the Circuit Court	Releases of Paving Lien with: Walter Orkisz Jr, Trustee, and Robert Orkisz, Trustee; Shirley I. Grace; and Leon M. and Maureen J. Smith	All liens are paid in full	9.17.07
Community Development	Specific Performance Agreement with Community Service Foundation, Inc. for Administering Housing Placement Services	\$26,000.00	9.07.07
Convention & Visitors Bureau	Fourth Amendments to Contracts for Fiscal Year (FY) 2008 Professional Brochure Fulfillment and Direct Mail Programs with: (a) Accelerated Mailing and Marketing; and (b) Touristikdienst Truber	(a) \$35,000.00; and (b) \$25,000.00	9.26.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Convention & Visitors Bureau	FY '08 New Product Marketing Grant Funding Agreements with: (a) Albert Whitted Airfest, Inc. for 2007 St. Petersburg AirFest Advertising;	(a) \$75,000.00; none of these grants requires a match	9.17.07
	(b) City of Largo for Bluegrass Strings and Crafty Things Advertising;	(b) \$30,000.00	
	(c) City of Tarpon Springs Project Marketing Expenses;	(c) \$40,000.00	
	(d) Italian-American Women of Today, Inc. for Liado Advertising;	(d) \$30,000.00	
	(e) St. Petersburg Clearwater Film Society Inc. for 2008 Sunscreen Film Festival Marketing; and	(e) \$20,000.00	
	(f) Atlantic Productions, Inc. for PIX Fest	(f) \$75,000.00	
Culture, Education, and Leisure	Assurance of Compliance and Signature Authorization and Letter of Agreement with State of Florida, Department of State, Division of Cultural Affairs for FY 2008 Local Arts Agency Program and Delegation of Signature Authority to Assistant County Administrator for Culture, Education, and Leisure in the Absence of County Administrator; and	\$21,824.00 grant revenue, plus \$2,276,216.00 cash match; and	9.27.07
	Cultural Development Grant Agreements with: (a) Sunsation Show Chorus, Inc. for "Portable Mini-Shows;"	(a) \$4,113.00, plus equal agency match;	
	(b) Tampa Bay Symphony, Incorporated for Seven Concerts in the 2007-08 Concert Series;	(b) \$13,092.00, plus \$86,208.00 agency match;	
	(c) Friends of Dance, Inc. for "Spring Performance" at Mahaffey Theater;	(c) \$4,600.00, plus \$26,400.00 agency match;	
	(d) FloriMezzo, Inc. for 2007-08 Concert Season at the Palladium Theater in St. Petersburg;	(d) \$4,500.00, plus \$63,000.00 agency match;	
	(e) Florida West Ballet, Inc. for 2007-08 Performances;	(e) \$4,238.00, plus \$20,362.00 agency match;	
(f) EMIT, Inc. for Eleven Concerts and Five Educational Activities Based in St. Petersburg and Largo for the 2007-08 Series;	(f) \$4,450.00, plus \$31,850.00 agency match;		

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education, and Leisure	(g) Clearwater Jazz Holiday Foundation, Inc. for 28 th Annual Clearwater Jazz Holiday;	(g) \$14,050.00, plus \$919,650.000 agency match;	
	(h) First Night St. Petersburg, Inc. for First Night 2008 with Theater, Music, Dance, and Visual Arts Programming;	(h) \$13,225.00, plus \$125,100.00 agency match;	
	(i) Mahaffey Performing Arts Foundation, Inc. for Production of Langston Hughes' Black Nativity;	(i) \$12,650.00, plus \$18,000.00 agency match;	
	(j) The Gulf Beach Art Center, Inc. for Beauty and the Beach Outdoor Art Festival Including 7 th Annual Chalk Walk and Gallery Shows;	(j) \$17,057.00, plus \$170,312.00 agency match;	
	(k) St. Petersburg Little Theatre, Incorporated for Funding of Outside Artistic Fees, Marketing, and Royalties for Stage as Classroom-Community Theatre Educational Outreach through Main Stage Productions and Three Teen Workshops;	(k) \$30,739.00, plus \$178,888.00 agency match;	
	(l) The Studio @ 620, Inc. for "The Water is Wide" Exhibition;	(l) \$22,026.00, plus \$32,522.00 agency match;	
	(m) The Leepa-Rattner Museum of Art, Inc. for "Art Expressions," Arts for Personal and Cultural Understanding;	(m) \$22,050.00. plus equal agency match;	
	(n) Life Force Cultural Arts Academy, Inc. for Artistic Training and Development, Performance Rehearsal, and Outreach and Performance Opportunities;	(n) \$22,057.00, plus \$201,000.00 agency match;	
	(o) The Dunedin Fine Art Center, Inc. for "The Artist as Inventor" and "Dreamscapes: Windows to Other Worlds" Exhibitions;	(o) \$30,660.00, plus equal agency match;	
	(p) Pier Aquarium, Inc. for "FISH-ful Saturdays," "Ocean in Motion," and "Fishy Business" Exhibitions;	(p) \$31,325.00, plus \$41,035.00 agency match;	
(q) Arts Center Association, Inc. for 2007-08 Educational Outreach Program;	(q) \$34,242.00, plus \$100,198.00 agency match;		

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education, and Leisure	(r) Great Explorations, Inc. for Museum Residencies for Performing Artists and After School Art Activities for Children from Pinellas County Foster Care System, Boys & Girls Clubs, and Other Area Children;	(r) \$33,600.00, plus \$55,800.00 agency match;	
	(s) Pinellas Youth Symphony, Inc. for Strings Program for Beginning through Advanced Students, Kindergarten through 12 th Grades;	(s) \$17,076.00, plus \$87,924.00 agency match;	
	(t) Florida Craftsmen, Inc. for "Emerging Florida Artist Invitational" and "Architectural Details and Other Decorative Crafts" Exhibitions;	(t) \$32,760.00, plus \$45,558.00 agency match;	
	(u) Dunedin Historical Society, Inc. for History of Railroads in Pinellas County;	(u) \$20,513.00, plus equal agency match;	
	(v) Choral Masterworks Festival, Inc. for 2007-08 Self-Produced Concerts;	(v) \$33,542.00 plus \$139,429.00 agency match;	
	(w) The Science Center of Pinellas County, Inc. for Mobile Outreach Program;	(w) \$34,533.00, plus \$35,467.00 agency match;	
	(x) St. Petersburg Historical Society, Inc. for Expansion of Programs of Excellence and Current Educational Programming for Children and Youth from Economically Disadvantaged Backgrounds and with Disabilities	(x) \$31,325.00, plus \$39,000.00 agency match;	
	(y) Salvador Dali Museum, Inc. for "Dali and Film" Exhibition;	(y) \$39,733.00, plus \$774,127.00 agency match;	
	(z) Ruth Eckerd Hall, Inc. for 25 th Anniversary Project;	(z) \$39,933.00, plus \$260,837.00 agency match;	
	(aa) Museum of Fine Arts of St. Petersburg, Florida, Inc. for "Treasures from the Attic" Exhibition;	(aa) \$38,933.00, plus \$87,500.00 agency match;	
	(bb) The Florida Orchestra, Inc. for the 2007-08 Masterworks Series; and	(bb) \$40,000.00, plus \$1,891,607.00 agency match; and	
	(cc) The American Stage Company, Inc. for School Tour and American Stage in the Park Artistic Fees	(cc) \$38,133.00, plus \$1,595,600.00 agency match	

