

Clearwater, Florida, July 9, 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 9:37 A.M. on this date with the following members present: Barbara Sheen Todd, Chairman; Robert B. Stewart; Calvin D. Harris; John Morroni; and Kenneth T. Welch.

Absent: Karen Williams Seel, Vice-Chairman; and Susan Latvala.

Also Present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Richard Short, Chief Deputy Clerk; and Cathy Fickley, Board Reporter.

Commissioner Welch pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Susan H. Churuti.

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:

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SUBTHRESHOLD AMENDMENTS

1. a. Case #CW 02-25(1) - Pinellas Park
Location - 0.57 Acre Located on the East Side of 66th Street North, 511 Feet South of 62nd Avenue North. Amendment from Institutional to Commercial General.
- b. Case #CW 02-27 - Pinellas County
Location ? 0.83 Acre Located on the South Side of 130th Avenue North, 233 Feet West of 119th Street North. Amendment from Residential Low to Recreation/Open Space.
2. a. Case #CW 02-25(2) - Pinellas Park
Location ? 8.18 Acres Located on the North Side of 58th Avenue North, 160 Feet West of 64th Street North. Amendment from Residential Urban to Institutional.
- b. Case #CW 02-26 ? Clearwater
Location ? 4.22 Acres Located on the East Side of Hampton Road, 457 Feet North of Gulf to Bay Boulevard. Amendment from Residential Urban to Residential/Office Limited.
- c. Case #CW 02-28 ? Pinellas County
Location ? 1.57 Acres Located on the Northwest Corner of 54th Avenue North and I-275. Amendment from Residential Low to Commercial General.

SCHEDULED PUBLIC HEARINGS - BCC

3. Petition to Vacate Submitted by Randall E. Vowell and Anna G. Colton for a Portion of a 10.0 Foot Utility Easement on Lot 82, Orange Terrace Second Addition, Located in the Northeast Quarter of Section 30, Township 30 South, Range 15 East.
4. Proposed Ordinance to Amend the County Code Relating to Air Quality Regulations.
5. Submission of the Consortium's Fiscal Year 2002-2003 Consolidated Action Plan for Community Development Block Grants.
6. Proposed Ordinance to Amend Sections 138-240, 138-1332(D), 138-1377(B), 138-311, 138-76(E), 138-151, 138-1281(I), and 138-1336(A) and Article IV Divisions 1 through 7 of the Pinellas County Land Development Code.
7. Proposed Ordinance to Amend Chapter 14 of the County Code Relating to Animal Control.

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

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When Requested to do so by the Clerk.

8. Private Dock Application P31083-02, Theresa Buck, 4194 Harbor Hills Drive, McKay Creek, Largo.
9. Private Dock Application P31285-02, Martha and Robert Munce, 12804 Harborwood Drive, Clearwater Harbor, Largo.
10. Private Dock Application P30881-01/Revised-A, Patricia Ryan, 437 St. Andrews Drive, Clearwater Harbor, Belleair.
11. Multi-Use Dock Application M31383-02/Revised, Discovery Leasing and Management Corporation, a/k/a Snug Harbor Marina, 423 ? 150th Avenue, Boca Ciega Bay, Madeira Beach.
12. Dredge and Fill Application D/F 1304, Beverly Peebles a/k/a Prior Marina, 755 Orange Street South (4100 Bayshore Boulevard), St. Joseph Sound.
13. Dredge and Fill Application D/F-1305, Mirella James, a/k/a Pasadena Marina, Inc., 1444 Pasadena Avenue South, Boca Ciega Bay, South Pasadena.
14. Dredge and Fill Application DF 1312, City of St. Petersburg, Coquina Key Canals Maintenance Dredge, Tampa Bay, St. Petersburg.

C. CONSENT AGENDA

CLERK OF CIRCUIT COURT

15. Approval of Minutes - Regular Meetings Held on May 21 and June 4, 2002.
16. Reports:
 - a. Dock Fee Report for the Month of May 2002.
 - b. Audit Report No. 2002-11 - Follow-Up Review to the Audit of Public Works Engineering, Right of Way Division, Board of County Commissioners.
 - c. Audit Report No. 2002-12 - Audit of Petty Cash Accounts, Animal Services Department.
 - d. Audit Report No. 2002-13 - Audit of the Clerk of the Circuit Court Probate Court Records Guardianship and Estate Review Process Together with a Copy of the Audit Watch.
 - e. Complete Summary Appraisal Report Dated February 1, 2002 - 15.708 Acre Residential Development Site Fronting Small Lake and Tidal Areas of Anclote River Located Just South of Pinellas - Pasco County Line, Tarpon Springs, Florida.
 - f. Independent Auditor's Report, Financial Statement and Additional Information for the

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Housing Finance Authority of Pinellas County Single Family Mortgage Revenue Bond Program, 1994 Series A, 1995 Series A for the Years Ended January 31, 2002 and 2001 and 1996 Series A and B, 1997 A and B, 1997 C for the Years Ended February 28, 2002 and 2001.

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17. Other Approvals:
 - a. General - None.
 - b. Satisfactions of Judgments and Liens.
 - c. Vouchers and Bills Paid.
18. Miscellaneous Items to be Received for Filing:
 - a. City of Safety Harbor Ordinance No. 2002-10 Adopted on May 20, 2002 Annexing Certain Property.
 - b. Eastlake Oaks Community Development District Proposed Budget for Fiscal Year 2003 Dated June 5, 2002, Pursuant to Chapter 190.008(2)(b), Florida Statutes.
 - c. City of Largo Notices of Annexation Hearings, Regarding Ordinances Nos. 2002-52 and 2002-60 through 2002-63, and Nos. 2002-66 through 2002-70 Held June 18, 2002 and July 2, 2002, Respectively.
 - d. Correspondence from the City of Pinellas Park Regarding One Ordinance Voluntarily Annexing Certain Property, Public Hearing to be Held July 11, 2002.

COUNTY ADMINISTRATOR

Airport

19. Approval of Award of Bids:
 - a. Cleaning Services at the St. Petersburg-Clearwater International Airport.
 - b. Aircraft Rescue Firefighting Vehicle.
20. Approval of Change Order No. 1 (Final) to Construct Security Upgrades at the St. Petersburg-Clearwater International Airport.

Public Works

21. Approval of Plats, Deeds and Sureties.

Utilities

22. Approval of Award of Bid ? Sodium Hydroxide (25%) Solution.
23. Approval of Change Order No. 1 (Final) and Release of Retainage ? Pump Station No. 300

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Replacement/Relocation.

24. Approval of Option of Renewal No. 1 and Amendment - Electronic Recycling/Demanufacturing Service.
25. Approval of a Utility Sewer Easement at Chateaux Des Lacs.

Other Departments

26. Approval of Award of Bids:
 - a. Veterinary Drugs (Animal Services).
 - b. South Stairway Brick Repair Renovation ? 315 Court Street (General Services).
27. Approval of a Grant Agreement Amendment with the Southwest Florida Water Management District to Design and Construct the Ft. DeSoto Recirculation Project (Environmental Management).
28. Adoption of a Resolution for Assessment of Liens against Lands Cleared (Environmental Management).
29. Approval of a Grant Application for Florida Forever Funding with Florida Communities Trust (General Services).
30. Approval of Budget Amendments Nos. 19 and 20 (Management and Budget).
31. Approval of Option of Renewals:
 - a. Bicycle Rack Agreement with the Pinellas Suncoast Transit Authority (Public Affairs).
 - b. Electrical Supplies (Purchasing).
32. Approval to Declare Surplus and Authorize the Transfer/Sale of Miscellaneous County Owned Equipment:
 - a. Declare Surplus and Authorize the Transfer of Miscellaneous County Owned Equipment (Purchasing).
 - b. Declare Surplus and Authorize the Sale of Miscellaneous County Owned Equipment (Purchasing).
 - c. Declare Surplus and Authorize the Sale of Miscellaneous County Owned Equipment as Scrap Material (Purchasing).

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33. Approval of the Contract Assignment of Lease Schedules for the Computer Equipment Lease Program (Purchasing).

D. REGULAR AGENDA

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

Airport

35. Adoption of a Resolution and Approval of an Application for Federal Funding Assistance for Various Projects at the St. Petersburg-Clearwater International Airport.

Public Works

36. Approval of Change Orders:
- a. Change Order No. 1 (Final) - Treasure Island, North Segment (Construction of Terminal Groin).
 - b. Change Order No. 1 (Final) - John Taylor Park Restroom No. 1, Shelter No. 4 Replacement, and Ridgecrest Picnic Shelter No. 2.
 - c. Change Order No. 1 ? Part 1, 52nd Avenue North at 108th Way Drainage Improvements and Part II, Feather Sound Structure Replacement.
 - d. Change Order No. 2 ? Keene Road from Sunset Point Road to Virginia Street.
37. Approval of Residential Traffic Management Programs:
- a. 61st Avenue North Located between Seminole Boulevard and 110th Street North.
 - b. 19th Street Located between Tampa Road and Nebraska Avenue.
38. Approval of Purchase Authorization for Participation in a Broward County Contract for the Purchase of Light Emitting Diode (LED) for Traffic Signals for the Highway Department.
39. Approval of Ranking of Firms for a Consultant Selection and Authorization to Negotiate a Contract with the Number One Ranked Firm for 2-inch Galvanized and Cast Iron Waterline Replacement, Phase II.
40. Approval of Acquisition of Lot 12 in the Brookwood Subdivision for the Bear Creek Channel Improvement Project and Authorization of the Disposition of the Structure and Personal Property Thereon.

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41. Approval of Recommendation to Cancel the Contract with Keep Pinellas County Beautiful.
42. Approval of the Alignment of the Belleair Beach Causeway Bridge Replacement Project.

Utilities

43. Approval of Award of Bid ? Odor Counteractant/Degreaser, Citrus Base.
44. Approval of an Agreement for Construction Management at Risk Services for the Construction of the Fat/Oil/Grease Receiving and Dewatering Facility.
45. Approval of Amendment No. 1 to the Cooperative Funding Agreement with the Southwest Florida Water Management District for a Project Lake Tarpon Aquifer Storage and Recovery.
46. Approval of an Insurance Premium Payment for the Annual Renewal of Commercial Property Insurance Coverage on the Solid Waste Resource Recovery Facility.

Other Departments

47. Approval of Housing Finance Authority's Actions Regarding Multi-County Single Family Housing Finance Bond Program Series 2002B (Community Development).
48. Approval to Proceed with a Foreclosure Action on the Estate of Sarah Mae James (Community Development).
49. Adoption of a Resolution for the Issuance of Series 2002 Bonds (County Administrator).
50. Approval of Award of a Non-Competitive Contract for the Purchase of Radio/Pager Repair, Air Conditioning and Ground Maintenance Services for the Pinellas County Emergency Communications/911 Department (Emergency Communications/911).
51. Approval to Accept the Donation of Approximately One Acre Waterfront Parcel of Land Adjacent to Anderson Park (General Services).
52. Approval to Terminate a Lease Agreement with the City of Seminole Location, a Portion of the County Park Boulevard Bridge Right of Way Site Located on the East Side of the Bridge (General Services).
53. Approval of Amendment No. 4 and Release of Retainage to the Construction Management Agreement with Beers Skanska, Inc. for the Pinellas County Public Access and Government Access Television Studios (General Services).
54. Approval to Accept the Report on the Direct Purchase Savings and Interim Purchasing Card Use for Construction of the Pinellas County Public Access and Government Access Television Studios and Approve Future Options of Using the Purchasing Card on Capital Improvement Projects (General

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Services).

55. Approval to Declare Surplus a Portion of Lealman Park to be Used for a Fire Station, Approve the Agreement to Sell/Donate County Property with the Lealman Special Fire Control District, and Approve the Interlocal Agreement between Pinellas County and the Lealman Special Fire Control District (General Services).
56. Approval of Amendment No. 1 to Ongoing Design Professional Services Agreements (General Services).
57. Approval of Amendment No. 2 Guaranteed Maximum Price for Phase 2 of the Construction Management Agreement for the Weedon Island Preserve Education Center (General Services).
58. Approval of a Recreation License Agreement with Tierra Verde Community Association, Inc. for a Temporary Ball Field (General Services).
59. Adoption of a Resolution Supplementing the FY02 General Fund Budget Sheriff for Assistance to the Pinellas County School Board Campus Police Department (Management and Budget).
60. Adoption of a Resolution in Support of the Tampa Bay Regional Planning Council Seeking an Economic Development District Designation(Planning).
61. Approval of Appointment to the Pre-Qualification Committee (Purchasing).
62. Approval of Award of Proposal for Travel Services FY02/04 (Purchasing).
63. Approval of Recommendation to Cancel the Contract for Hearing Impaired Interpreter Services (Purchasing/Human Rights).
64. Approval of Option of Renewals:
 - a. Option of Renewal No. 2 for Security Guard Services with Budd Security (Purchasing/General Services).
 - b. Option of Renewal No. 1 for Title Search Services (Purchasing/Tax Collector).
65. Other Administrative Matters.

COUNTY ATTORNEY

66. Request for Authority to Defend:
 - a. Bank of America, etc. v. Doretha Beal, et al Circuit Civil Case No. 02-4602-CI-20 Mortgage Foreclosure Involving a Street Lighting Lien.

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- b. Bank of America v. Jeannette Mack Circuit Civil Case No. 02-04203-CI Mortgage Foreclosure Involving a State Housing Initiatives Partnership Mortgage.
 - c. The Bank of New York v. Tracy Steck - Circuit Civil Case No. 02-4555-CI-11 Mortgage Foreclosure Involving Welfare Lien.
 - d. Citifinancial Mortgage Company, Inc. v. Georgette Lafalcia Circuit Civil Case No. 02-2303-CI-19 Mortgage Foreclosure Involving a Street Lighting Lien.
 - e. Crown Bank, etc. v. John Steven Middaugh, et al Circuit Civil Case No. 02-4461-CI-7 - Mortgage Foreclosure Involving Lot Clearing Liens and a Street Lighting Lien.
 - f. First Bank National Assoc., etc. v. Lawrence N. McRae, et al Circuit Civil Case No. 02-4701-CI-7 Mortgage Foreclosure Involving a Street Lighting Lien.
 - g. Greenpoint Credit v. John J. Fisher, et al Circuit Civil Case No. 02-4623-CI Mortgage Foreclosure Involving a Street Lighting Lien and a Judgment for Fine and Costs Lien.
 - h. Irwin Mortgage Corporation v. Lamounte L. Johns, et al Circuit Civil Case No. 02-4404-CI-7 Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
 - i. Ocwen Federal Bank, FSB v. Tammy J. Dominguez, etc., et al Circuit Civil Case No. 02-4609-CI-15 Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
 - j. Anthony Ballato v. Honorable Ray Ulmer, et al Case No. 8:02-CV-1022-T-30TGW Case Involving an Allegation of Denial of Due Process.
 - k. James F. Sanders v. Henry V. Gamez, et al Circuit Civil Case No. 02-4363-CI-15 Mortgage Foreclosure Involving a Street Lighting Lien.
 - l. Dean Phillip Sheets, as Personal Representative of the Estate of Marsha J. Sheets, Deceased, v. Daniel Brinkerhoff, Danny Glover, d/b/a/ Glover Transport, Inc., State of Florida Department of Transportation, a Department of the State of Florida and Pinellas County, Florida, a Political Subdivision of the State of Florida, Jointly and Severally Circuit Civil Case No. 02-4420-CI-20 Allegations of Wrongful Death.
 - m. Judith Batson Whiting v. City of Dunedin, Pinellas County, and Florida Department of Transportation Circuit Civil Case No. 02-4311-CI-11 ? Allegations of Trip and Fall Injury.
67. Authority to Initiate Litigation against:
- a. Nadine Knowles.

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- b. Abel E. Macias Risk Claim No. 01-64312.
- 68. Authority for County Attorney to Initiate Litigation on behalf of Ms. Aileen Tye in the Claim of Tye v. Southern Comfort Park, Inc. HUD Case No. 04-01-1462, PCO-01-0018.
- 69. Authorization of Carlton Fields, Ward, Emmanuel, Smith and Cutler to Continue to Employ Jury Selection, Inc. in the Great Monument Construction Company v. Pinellas County Litigation Case No. 95-1881-CI-007.
- 70. Authority to Make an Offer of Settlement in Case of American Charities, etc., et al v. Pinellas County, et al Federal Case No. 8:97-CIV-2058-T-17TGW.
- 71. Recommendation of Rejection in the Settlement of Jodee Lynn Brimmer v. the Sheriff of Pinellas County, Florida, et al Circuit Civil Case No. 00-2994-CI-11, Claim No. 96-48875.
- 72. Recommendation of Rejection of Settlement in Torrance Marshall v. Everett S. Rice, Sheriff of Pinellas County, et al Case No. 8:01-CIV-2120-T-24MAP.
- 73. Recommendation of Rejection in the Settlement of Pamela Saraceno v. Everett S. Rice, Sheriff of Pinellas County, Florida Circuit Civil Case No. 01-7968-CI-21, Claim No. 99-56995.
- 74. Recommendation of Settlement in Larry G. Mackowiak v. Pinellas County Government Workers Compensation OJCC #02-010003SPT.
- 75. Recommendation of Settlement in Thomas ODonnell v. Pinellas County Government Workers Compensation OJCC #97-003776.
- 76. Adoption of a Resolution Approving Voting Precinct Changes and Modifications of County Commission District Lines.
- 77. Miscellaneous.

F. COUNTY ADMINISTRATOR REPORTS

- 78. Information Technology Board Activities.
- 79. Lealman Incorporation Study.

G. COUNTY COMMISSION

- 80. Approval of Appointments and Re-Appointments to the Pinellas County Youth Advisory Committee.
- 81. Miscellaneous.

ADJOURNMENT

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PRESENTATION BY PETER DUNBAR OF PENNINGTON, MOORE, WILKINSON,
BELL AND DUNBAR, P.A.

Pinellas County lobbyist Peter Dunbar presented background information relative to legislative activities in Tallahassee during the last session; and responded to queries and comments by Chairman Todd and Commissioners Morroni and Stewart.

PROCLAMATION DECLARING MONTH OF JULY 2002 AS RECREATION AND
PARKS MONTH

Chairman Todd presented a proclamation declaring the month of July 2002 as Recreation and Parks Month to Park Department Director Elizabeth A. Warren.

COUNTY ATTORNEY SUSAN H. CHURUTI RECOGNIZED

Chairman Todd and Attorney Louis Kwall presented a plaque to County Attorney Susan H. Churuti in recognition of her year of service as Chairman of the City, County and Local Government Law Section.

CITIZENS TO BE HEARD

Nancy McCaslin, St. Petersburg; Gail Conroy, Redington Shores; and Mona Radler, St. Petersburg, expressed their concerns with regard to environmental issues. Ms. McCaslin submitted a petition with 37 signatures requesting that logging, removal of saw palmettos and prescribed burn projects be placed on hold at Lake Seminole Park; whereupon, at the request of Chairman Todd, Assistant County Administrator Jacob F. Stowers III provided input regarding the forestry program; and indicated that a contract implementing the recommendations of Dr. Alan J. Long, School of Forest Resources and Conservation,

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University of Florida, will be forthcoming for Board approval. Ms. Radler distributed information from various sources regarding environmental concerns.

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1a CASE #CW 02-25(1), PROPOSAL BY CITY OF PINELLAS PARK TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM INSTITUTIONAL TO COMMERCIAL GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-52 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 June 2, 2002 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-25(1), a proposal by the City of Pinellas Park to amend the land use designation on the Countywide Future Land Use Plan from institutional to commercial general, re .57 acre located on the east side of 66th Street North, 511 feet south of 62nd Avenue 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 Morrioni moved, seconded by Commissioner Welch, that Ordinance No. 02-52 approving Case #CW 02-25(1) be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

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- # 1b CASE #CW 02-27, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO RECREATION/OPEN SPACE (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 02-53 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 June 2, 2002 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-27, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low to recreation/open space, re .83 acre located on the south side of 130th Avenue North, 233 feet west of 119 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 Morrioni moved, seconded by Commissioner Welch, that Ordinance No. 02-53 approving Case #CW 02-27 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

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2a CASE #CW 02-25(2), PROPOSAL BY CITY OF PINELLAS PARK TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO INSTITUTIONAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-52 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 June 2, 2002 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-25(2), a proposal by the City of Pinellas Park to amend the land use designation on the Countywide Future Land Use Plan from residential urban to institutional, re 8.18 acres located on the north side of 58th Avenue North, 160 feet west of 64th 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; 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 Morrone, that Ordinance No. 02-52 approving Case #CW 02-25(2) be adopted. Upon roll call, the vote was:

Ayes: Todd, Stewart, Harris, Morrone and Welch.

Nays: None.

Absent and not voting: Seel and Latvala.

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2b CASE #CW 02-26, PROPOSAL BY CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE LIMITED (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 02-54 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 June 2, 2002 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-26, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from residential urban to residential/office limited, re 4.22 acres located on the east side of Hampton Road, 457 feet north 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 Morrioni, that Ordinance No. 02-54 approving Case #CW 02-26 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

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2c CASE #CW 02-28, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - DENIED WITHOUT PREJUDICE - RESOLUTION NO. 02-123 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 June 2, 2002 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 02-28, 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 1.57 acres located on the northwest corner of 54th Avenue North and I-275 (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.

Responding to query by Commissioner Stewart, Pinellas Planning Council Executive Director David P. Healey referred to a map and indicated that access to the site will be limited to 28th Street North.

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

Following discussion and input from Director of Development Review Services Paul Cassel, Mr. Welch moved for approval; however, the motion died for lack of a second. Thereupon, following further discussion, Commissioner Stewart moved, seconded by Commissioner Welch, that Resolution No. 02-123 be adopted denying without prejudice land use application #CW-02-28. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

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3 PETITION OF RANDALL E. VOWELL AND ANNA G. COLTON TO VACATE A PORTION OF A 10.0-FOOT UTILITY EASEMENT ON LOT 82, ORANGE TERRACE SECOND ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 30 SOUTH, RANGE 15 EAST - GRANTED; RESOLUTION NO. 02-124 ADOPTED

Pursuant to legal notice published in the June 14, 2002 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Randall E. Vowell and Anna G. Colton to vacate a portion of a utility easement on Lot 82, Orange Terrace Second Addition, as recorded in Plat Book 59, Page 77, located in the northeast quarter of Section 30, Township 30 South, Range 15 East.

Chief Deputy Clerk C. R. Short reported that letters of no objection have been received from the following:

Pinellas County Utilities
Florida Power Corporation
Verizon Florida, Inc.
Verizon Media Ventures, Inc.
Time Warner Communications

He indicated that all interested property owners have been notified as to the date of the public hearing; that no correspondence in objection to the petition has been received; and that the matter is properly before the Board to be heard.

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

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

Commissioner Harris moved, seconded by Commissioner Welch, that the petition to vacate be granted; and that Resolution No. 02-124 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

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Absent and not voting: Seel and Latvala.

- # 4 **ORDINANCE NO. 02-55 ADOPTED AMENDING THE PINELLAS COUNTY CODE BY REVISING SECTION 58-205.27 RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES AND EMISSION GUIDELINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AMENDMENTS THAT MAY ARISE AT PUBLIC HEARING**
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Pursuant to legal notice published in the June 21, 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 Pinellas County Code by readopting the updated air quality ordinance. Chief Deputy Clerk C. R. Short reported that no letters relative to the proposed ordinance have 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.

Commissioner Morroni moved, seconded by Commissioner Welch, that Ordinance No. 02-55 readopting the updated Comprehensive Air Quality Ordinance relating to air pollution management in Pinellas County be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

- # 5 **RESOLUTION NO. 02-125 ADOPTED APPROVING SUBMISSION TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE PINELLAS COUNTY CONSORTIUM'S ACTION PLAN FOR COMMUNITY PLANNING AND DEVELOPMENT FOR 2002-2003; AUTHORIZATION FOR THE CHAIRMAN OR DESIGNEE TO SIGN AND CLERK TO ATTEST SPECIFIC PERFORMANCE AND**

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LAND USE RESTRICTION AGREEMENTS; AUTHORIZATION FOR COMMUNITY DEVELOPMENT DIRECTOR TO SIGN AND FILE REPORTS

Pursuant to legal notice published in the July 6, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the Pinellas County Consortium's Action Plan submission for Community Planning and Development for 2002-2003. 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 a resolution approving submission to the U.S. Department of Housing and Urban Development of the Pinellas County Consortium's Action Plan for 2002-2003; authorizing the Chairman or designee to sign and the Clerk to attest Specific Performance and Land Use Restriction Agreements; and authorizing the Community Development Department Director to sign and file reports.

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

Responding to queries by Commissioner Welch, Community Development Assistant Director Carol A. Seaman indicated that project funds have been earmarked for this year; that the Emergency Shelter Grant Program has been designated for homeless activities; and that a report will be prepared for the Board with regard to funds appropriated for the homeless.

Thereupon, Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 02-125 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

6 PUBLIC HEARING HELD RE PROPOSED ORDINANCE AMENDING SECTIONS 138-240, 138-1332(D), 138-1377(B), 138-311, 138-76(E), 138-151, 138-1281(I) AND 138-

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1336(A) AND ARTICLE IV, DIVISIONS 1 THROUGH 7 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE; AUTHORIZATION GRANTED TO ADVERTISE SECOND PUBLIC HEARING TO BE HELD JULY 23, 2002

Pursuant to legal notice published in the June 21, 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 sections 138-240, 138-1332(D), 138-1377(B), 138-311, 138-76(E), 138-151, 138-1281(I) and 138-1336(A) and Article IV, Divisions 1 through 7 of the Pinellas County Land Development Code. Chief Deputy Clerk C. R. Short indicated that no correspondence has been received; and that the matter is properly before the Board to be heard.

At the request of Chairman Todd, Development Review Services Director Paul Cassel summarized the proposed changes to the code.

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

At this time, Chairman Todd closed the public hearing regarding the proposed ordinance and stated that the second public hearing will be held on July 23, 2002.

* * * *

At this time, 10:42 A.M., Commissioner Harris left the meeting.

* * * *

- # 7 ORDINANCE NO. 02-56 ADOPTED AMENDING AND SUPPLEMENTING THE PINELLAS COUNTY CODE BY REVISING SECTION 14-26 RELATING TO DEFINITIONS, SECTION 14-30 RELATING TO PUBLIC NUISANCE ANIMALS, SECTION 14-33 REGARDING THE ABANDONMENT OF ANIMALS, SECTION 14-48 REGARDING IMPOUNDMENT, SECTION 14-49 REGARDING ADOPTION, REDEMPTION AND DISPOSITION OF ANIMALS, SECTION 14-61 RELATING TO RABIES VACCINATIONS AND LICENSING, SECTION 14-64 RELATING TO DANGEROUS ANIMALS, AND SECTION 14-67 RELATING TO HEARINGS; REVISING AND RENAMING SECTION 14-65 RELATING TO DANGEROUS

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ANIMALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INITIAL COMPLIANCE; PROVIDING FOR OTHER MODIFICATIONS WHICH MAY ARISE FROM REVIEW OF THE ORDINANCE WITH RESPONSIBLE AUTHORITIES; REPEALING PAST ORDINANCES OR RESOLUTIONS THAT ARE INCONSISTENT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

Pursuant to legal notice published in the June 28, 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 Article 14 of the Pinellas County Code. Chief Deputy Clerk C. R. Short reported that no letters relative to the proposed ordinance have 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.

Following a brief overview of the proposed ordinance by Kenny D. Mitchell, D.V.M., Director, Animal Services, Commissioner Morroni moved, seconded by Commissioner Welch, that Ordinance No. 02-56 amending Article 14 of the Pinellas County Code be adopted. Upon roll call, the vote was:

Ayes: Todd, Stewart, Morroni and Welch.

Nays: None.

Absent and not voting: Seel, Harris and Latvala.

* * * *

At this time, 10:47 A.M., Commissioner Harris returned to the meeting.

* * * *

8 PRIVATE DOCK APPLICATION P31083-02, THERESA BUCK, 4194 HARBOR HILLS DRIVE, LARGO, McKAY CREEK - APPROVED

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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 May 24 and May 31, 2002 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Private Dock Application P31083-02, Theresa Buck, 4194 Harbor Hills Drive, Largo, McKay Creek. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that five letters in favor of and three letters 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 private dock in the waters of McKay Creek; 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 the application and execution of the associated order based upon negative Findings of Fact, Items 1 through 9, and affirmative Findings of Fact, Items 10 through 13, as indicated in his memorandum of July 9, 2002, which has been filed and made a part of the record.

Director of Environmental Management William M. Davis referred to maps, photographs and documents and provided background information; and indicated that there are no environmental or navigational concerns with the proposed dock.

In response to the Chairman's call for proponents of the application, Joel Rubenstein appeared and expressed his support.

The following individuals appeared in response to the Chairman's call for persons in objection to the proposed application:

Todd Pressman, Clearwater, representing Sam Wilde (submitted a petition
and four letters in opposition)
Michele Twitty, Largo
Sam Wilde, Largo

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In closing, Peter Holland, Holland Marine Construction, Indian Shores, related that the applicant has cooperated with the Department of Environmental Management by attempting to reduce the size of the proposed dock; and in response to query by Commissioner Stewart, indicated that navigating between the docks should not be a problem.

Responding to queries by the Chairman, Mr. Davis provided historical background information with regard to the dock variances granted to the neighboring property owners; and indicated that the proposed dock is being designed specifically for the applicant's boat.

Following discussion, Commissioner Harris moved, seconded by Mr. Welch and carried, that the application be approved in accordance with the Findings of Fact.

9 PRIVATE DOCK APPLICATION P31285-02, MARTHA AND ROBERT MUNCE, 12804 HARBORWOOD DRIVE, LARGO, CLEARWATER HARBOR - APPROVED

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 May 24 and May 31, 2002 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Private Dock Application P31285-02, Martha and Robert Munce, 12804 Harborwood Drive, Largo, Clearwater Harbor. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that one letter in favor of and one letter and a petition with 15 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 private dock in the waters of Clearwater Harbor; 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 the application and execution of the associated order based upon negative Findings of Fact, Items 1 through 9, and affirmative Findings of Fact, Items

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10 through 13, as indicated in his memorandum of July 9, 2002, which has been filed and made a part of the record, subject to the following conditions:

1. It is expected that some mangrove trimming will be necessary during initial installation of the walkout. Mangrove trimming/removal during construction must be limited to the footprint of the structure. Branches should be tied back during dock construction wherever possible.
2. Future 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. Exotic Brazilian pepper trees (*Schinus terebinthifolius*) must be removed from the applicant's shoreline within 30 days of significant dock construction.
4. Prior to dock construction, the contractor must contact the Department of Environmental Management at 464-4761 for a field meeting to verify the location of the dock to minimize environmental impacts. The walkout may need to be angled slightly to avoid the larger mangrove trunks.

Director of Environmental Management William M. Davis referred to maps and photographs and provided background information. He indicated that the proposed three-foot path would minimize the impact on the mangrove forest; and that the proposed dock is typical of existing neighborhood docks.

Following discussion, Don Turek, Palm Harbor, and Martha Munce, Largo, appeared and being duly sworn, expressed their comments.

No one appeared in response to the Chairman's call for persons in opposition to the application; whereupon, she closed the public hearing.

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Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the application be approved in accordance with the ?Findings of Fact.?

#10 PRIVATE DOCK APPLICATION P30881-01/REVISED-A, PATRICIA RYAN, 437 SAINT ANDREWS DRIVE, BELLEAIR, CLEARWATER HARBOR - APPROVED

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 May 24 and May 31, 2002 issues of the Tampa Bay Review as evidenced by publisher?s affidavit filed with the Clerk, public hearing was held on Private Dock Application P30881-01/Revised-A, Patricia Ryan, 437 Saint Andrews Drive, Belleair, Clearwater Harbor. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to construct an addition to a private dock in the waters of Clearwater Harbor; 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 the application and execution of the associated order based upon negative ?Findings of Fact,? Items 1 through 9, as indicated in his memorandum of July 9, 2002, which has been filed and made a part of the record.

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

Commissioner Harris moved, seconded by Commissioner Morroni and carried, that the application be approved in accordance with the ?Findings of Fact.?

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#11 MULTI-USE DOCK APPLICATION M31383-02/REVISED, DISCOVERY LEASING & MANAGEMENT CORPORATION, A/K/A SNUG HARBOR MARINA, 423 150TH AVENUE, MADEIRA BEACH, BOCA CIEGA BAY - APPROVED

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 May 24 and May 31, 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 M31383-02/Revised, Discovery Leasing & Management Corporation, a/k/a Snug Harbor Marina, 423 150th Avenue, Madeira Beach, Boca Ciega Bay. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to construct a 25 slip multi-use dock in the waters of Boca Ciega Bay, as indicated in his memorandum of July 9, 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 based upon negative Findings of Fact, Items 1 through 9, subject to the following condition:

1. No vessels are to be moored along the south side of the southernmost finger pier.

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

Commissioner Welch moved, seconded by Commissioner Morroni and carried, that the application be approved in accordance with the Findings of Fact.

#12 DREDGE AND FILL APPLICATION D/F-1304, BEVERLY PEEBLES, A/K/A PRIOR MARINA, 4100 BAYSHORE BOULEVARD, DUNEDIN, SAINT JOSEPH SOUND - APPROVED

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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 May 24 and May 31, 2002 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Dredge and Fill Application D/F-1304, Beverly Peebles, a/k/a Prior Marina, 4100 Bayshore Boulevard, Dunedin, Saint Joseph Sound. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that one letter in opposition to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to maintenance dredge a marina basin in the waters of Saint Joseph Sound; 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 the application and execution of the order based upon negative Findings of Fact, Items 1 through 9, and affirmative Findings of Fact, Items 12 and 14, as indicated in his memorandum of July 9, 2002, which has been filed and made a part of the record, subject to the following conditions:

1. The applicant or contractor must take immediate corrective action should turbidity problems occur outside of the dredge or spoil area.
2. The applicant must obtain approval for the placement of spoil material on uplands from Development Review Services (464-3888).

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

Commissioner Morroni moved, seconded by Commissioner Harris and carried, that the application be approved with the aforementioned conditions and in accordance with the Findings of Fact.

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#13 DREDGE AND FILL APPLICATION D/F-1305, MIRELLA JAMES, A/K/A PASADENA MARINA, INC., 1444 PASADENA AVENUE SOUTH, SOUTH PASADENA, BOCA CIEGA BAY - APPROVED

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 May 24 and May 31, 2002 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Dredge and Fill Application D/F-1305, Mirella James, a/k/a Pasadena Marina, Inc., 1444 Pasadena Avenue South, South Pasadena, Boca Ciega Bay. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that one letter in opposition to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to maintenance dredge a marina basin and access channel in the waters of Boca Ciega Bay; 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 the application and execution of the order based upon negative ?Findings of Fact,? Items 1 through 9, and affirmative ?Findings of Fact,? Items 12 and 14, as indicated in his memorandum of July 9, 2002, which has been filed and made a part of the record, subject to the following conditions:

1. The applicant or contractor must take immediate corrective action should turbidity problems occur outside of the dredge or spoil area.
2. Dredging must occur no further than 48 feet from the west seawall of the east marina basin to prevent impacts to mangroves on the opposite shore.

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

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Commissioner Harris moved, seconded by Commissioner Welch and carried, that the application be approved with the aforementioned conditions and in accordance with the ?Findings of Fact.?

#14 DREDGE AND FILL APPLICATION D/F-1312, CITY OF ST. PETERSBURG, MULTIPLE LOCATIONS IN THE CANALS OF COQUINA KEY, ST. PETERSBURG, TAMPA BAY - APPROVED

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 May 24 and May 31, 2002 issues of the Tampa Bay Review as evidenced by publisher?s affidavit filed with the Clerk, public hearing was held on Dredge and Fill Application D/F-1312, City of St. Petersburg, multiple locations in the canals of Coquina Key, St. Petersburg, Tampa Bay. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that two letters in favor of 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 remove sediment from residential canals in the waters of Tampa Bay; 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 the application and execution of the associated order based upon negative ?Findings of Fact,? Items Nos. 1 through 9, and affirmative ?Findings of Fact,? Items Nos. 10, 12 and 14, as indicated in his memorandum of July 9, 2002, which has been filed and made a part of the record, subject to the following conditions:

1. The applicant or contractor must take immediate corrective action should turbidity problems occur outside of the dredge or spoil area.

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2. No dredging shall occur within areas with mangrove roots.

Referring to maps and photographs, Director of Environmental Management William M. Davis provided background information; and indicated that this project will improve navigation in the area.

City of St. Petersburg Representative Jeff Churchill explained the process that the city follows when an assessment project is proposed; and in response to queries by Commissioner Welch, indicated that more than 50 percent of the waterfront property owners who would be affected by the assessment were in favor of the project moving forward.

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

Jane Link Zahn, St. Petersburg
John Colombo, St. Petersburg
Michael Monetti, St. Petersburg
Paul Kahler, St. Petersburg
Mike Grimes, St. Petersburg
Hubert Vale, St. Petersburg

In response to the Chairman's call for opponents, John Strickland, St. Petersburg, appeared and expressed his concerns.

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

Commissioner Stewart moved, seconded by Commissioner Welch and carried, that the application be approved in accordance with the ?Findings of Fact.?

CONSENT AGENDA ITEMS NOS. 1 THROUGH 33 - APPROVED

Upon presentation by Chairman Todd, Commissioner Harris moved, seconded by Commissioner Morroni and carried, that the consent agenda, consisting of Items Nos. 1 through 33, be approved as follows:

#15 APPROVAL OF MINUTES

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Minutes of regular meetings held on May 21 and June 4, 2002.

#16 REPORTS RECEIVED FOR FILING

- a. Dock Fee Report for the month of May 2002.
- b. Audit Report No. 2002-11 - Follow-up Review to Audit of Public Works Engineering, Right of Way Division, Board of County Commissioners.
- c. Audit Report No. 2002-12 - Audit of Petty Cash Accounts, Animal Services Department.
- d. Audit Report No. 2002-13 - Audit of Clerk of the Circuit Court, Probate Court Records, Guardianship and Estate Review Process, together with a copy of *The Audit Watch*.
- e. Complete Summary Appraisal Report dated February 1, 2002 - 15.708 Acre Residential Development Site Fronting Small Lake and Tidal Areas of Anclote River Located Just South of Pinellas-Pasco County Line, Tarpon Springs, Florida.
- f. Independent Auditor's Report, Financial Statement and Additional Information for the Housing Finance Authority of Pinellas County Single Family Mortgage Revenue Bond Program, 1994 Series A, 1995 Series A for the years ended January 31, 2002 and 2001 and 1996 Series A & B, 1997 A & B, 1997 C for the years ended February 28, 2002 and February 28, 2001.

#17 OTHER APPROVALS

- a. General - None.
- b. Satisfactions of Judgments and Liens

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

c. Vouchers and Bills Paid

- (1) Checks released for the period from June 3, 2002 through June 21, 2002 as follows:

Payroll Journal Expenditures

Payroll Journal pages numbered 1 through 2672

Payroll checks numbered 489925 through 491213

Imprest Fund Expenditures

Manual checks numbered 605428 through 605474

System checks numbered 635824 through 638837

Wire Transfers numbered 000001 through 000021

#18 MISCELLANEOUS ITEMS RECEIVED

- a. City of Safety Harbor Ordinance No. 2002-10 adopted on May 20, 2002 Annexing Certain Property.
- b. Eastlake Oaks Community Development District Proposed Budget for Fiscal Year 2003 dated June 5, 2002, pursuant to Chapter 190.008(2)(b), Florida Statutes.
- c. City of Largo Notices of Annexation Hearings regarding Ordinances Nos. 2002-52 and 2002-60 through 2002-63; and 2002-66 through 2002-70 held June 18, 2002 and July 2, 2002, respectively.
- d. Correspondence from the City of Pinellas Park regarding one ordinance voluntarily annexing certain property; Public Hearing to be held July 11, 2002.

#19 AWARD OF BIDS

- a. Bid of Executive Management Services, Inc. for janitorial cleaning services for the St. Petersburg-Clearwater International Airport, on the basis of being the lowest responsive, responsible bid received meeting specifications, for an annual estimated total expenditure not to exceed \$77,281.68 (total estimated 36-month expenditure not to exceed \$231,845.04) (36-month contract with one additional 36-month option of renewal at the same terms and conditions and allowance for a price adjustment based on the Consumer Price Index [CPI] [Services] for All Urban Consumers or five percent, whichever is less, subject to availability of funds and County Administrator approval.) (Bid No. 012-593-B); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

- b. Bid of Emergency One, Inc. for an aircraft rescue firefighting vehicle (ARFF) for use at the St. Petersburg-Clearwater International Airport on the basis of being the lowest responsive, responsible bid received meeting specifications, for a total amount of \$529,295.00 (Federal Aviation Administration grant funds of \$476,365.00, Florida Department of Transportation grant funds of \$26,465.00 and \$26,465.00 from airport reserves), and subject to Federal Aviation Administration approval and issuance of a Grant Agreement (Bid No. 012-523-B); 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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#20 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT NO. AP-52 WITH CLARK & LOGAN, INC. FOR CONSTRUCTION OF SECURITY UPGRADES AT ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT (BID NO. 001-1091-C)

- a. Change Order No. 1 (Final) decreases the contract by \$3,927.70 (revised total contract, \$181,912.30).
- b. Contract substantially completed as of February 19, 2002.
- c. Chairman authorized to sign and Clerk to attest.

#21 SUBDIVISION PLATS, DEEDS AND SURETIES

- a. Lake Seminole Trails
 1. Completion Bond No. 531221S accepted in the amount of \$166,606.00.
- b. Sun Ketch Townhomes at Pasadena
 1. Plat approved.
 2. Funds accepted in the amount of \$880.00 as completion surety.
- c. Disanto Medical Center
 1. Funds accepted in the amount of \$2,400.00 as maintenance surety.
- d. JFK Supply
 1. Funds accepted in the amount of \$4,950.00 as completion surety.
- e. Patrick Town

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1. Funds accepted in the amount of \$8,761.50 as completion surety.
- f. Indian Springs Marina
1. Funds accepted in the amount of \$10,496.75 as completion surety.
 2. Funds released in the amount of \$10,496.75 to Indian Springs Marina, 15151 113th Avenue North, Largo, FL 33774, Attention: Lou Vinci.
- g. Amerada Hess Corporation/Hess 156 at Klosterman
1. Completion Bond No. 423453 accepted in the amount of \$36,300.00.
- h. Crystal Spring Subdivision
1. Letter of Credit No. SM420716P accepted in the amount of \$28,050.00 as completion surety.
- i. Professional Environmental Solutions
1. Completion Bonds Nos. 69340710 and 69340758 accepted each in the amount of \$5,000.00.
- j. Network Engineering
1. Funds released in the amount of \$3,087.04 to Network Engineering, Inc., 5510 Roosevelt Boulevard, Clearwater, FL 33760, Attention: Pedro Remon.
- k. Complete Waterbed Services
1. Funds released in the amount of \$5,115.00 to Complete Waterbed Services, 12490 Belcher Road,

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Largo, FL 33773.

- l. Summerdale Townhomes at Countryside (a/k/a Summerdale Trace)
 1. Completion Bond No. 929198351 released in the amount of \$295,793.95 to Rottlund Homes of Florida, Inc., 2623 McCormick Drive, Suite 102, Clearwater, FL 33759.
- m. Palm Harbor University
 1. Maintenance Bond No. 8367804 released in the amount of \$9,241.65 to Suncoast Paving, Inc., 800 Anclote Road, Tarpon Springs, FL 33589.
- n. Charolais Place
 1. Maintenance Bond No. 748811 released in the amount of \$6,400.00 to Wal Den Greene Developers, Inc., 6244 Springer Drive, Port Richey, FL 34668.
- o. Northfield Subdivision
 1. Maintenance Bond No. 227523 released in the amount of \$120,000.00 to Lansbrook Development Corporation, 36330 U.S. Highway 19 North, Palm Harbor, FL 34684-1328.
- p. International Fibercom (a/k/a General Fiber Communications)
 1. Funds released in the amount of \$5,142.37 (held for completion surety) to General Fiber Communications

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and/or Kirt Keister, 2840 Scherer Drive, Suite 425, St.
Petersburg, FL 33716, Attention: Kirt Keister.

- q. Sun Ketch Townhomes at Lake Avenue
 - 1. Letter of Credit No. S02-18 accepted in the amount of \$44,315.70 as completion surety.

- r. Wall Springs Executive Park
 - 1. Plat approved.

- s. Manning Oaks
 - 1. Plat approved.
 - 2. Sidewalk and Private Street Sign Installation Guarantees accepted for recording.
 - 3. Quitclaim Deed accepted for recording.

#22 BID OF JCI JONES CHEMICAL, INC. FOR SODIUM HYDROXIDE (25 PERCENT) SOLUTION FOR WATER TREATMENT PROCESS (BID NO. 012-652-B)

Unit Price Bid of JCI Jones Chemical, Inc. on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated annual expenditure not to exceed \$237,000.00 (12-month contract with one 12-month option of renewal at the same prices, terms and conditions, and subject to County Administrator approval).

#23 CHANGE ORDER NO. 1 (FINAL) TO PROJECT NO. 754-637114-1343 WITH TLC DIVERSIFIED, INC. FOR REPLACEMENT/RELOCATION OF PUMP STATION NO. 300 (BID NO. 001-0791-C)

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- a. Change Order No. 1 (Final) decreases the contract by \$55,785.17 (total agreement amount, \$323,382.83).
- b. Retainage released in the amount of \$16,169.14.
- c. Contract completed as of January 6, 2002 (34-day increase in project completion time).
- d. Assessment of liquidated damages waived.
- e. Chairman authorized to sign and Clerk to attest.

#24 FIRST OPTION OF RENEWAL AND AMENDMENT WITH CREATIVE RECYCLING SYSTEMS, INC. FOR ELECTRONIC RECYCLING/DEMANUFACTURING SERVICES (BID NO. 990-0301-B)

- a. Option of renewal of the existing contract for annual requirements of electronic recycling/demanufacturing services is exercised for an additional 12 months at the same unit prices, terms and conditions and allowance for a price adjustment based on the Consumer Price Index (CPI) up to three percent, for an estimated annual expenditure not to exceed \$50,003.93 (estimated annual expenditure with CPI increase of 1.6 percent for this renewal period, \$50,803.99) (first of two 12-month renewal options; current contract expires July 19, 2002).
- b. Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- c. County Administrator authorized to renew contract after the first 12-month renewal period has been completed, per County Code 2-176(F).

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#25 PINELLAS COUNTY UTILITY EASEMENT AGREEMENT WITH CHATEAUX DES LACS HOMEOWNERS ASSOCIATION, INC.

Pinellas County Utility Easement Agreement with Chateaux Des Lacs Homeowners Association, Inc. for the extension of sanitary sewer service to George Street; providing compensation in the amount of \$11,500.00 as consideration for the easement, and provision of 3/4-inch water service to the community dock facility; Chairman to execute and the Clerk to attest the Utility Easement Agreement.

#26 AWARD OF BIDS

- a. Bids of Webster, Schering-Plough, Ft. Dodge, Pfizer-Sole Source, Synbiotics, Heska, Burns, Parke, Butler, Merial-Sole Source, and VorTech for veterinary drugs as indicated in the agenda memorandum, for an annual estimated expenditure not to exceed \$52,114.10 (total estimated 36-month contract not to exceed \$156,342.30) (12-month contract with two additional 12-month options of renewal at the same terms and conditions and allowance for a price increase based on the Consumer Price Index [CPI] for All Urban Consumers [Medical Care Commodities] or five percent, whichever is less, subject to availability of funds and County Administrator approval.) (Bid No. 012-655-B)
- b. Bid of C.E.M. Enterprises, Inc. for the south stairway brick repair renovation at 315 Court Street on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure of \$112,250.00 (Bid No. 012-560-C); 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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#27 **SECOND AMENDMENT TO AGREEMENT BETWEEN SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT (SWFWMD) AND PINELLAS COUNTY FOR
RESTORATION OF WATER CIRCULATION AT FORT DeSOTO PARK SITE (W378)**

The subject amendment extends the project construction commencement date to November 1, 2002; and the project construction completion date to December 31, 2003.

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#28 LOT CLEARING RESOLUTION

Resolution No. 02-126 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.

#29 GRANT APPLICATION FOR FLORIDA FOREVER FUNDING ADMINISTERED BY FLORIDA COMMUNITIES TRUST

#30 BUDGET AMENDMENTS

A copy of Budget Amendments Nos. 19 and 20 were filed and made a part of the minutes.

#31a OPTION OF RENEWAL WITH PINELLAS SUNCOAST TRANSIT AUTHORITY FOR BICYCLE RACK AGREEMENT

Option of renewal is exercised for an additional 12 months at the same prices, terms and conditions.

#31b OPTION OF RENEWAL (FIRST AND FINAL) WITH MAYER ELECTRIC FOR ELECTRICAL SUPPLIES (COOP) (BID NO. 990-0825-B)

Option of renewal is exercised for an additional 24 months at the same price, terms and conditions as stated in the contract for an estimated 24-month expenditure not to exceed \$1,410,598.00 (first and final option of renewal; cooperative agreement with the Town of Belleair and the Cities of St. Petersburg and Tarpon Springs - Pinellas County's 24-month estimated expenditure not to exceed \$854,598.00); current contract expires on July 24, 2002; annual expenditure for the renewal period based on revised authorized

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expenditures.

#32a DECLARATION OF CERTAIN MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS AND AUTHORIZATION FOR TRANSFER OF SAME TO PINELLAS COUNTY SHERIFF'S DEPARTMENT AT NO COST (ASSET NOS. 96510, 96511, 85754, 85761, 85769, 85770, 85774, 85777 AND 96512)

#32b DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS AND AUTHORIZATION FOR LIQUIDATION OF SAME THROUGH PUBLIC AUCTIONS CONDUCTED BY GOVDEALS.COM AND TAMPA MACHINERY AUCTION, INC. AS SET FORTH IN MEMORANDUM DATED JULY 9, 2002

#32c DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR LIQUIDATION OF SAME THROUGH SALE CONDUCTED BY SCRAP-ALL, INC. AS SET FORTH IN MEMORANDUM DATED JULY 9, 2002

#33 CONTRACT ASSIGNMENT OF LEASE SCHEDULES FROM ePLUS GROUP TO HITACHI CREDIT AMERICA CORP. (BID NO. 989-0400-S); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

The subject contract is for assignment of Lease Schedules 110 and 112 through 118 for the annual requirements of computer leasing.

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

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#35 RESOLUTION NO. 02-127 ADOPTED AUTHORIZING GRANT APPLICATION TO FEDERAL AVIATION ADMINISTRATION (FAA) FOR VARIOUS PROJECTS AT THE ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT (NO. AIP 2802); GRANT APPLICATION - APPROVED FOR EXECUTION; AUTHORIZATION FOR CHAIRMAN TO EXECUTE GRANT AGREEMENT

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing application to the Federal Aviation Administration (FAA) for funds in the amount of \$5,344,510.00 for various projects at the St. Petersburg-Clearwater International Airport (No. AIP 2802) (Department of Transportation share - \$290,362.00; Pinellas County share - \$303,493.00, for a combined total amount of \$5,938,365.00); and further recommended that the Chairman be authorized to execute the grant agreement from the FAA after written approval as to form by the Office of the County Attorney.

Airport Director David M. Metz outlined the various improvements to be funded by the grant; and stated that the resolution also authorizes the Chairman to execute the grant agreement upon receipt from the FAA.

Commissioner Stewart moved, seconded by Commissioner Welch, that Resolution No. 02-127 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

#36a CONTRACT NO. 98027 WITH DUROCHER DOCK & DREDGE, INC. FOR TREASURE ISLAND, NORTH SEGMENT (CONSTRUCTION OF TERMINAL GROIN) ACCEPTED AS COMPLETE; CHANGE ORDER NO. 1 (FINAL) (BID NO. 989-0565-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended that Contract No. 98027 with Durocher Dock & Dredge, Inc. for the Treasure Island, North Segment (Construction of Terminal Groin) project be accepted as complete as of October 27, 2000; and further recommended approval of Change Order No. 1 (Final), decreasing the contract

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by the amount of \$214,383.50 (new total contract, \$1,144,671.50).

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

#36b CONTRACT NO. 922154 WITH J.B.D. CONSTRUCTION, INC. FOR JOHN TAYLOR PARK RESTROOM NO. 1 AND SHELTER NO. 4 REPLACEMENT AND RIDGECREST PARK PICNIC SHELTER NO. 2 ACCEPTED AS COMPLETE; CHANGE ORDER NO. 1 (FINAL) (BID NO. 001-0629-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended that Contract No. 922154 with J.B.D. Construction, Inc. for the John Taylor Park restroom No. 1 and shelter No. 4 replacement and Ridgecrest Park picnic shelter No. 2 be accepted as complete as of February 14, 2002; and further recommended approval of Change Order No. 1 (Final), decreasing the contract by the amount of \$43,697.15 (new total contract, \$326,094.09).

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

#36c CHANGE ORDER NO. 1 TO CONTRACT NO. 922388 WITH CASTCO CONSTRUCTION, INC. FOR PART I, 52ND AVENUE AT 108TH WAY DRAINAGE IMPROVEMENTS AND PART II, FEATHER SOUND STRUCTURE REPLACEMENT (BID NO. 012-118-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 1 to the contract with Castco Construction, Inc. for Part I, 52nd Avenue at 108th Way drainage improvements and Part II, Feather Sound structure replacement, increasing the contract amount by \$13,960.97 (new total contract, \$256,246.79); and further recommended that a time extension of 21 consecutive calendar days be granted.

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

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#36d **CHANGE ORDER NO. 2 TO CONTRACT NO. 920487 WITH DAVID NELSON CONSTRUCTION CO. FOR CONSTRUCTION OF KEENE ROAD FROM SUNSET POINT ROAD TO VIRGINIA STREET (BID NO. 990-0457-C) - APPROVED FOR EXECUTION**

County Administrator Stephen M. Spratt recommended approval of Change Order No. 2 to the contract with David Nelson Construction Co. for construction of Keene Road from Sunset Point Road to Virginia Street, increasing the contract amount by \$111,240.27 (new total contract, \$6,252,740.39); and further recommended that a time extension of 46 consecutive calendar days be granted.

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

In response to query by Commissioner Morroni, Director of Engineering Jan Herbst related that the County's share of the increase is approximately \$55,000.00; and that additional design work was needed due to unexpected drainage problems; whereupon, Mr. Spratt added that most projects have contingency funds to cover unanticipated changes and that staff watches for avoidable change orders.

Upon call for the vote, the motion carried unanimously.

#37a **RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - 61st AVENUE NORTH, LOCATED BETWEEN SEMINOLE BOULEVARD AND 110TH STREET NORTH - APPROVED**

County Administrator Stephen M. Spratt recommended approval of the installation of one speed hump on 61st Avenue North and one three-way stop condition on 61st Avenue North at 109th Street North, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-297, dated October 14, 1997 and revised June 4, 2002.

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

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#37b RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - 19th STREET, LOCATED BETWEEN TAMPA ROAD AND NEBRASKA AVENUE - APPROVED

County Administrator Stephen M. Spratt recommended approval of the installation of a three-way stop condition on 19th Street at Georgia Avenue and a four-way stop on 19th Street at Blue Heron Way, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997 and revised June 4, 2002.

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

#38 AUTHORIZATION GRANTED TO PURCHASE LIGHT EMITTING DIODE (LED) SIGNAL HEADS FOR TRAFFIC SIGNALS FROM TEMPLE, INC. PER BROWARD COUNTY CONTRACT NO. E-6-01-139-B1 (BID NO. 012-727-B)

County Administrator Stephen M. Spratt recommended that authorization be granted to purchase light emitting diode (LED) signal heads from Temple, Inc. per Broward County Contract No. E-6-01-139-B1 (expiration date July 9, 2003), for a total expenditure not to exceed \$117,000.00.

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

#39 KING ENGINEERING ASSOCIATES, INC. SELECTED TO PROVIDE CONSULTING SERVICES FOR 2-INCH GALVANIZED AND CAST IRON WATERLINE REPLACEMENT, PHASE II (PROJECT NO. 653-901814-1586); STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide

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consulting services for the Two-Inch Galvanized and Cast Iron Waterline Replacement, Phase II project as follows:

1. King Engineering Associates, Inc.
2. McKim & Creed Engineers, P.A.
3. Metzger & Willard, Inc.

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

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

#40 AGREEMENT WITH DAVID L. RENNIE FOR ACQUISITION OF LOT 12, BROOKWOOD SUBDIVISION, FOR THE BEAR CREEK CHANNEL IMPROVEMENT PROJECT (PID NO. 92230600) - APPROVED FOR EXECUTION WITH AUTHORIZATION OF DISPOSITION OF STRUCTURE AND PERSONAL PROPERTY THEREON AND AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

County Administrator Stephen M. Spratt recommended approval of an agreement with David L. Rennie for acquisition of Lot 12, Brookwood Subdivision, Section 29, Township 31, Range 15 East (property address: 726 Bamboo Drive South, St. Petersburg), for the Bear Creek Channel Improvement Project, with authorization for the issuance of a check in the amount of \$60,000.00 in payment thereof, together with a check payable to Somers Title Company in the amount of \$695.00; and to declare the structure surplus and authorize the Real Estate Management Division to donate, sell or demolish the structure thereon and dispose of any personal property, as appropriate, in accordance with Florida Statutes and Pinellas County code.

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

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#41 CANCELLATION OF CONTRACT WITH KEEP PINELLAS COUNTY BEAUTIFUL (KPCB) (BID NO. 001-0964-N) - APPROVED

County Administrator Stephen M. Spratt recommended that the contract with Keep Pinellas County Beautiful (KPCB) be canceled with 30 days notice, for convenience, as permitted under Article 7, Paragraph B, of the contract (amount of original Board award, \$70,000.00).

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

#42 NORTHERN ALIGNMENT CHOSEN AS HORIZONTAL ALIGNMENT FOR CONSTRUCTION OF BELLEAIR BEACH CAUSEWAY BRIDGE REPLACEMENT; AUTHORIZATION TO PROCEED TO SELECTION OF BRIDGE PROFILE PHASE - GRANTED

County Administrator Stephen M. Spratt recommended that a northern alignment be chosen as the horizontal alignment for construction of the Belleair Beach Causeway bridge replacement; and further recommended that authorization be granted to proceed to the selection of the bridge profile phase of the project.

Commissioner Harris moved, seconded by Commissioner Morroni, that the recommendations of the County Administrator be approved.

In response to query by Commissioner Welch, Mr. Spratt indicated that a contract will not be awarded until funding is established; and that costs will not be known until the preliminary design is completed; whereupon, Director of Engineering Jan Herbst related that construction is anticipated to begin in the 2004-05 time frame.

Upon call for the vote, the motion carried unanimously.

#43 BID OF JERRY'S VACUUM AND JANITORIAL SUPPLIES, INC. FOR ODOR COUNTERACTANT/DEGREASER - CITRUS BASE (BID NO. 012-533-B) - ACCEPTED; BID OF COLONIAL PAPER COMPANY, INC. - REJECTED

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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 bid of Jerry's Vacuum and Janitorial Supplies, Inc. be accepted on the basis of being the lowest, responsive and responsible bid for odor counteractant/degreaser - citrus base (Bid No. 012-533-B) for an estimated 12-month expenditure not to exceed \$98,125.00 (12-month contract with two additional 12-month options of renewal at the same terms and conditions and a price adjustment based on the Consumer Price Index [CPI], not to exceed five per cent, and subject to availability of funds and approval by the County Administrator); and further recommended that the bid of Colonial Paper Company, Inc. be rejected as being non-responsive.

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

#44 **CONSTRUCTION MANAGEMENT AT RISK SERVICES AGREEMENT WITH HDR DESIGN-BUILD, INC. FOR CONSTRUCTION OF FAT/OIL/GREASE RECEIVING AND DEWATERING FACILITY (PROJECT NO. 714-669317-1507) - APPROVED FOR EXECUTION**

County Administrator Stephen M. Spratt recommended approval of an agreement for construction management at risk services with HDR Design-Build, Inc. for construction of a fat/oil/grease receiving and dewatering facility in an amount not to exceed \$2,200,000.00.

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

Upon query by Commissioner Stewart, Utilities Operations Director James R. Rolston discussed the portability and potential profitability of the facility; and Director of Utilities Pick Talley indicated that funding is budgeted as part of the Sewer System Renewal and Replacement Fund.

Upon call for the vote, the motion carried unanimously.

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#45 AMENDMENT NO. 1 TO COOPERATIVE FUNDING AGREEMENT WITH THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) FOR THE LAKE TARPON AQUIFER STORAGE AND RECOVERY (ASR) AND WELL TESTING PROJECT (PROJECT NO. 761-639314-1567) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 to the Cooperative Funding Agreement with the Southwest Florida Water

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Management District (SWFWMD) for the Lake Tarpon Aquifer Storage and Recovery (ASR) and Well Testing Project in the amount of \$150,000.00 (total revised agreement amount \$300,000.00).

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

At the Chairman's request, Director of Utilities Pick Talley explained that an earlier experimental ASR well had been unsuccessful; and that the Southwest Florida Water Management District (SWFWMD) will fund 50 percent of a second ASR exploratory well; whereupon, Chairman Todd expressed her concern that the well could pollute the existing water supply and cause sinkholes.

In response to query by Commissioner Morroni, Mr. Talley explained that the second well will differ from earlier deep well injection projects that violated Environmental Protection Agency (EPA) regulations; whereupon, Commissioner Stewart expressed his support of the project.

Upon call for the vote, the motion carried by a vote of 4 to 1, with Commissioner Todd casting the dissenting vote.

#46 AUTHORIZATION GRANTED FOR PAYMENT OF INSURANCE PREMIUM TO ACORDIA SOUTHEAST, INC. FOR ANNUAL RENEWAL OF COMMERCIAL PROPERTY INSURANCE COVERAGE ON THE SOLID WASTE RESOURCE RECOVERY FACILITY

County Administrator Stephen M. Spratt recommended that authorization be granted for payment of an insurance premium to Acordia Southeast, Inc. in the amount of \$1,747,872.00 for the annual renewal of commercial property insurance coverage on the Solid Waste resource recovery facility.

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

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#47 RESOLUTION NO. 02-128 ADOPTED APPROVING THE SPECIFIC PERFORMANCE AGREEMENT AND THE HOUSING FINANCE AUTHORITY'S ACTION REGARDING ISSUANCE OF MULTICOUNTY, SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 2002B

County Administrator Stephen M. Spratt recommended adoption of a resolution approving the action of the Housing Finance Authority at its meeting on May 7, 2002 to implement a multicounty, single family housing bond program, Series 2002B, in an amount not to exceed \$40,000,000.00, and authorizing the issuance of bonds to provide affordable housing to low and moderate income first-time home buyers.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 02-128 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

#48 FORECLOSURE ACTION ON THE ESTATE OF SARAH MAE JAMES (CASE NO. 1930) - TEMPORARILY DEFERRED TO MEETING OF JULY 23, 2002

County Administrator Stephen M. Spratt recommended that the County Attorney be authorized to proceed with foreclosure actions on the estate of Sarah Mae James regarding a Local Relocation Agreement and Local Relocation Promissory Note.

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

In response to query by Commissioner Welch, Carol Seaman, Community Development Department, related that her department has been unable to locate rightful heirs to the property; and that right-of-way onto the property is needed in order to continue Phase II infrastructure improvements in the Dansville area.

Thereupon, Commissioner Welch requested that efforts be made to locate a stepsister of the deceased; and offered a substitute motion that approval of the foreclosure action be continued until the meeting of July 23, 2002, and Commissioner Stewart seconded

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the motion.

Upon call for the vote, the motion carried unanimously.

- #49 RESOLUTION NO. 02-129 ADOPTED AUTHORIZING THE ISSUANCE BY PINELLAS COUNTY, FLORIDA OF NOT-TO-EXCEED \$28,500,000.00 IN AGGREGATE PRINCIPAL AMOUNT OF PINELLAS COUNTY, FLORIDA CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2002 FOR THE PURPOSE OF PAYING THE COST OF LAND ACQUISITION AND INFRASTRUCTURE CAPITAL PROJECTS WITHIN PINELLAS COUNTY; PLEDGING THE COUNTY'S PORTION OF THE NET PROCEEDS OF THE DISCRETIONARY INFRASTRUCTURE SALES SURTAX TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE SERIES 2002 BONDS ON PARITY WITH CERTAIN OUTSTANDING DEBT; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDERS OF THE SERIES 2002 BONDS; AUTHORIZING THE DISTRIBUTION AND THE POSTING ELECTRONICALLY OF A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT AND AN OFFICIAL NOTICE OF SALE; DESIGNATING AMBAC ASSURANCE CORPORATION AS THE BOND INSURER; MAKING CERTAIN PROVISIONS AND DELEGATING CERTAIN RESPONSIBILITIES WITH RESPECT TO THE NOTICE, BIDDING, AWARD AND SALE OF THE SERIES 2002 BONDS; APPROVING THE FORM OF THE CONTINUING DISCLOSURE CERTIFICATE; PROVIDING FOR BOOK ENTRY REGISTRATION FOR THE SERIES 2002 BONDS; APPOINTING A REGISTRAR AND PAYING AGENT FOR THE SERIES 2002 BONDS; AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES OF THE COUNTY TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE AWARD, SALE, ISSUANCE AND DELIVERY OF THE SERIES 2002 BONDS; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE
-

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing the issuance by Pinellas County, Florida of not-to-exceed \$28,500,000.00 in aggregate principal amount of Pinellas County, Florida Capital Improvement Revenue Bonds, Series 2002, with an expected closing date of July 24, 2002 and delegating certain matters to the County Administrator in conjunction with the pricing and issuance of said bonds.

Upon query by Commissioner Stewart, Assistant County Administrator Mark Woodard explained that the bonds will be issued at parity with the outstanding 2000 series

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bonds; whereupon, Bonnie Wise, W. R. Hough and Company, indicated that the bonds will mature at the same time as the 2000 series bonds (January 1, 2010) and includes an all-inclusive interest rate of approximately 3.7 percent.

Commissioner Welch moved, seconded by Commissioner Morroni, that Resolution No. 02-129 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

- #50 NONCOMPETITIVE CONTRACT FOR RADIO/PAGER REPAIR, AIR CONDITIONING AND GROUND MAINTENANCE SERVICES FROM SUNCOAST COMMUNICATIONS & ELECTRONICS, INC. (EMERGENCY COMMUNICATIONS/911 DEPARTMENT) (BID NO. 012-797-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 contract for radio/pager repair, air conditioning and ground maintenance services from Suncoast Communications & Electronics, Inc., for a period of 24 months beginning July 21, 2002, with a 24-month option of renewal at the same prices, terms and conditions, subject to availability of funds and approval by the County Administrator (estimated annual expenditure of \$63,000.00); 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 Harris moved, seconded by Commissioner Welch and carried, that the recommendations of the County Administrator be approved.

- #51 DONATION OF APPROXIMATELY ONE ACRE WATERFRONT PARCEL OF LAND

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ADJACENT TO ANDERSON PARK - ACCEPTED

County Administrator Stephen M. Spratt recommended that the Board accept a donation of approximately one acre of waterfront land adjacent to Anderson Park for passive recreational use.

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

#52 TERMINATION OF LEASE AGREEMENT WITH CITY OF SEMINOLE FOR A PORTION OF THE PARK BOULEVARD BRIDGE RIGHT-OF-WAY SITE LOCATED ON THE EAST SIDE OF THE BRIDGE - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Termination of Lease Agreement with the City of Seminole for a portion of the Park Boulevard Bridge right-of-way site located on the east side of the bridge.

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

#53 AMENDMENT NO. 4 TO CONSTRUCTION MANAGEMENT AGREEMENT WITH BEERS SKANSKA, INC. FOR PINELLAS COUNTY PUBLIC ACCESS AND GOVERNMENT ACCESS TELEVISION STUDIOS - APPROVED FOR EXECUTION; PROJECT ACCEPTED AS COMPLETE AND AUTHORIZATION GRANTED FOR FINAL PAYMENT AND RELEASE OF RETAINAGE MONIES

County Administrator Stephen M. Spratt recommended approval of Amendment No. 4 to the Construction Management Agreement with Beers Skanska, Inc. for the Pinellas County public access and government access television studios thereby reducing the original combined construction Guaranteed Maximum Price (GMP) to \$3,234,899.84; and further recommended that the Board authorize final payment and release of retainage monies, and accept the project as complete.

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

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#54 **REPORT ON DIRECT PURCHASE SAVINGS AND INTERIM PURCHASING CARD USE FOR CONSTRUCTION OF PINELLAS COUNTY PUBLIC ACCESS AND GOVERNMENT ACCESS TELEVISION STUDIOS - ACCEPTED; AUTHORIZATION GRANTED FOR FUTURE OPTION REGARDING USE OF THE PURCHASING CARD ON CAPITAL IMPROVEMENT PROJECTS**

County Administrator Stephen M. Spratt recommended that the Board accept the report on the direct purchase savings and interim purchasing card use for construction of

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the Pinellas County public access and government access television studios and approve the future option of using the purchasing card on capital improvement projects.

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

In response to query by Commissioner Stewart, Director of General Services Carl M. Barron indicated that use of the purchasing card is evaluated for potential cost savings on a case-by-case basis.

Upon call for the vote, the motion carried unanimously.

#55 **DECLARE AS SURPLUS A PORTION OF LEALMAN PARK TO BE USED FOR A FIRE STATION; AGREEMENT WITH THE LEALMAN SPECIAL FIRE CONTROL DISTRICT TO SELL/DONATE COUNTY PROPERTY - APPROVED; MINERAL RIGHTS RESERVATION WAIVED; DEED APPROVED; AUTHORIZATION OF AN INTERLOCAL AGREEMENT WITH THE LEALMAN SPECIAL FIRE CONTROL DISTRICT FOR CONSTRUCTION OF A FIRE STATION; CHAIRMAN AUTHORIZED TO EXECUTE ALL NECESSARY DOCUMENTS**

County Administrator Stephen M. Spratt recommended that a portion of Lealman Park be declared as surplus for use as a fire station; and further recommended approval of an agreement to sell/donate property with the Lealman Special Fire Control District, waiver of mineral rights reservation, approval of deed, and approval of an interlocal agreement with the Lealman Special Fire Control District for the construction of a fire station to be located in Lealman Park.

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

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#56 AMENDMENT NO. 1 TO ONGOING DESIGN PROFESSIONAL SERVICES AGREEMENTS WITH CBB ARCHITECTS; COLLMAN AND KARSKY ASSOCIATES, P.A.; HARPER PARTNERS, INC.; AND MASON BLAU AND ASSOCIATES, INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 adding \$100,000.00 to the Ongoing Design Professional Services Agreements with the following firms:

1. CBB Architects;
2. Collman and Karsky Associates, P.A.;
3. Harper Partners, Inc.; and
4. Mason Blau and Associates, Inc.;

and indicated that the amendment increases each original agreement of \$200,000.00 to a cumulative maximum not-to-exceed amount of \$300,000.00.

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

#57 AMENDMENT NO. 2 TO CONSTRUCTION MANAGEMENT AGREEMENT WITH PETER R. BROWN CONSTRUCTION, INC. FOR WEEDON ISLAND PRESERVE EDUCATION CENTER (PROJECT NO. 156) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 2 to the Construction Management Agreement negotiated with Peter R. Brown Construction, Inc. for the guaranteed maximum price (GMP) of \$924,259.00 for Phase II construction of the Weedon Island Preserve Education Center.

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

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#58 RECREATION LICENSE AGREEMENT WITH TIERRA VERDE COMMUNITY ASSOCIATION, INC., FOR A TEMPORARY BALL FIELD - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Recreation License Agreement with the Tierra Verde Community Association, Inc., for a temporary ball field.

Upon query by Commissioner Stewart regarding Dr. Richard Wilkes' participation in the construction of the temporary ball field, Real Estate Administrator Ellyn Kadel indicated that she would provide the Board with information regarding the funding source; that the association holding the license may allow outside groups to use the field and charge fees commensurate with the cost of maintenance; that no County monies would be expended, only the use of the property; and that the fees for unincorporated residents and municipal residents are the same.

Following discussion and input by Assistant County Administrator Jacob F. Stowers, Commissioner Harris moved, seconded by Commissioner Morroni and carried, that the recommendation of the County Administrator be approved.

#59 RESOLUTION NO. 02-130 ADOPTED SUPPLEMENTING FY 2002 GENERAL FUND BUDGET TO APPROPRIATE EARMARKED RECEIPTS FOR A PARTICULAR PURPOSE AS REQUESTED BY THE SHERIFF

County Administrator Stephen M. Spratt recommended adoption of a resolution supplementing the FY02 General Fund Budget to appropriate earmarked receipts for a particular purpose as requested by the Sheriff.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 02-130 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

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#60 RESOLUTION NO. 02-131 ADOPTED SUPPORTING THE TAMPA BAY REGIONAL PLANNING COUNCIL TO SEEK AN ECONOMIC DEVELOPMENT DISTRICT DESIGNATION FOR THE TAMPA BAY REGION; AND PROVIDING FOR AN EFFECTIVE DATE

County Administrator Stephen M. Spratt recommended adoption of a resolution supporting the Tampa Bay Regional Planning Council's effort to seek an economic development district designation for the Tampa Bay Region from the U.S. Economic Development Administration; and providing for an effective date.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 02-131 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

#61 APPOINTMENT OF STEVAN A. HALL TO PREQUALIFICATION COMMITTEE - APPROVED

County Administrator Stephen M. Spratt recommended approval of the appointment of Stevan A. Hall to the Prequalification Committee.

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

#62 PROPOSAL OF BOWEN KEPPIE TRAVEL ACCEPTED FOR TRAVEL SERVICES (BID NO. 012-551-P); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

Legal notice having been published and publisher's affidavit filed with the

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Clerk, County Administrator Stephen M. Spratt recommended that the proposal of Bowen Keppie Travel be accepted for travel services for an annual estimated expenditure not to exceed \$355,000.00 (24-month contract with two additional 12-month options of renewal beyond the primary contract period, at the same terms and conditions subject to availability of funds and 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 Harris expressed concern regarding the estimated annual transaction fee of \$20,000.00; whereupon, Mr. Spratt related that the travel agency will be held accountable for finding the lowest available fare, otherwise, the difference will be refunded to the County.

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

#63 CANCELLATION OF CONTRACT NO. 012-347-P WITH DEAF SERVICE CENTER OF PASCO-HERNANDO COUNTY INC., FOR HEARING IMPAIRED INTERPRETER SERVICES - APPROVED

County Administrator Stephen M. Spratt recommended that the Board approve cancellation of the contract with Deaf Service Center of Pasco-Hernando County, Inc., for hearing impaired interpreter services, with 60 days notice, as permitted under Paragraph 6 of the contract (amount of original Board award, \$100,000.00).

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

#64a SECOND OPTION OF RENEWAL WITH BUDD SECURITY FOR SECURITY GUARD SERVICES (BID NO. 978-0495-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF COUNTY ATTORNEY; FUTURE RENEWALS OF AGREEMENT TO BE APPROVED BY COUNTY ADMINISTRATOR

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PER COUNTY CODE

County Administrator Stephen M. Spratt recommended approval of a second option of renewal of the existing contract with Budd Security for security guard services for an additional 12 months at the same terms and conditions as awarded by the Board of County Commissioners, and allowance for contract price increases for each 12 month period in accordance with the Consumer Price Index (CPI) for the previous 12 months; estimated annual expenditure, which includes a 1.6 percent CPI increase, of \$736,600.00; current contract expires July 27, 2002; 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 authorized to renew contract following the second 12-month renewal period per County Code 2-176(F).

Following discussion and input by Director of General Services Carl M. Barron and Mr. Spratt, Commissioner Welch moved, seconded by Commissioner Morroni and carried, that the recommendation of the County Administrator be approved.

#64b OPTIONS OF RENEWAL WAIVED WITH RAY PERRY D/B/A DIRECT CORPORATE SERVICES AND ANTHONY K. GATLIFF FOR TITLE SEARCH SERVICES; OPTIONS OF RENEWAL WITH ADVANCED TITLE RESEARCH, INC., AND ACCU-SEARCH TITLE EXAMINATION FOR TITLE SEARCH SERVICES (BID NO. 990-0905-B) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENTS AFTER PROPER EXECUTION BY CONTRACTORS AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF COUNTY ATTORNEY; FUTURE RENEWALS OF AGREEMENTS TO BE APPROVED BY COUNTY ADMINISTRATOR PER COUNTY CODE

County Administrator Stephen M. Spratt recommended that the options of renewal with Ray Perry, d/b/a Direct Corporate Services, and Anthony K. Gatliff for title search services be waived; recommended approval of options of renewal with Advanced Title Research, Inc., and Accu-Search Title Examination for title search services for an additional 12 months at the same unit, prices, terms and conditions, at an annual estimated expenditure not to exceed \$60,000.00, effective October 13, 2002; recommended that the

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Chairman be authorized to sign agreements after proper execution by the contractors and written approval as to form by the Office of the County Attorney; and further recommended that future renewals of the agreements be approved by the County Administrator per County Code.

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

#65 OTHER ADMINISTRATIVE MATTERS

County Administrator Stephen M. Spratt reported that the tentative millages will be provided to the Property Appraiser's office by July 18, 2002, and the Trim Notice will be distributed by the Property Appraiser on August 9, 2002. He noted that the Gandy fire district's proposed millage rate increased from 2.161 to 2.394; and that the Tierra Verde fire district's proposed millage rate decreased from 1.500 to 1.299.

Mr. Spratt related that an agreement with St. Petersburg Junior College President Dr. Carl Kuttler for the executive loan of the services of Assistant County Administrator Rick Dodge was sent to the St. Petersburg College Board for its review on July 11, 2002.

#66 AUTHORITY FOR COUNTY ATTORNEY TO DEFEND

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the County Attorney be authorized to defend the County's interest in the following suits:

- a. Bank of America, etc. versus Doretha Beal, et al ? Circuit Civil Case No. 02-4602-CI-20 ? Mortgage Foreclosure Involving a Street Lighting Lien.
- b. Bank of America versus Jeannette Mack ? Circuit Civil Case No. 02-04203-CI ? Mortgage Foreclosure Involving a State

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Housing Initiatives Partnership Mortgage.

- c. The Bank of New York versus Tracy Steck - Circuit Civil Case No. 02-4555-CI-11 ? Mortgage Foreclosure Involving Welfare Lien.
- d. Citifinancial Mortgage Company, Inc. versus Georgette Lafalcia ? Circuit Civil Case No. 02-2303-CI-19 ? Mortgage Foreclosure Involving a Street Lighting Lien.
- e. Crown Bank, etc. versus John Steven Middaugh, et al ? Circuit Civil Case No. 02-4461-CI-7 - Mortgage Foreclosure Involving Lot Clearing Liens and a Street Lighting Lien.
- f. First Bank National Assoc., etc. versus Lawrence N. McRae, et al ? Circuit Civil Case No. 02-4701-CI-7 ? Mortgage Foreclosure Involving a Street Lighting Lien.
- g. Greenpoint Credit versus John J. Fisher, et al ? Circuit Civil Case No. 02-4623-CI ? Mortgage Foreclosure Involving a Street Lighting Lien and a Judgment for Fine and Costs.
- h. Irwin Mortgage Corporation versus Lamounte L. Johns, et al ? Circuit Civil Case No. 02-4404-CI-7 ? Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
- i. Ocwen Federal Bank, FSB versus Tammy J. Dominguez, etc., et al. ? Circuit Civil Case No. 02-4609-CI-15 ? Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
- j. Anthony Ballato versus Honorable Ray Ulmer, et al ? Case No. 8:02-CV-1022-T-30TGW ? Action Involving an Allegation of Denial of Due Process.

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- k. James F. Sanders versus Henry V. Gamez, et al. ? Circuit Civil Case No. 02-4363-CI-15 ? Mortgage Foreclosure Involving a Street Lighting Lien.
- l. Dean Phillip Sheets, as Personal Representative of the Estate of Marsha J. Sheets, Deceased, versus Daniel Brinkerhoff, Danny Glover d/b/a/ Glover Transport, Inc., State of Florida Department of Transportation, a Department of the State of Florida, and Pinellas County, Florida, a Political Subdivision of the State of Florida, Jointly and Severally ? Circuit Civil Case No. 02-4420-CI-20 ? Action Involving Allegations of Wrongful Death.
- m. Judith Batson Whiting versus City of Dunedin, Pinellas County, and Florida Department of Transportation ? Circuit Civil Case No. 02-4311-CI-11 ? Action Involving Pedestrian Accident.

#67a COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION AGAINST NADINE KNOWLES

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Morroni and carried, that the County Attorney be authorized to initiate litigation against Nadine Knowles on behalf of the Department of Environmental Management in order to obtain civil penalties for mangrove violations.

#67b COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION AGAINST ABEL E. MACIAS - RISK CLAIM NO. 01-64312

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Morroni and carried, that the County Attorney be authorized to initiate litigation against Abel E. Macias, Risk Claim No. 01-64312.

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#68 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION ON BEHALF OF AILEEN TYE IN THE CLAIM OF TYE VERSUS SOUTHERN COMFORT PARK, INC., HUD CASE NO. 04-01-1462, PCO NO. 01-0018 - HOUSING DISCRIMINATION COMPLAINT

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the County Attorney be authorized to initiate litigation on behalf of Aileen Tye in the claim of Tye versus Southern Comfort Park, Inc., Hud Case No. 04-01-1462, PCO No. 01-0018 - Housing Discrimination Complaint.

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

County Attorney Susan H. Churuti recommended that authorization be granted for the firm of Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A. to continue to employ Jury Selections, Inc. for the Great Monument Construction Company versus Pinellas County litigation, and to increase the limit of total fees to the amount of \$150,000.00

Responding to query by Commissioner Stewart regarding the fee increase, Mrs. Churuti reviewed the monetary risk of the litigation; and related the benefits of the consultant.

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

#70 AUTHORIZATION GRANTED FOR SETTLEMENT OF THE SUIT RE AMERICAN CHARITIES, ETC., ET AL, VERSUS PINELLAS COUNTY, ET AL, FEDERAL CASE

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NO. 8:97-CIV-2058-T-17TGW

County Attorney Susan H. Churuti recommended that authorization be granted for settlement of the suit re American Charities, etc., et al, versus Pinellas County, et al, Federal Case No. 8:97-CIV-2058-T-17TGW, as outlined in her confidential memorandum to the Board dated July 9, 2002.

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

#71 OFFER OF SETTLEMENT REJECTED IN CASE RE JODEE LYNN BRIMMER VERSUS THE SHERIFF OF PINELLAS COUNTY, FLORIDA, ET AL, CIRCUIT CIVIL CASE NO. 00-2994-CI-11, CLAIM NO. 96-48875

County Attorney Susan H. Churuti recommended that the offer of settlement be denied re Jodee Lynn Brimmer versus The Sheriff of Pinellas County, Florida, et al,

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Circuit Civil Case No. 00-2994-CI-11, Claim No. 96-48875, as outlined in her confidential memorandum to the Board dated July 9, 2002.

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

#72 OFFER OF SETTLEMENT REJECTED IN CASE RE TORRANCE MARSHALL VERSUS EVERETT S. RICE, SHERIFF OF PINELLAS COUNTY, IN HIS OFFICIAL CAPACITY AND ERIC GIBSON, INDIVIDUALLY, CASE NO. 8:01-CIV-2120-T-24MAP, CLAIM NO. 00-62029

County Attorney Susan H. Churuti recommended that the offer of settlement be denied re Torrance Marshall versus Everett S. Rice, Sheriff of Pinellas County, in his official capacity and Eric Gibson, individually, Case No. 8:01-CIV-2120-T-24MAP, Claim No. 00-62029, as outlined in her confidential memorandum to the Board dated July 9, 2002.

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

#73 OFFER OF SETTLEMENT REJECTED IN CASE RE PAMELA SARACENO VERSUS EVERETT S. RICE, SHERIFF OF PINELLAS COUNTY, FLORIDA - CIRCUIT CIVIL CASE NO. 01-7968-CI-21, CLAIM NO. 99-56995

County Attorney Susan H. Churuti recommended that the offer of settlement be denied re Pamela Saraceno versus Everett S. Rice, Sheriff of Pinellas County, Florida, Circuit Civil Case No. 01-7968-CI-21, Claim No. 99-56995, as outlined in her confidential memorandum to the Board dated July 9, 2002.

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

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#74 AUTHORIZATION GRANTED FOR SETTLEMENT IN CLAIM OF LARRY G. MACKOWIAK VERSUS PINELLAS COUNTY GOVERNMENT - WORKERS? COMPENSATION OJCC NO. 02-010003SPT

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the claim of Larry G. Mackowiak versus Pinellas County Government, Workers? Compensation OJCC No. 02-010003SPT, as outlined in her confidential memorandum to the Board dated July 9, 2002.

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

#75 AUTHORIZATION GRANTED FOR SETTLEMENT IN CLAIM OF THOMAS O'DONNELL VERSUS PINELLAS COUNTY GOVERNMENT - WORKERS COMPENSATION OJCC NO. 97-003776

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the claim of Thomas O'Donnell versus Pinellas County Government, Workers? Compensation OJCC No. 97-003776, as outlined in her confidential memorandum to the Board dated July 9, 2002.

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

#76 RESOLUTION NO. 02-132 ADOPTED APPROVING VOTING PRECINCT CHANGES AS RECOMMENDED BY SUPERVISOR OF ELECTIONS

County Attorney Susan H. Churuti recommended adoption of a resolution approving voting precinct changes and modifications of County Commission district lines. Supervisor of Elections Deborah Clark appeared and upon queries by the members, related that the modifications will reduce the total number of precincts by 23, thereby saving a minimum of \$60,000 per election; that an updated precinct map will be available upon Federal approval of the House district revised plans; and that new voter identification cards

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will be sent to every voter in Pinellas County to reflect the new district and precinct numbers.

Following discussion, Commissioner Harris moved, seconded by Commissioner Morrioni, that Resolution No. 02-132 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Latvala.

#77 COUNTY ATTORNEY MISCELLANEOUS - (1) FOLLOW UP RE PHIL FOSTER, (2) FORTHCOMING UPDATE RE LOCKHEED MARTIN LITIGATION, (3) FOLLOW UP RE DEPARTMENT OF TRANSPORTATION VERSUS FRANK KUNNEN

County Attorney Susan H. Churuti advised that regarding the Sequoia voting systems bidding process, Phil Foster has had all criminal charges against him dismissed.

Mrs. Churuti stated that an update from Carlton, Fields, Ward, Emmanuel, Smith and Cutler, P.A. will be provided on July 10, 2002 regarding the Lockheed Martin litigation; and that a court date is scheduled for August 21, 2002 on motions to compel discovery from Lockheed Martin.

Mrs. Churuti further noted that regarding the Department of Transportation versus Frank Kunnen litigation, a declaratory action and injunction to preclude any loss of access for the highway yard were filed on July 8, 2002.

#78 INFORMATION TECHNOLOGY BOARD ACTIVITIES

County Administrator Stephen M. Spratt introduced Information Technology Department Director (ITD) Alfred J. Leiser who referred to two handouts: *Systems and Programming Development Custom Oracle Applications and Reports* and *Oracle Implementation Enterprise Update*, copies of which have been filed and made a part of the record, and presented an update regarding recent ITD progress.

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In response to queries by the members, Mr. Leiser noted that the new mainframe is in place; that perspective Oracle programmers are currently being interviewed;

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that maintenance costs are approximately \$950,000.00 annually; and that it is estimated that the Board of County Commissioners and the entire Court system will be utilizing Oracle by December 2003 and 2005, respectively.

#79 LEALMAN INCORPORATION STUDY - TEMPORARILY DEFERRED TO MEETING OF JULY 23, 2002

#80 APPOINTMENTS AND REAPPOINTMENTS TO YOUTH ADVISORY COMMITTEE - APPROVED

Upon presentation by Chairman Todd, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the appointments and reappointments to the Youth Advisory Committee for the period from August 1, 2002 through July 21, 2003, as outlined in the agenda memorandum dated July 9, 2002, be approved.

#81a COMMISSIONER STEWART RE JOB CORPS

Commissioner Stewart presented an update regarding Job Corps.

#81b COMMISSIONER MORRONI RE VARIOUS MATTERS

Commissioner Morroni presented Your Penny's Worth Report regarding the Belcher Road extension from Tampa Road to Alderman Road; and extended his condolences to Chairman Todd.

#81c COMMISSIONER WELCH RE VARIOUS MATTERS

Commissioner Welch extended his condolences to Chairman Todd; and welcomed Congressman Jim Davis to Pinellas County.

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#81d COMMISSIONER HARRIS RE WATER CONSERVATION

Commissioner Harris presented a water conservation tip regarding lawn overwatering.

#81e CHAIRMAN TODD RE APPRECIATION TO COMMUNITY

Chairman Todd expressed her appreciation to the community for the sympathy that was extended to her and her family.

* * * *

Upon direction of the Chairman, there being no objection, the meeting was adjourned at 2:30 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk