

Clearwater, Florida, May 7, 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 9:35 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.

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 Peter Dembroski, Hope Presbyterian Church, Clearwater, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Seel.

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 02-14 B Pinellas County
Location - 0.28 Acre Located on the South Side of 55th Avenue North, 345 Feet West of

28th Street North. Amendment from Residential Low to Commercial General.

- b. Case #CW 02-15 **B** Pinellas County
Location **B** 0.74 Acre Located on the Northeast Corner of 54th Avenue North and 29th Street North. Amendment from Residential Low to Residential/Office General.

REGULAR AMENDMENTS

- 2. a. Case #CW 02-11 - Pinellas County
Location **B** 0.22 Acre Located on the North Side of Wilcox Road, 536 Feet West of Jackson Street North. Amendment from Residential Low to Commercial Neighborhood.
- b. Case #CW 02-16 **B** Safety Harbor
Location - 0.66 Acre Located on the South Side of 10th Avenue South, 150 Feet East of McMullen-Booth Road. Amendment from Industrial Limited to Commercial General.
- c. Case #CW 02-17 - Clearwater
Location **B** 1.27 Acres Located on the East Side of Sky Harbor Drive, 473 Feet South of Gulf to Bay Boulevard. Amendment from Residential/Office General to Institutional.
- d. Case #CW 02-18 - Clearwater
Location - 3.69 Acres Located on the Southwest Corner of Gulf to Bay Boulevard and Sky Harbor Drive. Amendment from Institutional to Commercial General.
- e. Case #CW 02-19 - Largo
Location **B** 9.55 Acres Located on the South Side of Ulmerton Road, 102 Feet West of Cumberland Drive. Amendment from Industrial Limited to Residential Medium.
- f. Case #CW 02-20 (1-3) **B** St. Petersburg
Location **B** Three Areas Totaling 5.65 Acres Located as Follows: Area No. 1 is 1.85 Acres Located on the Northeast Corner of 28th Street North and 96th Avenue North; Area No. 2 is 2.14 Acres Located on the West Side of I-275, 350 Feet South of 102nd Avenue North; Area No. 3 is 1.66 Acres Located on the West Side of 18th Street North, 518 Feet South of 102nd Avenue North. Amendments from Preservation and Activity Center/Primary to Industrial Limited and Activity Center/Primary.
- g. Case #CW 02-21 **B** St. Petersburg
Location **B** 9.96 Acres Located on the Northeast Corner of Elcam Boulevard Southeast and Pompano Drive Southeast. Amendment from Commercial General to Residential Medium.
- h. Case #CW 02-22 **B** Tarpon Springs
Location **B** 5.86 Acres Located on the North Side of East Lemon Street, from 125 Feet East of Safford Avenue to Grosse Avenue, South Side of East Lemon Street, from 205 Feet East of Safford Avenue to Levis Avenue. Amendment from Industrial Limited and Residential Medium to Commercial General.

SCHEDULED PUBLIC HEARINGS - BCC

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3. Proposed Ordinance Providing for the Creation of a Municipal Service Taxing Unit to be Known as Lealman Heights 3rd Section Subdivision Street Lighting District.
4. Proposed Ordinance Providing for the Creation of a Municipal Service Taxing Unit to be Known as Fruit Haven Subdivision Street Lighting District.
5. Proposed Ordinance Providing for the Creation of a Municipal Service Taxing Unit to be Known as Orangewood Heights Subdivision Street Lighting District.
6. Proposed Ordinance to Amend the Purchasing Ordinance.
7. Proposed Ordinance Amending the Future Land Use Element of the Pinellas County Comprehensive Plan.
8. Proposed Ordinance Amending Table 4 of the Future Land Use Element of the Pinellas County Comprehensive Plan.
9. Z/LU-5-11-01
Application of the Pinellas County Board of County Commissioners through Brian Smith, Pinellas County Planning Department, Representative, for a Change of Zoning from A-E, Agricultural Estate Residential, R-3, Single Family Residential and RM-5, Residential, Multiple Family to PC, Preservation/Conservation and P-RM, Preservation-Resource Management and a Change of Land Use from Residential Low to Preservation-Resource Management on Approximately 35.3 Acres, Parcels 1 and 2, Located 2,500 Feet West of Alternate 19 and 1,000 Feet West of the Western Terminus of Wai-Lani Road; Parcel 3, Located on the West Side of Alternate 19 Generally Located 1,000 Feet West of Alternate 19 on the South Side of Wai-Lani Road, Parcels ID Nos. 26/27/15/00000/220/0110 and 0100 and 26/27/15/30402/006/0010.
10. LU-4-05-01
Application of the Pinellas County Board of County Commissioners through Brian Smith, Pinellas County Planning Department, Representative, for a Change of Land Use from RS, Residential Suburban to R/OS, Recreation/Open Space on Approximately 29.765 Acres, Located at the Northeast Corner of Alternate 19 and Bee Pond Road, Parcel ID No. 26/27/15/00000/410/0100.
11. Proposed Ordinance Amending the Capital Improvements Element of the Pinellas County Comprehensive Plan.
12. Proposed Ordinance Amending the Transportation Element of the Pinellas County Comprehensive Plan.
13. Proposed Amendments to the Pinellas County Land Development Code to Implement the Downtown Historic Palm Harbor Master Plan.
14. Z/LU-5-04-02
Application of the Pinellas County Board of County Commissioners through Brian Smith, Pinellas County Planning Department, Representative, for a Change of Zoning from R-4, One, Two, or Three

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- Family Residential, P-1, General Professional Office, C-1, Neighborhood Commercial and C-2, General Retail Commercial and Limited Services to OPH-D, Old Palm Harbor Downtown Zoning District and a Change of Land Use from Institutional, Residential Medium, Commercial General and Residential/Office/Retail to Community Redevelopment District Activity Center on Approximately 14.137 Acres Generally Located between Alternate 19 and Omaha Street (C.R. No. 1) and between Indiana Avenue and Michigan Avenue and also Located on the East Side of 9th Street, 205 Feet West of Alternate 19, 135 Feet North of Florida Avenue and 200 Feet South of Florida Avenue.
15. Proposed Ordinance for the Execution of a Settlement Agreement with Lamar Company, LLC, Regarding Potential Billboard Litigation.
 16. Proposed Ordinance for the Execution of a Settlement Agreement with Viacom Outdoor Media, Inc., Regarding Billboard Litigation.

WATER AND NAVIGATION

Pursuant to the Provisions of Chapter 31182, Laws of Florida (1955), as Amended, it is the Policy of the Pinellas County Water & Navigation Control Authority that all Persons Giving Testimony on Matters Relating to Application for Dredge, Fill, or Dock Permits do so Under Oath. If You Wish to Make Statements or Give Testimony Concerning any of the Water & Navigation Items, Please be Prepared to Stand and Take the Oath When Requested to do so by the Clerk.

17. Multi-Use Dock Application, Ray Lynn Development Corporation, Ryan's Woods Lane, Sutherland Bayou, Ozona.

C. CONSENT AGENDA

CLERK OF CIRCUIT COURT

18. Approval of Minutes B Regular Meeting Held on April 2, 2002.
19. Reports:
 - a. Dock Fee Report for the Month of March, 2002.
 - b. Quarterly Report of Routine Dock Permits Issued from January 1, 2002 through March 31, 2002.
 - c. Southwest Florida Water Management District Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2001, Including Supplementary Financial Statements Pursuant to Office of Management and Budget Circular A-133 and Management Letter Pursuant to Rules of the Auditor General, State of Florida; Along with Annual Local Government Financial Report for Fiscal Year 2000/2001.
 - d. City of Indian Rocks Beach Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2001.
 - e. Personnel Department Annual Report for Fiscal Year 2000/2001.

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- f. Gulfcoast Legal Services, Inc. Audited Financial Statements for Fiscal Year 2001 Together with the Auditor's Letters.
 - g. City of Tarpon Springs, Florida Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2001.
 - h. City of Clearwater, Florida Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2001.
 - i. Follow-up Report No. 2002-03, Dated April 11, 2002 **B** Follow-up Review to Audit of Child Support Operations.
 - j. Audit Report No. 2002-4, Dated April 11, 2002 **B** Audit of Boca Ciega Park Development Project.
 - k. Audit Report No. 2002-05, Dated April 18, 2002 **B** Audit of Court Registry.
 - l. Appraisal of a Vacant 190.29 Acre Tract of Land (Approved for Cemetery Development) Located at the Northeast Quadrant of Trinity Boulevard and East Lake Road, Pinellas County, Florida Prepared for Mr. James R. Meloy, Real Estate Management Coordinator, Pinellas County Real Estate Department, by Colliers Arnold Dated November 12, 2001.
 - m. Pinellas County Sheriff's Office Florida Contraband Forfeiture Semi-Annual Report for the Period October 1, 2001 **B** March 31, 2002 Submitted Pursuant to Section 932.705(8)(a), Florida Statutes.
20. Other Approvals:
- a. General:
 - 1. Recommendation that the Board of County Commissioners Approve Budget Amendment No. CBA-2-02.
 - b. Satisfactions of Judgments and Liens.
 - c. Vouchers and Bills Paid.
21. Miscellaneous Items to be Received for Filing:
- a. Official Traffic Regulations Submitted by the County Traffic Engineer.
 - b. Administrative Budget Amendments for the Second Quarter of Fiscal Year 2002 Submitted by County Administrator Stephen M. Spratt.
 - c. Law Enforcement Trust Fund Payments to the Sheriff for the Second Quarter of Fiscal Year 2002 Submitted by County Administrator Stephen M. Spratt.

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- d. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Zoning Atlas and Rezoning Amendments Regarding Ordinances Nos. 6958-02 through 6971-02 and 6974-02 through 6979-02 to be Held June 6, 2002.
- e. Correspondence from the City of Pinellas Park Regarding Three Ordinances Voluntarily Annexing Certain Property, Public Hearing Held April 25, 2002 and One Ordinance Voluntarily Annexing Certain Property, Public Hearing to be Held May 9, 2002.
- f. One Item Related to Dock, Pier and Wharf Construction Licensing and Contract Bonds.
- g. Correspondence from Mayor J. J. Beyrouthi on Behalf of the Mayors' Council of Pinellas County Inc., Requesting the Board Delay its Proposed Action to Realign the Lealman Area Planning Boundaries.
- h. Minutes of Meeting of February 6, 2002 of Eastlake Oaks Community Development District.

COUNTY ADMINISTRATOR

Budget and Finance

- 22. Budget Amendments **B** None.

Public Works

- 23. Approval to Execute a Cooperative Funding Agreement with the Southwest Florida Water Management District, the City of Dunedin and Pinellas County for Curlew Creek Channel Improvements.
- 24. Approval to Execute a Cooperative Funding Agreement with the Southwest Florida Water Management District and Pinellas County for the Creation of a Water Quality Treatment Pond for Lake Seminole Sub-Basin No. 6.
- 25. Approval to Execute a Project Grant Agreement with the Florida Department of Environmental Protection and Pinellas County for an Appropriation to Enhance the Friendship Trail Bridge.
- 26. Adoption of a Resolution Granting Preliminary Approval of the Proposed Oakhurst Groves No. 3 Subdivision Street Lighting District.
- 27. Approval of a Recommendation to Install Speed Humps and a Four Way Stop Condition in the Barrington Hills Subdivision.
- 28. Approval of a Recommendation to Install Speed Humps on 88th Avenue North between 131st Street North and 128th Street North.

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29. Approval of Subdivision Plats, Sureties and Easements.

Utilities

30. Approval of Award of Bids:
- a. Sidewalk Construction at William E. Dunn Reclamation Facility.
 - b. Bonnie Bay Subdivision Reclaimed Water Distribution System.
31. Approval to Execute an Access License Agreement with the Treasure Island Waffle House.
32. Approval to Execute Pinellas County Utility Easement Agreements:
- a. Reclaimed Water Lines in Madeira Beach.
 - b. Sanitary Sewer Extension on 125th Street - Atlantis Adventure.
 - c. Sanitary Sewer Extension on 125th Street B Quartet Properties.
33. Approval of Release of Sewer, Water and Reclaimed Water Liens.

Other Departments

34. Approval to Accept the Quarterly Report for State of Florida Contract Purchases, Contract Renewals and Master Purchase Order Increases.
35. Approval of Award of Bid for Grounds Maintenance Services at the Friendship Trail Bridge.
36. Approval to Rescind Award for Lawn and Grounds Maintenance General Services to KTK Industries, Inc. and Award to the Budd Group and Luke Brothers.
37. Approval of Change Order No. 1 and Approval of Release of Retainage to Ranon & Jimenez, Inc. for the Criminal Justice Center Exterior Recladding/Reroofing Project.
38. Approval of Final Payment and Release of Retainage for Air Handler Replacements at B, C and G-Wings of the Pinellas County Jail.
39. Approval of a Cross-Access Agreement Between Pinellas County and the Brinsons.
40. Approval of a Florida Power Community Agency Agreement to Assist Eligible Citizens with their Electric Bills.
41. Approval of a Contract with the Area Agency on Aging of Pasco-Pinellas, Inc. and Pinellas County

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for Emergency Home Energy Assistance.

42. Approval of a Summer Food Vending Services Agreement with the Pinellas County School Board.
43. Approval of Satisfaction of Mortgages (Housing):
 - a. Leo F. Alfano.
 - b. Dream Builders, USA, Inc.
 - c. James Allen Hollister and Phyllis C. Hollister.
 - d. Thomas W. Lehn and Virginia D. Lehn.
 - e. Andrew K. Peterson and Tammy Peterson.
 - f. Quon Pham and Marie S. Beaudry.
44. Adoption of a Resolution to Temporarily Waive the Requirements of Section 6-47(a) of the Pinellas County Code for the Old Palm Harbor Partnership to Hold its First Event in Historic Downtown Palm Harbor.
45. Approval of an Agreement with the City of Tarpon Springs for Planning Services.
46. Adoption of a Resolution Supplementing the FY02 General Fund Budget **B** Office of Human Rights Fair Housing Testing Program.
47. Adoption of a Resolution Supplementing the FY02 General Fund Budget **B** Sheriff **B** Agreement with the City of Clearwater Relating to Crime Scene Services and Evidence and Property Storage.
48. Adoption of a Resolution Supplementing the FY02 General Fund Budget **B** Public Affairs **B** Pinellas Citizen University.
49. Adoption of a Resolution for Assessment of Liens against Lands.

D. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

51. Approval of Contract Amendment No. 1 for Security Guard Services at the St. Petersburg Clearwater-International Airport Coast Guard Station.
52. Adoption of a Resolution and Approval of a Joint Participation Agreement with the State of Florida

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Department of Transportation for Additional Grant Funds for the Parking Lot Expansion and Improvements Project at the St. Petersburg-Clearwater International Airport.

53. Adoption of a Resolution and Approval of a Joint Participation Agreement with the State of Florida Department of Transportation for Additional Grant Funds for Design and Construction of the Terminal Apron at the St. Petersburg-Clearwater International Airport.

Public Works

54. Adoption of a Resolution Authorizing a Maintenance Agreement between the Florida Department of Transportation and Pinellas County for a Sidewalk Along a Segment of Trotter Road.

Utilities

55. Approval of Recommendation to Rescind the Award to Pathogen and Biofilm Microbiology Group for an Annular Reactor Biofilm Project.
56. Approval of Award of Bid - McKay Creek and South Cross Bayou Injection Well Mechanical Integrity Tests.
57. Approval of Amendment No. 1 to the Cooperative Funding Agreement with Southwest Florida Water Management District for Cross Bar Ranch Flood Plain Restoration.
58. Approval of Amendment No. 9 to the Engineering Agreement for Consulting Services for South Cross Bayou Water Reclamation Facility Improvements.

Other Departments

59. Approval of Proposed Modifications to the Consultants Competitive Negotiation Act (CCNA) Procedure.
60. Approval of a Noncompetitive Purchase for the Enterprise Server Upgrade.
61. Approval to Declare Surplus, Authorize the Sale and/or Donation of County Owned Equipment:
 - a. Trade In of 4,320 Votomatic Voting Machines and the Donation of One Votomatic Voting Machine.
 - b. Sale of Miscellaneous Vehicles and Equipment.
 - c. Donation of Camera to Pasco County Health Department.
62. Approval of Award of Proposal for Indigent Burial and Cremation Services.
63. Approval of an Agreement between the City of St. Petersburg and WorkNet Pinellas for a Comprehensive Summer Youth Program.

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64. Approval of Agreements for the Partial Taking of the Following Parcels in the Dansville Neighborhood Improvement Area:
 - a. Parcel Numbers 08/30/15/70470/100/1601 and 08/30/15/70470/100/1602.
 - b. Parcel Number 08/30/15/70470/100/1604.
 - c. Parcel Number 08/30/15/70470/100/1301.
 - d. Parcel Number 08/30/15/70470/100/1901.
65. Adoption of a Resolution Approving the Housing Finance Authority's Actions Concerning Issuance of Multifamily Mortgage Revenue Refunding Bonds, Series 2002, CAPREIT Limited Partnership.
66. Approval to Authorize the Conveyance of Property Jointly to Pinellas County and the City of Oldsmar within the Mobbly Bay Project Area.
67. Approval of the Board of County Commissioners' Approach for Designating and Funding Community Redevelopment Districts.
68. Approval of Authorization to Advertise an Ordinance Granting Approval and Execution Authority to the County Administrator of Certain Documents.
69. Approval of Authorization to Advertise an Ordinance Granting Approval to the County Administrator or His Designee Over Approval of Residential Traffic Management Projects.
70. Approval of Authorization to Advertise an Ordinance Granting Approval to the County Administrator or His Designee to Approve Official Traffic Regulations.
71. Other Administrative Matters.

COUNTY ATTORNEY

72. Authority for County Attorney to Defend:
 - a. Aurora Loan Services, Inc. v. J. Allen Miller, et al **B** Circuit Civil Case No. 02-3012-CI-13 - Mortgage Foreclosure Involving a Judgment for Attorney Fines and Costs.
 - b. The Bank of New York v. Phillip G. Cole, Jr., et al - Circuit Civil Case No. 02-2712-CI-13 - Mortgage Foreclosure Involving Judgments for Fines and Costs and a Judgment for Attorneys Fees and Costs.
 - c. Chase Manhattan Bank v. Neil Joseph Cardamone, et al - Circuit Civil Case No. 02-2460-CI-15 - Mortgage Foreclosure Involving a Street Lighting Lien.
 - d. Chase Manhattan Mortgage Corp. v. Mary Jane Gluck, et al **B** Circuit Civil Case No. 02-

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- 2831-CIB19 **B** Mortgage Foreclosure Involving a Community Development Mortgage.
- e. Chase Manhattan Mortgage Corp. v. John L. & Stacey L. Topicz **B** Circuit Civil Case No. 02-2913-CI-13 **B** Mortgage Foreclosure Involving a Community Development Mortgage.
 - f. Citifinancial Mortgage Co. v. Enrico A. Caccavelli, et al **B** Circuit Civil Case No. 02-2766-CI-13 **B** Mortgage Foreclosure Involving a Street Lighting Lien.
 - g. Citifinancial Mortgage Company v. Anthony Lacorte, et al - Circuit Civil Case No. 02-2807-CI-13 - Mortgage Foreclosure Involving Judgments for Fines and Costs and a Judgment for Attorneys Fees and Costs.
 - h. First Bank National Assoc. v. Theresa M. Brooks **B** Circuit Civil Case No. 02-2888-CI-19 **B** Mortgage Foreclosure Involving a Community Development Mortgage.
 - i. GE Capital Mortgage Services v. Susan Hampton, et al - Circuit Civil Case No. 02-2503-CI-8 **B** Mortgage Foreclosure Involving a Judgment for Fine and Costs.
 - j. LaSalle National Bank v. Melvetta McClendon, et al **B** Circuit Civil Case No. 02-2881-CI-20 **B** Mortgage Foreclosure Involving Several Judgments for Attorney Fees and Fines and Costs.
 - k. US Bank National Assoc. v. Nate J. Boone, et al **B** Circuit Civil Case No. 02-2444-CI-8 **B** Mortgage Foreclosure Involving a Welfare Lien.
 - l. Wachovia Bank, National Assoc. v. James McInerney, et al **B** Circuit Civil Case No. 02-2885-CI-11 **B** Mortgage Foreclosure Involving a Notice of Lien for Securing the Structure.
 - m. Danute Valodka, et al v. Pinellas County - Circuit Civil Case No. 02-1846-CI-13 **B** Allegations of Negligence Involving Personal Injuries as a Result of a Sidewalk Trip and Fall.
 - n. Housing Corporation of America, Inc. v. Clerk of Court **B** Circuit Civil Case No. 02-2143-CI-8 **B** Allegations of Negligence in Public Records Procedures Resulting in Properties Being Sold Without Notice.
 - o. Anthony B. Leisner, as Trustee of the Anthony B. Leisner Revocable Trust, and William D. Deland and Christine Deland, husband and wife v. Pinellas County **B** Circuit Civil Case No. 02-2846-CI-7 **B** Seeking Declaratory Judgment and Permanent Injunction Regarding Ownership of Riverside Avenue Adjacent to the Anclote River.
73. Appointment of Assistant County Attorney **B** Christina Le Blanc.
74. Implementation of the 401(a) Plan.
75. Approval of Special Counsel Contract with Leslie M. Conklin, Esquire for Representation of the

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Pinellas County Public Employees Relations Commission.

76. Request for Reimbursement of Taxable Costs in the Interest of Eden Popo, a Child **B** Case No. CRC01-06051DLANO.
77. Consideration of Authorization for the Chairman to Sign and the Clerk to Attest Satisfactions of Judgments for Restitution in State v. Caldwell **B** Case No. 98-904477-YANC.
78. Miscellaneous.

ECONOMIC DEVELOPMENT AUTHORITY

79. Approval of a Lease Agreement with Opinion Research Corporation.

E. COUNTY ADMINISTRATOR REPORTS

80. Indigent Health Care Update.
81. Hurricane Evacuation Decision Making Process.
82. Redevelopment Initiatives Direction.

F. COUNTY COMMISSION

83. Approval of an Appointment to the Pinellas County Health Facilities Authority.
84. Approval of Reappointment to the Pinellas County Economic Development Authority.
85. Miscellaneous.

ADJOURNMENT

PROCLAMATION DECLARING MAY 7, 2002 AS A DAY OF REMEMBRANCE
HONORING THE LATE THOMAS D. FEASTER

Chairman Todd presented a proclamation declaring May 7, 2002 as a day of

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remembrance honoring the late Thomas D. Feaster as an outstanding servant to the City of Largo and Pinellas County to his brother, George Feaster, and his widow, Kathy Feaster.

PROCLAMATION DECLARING MAY 17, 2002 AS LIBRARY SUPPORT STAFF DAY

Chairman Todd presented a proclamation declaring May 17, 2002 as Library Support Staff Day to Dr. Susan Anderson, Director of Libraries, St. Petersburg College.

2001 GOLD AWARDS RECOGNIZED

Chairman Todd and Mr. Spratt recognized the winners of the 2001 Gold Awards.

PROCLAMATION DECLARING WEEK OF MAY 6 THROUGH MAY 12, 2002 AS EMPLOYEE APPRECIATION WEEK

Chairman Todd presented a proclamation declaring the week of May 6, through May 12, 2002 as Employee Appreciation Week to County Administrator Stephen M. Spratt, who accepted on behalf of all County employees.

PROCLAMATION DECLARING WEEK OF MAY 19 THROUGH MAY 25, 2002 AS HURRICANE AWARENESS WEEK

Chairman Todd presented a proclamation declaring the week of May 19 through May 25, 2002 as Hurricane Awareness Week to Director of Emergency Management David Bilodeau.

PROCLAMATION DECLARING MONTH OF MAY 2002 AS CIVILITY MONTH

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Chairman Todd presented a proclamation declaring the month of May 2002 as Civility Month to County Attorney Susan H. Churuti.

CITIZENS TO BE HEARD

Joel Castle, St. Petersburg, expressed his concerns regarding mobile home registrations; whereupon, Pam Dubov, Chief Deputy, Property Appraiser's Office, and Carlos Thomas, Chief Deputy, Tax Collector's Office, provided clarification regarding the registration process for mobile homes.

Donald Perry, Gulfport; Nancy McCaslin, St. Petersburg; Gail Conroy, Redington Shores; and Mona Radler, St. Petersburg, voiced their concerns regarding tree harvesting at Lake Seminole Park. Ms. Conroy submitted a petition with 420 signatures requesting cancellation of the tree harvesting; and Ms. Radler submitted documents. Assistant County Administrator Jacob F. Stowers, III provided an overview of the procedures which are taking place at the park and indicated that further updates will be forthcoming.

Emily Rogers Coeyman, St. Petersburg, expressed her views regarding issues related to the Lealman area.

Maya Thomas, St. Petersburg, related her concerns regarding WorkNet Pinellas vendor issues; whereupon, Chairman Todd requested that staff follow up regarding the matter.

* * * *

At this time, 10:40 A.M., Commissioner Seel left the meeting.

* * * *

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- # 1a CASE #CW 02-14, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO COMMERCIAL GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-26 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 March 30, 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 02-14, 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 .28 acre located on the south side of 55th Avenue North, 345 feet west of 28th Street North (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 Stewart moved, seconded by Commissioner Morroni, that Ordinance No. 02-26 approving Case #CW 02-14 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

- # 1b CASE #CW 02-15, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO RESIDENTIAL/OFFICE GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-26 ADOPTED _____

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

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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 Stewart, that Ordinance No. 02-26 approving Case #CW 02-15 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

2a CASE #CW 02-11, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO COMMERCIAL NEIGHBORHOOD (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-26 ADOPTED

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

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land use designation on the Countywide Future Land Use Plan from residential low to commercial neighborhood, re .22 acre located on the north side of Wilcox Road, 536 feet west of Jackson Street North (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 with a developer agreement; and that County staff is recommending that the Board approve the proposal without the provision of the developer's agreement.

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

* * * *

At this time, 10:55 A.M., Commissioner Seel returned to the meeting.

* * * *

Responding to query by Commissioner Stewart as to the difference in recommendations, Commissioner Harris explained his initial objection to the proposal when heard by the PPC; and stated that his concerns have been resolved and he concurs with County staff that a developer's agreement is not necessary.

Brian K. Smith, Planning Director, indicated that staff sought to alleviate time sensitive issues connected to a developer's agreement by addressing the matter during the site plan process.

David P. Healey, PPC Executive Director, related background information on the proposal and indicated that it had originally been heard as a subthreshold amendment; that the Department of Community Development had been concerned with the redevelopment of the subject site; and that the intent of the developer's agreement is to limit the range of uses on the property; whereupon, Mr. Spratt advised that addressing the concerns during the site plan process may shorten the process for the property owner by as

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much as two months.

Chairman Todd noted that a super majority vote of five is necessary to overturn the PPC recommendation.

Thereupon, Commissioner Harris moved, seconded by Commissioner Latvala, that Ordinance No. 02-26 approving Case #CW 02-11 be adopted. Upon roll call, the vote was:

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

Nays: Stewart

Absent and not voting: None.

2b CASE #CW 02-16, PROPOSAL BY THE CITY OF SAFETY HARBOR TO AMEND LAND USE DESIGNATION ON COUNTYWIDE FUTURE LAND USE PLAN FROM INDUSTRIAL LIMITED TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - TEMPORARILY DEFERRED TO CPA MEETING OF JUNE 4, 2002

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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 March 30, 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 02-16, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from industrial limited to commercial general, re .66 acre located on the south side of 10th Avenue South, 150 feet east of McMullen-Booth 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 County staff concurs with the Pinellas Planning Council's (PPC) recommendation to defer the case to the Countywide Planning Authority meeting of June 4, 2002.

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

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Commissioner Latvala moved, seconded by Commissioner Seel and carried, that Case #CW 02-16 be deferred to the meeting of June 4, 2002.

* * * *

At this time, 10:57 A.M., Commissioner Welch left the meeting.

* * * *

2c CASE #CW 02-17, PROPOSAL BY CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL/OFFICE GENERAL TO INSTITUTIONAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-27 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 March 30, 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 02-17, 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 institutional, re 1.27 acres located on the east side of Sky Harbor Drive, 473 feet south of Gulf to Bay Boulevard (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 Morroni, that

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Ordinance No. 02-27 approving Case #CW 02-17 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Welch.

2d CASE #CW 02-18, PROPOSAL BY CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM INSTITUTIONAL TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-27 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 March 30, 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 02-18, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from institutional to commercial general, re 3.69 acres located on the southwest corner of Gulf to Bay Boulevard and Sky Harbor Drive (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 Seel moved, seconded by Commissioner Latvala, that Ordinance No. 02-27 approving Case #CW 02-18 be adopted. Upon roll call, the vote was:

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

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Nays: None.

Absent and not voting: Welch.

2e CASE #CW 02-19, PROPOSAL BY CITY OF LARGO TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM INDUSTRIAL LIMITED TO RESIDENTIAL MEDIUM (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-28 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 March 30, 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 02-19, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from industrial limited to residential medium, re 9.55 acres located on the south side of Ulmerton Road, 102 feet west of Cumberland Drive (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 Seel, that Ordinance No. 02-28 be adopted approving Case #CW 02-19. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Welch.

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2f CASE #CW 02-20 (1-3), PROPOSAL BY CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM PRESERVATION, ACTIVITY CENTER/PRIMARY TO INDUSTRIAL LIMITED, ACTIVITY CENTER/PRIMARY (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-29 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 March 30, 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 02-20 (1-3), a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from preservation, activity center/primary to industrial limited, activity center/primary, re 5.65 acres located: Area 1 - northeast corner of 28th Street North and 96th Avenue North; Area 2 - west side of Interstate 275, 350 south of 102nd Avenue North; Area 3 - west side of 18th Street North, 518 feet south of 102nd Avenue North (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 Latvala moved, seconded by Commissioner Seel, that Ordinance No. 02-29 approving Case #CW 02-20 (1-3) be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Welch.

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* * * *

At this time, 11:00 A.M., Commissioner Welch returned to the meeting and Commissioner Morroni left the meeting.

* * * *

2g CASE #CW 02-21, PROPOSAL BY CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL MEDIUM (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-30 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 March 30, 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 02-21, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential medium, re 9.96 acres located on the northeast corner of Elkcam Boulevard Southeast and Pompano Drive Southeast (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 Board to be heard.

County Administrator Stephen M. Spratt indicated that County staff had originally recommended denial of the proposal due to matters relating to the Coastal High Hazard Area (CHHA). However, subsequent to his conversation with David P. Healey, PPC Executive Director and the City of St. Petersburg, staff concurs with the PPC recommendation of approval.

* * * *

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

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* * * *

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

In response to query by Commissioner Stewart, David P. Healey, Executive Director, PPC, provided background information relating to the Council's recommendation; and indicated that through the City of St. Petersburg's policy plan of tracking adjustments in the CHHA through acquisitions and downzonings of plan amendments, the Council was able to conclude that there will be no net increase in density regardless of the proposed 149 units.

Responding to additional queries by Commissioner Stewart with regard to the reduction in net density in relationship to the amendments for the Clam Bayou Preserve, Julie Westin, Director, Development Review Services, City of St. Petersburg, reported that the City will ensure through plan amendments that no available units will be left on Clam Bayou; and that a reduction in intensity of 226 units will exist should the subject proposal be approved.

Following input by Jacob F. Stowers, Assistant County Administrator, affirming staff's concurrence with the PPC's recommendation of approval, Commissioner Seel moved, seconded by Commissioner Latvala, that Ordinance No. 02-30 approving Case #CW 02-21 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2h CASE #CW 02-22, PROPOSAL BY THE CITY OF TARPON SPRINGS TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM (0.06 ACRE) AND INDUSTRIAL LIMITED (5.80 ACRES) TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-31 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 March 30, 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 02-22, a proposal by the City of Tarpon Springs to amend the land use designation on the Countywide Future Land Use Plan from residential medium and industrial limited to commercial general, re 5.86 acres located on the north side of East Lemon Street, from 125 feet east of Safford Avenue to Grosse Avenue and the south side of East Lemon Street from 205 feet east of Safford Avenue to Levis Avenue (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 Board 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 Harris, that Ordinance No. 02-31 approving Case #CW 02-22 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 ORDINANCE NO. 02-32 ADOPTED CREATING LEALMAN HEIGHTS 3RD SECTION
SUBDIVISION STREET LIGHTING DISTRICT

Pursuant to legal notice published in the April 12 and April 19, 2002 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public

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hearing was held on a proposed ordinance relating to street lighting; providing for the creation of a municipal service taxing unit for street lighting to be known as Lealman Heights 3rd Section Subdivision Street Lighting District; providing for distinct areas included within said district; designating the Board of County Commissioners of Pinellas County as the governing body of said district; authorizing the governing body to enter into agreements with utility companies supplying electricity and maintenance to said district; providing for the funding of said district through special annual assessments levied on all properties within the district; providing for the filing of the assessment roll; providing for collection and payment of assessments; providing for items to be included in the initial assessment; authorizing the establishment of a revolving fund; providing for the dissolution or transfer of said district resulting from its annexation into a municipality; providing for severability; and providing for an effective date of ordinance. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended adoption of the ordinance creating Lealman Heights 3rd Section Subdivision Street Lighting District.

In response to the Chairman's call for persons wishing to be heard, the following individuals appeared and expressed their concerns:

Phil Fogel, Executive Director, D and D Missionary Homes
Tony Clark, Lealman Community

Responding to comments voiced by Mr. Fogel and queries by Commissioner Stewart, J. Keith Wicks, Director, Public Works Department, noted that he is not aware of a credit provided by Florida Power for property owners who have already installed lighting on their property.

Chairman Todd noted for the record that Mr. Fogel's concerns with regard to previously installed street lights referred to agenda items Nos. 4 and 5 and not the subject district; whereupon, she directed staff to notify Florida Power as to the issues expressed by D and D Missionary Homes.

Commissioner Welch moved, seconded by Commissioner Latvala, that

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Ordinance No. 02-32 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

4 ORDINANCE NO. 02-33 ADOPTED CREATING FRUIT HAVEN SUBDIVISION STREET LIGHTING DISTRICT

Pursuant to legal notice published in the April 12 and April 19, 2002 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance relating to street lighting; providing for the creation of a municipal service taxing unit for street lighting to be known as Fruit Haven Subdivision Street Lighting District; providing for distinct areas included within said district; designating the Board of County Commissioners of Pinellas County as the governing body of said district; authorizing the governing body to enter into agreements with utility companies supplying electricity and maintenance to said district; providing for the funding of said district through special annual assessments levied on all properties within the district; providing for the filing of the assessment roll; providing for collection and payment of assessments; providing for items to be included in the initial assessment; authorizing the establishment of a revolving fund; providing for the dissolution or transfer of said district resulting from its annexation into a municipality; providing for severability; and providing for an effective date of ordinance. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended adoption of the ordinance creating Fruit Haven Subdivision Street Lighting District.

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

Phil Fogel, D and D Missionary Homes, Inc., St. Petersburg

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Phyllis J. Bickel, St. Petersburg

Commissioner Welch moved, seconded by Commissioner Latvala, that Ordinance No. 02-33 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

5 ORDINANCE NO. 02-34 ADOPTED CREATING ORANGEWOOD HEIGHTS
SUBDIVISION STREET LIGHTING DISTRICT

Pursuant to legal notice published in the April 12, 2002 and April 19, 2002 issues of the Tampa Bay Review as evidenced by publishers affidavit filed with the Clerk, public hearing was held on a proposed ordinance relating to street lighting; providing for the creation of a municipal service taxing unit for street lighting to be known as Orangewood Heights Subdivision Street Lighting District; providing for distinct areas included within said district; designating the Board of County Commissioners of Pinellas County as the governing body of said district; authorizing the governing body to enter into agreements with utility companies supplying electricity and maintenance to said district; providing for the funding of said district through special annual assessments levied on all properties within the district; providing for the filing of the assessment roll; providing for collection and payment of assessments; providing for items to be included in the initial assessment; authorizing the establishment of a revolving fund; providing for the dissolution or transfer of said district resulting from its annexation into a municipality; providing for severability; and providing for an effective date of ordinance. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended adoption of the ordinance creating Orangewood Heights Subdivision Street Lighting District.

In response to the Chairman's call for persons wishing to be heard, Phil

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Fogel, Executive Director, D and D Missionary Homes, appeared and expressed his concerns.

Following discussion, Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 02-34 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

* * * *

At this time, 11:32 A.M., Commissioners Stewart and Morroni left the meeting.

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6 **ORDINANCE NO. 02-35 ADOPTED PROVIDING FOR THE ADDITION OF SECTION 2-190 TO THE PINELLAS COUNTY CODE RELATING TO LOBBYING OF COUNTY GOVERNMENT EMPLOYEES, ELECTED OFFICIALS, OR EVALUATION COMMITTEE MEMBERS IN CONNECTION WITH COUNTY PURCHASING CONTRACTS; PROVIDING THAT SECTION 2-198 RELATING TO SELECTION OF DESIGN CRITERIA PROFESSIONALS BE AMENDED TO INCLUDE CONSIDERATION OF A CONSULTANT-S/FIRM-S CERTIFICATION AS A MINORITY BUSINESS ENTERPRISE IN THE SELECTION PROCESS PURSUANT TO STATE LAW; PROVIDING THAT SECTION 2-201 RELATING TO SELECTION OF SUITABLE PROPOSALS BE AMENDED TO INCLUDE CONSIDERATION OF A CONSULTANT-S/FIRM-S CERTIFICATION AS A MINORITY BUSINESS ENTERPRISE IN EVALUATING PROPOSALS FOR DESIGN CRITERIA PROFESSIONALS PURSUANT TO STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR ADDITIONS OR DELETIONS THAT MAY ARISE AS A RESULT OF MATTERS RAISED AT THE PUBLIC HEARING OR IN CONSULTATION WITH RESPONSIBLE AUTHORITIES**

Pursuant to legal notice published in the April 26, 2002 issue of the St. Petersburg Times as evidenced by publishers affidavit filed with the Clerk, public hearing

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was held on a proposed ordinance providing for the addition of Section 2-190 to the Pinellas County Code relating to lobbying of County Government employees, elected officials, or Evaluation Committee members in connection with County purchasing contracts; providing that Section 2-198 relating to selection of design criteria professionals be amended to include consideration of a consultant's/firm's certification as a minority business enterprise in the selection process pursuant to State law; providing that section 2-201 relating to selection of suitable proposals be amended to include consideration of a consultant's/firm's certification as a minority business enterprise in evaluating proposals for design criteria professionals pursuant to State law; providing for severability; providing for codification; providing for an effective date; providing for additions or deletions that may arise as a result of matters raised at the public hearing or in consultation with responsible authorities. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends approval of the proposed Ordinance.

At the request of the Chairman, County Attorney Susan H. Churuti related the highlights of the proposed ordinance.

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. 02-35 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart and Morroni.

* * * *

At this time, 11:39 A.M., Commissioner Morroni returned to the meeting.

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- # 7 ORDINANCE NO. 02-36 ADOPTED AMENDING THE FUTURE LAND USE ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO INCLUDE AN OBJECTIVE AND POLICIES SUPPORTING THE CREATION OF MIXED USE COMMUNITY REDEVELOPMENT DISTRICT-ACTIVITY CENTER, WHERE APPROPRIATE; TO ENHANCE OR PROTECT LOCAL COMMUNITY CHARACTER AND TO SERVE AS COMMUNITY FOCAL POINTS OF COMMERCE, EMPLOYMENT, AND HOUSING; AMENDING THE FUTURE LAND USE ELEMENT TO RE-NUMBER CERTAIN EXISTING OBJECTIVES AND POLICIES; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE

Pursuant to legal notice published in the April 26, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the proposed ordinance of the County of Pinellas, amending the Future Land Use Element of the Pinellas County Comprehensive Plan to include an objective and policies supporting the creation of mixed use community redevelopment district-activity center, where appropriate; to enhance or protect local community character and to serve as community focal points of commerce, employment, and housing; amending the Future Land Use Element to re-number certain existing objectives and policies; providing for purpose and intent; providing for severability; providing for location of records; and establishing an effective date. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt read the State guidelines into the record, a copy of which has been filed and made a part of the minutes; and stated that staff recommends approval of the proposed ordinance; whereupon, he clarified language in the proposed ordinance with regard to the range of units that can be considered within the subject categories.

* * * *

At this time, 11:45 A.M., Commissioner Stewart returned to the meeting.

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At the request of Chairman Todd, Brian K. Smith, Planning Director, provided information as to the specific impacts of the proposed ordinance; and responding to query by Commissioner Seel, explained that there is no intention of creating a community redevelopment area; however, the category does provide for mixed uses.

In response to the Chairman's call for persons wishing to be heard, the following individuals appeared and expressed their concerns:

Don Hirt, Vice President, Palm Harbor Main Street
Annette Austin, Old Palm Harbor
Lesley Klein, Old Palm Harbor
Scott Fisher, Palm Harbor

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 02-36 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

8 ORDINANCE NO. 02-37 ADOPTED AMENDING TABLE 4 OF THE FUTURE LAND USE ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN CREATING THE COMMUNITY REDEVELOPMENT DISTRICT-ACTIVITY CENTER FUTURE LAND USE CATEGORY TO RECOGNIZE THOSE AREAS OF THE COUNTY THAT ARE APPROPRIATE LOCATIONS FOR MIXED USE THAT SERVE AS COMMUNITY FOCAL POINTS, AND TO PROMOTE DEVELOPMENT THAT WILL CREATE A STRONG SENSE OF COMMUNITY IDENTITY FOR A SPECIFIC AREA; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE

Pursuant to legal notice published in the April 26, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing

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was held on a proposed ordinance of the County of Pinellas, amending Table 4 of the Future Land Use Element of the Pinellas County Comprehensive Plan creating the community redevelopment district-activity center future land use category to recognize those areas of the County that are appropriate locations for mixed use that serve as community focal points, and to promote development that will create a strong sense of community identity for a specific area; providing for purpose and intent; providing for severability; providing for location of records; and establishing an effective date. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends approval of the proposed ordinance.

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

Commissioner Latvala moved, seconded by Commissioner Harris, that Ordinance No. 02-37 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

9 APPLICATION OF PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS THROUGH BRIAN SMITH, PINELLAS COUNTY PLANNING DEPARTMENT, REPRESENTATIVE, FOR CHANGE OF ZONING FROM A-E, R-3, AND RM-5 TO PC AND P-RM (RESOLUTION NO. 01-351 ADOPTED DECEMBER 18, 2001) AND CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL LOW TO PRESERVATION-RESOURCE MANAGEMENT (Z/LU-5-11-01) - ORDINANCE NO. 02-38 ADOPTED APPROVING LAND USE APPLICATION

Pursuant to legal notice published in the April 26, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of the Pinellas County Board of County Commissioners through Brian Smith, Pinellas County Planning Department, for a change of zoning from A-E, R-3 and RM-5 to PC and P-RM (Resolution No. 01-351 adopted December 18, 2001) and a

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change in land use designation from residential low to preservation-resource management, re approximately 35.3 acres, Parcels 1 and 2, located 2,500 feet west of Alternate 19 and 1,000 feet west of the western terminus of Wai-Lani Road; Parcel 3, located on the west side of Alternate 19 generally located 1,000 feet west of Alternate 19 on the south side of Wai-Lani Road (Z/LU-5-11-01). 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 Board to be heard.

County Administrator Stephen M. Spratt recommended final approval of the ordinance adopting the land use amendment.

The Local Planning Agency/Examiner Findings of Fact and Recommendations for approval of the requested change of zoning from A-E, R-3 and RM-5 and change in land use designation from residential low to preservation-resource management were filed and made a part of the record.

Paul Cassel, Director, Development Review Services, related that the amendment has been favorably reviewed by the Department of Community Affairs.

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

Commissioner Latvala moved, seconded by Commissioner Seel, that Ordinance No. 02-38 be adopted approving land use plan amendment Z/LU-5-11-01. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#10 APPLICATION OF PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS THROUGH BRIAN SMITH, PINELLAS COUNTY PLANNING DEPARTMENT, REPRESENTATIVE, FOR CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL SUBURBAN TO RECREATION/OPEN SPACE (LU-4-05-01) - APPROVED; ORDINANCE NO. 02-39 ADOPTED REPEALING ORDINANCE NO. 01-36 AND APPROVING LAND USE AMENDMENT NO. LU-4-05-01

Pursuant to legal notice published in the April 26, 2002 issue of the St.

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Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Pinellas County Board of County Commissioners through Brian Smith, Pinellas County Planning Department, Representative, for a change in land use designation from residential suburban to recreation/open space, re approximately 29.765 acres located at the northeast corner of Alternate 19 and Bee Pond Road (LU-4-05-01). Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended final approval of the ordinance repealing Pinellas County Ordinance No. 01-36 which had incorrectly been adopted at the December 18, 2001 meeting and adopting the land use amendment.

The Local Planning Agency/Examiner Findings of Fact and Recommendations for approval of the request for a change in land use designation from residential suburban to recreation/open space were filed and made a part of the record.

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

Commissioner Seel moved, seconded by Commissioner Latvala, that Ordinance No. 02-39 be adopted repealing Pinellas County Ordinance No. 01-36 and approving land use plan amendment LU-4-5-01. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

- #11 **ORDINANCE NO. 02-40 ADOPTED AMENDING THE MAJOR FINDINGS OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; AMENDING TABLE 1: CAPITAL IMPROVEMENT NEEDS; AMENDING TABLE 15: THE SIX-YEAR SCHEDULE OF IMPROVEMENTS; AMENDING TABLE 15-A: STATE HIGHWAY SYSTEM FACILITY CONSTRUCTION; AMENDING TABLE 16: U.S. HIGHWAY 19 (FIHS SEGMENT) LONG-TERM SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE**

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Pursuant to legal notice published in the April 26, 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 amending the major findings of the Capital Improvements Element of the Pinellas County Comprehensive Plan; amending Table 1: Capital Improvement needs; amending Table 15: The Six-Year Schedule of Improvements; amending Table 15-A: State Highway System Facility Construction; amending Table 16: U.S. Highway 19 (FIHS Segment) long-term schedule of Capital Improvements; providing for purpose and intent; providing for severability; providing for location of records; and establishing an effective date. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the ordinance has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the proposed ordinance.

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

Thereupon, Commissioner Harris moved, seconded by Commissioner Welch, that Ordinance No. 02-40 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.

#12 **ORDINANCE NO. 02-41 ADOPTED AMENDING FIGURES 3-3, 3-3A, 3-3C AND 3-3D, THE FUTURE FUNCTIONAL CLASSIFICATION ROAD NETWORK MAPS, OF THE TRANSPORTATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN, PROVIDING FOR PURPOSE AND INTENT, PROVIDING FOR SEVERABILITY, PROVIDING FOR LOCATION OF RECORDS, AND ESTABLISHING AN EFFECTIVE DATE**

Pursuant to legal notice published in the April 26, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing

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was held on a proposed ordinance amending Figures 3-3, 3-3A, 3-3C and 3-3D, the Future Functional Classification Road Network Maps, of the Transportation Element of the Pinellas County Comprehensive Plan, providing for purpose and intent, providing for severability, providing for location of records, and establishing an effective date. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the proposed ordinance.

In response to query by Commissioner Seel, Brian K. Smith, Planning Director, indicated that the proposed changes will not require road reconstruction; and that the changes are based on the results of a reevaluation of the functional characteristics of the subject roads.

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

Thereupon, Commissioner Latvala moved, seconded by Commissioner Seel, that Ordinance No. 02-41 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.

* * * *

At this time, 11:50 A.M., Chief Deputy Clerk C. R. Short left the meeting and Deputy Clerk Linda R. Reed entered the meeting.

* * * *

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LAND DEVELOPMENT CODE TO IMPLEMENT THE DOWNTOWN HISTORIC PALM HARBOR MASTER PLAN; SECOND HEARING SCHEDULED FOR MAY 21, 2002

Pursuant to legal notice published in the April 26, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of the proposed amendments to the Pinellas County Land Development Code to implement the Downtown Historic Palm Harbor Master Plan. Deputy Clerk Linda R. Reed reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public comment on the proposed amendments to the Pinellas County Land Development Code that would create the Old Palm Harbor Downtown zoning district.

At the request of the Chairman, Brian K. Smith, Planning Director, provided background information regarding the proposals; and stated that the intent of the proposed ordinance is to create an activity center in the Old Palm Harbor Downtown area; and responding to query by Commissioner Welch pertaining to floor area ratio, noted that a higher number has been used for first floors to encourage first-floor activity.

Mr. Spratt noted that the proposal requires two public hearings before final action can be taken by the Board; and that the second hearing has been scheduled for May 21; whereupon, Mr. Smith clarified the relationship of items Nos. 13 and 14.

Gordon Beardslee, General Planning Division Program Administrator, explained that final action will be taken on item No. 13 at the May 21 meeting. He advised that the companion item, No. 14, will be heard again on May 21; however, since it applies to acreage in excess of ten acres, the Countywide Planning Authority's (CPA) action will be to transmit the request to the Department of Community Affairs for its review and comment with final action by the CPA to be taken sometime in September or October 2002.

In response to Chairman Todd's call for persons wishing to be heard, the following individuals appeared and expressed their concerns:

Don Hirt, Vice President, Downtown Main Street
Scott Fisher, Palm Harbor

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Philip Fitzpatrick, Palm Harbor
David Limerick, Palm Harbor

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

* * * *

At this time, 11:58 A.M., Chief Deputy Clerk C. R. Short returned to the meeting and Deputy Clerk Linda R. Reed left the meeting.

* * * *

#14 APPLICATION OF PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS THROUGH BRIAN SMITH, PINELLAS COUNTY PLANNING DEPARTMENT, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM R-4, P-1, C-1 AND C-2 TO OPH-D AND CHANGE IN LAND USE DESIGNATION FROM INSTITUTIONAL, RESIDENTIAL MEDIUM, COMMERCIAL GENERAL AND RESIDENTIAL/OFFICE/RETAIL TO COMMUNITY REDEVELOPMENT DISTRICT-ACTIVITY CENTER (Z/LU-5-04-02); SECOND HEARING SCHEDULED MAY 21, 2002

Pursuant to legal notice published in the April 26, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Pinellas County Board of County Commissioners through Brian Smith, Pinellas County Planning Department, Representative, for a change of zoning

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from R-4, P-1, C-1 and C-2 to OPH-D and change in land use designation from institutional, residential medium, commercial general and residential/office/retail to community redevelopment district-activity center, re approximately 13.6 acres (four lots located north of Georgia Avenue and east of 9th Street, which had increased the acreage to 14.137, have been removed from the original application) generally located between Alternate U.S. Highway 19 and Omaha Street (C.R. 1) and between Indiana Avenue and Michigan Avenue and also located on the east side of 9th Street, 205 feet west of Alternate U.S. Highway 19 (Z/LU-5-04-02). Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public comment on the proposed amendments.

The Local Planning Agency/Examiner Findings of Fact and Recommendations for approval of the requested change of zoning from R-4, P-1, C-1, and C-2 to OPH-D and change in land use designation from institutional, residential medium, commercial general, and residential/office/retail to community redevelopment district-activity center were filed and made a part of the record.

In response to Chairman Todd's call for persons wishing to be heard, the following individuals appeared and expressed their comments:

Scott Fisher, Palm Harbor
Annette Austin, Old Palm Harbor

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

* * * *

At this time, 12:20 P.M., Commissioner Welch left the meeting.

* * * *

#15 CONSIDERATION OF PROPOSED ORDINANCE AUTHORIZING THE CHAIRMAN

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TO EXECUTE A SETTLEMENT AGREEMENT WITH LAMAR COMPANY, LLC
REGARDING BILLBOARD LITIGATION; SECOND HEARING TO BE HELD MAY
21, 2002

Pursuant to legal notice published in the April 26, 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 reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public input on the proposed settlement agreement; and noted that Lamar Company, LLC is offering to increase the number of removals during the first year from one to four billboards.

Chairman Todd advised that the second hearing will take place on May 21, 2002 at which time final action will be taken by the Board.

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

#16 CONSIDERATION OF PROPOSED ORDINANCE AUTHORIZING THE CHAIRMAN
TO EXECUTE A SETTLEMENT AGREEMENT WITH VIACOM OUTDOOR, INC.
REGARDING BILLBOARD LITIGATION; SECOND HEARING TO BE HELD MAY
21, 2002

Pursuant to legal notice published in the April 26, 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 Viacom Outdoor, Inc. regarding billboard litigation. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public input on the proposed settlement agreement; and noted that Viacom Outdoor,

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Inc. has agreed to the inclusion of a provision that eliminates annexed billboards as removals pursuant to the removal schedule.

Chairman Todd advised that the second hearing will take place on May 21, 2002 at which time final action will be taken by the Board.

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

* * * *

At this time, 12:25 P.M., Commissioner Welch returned to the meeting.

* * * *

#17 MULTI-USE DOCK APPLICATION M30827-01, RAY LYNN DEVELOPMENT CORPORATION/AKA RYAN'S WOODS, RYAN'S WOODS LANE, SUTHERLAND BAYOU, OZONA - DENIED

Chairman Todd noted for the record that the Board is now sitting as the Water and Navigation Control Authority.

Pursuant to legal notice published in the March 22 and March 29, 2002 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Multi-use Dock Application M30827-01, Ray Lynn Development Corporation a/k/a Ryan's Woods, Ryan's Woods Lane, Sutherland Bayou, Ozona. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that eight letters and one petition with 50 signatures in opposition to the application have been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to construct a ten-slip multi-use private dock in the waters of Sutherland Bayou, as indicated in his memorandum of May 7, 2002, which has been filed and made a part of the record; that the biological report prepared by the Pinellas County Department of Environmental Management was made available to the public and has been filed and made a part of the record; and that staff recommends approval of this application and execution of the order

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based upon negative Findings of Fact, Items 10 through 13, subject to the following conditions:

1. Mangrove trimming or removal during construction must be limited to the footprint of the structure. Branches should be tied back during dock construction wherever possible.
2. Trimming of mangrove branches which overhang the deck surface and are within eight vertical feet of the deck surface is allowed without further approvals from the County. Trimming beyond this may require permits from the Department of Environmental Management (464-4761).
3. Prior to dock construction, the contractor must contact the Department of Environmental Management at 464-4761 for a field review to verify the location of the dock walkout.
4. Prior to dock construction, a conservation easement (or some other legal instrument) must be recorded which prohibits the construction of additional slips at this property.
5. Pursuant to Section 166-334(b)(1), multi-use private docking facilities constructed in the waters of the County that abut single-family properties must be set back from the property line a minimum of one-third of the applicant's waterfront property width. Due to the extensive amount of shoreline owned by the applicant (625 feet), the required setback to each property line is 208.3 feet. The proposed dock will be located 25 feet from the north property line, and therefore requires a variance of 183.3 feet. This variance is required to place the dock in the only area along the property with depths that will accommodate boats.

William M. Davis, Director, Environmental Management, referred to drawings, maps and photographs and pointed out the location and size of the proposed dock, and cited the revisions in the application relative to the prior request heard on December 5,

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2000 which the Board had denied. Responding to queries by the members, he indicated that the depth of the water at mean low tide is approximately 1.5 to three feet at mean low water; that the current application has a slightly higher environmental impact due to the dock's position to the mangroves; and that the application does meet all necessary criteria.

Harry Cline, Esq., representing the applicant, related that there are two pertinent issues that the Board is being asked to consider relative to the application; whereupon, he noted the size of the proposed dock and the necessity of a variance.

In response to the Chairman's call for proponents to the application, the following individuals appeared and expressed their support:

Dan Marks, Ozona
Christine Ronan, Ozona

* * * *

At this time, 12:55 P.M., Chairman Todd left the meeting and Vice-Chairman Seel assumed the gavel.

* * * *

Tom Baird, Ozona
Dennis Olden, Ozona

In response to Vice-Chairman Seel's call for opponents to the application, the following individuals appeared and expressed their concerns:

David Cumings, Palm Harbor
Roger Larson, representing Bill and Heidi Wright, Ozona
Bill Dalton, Ozona
John Thurmond, Palm Harbor
Jack Heyman, Palm Harbor
Lena Heyman, Palm Harbor
Jim Zedalis, Ozona, representing various property owners
A. Piotrowski, Ozona

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W. Couture, Ozona
Susan Caswell, Ozona

* * * *

At this time, 1:05 P.M., Chairman Todd returned to the meeting and assumed the gavel.

* * * *

In rebuttal, Attorney Cline reiterated the location and size of the dock as the two focal points of the application; and countered that waterfront property has a right of access to water.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Stewart, that the application be approved in accordance with the ~~A~~Findings of Fact.®

Following discussion, at the request of Chairman Todd, Jewel White-Cole, County Attorney's Office, addressed the issue brought up by an opponent with regard to a property easement and advised that it is a nonexclusive easement and will not prohibit the dock's construction.

Following additional discussion, upon call for the vote, the motion failed three to four with Chairman Todd and Commissioners Seel, Morroni and Welch casting the dissenting votes.

* * * *

At the direction of the Chairman, there being no objections, the meeting was recessed at 1:48 P.M. and reconvened at 2:39 P.M.

* * * *

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CONSENT AGENDA ITEMS NO. 18 THROUGH 49, WITH THE EXCEPTION OF
AGENDA ITEMS NOS. 30a AND 32a - APPROVED; ITEM NO. 26 AMENDED _____

Upon presentation by Chairman Todd, Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the consent agenda, consisting of items Nos. 18 through 49, with the exception of items Nos. 30a and 32a which were temporarily deferred and item No. 26 which was amended to request authority to advertise a public hearing for September 10, 2002, be approved as follows:

#18 APPROVAL OF MINUTES

Minutes of Regular Meeting held on April 2, 2002.

#19 REPORTS TO BE RECEIVED FOR FILING

- a. Dock Fee Report for the month of March, 2002.
- b. Quarterly Report of Routine Dock Permits issued from January 1, 2002 through March 31, 2002.
- c. Southwest Florida Water Management District Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2001, including Supplementary Financial Statements pursuant to Office of Management and Budget Circular A-133 and Management Letter pursuant to Rules of the Auditor General, State of Florida; along with Annual Local Government Financial Report for Fiscal Year 2000-2001.
- d. City of Indian Rocks Beach Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2001.
- e. Personnel Department Annual Report for Fiscal Year 2000-

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2001.

- f. Gulfcoast Legal Services, Inc. Audited Financial Statements for the Fiscal Year 2001 together with the Auditor's letters.
- g. City of Tarpon Springs, Florida, Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2001.
- h. City of Clearwater, Florida, Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2001.
- i. Follow-Up Report No. 2002-03, dated April 11, 2002 - Follow-Up Review to Audit of Child Support Operations.
- j. Audit Report No. 2002-04, dated April 11, 2002 - Audit of Boca Ciega Park Development Project.
- k. Audit Report No. 2002-05, dated April 18, 2002 - Audit of Court Registry.
- l. Appraisal of a vacant 190.29 acre tract of land (approved for cemetery development) located at the Northeast Quadrant of Trinity Boulevard and East Lake Road, Pinellas County, Florida, prepared for James R. Meloy, Real Estate Management Coordinator, Pinellas County Real Estate Department, by Colliers Arnold, dated November 19, 2001.
- m. Pinellas County Sheriff's Office Florida Contraband Forfeiture Semiannual Report for the period October 1, 2001 - March 31, 2002, submitted pursuant to Section 932.705(8)(a), Florida Statutes, by Susan K. Dann, Chief Accountant for Everett S. Rice, Pinellas County Sheriff.

#20 OTHER APPROVALS

- a. General

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- (1) Clerk of the Circuit Court Budget Amendment No. CBA-2-02.

b. Satisfaction of Judgments and Liens

- (1) Satisfactions of various judgments for attorney fees and costs which have been paid in full and releases of various sewer, paving and street lighting assessment liens which have been paid in full.

c. Vouchers and Bills Paid

- (1) Checks released for the period from April 1, 2002 through April 19, 2002 as follows:

Payroll Journal Expenditures

Payroll Journal pages numbered 1 through 2624

Payroll checks numbered 487405 through 488028

Imprest Fund Expenditures

Manual checks numbered 605277 through 605322

System checks numbered 627022 through 629926

#21 MISCELLANEOUS ITEMS RECEIVED

- a. Official Traffic Regulations submitted by the County Traffic Engineer.
- b. Administrative Budget Amendments for the Second Quarter of Fiscal Year 2002, submitted by County Administrator Stephen M. Spratt.
- c. Law Enforcement Trust Fund Payments to the Sheriff for the

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Second Quarter of Fiscal Year 2002, submitted by County Administrator Stephen M. Spratt.

- d. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Zoning Atlas and Rezoning Amendments regarding Ordinances Nos. 6958-02 through 6971-02 and 6974-02 through 6979-02, to be held June 6, 2002.
- e. Correspondence from the City of Pinellas Park regarding three ordinances voluntarily annexing certain property, public hearing held April 25, 2002; and one ordinance voluntarily annexing certain property, public hearing to be held May 9, 2002.
- f. One item related to Dock, Pier and Wharf Construction Licensing and Contract Bonds.
- g. Correspondence from Mayor J. J. Beyrouti, on behalf of the Mayor=Council of Pinellas County, Inc., requesting that the Board delay its proposed action to realign the Lealman area planning boundaries.
- h. Minutes of Meeting of February 6, 2002 of Eastlake Oaks Community Development District.

#22 BUDGET AMENDMENTS - NONE

#23 COOPERATIVE FUNDING AGREEMENT WITH SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) AND CITY OF DUNEDIN FOR CURLEW CREEK CHANNEL IMPROVEMENTS BASIN STUDY (K667-1)

Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) and the City of Dunedin for a Curlew Creek Channel Improvements Basin Study in the amount of \$230,000.00, with SWFWMD paying up to the maximum amount of \$115,000.00, the City of Dunedin, as project manager, paying \$33,350.00, and

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Pinellas County contributing \$81,650.00.

- #24 THIRD AMENDMENT TO COOPERATIVE FUNDING AGREEMENT WITH SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) FOR CREATION OF A WATER QUALITY TREATMENT POND FOR LAKE SEMINOLE SUB-BASIN NO. 6 (P267)

Third Amendment to Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for the creation of a water quality treatment pond for Lake Seminole Sub-basin No. 6 in the amount of \$80,500.00, consisting of \$75,000.00 paid by SWFWMD for equipment costs and \$5,500.00 reimbursed to the County for laboratory analysis costs.

- #25 PROJECT GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP), OFFICE OF GREENWAYS AND TRAILS, FOR AN APPROPRIATION TO ENHANCE THE FRIENDSHIP TRAIL BRIDGE

Project grant agreement with the Florida Department of Environmental Protection (DEP), Office of Greenways and Trails, for an appropriation in the amount of \$50,000.00 for the final design of the Friendship Trail Bridge Underpass Project.

- #26 RESOLUTION NO. 02-85 ADOPTED GRANTING PRELIMINARY APPROVAL OF OAKHURST GROVES NO. 3 SUBDIVISION STREET LIGHTING DISTRICT AND REQUESTING THE COUNTY ADMINISTRATOR TO CALL FOR A PUBLIC HEARING FOR SEPTEMBER 10, 2002 FOR A PROPOSED ORDINANCE CREATING SAID DISTRICT; AND AUTHORIZING FUNDS FOR ADMINISTRATIVE EXPENSES DIRECTLY INCIDENT TO CREATING SAID DISTRICT

See agenda item No. 50.

- #27 INSTALLATION OF 12 SPEED HUMPS AND A FOUR-WAY STOP CONDITION IN

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THE BARRINGTON HILLS SUBDIVISION LOCATED SOUTH OF S.R. 580 (MAIN STREET) AND WEST OF BELCHER ROAD RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM

Approval is granted for installation of 12 speed humps and a four-way stop condition in the Barrington Hills Subdivision located south of S.R. 580 (Main Street) and west of Belcher Road in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997.

#28 INSTALLATION OF TWO SPEED HUMPS ON 88TH AVENUE NORTH BETWEEN 131ST STREET NORTH AND 128TH STREET NORTH RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM

Approval is granted for installation of two speed humps on 88th Avenue North between 131st Street North and 128th Street North in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997.

#29 SUBDIVISION PLATS, SURETIES AND EASEMENTS

a. First Community Bank

1. Letter of Credit No. 02-002 accepted in the amount of \$5,945.00 as maintenance surety.
2. Completion Letter of Credit No. 01-006 released in the amount of \$32,699.70 to First Community Bank of America, 6100 4th Street North, St. Petersburg, FL 33703, Attn: Vicky Spears.

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b. Riverside Apartments

1. Completion Bond No. K06546638 released in the amount of \$5,000.00 to Sandspur Housing Partners, Ltd., 1551 Sandspur Road, Maitland, FL 32751.

c. Volt Info Sciences (ACSI)

1. Completion Bond No. B2983600 released in the amount of \$65,000.00 to ACSI Network Technologies, 4181 East Lake Meadow Lane, Hernando, FL 34442, Attn: Robert Alexander.

d. Palm Harbor Jehovah's Witness

1. Sidewalk Easement accepted for recording.

e. Cypress Knoll

1. Funds released in the amount of \$9,768.00 to Lehigh Homes c/o Lora Strong, Permitting Services.

f. Roesch House Movers

1. Funds transferred in the amount of \$7,945.53 from Surety Account No. 0701/2200100/1001000 to Revenue Account No. 0201/3644200/102000.

g. 32894 U.S. Highway 19 North

1. Plat approved.

h. Southern Ridge Subdivision

1. Maintenance Bond No. 3 SM 058634 accepted in the amount of \$10,560.00.

2. Completion Bond No. 11127442280 released in the amount of \$52,800.00 to R. J. Bunbury Company, Inc., 14202 62nd Street, Clearwater, FL 33760.

i. General Equity

1. Letter of Credit No. 02.OD.04218 accepted in the amount of \$8,184.00 as maintenance surety.
2. Letter of Credit No. 01.OD.02866 released in the amount of \$40,920.00 to General Equity Associates, Inc., P.O. Box 12332, St. Petersburg, FL 33733.

j. Sea Pines Subdivision

1. Funds released in the amount of \$5,291.76 held as part of funds submitted for completion surety (balance of \$91,279.00 to be held for maintenance surety) to Sarasota Woods Realty, 14414 91st Street North, Seminole, FL 33776, Attn: Leo Leonardi.

k. Hess Station at 49th Street and 126th Avenue

1. Completion Bond No. 423054 accepted in the amount of \$33,990.72.

l. Calais Park Apartments

1. Completion Bond No. 598783 accepted in the amount of \$2,431.00.

m. Forest Lakes Boulevard Waterline Extension

1. Completion Bond No. B273 82 59 released in the amount of \$601,926.00 to H & H Insurance Services, Inc., 3160 Campus Drive No. 100, Norcross, GA 30071-1476.

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n. Lowes at Park Boulevard and Belcher Road

1. Completion Bonds Nos. 25 S 103 480 833 and 25 S 103 480 865 released in the amounts of \$241,705.20 and \$107,800.00 respectively to Lowes Home Centers, Inc., P.O. Box 1111, North Wilkesboro, NC 28656, Attn: Shelley L. Brucker.

#30a BID OF PURVIS CURBS CORPORATION FOR SIDEWALK CONSTRUCTION AT WILLIAM E. DUNN RECLAMATION FACILITY (BID NO. 012-510-C) - TEMPORARILY DEFERRED

See Agenda Item No. 50.

#30b BID OF ROWLAND, INC. FOR BONNIE BAY SUBDIVISION RECLAIMED WATER DISTRIBUTION SYSTEM (BID NO. 012-480-C)

Bid is for an estimated total expenditure in the amount of \$2,997,354.75; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#31 ACCESS LICENSE AGREEMENT WITH TREASURE ISLAND WAFFLE HOUSE FOR INSTALLATION OF RECLAIMED WATER LINES

Access License Agreement for installation of reclaimed water lines along Gulf Boulevard, allowing for two Utilities construction vehicles to be parked on the property of the Treasure Island Waffle House Restaurant, and providing compensation in the amount of \$1,000.00 for potential impact to the business operation.

#32a UTILITY EASEMENT AGREEMENT WITH CORNERSTONE INVESTMENTS, INC. FOR THE PURPOSE OF INSTALLATION, MAINTENANCE AND REPAIR OF RECLAIMED WATER LINES IN MADEIRA BEACH - TEMPORARILY DEFERRED

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See Agenda Item No. 50.

#32b UTILITY EASEMENT AGREEMENT WITH ATLANTIS ADVENTURE II LTD. FOR THE PURPOSE OF INSTALLATION OF SANITARY SEWER LINES

Utility easement agreement with Atlantis Adventure II Ltd. for the purpose of installation of sanitary sewer lines at the corner of 125th Street and Walsingham Road.

#32c UTILITY EASEMENT AGREEMENT WITH QUARTET ASSOCIATES FOR THE PURPOSE OF INSTALLATION OF SANITARY SEWER LINES

Utility easement agreement with Quartet Associates for the purpose of installation of sanitary sewer lines at the corner of 125th Street and Walsingham Road.

#33 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 May 7, 2002, copies of which have been filed and made a part of the record.

#34 ACCEPTANCE OF QUARTERLY REPORTS FOR THE PERIOD JANUARY 1, 2002 THROUGH MARCH 31, 2002 FOR STATE OF FLORIDA CONTRACT PURCHASES, MASTER PURCHASE ORDER INCREASES, AND CONTRACT RENEWALS AS PER COUNTY CODE 2-184 AND 2-185

#35 BID OF KTK INDUSTRIES, INC., PROPERTY SERVICES FOR GROUNDS MAINTENANCE SERVICES - FRIENDSHIP TRAIL BRIDGE (BID NO. 012-367-B); CHAIRMAN AUTHORIZED TO SIGN AGREEMENTS AFTER PROPER EXECUTION

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

Bid is for an estimated 24-month expenditure not to exceed \$63,300.00 with two additional 12-month options for renewal. Pursuant to interlocal agreement with Hillsborough County, Pinellas County will be reimbursed at 50 percent of the contract amount for issuing and monitoring the contract; Chairman authorized to sign agreements after proper execution by the contractors and written approval as to form by the Office of the County Attorney.

- #36 AWARD OF BID TO KTK INDUSTRIES, INC. FOR LAWN AND GROUNDS MAINTENANCE SERVICES, GROUPS 2, 3 AND WHITE CHAPEL (BID NO. 012-289-B) - RESCINDED; REAWARD OF BID, GROUP 2, TO BUDD GROUP; GROUP 3 AND WHITE CHAPEL TO LUKE BROTHERS, INC.; CHAIRMAN AUTHORIZED TO SIGN AGREEMENTS AFTER PROPER EXECUTION BY THE CONTRACTORS AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY
-

- Bid is for a revised estimated annual expenditure not to exceed \$193,044.00.

- #37 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH RANON & JIMENEZ, INC. FOR CRIMINAL JUSTICE CENTER EXTERIOR RECLADDING/REROOFING PROJECT (FISCAL PROJECT 136)
-

- a. Change Order No. 1 (Final) increases the project contingency fund by \$48,774.00 and increases general conditions by \$61,070.00 for a total contract increase in the amount of \$109,844.00 (final total contract, \$2,819,526.00).
- b. Retainage released in the amount of \$107,515.00.
- c. Contract accepted as complete.

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#38 FINAL ACCEPTANCE OF GENERAL CONSTRUCTION CONTRACT NO. 012-69-C WITH TBG GROUP, INC. D/B/A THE BEACON GROUP FOR AIR HANDLER REPLACEMENTS AT B, C, AND G WINGS AT THE PINELLAS COUNTY JAIL

- a. Contract accepted as complete.
- b. Final payment authorized.
- c. Retainage released in the amount of \$31,445.00

#39 CROSS ACCESS AGREEMENT WITH THE BRINSON FAMILY

Cross Access Agreement with Venie W. Brinson, Don A. Brinson and Frank Brinson granting permission for access in order to fill, compact and provide finish grading to the portion of a borrow pit which extends from their property onto County parcel 26/27/15/30402/006/0010.

#40 COMMUNITY AGENCY AGREEMENT WITH FLORIDA POWER CORPORATION

Community Agency Agreement with Florida Power Corporation to assist eligible citizens with their electric bills, capping the County's liability at \$700,000.00.

#41 STANDARD CONTRACT NO. PINELLAS-EHEAP-2003 AND MASTER AGREEMENT NO. PINELLAS-MA-02 WITH AREA AGENCY ON AGING OF PASCO-PINELLAS, INC.

Standard Contract No. PINELLAS-EHEAP-2003 and Master Agreement No. Pinellas-MA-02 with the Area Agency on Aging of Pasco-Pinellas, Inc. to provide emergency heating and cooling assistance for elderly citizens of Pinellas County.

#42 FOOD VENDING SERVICES AGREEMENT WITH THE PINELLAS COUNTY SCHOOL BOARD FOR THE 2002 SUMMER FOOD SERVICE PROGRAM

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Food Vending Services Agreement with the Pinellas County School Board for the 2002 Summer Food Service Program and accompanying Memorandum of Agreement and Form No. SFSP-F3.

#43 SATISFACTIONS OF MORTGAGE (HOUSING):

- a. Leo F. Alfano.
- b. Dream Builders, USA, Inc.
- c. James Allen Hollister and Phyllis C. Hollister.
- d. Thomas W. Lehn and Virginia D. Lehn.
- e. Andrew K. Peterson and Tammy Peterson.
- f. Quon Pham and Marie S. Beaudry.

#44 RESOLUTION NO. 02-87 ADOPTED TEMPORARILY WAIVING THE REQUIREMENTS OF SECTION 6-47(a) OF THE PINELLAS COUNTY CODE FOR THE OLD PALM HARBOR PARTNERSHIP TO HOLD ITS FIRST SIGNATURE FUNDRAISING EVENT IN HISTORIC DOWNTOWN PALM HARBOR ON MAY 18, 2002 FROM 3:00 P.M. TO 11:00 P.M.

#45 INTERLOCAL AGREEMENT WITH CITY OF TARPON SPRINGS FOR PLANNING SERVICES; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

Interlocal Agreement with the City of Tarpon Springs for Planning Services for a 90-day period from March 6, 2002 to June 4, 2002, in an amount not to exceed \$10,000.00; Chairman authorized to sign agreement after proper execution by contractor and written approval as to form by the Office of the County Attorney.

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- #46 RESOLUTION NO. 02-88 ADOPTED SUPPLEMENTING THE FY02 GENERAL FUND BUDGET AS REQUESTED BY THE OFFICE OF HUMAN RIGHTS (FAIR HOUSING TESTING PROGRAM)

Resolution No. 02-88 appropriating earmarked receipts for a particular purpose in the FY02 General Fund Budget.

- #47 RESOLUTION NO. 02-89 SUPPLEMENTING THE FY02 GENERAL FUND BUDGET AS REQUESTED BY THE SHERIFF (AGREEMENT WITH THE CITY OF CLEARWATER RELATING TO CRIME SCENE SERVICES AND EVIDENCE AND PROPERTY STORAGE)

Resolution No. 02-89 appropriating earmarked receipts for a particular purpose in the FY02 General Fund Budget.

- #48 RESOLUTION NO. 02-90 ADOPTED SUPPLEMENTING THE FY02 GENERAL FUND BUDGET AS REQUESTED BY PUBLIC AFFAIRS (PINELLAS CITIZEN UNIVERSITY)

Resolution No. 02-90 appropriating earmarked receipts for a particular purpose in the FY02 General Fund Budget.

- #49 LOT CLEARING RESOLUTION

Resolution No. 02-91 assessing liens against lands cleared in Pinellas County pursuant to Chapter 78-599, Laws of Florida, and Pinellas County Code Chapter 58, Article IX, Section 338, directing that this resolution be filed in the public records office of the Clerk of the Circuit Court of Pinellas County, Florida.

- #50 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT) - ITEMS NOS. 26, 30a AND 32a

Pursuant to County Administrator Stephen M. Spratt's recommendations,

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request for authority to advertise a public hearing for September 10, 2002 was added to agenda item No. 26; and agenda items Nos. 30a and 32a were temporarily deferred.

- #51 FIRST AMENDMENT TO AIRPORT SECURITY SERVICES AGREEMENT WITH DSI SECURITY SERVICES FOR ADDITIONAL SECURITY (BID NO. 990-0930-B) - CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended approval of the first amendment to the agreement with DSI Security Services for additional security guards to perform vehicle and occupant inspections at the St. Petersburg-Clearwater International Airport Security Identification Display Area (SIDA) (total additional security services not to exceed \$27,035.20, and new contract total not to exceed \$253,239.36) commencing May 10, 2002; 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 Latvala moved, seconded by Commissioner Seel and carried, that the recommendations of the County Administrator be approved.

- #52 RESOLUTION NO. 02-92 ADOPTED AUTHORIZING EXECUTION OF SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NUMBER ONE BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND FLORIDA DEPARTMENT OF TRANSPORTATION (CONTRACT NO. AL222)

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing execution of Supplemental Joint Participation Agreement Number One between the Board of County Commissioners and Florida Department of Transportation for \$240,375.00 in additional grant funds for the Parking Lot Expansion and Improvements Project at the St. Petersburg-Clearwater International Airport.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 02-92 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

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Absent and not voting: None.

#53 RESOLUTION NO. 02-93 ADOPTED AUTHORIZING EXECUTION OF JOINT PARTICIPATION AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND FLORIDA DEPARTMENT OF TRANSPORTATION (CONTRACT NO. AL626)

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing execution of a Joint Participation Agreement between the Board of County Commissioners and Florida Department of Transportation for \$135,000.00 in grant funds for design and construction of the terminal apron at the St. Petersburg-Clearwater International Airport.

Commissioner Seel moved, seconded by Commissioner Welch, that Resolution No. 02-93 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#54 RESOLUTION NO. 02-94 ADOPTED AUTHORIZING MAINTENANCE AGREEMENT BETWEEN FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND PINELLAS COUNTY FOR SIDEWALK ALONG SEGMENT OF TROTTER ROAD

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing a District Seven Off-System Maintenance Agreement between the Florida Department of Transportation and Pinellas County whereby the County accepts maintenance responsibility for a sidewalk installed by the FDOT along Trotter Road associated with Project Number 406059-01 described as Trotter Road Sidewalks from 19th Avenue Southwest to a point 122 feet south of 22nd Avenue Southwest centerline (east side), and a point 122 feet south of 22nd Avenue Southwest centerline to 130th Avenue (both

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sides).

Commissioner Harris moved, seconded by Commissioner Latvala, that Resolution No. 02-94 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#55 AWARD OF BID TO PATHOGEN AND BIOFILM MICROBIOLOGY GROUP FOR ANNULAR REACTOR BIOFILM PROJECT (BID NO. 012-269-N) - RESCINDED

County Administrator Stephen M. Spratt recommended that the award of bid to Pathogen and Biofilm Microbiology Group on December 18, 2001 for the Annular Reactor Biofilm Project be rescinded (contract is decreased by \$9,000.00 with the revised estimated annual expenditure not to exceed \$166,200.00 for the five remaining participants in the project).

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

#56 BID OF YOUNGQUIST BROTHERS, INC. ACCEPTED FOR MCKAY CREEK AND SOUTH CROSS BAYOU INJECTION WELL MECHANICAL INTEGRITY TESTS (BID NO. 012-539-C); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY 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 bid of Youngquist Brothers, Inc. be accepted for McKay Creek and South Cross Bayou Injection Well Mechanical Integrity Tests on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure in the amount of \$198,200.00 (Project Nos. 721-627916-1558 and 731-617916-1559); 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.

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

Following input by Director of Utilities Pick Talley, upon call for the vote, the motion carried unanimously.

#57 FIRST AMENDMENT TO AGREEMENT WITH SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) FOR CROSS BAR RANCH FLOODPLAIN RESTORATION PROJECT NO. 671-259917- (B023) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the first amendment to the agreement with Southwest Florida Water Management District (SWFWMD) for the Cross Bar Ranch floodplain restoration, to replace the previous project manager and to change the effective date of the agreement to June 1, 1999.

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

#58 NINTH SUPPLEMENTAL ENGINEERING AGREEMENT WITH PARSONS ENGINEERING SCIENCE, INC. FOR CONSULTING SERVICES FOR SOUTH CROSS BAYOU WASTEWATER FACILITY IMPROVEMENTS (PROJECT NO. 734-617213-0711) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Ninth Supplemental Engineering Agreement for Engineering Consulting Services for South Cross Bayou Wastewater Facility improvements with Parsons Engineering Science, Inc. in the amount of \$682,100.00, for a total contract value of \$19,719,294.00.

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

In response to queries by the members, Director of Utilities Pick Talley

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provided a brief historical review of the engineering contract; and stated that the project is approximately 93 percent complete; that the total cost of the project will be \$220,000,000; and that he will provide the Board with dates of the original contract and all amendments.

Upon call for the vote, the motion carried unanimously.

#59 PROPOSED MODIFICATION TO THE CONSULTANTS COMPETITIVE NEGOTIATION ACT (CCNA) PROCEDURE - APPROVED

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County Administrator Stephen M. Spratt recommended approval of the proposed modification to the Consultants Competitive Negotiation Act (CCNA) procedure.

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

#60 NONCOMPETITIVE PURCHASE OF ENTERPRISE SERVER UPGRADE (BID NO. 012-647-N) - APPROVED; 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 approval of the noncompetitive purchase for the upgrade of the IBM 2003/227 Enterprise server to an IBM Z800 server at a total financed cost of \$1,351,482.84; 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 Welch moved, seconded by Commissioner Latvala and carried, that the recommendations of the County Administrator be approved.

#61a DECLARATION OF SURPLUS AND AUTHORIZATION FOR SALE AND/OR DONATION OF COUNTY-OWNED EQUIPMENT - APPROVED

County Administrator Stephen M. Spratt recommended that 4,320 Votomatic

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Voting Machines be declared surplus with confirmation of trade-in to Sequoia Voting Systems as per the terms and conditions of Contract 001-991-P approved December 11, 2001; and recommended the donation of one Votomatic Voting Machine to St. Petersburg Museum of History, and declaration of surplus and authorization for sale of one Votomatic Voting Machine to the American Cancer Society in the amount of \$25.00; and further recommended that 200 Votomatic Voting Machines be declared surplus and sale authorized via public auction conducted by GovDeals.com.

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

#61b DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS - APPROVED WITH AUTHORIZATION FOR LIQUIDATION OF SAME THROUGH PUBLIC AUCTION CONDUCTED BY ONLINE AUCTION SERVICE, GOVDEALS.COM, AND TAMPA MACHINERY AUCTION, INC.

County Administrator Stephen M. Spratt recommended that miscellaneous County-owned equipment, as set forth in his memorandum of May 7, 2002 and attachments thereto, copies of which have been filed and made a part of the record, be declared surplus with authorization for liquidation of same through public auction conducted by online auction service, GovDeals.com, and by Tampa Machinery Auction, Inc.

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

#61c DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR DONATION TO PASCO COUNTY HEALTH DEPARTMENT - APPROVED

County Administrator Stephen M. Spratt recommended that certain

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miscellaneous County-owned equipment as set forth in his memorandum of May 7, 2002 and attachments thereto, a copy of which has been filed and made a part of the record, be declared surplus with authorization for the donation of one camera (Asset No. HD 4381) to the Pasco County Health Department.

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

#62 PROPOSAL OF ANDERSON-McQUEEN CO., d/b/a A LIFE TRIBUTE FUNERAL CARE FOR ANNUAL REQUIREMENTS OF INDIGENT BURIAL/CREMATION SERVICES (BID NO. 012-492-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

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Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the proposal of Anderson-McQueen Co., d/b/a A Life Tribute Funeral Care be accepted for an estimated annual expenditure not to exceed \$350,000.00, effective May 28, 2002 and expiring on September 30, 2004 with one additional 24-month option of renewal at the same terms and conditions and a price adjustment based on the Consumer Price Index (CPI) as stated in the contract, or three percent and subject to approval by the County Administrator; 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 Latvala moved, seconded by Commissioner Welch and carried, that the recommendations of the County Administrator be approved.

63 AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG AND WORKNET PINELLAS FOR PROVISION OF PLACING 145 YOUTH INTO COMPREHENSIVE SUMMER YOUTH INTERN PROGRAM - APPROVED

County Administrator Stephen M. Spratt recommended approval of an

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agreement between the City of St. Petersburg and WorkNet Pinellas for the provision of placing 145 youth into a comprehensive Summer Youth Intern Program for the period May 8 through August 18, 2002, and funded by the city in the amount of \$250,000.00.

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

- #64a AGREEMENT WITH MARY KEENE, a/k/a MARY L. KEENE, FOR PARTIAL TAKING OF PARCELS NOS. 08/30/15/70470/100/1601 AND 08/30/15/70470/100/1602, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT (PID NO. 921938) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of the agreement with Mary Keene, a/k/a Mary L. Keene, for partial taking of Parcels Nos. 08/30/15/70470/100/1601 and 08/30/15/70470/100/1602, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, with authorization for issuance of a check in the amount of \$600.00 in payment thereof.

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

- #64b AGREEMENT WITH WILLIE J. THOMAS, SR. AND SARAH THOMAS, a/k/a SARAH BELL THOMAS, FOR PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/1604, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT (PID NO. 921938) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of the agreement with Willie J. Thomas, Sr. and Sarah Thomas, a/k/a Sarah Bell Thomas, for partial taking of Parcel No. 08/30/15/70470/100/1604, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, with authorization for issuance of a check in the amount of \$375.00 in payment thereof.

Commissioner Harris moved, seconded by Commissioner Latvala and

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carried, that the recommendation of the County Administrator be approved.

#64c AGREEMENT WITH HAZEL JONES, a/k/a SARA H. JONES, a/k/a SARAH H. JONES, a/k/a HAZEL SARA JONES, FOR PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/1301, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT (PID NO. 921938) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

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County Administrator Stephen M. Spratt recommended approval of the agreement with Hazel Jones, a/k/a Sara H. Jones, a/k/a Sarah H. Jones, a/k/a Hazel Sara Jones, for partial taking of Parcel No. 08/30/15/70470/100/1301, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, with authorization for issuance of the necessary checks.

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

#64d AGREEMENT WITH WILLIE J. THOMAS, SR. AND SARAH THOMAS, a/k/a SARAH BELL THOMAS, FOR PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/1901, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT (PID NO. 921938) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of the agreement with Willie J. Thomas, Sr. and Sarah Thomas, a/k/a Sarah Bell Thomas, for partial taking of Parcel No. 08/30/15/70470/100/1901, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, with

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authorization for issuance of a check in the amount of \$1,913.00 in payment thereof.

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

#65 **RESOLUTION NO. 02-95 ADOPTED APPROVING ISSUANCE BY HOUSING FINANCE AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE REFUNDING BONDS, SERIES 2002, (ISLES OF GATEWAY PROJECT) IN THE AGGREGATE AMOUNT NOT TO EXCEED \$6,300,000 FOR REFINANCING THE PROJECT FOR BENEFIT OF CAPREIT GATEWAY LIMITED PARTNERSHIP**

County Administrator Stephen M. Spratt recommended adoption of a resolution approving the issuance of Housing Finance Authority of Pinellas County multifamily housing revenue refunding bonds, series 2002, in the aggregate amount not to exceed \$6,300,000 to provide funds to refinance the Isles of Gateway Project f/k/a McGregor Place Apartments for benefit of CAPREIT Gateway Limited Partnership; and providing an effective date.

Commissioner Seel moved, seconded by Commissioner Welch, that Resolution No. 02-95 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#66 **AUTHORIZATION FOR CHAIRMAN TO EXECUTE COUNTY DEED CONVEYING PROPERTY WITHIN MOBBLY BAY PROJECT AREA JOINTLY TO PINELLAS COUNTY AND CITY OF OLDSMAR**

County Administrator Stephen M. Spratt recommended authorization for the Chairman to execute a County deed conveying property within the Mobbly Bay Project area (Tampashores Bay Section) jointly to Pinellas County and the City of Oldsmar.

Commissioner Latvala moved, seconded by Commissioner Seel, that the

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recommendation of the County Administrator be approved.

Following comment by Commissioner Seel, upon call for the vote, the motion carried unanimously.

#67 BOARD APPROACH TO COMMUNITY REDEVELOPMENT DISTRICTS -
TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt recommended the Board approve the approach for designating and funding Community Redevelopment Districts as set forth in his memorandum of May 7, 2002 and attachments thereto, copies of which have been filed and made a part of the record.

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

Following discussion, Commissioner Seel requested that the item be deferred until such time as the Board receives the state criteria regarding community redevelopment guidelines; and Planning Director Brian K. Smith indicated that a report will be forthcoming which addresses state and public financing techniques.

Thereupon, it was the consensus of the members to defer the item.

#68 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED
ORDINANCE GRANTING APPROVAL AND EXECUTION AUTHORITY TO COUNTY
ADMINISTRATOR OF CERTAIN DOCUMENTS

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held May 21, 2002 re a proposed ordinance delegating authority to the County Administrator to approve and execute certain documents.

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

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#69 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED ORDINANCE DELEGATING AUTHORITY TO COUNTY ADMINISTRATOR TO APPROVE PROJECTS RELATED TO RESIDENTIAL TRAFFIC MANAGEMENT (RTM) PROGRAM

-
County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held May 21, 2002 re a proposed ordinance amending the Pinellas County Code and delegating authority to the County Administrator to approve projects related to the Residential Traffic Management (RTM) Program conditioned upon concurrence of the District Commissioners.

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

#70 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED ORDINANCE DELEGATING AUTHORITY TO COUNTY ADMINISTRATOR TO APPROVE OFFICIAL TRAFFIC REGULATIONS (OTRs)

-
County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held May 21, 2002 re a proposed ordinance amending the Pinellas County Code and delegating authority to the County Administrator or his/her designee to approve Official Traffic Regulations (OTRs).

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

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

#71 OTHER ADMINISTRATIVE MATTERS

County Administrator Stephen M. Spratt indicated that he has no items to be presented this date under ~~A~~Other Administrative Matters.®

#72a-o AUTHORITY FOR COUNTY ATTORNEY TO DEFEND

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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 following suits:

- a. Aurora Loan Services, Inc. versus J. Allen Miller, et al, Circuit Civil Case No. 02-3012-CI-13 - Mortgage Foreclosure Involving a Judgment for Attorney Fines And Costs.
- b. The Bank of New York versus Phillip G. Cole, Jr., et al, Circuit Civil Case No. 02-2712-CI-13 - Mortgage Foreclosure Involving Judgments for Fines and Costs and Attorneys Fees and Costs.
- c. Chase Manhattan Bank versus Neil Joseph Cardamone, et al, Circuit Civil Case No. 02-2460-CI-15 - Mortgage Foreclosure Involving a Street Light Lien.
- d. Chase Manhattan Mortgage Corp. versus Mary Jane Gluck, et al, Circuit Civil Case No. 02-2831-CI-19 - Foreclosure Involving a Community Development Mortgage.
- e. Chase Manhattan Mortgage Corp. versus John L. and Stacey L. Topicz, et al, Circuit Civil Case No. 02-2913-CI-13 - Foreclosure Involving a Community Development Mortgage.
- f. Citifinancial Mortgage Co. versus Enrico A. Caccavelli, et al, Circuit Civil Case No. 02-2766-CI-13 - Mortgage Foreclosure Involving a Street Light Lien.
- g. Citifinancial Mortgage Company versus Anthony Lacorte, et al, Circuit Civil Case No. 02-2807-CI-13 - Mortgage Foreclosure Involving Judgments for Fines and Costs and Attorneys Fees and Costs.
- h. First Bank National Assoc. versus Theresa M. Brooks, et al, Circuit Civil Case No. 02-2888-CI-19 -Foreclosure Involving

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- a Community Development Mortgage.
- i. GE Capital Mortgage Services versus Susan Hampton, et al, Circuit Civil Case No. 02-2503-CI-8 - Mortgage Foreclosure Involving a Judgment for Fine and Costs.
- j. LaSalle National Bank versus Melvetta McClendon, et al, Circuit Civil Case No. 02-2881-CI-20 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Fines and Costs.
- k. US Bank National Assoc. versus Nate J. Boone, et al, Circuit Civil Case No. 02-2444-CI-8 - Foreclosure Involving a Welfare Lien.
- l. Wachovia Bank, Natl Assoc. versus James McInerney, et al, Circuit Civil Case No. 02-2885-CI-11 - Foreclosure Involving a Notice of Lien for Securing the Structure.
- m. Danute Valodka, et al. versus Pinellas County, Circuit Civil Case No. 02-1846-CI-13 - Action Involving Allegation of Negligence and Resulting Personal Injuries.
- n. Housing Corporation of America, Inc. versus Clerk of Court, Circuit Civil Case No. 02-2143-CI-8 - Action Involving Allegation of Negligence.
- o. Anthony B. Leisner as Trustee of the Anthony B. Leisner Revocable Trust and William D. Deland and Christine Deland, husband and wife, versus Pinellas County, Circuit Civil Case No. 02-2846-CI-7 - Action Involving a Declaratory Judgment and Permanent Injunction.

#73 APPOINTMENT OF ASSISTANT COUNTY ATTORNEY CHRISTINA LE BLANC - CONFIRMED

County Attorney Susan H. Churuti recommended that the Board confirm the appointment of Christina Le Blanc to the position of Assistant County Attorney, effective May 12, 2002.

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

#74 AUTHORIZATION GRANTED FOR BENCOR, INC. TO IMPLEMENT 401(a) PLAN

County Administrator Stephen M. Spratt recommended approval of authorization for Bencor, Inc. to file an Application for Determination for Adopters of Master or Prototype, Regional Prototype or Volume Submitter Plans, IRS Form 5307, on behalf of the County, and execute a Power of Attorney for the limited purpose of filing this form with the IRS; and further recommended the Chairman sign the attached Form 5307 and Power of Attorney.

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

#75 AGREEMENT FOR LEGAL SERVICES AND APPENDIX AA@ WITH LESLIE M. CONKLIN, ESQUIRE, TO PROVIDE SPECIAL COUNSEL SERVICES FOR REPRESENTATION OF PINELLAS COUNTY PUBLIC EMPLOYEES RELATIONS COMMISSION - APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of an Agreement for Legal Services and Appendix AA@ with Leslie M. Conklin, Esquire, to provide legal advice and representation to the Pinellas County Public Employees Relations Commission, retroactive to April 1, 2002.

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

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

#76 REQUEST FOR REIMBURSEMENT OF TAXABLE COSTS IN THE INTEREST OF EDEN POPO, A CHILD, CASE NO. CRC01-06051DLANO - APPROVED

County Attorney Susan H. Churuti, recommended that the Board approve and certify payment totaling \$190.00 to the parents of Eden Popo, a child, for reimbursement of

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taxable costs incurred in the defense of Case No. CRC01-06051DLANO.

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

#77 AUTHORIZATION GRANTED FOR CHAIRMAN TO EXECUTE SATISFACTION OF JUDGMENT OF RESTITUTION RE STATE OF FLORIDA VERSUS MICHAEL LEE CALDWELL, COUNTY CRIMINAL CASE NO. 98-904477-YANC

County Attorney Susan H. Churuti recommended that the Chairman be authorized to execute a Satisfaction of Judgment of Restitution re State of Florida versus Michael Lee Caldwell, County Criminal Case No. 98-904477-YANC, inasmuch as restitution has been paid in full.

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

#78 COUNTY ATTORNEY MISCELLANEOUS - (1) OFFER OF SETTLEMENT IN CASE RE ESTATE OF JOHN W. PATTERSON, DECEASED, VERSUS PINELLAS COUNTY, PINELLAS COUNTY SHERIFF AND DEPUTY MARK ONDREY, CIRCUIT CIVIL CASE NO. 01-3636-CI-8 - DENIED, (2) SHADOW MEETING TO BE HELD MAY 7, 2002 AT 3:30 P.M. RE ACS STATE AND LOCAL SOLUTIONS, INC. F/K/A LOCKHEED MARTIN IMS CORPORATION VERSUS THE PINELLAS WAGES COALITION, ET AL., CIRCUIT CIVIL CASE NO. 01-009324-CI-21

County Attorney Susan H. Churuti recommended that the offer of settlement be denied re the Estate of John W. Patterson, deceased, versus Pinellas County, the Pinellas County Sheriff and Deputy Mark Ondrey, Circuit Civil Case No. 01-3636-CI-8, Claim No. 99-58425, as outlined in her confidential memorandum to the Board dated May 7, 2002.

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

Mrs. Churuti further announced that she seeks advice concerning litigation relating to ACS State and Local Solutions, Inc., f/k/a Lockheed Martin IMS Corporation versus the Pinellas Wages Coalition, et al., Circuit Civil Case No. 01-009324-CI-21; and that

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a settlement negotiation or strategy session has been scheduled for May 7, 2002 at a time certain of 3:30 P.M.

#79 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A ECONOMIC DEVELOPMENT AUTHORITY AND OPINION RESEARCH CORPORATION (ORC) - APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Economic Development Authority, County Administrator Stephen M. Spratt recommended approval of a Lease Agreement with Opinion Research Corporation (ORC) at the Young - Rainey STAR Center, for a term of three years commencing May 1, 2002 and ending April 30, 2005, with a monthly rental payment, including tax, of \$7,796.72.

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

#80 INDIGENT HEALTH CARE UPDATE

Social Services Director Evelyn Bethell indicated that a meeting had been held regarding the coordination of health care entities in the community; that a Request For Proposal (RFP) is being prepared; and that an investigation is underway to determine a method in which to procure Medicaid funding for indigent health care for the fiscal year; whereupon, Consultant and Project Team Manager David Rogoff referred to a document entitled Initial Observations and Findings -- Pinellas County Department of Social Services Medical Assistance for the Uninsured, a copy of which has been filed and made a part of the record, and presented a brief overview of the project.

Responding to a query by Commissioner Welch, Mr. Rogoff indicated that unreimbursed contributions from the health care community for indigent care are

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approximately \$35,000,000.

Following discussion, Chairman Todd requested that an analysis of formulas for Medicare compensation be prepared; and agreeing with Commissioner Welch's concern, requested that a work session be scheduled in order to allow sufficient time for discussion and to address the issue in greater detail.

#81 HURRICANE EVACUATION DECISION MAKING PROCESS

Emergency Management Director David R. Bilodeau conducted a PowerPoint presentation, a copy of which has been filed and made a part of the record, highlighting the hurricane evacuation decision making process, and described a computer program entitled "HurriVac" which tracks hurricanes. He indicated that the Disaster Advisory Committee also makes recommendations to the Board regarding transportation allocations and when to open shelters; whereupon, Chairman of the Disaster Advisory Committee Gary Vickers discussed evacuation options.

#82 REDEVELOPMENT INITIATIVES DIRECTION

County Administrator Stephen M. Spratt referred to his memorandum of May 7, 2002 entitled "Direction Concerning Redevelopment Initiatives," and attachments thereto, copies of which have been filed and made a part of the record, and described two initiatives that will take place this year in conjunction with the Pinellas Planning Council and the Pinellas County Economic Development Department.

#83 APPOINTMENT OF WATSON L. HAYNES, II TO PINELLAS COUNTY HEALTH FACILITIES AUTHORITY - APPROVED

Upon motion by Commissioner Welch, seconded by Commissioner Seel and

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carried, the appointment of Watson L. Haynes, II to the Pinellas County Health Facilities Authority (HFA) was approved.

#84 REAPPOINTMENT OF COMMISSIONER STEWART TO PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY - APPROVED

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On motion by Commissioner Harris, seconded by Commissioner Welch and carried, the reappointment of Robert B. Stewart to the Pinellas County Economic Development Authority was approved.

#85a COMMISSIONER STEWART RE JOB CORPS

Commissioner Stewart presented an update on the Job Corps Request For Proposal (RFP).

#85b RESOLUTION NO. 02-96 ADOPTED AUTHORIZING TRANSFER OF BEACH RAKE AND TRACTOR TO THE TOWN OF REDINGTON SHORES; COMMISSIONER MORRONI RE YOUR PENNY'S WORTH UPDATE

Commissioner Morroni introduced a resolution authorizing the transfer of a beach cleaner rake (Asset No. 91085) and tractor (Asset No. 61505) from Pinellas County to the Town of Redington Shores; whereupon he moved, seconded by Commissioner Welch and carried, that Resolution No. 02-96 be adopted as submitted.

Commissioner Morroni reported that the parking garage at 310 Court Street was opened on April 15, 2002; and that the project was under budget and within the scheduled time frame for completion.

#85c COMMISSIONER SEEL RE EMPLOYEE APPRECIATION WEEK

Commissioner Seel complimented County Administrator Stephen M. Spratt

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for the letter he sent to employees in honor of Employee Appreciation Week; and extended her thanks to employees.

#85d COMMISSIONER LATVALA RE VARIOUS ISSUES

Commissioner Latvala noted that the Growth Management legislation has been passed; and that Pinellas County has been selected to participate as a model for implementation of the program.

#85e COMMISSIONER HARRIS RE MANUFACTURED HOUSING FUNDING

Commissioner Harris reported that Pinellas County will receive funding which will be applied to the statewide Tie Down Program for manufactured housing.

#85f CHAIRMAN TODD RE VARIOUS ISSUES

Chairman Todd reported that Brooker Creek Preserve opened last weekend; and that Pinellas County is hosting the National Association of Counties (NACo) Large Urban County Caucus Meeting this week, and urged the members to attend.

SHADOW MEETING RE LITIGATION EXPENDITURES

County Attorney Susan H. Churuti indicated that she desires advice concerning specific litigation matters relating to ACS State & Local Solutions, Inc., f/k/a Lockheed Martin IMS Corporation versus the Pinellas WAGES Coalition, et al., Circuit Civil Case No. 01-009324-CI-21.

Ms. Churuti announced that pursuant to Section 286.011 (8), of the Florida Statutes, the Board would meet in private session in the Board of County Commissioners= Conference Room to discuss a settlement negotiation or strategy session related to litigation expenditures; and that in addition to the Commissioners and herself, those in attendance would be County Administrator Stephen M. Spratt; Chief Assistant County Attorney James

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L. Bennett; Senior Assistant County Attorney Julia Scales; and Lee Rightmyer and Amy Deruelle of Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A., outside counsel. She advised that the shadow meeting would be recorded by a certified court reporter; that the notes would be fully transcribed and filed with the Clerk; and that the transcript would remain exempt from public record until the conclusion of the litigation, at which time it would be made part of the public record.

* * * *

At this time, 3:40 P.M., the meeting was temporarily adjourned and reconvened at 5:10 P.M., with Chairman Todd and Attorney Churuti present.

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Attorney Churuti announced the conclusion of the attorney/client session to discuss a settlement negotiation or strategy session related to litigation expenditures.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 5:11 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____

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Deputy Clerk