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education, and Leisure	Historical Museums Grant Award Agreement with State of Florida, Department of State, Division of Historical Resources for General Program Support and Enhancements at Heritage Village; and	\$24,063.00 grant revenue, plus equal County match; and	9.26.07
	Memoranda of Agreement with Pinellas County Health Department for Steps to a HealthierFL Program for:		
	(a) Salary, Fringe Benefits, Travel, Materials, Supplies, and Services; and	(a) \$7,200.00 grant revenue, no match; and	
	(b) Nutrition/Physical Activity Classes, Travel, Materials, and Supplies; and	(b) \$90,780.00 grant revenue, no match; and	
	(c) Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Contracts/Subcontracts	(c) N/A	
Culture, Education, and Leisure	Interlocal Agreement with Tampa Bay Water for Consulting and Professional Services Related to Florida Yards and Neighborhoods Outreach Program	\$59,160.00 grant revenue, no match	9.25.07
Culture, Education, and Leisure	Cultural Tourism Grant Funding Agreements with:	(a) \$85,000.00; none of these grants requires a match	9.17.07
	(a) Museum of Fine Arts of St. Petersburg, Florida, Inc. for Inaugural Exhibition, "Treasures from the Attic," in New Hazel Hough Wing;		
	(b) Creative Clay Inc. for Artlink Japan and Second Annual Folk Art Fest in St. Petersburg;	(b) \$50,000.00	
	(c) Florida Craftsmen, Inc. for CraftArt 10 th Anniversary Celebration;	(c) \$50,000.00	
	(d) Arts Center Association, Inc. for Two Exhibitions;	(d) \$50,000.00	
	(e) Clearwater Jazz Holiday, Inc. for 28 th Clearwater Jazz Holiday;	(e) \$50,000.00	
	(f) The Florida Orchestra, Inc. for 2007-2008 40 th Anniversary Season;	(f) \$74,955.00	
	(g) Salvador Dali Museum, Inc. for "Dali and Film" Exhibition;	(g) \$75,000.00	
	(h) The Dunedin Fine Art Center, Inc. for Exhibition Season 2007-2008;	(h) \$50,000.00	
(i) The American Stage Company, Inc. for American Stage in the Park: The Pirates of Penzance;	(i) \$75,000.00		

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education, and Leisure	(j) Great Explorations, Inc. for “Arthur’s World; Dinosaurs, Hollywood Style;” and “Be Well! Live Great! Health Exhibit;”	(j) \$75,000.00	
	(k) The Studio @ 620, Inc. for “The Water is Wide” Exhibition; and	(k) \$14,958.00	
	(l) St. Petersburg Historical Society, Inc. for Diversity in Aviation Art Show	(l) \$25,500.00	
	Master Cultural Development Grant Agreement for Successful Applicants in the Cultural Development Grants Program	N/A	
	Third Amendment to Grand Funding Agreement (GFA) with Tierra Verde Recreation Complex, Inc. for Construction of Two Buildings for Concessions, Storage, and Bathrooms	N/A – time only	
Culture, Education, and Leisure	(a) Master Public Art Finalist Presentation Stipend Agreement for Cultural Affairs Division;	(a-b) N/A; and	9.09.07
	(b) Delegation of Approval and Signature Authority of Individual Agreements to Assistant County Administrator of Culture, Education, and Leisure Department; and		
	(c) Grant Application with the Florida Department of Environmental Protection (FDEP), Florida Recreation Development Assistance Program for Eagle Lake Park, Development Phase III	(c) \$200,000.00 requested grant revenue, plus equal anticipated, County cash match	
Culture, Education, and Leisure	(a) Second Amendment to GFA with Palm Harbor Community Services Agency, Inc. (PHCSA) for Hockey Rink Roof Construction Phase I; and	(a-b) N/A – time only extension	9.07.07
	(b) First Amendment to GFA with PHCSA for Hockey Rink Roof Construction Phase II		
Culture, Education, and Leisure	(a) GFA with the City of Clearwater for Refurbishment of Countryside Community Park; and	(a) \$125,000.00; and	9.7.07
	(b) Third Amendment to GFA with Tierra Verde Community Association, Inc. for Two, Hard-Surface, Standard-Size Tennis Courts	(b) N/A – time only	

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Economic Development	Amendments to Business Assistance Partnership Agreements for Outreach Efforts to Assist Local Businesses with: (a) Greater Palm Harbor Area Chamber of Commerce, Inc.;	(a) \$21,000.00 for one year, with ten, successive, 1-year options of renewal;	
	(b) St. Petersburg Area Chamber of Commerce, Inc.; and	(b) \$22,000.00 for one year, with ten, successive, 1-year options of renewal; and	
	(c) Pinellas Park/Mid-County Chamber of Commerce, Inc.	(c) \$17,448.00 for one year, with ten, successive, 1-year options of renewal	
Economic Development	Assistance Amendment with the U.S. Environmental Protection Agency (EPA) for Brownfields Assessment and Cleanup	N/A – time only	9.9.07
Environmental Management	Grant Application with EPA for Air Pollution Control Program Support	\$250,000.00 annual maximum requested funds, plus \$1,342,790.00 maximum anticipated County match	9.13.07
Environmental Management	Assistance Award Amendment with EPA for Section 103, PM 2.5 Air Monitoring Program	\$61,286.00 EPA grant revenue, plus \$48,714.00 EPA in-kind services revenue	8.31.07
Facility Management	License Agreement with National Forensic Science Technology Center, Inc. for Space at the Young – Rainey STAR Center	\$135.42 revenue for six months	9.21.07
Facility Management	501 Building License Agreement with Juvenile Welfare Board of Pinellas County for Office Space	N/A; 5-year license with five, automatic, 1-year renewal options	9.20.07
Facility Management	Temporary Access and Entry Agreement with Verizon Wireless Personal Communications LP, d/b/a Verizon Wireless, for Due Diligence Testing at Medical Examiner’s and Sheriff’s Administration Building for a New Communications Tower	N/A	9.17.07
Facility Management	Fourth Amendment to Antenna Tower License Agreement with New Cingular Wireless PCS, LLC, f/k/a BellSouth Mobility LLC, for an Antenna Tower at William E. Dunn Water Reclamation Facility	N/A – name change and change in scope	9.10.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Facility Management	License Agreement with Board of Trustees of The St. Petersburg College, Florida (College), to Conduct Emergency Relief Activities at Certain Parking Lot Sites	N/A	9.07.07
Health and Human Services	Agreement with the College for Funeral Services Program	N/A	9.19.07
Health and Human Services	Agreement with Catholic Charities, Diocese of St. Petersburg, Inc. for Disbursement of State Funds from "Choose Life" Service License Plate Sales	\$39,358.48 pass-through funds	9.14.07
Health and Human Services	(a) Service Funding Agreement (SFA) with Pinellas County Health Department for Temporary Staff on Mobile Medical Unit (MMU); and (b) SFA with Pinellas County Health Department for Medical Staff on MMU	(a) \$50,000.00 annual maximum for two years with one, 24-month option of renewal; and (b) \$120,00.00 annual maximum for two years with one, 24-month option of renewal	9.07.07
Health and Human Services	Service Agreement with Community Action Stops Abuse, Inc., d/b/a CASA of Pinellas County, for Counseling and Support Services for County Residents Who are Victims of Domestic Violence; and SFAs with: (a) Suncoast Health Council, Inc. for Compassionate Drug Patient Assistance Program for County Residents; and (b) Gulfcoast Legal Services, Inc. for Legal Services to Homeless County Residents	\$176,544.00; and (a) \$78,000.00; and (b) \$10,272.00, plus \$4,728.00 Health Resources and Services Administration grant revenue	8.16.07
	Grant Agreement with Partnership for a Healthier Pinellas, Inc. for Quality Health Services for Medically Underserved Residents and Wellness Services for All County Residents	N/A – change in scope	

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Justice and Consumer Services	Interlocal Agreement with the Sheriff for Ex-Offender Re-Entry Programs	N/A	9.26.07
	Contractual Agreements for Ex-Offender Re-Entry Program with:		
	(a) St. Petersburg Dream Center, Inc.;	(a-c) \$90,000.00 each	
	(b) Kids in Need of Families Offering Love, Kindness, and Support, Inc.; and		
	(c) Pinellas Ex-Offender Re-Entry Coalition, Inc.		
	Edward Byrne Memorial Justice Assistance Certificates of Acceptance of Grant Awards with State of Florida Department of Law Enforcement, Office of Criminal Justice Grants for:		
Justice and Consumer Services	(a) Project Success Aftercare Program;	(a) \$81,567.00 grant revenue, no match;	
	(b) Firearm Safety Education; and	(b) \$34,159.00 grant revenue, no match; and	
	(c) Child Abuse Education and Prevention	(c) \$28,252.30 grant revenue, no match	
	Option of Renewal of Teen Court Trust Fund Interlocal Agreement with the Sixth Judicial Circuit Court for Diversion Programs	N/A	
Justice and Consumer Services	Certificate of Acceptance of Subgrant Award with State of Florida Department of Law Enforcement, Office of Criminal Justice Grants for a Planning Grant to Administer the Edward Byrne Memorial Justice Assistance Grant Program	\$47,011.20 grant revenue; no match	9.20.07
Public Works	Agreement with Florida Department of Agriculture and Consumer Services for Operation of Pinellas County Mosquito Control District	\$37,000.00 grant revenue; no match	9.26.07

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Public Works	Easements with Sembler Creekside Partnership #1, LTD. for: (a) a Wall Easement; (b) a Stormwater Easement; and (c) a Sewer Easement Termination of Easement Agreement for Ingress and Egress with Sembler Creekside Partnership, LTD.	(a-c) N/A; and N/A	8.30.07
Public Works	Right-of-Way Easement with Simmons Family Management Trust for 46 th Avenue North from 80 th Street North to 62 nd Street North Project	\$14,000.00	8.20.07
Utilities	Cooperative Funding Agreement with Southwest Florida Water Management District for the Pinellas County Alternative Source Rebate Program	\$82,500.00 grant revenue, plus equal County match	8.13.07

8 Fiscal Year 2008 Budget Amendments Nos. 2 and 3 were filed and made a part of the record (Management and Budget).

9 Receipt and file of Quarterly Reports (Management and Budget):
 a. Quarterly Report on Administrative Budget Amendments for the period June 27, 2007 through September 21, 2007, was filed and made a part of the record.
 b. Quarterly Report on the Law Enforcement Trust Fund – Payments to Sheriff for the period July 1, 2007 through September 30, 2007 was filed and made a part of the record.

#10 PROCUREMENT ITEMS APPROVED BY THE COUNTY ADMINISTRATOR FOR THE QUARTER ENDING SEPTEMBER 30, 2007 – RECEIVED FOR FILING (PURCHASING)

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE County Code</u>	<u>AWARD DATE</u>
067-0529-C (DM)	Rejection of Bids	Airport Terminal Heating Ventilation Air Conditioning (HVAC) Replacement Project	Airport	n/a	n/a	09/17/07
067-0699-C (DM)	Rejection of Bids	Pinellas Bayway Sidewalks	Public Works	n/a	n/a	09/17/07
067-0504-B (MW)	Rescind of Bid and Re-Award of Bid	Sign Sheeting Materials – Reflective – Group 7	Public Works Highway and Mosquito Control Division	Rescind - Avery Dennison Corporation Award - 3M Company	\$10,841.40	09/14/07

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<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
001-0605-P (AM)	Fourth and Final Renewal	Group Term Life Insurance	Personnel/ Unified Personnel System (UPS)	Minnesota Life Insurance Company	803,477.00 2-176	09/10/07
056-0324-P (AM)	Second Renewal	Stop Loss Insurance for Pinellas County Employees Group Health Plan	Personnel/ UPS	United Healthcare Insurance Company	641,650.00 2-176	09/10/07
034-520-P (AM)	Time Only Extension	Solid Waste Consulting Services	Utilities Dept	Kessler Consulting, Inc.	n/a	09/10/07
067-0260-C (DM)	Change Order No. 1 (FINAL)	North General Maintenance Department Lunch Assembly Area	Utilities Dept	Tagarelli Construction, Inc.	677.00	09/07/07
045-789-B (SS)	Increase in Funds for Master Purchase Order	Services, Fire Safety Testing, Inspection, and Certification for Facility Management and Countywide	Facility Management	Piper Fire Protection, Inc.	3,600.00	08/31/07
056-0286-P (AM)	First Renewal	International Marketing Representation Services	Convention & Visitors Bureau	KGM Marketing, LTD	240,400.00	08/28/07
067-0625-SS (RM)	Sole Source	Software – Additional Licensed Product, Users, Upgrade and Support	Information Technology	CA, Inc.	133,287.00	08/24/07
067-0488-P (AM)	Approval of Final Negotiated Contract	Group Dental Plan Prepaid for Pinellas County Employees	Personnel/ UPS	Safeguard Health Plans, Inc.	155,000.00	08/22/07
067-0148-N (RM)	Change Order No. 1	Install and Implementation CA Software Services Agreement – Amended Scope of Work	Information Technology	CA, Inc.	n/a	08/22/07
067-0288-P (AM)	First Renewal	Community Case Managers & Homeless Prevention	Health & Human Services	Boley Centers, Inc.	358,435.00 2-176	08/21/07
067-0080-P (AM)	First Renewal	Homeless Shelter Beds for Adults	Health & Human Services	Homeless Emergency Project, Inc.	455,099.00 2-176	08/21/07
067-0083-P (AM)	First Renewal	Homeless Street Outreach Program	Health & Human Services	Operation PAR, Inc. Directions for Mental Health, Inc.	191,345.00	08/21/07

