

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, JANUARY 9, 2007 – 9:33 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Members Absent: None.

Members Late: None.

Members Excused: None.

Others Present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Arlene J. Kennare, Deputy Clerk.

INVOCATION: Commissioner Robert Thomson, The Salvation Army, Clearwater.

PLEDGE OF ALLEGIANCE: Commissioner Stewart.

CITIZENS TO BE HEARD

Mark G. Naedel, Belleair Bluffs, re Charter Amendments and subsequent litigation.

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

COUNTYWIDE PLANNING AUTHORITY (CPA) PUBLIC HEARINGS

1 Case No. CW 06-48, the proposal by the City of Largo to amend the Countywide Future Land Use Plan from residential low medium to commercial general, re 0.10 acre located on the southeast corner of Roosevelt Boulevard and Westminister Avenue (subthreshold amendment) temporarily deferred.

2a Ordinance No. 07-01 adopted approving Case No. CW 06-49, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from residential urban to commercial general, re 0.30 acre located on the northwest corner of 46th Avenue North and 68th Lane 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 Harris
Second	-	Commissioner Latvala
Vote	-	7 - 0

- # 2b Ordinance No. 07-01 adopted approving Case No. CW 06-50, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from transportation/utility to residential urban, re 4.1 acres located approximately 400 feet east of 45th Street North, and 600 feet south of 54th Avenue 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 Latvala
Vote - 7 - 0

- # 2c Ordinance No. 07-02 adopted approving Case No. CW 06-51, the proposal by the City of St. Pete Beach to amend the Countywide Future Land Use Plan from residential urban to institutional, re 0.10 acre located at 2307 Pass-A-Grille Way (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 Seel
Second - Commissioner Welch
Vote - 7 - 0

- # 3a Case No. CW 06-52, the proposal by the City of Tarpon Springs to amend the Countywide Future Land Use Plan from residential low to residential urban, re 9.0 acres located at 625 and 631 North Jasmine Avenue (regular amendment) temporarily deferred. Pinellas Planning Council recommended temporary deferral of the application until the suggested alternative compromise recommendation has been considered and staff concurred; no correspondence has been received; no citizens appeared to be heard.

and

- # 3b Case No. CW 06-53, the proposal by the City of Tarpon Springs to amend the Countywide Future Land Use Plan from industrial limited to residential urban, re 6.9 acres located at 615 North Jasmine Avenue (regular amendment) temporarily deferred. Pinellas Planning Council recommended temporary deferral of the application until the suggested alternative compromise recommendation has been considered; and staff concurred; no correspondence has been received; no citizens appeared to be heard.

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

WATER AND NAVIGATION CONTROL AUTHORITY (WNCA) PUBLIC HEARINGS

- # 4 Multi-use dock application No. M35172-04/Revised, Alfredo Seidner/Bahia Mar LLC, 10133 Gulf Boulevard, Treasure Island (Boca Ciega Bay) 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 Welch
Vote - 7 - 0

- # 5 Private dock application No. P37718-06, Sally Fonner, 1268 Bayshore Boulevard, Dunedin (Clearwater Harbor) approved; no correspondence has been received; and the biological report has been filed as part of the record.

Director of Environmental Management William M. Davis referred to an aerial map and photographs and pointed out the location of the proposed dock. He indicated that a certified survey has been received authenticating water depth; that there is sea grass present, which is typical; that there are docks of equal magnitude in the area; that there is an existing dock which will be removed; and that no variances are required.

Responding to queries by Commissioners Stewart and Seel, Mr. Davis indicated that the dock to be removed is between 50 and 75 feet in length; and that there is a single boat lift in place which is used for personal watercraft.

In response to the Chairman's call for persons wishing to be heard in support of the application, Sherry Bagley, Dunedin, appeared on behalf of the applicant and submitted a signed and sealed survey authenticating water depth, a copy of which has been filed and made a part of the record.

In response to the Chairman's call for persons wishing to be heard in opposition to the application, Marti Kukulik, Dunedin, appeared and expressed her concerns.

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

- # 6 Dredge and fill application No. DF1750-06, City of St. Petersburg, Arterial Navigational Channel "P" (Tampa Bay) approved subject to the following condition:

1. The applicant or contractor must take immediate corrective action in the event of turbidity problems outside of the dredge area.

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 Welch
Vote - 7 - 0

- # 7 Multi-use dock application No. M37761-06, Danny Patel, Paradise Cove Clearwater, Inc., 145 Brightwater Drive, Clearwater (Clearwater Harbor) approved; 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 Welch

Responding to query by Commissioner Seel, Director of Environmental Management William M. Davis indicated that dock applications are reviewed on a case-by-case basis; and discussion ensued with Commissioner Harris and Attorney Churuti providing input.

Vote - 7 - 0

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

8 Ordinance No. 07-03 adopted repealing Section 2-72 of the Pinellas County Code relating to the recording of certain instruments; providing for severability; providing for codification; providing for effective date. No correspondence has been received. No citizens appeared to be heard.

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

9 Ordinance No. 07-04 adopted providing that the site development and platting system provisions of the Pinellas County Land Development Code be amended by revising Section 154-10 to provide for amended street sign material and maintenance criteria; by revising Section 154-115 to provide for an amended sidewalk width for residential streets and an amended thickness along rural cross section roadways where the sidewalk can be crossed with vehicles; providing for inclusion in the Code; providing for severability; providing for any changes that may arise at the public hearing and/or with responsible parties; and providing for filing of the Ordinance and for an effective date. No correspondence has been received. No citizens appeared to be heard.

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

#10 Ordinance No. 07-05 adopted amending the Pinellas County Code and Pinellas County Land Development Code; creating a new Article VIII in Chapter 2 of the Pinellas County Code; providing for Code enforcement through Special Magistrates pursuant to Chapter 162, Florida Statutes, and definitions, procedures, powers and duties associated therewith; amending Section 1-8 of said Code providing for reference to the newly created Article VIII of Chapter 2; amending Sections 134-8 and 138-54 of the Pinellas County Land Development Code providing for reference to the newly created Article VIII of Chapter 2; providing for additional procedures or implementing provisions to be adopted by Board Resolution; providing for severability; providing for inclusion in the Code; and providing for an effective date; providing for other modifications that may

arise from review of the Ordinance at the public hearings and with responsible authorities. No correspondence has been received. No citizens appeared to be heard.

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

- #11 Ordinance No. 07-06 adopted calling a referendum submitting to the electors of Pinellas County the question of whether the existing infrastructure sales surtax shall be extended for an additional ten years; authorizing publication of the Notice of Referendum; amending Section 118-2(b) of the Pinellas County Code relating to the use of the tax proceeds; amending Section 118-2(c) of the Pinellas County Code relating to the duration of the levy of the infrastructure sales surtax; providing for severability; providing for codification; providing for an effective date. No correspondence has been received. No citizens appeared to be heard.

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

CONSENT AGENDA ITEMS NOS. 12 THROUGH 25 – APPROVED

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

- #12 Minutes of regular meeting of November 21, 2006.

- #13 Reports received for filing:

- a. Internal Audit Division, Clerk of the Circuit Court, Report No. 2006-23 dated December 14, 2006 – Audit of Department of Communications.
- b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2006-24 dated December 14, 2006 – Follow-up Audit to Pinellas County Economic Development Operations and Internal Controls.
- c. Internal Audit Division, Clerk of the Circuit Court, Report No. 2006-25 dated December 14, 2006 – Follow-up Audit to Water and Sewer Utilities Cash Handling Activities.

- #14 Approvals received for filing:

- a. General – none.
- b. Vouchers and Bills Paid - Period of November 20 through December 8, 2006
Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2688
Payroll checks numbered 546004 through 546306

Imprest Fund Expenditures

Manual checks numbered 751324 through 751330

System checks numbered 859268 through 861564

Wire Transfers numbered 007913 through 008034

- # 15 Miscellaneous items received for filing:
- a. Florida Public Service Commission Notice of Continuation of Hearing regarding the fuel clause to December 8, 2006 in Tallahassee.
 - b. Dock Fee Report for the month of October 2006.
- #16 Plats, Guarantees, Sureties and Agreements:
The Plantation - David Legault – Completion surety funds released.
- #17 Joint Project Agreement with Verizon Florida Inc. for utility installation on Park Street/Starkey Road from 84th Lane North to Bryan Dairy Road (PID No. 865). Verizon has allocated \$1,174,729.03 for the preliminary estimated cost of the utility work plus a five percent administration fee (\$58,736.45) that will be deposited into a trust account for the purpose of payments by the County to the contractor (total estimated costs to be paid by Verizon, \$1,233,465.48); Chairman authorized to sign and the Clerk to attest.
- #18 Ranking of firms to provide ongoing land survey and mapping services for various County departments as follows:
1. Cumbey and Fair, Inc.
 2. Florida Design Consultants, Inc.
 3. George F. Young, Inc.
 4. McKim & Creed, P.A.
 5. Polaris Associates, Inc.
 6. TBE Group, Inc.

Staff authorized to negotiate contracts for Board approval with each of the top six ranked firms.

- #19a Change Order No. 1 (final) to agreement with Mears/HDD LLC for the Town of Indian Rocks Beach force main replacement (Project No. 753-906814-1678, Bid No. 045-745-C), decreasing the agreement amount by \$69,203.59 (final revised agreement amount, \$811,401.41); contract accepted as complete as of March 7, 2006; retainage released in the amount of \$34,275.75; Chairman authorized to sign and the Clerk to attest.
- #19b Change Order No. 1 (final) to agreement with Miller Pipeline Corporation for the Belleair sanitary sewer collection rehabilitation (Project No. 751-901719-1727, Bid No. 034-419-C), decreasing the agreement amount by \$23,328.29 (revised final agreement amount,

- \$120,796.71); contract accepted as complete as of August 29, 2006; retainage released in the amount of \$4,784.47; Chairman authorized to sign and the Clerk to attest.
- #20 Award of bid to Air Mechanical & Service Corp. to furnish and install a cooling tower at the Young-Rainey STAR Center (Bid No. 067-0028-B) on the basis of being the lowest responsible, responsive bid received (contract estimated expenditure not to exceed \$1,159,000.00) (Economic Development).
 - #21 Amendment No. 2 to Grant Agreement with Florida Department of Environmental Protection (FDEP) Bureau of Beaches and Coastal Systems providing \$6,000.00 in reimbursement from the state for its share of monitoring of the 2006 Treasure Island Beach Nourishment Project (FDEP Contract No. 04PI1) (Environmental Management).
 - #22 Amendment No. 3 to Grant Agreement with Florida Department of Environmental Protection (FDEP) Bureau of Beaches and Coastal Systems for Long Key Beach Nourishment, providing reimbursement in the amount of \$120,488.00 from the state for T-groin monitoring and an oil contamination study of Blind Pass and a time extension (FDEP Contract No. 02PI1) (Environmental Management).
 - #23 Amendment No. 6 to Grant Agreement with Florida Department of Environmental Protection (FDEP) Bureau of Beaches and Coastal Systems providing \$225,800.00 in reimbursement from the state for its share of monitoring of the 2005-06 Sand Key Beach Restoration Project (FDEP Contract No. 03PI1) (Environmental Management).
 - #24a Fiscal Year 2006 Budget Amendment No. 41 was filed and made a part of the record (Management and Budget).
 - #24b Fiscal Year 2007 Budget Amendment No. 4 was filed and made a part of the record (Management and Budget).
 - #25 Award of bid to Insight Public Sector, Inc. for computer hardware, peripherals, software and services (Hewlett-Packard Company) (Contract No. 067-0050-B) on the basis of being the lowest responsive, responsible bid received meeting specifications for an estimated thirty-six month expenditure not to exceed \$836,972.50 (estimated annual expenditure not to exceed \$278,990.83).
 - #26 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.
 - #27 Resolution No. 07-1 adopted declaring a portion of Parcel A, No. 13/30/16/91621/001/0010 and Parcel B, No. 14/30/16/39996/003/0010, located on County Road 296, St. Petersburg, as surplus; authorization granted to conduct a direct sale to the Florida Department of Transportation (FDOT), as authorized in Section 125.38, Florida Statutes, for the established sale prices in the amounts of \$3,200.00 and

\$147,168.00, respectively, for a total of \$150,368.00; Chairman authorized to execute the Counteroffer and Purchase Agreement and the County deed; Clerk authorized to attest and record the resolution.

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

- #28 Contract for Sale and Purchase with Heman W. Stannard for acquisition of vacant real property located at East Tarpon Avenue, Tarpon Springs (Parcel No. 07/27/16/99612/002/0110), for the Keystone Road, U.S. 19 to East Lake Road project (PID No. 920522) approved by extraordinary vote; authorization granted for issuance of a check in the amount of \$67,790.37 to Somers Title Company (total closing expenses of \$67,790.37; county appraisal fee of \$1,475.00; total estimated cost of \$69,265.37); Chairman authorized to execute contract and the Clerk to attest.

Motion - Commissioner Welch
Second - Commissioner Latvala

In response to queries and comments by Chairman Duncan and Commissioner Latvala, Public Works Director of Geographic Services Charles R. Norwood related that staff has adopted federal guidelines pertaining to property acquisition; that staff endeavors to be innovative and fair in its negotiations with property owners; and that 62 parcels have yet to be acquired for the Keystone Road project. Mr. Spratt requested that staff prepare a report outlining the contacts that have been made and how they relate to the School Board's approach in acquiring property; and Director of Transportation Peter Yauch commented that an update report is being prepared regarding the Keystone Road project; whereupon, Chairman Duncan commented that it may be necessary to schedule a workshop on the topic in the near future.

Responding to comment by Commissioner Morrone, Attorney Churuti explained that the attorneys' fees are dictated by statute; and indicated that she will provide a delineation of the provision for the members' review; whereupon, Mr. Norwood related that he will include the formula for determining attorneys' fees in his report.

Vote - 7 - 0

- #29 Contract for Sale and Purchase with James Michael Hendry for acquisition of vacant real property, Parcel No. 15/30/15/70596/400/2602, lying within the proposed area of the Lake Seminole Alum Injection project (formerly Lake Seminole Watershed Stormwater Pollution Reduction) (PID No. 829) approved by extraordinary vote; authorization granted for issuance of a check in the amount of \$266,750.00 to Somers Title Company (total closing expenses of \$266,750.00; county appraisal fee of \$2,000.00; total estimated cost of \$268,750.00); Chairman authorized to execute contract and the Clerk to attest.

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

- #30 Installation of two multi-way stop conditions, two speed humps, and turn restrictions located on Pennsylvania Avenue from County Road 1 to 18th Street, at the specific locations enumerated in the agenda memorandum dated January 9, 2007, which has been filed and made a part of the record, approved in accordance with the Residential Traffic Management (RTM) program adopted pursuant to Resolution No. 97-291 dated October 14, 1997, and revised June 4, 2002 and June 7, 2005.

Motion - Commissioner Welch
Second - Commissioner Latvala

Commissioner Latvala referred to her correspondence dated January 5, 2007, a copy of which has been filed and made a part of the record, and reported that the Metropolitan Planning Organization School Transportation Safety Committee (STSC) has expressed concern with regard to the proposed traffic calming plan; whereupon, Director of Transportation Peter Yauch provided an overview of discussions held with the neighbors and the STSC; and related that the turning restrictions coincide with the Pennsylvania Avenue peak traffic volume counts. Following discussion, Commissioner Latvala suggested that the turning restrictions be monitored to determine if they are necessary; and pointed out that other facilities in the area contribute to the traffic congestion.

In response to query by Commissioner Stewart, Mr. Yauch related that the neighbors had participated in the petition and public hearing process; and that a survey had been conducted.

Vote - 7 - 0

- #31 Bid awarded to Vila & Son Landscaping Corp. for landscaping installation and related maintenance of south area medians and separators (re-bid) on the basis of being the lowest responsive, responsible bid received that meets specifications (Contract No. 067-0124-B); total estimated expenditure through January 31, 2011 not to exceed \$1,096,594.00.

Motion - Commissioner Welch
Second - Commissioner Harris

In response to a request by Commissioner Seel, Director of Transportation Peter Yauch related that he would provide an update report of priority landscape project locations.

Vote - 7 - 0

- #32 Change Order No. 1 with Pepper Contracting Services, Inc. for the McMullen Booth Road at S.R. 590 intersection improvements (re-bid) (PID No. 816; Bid No. 045-340-C) granting a time extension request of 258 additional calendar days (new contract completion date of January 31, 2007) approved for execution.

Motion - Commissioner Seel
Second - Commissioner Harris

Commissioner Stewart related that a large contribution has been received as a result of a transportation impact fee.

Vote - 7 - 0

- #33 Resolution No. 07-2 adopted to determine the necessity to construct drainage improvements to Curlew Creek Channel "A" and directing the condemnation of the necessary property for a drainage easement required for construction (PID No. 1124 [formerly 922379]); Clerk authorized to record resolution.

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

- #34 Bid awarded for water and sewer materials and accessories to the following vendors for items indicated at unit prices bid as outlined in the tabulation attachment to the board memorandum, a copy of which has been filed and made a part of the record (Contract No. 056-0948-B):

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>
A. Y. McDonald Mfg. Co.	\$ 5,930.00
Cole Industrial and Technical Supply Co., Inc.	\$161,013.52
Ferguson Enterprises, Inc.	\$216,295.10
HD Supply Waterworks, LTD.	\$112,472.50
Lehman Pipe and Plumbing Supply, Inc.	\$ 55,343.72
Sunstate Meter & Supply, Inc.	\$160,912.25

In accordance with County Code Section 2-176(1), Chairman Duncan conducted a public drawing to determine the award of four tie bids; whereupon, the following vendors were awarded contracts:

HD Supply Waterworks, LTD.	Items Nos. 1F and 40F
Cole Industrial and Technical Supply Co., Inc.	Item No. 4B
Ferguson Waterworks	Item No. 23D

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

- #35 Change Order No. 1 with DCR Engineering Services, Inc. for the Motorola Supervisory Control and Data Acquisition (MOSCADA) Remote Terminal Unit (RTU) equipment

(Contract No. 056-0274-B) increasing the agreement in the amount of \$86,279.64 for a total revised CPO amount and estimated total expenditure not to exceed \$2,212,198.62 approved.

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

- #36 Resolution No. 07-3 adopted approving the 2006-07, 2007-08, 2008-09 Pinellas County Housing Trust Fund Local Housing Assistance Plan for submission to the Housing Finance Authority of Pinellas County, Florida, and authorization for the Chairman or designee to sign and the Clerk to attest; authorization for the Chairman or designee to sign and the Clerk to attest agreements with subrecipients and developers; providing for administrative and per unit costs, funds for plan strategies; and authorization for the Chairman and County Administrator or their designees and the Community Development Director to submit reports, certifications and other documents to the Housing Finance Authority of Pinellas County, Florida (Community Development).

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

- #37 Increase of funds for the Master Purchase Order for janitorial services in various county buildings with Foster and Associates, Grosvenor Building Services, Inc., Integrated Building Maintenance Services, Inc., Knight Facilities Management, Inc., and Tri-Angle Maintenance Services, Inc., in effect through November 30, 2007 (Contract No. 034-364-B) approved; total estimated increase not to exceed \$100,000.00; revised estimated expenditure not to exceed \$4,442,637.94 (Facility Management).

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

- #38 Increase of funds for the Master Purchase Order for the repair and upgrade services of cell doors and gates at the Detention Center with Stewart Security Systems, Inc. (Contract No. 056-0515-SS) approved; increased expenditure not to exceed \$216,058.00; revised total annual expenditure not to exceed \$339,058.00 (Facility Management).

In response to query by Chairman Duncan, Mr. Spratt confirmed that Stewart Security Systems, Inc. is the only company that can perform the services.

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

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At this time, 10:25 A.M., Commissioner Harris left the meeting.

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#39 Award of Contract No. 056-0763-B to Teksystems Management, Inc., a/k/a Teksystems, Inc., for contract staffing resources for Information Systems rescinded on the basis of being non-responsive to the terms and conditions of the county's contract purchase order (Information Systems).

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

#40 Agreement between the City of Clearwater, Pinellas County Sheriff Jim Coats, and Pinellas County for forensic, evidence and property storage services in the amount of \$393,386.35 effective October 1, 2006 through September 30, 2007 approved for execution (Justice and Consumer Services).

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

#41 Other Administrative Matters – None.

#42 County Attorney authorized to defend the County's interest:

a. LPP Mortgage Ltd. versus Susan B. Chapman as Personal Representative of the Estate of Kathy B. Monti, et al. – Circuit Civil Case No. 06-8602-CI-19 – Foreclosure Action.

b. Camelot Condominium Owners Association, Inc. versus Luke Investments, Inc., et al. – Circuit Civil Case No. 06-9178-CI-13.

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

#43 County Attorney authorized to initiate litigation on behalf of Mr. Ron Oberlin in claim of Oberlin versus Whetstone Apartments, Ltd., PC2005 136 04-05-1373-8, fair housing complaint.

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

#44 Extension of timeframe contained in the Eldridge-Wilde Wellfield Transfer Agreement to February 29, 2008 for Tampa Bay Water to seek reimbursement of expenses related to the clearing of title defects approved.

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

#45 Authorization granted for the Clerk to advertise a public hearing to be held on January 23, 2007 re a proposed ordinance regarding ethical campaign practices.

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

#46 Resolution No. 07-04 adopted increasing the minimum ad valorem tax bills to \$20.00 pursuant to Section 197.212, Florida Statutes.

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

#47 Approval of Declaration of Restrictive Covenant on County-owned Joe’s Creek Property (PID No. 881), amending a previously approved Declaration as required by the Florida Department of Environmental Protection; Chairman authorized to sign and the Clerk to attest.

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

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At this time, 10:28 A.M., Commissioner Harris returned to the meeting.

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#48 Authorization granted for settlement of the claim of Douglas Finch versus Pinellas County, et al., Pinellas County Circuit Case Number 06-8435-CI-08.

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

#49 Authorization granted for settlement in the case of Pinellas County versus Menios Papas, Popi Papas, et al., Circuit Civil Court Case No. 01-008225-CI-015, regarding Keene Road Project – Phases 1A and 1B, Parcels 028, 030, and 031 (Roadway Easements) as outlined in the confidential memorandum from County Attorney Susan H. Churuti dated January 9, 2007.

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

- #50 Authority granted to settle the claims of Desmond Small and Christopher Lobban against Sheriff Jim Coats, Claim No. 06-93241, as outlined in the confidential memorandum from County Attorney Susan Churuti dated January 9, 2007.

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

- #51 County Attorney Miscellaneous:
Attorney Churuti provided a brief update on the Charter Review amendments litigation.

- #52 Sitting as the Countywide Planning Authority, the Board authorized the advertisement of two public hearings to be held on February 6 and February 20, 2007, respectively, to consider proposed amendments to the Countywide Plan Rules.

Motion - Commissioner Latvala
Second - Commissioner Welch

Responding to query by Commissioner Stewart, Mr. Spratt discussed the change in the public hearing scheduling process relative to amendments to the Countywide Plan Rules.

Vote - 7 - 0

- #53 Sitting as the Emergency Medical Services Authority, the Board approved the appointment of Ray Neri (South County consumer representative) to the Pinellas County Emergency Medical Services Advisory Council for a two-year term.

Motion - Commissioner Welch
Second - Commissioner Seel

At the request of Chairman Duncan, Mr. Spratt indicated that a background information package would be provided with all future appointment requests.

Vote - 7 - 0

- #54 Reappointment of Norris Counts to the Housing Finance Authority Board for a four-year term expiring on February 1, 2011 approved.

Motion - Commissioner Stewart
Second - Commissioner Morrone
Vote - 7 - 0

- #55 Sitting as the Pinellas County Water and Navigation Control Authority, the Board approved a request by George Saroukos for an extension of the expiration date for permit No. CD33714-03 to November 20, 2007.

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

#56 County Administrator Reports:

- a. Mr. Spratt referenced a request for annexation by the City of Pinellas Park and indicated that the proposal deviates from the board's adopted criteria and guidelines; whereupon, Director of Planning Brian K. Smith pointed out the subject area on a map and noted that the annexation would result in an almost 95 percent enclosure. He indicated that staff is requesting direction by the members to proceed with a full review of the proposed annexation by the Pinellas Planning Council; whereupon, following brief discussion, Commissioner Stewart moved, seconded by Commissioner Latvala and carried, that the request for review be approved.

- b. Referring to correspondence received from Commissioner Seel sitting as Chairman of the Metropolitan Planning Organization, a copy of which has been filed and made a part of the record, Mr. Spratt reported that the Florida Department of Transportation (FDOT) is considering placing 50 percent of the funding for the 118th Avenue design work in its tentative work program; that FDOT is requiring a county match of \$6,016,500.00; and that staff must advise FDOT by January 22, 2007 whether funds will be earmarked for the match. Mr. Spratt related that staff has identified \$3,600,000.00 that may be utilized as a result of supplemental funding of the Bryan Dairy Road project; that the 118th Avenue project would be predicated upon a favorable outcome of the Penny renewal program; and that staff is requesting authorization by the members to move forward in identifying potential revenue sources in order to determine a funding mechanism for the \$2,400,000.00 outstanding balance.

During discussion with input by Mr. Smith, Director of Transportation Peter Yauch pointed out that the total FDOT fund reserve in the Transportation Regional Incentive Program (TRIP) is \$5,200,000.00, which reduces the required county match to \$1,600,000.00; and that it may be possible to allocate \$3,600,000.00 in 2007 and the balance in 2008.

Thereupon, Commissioner Seel moved, seconded by Commissioner Stewart and carried, that \$3,600,000.00 from the Bryan Dairy Road project be reallocated to enable the county to apply for TRIP funding for the 118th Avenue project; and that following additional research, staff apprise the members of revenue sources available to fund the \$1,600,000.00 balance; whereupon, Commissioner Seel noted that the motion is not predicated upon passage of the Penny renewal program.

#57 Appointment of Robert C. Decker to fill the remaining period of the four-year term of George Jirotko as the alternate member of the Pinellas County Public Employee Relations Commission (PERC) approved.

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

#58 Appointment of Sean D. Carter to the Building Board for Examining, Adjustments and Appeals approved; term to expire December 31, 2007.

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

#59 Appointments to the Pinellas County Economic Development Council as outlined in the Board Memorandum dated January 9, 2007, a copy of which has been filed and made a part of the record, approved.

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

#60 a. Resolution 07-5 adopted regarding the extreme insurance rate increases imposed upon the residents and business owners in Florida and strongly encouraging the Florida Legislature to enact legislation addressing the insurance crisis during the special session in January 2007.

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

b. Appointment of City of Clearwater Vice-Mayor Carlen Petersen and City of Dunedin Commissioner Julie Scales to the Tourist Development Council for a four-year term approved.

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

c. Commissioner Morroni congratulated Chairman Duncan on chairing his first meeting; wished residents a Happy New Year; and announced that his 13th Annual Law Enforcement and Firefighters Dinner will be held January 26, 2007 at the Vinoy Hotel.

d. Commissioner Harris provided a consumer tip re health club contracts; and presented a Penny message pertaining to stormwater and drainage improvement projects.

January 9, 2007

- e. Commissioner Stewart congratulated Florida schools for a winning sports season.
- f. Commissioner Seel congratulated the Gators.
- g. Commissioner Latvala congratulated the Gators.
- h. Commissioner Welch congratulated the Gators, Chairman Duncan on chairing his first meeting, and Commissioner Latvala for chairing Tampa Bay Water in 2007; and discussed the Lealman garbage collection kickoff, and the St. Petersburg Tent City homeless issue.
- i. Chairman Duncan discussed upcoming Southwest Florida Water Management District meeting re watering restrictions; and congratulated the Gators.

#61 Meeting adjourned at 11:09 A.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk