

Clearwater, Florida, March 12, 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 9:36 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.

Reverend Victoria Byroade, First Presbyterian Church of Dunedin, 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. SCHEDULED PUBLIC HEARINGS

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.

### COUNTYWIDE PLANNING AUTHORITY

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

#### SUBTHRESHOLD AMENDMENTS

1. a. Case #CW 02-6 - Tarpon Springs  
Location - 0.13 Acre Located on the West Side of Hibiscus Street, 185 Feet North of East Orange Street. Amendment from Residential Medium to Commercial Limited.
- b. Case #CW 02-8 - Oldsmar  
Location - 7.4 Acres Located on the Southeast Corner of Woodward Avenue and St. Petersburg Drive. Amendment from Residential Urban to Residential Low Medium.
- c. Case #CW 02-9 - St. Petersburg  
Location - 0.27 Acre Located on the East Side of Pasadena Avenue South, 80 Feet North of Mango Avenue. Amendment from Residential Medium to Residential/Office General.

REGULAR AMENDMENT

2. a. Case #CW 02-7 - Pinellas County  
Location - 3.68 Acres Located on the Northwest Corner of Bryan Dairy Road and Starkey Road. Amendment from Residential Low to Commercial General.

SCHEDULED PUBLIC HEARINGS - BCC

3. Petition to Vacate Submitted by Mark and Gina Streicher, Represented by Joseph H. Erwin of A & E Design Construction, Inc., for a Portion of Long Branch Creek, Adjacent to Lot 13, Longbrooke Subdivision Unit One, Located in the Southeast Quarter of Section 29, Township 29 South, Range 16 East.
4. Proposed Ordinance for Execution of a Settlement Agreement with Lamar Company, LLC Regarding Billboard Litigation (Continued from February 26, 2002 BCC Meeting).
5. Proposed Ordinance for Execution of a Settlement Agreement with Viacom Outdoor Media, Inc., Regarding Billboard Litigation (Continued from February 26, 2002 BCC Meeting).

C. CONSENT AGENDA

CLERK OF CIRCUIT COURT

6. Approval of Minutes:
  - a. Regular Meeting Held on February 12, 2002.
  - b. Correction to Minutes of January 15, 2002, Item No. 31g to Read, A...and the Public Hearing Rescheduled to the Meeting of March 19, 2002.@
  - c. Correction to Minutes of January 29, 2002, Item No. 6 to Read, AQuitclaim Deed Accepted from Emilio Ruiz, Barbara Jean Ruiz and James V. Gulu, Conveying a Portion of a 20.0 Foot Drainage Maintenance Easement, Recorded in O.R. Book 5418, Pages 496 through 499, Located in the Northeast Quarter of Section 33, Township 27 South, Range 16 East from Pinellas County to Brooker Creek Villas and Townhome Homeowners Association, Inc.@

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7. Reports:
  - a. Minutes of Meeting of December 5, 2001 of Eastlake Oaks Community Development District, Together with Financial Statements for the Period Ending October 31, 2001.
  - b. Report of Agreed Upon Procedures in Connection with the Schedule of Bonded Indebtedness for the Year Ended September 30, 2001.
  
8. Other Approvals:
  - a. General - None.
  - b. Satisfactions of Judgments and Liens.
  - c. Vouchers and Bills Paid.
  
9. Miscellaneous Items to be Received for Filing:
  - a. Official Traffic Regulations Submitted by the County Traffic Engineer.
  - b. Tampa Bay Regional Planning Council General Purpose Financial Statements, Accompanying Financial Information and Required Supplementary Information for the Period Ended September 30, 2001.
  - c. City of Safety Harbor Ordinance No. 2002-05 Adopted on February 18, 2002 Annexing Certain Property.
  - d. Correspondence from the City of Pinellas Park Regarding Three Ordinances Voluntarily Annexing Certain Property, Public Hearing to be Held March 14, 2002.
  - e. City of Largo Notice of Annexation Regarding Ordinances Nos. 2002-28 and 2002-29, Public Hearing to be Held March 12, 2002.

COUNTY ADMINISTRATOR

Budget and Finance

10. Budget Amendment: No. 13.
  
11. Adoption of a Resolution Supplementing the FY02 General Fund Budget - Sheriff, Law Enforcement Services at the St. Petersburg - Clearwater International Airport.

Public Works

12. Approval of Subdivision Plats and Related Items.

Utilities

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13. Approval of an Award of Bid - Meter Boxes (Cooperative).
14. Approval of an Access License Agreement at 216 and 680 George Street, Tarpon Springs.
15. Approval of Release of Sewer, Water and Reclaimed Water Liens.

General

16. Approval of an Award of Bid for Coarse Salt at the Detention Facility.
17. Approval of Amendment No. 2 to the Agreement with Natural Resources Planning Services, Inc. for Forestry Operations and Consulting Services Concerning Selective Timber Harvesting at Lake Seminole Park.
18. Approval of Recommendation to Declare Escheat Properties as Surplus, Waive Mineral Rights and Execute Deeds.
19. Approval of Transfer of Assets to the Sheriff's Office, South County Service Center, 1800 - 66th Street North, St. Petersburg.
20. Approval of Release of Liens (Housing):
  - a. Santo Ciulla, James Ciulla and Catherine Raniolo.
  - b. Vernon J. Gould and Velma J. Gould.
  - c. Relocation Executive, Inc., Trustee.
21. Approval of Satisfaction of Mortgages (Housing):
  - a. Kimberly K. Cain and Michael A. Cain.
  - b. Jennifer R. Davis.
  - c. Pamela M. Harper.
  - d. Victor D. Hubert and Dixie Hubert.
  - e. Diana M. Murray.
  - f. Nellie A. Peters.

D. REGULAR AGENDA

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

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COUNTY ADMINISTRATOR

Public Works

23. Approval of a Consultant Selection for the 2@Galvanized Waterline Replacement Program, Phase I.
24. Approval of a Consultant Selection for the Bryan Dairy Road - 72nd Street to U.S. 19 Project, Environmental Planting, Maintenance and Monitoring Services.
25. Approval of a Consultant Selection for the Bi-County Thruway (Trinity Boulevard) Project, Mitigation Site Restoration, Environmental Planting, Maintenance and Monitoring Services.
26. Approval of the First Amendment to the South County Sidewalk Repair, Replacement and Construction Contract.
27. Approval to Execute an Agreement with Vanasse Hangen Brustlin, Inc. to Provide Professional Services for the East/West Connector Road, Phases I and II, a/k/a Forest Lakes Boulevard Project.
28. Approval to Execute an Agreement with the Pinellas County School Board for Storm Drainage Improvements Benefiting Meadowlawn School.
29. Approval to Execute an Interlocal Agreement with the City of St. Petersburg for the Maintenance of Boating Regulatory Signs in the St. Petersburg Area.
30. Adoption of a Resolution and Approval to Execute a County Incentive Grant Program Agreement with the Florida Department of Transportation to Obtain Grant Funding for the Pinellas County Traffic Signal Systems Intelligent Transportation System (ITS) Communications Trunk Line - Fiber Optic Network.
31. Adoption of a Resolution and Approval to Execute a County Incentive Grant Program Agreement with the Florida Department of Transportation to Obtain Grant Funding for the Pinellas County Traffic Signal Systems Field Hardware - Advanced Traffic Management System (ATMS) Project.
32. Approval of an Acquisition of a Five Foot Strip of Land on the South Side of Bryan Dairy Road for the Bryan Dairy Road Project from 72nd Street North to Starkey Road - Bardmoor North Property Owners Association, Inc.
33. Approval of an Acquisition of a Five Foot Strip of Land on the South Side of Bryan Dairy Road for the Bryan Dairy Road Project from 72nd Street North to Starkey Road - The Cloisters at Bardmoor Condominium Association, Inc.

Airport

34. Approval of an Agreement for the Loan of Security Equipment to the Transportation Security Administration at the St. Petersburg - Clearwater International Airport.

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35. Approval of the First Amendment to the Lease and Concession Agreement with Crosslantic Partners, Inc.
36. Approval of the Termination of the Option Agreement and the Lease Agreement with Moog, Inc.

Utilities

37. Approval of an Award of Proposal for Industrial Maintenance Services for Pinellas County Utilities Water and Wastewater Reclamation Facilities.
38. Approval of Change Order No. 1 for the William E. Dunn Process Automation Project.
39. Approval of Change Order No. 2 for the Utilities Building First Floor Lobby Renovations.
40. Approval of Confirmation for Emergency Requirements for Security Guard Services at Pinellas County Water Plants.
41. Approval of an Agreement for Professional Geotechnical Engineering and Construction Testing Services for the Oakhurst Road Improvements Project.
42. Approval of Amendment No. 1 to the Agreement for Professional Engineering and Consulting Services for the Pinellas County - City of Clearwater Reclaimed Water Interconnect.

General

43. Approval of Amendment No. 1 to the Contract for Catering Services at the Florida Botanical Gardens.
44. Approval of a Contract Extension for Indigent Burial - Cremation Services.
45. Approval of Recommendation to Rescind the Award to Walter Q. Bowlin, DDS, for Oral Surgery Services for the Department of Social Services.
46. Approval of Award of Proposal for Group Long Term Disability and Short Term Disability Programs.
47. Approval of a Reduction in the Social Services Lien of David Tyler.
48. Adoption of a Resolution Supplementing the FY02 Capital Projects Fund Budget - Eminent Domain Settlements.
49. Approval of an Agreement with the City of Tarpon Springs for Law Enforcement Services Provided at Fred Howard Park.
50. Adoption of a Resolution Approving the Creation of a Job Creation Incentive Grant Program and Identifying Sources of Local County Financial Support.
51. Approval of Final Completion and Release of Retainage for the Construction Management Agreement

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for the YMCA Omni Center Renovations Project.

52. Approval of the First Amendment to the License Agreement with Bayfront Medical Center, Inc.
53. Approval of Recommendation to Declare Pinellas County Property as Surplus with the Intent to Exchange for Property Owned by All Childrens Health Systems, Inc.
54. Approval of the Amended and Restated Office Lease Agreement with I & S Associates LLC, d/b/a Clearwater Centre, for Space Located at 1100 Cleveland Street, Clearwater.
55. Approval of the Amended and Restated Office Lease Agreement with I & S Associates LLC, d/b/a Plaza 300 Associates LLC, for Space Located at 3251 Third Avenue North, St. Petersburg.
56. Approval of an Agreement between WorkNet Pinellas and Goodwill Industries - Suncoast, Inc., for the Provision of Employer Services under the Welfare Transition Service Program (WTS).
57. Approval of an Agreement between WorkNet Pinellas and the Boys and Girls Clubs of the Suncoast for the Provision of Recruitment, Eligibility Determination, Case Management and Program Services for Youth under the Workforce Investment Act (WIA).
58. Other Administrative Matters.

COUNTY ATTORNEY

59. Request Authority for County Attorney to Defend:
  - a. Mortgage Electronic Registration Systems, Inc. v. John R. Miller, et al **B** Circuit Civil Case No. 02-1293-CI-15 **B** Mortgage Foreclosure by Virtue of Judgments for Attorney Fees and Costs.
  - b. Todd Darland v. Sheriff Everett S. Rice - Circuit Civil Case No. 02-912-CI-8 **B** Allegations of Excessive Force and Loss of Consortium During an Arrest.
  - c. Authority to Defend in the Case of Bay Aristocrat Village, Inc. v. The Grand Venezia at Baywatch Limited Partnership, etc., et al **B** Circuit Civil Case No. 02-929-CI-11 **B** Determination of Responsibility for Maintenance of a Stormwater Maintenance Ditch.
60. Authority for the County Attorney to File a Small Claims Action on Behalf of Sunstar against the Estate of Lindsey Baker for Unpaid Ambulance Bills.
61. Authority to Initiate Litigation against Scott W. Robinson **B** Risk Claim No. 00-58094.
62. Authorization of Carlton, Fields, Ward, Emmanuel, Smith and Cutler to Continue to Employ Missimer International for the Great Monument Construction Company v. Pinellas County Litigation **B** Circuit Civil Case No. 95-1881-CI-007.
63. Miscellaneous.

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E. COUNTY ADMINISTRATOR REPORTS

- 64. Industrial Development Revenue Bond Application - YMCA of the Suncoast, Inc.
- 65. Consideration of North East Lake Property.
- 66. Florida Power Segment of Fred E. Marquis Trail.

F. COUNTY COMMISSION

- 67. Approval of Appointment to the Pinellas Suncoast Transit Authority.
- 68. Miscellaneous.

ADJOURNMENT

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CITIZENS TO BE HEARD

Stefano Longinotti, Largo, urged the Board members to consider various options which would permit individuals to utilize the Fred E. Marquis Pinellas Trail for extended hours and preclude the County from liability; whereupon, he submitted a petition with 186 signatures in support of keeping the Trail open at night. Chairman Todd noted that a report on the issue will be presented to the Board by Liz Warren, Director of the Park Department, in the near future.

Mary Holden, Clearwater, expressed her opposition to the relocation of the Belleair Causeway Bridge.

BEACH ACCESS WHEELCHAIR DEMONSTRATION PRESENTED BY ELIZABETH ALIZ@WARREN, DIRECTOR OF PARK DEPARTMENT AND D. GAY LANCASTER, ASSISTANT COUNTY ADMINISTRATOR

Elizabeth ALiz@Warren, Director of Park Department, with the assistance of D. Gay Lancaster, Assistant County Administrator, provided a preview of a beach access wheelchair which will soon be available for use by mobility-handicapped individuals at all Pinellas County coastal beach areas.

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- # 1a CASE #CW 02-6, PROPOSAL BY CITY OF TARPON SPRINGS TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO COMMERCIAL LIMITED (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-15 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 February 2, 2002 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 02-6, a proposal by the City of Tarpon Springs to amend the land use designation on the Countywide Future Land Use Plan from residential medium to commercial limited, re 0.13 acre located on the west side of Hibiscus Street, 185 feet north of East Orange Street (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 Welch, that Ordinance No. 02-15 approving Case #CW 02-6 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

- # 1b CASE #CW 02-8, PROPOSAL BY CITY OF OLDSMAR TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO RESIDENTIAL LOW MEDIUM (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-16 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 February 2, 2002 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 02-8, a proposal by the City of Oldsmar to amend the land use designation on the Countywide Future Land Use Plan from residential urban to residential low medium, re 7.40 acres located on the southeast corner of Woodward Avenue and St. Petersburg Drive (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 Welch moved, seconded by Commissioner Latvala, that Ordinance No. 02-16 approving case #CW 02-8 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

# 1c **CASE #CW 02-9, PROPOSAL BY CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO RESIDENTIAL/OFFICE GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-17 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 February 2, 2002 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 02-9, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from residential medium to residential/office general, re 0.27 acre located on the east side of Pasadena

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Avenue South, 80 feet north of Mango 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 Latvala moved, seconded by Commissioner Welch, that Ordinance No. 02-17 approving Case #CW 02-9 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

# 2a **CASE #CW 02-7, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-18 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 February 2, 2002 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 02-7, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low to commercial general, re 3.68 acres located on the northwest corner of Bryan Dairy Road and Starkey 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 as part of the recommendation has

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further recommended that the scenic/noncommercial corridor designation be modified to a mixed use designation on the residential category to be consistent with the approval of this case; and that staff concurs with the PPC recommendations.

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. 02-18 approving Case No. 02-7 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

# 3 PETITION OF MARK STREICHER AND GINA STREICHER (F/K/A GINA FALCONE), REPRESENTED BY JOSEPH H. ERWIN, A & E DESIGN CONSTRUCTION, INC. TO VACATE A PORTION OF LONG BRANCH CREEK, ADJACENT TO LOT 13, LONGBROOKE SUBDIVISION UNIT ONE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 29 SOUTH, RANGE 16 EAST - GRANTED; RESOLUTION NO. 02-48 ADOPTED

Pursuant to legal notice published in the February 22, 2002 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Mark Streicher and Gina Streicher (f/k/a Gina Falcone), represented by Joseph H. Erwin, A & E Design Construction, Inc. to vacate a portion of Long Branch Creek, adjacent to Lot 13, Longbrooke Subdivision Unit One, as recorded in Plat Book 93, Pages 38 through 40, located in the southeast quarter of Section 29, Township 29 South, Range 16 East.

Chief Deputy Clerk C. R. Short reported that a letter of no objection has been received from the Homeowners Association. He indicated that all interested property owners have been notified as to the date of the public hearing; that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted.

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

Commissioner Welch moved, seconded by Commissioner Latvala, that the petition to vacate be granted; and that Resolution No. 02-48 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

# 4 PROPOSED ORDINANCE AUTHORIZING SETTLEMENT AGREEMENT WITH LAMAR COMPANY, LLC, REGARDING BILLBOARD LITIGATION (CONTINUED FROM MEETINGS OF JANUARY 15, JANUARY 29, FEBRUARY 12, AND FEBRUARY 26, 2002) - DENIED

Pursuant to legal notice published in the March 1, 2002, issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance authorizing the Chairman to execute a settlement agreement with Lamar Company, LLC, regarding billboard litigation. Chief Deputy Clerk C. R. Short indicated that two telephone calls in favor of and seven telephone calls and seven e-mail messages in opposition to the ordinance have been received; and that the matter is properly before the Board to be heard.

Chairman Todd noted that presentations had been given at a previous public hearing; whereupon, in response to her call for persons in support of the ordinance, Attorney Amy Reilly Wilson, Livingston and Reilly, Orlando, representing Lamar Company, LLC, appeared and noted Lamar's support of the ordinance.

In response to the Chairman's call for persons in opposition to the ordinance, the following individuals appeared and expressed their concerns:

Bill Jonson, Clearwater  
Charlie Rutz, unincorporated Pinellas County  
Calvin Canya, unincorporated Pinellas County  
Perry Ellie, unincorporated Pinellas County

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No one else appeared in response to the Chairman's call for persons wishing to be heard; whereupon, she closed the public hearing.

Commissioner Latvala moved, seconded by Commissioner Welch, that the proposed ordinance authorizing execution of the settlement agreement with Lamar Company, LLC, be approved.

In response to queries by Commissioners Welch, Seel, and Morroni, Chief Assistant County Attorney James L. Bennett provided input as to:

- C expenditures to date;
- C annexation relevant to existing billboards;
- C Federal-Aid Primary Highways (FAP);
- C relocation and rebuilding of billboards; and
- C replacing billboards with bus shelters.

Alluding to the issue of replacing billboards with advertising on bus shelters, County Attorney Susar Churuti provided an update with regard to certain legal issues.

Following discussion, Commissioner Welch withdrew his original second and moved, seconded Commissioner Harris, that staff be directed to complete research into the bus shelter option and remove exclusive language for annexed billboards.

Alluding to comments by Commissioner Latvala, Mr. Bennett indicated that pending legislation may affect the County's right to enforce billboard laws.

Additional discussion ensued regarding the bus shelters; whereupon, upon call for the vote, the motion failed 2 to 5 with Chairman Todd and Commissioners Stewart, Seel, Latvala, and Morroni casting the dissenting votes.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Morroni, that the ordinance be approved. Upon call for the vote, the motion failed 3 to 4 with Commissioners Seel, Stewart, Harris, and Welch casting the dissenting votes.

**PROPOSED ORDINANCE RE SETTLEMENT AGREEMENT WITH VIACOM OUTDOOR MEDIA, INC. FOR BILLBOARD REMOVAL (CONTINUED FROM MEETINGS OF JANUARY 15, JANUARY 29, FEBRUARY 12, AND FEBRUARY 26, 2002) - DENIED**

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Pursuant to legal notice published in the March 1, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance authorizing the Chairman

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execute a settlement agreement with Viacom Outdoor Media, Inc. regarding billboard litigation. Chief Deputy Clerk R. Short indicated that two telephone calls in favor of and seven telephone calls and seven e-mail messages in opposition to the ordinance have been received; and that the matter is properly before the Board to be heard.

At the request of the Chairman, Chief Assistant County Attorney James L. Bennett reviewed the proposed ordinance and indicated that it contains the annexation exclusions as outlined in agenda item No. 4.

In response to the Chairman's call for persons in support of the proposed ordinance, Marilyn Mullen Healy, Esq., Ruden, McCloskey, Smith, Schuster & Russell, P.A. Tampa, representing Viacom Outdoor Media, Inc. appeared and addressed Commissioner Welch's concerns by indicating that the company would agree not to count an annexed billboard as a removal as outlined in the agreement.

During review of Attorney Healy's proposal and following discussion, Commissioner Latvala moved approval of the proposed ordinance; whereupon, Chairman Todd noted the motion dies for lack of a second.

Following further discussion and input by Attorney Bennett and outside counsel William Brinton, Rogers, Towers, Bailey, Jones and Gay, P.A., Commissioner Stewart moved, seconded by Commissioner Seel, that the Viacom Outdoor Media, Inc. settlement agreement be denied. Upon call for the vote, the motion carried 5 to 2 with Chairman Todd and Commissioner Latvala casting the dissenting votes.

Thereupon, Commissioner Welch moved, seconded by Commissioner Latvala and carried, that staff continue with mediation and that it include the concept of bus shelters.

At the request of the members, Mrs. Churuti noted that she would attempt to conduct mediation efforts with all parties simultaneously.

#### CONSENT AGENDA ITEMS NOS. 6 THROUGH 21 - APPROVED

Upon presentation by Chairman Todd, Commissioner Welch moved, seconded by Commissioner Morroni and carried, that the Consent Agenda, consisting of Items Nos. 6 through 21, be approved as follows:

# 6 APPROVAL OF MINUTES

- a. Minutes of regular meeting of February 12, 2002.
- b. Correction to minutes of January 15, 2002, item No. 31g to read, A...and the public hearing rescheduled to the meeting of March 19, 2002.@
- c. Correction to minutes of January 29, 2002, item No. 6 to read, AQuitclaim Deed accepted from Emilio Ruiz, Barbara Jean Ruiz and James V. Gulu, conveying a portion of a 20.0-foot drainage maintenance easement, recorded in O.R. Book 5418, Pages 496 through 499, located in the northeast quarter of Section 33, Township 27 South, Range 16 East, from Pinellas County to Brooker Creek Villas and Townhome Homeowners Association, Inc.@

# 7 REPORTS RECEIVED FOR FILING

- a. Minutes of meeting of December 5, 2001 of Eastlake Oaks Community Development District, together with financial statements for the period ending October 31, 2001.
- b. Housing Finance Authority of Pinellas County Report on Agreed upon Procedures in Connection with the Schedule of Bonded Indebtedness for the year ended September 30, 2001 prepared by Dufresne & Associates, CPA, P.A.

# 8 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.

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c. Vouchers and Bills Paid

- (1) Checks released for the period from February 11, 2002 through February 22, 2002 as follows:

Payroll Journal Expenditures  
Payroll Journal pages numbered 1 through 2564  
Payroll checks numbered 484856 through 485520

Imprest Fund Expenditures  
Manual checks numbered 605160 through 605192  
System checks numbered 619857 through 621817

# 9 MISCELLANEOUS ITEMS RECEIVED

- a. Official Traffic Regulations submitted by the County Traffic Engineer.
- b. Tampa Bay Regional Planning Council General Purpose Financial Statements, Accompanying Financial Information and Required Supplementary Information for the period ended September 30, 2001.
- c. City of Safety Harbor Ordinance No. 2002-05 adopted on February 18, 2002, annexing certain property.
- d. Correspondence from City of Pinellas Park regarding three Ordinances voluntarily annexing certain property; public hearing to be held March 14, 2002.
- e. City of Largo Notice of Annexation regarding Ordinances Nos. 2002-28 and 2002-29; public hearing to be held March 12, 2002.

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#10 BUDGET AMENDMENT NO. 13

A copy of Budget Amendment No. 13 was filed and made a part of the minutes.

#11 RESOLUTION NO. 02-49 SUPPLEMENTING THE FY 2002 GENERAL FUND BUDGET (SHERIFF, LAW ENFORCEMENT SERVICES AT THE ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT)

Resolution No. 02-49 appropriating earmarked receipts for a particular purpose in the FY 2002 General Fund.

#12 SUBDIVISION PLATS AND RELATED ITEMS

a. Roesch House Movers

1. Funds released in the amount of \$2,054.47 to Roesch House Movers Inc., 13650 66th Street North, Largo, FL 33771.

b. World Savings (UP 01-0231)

1. Letter of Credit No. D98-948-001A accepted in the amount of \$15,000.00.
2. Funds released in the amount of \$12,112.00 to World Savings Bank, FSB, 1901 Harrison Street, Oakland, CA 94612.

c. Largo Lakes Traffic Light

1. Funds released in the amount of \$199,266.00 to Harrod Properties, Inc., 777 South Harbor Boulevard, Suite 877, Tampa, FL 33602.

- d. Rutz Office Building
  - 1. Funds accepted in the amount of \$12,061.50 as completion surety.
- e. Cypress Knoll
  - 1. Funds accepted in the amount of \$9,768.00 as completion surety.
- f. CVS at 49th Street and 54th Avenue
  - 1. Completion Bond No. 929231485 accepted in the amount of \$49,330.00.
- g. Sun Ketch Homes at Pasadena
  - 1. Funds accepted in the amount of \$6,737.50 as completion surety.
- h. Walgreens at Roosevelt Boulevard and 58th Street
  - 1. Completion Bond No. 929199764 accepted in the amount of \$6,633.00.
- I. USA Cable (UP 02-0247)
  - 1. Funds accepted in the amount of \$8,830.00 as completion surety.

#13 BID OF HUGHES SUPPLY, INC. FOR METER BOXES (COOPERATIVE BID NO. 012-411-B)

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Bid is for an annual estimated expenditure (cooperative) in the amount of \$616,786.50 (Pinellas County annual estimated expenditure in an amount not to exceed \$278,368.00); contract is for 12 months with one additional 12-month option of renewal to be exercised if prices, terms and conditions remain the same or prices decrease, should an assessment of the prevailing open market price indicate that such a decrease is merited, and

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approval is granted by the County Administrator.

#14 ACCESS LICENSE AGREEMENT FOR MONITORING WELLS LOCATED AT 216 AND 680 GEORGE STREET, TARPON SPRINGS

Access License Agreement for monitoring ground water for nutrient parameters adjacent to Lake Tarpon for a two-year period.

#15 RELEASES OF SEWER, WATER AND/OR RECLAIMED WATER LIENS

Releases of liens for delinquent sewer, water and/or reclaimed water charges which have been paid in full re properties identified on documents attached to the agenda memorandum dated March 12, 2002, copies of which have been filed and made a part of the record.

#16 BIDS OF FLORIDA WATER TREATMENT, INC. AND CAREFREE SALT DISTRIBUTORS, INC. FOR COARSE SALT - REBID, PER LINE ITEM (BID NO. 012-366-B) (DETENTION FACILITY)

Bids are for an estimated 24-month expenditure not to exceed \$42,000.00; 24-month contracts with three additional 12-month options for renewal with contract pricing subject to adjustment upon renewal based on the most currently available annual percentage of change as stated in the Bureau of Labor Statistics, Consumer Price Index (All Urban Consumers) or three percent, whichever is less, subject to availability of funds and County Administrator approval.

#17 AMENDMENT NO. 2 TO AGREEMENT WITH NATURAL RESOURCES PLANNING SERVICES, INC. FOR FORESTRY OPERATIONS SERVICES FOR PINELLAS COUNTY PROPERTIES AT THE AL-BAR AND CROSS BAR RANCHES AND BROOKER CREEK PRESERVE (BID NO. 978-0092-P); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND

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WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

Amendment No. 2 to agreement with Natural Resources Planning Services, Inc. to provide forestry operations and consulting services concerning selective timber harvesting at Lake Seminole Park for an estimated gross revenue in the amount of \$20,000.00 with the Park Department paying contractor 15 percent of the gross receipts (approximately \$3,000.00 based on the estimated revenue).

#18 DECLARATION OF TWO ESCHEAT PROPERTIES AS SURPLUS; AUTHORIZATION FOR CHAIRMAN TO EXECUTE COUNTY DEEDS CONVEYING SAID PROPERTIES TO THE CITY OF ST. PETERSBURG WITH WAIVER OF MINERAL RIGHTS

Two escheat properties as set forth in attachments to the County Administrator's memorandum dated March 12, 2002, a copy of which has been filed and made a part of the minutes, are declared surplus with authorization for the Chairman to execute the County Deeds conveying said properties to the City of St. Petersburg with waiver of mineral rights.

#19 TRANSFER OF ASSETS TO SHERIFF'S OFFICE RE EQUIPMENT LOCATED AT SOUTH COUNTY SERVICE CENTER, 1800 66TH STREET NORTH, ST. PETERSBURG

Transfer of assets (two gun lockers) installed at South County Service Center, 1800 66th Street North, St. Petersburg, purchased to improve security and to comply with Administrative Order PI-CIR-98-20, which are under the care, custody, and control of the Sheriff's Office (total expenditures for assets \$1,604.84).

#20 RELEASES OF LIEN (HOUSING)

- a. Santo Ciulla, James C. Ciulla, and Catherine Raniolo.

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- b. Vernon J. Gould and Velma J. Gould.
- c. Relocation Executive, Inc., Trustee, UDT No. 720.

#21 SATISFACTIONS OF MORTGAGE (HOUSING)

- a. Kimberly K. Cain and Michael A. Cain.
- b. Jennifer R. Davis.
- c. Pamela M. Harper.
- d. Victor D. Hubert and Dixie Hubert.
- e. Diana M. Murray.
- f. Nellie A. Peters.

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

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\* \* \* \*

At this time, 11:20 A.M., Commissioner Stewart left the meeting.

\* \* \* \*

#23 METZGER & WILLARD, INC. SELECTED TO PROVIDE CONSULTANT SERVICES FOR TWO-INCH GALVANIZED WATER LINE REPLACEMENT PROGRAM PHASE I (PROJECT NO. 653-901814-1515); STAFF AUTHORIZED TO INITIATE NEGOTIATIONS WITH SAID FIRM

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County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide consultant services for the Two-Inch Galvanized Water Line Replacement Program, Phase I, as follows:

1. Metzger & Willard, Inc.

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2. McKim & Creed
3. George F. Young, Inc.

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, Metzger & Willard, Inc., and to finalize a contract with said firm for Board approval.

Commissioner Welch moved, seconded by Commissioner Seel, that Metzger & Willard, Inc. be selected to provide the desired services; and that authorization be granted for staff to initiate contract negotiations as requested.

In response to query by Commissioner Seel, Director of Utilities Pick Talley related that the project is a continuation of a long term program to improve the pipe materials in the utilities system; that it is divided into six phases; and that the work may accelerate in order to accommodate the new surface water blend scheduled to be implemented next year. Commissioner Seel requested that any discussion relevant to the water treatment plant include an outline of the pipe line replacement schedule and an estimate of the costs involved.

Upon call for the vote, the motion carried unanimously.

#24 BIOLOGICAL RESEARCH ASSOCIATES SELECTED TO PROVIDE ENVIRONMENTAL PLANTING, MAINTENANCE, AND MONITORING SERVICES FOR BRYAN DAIRY ROAD, 72ND STREET TO U.S. 19 PROJECT; STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide environmental planting, maintenance, and monitoring services for the Bryan Dairy Road, 72nd Street to U.S. 19 Project, as follows:

1. Biological Research Associates
2. Vanasse Hangen Brustlin, Inc.

He further recommended that staff be authorized to initiate contract negotiations with the

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number one ranked firm, Biological Research Associates, and to finalize a contract with said firm for Board approval.

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

\* \* \* \*

At this time, 11:23 A.M., Commissioner Stewart returned to the meeting.

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#25 FLORIDA PERMITTING, INC. SELECTED TO PROVIDE MITIGATION SITE RESTORATION, ENVIRONMENTAL PLANTING, MAINTENANCE, AND MONITORING SERVICES RE BI-COUNTY THRUWAY (TRINITY BOULEVARD) PROJECT; STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide mitigation site restoration, environmental planting, maintenance, and monitoring services for the Bi-County Thruway (Trinity Boulevard) Project, as follows:

1. Florida Permitting, Inc.
2. Ecological Consultants, Inc.
3. Biological Research Associates

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, Florida Permitting, Inc., and to finalize a contract with said firm for Board approval.

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

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#26 FIRST AMENDMENT TO SOUTH COUNTY SIDEWALK AND DRIVEWAY CONSTRUCTION REPAIR OR REPLACEMENT AGREEMENT WITH TAGARELLI CONSTRUCTION, INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the First Amendment to South County Sidewalk Repair, Replacement and Construction Agreement with Tagarelli Construction, Inc., changing the name of said agreement to North and South County Sidewalk Repair, Replacement and Construction, and providing for the removal of the current retainage requirement.

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

#27 AGREEMENT WITH VANASSE HANGEN BRUSTLIN, INC. TO PROVIDE CONSULTANT SERVICES FOR ENVIRONMENTAL PLANTING, MAINTENANCE AND MONITORING SERVICES FOR THE EAST/WEST CONNECTOR ROAD, PHASE I & II (AKA FOREST LAKES BOULEVARD), S.R. 584 TO RACE TRACK ROAD PROJECT (PID NO. 921563) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended that the Board approve the agreement with Vanasse Hangen Brustlin, Inc., to provide environmental planting, maintenance, and monitoring services for the East/West Connector Road, Phase I & II (aka Forest Lakes Boulevard), S.R. 584 to Race Track Road Project (PID No. 921563) for a total contract amount not to exceed \$124,899.00 (contingency services amount of \$11,354.00 included).

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

In response to query by Commissioner Seel and at the direction of the Chairman, Mr. Spratt noted that an update pertaining to delays associated with the project will be furnished to the Board.

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#28 AGREEMENT BETWEEN PINELLAS COUNTY AND SCHOOL BOARD OF PINELLAS COUNTY FOR STORM DRAINAGE IMPROVEMENTS BENEFITING MEADOWLAWN SCHOOL - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with the School Board of Pinellas County for storm drainage improvements to benefit Meadowlawn School which are to be accomplished in two phases with the County paying 50 percent of the design fee (\$50,000) and the County's portion of the Phase One construction cost (\$201,484.85). Phase Two is currently unfunded.

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

#29 INTERLOCAL AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF ST. PETERSBURG FOR MAINTENANCE OF REGULATORY ZONE SIGNAGE - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an Interlocal Agreement with the City of St. Petersburg whereby the City will provide maintenance for regulatory zone signage within the City area for a two-year period at an estimated annual expenditure in the amount of \$24,000.00.

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

Commissioner Seel suggested that other communities be asked to participate in a similar agreement, and no objections were noted.

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At this time, 11:32 A.M., Commissioner Stewart left the meeting.

\* \* \* \*

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- #30 RESOLUTION NO. 02-50 ADOPTED AUTHORIZING THE CHAIRMAN TO EXECUTE AND THE CLERK TO ATTEST A COUNTY INCENTIVE GRANT PROGRAM AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND PINELLAS COUNTY FOR FDOT TO CONTRIBUTE FUNDS FOR TRAFFIC SIGNAL SYSTEM INTELLIGENT TRANSPORTATION SYSTEM (ITS) COMMUNICATIONS TRUNK LINE - FIBER OPTIC NETWORK PROJECT

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing execution of a County Incentive Grant Program Agreement between the Florida Department of Transportation (FDOT) and Pinellas County to obtain grant funding for the traffic signal system Intelligent Transportation System (ITS) Communications Trunk Line - Fiber Optic Network Project.

Commissioner Morroni moved, seconded by Commissioner Seel, that Resolution No. 02-50 be adopted as recommended.

Responding to queries by the members, input was provided by J. Keith Wicks, Director of Public Works, Ken Jacobs, Public Works Traffic Engineering, and Carl M. Barron, Director of General Services.

Following discussion and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart.

- #31 RESOLUTION NO. 02-51 ADOPTED AUTHORIZING THE CHAIRMAN TO EXECUTE AND THE CLERK TO ATTEST A COUNTY INCENTIVE GRANT PROGRAM AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND PINELLAS COUNTY FOR FDOT TO CONTRIBUTE FUNDS FOR TRAFFIC SIGNAL SYSTEM FIELD HARDWARE - ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS) PROJECT

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing execution of the County Incentive Grant Program Agreement with the Florida Department of Transportation (FDOT) to obtain grant funding for the Pinellas County Traffic Signal Systems Field Hardware - Advanced Traffic Management System

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(ATMS) Project.

Commissioner Seel moved, seconded by Commissioner Welch, that Resolution No. 02-51 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart.

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At this time, 11:34 A.M., Commissioner Harris left the meeting.

\* \* \* \*

#32 OFFER TO SELL FROM BARDMOOR NORTH PROPERTY OWNERS ASSOCIATION, INC. FOR ACQUISITION OF FIVE-FOOT STRIP OF LAND ON SOUTH SIDE OF BRYAN DAIRY ROAD (PROPERTY ADDRESS: VACANT PROPERTY) (PID NO. 920588) FOR THE BRYAN DAIRY ROAD PROJECT, 72ND STREET NORTH TO STARKEY ROAD, IN SECTION 13, TOWNSHIP 30 SOUTH, RANGE 15 EAST - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

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County Administrator Stephen M. Spratt recommended approval of an Offer to Sell from Bardmoor North Property Owners Association, Inc. for acquisition of a five-foot strip of land on the south side of Bryan Dairy Road (property address: vacant property) (PID No. 920588) for the Bryan Dairy Road Project, 72nd Street North to Starkey Road, with authorization for the issuance of a check in the amount of \$45,000.00 in payment thereof, together with a check payable to Somers Title Company in the amount of \$608.75.

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

Responding to queries by Commissioner Seel, J. Keith Wicks, Director of Public Works, indicated that the Homeowners Association is aware of the fact that the County will not be erecting a buffer wall on the property.

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Upon call for the vote, the motion carried unanimously.

- #33 OFFER TO SELL FROM THE CLOISTERS AT BARDMOOR CONDOMINIUM ASSOCIATION, INC. FOR ACQUISITION OF FIVE-FOOT STRIP OF LAND ON SOUTH SIDE OF BRYAN DAIRY ROAD (PROPERTY ADDRESS: VACANT PROPERTY) (PID NO. 920588) FOR THE BRYAN DAIRY ROAD PROJECT, 72ND STREET NORTH TO STARKEY ROAD, IN SECTION 13, TOWNSHIP 30 SOUTH, RANGE 15 EAST - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

County Administrator Stephen M. Spratt recommended approval of an Offer to Sell from The Cloisters at Bardmoor Condominium Association, Inc. for acquisition of a five-foot strip of land on the south side of Bryan Dairy Road (property address: vacant property) (PID No. 920588) for the Bryan Dairy Road Project, 72nd Street North to Starkey Road, with authorization for the issuance of a check in the amount of \$45,000.00 in payment thereof, together with a check payable to Somers Title Company in the amount of \$608.75.

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

- #34 OTHER TRANSACTION AGREEMENT - LOAN OF EQUIPMENT AGREEMENT (DTFA01-02-A-EQ034) WITH TRANSPORTATION SECURITY ADMINISTRATION (TSA) AT ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT - APPROVED

County Administrator Stephen M. Spratt recommended the Board approve and confirm the Other Transaction Agreement - Loan of Equipment Agreement (DTFA01-02-A-EQ034) between the St. Petersburg-Clearwater International Airport and the Transportation Security Administration (TSA) for the loan of security equipment for a period of 120 days with two renewal options, each for an additional 120 days.

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

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#35 FIRST AMENDMENT TO LEASE AND CONCESSION AGREEMENT BETWEEN PINELLAS COUNTY AND CROSSLANTIC PARTNERS, INC. DATED NOVEMBER 5, 1996 (ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the First Amendment to Lease and Concession Agreement between Pinellas County and Crosslantic Partners, Inc. dated November 5, 1996 (St. Petersburg-Clearwater International Airport).

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

#36 TERMINATION OF OPTION AGREEMENT AND LEASE AGREEMENT WITH MOOG, INC. RE PROPERTY LOCATED AT ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Termination of Option Agreement and Lease Agreement with Moog, Inc. regarding property required in conjunction with the Airport Improvement Project.

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

#37 PROPOSAL OF POWER PLANT STAFFING, INC. ACCEPTED FOR INDUSTRIAL MAINTENANCE SERVICES FOR UTILITIES DEPARTMENT (BID NO. 012-176-P); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY 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 proposal of Power Plant Staffing, Inc. be accepted for industrial maintenance services for the Utilities Department for an annual estimated total expenditure not to exceed \$218,816.00 (24-month contract with provision for one additional 12-month option of renewal period pending funding and County Administrator's approval); and further recommended that the Chairman

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be authorized to sign agreement 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 Morroni and carried, that the recommendations of the County Administrator be approved.

\* \* \* \*

At this time, 11:37 A.M., Commissioner Stewart returned to the meeting.

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#38 CHANGE ORDER NO. 1 TO AGREEMENT WITH PERFORMANCE TECHNICAL SERVICES, INC. FOR WILLIAM E. DUNN FACILITY PROCESS AUTOMATION PROJECT (BID NO. 001-0673-B) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 1 to the agreement with Performance Technical Services, Inc. for the William E. Dunn Facility Process Automation Project, adding 150 consecutive calendar days to the original schedule and increasing the contract amount by \$8,294.00 (final total contract \$110,156.00).

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

#39 CHANGE ORDER NO. 2 TO AGREEMENT WITH LINCOLN CONSTRUCTION, INC. FOR UTILITIES BUILDING FIRST FLOOR LOBBY RENOVATIONS (BID NO. 001-0528-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 2 to the agreement with Lincoln Construction, Inc. for Utilities Building first floor lobby renovations, adding 45 consecutive calendar days to the original schedule and increasing the contract amount by \$8,475.93 (revised total contract \$233,111.52).

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

#40 EMERGENCY REQUIREMENTS FOR SECURITY GUARD SERVICES AT PINELLAS COUNTY WATER PLANTS (BIDS NOS. 012-122-E AND 012-407-E) - CONFIRMED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended the Board confirm the emergency requirements for security guard services at Pinellas County water plants and authorize payments to International Total Services, Inc. for a total expenditure not to exceed \$398,601.66; and further recommended that the Chairman be authorized to sign agreement, which expires on April 13, 2002, 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 recommendations of the County Administrator be approved.

In response to query by Commissioner Stewart, Director of Utilities Pick Talley provided information relevant to ongoing security operations for the water plants.

#41 AGREEMENT WITH PROFESSIONAL SERVICE INDUSTRIES (PSI) TO PROVIDE PROFESSIONAL GEOTECHNICAL ENGINEERING AND CONSTRUCTION TESTING SERVICES FOR OAKHURST ROAD IMPROVEMENTS PROJECT (PID NO. 733-614314-1152) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with Professional Service Industries (PSI) to provide professional geotechnical engineering and construction testing services for the Oakhurst Road Improvements Project in an amount not to exceed \$49,230.00 (including a contingency services amount of \$4,500.00).

Commissioner Seel moved, seconded by Commissioner Latvala and carried,

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that the recommendation of the County Administrator be approved.

\* \* \* \*

At this time, 11:40 A.M., Commissioner Harris returned to the meeting.

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#42 AMENDMENT NO. 1 TO ENGINEERING AGREEMENT WITH McKIM & CREED, P.A.  
FOR CONSULTING SERVICES RE PINELLAS COUNTY - CITY OF CLEARWATER  
RECLAIMED WATER INTERCONNECT PROJECT (PID NO. 763-400513-1265) -  
APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 to the engineering agreement with McKim & Creed, P.A., for consulting services for Pinellas County - City of Clearwater Reclaimed Water Interconnect Project in the amount of \$86,300.00 (revised total contract \$454,910.00).

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

In response to query by Commissioner Seel, Director of Utilities Pick Talley indicated that the water storage tanks will be located in Canal Park; and that the City of Oldsmar will be hearing a land use request for the site next week.

Upon call for the vote, the motion carried unanimously.

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Upon direction of the Chairman, there being no objection, the meeting was recessed at 11:42 A.M., and was reconvened at 11:58 A.M., with all Board members in attendance with the exception of Commissioner Stewart.

\* \* \* \*

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#43 FIRST AMENDMENT TO CATERING SERVICES AGREEMENT WITH CATERING BY LUNDY-S, THE PERSONAL TOUCH CATERING, ORANGE BLOSSOM CATERING, THE GARDEN RESTAURANT, AND SAFFRON-S FOR CATERING SERVICES AT THE FLORIDA BOTANICAL GARDENS (BID NO. 001-0647-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTORS AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended approval of a First Amendment to the Catering Services Agreement with Catering by Lundy-s, The Personal Touch Catering, Orange Blossom Catering, The Garden Restaurant, and Saffron-s for catering services at the Florida Botanical Gardens to reduce security deposits required from the contractors; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractors and written approval as to form by the Office of the County Attorney.

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

Responding to queries by Commissioners Seel and Morroni, Director of County Extension Service Judy Yates presented a brief update regarding the number of visitors and weddings being held at the Florida Botanical Gardens.

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At this time, 12:00 P.M., Commissioner Stewart returned to the meeting.

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#44 AMENDMENT TO AGREEMENT WITH ANDERSON-McQUEEN CO., D/B/A A LIFE TRIBUTE FUNERAL CARE FOR BURIAL/CREMATION SERVICES (RFP NO. 012-31-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

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County Administrator Stephen M. Spratt recommended approval of an amendment to the agreement with Anderson-McQueen Co., d/b/a A Life Tribute Funeral Care for burial/cremation services, extending the agreement for a period of up to 60 days; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

Responding to query by Commissioner Latvala, Mr. Spratt indicated that staff will provide a report to the members in the near future regarding the feasibility of the County building its own crematorium.

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At this time, 12:03 P.M., Commissioner Welch left the meeting.

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#45 AWARD OF PROPOSAL TO WALTER Q. BOWLIN, DDS FOR ORAL SURGERY SERVICES FOR PINELLAS COUNTY DEPARTMENT OF SOCIAL SERVICES (RFP NO. 001-962-P) - RESCINDED; WALTER Q. BOWLIN, DDS PROHIBITED FROM BIDDING ON COUNTY PROJECTS FOR A PERIOD OF TWO YEARS

County Administrator Stephen M. Spratt recommended that the award of proposal to Walter Q. Bowlin, DDS for oral surgery services for the Pinellas County Department of Social Services be rescinded; and further recommended that Walter Q. Bowlin, DDS be debarred from bidding on County projects for a period of two years.

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

Commissioner Seel expressed concerns about services for residents of North County; whereupon, Mr. Spratt stated that staff will research the issue.

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#46 PROPOSAL OF STANDARD INSURANCE COMPANY ACCEPTED FOR GROUP LONG TERM DISABILITY/SHORT TERM DISABILITY PROGRAMS (RFP NO. 012-379-P)

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the proposal of Standard Insurance Company be accepted for group long term disability/short term disability programs for an annual estimated expenditure in the amount of \$630,708.00 for a three year contract (the first two years are guaranteed at 4.9 percent lower than the County's current cost) beginning April 1, 2002 for the long term disability program and October 1, 2002 for the short term disability program, subject to availability of funds, with three 12-month options of renewal with a price increase of no more than ten percent based on the carrier's experience with the County's participants, pending funding and County Administrator approval.

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

Following discussion and input from Director of Personnel David Libby, upon call for the vote, the motion carried unanimously.

#47 AUTHORIZATION GRANTED FOR REDUCTION IN THE SOCIAL SERVICES LIEN OF DAVID TYLER

County Administrator Stephen M. Spratt recommended that authorization be granted for a reduction in the Social Services lien of David Tyler, as outlined in the letter attached to the agenda memorandum.

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

#48 RESOLUTION NO. 02-52 ADOPTED SUPPLEMENTING THE FY02 CAPITAL PROJECTS FUND BUDGET (EMINENT DOMAIN SETTLEMENTS)

County Administrator Stephen M. Spratt recommended adoption of a

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resolution to appropriate earmarked receipts for a particular purpose in the FY02 Capital Projects Fund.

Commissioner Seel moved, seconded by Commissioner Latvala, that Resolution No. 02-52 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Welch.

#49 CONTRACT FOR PROVISION OF LAW ENFORCEMENT SERVICES FOR FRED HOWARD PARK (PINELLAS COUNTY PARK DEPARTMENT) WITH CITY OF TARPON SPRINGS THROUGH THE TARPON SPRINGS POLICE DEPARTMENT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a contract for the provision of law enforcement services for Fred Howard Park (Pinellas County Park Department) with the City of Tarpon Springs through the Tarpon Springs Police Department in the amount of \$4,800.00.

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

Responding to query by Commissioner Harris, Mr. Spratt indicated that he will provide additional information regarding rates charged for services.

Upon call for the vote, the motion carried unanimously.

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At this time, 12:06 P.M., Commissioner Welch returned to the meeting.

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#50 RESOLUTION NO. 02-53 ADOPTED APPROVING THE CREATION OF A JOB CREATION INCENTIVE GRANT PROGRAM AND IDENTIFYING SOURCES OF LOCAL COUNTY FINANCIAL SUPPORT OF PROJECTS CREATING MAJOR CAPITAL INVESTMENTS AND HIGH WAGE JOBS

County Administrator Stephen M. Spratt recommended approval of a resolution approving the creation of a job creation incentive grant program and identifying sources of local County financial support of projects creating major capital investments and high wage jobs.

Commissioner Seel moved, together with a request for yearly performance updates, seconded by Commissioner Latvala, that Resolution No. 02-53 be adopted as recommended by the County Administrator. Following discussion and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#51 CONSTRUCTION MANAGEMENT AGREEMENT WITH CREATIVE CONTRACTORS, INC. FOR YMCA OMNI CENTER RENOVATIONS ACCEPTED AS COMPLETE; AUTHORIZATION GRANTED FOR FINAL PAYMENT AND RELEASE OF RETAINAGE MONIES

County Administrator D. Gay Lancaster recommended that the Construction Management Agreement with Creative Contractors, Inc. for YMCA Omni Center renovations be accepted as complete; and that the Board authorize final payment of \$2,161.00 and release of retainage monies in the amount of \$76,870.00 to the aforesaid firm.

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

#52 FIRST AMENDMENT TO LICENSE AGREEMENT WITH BAYFRONT MEDICAL CENTER, INC. - APPROVED FOR EXECUTION

March 12, 2002

County Administrator Stephen M. Spratt recommended approval of a First Amendment to License Agreement with Bayfront Medical Center, Inc. for installation of a monument in memory of the Bayflite Crew at Weedon Island.

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

- #53 DECLARATION OF PARCELS NOS. 19-31-17-59274-001-0010, 19-31-17-59274-001-0020, 19-31-17-59274-002-0010, 19-31-17-59256-008-0010, AND 19-31-17-59256-008-0020 AS SURPLUS - APPROVED; AUTHORIZATION GRANTED TO EXCHANGE FOR PROPERTY OWNED BY ALL CHILDREN'S HEALTH SYSTEMS, INC. AND FOR PERMISSION TO ADVERTISE

County Administrator Stephen M. Spratt recommended that Parcels Nos. 19-31-17-59274-001-0010, 19-31-17-59274-001-0020, 19-31-17-59274-002-0010, 19-31-17-59256-008-0010, and 19-31-17-59256-008-0020 be declared surplus and that authorization be granted to exchange for property owned by All Children's Health Systems, Inc. as described in Exhibit B, which has been filed and made a part of the record, and for permission to advertise.

Commissioner Stewart moved, seconded by Commissioner Welch, that the recommendation of the County Administrator be approved.

Following discussion and upon call for the vote, the motion carried unanimously.

- #54 AMENDED AND RESTATED OFFICE LEASE AGREEMENT WITH I & S ASSOCIATES LLC D/B/A CLEARWATER CENTRE FOR OFFICE SPACE FOR WORKNET PINELLAS - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an Amended and Restated Office Lease Agreement with I & S Associates LLC d/b/a Clearwater Centre for office space for WorkNet Pinellas for the period from May 1, 2000 through April 30, 2005.

March 12, 2002

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

#55 AMENDED AND RESTATED OFFICE LEASE AGREEMENT WITH I & S ASSOCIATES LLC D/B/A PLAZA 300 ASSOCIATES LLC FOR OFFICE SPACE FOR WORKNET PINELLAS - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an Amended and Restated Office Lease Agreement with I & S Associates LLC d/b/a Plaza 300 Associates LLC for office space for WorkNet Pinellas for the period from June 1, 2000 through May 31, 2005.

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

In response to query by Commissioner Stewart, Director of WorkNet Pinellas, Inc. Bonnie Moore indicated that other lease possibilities are being explored and that donated space is also being sought.

#56 AGREEMENT BETWEEN WORKNET PINELLAS AND GOODWILL INDUSTRIES-SUNCOAST, INC. FOR PROVISION OF EMPLOYER SERVICES UNDER THE WELFARE TRANSITION SERVICE PROGRAM (WTS) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement between WorkNet Pinellas and Goodwill Industries-Suncoast, Inc. for the provision of employer services under the Welfare Transition Service Program (WTS) through June 30, 2002 in the amount of \$151,694.60.

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

March 12, 2002

#57 AGREEMENT BETWEEN WORKNET PINELLAS AND THE BOYS AND GIRLS CLUBS OF THE SUNCOAST INC. FOR PROVISION OF RECRUITMENT, ELIGIBILITY DETERMINATION, CASE MANAGEMENT AND PROGRAM SERVICES FOR YOUTH UNDER THE WORKFORCE INVESTMENT ACT (WIA) - APPROVED FOR EXECUTION

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County Administrator Stephen M. Spratt recommended approval of an agreement between WorkNet Pinellas and The Boys and Girls Clubs of the Suncoast Inc. for the provision of recruitment, eligibility determination, case management and program services for youth under the Workforce Investment Act (WIA) through June 30, 2002 in the amount of \$60,000.00.

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

#58 OTHER ADMINISTRATIVE MATTERS - (1) ASSISTANT COUNTY ADMINISTRATOR D. GAY LANCASTER HONORED BY UPPER PINELLAS COUNTY SOROPTIMIST CLUB; (2) UPDATE RE DISPUTE RESOLUTION PROCESS WITH CITY OF LARGO RE SEWER CONNECTION CHARGES; (3) TURTLE CLUB PROPERTY UPDATE; (4) LEGISLATIVE UPDATE; (5) UPDATE RE CITY OF PINELLAS PARK ANNEXATION; (6) PROPOSED BMX FACILITIES; (7) SOCIAL SERVICES BUDGET ADJUSTMENTS

County Administrator Stephen M. Spratt stated that Assistant County Administrator D. Gay Lancaster had been honored by the Upper Pinellas County Soroptimist Club.

Mr. Spratt presented an update regarding the ongoing dispute resolution process with the City of Largo regarding sewer connection charges; and indicated that the matter is now before a mediator; that an understanding has been reached on several points; and that the attorneys continue to work on resolving issues.

Referring to the Turtle Club property, Mr. Spratt stated that correspondence has been received from the lessee's attorney regarding the notice of lease termination; and that staff will proceed with taking control of the property and finding a replacement developer.

March 12, 2002

Mr. Spratt indicated that State Legislature Session Report No. 4 from Assistant County Administrator Elithia V. Stanfield has been provided to the members, a copy of which has been filed and made a part of the record.

Mr. Spratt commented regarding a recent annexation by the City of Pinellas Park of an approximately 30-acre parcel. In response to query by Commissioner Welch, Chief Assistant County Attorney James L. Bennett explained the impacts of the proposed transfer of development rights; and Mr. Spratt added that staff will continue to monitor future annexations very closely as requested by the Board.

Mr. Spratt indicated that the possibility of using the Toytown site as a Bicycle Motor Cross (BMX) facility has been discussed with the City of St. Petersburg. In response to query by Commissioner Welch, Director of Utilities Pick Talley stated that the Toytown site could accommodate both a BMX facility and a remote control airplane club. Alluding to comments by Commissioner Stewart, Mr. Spratt indicated that a master plan of the whole Gateway area should be accomplished. Following discussion, Chairman Todd requested periodic updates and a straw man type of plan to be discussed within the next six months.

Mr. Spratt reviewed a memorandum regarding Social Services budget adjustments, a copy of which has been filed and made a part of the record. In response to queries by Commissioner Welch, Director of Social Services Evelyn Bethel described the types of services received by patients and indicated that staff will meet with other nonprofit agencies regarding the impacts of the budget cuts.

#59a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. VERSUS JOHN R. MILLER, ET AL - CIRCUIT CIVIL CASE NO. 02-1293-CI-15 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that the County Attorney be authorized to defend the County's interest in the suit re Mortgage Electronic Registration Systems, Inc. versus John R. Miller, et al, Circuit Civil Case No. 02-1293-CI-15.

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- #59b COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE TODD DARLAND VERSUS SHERIFF EVERETT S. RICE, CIRCUIT CIVIL CASE NO. 02-912-CI-8 - ALLEGATIONS OF EXCESSIVE FORCE AND LOSS OF CONSORTIUM DURING AN ARREST
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Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that the County Attorney be authorized to defend the County's interest in the suit re Todd Darland versus Sheriff Everett S. Rice, Circuit Civil Case No. 02-912-CI-8 - Allegations of Excessive Force and Loss of Consortium during an Arrest.

- #59c COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE BAY ARISTOCRAT VILLAGE, INC. VERSUS THE GRAND VENEZIA AT BAYWATCH LIMITED PARTNERSHIP, ET CETERA, ET AL, CIRCUIT CIVIL CASE NO 02-929-CI-11 - COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that the County Attorney be authorized to defend the County's interest in the suit re Bay Aristocrat Village, Inc. versus the Grand Venezia at Baywatch Limited Partnership, et cetera, et al, Circuit Civil Case No. 02-929-CI-11 - Complaint for Declaratory Judgment and Injunctive Relief.

- #60 AUTHORITY FOR THE COUNTY ATTORNEY TO FILE A SMALL CLAIMS ACTION ON BEHALF OF SUNSTAR EMERGENCY MEDICAL SERVICES AGAINST THE ESTATE OF LINDSEY BAKER FOR UNPAID AMBULANCE BILLS - WITHDRAWN

County Attorney Susan H. Churuti referred to agenda item No. 60, Authority for the County Attorney to file a small claims action on behalf of Sunstar Emergency Medical Services against the Estate of Lindsey Baker for unpaid ambulance bills, and indicated that the item has been withdrawn inasmuch as payment in full has been received from the Estate.

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#61 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION AGAINST SCOTT W. ROBINSON, RISK CLAIM NO. 00-58094

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the County Attorney be authorized to initiate litigation against Scott W. Robinson, Risk Claim No. 00-58094, for damage to Pinellas County property.

#62 AUTHORIZATION GRANTED FOR FIRM OF CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P.A. TO CONTINUE TO EMPLOY MISSIMER INTERNATIONAL IN THE GREAT MONUMENT CONSTRUCTION COMPANY VERSUS PINELLAS COUNTY LITIGATION, CASE NO. 95-1881-CI-007

County Attorney Susan H. Churuti recommended that authorization be granted for the firm of Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A. to continue to employ Missimer International for the Great Monument Construction Company versus Pinellas County litigation, increasing the amount of fees by \$75,000.00 to a total amount of \$250,000.00.

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

#63 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#64 AUTHORIZATION GRANTED TO ADVERTISE NOTICE OF PUBLIC HEARING (TEFRA) RE PROPOSED ISSUANCE OF PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE BONDS IN AN APPROXIMATE AMOUNT OF \$9,100,000.00 (YMCA OF THE SUNCOAST, INC.)

March 12, 2002

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing (TEFRA) to be held April 2, 2002, re the proposed issuance of Pinellas County Industrial Development Authority Revenue Bonds in the approximate amount of \$9,100,000.00 (YMCA of the Suncoast, Inc.); and no objections were noted.

#65 CONSIDERATION OF NORTH EAST LAKE PROPERTY

County Administrator Stephen M. Spratt reported that the attorneys are continuing to finalize details of a potential purchase agreement regarding the Mills East Lake property; and that the seller had originally requested a closing date of March 15, 2002 which is not now possible.

Responding to queries by Commissioner Stewart, Director of General Services Carl M. Barron indicated that if negotiations are successfully completed, a proposed contract will be presented for the Board's consideration at the March 19, 2002 meeting and the target date for closing will be March 25, 2002.

#66 FLORIDA POWER CORPORATION SEGMENT OF FRED E. MARQUIS TRAIL

County Administrator Stephen M. Spratt referred to a status report regarding the Pinellas Trail Extension on the Florida Power Corporation right-of-way, a copy of which has been filed and made a part of the record; and at his request, Director of Public Works Keith Wicks presented highlights regarding the project. Referring to a map, Mr. Wicks pointed out the existing Trail and the proposed Florida Power Trail; and related that in accordance with Board direction, staff had proceeded with renegotiation of terms with Florida Power Corporation; and that segments B (parallel to U.S. 19 in the Clearwater portion of the County) and C (further south in an area with many work centers) are the highest priority sections.

March 12, 2002

Real Estate Administrator Ellyn Kadel summarized the renegotiated terms of the lease and indicated that Florida Power Corporation has agreed to drop the escalated rental issue in exchange for naming rights and has also forgiven the \$150,000 payment due in April.

Mr. Wicks referred to the appropriate next steps outlined in the Board memorandum and indicated that subject to the Board's direction, the renegotiated lease will be presented for approval in the near future; whereupon, Planning Director Brian Smith provided additional information regarding funding through the Metropolitan Planning Organization (MPO) and related that the City of St. Petersburg has identified the Friendship Trail connection and the segment going through downtown as its first two priorities.

Following discussion, Commissioner Harris moved, seconded by Commissioner Seel, that staff proceed with completion of an amended lease agreement for the Board's consideration and the appropriate next steps. During discussion, Mr. Smith explained the availability of Congestion Mitigation Air Quality (CMAQ) funds.

Pursuant to additional discussion and thanks extended to Florida Power Corporation staff, upon call for the vote, the motion carried unanimously; whereupon, Commissioner Stewart expressed concerns that the proposed plan does not provide assurance that the middle and south sections of the County will receive an appropriate share of funding for the Trail.

#67 APPOINTMENT OF JEAN SCOTT TO PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA) BOARD OF DIRECTORS - APPROVED

Upon motion by Commissioner Harris, seconded by Commissioner Welch and carried, the appointment of Jean Scott to the Pinellas Suncoast Transit Authority (PSTA) Board of Directors was approved.

#68a COMMISSIONER MORRONI RE AIRPORT MASTER PLAN AND YOUR PENNY'S WORTH REPORT

March 12, 2002

Commissioner Morroni stated that a meeting regarding the Airport Master Plan will be held on March 14, 2002 at the Holiday Inn on Ulmerton Road at 5:00 P.M.; and presented Your Penny's Worth Report regarding the repair of water leaks at the Criminal Justice Center in the Public Defender's wing in order to prevent health hazards.

#68b COMMISSIONER HARRIS PRESENTS WATER CONSERVATION TIP

Commissioner Harris offered a water conservation tip regarding use of xeriscape and drought tolerant plants.

#68c COMMISSIONER WELCH RE VARIOUS MATTERS

Commissioner Welch thanked staff and management at Pinewood Cultural Park for their participation in the African-American Heritage celebration; expressed thanks to Gibbs Magnet Program Business Ethics and Technology Academy for extending an invitation to speak to students; and congratulated the Lakewood High School Spartans regarding the basketball championship.

#68d CHAIRMAN TODD RE GRADUATION CEREMONY FOR PINELLAS COUNTY CITIZENS=UNIVERSITY

Chairman Todd commented regarding the graduation ceremony for Pinellas County Citizens=University; whereupon, at her request, Director of Public Affairs Ronnie Goodstein presented highlights of the graduation and an update regarding enrollment for future classes.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 1:35 P.M.

March 12, 2002

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Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By \_\_\_\_\_  
Deputy Clerk