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<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
				From Pye-Barker Fire & Safety, Inc. to Cintas Corporation No. 2 d/b/a Pye-Barker Fire & Safety and d/b/a Cintas Fire Protection	n/a	08/21/07
045-789-B (SS)	Name Change	Services, Fire Safety Testing, Inspection, and Certification for Facility Management and Countywide	Facilities Management			
034-573-P (AM)	Second and Final Renewal	Advertising & Promotional Services	Convention & Visitors Bureau	Yesawich, Pepperdine, Brown & Russell, LLP	9,608,817.00 2-176	08/21/07
067-0672-N (GM)	Non-Competitive Purchase	Corrosion Inhibitor – Utilities Dept	Utilities Dept	Pristine Water Solutions Inc.	245,000.00	08/17/07
n/a	Amendment No. 1	Consulting Services Agreement – Herbert R. Marlow, d/b/a Analytica	Health & Human Services	Herbert R. Marlow, d/b/a Analytica	n/a	08/16/07
056-0092-C	Change Order No. 1	Belcher Road Phase III (Alderman Road to Klosterman Road	Public Works	David Nelson Construction Co.	n/a	08/10/07
034-570-B (MW)	Name Change	Security Transport Services	Various	From Loomis, Fargo & Company To Loomis	n/a	08/09/07
045-673-B (GM)	First Renewal	Magnesium Hydroxide Suspension	Utilities Dept	Premier Chemicals LLC	635,000.00 2-176	08/07/07
067-0490-P (AM)	Approval of Final Negotiated Contract	Managed Behavioral Health Care Services	Personnel/ UPS	Unipsych Benefits, Inc. Gametime, Inc.	197,000.00	08/03/07
056-0594-PB (KC)	Continued Purchase Authorization	Park and Playground Equipment	Culture Education & Leisure Department	Landscape Structure, Inc. Little Tikes, Inc.	200,000.00	07/31/07
067-0332-P (AM)	Approval of Ranking	Services-Research for Convention & Visitor's Bureau	Convention & Visitors Bureau	Research Data Services, Inc	207,080.00	07/25/07
067-0611-B (AM)	Award of Bid	Facility Measurement and Floor Plan Development Services	Facility Management	American Building Calculations Inc.	191,766.63	07/25/07
056-0514-B (RM)	Change Order No. 1 – Increase	Jail Telecommunications & Conduit System	Public Works	MCS of Tampa, Inc.	5,701.00	07/25/07
034-455-B (MW)	First Renewal	Security Guard Services Countywide	Various	The Budd Group, Inc.	615,000.00 2-176	07/24/07

October 16, 2007

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
067-0521-B (MW)	Award of Bid	Signs – Overhead Roadway Guides, Fabricate & Install Services	Public Works Highway and Mosquito Control Division	Traffic Control Products of Florida, Inc. JAS Supply, Inc. Action Ice, LLC IAP Worldwide Services Lipsey Mountain Spring Water Storm Services, LLC	180,950.00	07/23/07
067-0678-S (TS)	Purchase Authorization	Food Grade Ice for Emergency Operations	Emergency Management	American Aquasource, Inc. Olmsted Ice Inc.	unknown	07/18/07
067-0624-PB (DM)	Purchase Authorization	Installation of Protective Coating System for the Rehabilitation of Sanitary Sewer Manholes and Lift Stations	Utilities Dept	Dallas 1 Corporation f/k/a Dallas 1 Construction & Development, Inc. JAS Supply, Inc. Lipsey Mountain Spring Water American Aquasource, Inc.	199,400.00	07/18/07
067-0675-S (TS)	Purchase Authorization	Potable Water for Emergency Operations	Emergency Management	Aquiessence/ Pure Pouch Purified Water	unknown	07/18/07
978-0274-S (GG)	Continued Purchase Authorization	State of Florida Purchasing Card Services	Various	Bank of America Corporation	n/a	07/17/07
067-0574-B (SS)	Award of Bid	Equipment, HVAC (315 Court Street) – Phase II (Re-Bid)	Public Works	Slade Ross, Inc.	113,572.00	07/12/07
067-0343-B (RM)	Award of Bid	Power Supply – Redundant Uninterruptible Power Supply System (Furnish, Install & Maintenance)	EMS/Fire Administration	Computer Support Products, Inc.	226,921.00	07/12/07
045-856-B (SS)	Approval of Final Release of Retainage and Acceptance as Complete	STAR Center Buildings 200, 600, & 800 Air Handling Unit Replacement Project	Facility Management Young-Rainey STAR Center Division	Air Mechanical & Service Corp.	n/a	07/10/07

October 16, 2007

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
067-0488-P (AM)	Approval of Ranking of Firms	Group Dental Plan Prepaid for Pinellas County Employees	Personnel/ UPS	Safeguard Health Plans, Inc.	155,000.00	07/02/07
067-0335-C (DM)	Change Order No. 1 (FINAL) to the Agreement	South Cross Water Reclamation Facility Mechanical Integrity Testing of Injection Wells C, D, and E	Utilities Dept	Youngquist Brothers, Inc.	(23,500.00)	07/02/07
023-862-P (AM)	First Renewal	Disclosure Counsel Services	County Attorney	Holland & Knight LLP	n/a	06/28/07
067-0490-P (AM)	Approval of Ranking	Managed Behavioral Health Care Services	Personnel/ UPS	Unipsych Benefits, Inc.	197,000.00	06/27/07
				3M Company		
				Osburn Associates, Inc.		
				Nippon Carbide Industries (USA) Inc.	250,455.00	
067-0504-B (MW)	Award of Bid	Sign Sheeting Materials – Reflective	Public Works Highway and Mosquito Control Division	Avery Dennison Corporation	125,227.00 Annual	06/27/07
067-0561-PB (RM)	Purchase Authorization	Computers – SEPATON Virtual Tape Library and DeltaStor™ Product	Information Technology	Marketex Computer Corporation	145,150.00	06/27/07
067-0595-PB (RM)	Purchase Authorization	Mowers, Utility Tractor and Trailers	Fleet Management	John Deer, Inc., A Division of Deere & Company	176,322.87	06/27/07
					691,737.30	
					52 month	
067-0328-B (SS)	Award of Bid	Landscape Installation and Related Maintenance of Belcher Road Sites	Public Works	Accend, Inc., d/b/a JC Tree and Landscape	159,631.68 Annual Aggregate	06/26/07
067-0138-P (AM)	Approval of Final Negotiated Contract	Services – International Marketing Representation- Central Europe	Convention & Visitors Bureau	Marion S. Wolf	250,000.00	06/25/07
056-0691-C	Change Order No. 1 (FINAL)	Pinellas County Jail “A” Barracks Roof Replacement	Public Works	Roth Bros. of Florida, Inc.	n/a	06/25/07

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
				Gulf Coast Tractor & Equipment		
				Quality Mowers		
			Public Works Highway and Mosquito Control Division	Royal Edger & Mower Company, Inc.		
			Culture Education & Leisure Department	Sarlo Power Mowers, Inc.	15,000.00	
				Southern Equipment & Machinery	Cooperative 100,000.00	
		Motors and Parts for Lawn Equipment (Cooperative)	Fleet Management	Wesco Turf, Inc.	Pinellas County 115,000.00	
067-0365-B (RM)	Award of Bid				Total	06/20/07
		H. S. "POP" Stansell Park Bandshell Remodeling	Public Works	Tagarelli Construction, Inc	177,713.00	05/06/07
		Services – International Marketing Representation- United Kingdom, Ireland, & Scandinavia	Convention & Visitors Bureau	Tourism Marketing Partnership	249,000.00	02/12/07
067-0133-P (AM)	Approval of Final Negotiated Contract					
TOTAL					\$18,003,897.20	

#11 Items for Discussion from Consent Agenda (County Administrator and Clerk of the Court).

Mr. Marquis referred to Agenda Item No. 7 and indicated that the figure for the Cultural Grant Funding Agreement with the Museum of Fine Arts should read \$75,000.00.

REGULAR AGENDA

#12 Transportation Security Administration Assistance Award No. HSTS0208HSLR121 for Law Enforcement Officer Reimbursement Agreement Program at the St. Petersburg-Clearwater International Airport for a total not-to-exceed amount of \$1,428,756.00 for Fiscal Years 2008-2012 (not-to-exceed annual amount of \$285,751.20) approved; Chairman authorized to sign and the Clerk to attest.

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

#13 Interlocal Agreement Addendum No. 2 with the Pinellas County Sheriff’s Office for law enforcement coverage at the St. Petersburg-Clearwater International Airport approved, increasing the contract by \$27,974.25 (revised total \$559,137.80) for the period from October 1, 2007 through September 30, 2008; Chairman authorized to sign and the Clerk to attest.

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

- #14 Contract for Sale and Purchase with Casual Restaurant Concepts, Inc. for the acquisition of real property located at 10911 Starkey Road, Seminole (Park Street/Starkey Road Improvement Project from 84th Lane to Bryan Dairy Road [PID No. 865] [922253]) approved by extraordinary vote; authorization granted for issuance of a check in the amount of \$237,753.36 to Somers Title Company (purchase price of \$200,000.00; \$29,515.86 in attorney fees; \$1,425.00 for closing costs; \$6,812.50 for costs incurred by the owner); Chairman authorized to sign and the Clerk to attest.

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

- #15 Increase to Master Purchase Order – Water and Sewer Materials and Accessories with HD Supply Waterworks, Ltd. (Contract No. 056-0948-B) effective through January 8, 2008 approved (current Master Purchase Order for HD Supply Waterworks, Ltd. to date, \$112,472.50; total estimated not-to-exceed increase for HD Supply Waterworks, Ltd., \$50,000.00; revised total estimated not-to-exceed expenditure for HD Supply Waterworks, Ltd., \$162,472.50).

Motion - Commissioner Welch
 Second - Commissioner Latvala

Vice-Chairman Stewart indicated that the subject agenda item had been deferred from the meeting of October 2, 2007.

Vote - 5 – 0

- #16 Local Agency Program (LAP) Supplemental Agreement with the 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 within the Town of Indian Shores and a portion of the City of Indian Rocks Beach approved (Contract No. AOG 89); County costs estimated to be \$6,907,068.00 and an additional \$699,814.00 provided by the City of Indian Rocks Beach; FDOT will reimburse the County on a monthly payment basis for their portion of the project (total estimated cost of the project, \$23,926,882.00); Chairman authorized to sign and the Clerk to attest.

Vice-Chairman Stewart indicated that the members had received a communication from the Town of Indian Shores Mayor Jim Lawrence regarding the matter.

Motion - Commissioner Latvala
 Second - Commissioner Welch

Responding to queries by Commissioner Welch regarding safety concerns, Mr. Marquis confirmed that FDOT is satisfied that the design meets all normal standards; and Director of Utilities Pick Talley discussed the process of moving forward with the project if the agreement is approved; whereupon, he related that there would be a 60 to 90 day period before digging starts. In reply to additional queries by the members, Mr. Marquis provided input regarding funding matters and indicated that the state has no additional source of revenue for the project; and Mr. Talley provided historical background information regarding the project and the cost savings and reduction in the amount of construction time which will result from building two major projects at the same time.

Vote - 5 - 0

- #17 Exhibit K – Guaranteed Maximum Price (GMP) Amendment to Agreement between Owner and Construction Manager, Amendment No. 1 to Agreement between Owner and Construction Manager for SR 699 (Gulf Boulevard) from Park Boulevard to Walsingham Road Roadway and Utilities Improvements Project (PID No. 1863) with PBS&J Constructors, Inc. in the amount of \$23,651,882.00 approved (original agreement, \$275,000.00; revised agreement amount, \$23,926,882.00); Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 5 - 0

- #18 Designation of the Public Safety Coordinating Council as the Planning Council for the Criminal Justice Reinvestment Grant approved (County Administrator).

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 5 - 0

* * * *

At this time, 3:36 P.M., Commissioner Latvala left the meeting.

* * * *

- #19 Bids for Vehicles, Medium and Heavy Duty (Re-Bid) (Contract No. 067-0733-B) from various vendors as described in the agenda memorandum dated October 16, 2007 rejected (1) for being non-responsive for not meeting bid specifications; (2) for not using forms required by the County; and (3) for taking exceptions to the bid terms and conditions; bids for Vehicles, Medium and Heavy Duty from various vendors as described in the agenda memorandum dated October 16, 2007 accepted on the basis of being the lowest responsive, responsible bids received meeting specifications; total estimated expenditures not to exceed \$2,234,653.00 (Fleet Management). Mr. Marquis stated that once the bids are awarded, it is his intention to freeze any further acquisitions

in the fleet; and that standardization and reutilization will be considered in an effort to combine efficiencies.

Motion - Commissioner Welch
Second - Commissioner Harris
Vote - 4 – 0

#20 Evaluation Committee roster for procurement of voting equipment (RFP No. 078-0021-P) approved (County Administrator).

Motion - Commissioner Harris
Second - Commissioner Morrone
Vote - 4 – 0

* * * *

At this time, 3:38 P.M., Commissioner Latvala returned to the meeting.

* * * *

#21 Interim County Attorney authorized to defend the County's interests:

- a. Washington Mutual Bank versus Dolores Jelks, et al. – Circuit Civil Case No. 07-9132-CI-07 – Mortgage Foreclosure Involving Two Community Development Mortgages.
- b. Darren and Maria Escott, Plaintiffs versus Jim Coats, Sheriff of Pinellas County in His Official Capacity, Deputy Kenneth Hopson, Individually, and Deputy Richard Farnham, Individually – U.S. District Case No. 8:07-cv-1376-T-26-TBM – Allegation of Civil Rights Violation and Unconstitutional Policies.
- c. Tina Gabbard in Her Individual Capacity and as the Parent and Legal Guardian of Zachary Gabbard, a Minor, Tanya Gabbard, a Minor, Courtney Marie Smith, a Minor and Brett Bailey, a Minor, Plaintiffs, versus Florida Department of Transportation, Pinellas County and City of Oldsmar, Defendants – Circuit Civil Case No. 07-8577-CI-20 – Allegations of Negligence Resulting in Personal Injuries.

Motion - Commissioner Harris
Second - Commissioner Morrone
Vote - 5 – 0

#22 Recommendation not to seek further review in the case of Pinellas County versus City of Largo and City of Seminole, Florida – Charter Authority Over Annexation approved.

Motion - Commissioner Welch
Second - Commissioner Harris

Noting that the legislature may become involved, Commissioner Welch stated that annexation has been discussed at the Lealman task force meetings; that reference was made to resurrecting the Joint Pinellas Planning Council and the Countywide Planning Authority (PPC/CPA) Annexation Subcommittee to consider countywide annexation

issues; and that the subcommittee worked well in the past; whereupon, Commissioner Morroni concurred with Commissioner Welch, and noted that he did not believe legislative involvement was necessary.

Discussion ensued, with input from Commissioner Stewart, Mr. Marquis, and Assistant County Administrator Elithia Stanfield; whereupon, Commissioner Morroni moved to reinstate the Joint PPC/CPA Annexation Subcommittee to consider annexation issues within the realm of the past committee, seconded by Commissioner Latvala. Commissioner Stewart noted that there were two motions on the floor and referenced Commissioner Welch's motion to approve staff's recommendation on agenda item No. 22; and upon call for the vote, the motion carried unanimously.

Vote - 5 – 0

Commissioner Stewart referenced Commissioner Morroni's motion to reinstate the Joint PPC/CPA Annexation Subcommittee, seconded by Commissioner Latvala; and upon call for the vote, the motion carried unanimously.

Vote - 5 – 0

Commissioner Morroni indicated that he would inform the PPC of the Board's decision to reinstate the subcommittee at the October 17, 2007, PPC meeting.

Commissioner Welch related that the Lealman Fire District requested to reinstate geographic boundaries within their interlocal agreement, and sought the members' concurrence of his understanding that geographic boundaries should be addressed by the Joint PPC/CPA Annexation Subcommittee as part of the countywide annexation discussions and not made a part of the interlocal agreement, and no objections were noted. He further related that interlocal agreements ensure that cities are reimbursed for any annexation, regardless of where it occurs.

- #23 Contract for Legal Services with MacFarlane Ferguson & McMullen as special counsel to adjust and negotiate medical malpractice claims against the Pinellas County Sheriff amended to retain pre-suit expert witnesses in an amount capped at \$2,500.00 per expert (amendment retroactive to November 26, 2006); approved.

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

- #24 County Attorney Miscellaneous – None.

- #25 Sitting as the Industrial Development Authority, the Board granted authority to advertise a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing to be held at the Board of County Commissioners meeting on November 6, 2007, for issuance of not to exceed \$3,500,000.00 in Pinellas County Industrial Development Authority Revenue Bonds on behalf of DGT Management, LLC and Work Tools International, Inc.

Interim County Administrator Fred E. Marquis noted that the original bond amount of \$3,200,000.00 was increased due to additional costs.

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

- #26 Acting as the Emergency Medical Services Authority, the Board approved the appointment of Barry M. Mogil as South County consumer representative to the Emergency Medical Services Advisory Council.

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

- #27 Acting as the Emergency Medical Services Authority, the Board approved the appointment of Dr. Ayesha Hussein as emergency medicine (Trauma Center) physician to the Emergency Medical Services (EMS) Medical Control Board.

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

- #28 Change Order-Renewal of Contract with Oracle USA, Inc. for software license maintenance effective November 20, 2007, and continuing through November 19, 2008 (Contract No. 967-0007-N) approved; (2007-2008 fiscal year technical support fees reflecting three percent inflation increase, \$732,784.63); funding provided by Information Technology (IT) Department's operating funds (Information Technology Department).

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

- #29 County Administrator Reports – None.

- #30 Appointment of Steven Kennedy by the Suncoast Utility Contractors Association to the Pre-Qualification Committee approved.

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

- #31 Reappointment to the Pinellas Park Water Management District Board of Directors temporarily deferred to the November 6, 2007, BCC meeting.

Commissioner Harris moved to approve staff's recommendation; whereupon, Commissioner Welch stated that the community has raised questions on the topic; that part of the Fire District Task Force meetings will be dedicated to focusing on the Water

Management District; and that due to the term of the appointment, he would prefer that the appointee be selected through the BCC’s regular process; and noted that the three-mil tax levied by the Water Management District is substantial.

Thereupon, Commissioner Welch moved, seconded by Commissioner Morroni, that the reappointment be temporarily deferred to the November 6, 2007, BCC meeting. Upon call for the vote, the motion carried unanimously.

Vote - 5 – 0

#32 Appointment of Ginger Queen to the WorkNet Pinellas Board of Directors approved.

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

#33 County Commission Miscellaneous

- a. Commissioner Harris offered a water conservation tip re proper maintenance of lawn mowers, keeping the blades sharp, and using the lawn clippings as fertilizer.
- b. Commissioner Welch noted that Commissioner Harris is no longer on the PSTA Board and offered his congratulations to the University of South Florida (USF) Bulls college football team.
- c. Commissioner Stewart related that the Pinellas County Extension and Florida Botanical Gardens are hosting *Market in the Park* to begin Saturday, November 3, 2007, from 8:00 A.M. until 1:00 P.M.

* * * *

At this time, 3:56 P.M., the meeting was recessed and reconvened at 6:31 P.M. with Chairman Duncan in attendance.

* * * *

CITIZENS TO BE HEARD

Hamilton Hanson, St. Petersburg, re budget.
W. C. Snipes, Clearwater, re electromagnetic fields.
Diane Hodill, Belleair, re various issues.
Mark P. Klutho, Largo, re waste.
Greg Pound: Steward Israel, re families and children in Pinellas County.

#34 Resolution No. 07-152 adopted granting petition of Fred E. Marquis and Suzanne Z. Marquis to vacate a portion of a drainage and conservation easement on Lot 12, Forest Oaks Subdivision, located in Section 11, Township 28 South, Range 15 East; authority granted for Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Stewart

Mr. Marquis, who is currently employed as Pinellas County Interim County Administrator, clarified that the above matter was reviewed by the State of Florida Commission on Ethics, which found no impermissible conflict with respect to the issue.

Vote - 6 – 0

#35 Ordinance No. 07-49 adopted amending Sections 134-258, 134-259, 134-260, and 134-261 of the Pinellas County Code regarding the Annual Concurrency Test Statement. Staff recommended approval of the proposed ordinance. No correspondence has been received. No citizens appeared to be heard.

At the request of Commissioner Morrone, Planning Director Brian K. Smith provided background information relating to the Concurrency Test Statement. He indicated that the statement represents an annual status report on the ability of public facilities and services to meet the demands of existing and committed development, while continuing to provide an acceptable level of services (LOS); that the facilities and services with adopted LOS standards include county and state roads, potable water, sanitary sewer, solid waste, drainage, recreation, and mass transit; and that this information is available for public review on the county’s website. The ordinance will become effective upon filing with the State or November 1, 2007, whichever is later.

Motion - Commissioner Morrone
Second - Commissioner Welch
Vote - 6 – 0

#36 Authorization granted for transmittal of the proposed amendments to the Pinellas County Comprehensive Plan to the Florida Department of Community Affairs (DCA) for review and comment. No correspondence has been received.

At the request of Chairman Duncan, Planning Director Brian K. Smith conducted a PowerPoint presentation titled *Planning to Stay in Pinellas County*, a copy of which has been filed and made a part of the record, regarding amendments to the Pinellas County Comprehensive Plan proposed as a result of the adopted Evaluation and Appraisal Report, and responded to queries by the members.

Responding to the Chairman's call for persons wishing to be heard, Joe Paige, Clearwater, appeared and expressed his concerns.

Commissioner Latvala raised concerns regarding enforcement and additional layers of government; whereupon, Mr. Smith indicated that amendments to the Comprehensive Plan are carefully worded; and that members have the ability to enact modifications.

Vice-Chairman Stewart stated that he was concerned that the county was not setting its standards high enough regarding various aspects of the Plan; whereupon, Mr. Marquis emphasized that careful consideration must be given to determining Concurrency Test Statement figures so that the county meets concurrency by attaining its stated goals.

During further discussion, Chairman Duncan clarified that upon authorizing transmittal of the Comprehensive Plan to the DCA for review and comment, the members would have until February to continue formulating changes.

Motion	-	Commissioner Latvala
Second	-	Commissioner Morroni
Vote	-	6 – 0

- #37 Ordinance No. 07-50 adopted amending the Countywide Plan Rules regarding density and intensity standards for temporary lodging use. Seven letters in favor of and four letters in opposition to the proposed amendment have been received.

At the request of Chairman Duncan, Pinellas Planning Council Executive Director David P. Healey presented background information regarding the proposed ordinance to amend the countywide rules managing allowable hotel density.

Responding to the Chairman's call for persons wishing to be heard, the following citizens appeared and expressed their support:

Richard Wilhelm, Clearwater
Russ Kimball, Clearwater
Claudia Conti, Clearwater Beach
Teresa Tas, Clearwater Beach
Ewa Kunowska, Clearwater Beach
Jeff Beggins, Redington Beach
Deborah Martohue, St. Pete Beach
Tim Bogott, St. Petersburg

Eddie Mastalerz, St. Petersburg
Maria Altikatis, Clearwater Beach
Sheila Cole, Clearwater Beach
Cyndi Tarapani, New Port Richey
Troy Manthey, Tampa
Frank Hibbard, Clearwater

Responding to the Chairman’s call for persons wishing to be heard, the following citizens appeared and expressed their concerns:

William Pyle, St. Pete Beach
W. C. Snipes, Clearwater
Deb Schechner, St. Pete Beach

Thereupon, Commissioner Latvala moved, seconded by Commissioner Harris, that the Board approve the application, and following discussion, the motion carried unanimously.

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

* * * *

At this time, 8:31 P.M., Commissioner Latvala left the meeting.

* * * *

#38a Resolution No. 07-153 adopted approving the application of Kevin Piquet for a change of zoning from R-4, One, Two and Three Family Residential, to M-1, Light Manufacturing and Industry, re a parcel of land containing approximately 0.2 acre located on the west side of Cheryl Road, 100 feet north of Ulmerton Road, Largo (street address: 2340 Cheryl Road) (Z-2-7-07). Staff recommended approval of the application. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Harris
Second - Commissioner Morrioni
Vote - 5 – 0

* * * *

At this time, 8:32 P.M., Commissioner Latvala returned to the meeting and Commissioner Stewart left.

* * * *

#38b Resolution No. 07-154 adopted approving the application of Dorothy Cooper and Howard and Judy Wendzel, c/o Gary Boucher, Ozona Engineering, for a change of zoning from A-E, Agricultural Estate Residential, to R-2, Single Family Residential, re two parcels of land containing approximately 1.4 acres located on the east side of CR-1, 170 feet south of Wexford Leas Boulevard, Palm Harbor, and a variance to allow the proposed subdivision to have access via a private road (Z-3-7-07). Staff recommended approval of the application. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Morrone
Second - Commissioner Harris
Vote - 5 – 0

#38c Resolution No. 07-155 adopted approving the application of S. O. Geurin for a change of zoning from C-1, Neighborhood Commercial, to C-2, General Retail Commercial and Limited Services, re a parcel of land containing approximately 0.7 acre located on the south side of Walsingham Road, 370 feet east of 131st Street North, Largo (street address: 12998 Walsingham Road) (Z-1-8-07). Staff recommended approval of the application. No correspondence has been received. No citizens appeared to be heard.

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

#38d Resolution No. 07-156 adopted approving the application of Richard Ferguson for a change of zoning from C-2, General Retail Commercial and Limited Services, to M-1, Light Manufacturing and Industry, re a parcel of land containing approximately 0.6 acre located on the west side of 49th Street North, 500 feet south of 110th Avenue North (street address: 10820 49th Street North) (Z-4-8-07). Staff recommended approval of the application. No correspondence has been received. No citizens appeared to be heard.

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

* * * *

At this time, 8:36 P.M., Commissioner Stewart returned to the meeting.

* * * *

#38e Ordinance No. 07-51 adopted approving the application of Orange Lake Civic Center, Inc. for a change in land use designation from Commercial Recreation to Residential Urban (LU-5-8-07), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 0.35 acre located on the east side of 104th Street, 100 feet south of 118th Terrace North, Largo. Staff recommended approval of the application based on the Local

Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Morroni
Second - Commissioner Latvala

In response to query by Chairman Duncan, Paul Cassel, Director of Building and Development Review Services, referred to an aerial photograph and pointed out the location of the subject parcel; whereupon, he provided background information relating to the applicant's request.

Vote - 6 - 0

- #38f Ordinance No. 07-52 adopted approving the application of the Pinellas County Planning Director, c/o Brian Smith, for a change in land use designation from Commercial General to Residential Low Medium (LU-6-8-07), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 0.17 acre located on the north side of 49th Avenue North, 275 feet east of Park Street North (street address: 8137 49th Avenue North). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

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

- #38g Resolution No. 07-157 adopted approving the application of 8143 Land Trust, c/o J. Kristine Cox, for a change of zoning from R-4, One, Two, and Three Family Residential, to P-1, General Professional Office; Ordinance No. 07-53 adopted approving change in land use designation from Commercial General to Residential Office General, and a variance to allow development on a platted lot with 52.5 feet width where 60 feet is required (Z/LU-2-8-07), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 0.17 acre located on the north side of 49th Avenue North, 225 feet east of Park Street (street address: 8143 49th Avenue North). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received.

Thomas F. Cox, Representative, indicated the location of the subject parcel and described the surrounding area; whereupon, he provided background information relating to the applicant's request.

During discussion, Paul Cassel, Director of Building and Development Review Services, referred to a map and pointed out the location of the subject parcel; whereupon, he provided historical background information relating to the applicant's request; and indicated that the zoning and land use changes would provide a balanced transition into the neighborhood.

Responding to the Chairman's call for persons wishing to be heard, the following citizens appeared and expressed their concerns:

Gerald Jansheski, St. Petersburg
Sharon Bower, St. Petersburg
Benneth Lakilak, St. Petersburg

In response to the concerns of the objectors regarding the intended use of the property, Mr. Cox indicated that a professional office may be built on the site.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Stewart, that the Board approve the application.

Motion	-	Commissioner Latvala
Second	-	Commissioner Stewart

In response to queries by Commissioner Morrone regarding the transportation impact at the site, Mr. Cassel stated that the parcel is small; and that traffic generated would only be increased by 17 trips per day.

Vote	-	5 – 1 (Commissioner Morrone dissenting)
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#38h Resolution No. 07-158 adopted approving the application of Wal-Mart Stores, Inc. through David Walthall for a change of zoning from RPD-10, Residential Planned Development, ten units per acre, to CP-1, Commercial Parkway; Ordinance No. 07-54 adopted approving change in land use designation from Residential Low Medium to Residential Office Retail, and a development agreement and a variance to increase the maximum floor area ratio (FAR) by ten percent (Z/LU-7-5-07), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 2.8 acres located on the northwest corner of U.S. Highway 19 and Alderman Road, Palm Harbor. Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Director of Building and Development Review Services Paul Cassel noted a correction to the staff report; and indicated that the figure for total square footage should read 118,640 square feet; whereupon, in response to query by Chairman Duncan regarding an increase in vehicle trips, he indicated that staff analysis remains the same and the number of trips would not be increased.

Thereupon, Mr. Cassel referred to an aerial photograph and pointed out the location of the subject parcel; whereupon, he provided historical background information relating to the applicant's request; and in response to query by Commissioner Latvala, Mr. Cassel indicated that Wal-Mart has taken steps to improve traffic flow on adjacent roads.

Jim Porter, Representative, described in detail the subject parcel and surrounding area; and stated that the purpose of the request was to allow Wal-Mart to add a grocery component to its existing store and to incorporate pedestrian amenities.

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

- #38i Application of Matthew A. Geiger through Todd Pressman, Pressman and Associates, for a Conditional Use to allow a helipad in an RPD-0.5 zoning district (CU-6-7-07) denied, re a parcel of land containing 36 acres located on the northwest corner of Keystone Road and Old Keystone Road (street address: 3385 Old Keystone Road, Tarpon Springs). Staff recommended conditional approval of the application based on the Local Planning Agency Report. Forty-seven letters and a petition containing 296 signatures in opposition to the application have been received.

Paul Cassel, Director of Building and Development Review Services, referred to an aerial photograph and pointed out the location of the subject parcel and clarified the term “conditional use.” He indicated that the applicant’s request meets the general standards of the Pinellas County Land Development Code which regulates conditional use permits; whereupon, he reviewed staff recommendations regarding conditions to be met by the applicant.

During discussion and in response to query by Chairman Duncan, Mr. Cassel indicated that he could not recall a similar request; that he did not consider it precedent setting; and that each application is reviewed on its own merits. In response to Commissioner Welch’s concerns regarding monitoring for compliance, Mr. Cassel emphasized that if conditions are not met, the members may exercise their authority to modify or impose additional provisions.

Mr. Pressman referred to an aerial photograph and pointed out the subject location, described the surrounding area, reviewed the flight path, and noted the distance between the landing pad and neighboring homes. He clarified that an arrival and departure would be considered one trip; and specified that the applicant would be operating a Robinson R44 Series helicopter.

Responding to the Chairman’s call for persons wishing to be heard, the following citizens appeared and expressed their concerns:

Gregory Lee Crowell, Tarpon Springs
Barb Walker, Palm Harbor
Vikki Rosenbaum, Palm Harbor
W. C. Snipes, Clearwater

In response to the concerns of the objectors, Mr. Pressman reiterated that the applicant meets the required standards and is willing to consent to any conditions set forth by the Board; whereupon, the members discussed whether a conditional use would transfer if the property were to be sold.

Thereupon, Vice-Chairman Stewart moved, seconded by Commissioner Harris, that the Board approve the application.

Motion	-	Commissioner Stewart
Second	-	Commissioner Harris

After additional discussion and upon call for the vote, the motion to allow the helipad failed.

Vote	-	2 – 4 (Commissioners Duncan, Latvala, Morroni, and Welch dissenting)
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#38j Application of Trevena-Hagen Land Trust, c/o Frank Hagen, Trustee, for a Conditional Use to allow processing of construction and demolition debris into aggregate material as a Solid Waste Management Facility (outdoor) in an M-1 Zoning District (CU-1-7-07) denied, re a parcel of land containing approximately 2.9 acres located on the south side of 126th Avenue North, 400 feet west of Starkey Road (street address: 9000 126th Avenue North, Largo). Staff recommended conditional approval of the application based on the Local Planning Agency Report. Twenty-six letters in opposition to the application have been received.

In response to query by Chairman Duncan, Paul Cassel, Director of Building and Development Review Services, referred to an aerial photograph and pointed out the location of the subject parcel, described the various buildings and features located on the property, and clarified the term “conditional use.” He provided background information related to the applicant’s request; and indicated that the proposal is to operate a construction and demolition recovery operation on the site; and that the request meets the general standards of the Pinellas County Land Development Code which regulates conditional use permits; whereupon, Mr. Cassel reviewed staff recommendations regarding conditions to be met by the applicant and emphasized that if conditions are not met, the members may exercise their authority to modify or impose additional provisions.

Commissioner Morroni stated for the record that he had visited the subject property; and that the local residents had related to him that they were subjected to noise seven days a week and dusty conditions on a regular basis.

Gregory T. Elliott, Elliott Berger PA, Representative, referred to an aerial photograph and pointed out the subject location and surrounding properties and provided background information; whereupon, he described operations at the site; stated that the crusher has been in use since December 2006; and that it does not emit substantial noise.

During discussion and in response to queries by Commissioner Welch, Attorney Bennett provided information regarding the status of civil litigation brought forth by the county regarding the applicant's code violations.

Responding to the Chairman's call for persons wishing to be heard, the following citizens appeared and expressed their concerns:

Michael Reilly, Largo
Paul Del Prete, Largo
Judy Surface, Largo
Stephen Surface, Largo
Terri Castro, Belleair
Kelly Jones, Largo
Michelle Helms, Largo
Perry Ellie, Largo
Thomas J. Podlaski, Largo
Linda Podlaski, Largo
Doug Klimm, Largo
Michelle Wilcox, Largo
Bill Larson, Largo

In rebuttal, Mr. Elliott indicated that the applicant is endeavoring to be considerate of the neighbors by agreeing to limit hours of operation, creating an earthen berm to mitigate noise, and implementing a dust control plan.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Morrioni, that the Board deny the application.

Motion - Commissioner Latvala
Second - Commissioner Morrioni

During further discussion and in response to queries by Vice-Chairman Stewart regarding enforcement of regulations and the issuance of fines, Attorney Bennett, with input by Managing Assistant County Attorney Jewel White Cole, described the lengthy process to institute a maximum fine of \$500.00 per day; and stated that beginning in December 2007, Special Magistrates will be engaged so as to more effectively implement fines; whereupon, Commissioner Latvala indicated that although the business must be closed down at its current site, the county should assist the applicant in searching for a suitable location since recycling is beneficial to the county, and Chairman Duncan concurred.

Upon call for the vote, the motion to deny carried.

Vote - 6 - 0

October 16, 2007

#39 Meeting adjourned at 11:38 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk