

Clearwater, Florida, February 5, 2002

The Board of County Commissioners in and for the County of Pinellas met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 9:34 A.M. on this date with the following members present: Barbara Sheen Todd, Chairman; Karen Williams Seel, Vice-Chairman; Robert B. Stewart; Calvin D. Harris; Susan Latvala; John Morroni; and Kenneth T. Welch.

Absent: None.

Also present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; C. R. Short, Chief Deputy Clerk; and Carol J. Jones, Board Reporter.

Deacon Jim Greveities, St. Brendan Catholic Church, Clearwater, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Harris.

A G E N D A

INVOCATION

PLEDGE OF ALLEGIANCE to the Flag of the United States of America

PRESENTATIONS & AWARDS

A. CITIZENS TO BE HEARD

Any Person Wishing to Speak at this Time (Excluding Issues on the Agenda or Previously Acted on by the BCC) Must Have a Card Filled Out and Turned in to Staff at the Administrative Table Located at the Front of the Board Room.

B. CONSENT AGENDA

CLERK OF CIRCUIT COURT

1. Approval of Minutes – Regular Meeting Held on January 8, 2002.
2. Reports:
 - a. Juvenile Welfare Board Interim Fiscal Reports (Unaudited) Dated December 31, 2001.
 - b. Pinellas County Planning Council's Comprehensive Annual Financial Report for the Year Ended September 30, 2001.

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3. Other Approvals:
 - a. General - None.
 - b. Satisfactions of Judgments and Liens.
 - c. Vouchers and Bills Paid.
4. Miscellaneous Items to be Received for Filing:
 - a. Official Traffic Regulations Submitted by the County Traffic Engineer.
 - b. City of Largo Resolution No. 1765 Opposing the County's Attempt to Regulate Annexation by Referendum.

COUNTY ADMINISTRATOR

Budget and Finance

5. Budget Amendments - None.

Public Works

6. Approval of Subdivision Plats and Related Items - None.

General

7. Approval to Accept the Quarterly Report for the State of Florida Contract Purchases and Master Purchase Order Increases.

C. REGULAR AGENDA

8. Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court).

COUNTY ADMINISTRATOR

Public Works

9. Approval of Award of Bid for Navigational Improvements at Hurricane Pass.

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10. Approval of Acquisition of a Portion of Parcel Number 06/31/16/00000/310/0100 for the 46th Avenue North Project from 62nd Street to 80th Street.
11. Approval of Acquisition of Lots 1 through 6 and Lots 15 through 20 for the Savona Drive Project from Snug Harbor Road to San Martin Drive.

Utilities

12. Approval of a Permanent Utility Easement Agreement for the Relocation of an Existing Water Meter Located at the Southeast Corner of 2170 Gulf to Bay Boulevard.

General

13. Approval of an Award of Bid for Envelopes (Warehouse Only).
14. Approval of a Non-Competitive Purchase - 800 MHz Radio Communications Equipment and Accessories.
15. Approval of a Non-Competitive Purchase - Website Enhancements and Upgrades from DataGlyphics, Inc.
16. Approval of the Recommendations of the Pre-Qualification Committee.
17. Approval of the Appointment of Ms. Donna G. Schroeder to the Pre-Qualification Committee.
18. Approval of a Local Government Grant Agreement with the Pinellas County Environmental Foundation and the National Fish and Wildlife Foundation for the Gopher Tortoise Relocation Project.
19. Approval of a Memorandum of Understanding between Pinellas County, St. Petersburg College, and the University of South Florida Small Business Development Center for the Operation of the Pinellas County Business Development Center.
20. Adoption of a Resolution Approving Project A1122729591 as a Qualified Applicant for the Qualified Target Industries Tax Refund Program for Fiscal Years 2003-2010.
21. Approval of Interlocal Agreement – American Assembly.
22. Approval of Contract with Florida Atlantic University for the American Assembly.
23. Other Administrative Matters.

COUNTY ATTORNEY

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24. Authority for the County Attorney to Defend:
 - a. California Federal Bank v. Willie S. Smith, Jr. a/k/a Willie Smith, Jr., et al – Circuit Civil Case No. 02-184-CI-15 – Mortgage Foreclosure Involving a Street Lighting Lien.
 - b. Chase Manhattan Mortgage Corp. v. Dolores Sandra Peace, et al - Circuit Civil Case No. 02-213-CI-11 – Mortgage Foreclosure Involving a Community Development Mortgage.
 - c. BA Mortgage, LLC Successor by Merger to Nationsbanc Mortgage Corp. v. Chloe E. Hamm, et al – Circuit Civil Case No. 02-249-CI-13 - Mortgage Foreclosure Involving a Community Development Mortgage.
 - d. First Nationwide Mortgage Corp. v. Judy L. McNett a/k/a Judy Lynn McNett, et al – Circuit Civil Case No. 01-7085-CI-19 - Mortgage Foreclosure Involving a Street Lighting Lien.
25. Authority for the County Attorney to Initiate Litigation Against:
 - a. The Estate of Lucie E. Salvatto.
 - b. The Estate of Hurdis F. Chestnut.
 - c. The Estate of Eva E. Aultman.
26. Authorization to File a Motion for Writ of Garnishment to Recover Judgment Liens for Fines and Costs in the Case of State of Florida v. Blake Larocca - Circuit Civil Cases Nos. CRC 95-13267CFANO-C and CRC 94-04708CFANO-C.
27. Recommendation of Settlement in Antonius Wells v. Everett S. Rice, et al – Case No. 8:01-CV-307-T-26-MAP.
28. Miscellaneous.

COUNTYWIDE PLANNING AUTHORITY

29. Receive and File a Minor Plan Change to the “Beach by Design” Document Submitted by the City of Clearwater.

SCHEDULED PUBLIC HEARINGS
PUBLIC HEARINGS WILL BEGIN AT 10:30 A.M.

The Procedure Used by the Board of County Commissioners in Conducting Public Hearings is to Have a Staff Presentation Followed by the Applicant Presenting the Specific Proposal. The Board Will Then Hear Comments From the Proponents Followed by Comments From the Opponents and a Staff Summary. The Applicant Will Then be Given an Opportunity to Close and the Board of County Commissioners Will Decide on the Matter. Please Refer to the Back of Your Agenda Copy for More Details on Guidelines for Time Limitations and Opportunities to Speak.

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SCHEDULED PUBLIC HEARINGS

COUNTYWIDE PLANNING AUTHORITY

Consideration of the Following Proposals to Amend the Adopted Countywide Future Land Use Plan:

SUBTHRESHOLD AMENDMENTS

- 30. a. Case #CW 02-3 - Gulfport
Location - 0.17 Acre Located 157 Feet South of Royal Palm Drive and 368 Feet West of Gulfport Boulevard. Amendment from Recreation/Open Space to Residential Suburban.
- b. Case #CW 02-4 - Clearwater
Location - 0.17 Acre Located on the South Side of Jeffords Street, 111 Feet East of Myrtle Avenue. Amendment from Residential/Office General to Residential Urban.
- c. Case #CW 02-5 - Pinellas County
Location - 35.3 Acres Located 2,500 Feet West of Alternate U.S. 19 and 350 Feet North of Willard Street; South Side of Wai-Lani Road, 1,000 Feet West of Alternate U.S. 19. Amendment from Residential Low and Preservation to Preservation.

REGULAR AMENDMENTS

- 31. a. Case #CW 02-1 - Largo
Location - 8.86 Acres Located on the North Side of Ulmerton Road, 660 Feet East of Ridge Road. Amendment from Residential Medium to Commercial General.
- b. Case #CW 02-2(1-5) - Dunedin
Location - Five (5) Consistency Amendments Located Throughout the City as Outlined in Table 1 of the Agenda Memorandum.

PLANNING AREA MAP AMENDMENT

- 32. a. VA #01-189 - St.Petersburg
Location – 0.75 Acre Located on the North Side of 40th Avenue North, Approximately 145 Feet West of 32nd Way North.

D. COUNTY ADMINISTRATOR REPORTS

- 33. 2002 Industrial Revenue Bond Application - Sure-Feed Engineering, Inc.
- 34. Business Streamlining Task Force Report.
- 35. Legislative Update.

E. COUNTY COMMISSION

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36. Miscellaneous.

ADJOURNMENT

CITIZENS TO BE HEARD

W. C. Snipes, Clearwater, expressed his concerns to the possibility of the County constructing bicycle paths in high voltage power line rights-of-way.

Emily Rogers Coeyman, St. Petersburg, noted her concerns to annexation of the Lealman community. At the direction of Chairman Todd, County Administrator Stephen M. Spratt provided an update concerning a study which is proposed to be undertaken to determine whether it would be financially feasible for the Lealman community to become a city.

Alluding to the comments of Mr. Snipes, Commissioner Welch requested that staff compile previous studies concerning radiation from power lines; and noted that his last official day as an associate of Florida Power had been February 1, thereby enabling him to take part in discussion relating to said firm.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 7 - APPROVED

Upon presentation by Chairman Todd, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the Consent Agenda, consisting of Items Nos. 1 through 7, be approved as follows:

1 APPROVAL OF MINUTES

Minutes of regular meeting of January 8, 2002.

2 REPORTS RECEIVED FOR FILING

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- a. Juvenile Welfare Board Interim Fiscal Reports (unaudited) dated December 31, 2001.
- b. Pinellas County Planning Council's Comprehensive Annual Financial Report for the year ended September 30, 2001.

3 OTHER APPROVALS

- a. General - None
- b. Satisfactions of Judgments and Liens
 - (1) Satisfactions of various judgments for attorney fees and costs which have been paid in full and release of various paving and street lighting assessment liens which have been paid in full.
- c. Vouchers and Bills Paid
 - (1) Checks released for the period from January 14, 2002 to January 18, 2002 as follows:

Payroll Journal Expenditures
Payroll Journal pages numbered 1 through 2636
Payroll checks numbered 483536 through 484192

Imprest Fund Expenditures
Manual checks numbered 605088 through 605111
System checks numbered 615908 through 617032

4 MISCELLANEOUS ITEMS RECEIVED

- a. Official Traffic Regulations submitted by the County Traffic

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Engineer.

- b. City of Largo Resolution No. 1765 adopted November 20, 2001 opposing the County's attempt to regulate annexation by referendum.

5 BUDGET AMENDMENTS - NONE

6 SUBDIVISION PLATS AND RELATED ITEMS - NONE

7 ACCEPTANCE OF QUARTERLY REPORTS FOR THE PERIOD OCTOBER 1, 2001 THROUGH DECEMBER 31, 2001 FOR STATE OF FLORIDA CONTRACT PURCHASES AND MASTER PURCHASE ORDER INCREASES AS PER COUNTY CODE 2-184 AND 2-185

#8 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT) - NONE

#9 BID OF FLORIDA DREDGE & DOCK, INC. FOR HURRICANE PASS NAVIGATIONAL IMPROVEMENTS (BID NO. 012-102-C) - ACCEPTED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bid of Florida Dredge & Dock, Inc., be accepted on the basis of being the only responsive and responsible bid for Hurricane Pass Navigational Improvements (Bid No. 012-102-C) for an estimated total expenditure of \$365,550.00; and further recommended that the Chairman be authorized to sign the agreement

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after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

- #10 OFFER TO SELL FROM FLORIDA FIRST DEVELOPMENT CORPORATION FOR ACQUISITION OF A PORTION OF PARCEL NO. 06/31/16/00000/310/0100 FOR 46TH AVENUE NORTH PROJECT FROM 62ND STREET TO 80TH STREET (PROPERTY ADDRESS: VACANT PROPERTY) (PID NO. 922493) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

County Administrator Stephen M. Spratt recommended approval of an Offer to Sell from Florida First Development Corporation for acquisition of a portion of Parcel No. 06/31/16/00000/310/0100 for the 46th Avenue North project from 62nd Street to 80th Street (property address: vacant property) (PID No. 922493), with authorization for the issuance of a check in the amount of \$37,120.00 in payment thereof, together with a check payable to Somers Title Company in the amount of \$564.00.

Commissioner Latvala moved, seconded by Commissioner Harris and carried, that the recommendation of the County Administrator be approved.

- #11 OFFER TO SELL FROM THOMAS MUNTZ FOR ACQUISITION OF LOTS 1 THROUGH 6 AND LOTS 15 THROUGH 20 FOR SAVONA DRIVE PROJECT FROM SNUG HARBOR ROAD TO SAN MARTIN DRIVE (PROPERTY ADDRESS: VACANT PROPERTY) (PID NO. 922328) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of an Offer to

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Sell from Thomas Muntz for acquisition of lots 1 through 6 and lots 15 through 20 for Savona Drive project from Snug Harbor Road to San Martin Drive (property address: vacant property) (PID No. 922328), with authorization for the issuance of a check in the amount of \$99,900.00.

Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

#12 PINELLAS COUNTY UTILITY EASEMENT AGREEMENT WITH ALBERTSON'S, INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Pinellas County Utility Easement Agreement with Albertson's, Inc. for the relocation of an existing water meter at 2170 Gulf-to-Bay Boulevard, Clearwater (project duration will be no more than 90 days); and for the Chairman to execute and the Clerk to attest the attached Pinellas County Utility Easement Agreement.

Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

#13 BID OF PYRAMID SCHOOL PRODUCTS FOR ENVELOPES (WHSE ONLY) (BID NO. 012-213-B) - APPROVED

Bid is for an estimated 24 months expenditure not to exceed \$68,614.96 (24-month contract with one additional 12-month option of renewal, subject to availability of funds and County Administrator approval).

Commissioner Latvala moved, seconded by Commissioner Seel and carried, that the recommendation of the County Administrator be approved.

#14 NONCOMPETITIVE PURCHASE OF 800 MHZ RADIO COMMUNICATIONS EQUIPMENT AND ACCESSORIES FROM MOTOROLA COMMUNICATIONS AND

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ELECTRONICS, INC. (BID NO. 012-372-N) - APPROVED

County Administrator Stephen M. Spratt recommended approval of a noncompetitive purchase of 800 MHz radio communications equipment and accessories from Motorola Communications and Electronics, Inc. for an estimated annual expenditure not to exceed \$500,000.00.

Commissioner Latvala moved, seconded by Commissioner Seel and carried, that the recommendation of the County Administrator be approved.

#15 NON-COMPETITIVE PURCHASE OF WEBSITE ENHANCEMENTS AND UPGRADES FOR ECONOMIC DEVELOPMENT FROM DATAGLYPHICS, INC. (BID NO. 012-30-N) - APPROVED

County Administrator Stephen M. Spratt recommended approval of the noncompetitive purchase of website enhancements and upgrades for Economic Development from Dataglyphics, Inc. for a total expenditure in the amount of \$42,000.00; with authorization for the Chairman to sign and the Clerk to attest.

Commissioner Welch moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Administrator be approved.

#16 PREQUALIFICATION COMMITTEE RECOMMENDATIONS - APPROVED

County Administrator Stephen M. Spratt recommended approval of the recommendations of the Prequalification Committee pursuant to its meeting of January 17, 2002, as set forth in his memorandum dated February 5, 2002, a copy of which has been filed and made a part of the minutes.

Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

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#17 APPOINTMENT OF DONNA G. SCHROEDER TO PREQUALIFICATION COMMITTEE - APPROVED

County Administrator Stephen M. Spratt recommended approval of the appointment of Donna G. Schroeder to the Prequalification Committee.

Commissioner Harris moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

#18 GRANT AGREEMENT BETWEEN PINELLAS COUNTY AND PINELLAS COUNTY ENVIRONMENTAL FOUNDATION (PCEF)/NATIONAL FISH AND WILDLIFE FOUNDATION (NFWF) STATE AND LOCAL GOVERNMENT FOR THE GOPHER TORTOISE RELOCATION PROJECT NO. 2001-0295-007 - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Grant Agreement between the Pinellas County and Pinellas County Environmental Foundation (PCEF)/National Fish and Wildlife Foundation (NFWF) State and Local Government for the Gopher Tortoise Relocation Project, in the grant award amount of \$24,000.00.

Commissioner Seel moved, seconded by Commissioner Harris and carried, that the recommendation of the County Administrator be approved.

#19 MEMORANDUM OF UNDERSTANDING BETWEEN PINELLAS COUNTY, ST. PETERSBURG COLLEGE, AND THE UNIVERSITY OF SOUTH FLORIDA FOR OPERATION OF PINELLAS COUNTY BUSINESS DEVELOPMENT CENTER - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Memorandum of Understanding between Pinellas County, St. Petersburg College and the University of South Florida for the operation of the Pinellas County Business Development Center,

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effective January 1 through December 31, 2002.

Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

#20 RESOLUTION NO. 02-26 ADOPTED APPROVING PROJECT A1122729591 AS A QUALIFIED APPLICANT PURSUANT TO SECTION 288.106, FLORIDA STATUTES; AND IDENTIFYING SOURCES OF LOCAL COUNTY FINANCIAL SUPPORT OF PROJECT A1122729591 AS LOCAL PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEAR(S) 2003-2010

County Administrator Stephen M. Spratt recommended adoption of a resolution approving Project A1122729591 as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A1122729591 as local participation in the Qualified Target Industry Tax Refund Program for fiscal year(s) 2003-2010, with the total contribution of Pinellas County not to exceed \$15,000.00.

Commissioner Harris moved, seconded by Commissioner Latvala, that Resolution 02-26 be adopted as recommended. Upon roll call, the vote was:

Ayes: Todd, Seel, Stewart, Harris, Latvala, Morrioni, and Welch.

Nays: None.

Absent and not voting: None.

#21 INTERLOCAL AGREEMENT WITH VARIOUS MUNICIPALITIES TO ESTABLISH PARTICIPATION IN AND PAYMENT OF AMERICAN ASSEMBLY PROCESS - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Interlocal Agreement between the Board of County Commissioners and the Cities of Clearwater, St. Petersburg, Largo, Seminole, Tarpon Springs, Indian Rocks Beach, Gulfport, Oldsmar, St. Pete Beach, Madeira Beach, Treasure Island, Dunedin, Safety Harbor and the Town of Belleair for

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participation in and payment of the American Assembly process in the total amount of \$56,000.00 (Pinellas County's share of the cost is \$26,000.00) payable to the facilitator, Florida Atlantic University (FAU), for the one-year period beginning February 1, 2002 to January 31, 2003.

Commissioner Seel moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

#22 AGREEMENT WITH FLORIDA ATLANTIC UNIVERSITY (FAU) RE AMERICAN ASSEMBLY PROCESS - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the agreement with Florida Atlantic University (FAU) to facilitate the American Assembly process over a two and one-half day period, May 16 to 18, 2002.

Commissioner Morroni moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Administrator be approved.

#23 APPROVAL OF RECOMMENDATION TO WAIVE PROVISIONS OF ORDINANCE NO. 00-42; LICENSE WITH CLW REAL ESTATE SERVICES GROUP TO USE SHELL KEY PRESERVE - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended authorization for the Chairman to waive the provisions of Ordinance No. 00-42 and to approve the license for CLW Real Estate Services Group to use the northern public use area of Shell Key Preserve for one day, February 7, 2002, during which alcoholic beverages will be served.

Commissioner Welch moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Administrator be approved.

#24a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE CALIFORNIA FEDERAL BANK VERSUS WILLIE S. SMITH, JR. A/K/A WILLIE SMITH, JR., ET AL, CIRCUIT CIVIL CASE NO. 02-184-CI-15 - MORTGAGE FORECLOSURE

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INVOLVING A STREET LIGHTING LIEN

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re California Federal Bank versus Willie S. Smith, Jr. a/k/a Willie Smith, Jr., et al, Circuit Civil Case No. 02-184-CI-15 - Mortgage Foreclosure Involving a Street Lighting Lien.

#24b COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE CHASE MANHATTAN MORTGAGE CORP. VERSUS DOLORES SANDRA PEACE, ET AL, CIRCUIT CIVIL CASE NO. 02-213-CI-11 - MORTGAGE FORECLOSURE INVOLVING A COMMUNITY DEVELOPMENT MORTGAGE

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re Chase Manhattan Mortgage Corp. versus Dolores Sandra Peace, et al, Circuit Civil Case No. 02-213-CI-11 - Mortgage Foreclosure Involving a Community Development Mortgage.

#24c COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE BA MORTGAGE, LLC SUCCESSOR BY MERGER TO NATIONSBANC MORTGAGE CORP. VERSUS CHLOE E. HAMM, ET AL, CIRCUIT CIVIL CASE NO. 02-249-CI-13 - MORTGAGE FORECLOSURE INVOLVING A COMMUNITY DEVELOPMENT MORTGAGE

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re BA Mortgage, LLC, successor by merger

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to Nationsbanc Mortgage Corp. versus Chloe E. Hamm, et al, Circuit Civil Case No. 02-249-CI-13 - Mortgage Foreclosure Involving a Community Development Mortgage.

#24d COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE FIRST NATIONWIDE MORTGAGE CORP. VERSUS JUDY L. McNETT A/K/A JUDY LYNN McNETT, ET AL, CIRCUIT CIVIL CASE NO. 01-7085-CI-19 - MORTGAGE FORECLOSURE INVOLVING A STREET LIGHTING LIEN _____

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re First Nationwide Mortgage Corp. versus Judy L. McNett a/k/a Judy Lynn McNett, et al, Circuit Civil Case No. 01-7085-CI-19 - Mortgage Foreclosure Involving a Street Lighting Lien.

#25 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION ON BEHALF OF EMERGENCY MEDICAL SERVICES _____

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Seel moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to initiate litigation against the Estates of Lucie E. Salvatto, Hurdis F. Chestnut, and Eva E. Aultman on behalf of Pinellas County Emergency Medical Services.

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

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#26 COUNTY ATTORNEY AUTHORIZED TO FILE MOTION FOR WRIT OF

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GARNISHMENT TO RECOVER JUDGMENT LIENS FOR FINES AND COSTS RE STATE OF FLORIDA VERSUS BLAKE LAROCCA, CIRCUIT CRIMINAL CASES NOS. CRC 95-13267CFANO-C AND CRC 94-04708CFANO-C

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to file a motion for Writ of Garnishment to recover judgment liens for fines and costs re State of Florida versus Blake Larocca, Circuit Criminal Cases Nos. CRC 95-13267CFANO-C and CRC 94-04708CFANO-C, as outlined in the confidential attachment to her Board memorandum dated February 5, 2002.

#27 AUTHORIZATION GRANTED FOR SETTLEMENT OF THE SUIT RE ANTONIUS WELLS VERSUS EVERETT S. RICE, ET AL, CASE NO. 8:01-CV-307-T-26-MAP

County Attorney Susan H. Churuti recommended that authorization be granted for settlement of the suit re Antonius Wells versus Everett S. Rice, et al, Case No. 8:01-CV-307-T-26-MAP, as outlined in the confidential attachment to her Board memorandum dated February 5, 2002.

Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Attorney be approved.

#28 COUNTY ATTORNEY MISCELLANEOUS - NONE

County Attorney Susan H. Churuti indicated that there are no miscellaneous matters to be presented this date.

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At this time, 10:12 A.M., Commissioner Stewart returned to the meeting.

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#29 MINOR PLAN CHANGE TO BEACH BY DESIGN FOR CITY OF CLEARWATER - RECEIVED FOR FILING

County Administrator Stephen M. Spratt noted that the Board is now sitting as the Countywide Planning Authority; and recommended that the Authority receive and file a minor plan change to the *Beach by Design* conception for the City of Clearwater as recommended by the Pinellas Planning Council.

Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Administrator be approved.

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Chairman Todd deviated from the agenda and directed, there being no objection, that inasmuch as the public hearings have been scheduled for 10:30 A.M., the Board will address agenda items Nos. 33, 34, and 35 as time permits.

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#33 AUTHORIZATION GRANTED TO ADVERTISE NOTICE OF PUBLIC HEARING (TEFRA) RE PROPOSED ISSUANCE OF PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE BONDS, SERIES 2002, IN AN AMOUNT NOT TO EXCEED \$4,000,000.00 (SURE-FEED ENGINEERING, INC. PROJECT)

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing (TEFRA) to be held February 26, 2002, re proposed issuance of Pinellas County Industrial Development Authority Revenue Bonds, Series 2002, in an

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amount not to exceed \$4,000,000.00 (Sure-Feed Engineering, Inc. Project).

Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Administrator be approved.

#34a BUSINESS STREAMLINING TASK FORCE REPORT

County Administrator Stephen M. Spratt presented an overview of the *Business Streamlining Task Force Report*, a copy of which has been filed and made a part of the record. He noted that the Task Force had been Chaired by Director of Utilities Pick Talley with assistance from the offices of the Clerk of the Circuit Court and the County Attorney as well as various staff members.

Chairman Todd requested that the Board members review the recommendations in the report; and noted that it will be discussed in detail at a future Board meeting.

Mr. Spratt expressed his appreciation to the Task Force members for their prompt and thorough work.

#34b BELLEAIR BRIDGE REPLACEMENT STATUS REPORT

Responding to query by Chairman Todd, Director of Public Works J. Keith Wicks related that a Citizens Involvement Committee has been formed to encourage the dispensing of information to the public and to receive input back with regard to the bridge replacement project. He noted that the repairs conducted on the bridge six years ago had not been expected to sustain the operation of the bridge for longer than ten years; that the replacement is scheduled to begin in Fiscal Year 2005/2006; that there is a \$32,000,000 budget impact for the project; that 50 percent of the cost will be funded by Penny for Pinellas; and that the remaining 50 percent will be derived from federal and state grants.

Project Manager Tony Hornik presented a status report on the Belleair Bridge Replacement project and related that it is located in a highly urbanized area adjacent to a number

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of communities; and noted that there are concerns with accessibility to adjacent facilities, evacuation routes from the Barrier Islands and possible impacts on environmentally sensitive lands. He stated that a report is underway by HDR Engineering which will address these concerns and provide alternatives; and that a final recommendation will be presented to the Board by the end of year 2002. Following discussion, Chairman Todd requested that a project schedule be given to the members.

Responding to queries by Chairman Todd and Commissioner Seel with regard to the funding of the project, Assistant County Administrator Mark S. Woodard provided input regarding revenue assumptions included in the Capital Improvement Program; whereupon, Chairman Todd asked that background information pertaining to the project's funding be furnished to the Board.

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At this time, Chairman Todd proceeded to agenda item No. 30, Public Hearings, which had been scheduled for 10:30 A.M.

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At this time, 10:34 A.M., Commissioner Welch left the meeting.

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- #30a CASE #CW 02-3 (OA), PROPOSAL BY CITY OF GULFPORT TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RECREATION/OPEN SPACE TO RESIDENTIAL SUBURBAN (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-8 ADOPTED

Chairman Todd noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the December 29, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-3 (OA), a proposal by the City of Gulfport to amend the land use designation on the Countywide Future Land Use Plan from recreation/open space to residential suburban, re 0.17 acre located 157 feet south of Royal Palm Drive and 368 feet west of Gulfport Boulevard (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Harris moved, seconded by Commissioner Latvala, that Ordinance No. 02-8 approving Case #CW 02-3 (OA) be adopted. Upon roll call, the vote was:

Ayes: Todd, Seel, Stewart, Harris, Latvala, and Morroni.

Nays: None.

Absent and not voting: Welch.

- #30b CASE #CW 02-4 (OA), PROPOSAL BY CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL/OFFICE GENERAL TO RESIDENTIAL URBAN (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-9 ADOPTED

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Chairman Todd noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the December 29, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-4 (OA), a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from residential/office general to residential urban, re 0.17 acre located on the south side of Jeffords Street, 111 feet east of Myrtle Avenue (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Harris moved, seconded by Commissioner Latvala, that Ordinance No. 02-9 approving Case #CW 02-4 (OA) be adopted. Upon roll call, the vote was:

Ayes: Todd, Seel, Stewart, Harris, Latvala, and Morroni.

Nays: None.

Absent and not voting: Welch.

#30c CASE #CW 02-5 (OA), PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW (19.4 ACRES) AND PRESERVATION (15.9 ACRES) TO PRESERVATION (35.3 ACRES) (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-10 ADOPTED

Chairman Todd noted for the record that the Board is now sitting as the Countywide Planning Authority.

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Pursuant to legal notice published in the December 29, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-5 (OA), a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low (19.4 acres) and preservation (15.9 acres) to preservation (35.3 acres), re 35.3 acres located 2,500 feet west of Alternate U.S. 19 and 350 feet north of Willard Street, on the south side of Wai Lani Road, 1,000 feet west of Alternate U.S. 19 (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Harris moved, seconded by Commissioner Latvala, that Ordinance No. 02-10 approving Case #CW 02-5 (OA) be adopted. Upon roll call, the vote was:

Ayes: Todd, Seel, Stewart, Harris, Latvala, and Morroni.

Nays: None.

Absent and not voting: Welch.

* * * *

At this time, 10:39 A.M., Commissioner Welch returned to the meeting.

* * * *

#31a CASE #CW 02-1, PROPOSAL BY CITY OF LARGO TO AMEND LAND USE DESIGNATION ON COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - APPROVED;

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ORDINANCE NO. 02-11 ADOPTED

Chairman Todd noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the December 29, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-1, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from residential medium to commercial general, re 8.86 acres located on the north side of Ulmerton Road, 660 feet east of Ridge Road (regular amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Harris moved, seconded by Commissioner Latvala, that Ordinance No. 02-11 approving Case #CW 02-1 be adopted. Upon roll call, the vote was:

Ayes: Todd, Seel, Stewart, Harris, Latvala, Morroni, and Welch.

Nays: None.

Absent and not voting: None.

#31b CASE #CW 02-2 (1 THROUGH 5), PROPOSAL BY CITY OF DUNEDIN TO AMEND LAND USE DESIGNATIONS ON COUNTYWIDE FUTURE LAND USE PLAN AS OUTLINED IN TABLE 1 OF THE AGENDA MEMORANDUM (REGULAR AMENDMENTS) - APPROVED; ORDINANCE NO. 02-12 ADOPTED

Chairman Todd noted for the record that the Board is now sitting as the

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Countywide Planning Authority.

Pursuant to legal notice published in the December 29, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-2 (1 through 5), a proposal by the City of Dunedin to amend land use designations on the Countywide Future Land Use Plan as outlined in Table 1 of the agenda memorandum (regular amendments). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Latvala moved, seconded by Commissioner Morroni, that Ordinance No. 02-12 approving Case #CW 02-2 (1 through 5) be adopted. Upon roll call, the vote was:

Ayes: Todd, Seel, Stewart, Harris, Latvala, Morroni, and Welch.

Nays: None.

Absent and not voting: None.

#32a CASE VA #01-189, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND THE PLANNING AREA MAP FOR ANNEXATIONS - DEFERRED TO MEETING OF APRIL 2, 2002

Chairman Todd noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the December 29, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case VA #01-189, a proposal by the City of St. Petersburg to amend the

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planning area map for voluntary annexations, re 0.75 acre located on the north side of 40th Avenue North, approximately 145 feet west of 32nd Way North. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt recommended that Case VA #01-189 be temporarily deferred to the meeting of April 2, 2002.

Commissioner Welch moved, seconded by Commissioner Morroni and carried, that the recommendation of the County Administrator be approved.

#35 LEGISLATIVE UPDATE

County Administrator Stephen M. Spratt referred to the recent engagement of a consultant to represent the County's interests in Tallahassee, and noted issues such as homeland security, transportation, economic development, and job retraining as a few of the matters which the consultant will be addressing.

#36a COMMISSIONER HARRIS RE WATER CONSERVATION

Commissioner Harris encouraged everyone to become aware of the new watering schedule either by noting the day and time from the notice included with their water bill or by calling the Utilities Department; and offered a water conservation tip which advised raising the height of the lawn mower blade to allow grass roots to grow deeper resulting in less cutting and watering of your lawn.

#36b COMMISSIONER WELCH RE FLORIDA AFRICAN-AMERICAN HERITAGE CELEBRATION

Commissioner Welch reminded everyone of the upcoming African-American Heritage Celebration scheduled to be held at the Pinewood Cultural Park on February 23 beginning at 10:00 A.M.

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#36c COMMISSIONER STEWART RE METROPOLITAN PLANNING ORGANIZATION

Commissioner Stewart noted the five-year certification program joint meeting of the Counties of Hillsborough, Pasco, and Pinellas Metropolitan Planning Organizations (MPO), and related that it is being held today at 4:00 P.M. at Countryside High School.

#36d COMMISSIONER MORRONI RE VARIOUS ISSUES

Commissioner Morroni noted a recent trip to Tallahassee to attend his first former state representative reunion where he was able to spend time with State Representative John Carassas discussing unfunded mandates; and presented a Penny's Worth report regarding the Palm Harbor Activity Center.

#36e COMMISSIONER SEEL RE VARIOUS ISSUES

Commissioner Seel expressed her appreciation to Florida Power and Progress Energy for the generous contributions to the new Business Development Center and the American Red Cross; and congratulated Chairman Todd on being granted the Florida Conflict Resolution Consortium's Friend of the Consortium award on January 23, 2002; and she encouraged everyone to try the new touch-screen voting machines at demonstrations being conducted throughout the Cities of Clearwater, Dunedin, Seminole and St. Petersburg.

#36f CHAIRMAN TODD RE VARIOUS ISSUES

Chairman Todd advised that she had represented the County at a meeting held in Mexico as part of the Gulf States Accord and noted the excellent presentations by the Economic Development staff during the event; and mentioned grant opportunities which will be made available

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to the County due to its active membership in the State Association of Counties and NACo.

* * * *

Upon direction of the Chairman, there being no objection, the meeting was adjourned at 10:54 A.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk