

Clearwater, Florida, April 1, 2003

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 9:32 A.M. on this date with the following members present: Karen Williams Seel, Chairman; Susan Latvala, Vice-Chairman; Barbara Sheen Todd; Robert B. Stewart; Calvin D. Harris; John Morroni; and Kenneth T. Welch.

Absent: None.

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

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

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.

SCHEDULED PUBLIC HEARINGS – BCC

1. TEFRA Public Hearing on Proposed Issuance of Pinellas County Industrial Development Authority Revenue Bonds in an Aggregate Principal Amount Not to Exceed \$2,700,000.00 for Family Resources, Inc.

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COUNTYWIDE PLANNING AUTHORITY

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

SUBTHRESHOLD AMENDMENTS

2. a. Case #CW 03-19 – Clearwater.
Location – 0.84 Acre Located on the Northeast Corner of Drew Street and Anna Avenue.
Amendment from Commercial General to Residential/Office General.
- b. Case #CW 03-20 – Clearwater.
Location - 0.87 Acre Located on the Southwest Side of Windward Passage, 310 Feet North of Marina Way. Amendment from Commercial General to Residential Medium.
- c. Case #CW 03-24 - Pinellas County.
Location - 0.72 Acre Located on the Northeast Corner of U.S. Alternate Highway 19 and Blue Moon Boulevard. Amendment from Preservation to Residential/Office Limited.
- d. Case #CW 03-25 – Largo.
Location - 3.44 Acres Located on the East Side of Highland Avenue North, 230 Feet North of East Bay Drive. Amendment from Commercial General to Residential/Office General.
- e. Case #CW 03-26 – Largo.
Location - 1.50 Acres Located 1,960 Feet South of East Bay Drive, 1,610 Feet West of Starkey Road. Amendment from Residential Medium to Recreation/Open Space.
- f. Case #CW 03-27 – Largo.
Location - 8.65 Acres Located on the West Side of Seacrest Drive and North and South Sides of Barnsdale Drive, Camelot Drive, and Sherwood Drive. Amendment from Residential Medium to Residential Low Medium.
- g. Case #CW 03-28 – Largo.
Location - 8.28 Acres Located on the North and South Sides of Sherwood Drive and the East and West Sides of Jody Court and Debby Court. Amendment from Residential Medium to Residential Urban; Water/Drainage Feature Overlay.
- h. Case #CW 03-29 – Largo.
Location - 5.37 Acres Located 110 Feet South of 122nd Avenue North, 695 Feet East of Vonn Road. Amendment from Institutional to Institutional; Water/Drainage Feature Overlay.

REGULAR AMENDMENTS

3. a. Case #CW 03-21 – Clearwater.
Location - 1.83 Acres Located on the Northeast Side of Windward Passage, 230 Feet North of Marina Way. Amendment from Commercial General to Residential High.

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- b. Case #CW 02-39/03-22 – Clearwater.
Location - 22.18 Acres Located on the East Side of Chautauqua Avenue, From 103 Feet South of 2nd Avenue North to 2nd Avenue South. Amendment from Residential Suburban; Preservation; Water/Drainage Feature to Residential Low; Preservation; Water/Drainage Feature.
- c. Case #CW 03-23 - Pinellas County.
Location - 0.14 Acre Located on the West Side of Belcher Road, 80 Feet South of 14th Avenue Southeast. Amendment from Residential Low to Residential/Office Limited.

COUNTYWIDE RULES AMENDMENT

- 4. Consideration of PPC Resolution No. 03-2, Consisting of a Proposed Amendment to the Adopted Rules Concerning the Administration of the Countywide Future Land Use Plan, Providing for the Creation of a Process and Criteria for the Determination of Vested Rights.

WATER AND NAVIGATION

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

- 5. Multi-Use Dock Application M32262-02, Villaggio at Tierra Verde Owner's Association, Inc., c/o Island Path, LLC, 600 Pinellas Bayway Boulevard, Tierra Verde.
- 6. Commercial Dock Application CA30543-01/Revised-B, Frank Chivas a/k/a Salt Rock Grill, 19325 Gulf Boulevard, The Narrows, Indian Shores.
- 7. Private Dock Application P32446-02, Thomas and Suzanne Inzina, 405 Buttonwood Lane, Clearwater Harbor, Largo.
- 8. Dredge and Fill Application D/F-1384, City of St. Petersburg, 45th Avenue Drainage Canal, Smacks Bayou, St. Petersburg.
- 9. Dredge and Fill Application D/F-1187, City of Tarpon Springs, 11 Locations in and Around the Anclote River, Tarpon Springs.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

- 10. Approval of Minutes – Regular Meetings of March 4 and March 11, 2003.
- 11. Reports:
 - a. Dock Fee Report for the Month of February 2003.

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- b. Determination of Arbitrage Rebate Liability for Year Seven Dated November 8, 2002 for \$63,620,000.00 Pinellas County, Florida, Water Revenue and Refunding Bonds, Series 1995.
 - c. Pinellas County Property Appraiser Financial Statements for the Year Ended September 30, 2002, Together with Independent Auditor's Report.
 - d. Investment Report for the Quarter Ended December 31, 2002.
 - e. City of Safety Harbor Fire District Budget Summary FY 2003-2004.
 - f. Gandy Fire District Budget Summary FY 2003-2004.
 - g. Tierra Verde Fire District Budget Summary FY 2003-2004.
 - h. Transcript of Closing Documents for the \$86,580,000.00 Pinellas County, Florida, Sewer Revenue Bonds, Series 2003 Dated January 8, 2003.
12. Other Approvals
- a. General – None.
 - b. Vouchers and Bills Paid.
13. Miscellaneous Items to be Received for Filing:
- a. City of Belleair Beach Resolution No. 2003-01, Adopted March 3, 2003, Supporting a Pinellas County Ordinance Regarding Sale and Use of Fireworks.
 - b. City of Clearwater Notice of Public Hearings Regarding Annexation, Land Use Plan, Zoning Atlas and Rezoning Amendments, Regarding Ordinances Nos. 7107-03 through 7117-03, to be Held May 1, 2003.
 - c. City of Gulfport Notice that Ordinance No. 2002-19, Adopted December 3, 2002, was Approved in a Referendum Election Held March 4, 2003.
 - d. City of Largo Notice of Annexation Hearings Regarding Ordinances Nos. 2003-44 through 2003-48, and 2003-56, 2003-57 and 2003-60, Held March 11, 2003 and March 18, 2003, Respectively.
 - e. City of Oldsmar Resolution No. 2003-12 Adopted February 18, 2003, Supporting a Pinellas County Ordinance Regarding Sale and Use of Fireworks.
 - f. Correspondence from the City of Pinellas Park Regarding Two Ordinances Voluntarily Annexing Certain Property, Public Hearing Held March 27, 2003.
 - g. City of Safety Harbor Notice of Proposed Annexation Regarding Ordinance No. 2003-02, Public Hearing Held March 17, 2003.

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- h. City of St. Petersburg Notice of Public Hearing Regarding Tangerine Avenue Blight Study and Proposed Creation of Tangerine Avenue Community Redevelopment Area, Held March 13, 2003, Pursuant to Chapter 163.346, Florida Statutes.
- i. Eastlake Oaks Community Development District Minutes of Meeting Held December 4, 2002.
- j. One Item Related to Dock, Pier and Wharf Construction Contract Bonds.

COUNTY ADMINISTRATOR

Public Works

- 14. Approval of Award of Bids for:
 - a. Ridgecrest Park Fishing Pier.
 - b. Park Boulevard Bridge Control House Strengthening.
- 15. Release of Sureties and Acceptance of Easements.

Utilities

- 16. Approval of Award of Bids for:
 - a. 15" – 42" Sewer Interceptor Cured In Place Pipe Lining.
 - b. Meter Boxes (COOP).

Other Departments

- 17. Approval of Recommendation to Declare a County Owned Vehicle as Surplus and Authorize the Sale (Purchasing).
- 18. Approval of Recommendation to Declare Various Items of County Owned Equipment as Surplus and Authorize the Sale (Purchasing).
- 19. Approval of Recommendation to Declare Miscellaneous County Owned Equipment as Surplus, Authorize the Sale as Scrap Material, and Remove Stolen Items from the County Fixed Asset Inventory (Purchasing).

D. REGULAR AGENDA

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

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COUNTY ADMINISTRATOR

Public Works

21. Approval of the Offer to Sell Real Property for the Bear Creek Channel Improvement Project, Declare the Structure as Surplus and Authorization to Donate, Sell or Demolish the Structure Thereon and Dispose of any Personal Property.
22. Approval of Change Order No. 1 (Final) for the Year 2001 Resurfacing Contract.
23. Approval of a Request for a Quitclaim Deed Submitted by Curlew Baptist Church.
24. Adoption of a Resolution Authorizing the Transfer to the City of Oldsmar, by County Deed, the County's Interest in a Portion of Pine Avenue North Right-of-Way, from Forest Lakes Boulevard to Brooker Creek Preserve.
25. Approval of a Memorandum of Agreement with the Florida Department of Environmental Protection, Division of Recreation and Parks for the Honeymoon Island Beach Restoration Project.
26. Approval to Execute an Agreement to Provide Professional Engineering Services for the Keystone Road to U.S. Highway 19 East Lake Road Improvement Project.

Utilities

27. Adoption of a Resolution to Authorize Revisions to the Pinellas County Water System Policy Manual.
28. Adoption of a Resolution Authorizing the Expenditure of Solid Waste Funds for the Purchase of Refreshments and Door Prizes Associated with the 2003 Recycle Regatta.
29. Approval of an Award of Bid for Two-Inch Galvanized Water Main Replacement.
30. Approval of a Joint Project Agreement with Florida Power Corporation for Interruptible General Service at the South Cross Bayou Water Reclamation Facility.

Other Departments

31. Approval to Donate a Single-Family Condominium Unit to Catholic Charities Community Development Corporation, a Non-Profit Organization (Community Development).
32. Approval of the First Round of Neighborhood Enhancement Grant Projects (Community Development).
33. Approval of an Agreement to Acquire Parcel No. 08/30/15/70470/100/1604, Vacant Property within the Dansville Redevelopment Area (Community Development).
34. Approval of a Partial Release of Lien for Parcel No. 08/30/15/70470/100/1605, Improved Property within the Dansville Redevelopment Area (Community Development).

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35. Approval of the Demolition of Unsafe Structures Located at 5330 - 31st Street North in Unincorporated St. Petersburg (Environmental Management).
36. Approval of the Demolition of Unsafe Structures and the Clearing of the Property Located at 5790 61st Street North in Unincorporated St. Petersburg (Environmental Management).
37. Approval of the Purchase Authorization for Vehicles, 2003 (Fleet Management).
38. Approval of Award of Bid for the Chemical Water Treatment Services Program (General Services).
39. Approval of Amendment No. 2 to the Agreements for Ongoing Design Professional Services (General Services).
40. Approval of a Donation of Approximately 27 Acres of Land Adjacent to the Brooker Creek Preserve (General Services).
41. Adoption of a Resolution to Appropriate Earmarked Receipts for a Particular Purpose in the FY 2003 General Fund as Requested by the Sheriff (Management and Budget).
42. Approval of the Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm for Passenger Ferry Boat Service at Fort DeSoto Park (Park Department).
43. Approval of Award of Bid for Maintenance for Laser Printers (Purchasing).
44. Approval of Award of a Sole Source Contract with Sonitrol for Security Monitoring Services (Purchasing).
45. Approval of Authority to Advertise a Public Hearing on Proposed Revisions to the Purchasing Ordinance Relating to Small Purchases (Purchasing).
46. Adoption of an Amendment to Resolution No. 00-54 Authorizing the Expenditure of County Funds for the Cost of Meals for Members of the Social Action Funding Advisory Board (Social Services).
47. Approval of the First Option of Renewal with Albertson's, Inc. for Pharmacy Services (Social Services).
48. Other Administrative Matters.

COUNTY ATTORNEY

49. Authority for County Attorney to Defend:
 - a. BA Mortgage, LLC, etc., v. Brett Pokorny, etc., et al - Circuit Civil Case No. 03-811-CI-11 - Mortgage Foreclosure Involving a Subordinate Mortgage.
 - b. Bank of America v. James T. Murray, et al - Circuit Civil Case No. 03-722-CI-8 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.

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- c. Chase Manhattan Mortgage v. Sean Michael Davis, et al - Circuit Civil Case No. 03-792-CI-7 – Mortgage Foreclosure Involving a Street Lighting Lien.
- d. First Nationwide Mortgage Corporation v. Annie Daniels, etc., et al - Circuit Civil Case No. 03-853-CI-8 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
- e. The Leader Mortgage Company v. Ronald S. Layle, et al – Circuit Civil Case No. 03-689-CI-5 - Mortgage Foreclosure Involving a Subordinate Mortgage.
- f. Manufacturers and Traders Trust Company v. Wallace Smith, Jr., et al - Circuit Civil Case No. 03-913-CI-11 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Judgments for Fine and Costs.
- g. Mortgage Electronic Registration Systems, Inc. v. John E. Brodnax, et al - Circuit Civil Case No. 03-1574-CI-7 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
- h. Mortgage Electronic Registration Systems, Inc. v. Nancy C. Marushia, etc., et al - Circuit Civil Case No. 02-6704-CI-11 - Mortgage Foreclosure Involving a Judgment for Fine and Costs.
- i. Suntrust Mortgage, Inc. v. Catherine Britten, etc., et al - Circuit Civil Case No. 03-1568-CI-15 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
- j. Sandra Delancy v. Pinellas County Animal Services – Circuit Civil Case No. 03-1746-CO-39 – Injunction and Writ of Replevin Resulting from Quarantine of Dog Suspected of Biting Human.
- k. Valentin Ianev v. Everett Rice, as Sheriff of Pinellas County, and Michael Anthony, an Individual - Circuit Civil Case No. 03-690-CI-11 – Allegations of Personal Injury Due to Motor Vehicle Accident.
- l. Estate of Earlvin Todd Neal, by and through its Personal Representative, Angela Mica Neal v. Pinellas County Sheriff's Office, Everett S. Rice, Individually, and Michael C. Borland, Individually – Case No. 8:03-CV-247-T-17MAP – Allegations of Wrongful Death, Civil Rights Violations and Excessive Force.
- m. William Sandridge v. Diane Kacmarik, New World Communications of Kansas City, Inc., d/b/a WDAF-TV, Pinellas County Board of County Commissioners through its Members, et al, the Board of Police Commissioners of Kansas City, through its Members, et al – Case No. 03-0007-CV-2-ODS (U.S. District Court, Western District of Missouri) – Allegations of Violations to Rights of Privacy Secured by Federal and State Statutes.
- n. Hoover Santos v. Pinellas County, et al - Circuit Civil Case No. 03-1212-CI-19 – Allegations of Negligence in Personal Injuries as a Result of a Bicycle Fall Incident.

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- o. Stephen J. Spencer and Angela Spencer v. Pinellas County and Green Dolphin Park Condominium Association, Inc., a Not-for-Profit Corporation - Circuit Civil Case No. 03-1349-CI-7 – Claims of Trespass, Private Nuisance, Public Nuisance and Negligence Involving Alleged Damage.
- 50. Approval of a Contract for Special Counsel Agreement with Bradham, Blevins & Bayliss, P.A. in the Case of Earlvin Todd Neal, by and through its Personal Representative, Angela Mica Neal v. Pinellas County Sheriff's Office, Everett S. Rice, Individually and Michael C. Borland, Individually – Case No. 8:03-CV-247-T-17MAP – Allegations of Wrongful Death, Civil Rights Violations and Excessive Force.
- 51. Authority for the County to Initiate Litigation against Betty Ruth Martinez for Breach of Promissory Note – Risk Claim No. 99-56086.
- 52. Authority for the County to Initiate Litigation in the Case of Pinellas County Board of County Commissioners v. Edward Souza and Stephen and Veronica Beard – Risk Claim 02-67451 – Negligence in Operation of a Motor Vehicle.
- 53. Recommendation of a Settlement in Pinellas County, a Political Subdivision of the State of Florida v. Neighborly Senior Services, Inc. - Circuit Civil Case No. 03-125-CI-20.
- 54. Citizen's Review Board.
- 55. Adoption of Public Participation and Decorum Rules by Pinellas County.
- 56. Miscellaneous.

E. AUTHORITIES

COUNTYWIDE PLANNING AUTHORITY

- 57. Receipt and Acceptance of the Opportunities Summit Findings Report.
- 58. Approval of an Authorization to Execute an Agreement with the Pinellas Planning Council for Phase II, Part B Scope of Services.

ECONOMIC DEVELOPMENT

- 59. Approval of a Lease Agreement with KOTW, Inc. at the Young-Rainey STAR Center.

F. COUNTY ADMINISTRATOR REPORTS

- 60. None.

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G. COUNTY COMMISSION

61. Approval of an Appointment to the WorkNet Pinellas Board of Directors.
62. Approval of an Appointment to the Old Gandy Bridge Oversight Committee.
63. Miscellaneous.

ADJOURNMENT

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PROCLAMATION DECLARING WEEK OF APRIL 7 THROUGH APRIL 11, 2003
AS PUBLIC HEALTH WEEK

Chairman Seel presented a proclamation declaring the week of April 7 through April 11, 2003 as Public Health Week to Dr. John P. Heilman, Director, Pinellas County Health Department.

PROCLAMATION DECLARING APRIL 2003 AS CHILD ABUSE PREVENTION
MONTH

Chairman Seel presented a proclamation declaring April 2003 as Child Abuse Prevention Month to John Sanguinett, Chairperson, Abuse, Neglect and Dependency Committee, Juvenile Welfare Board.

PROCLAMATION DECLARING WEEK OF APRIL 6 THROUGH APRIL 13, 2003
AS NATIONAL COUNTY GOVERNMENT WEEK

Chairman Seel presented a proclamation declaring the week of April 6 through April 13, 2003 as National County Government Week to Norman Roche, Chairman, Employees' Advisory Council.

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PROCLAMATION DECLARING WEEK OF MAY 4 THROUGH MAY 10, 2003 AS
NATIONAL DRINKING WATER WEEK

Chairman Seel presented a proclamation declaring the week of May 4 through May 10, 2003 as National Drinking Water Week to Vestina Ford, Utilities Communications Solutions; whereupon, Ms. Ford detailed special activities that will take place during that week.

FEDERAL AVIATION ADMINISTRATION (FAA) "FEATHER IN THE CAP"
AWARD PRESENTED TO ST. PETERSBURG-CLEARWATER INTERNATIONAL
AIRPORT

Chairman Seel presented a "Feather in the Cap" award from the FAA recognizing the St. Petersburg-Clearwater International Airport to Airport Director David M. Metz; whereupon, Mr. Metz recognized Thomas Jewsbury, Richard Lesniak, Richard Rauscher and Nancy Pass.

CITIZENS TO BE HEARD

John Schestag, Ozona, referenced Clara Barton's struggle to found the Red Cross organization, and stated that he will continue his efforts to expose government corruption.

Cathy Corry, Ozona, expressed concern regarding government corruption.

- # 1 RESOLUTION NO. 03-54 ADOPTED APPROVING ISSUANCE OF NOT TO EXCEED \$2,700,000.00 PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE BONDS (FAMILY RESOURCES, INC. PROJECT), SERIES 2003, PURSUANT TO SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

Pursuant to legal notice published in the March 17, 2003 issue of the Hillsborough classified edition of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing (TEFRA) was held re consideration of the

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proposed issuance of not to exceed \$2,700,000.00 Pinellas County Industrial Development Authority Revenue Bonds (Family Resources, Inc. project), Series 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.

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

County Administrator Stephen M. Spratt recommended that a resolution be adopted approving issuance of not to exceed \$2,700,000.00 revenue bonds, Series 2003, by the Industrial Development Authority d/b/a the Pinellas County Economic Development Authority (Family Resources, Inc. project).

Commissioner Latvala moved, seconded by Commissioner Morroni, that Resolution No. 03-54 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2a CASE #CW 03-19, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL/OFFICE GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-20 ADOPTED

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

Pursuant to legal notice published in the March 2, 2003 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 03-19, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential/office general, re 0.84 acre located on the northeast corner of Drew Street and Anna Avenue (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Latvala moved, seconded by Commissioner Todd, that Ordinance No. 03-20 approving Case #CW 03-19 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2b CASE #CW 03-20, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL MEDIUM (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-20 ADOPTED

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

Pursuant to legal notice published in the March 2, 2003 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 03-20, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential medium, re 0.87 acre located on the southwest side of Windward Passage, 310 feet north of Marina Way (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.

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Commissioner Morroni moved, seconded by Commissioner Welch, that Ordinance No. 03-20 approving Case #CW 03-20 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2c CASE #CW 03-24, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM PRESERVATION TO RESIDENTIAL/OFFICE LIMITED (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-21 ADOPTED

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

Pursuant to legal notice published in the March 2, 2003 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 03-24, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from preservation to residential/office limited, re 0.72 acre located on the northeast corner of U.S. Alternate Highway 19 and Blue Moon Boulevard (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Latvala moved, seconded by Commissioner Todd, that Ordinance No. 03-21 approving Case #CW 03-24 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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2d CASE #CW 03-25, PROPOSAL BY THE CITY OF LARGO TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL/OFFICE GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-22 ADOPTED

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

Pursuant to legal notice published in the March 2, 2003 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 03-25, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential/office general, re 3.44 acres located on the east side of Highland Avenue North, 230 feet north of East Bay Drive (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Latvala moved, seconded by Commissioner Harris, that Ordinance No. 03-22 approving Case #CW 03-25 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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2e CASE #CW 03-26, PROPOSAL BY THE CITY OF LARGO TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO RECREATION/OPEN SPACE (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-22 ADOPTED

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

Pursuant to legal notice published in the March 2, 2003 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 03-26, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from residential medium to recreation/open space, re 1.50 acres located 1,960 feet south of East Bay Drive, 1,610 feet west of Starkey Road (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-22 approving Case #CW 03-26 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2f CASE #CW 03-27, PROPOSAL BY THE CITY OF LARGO TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO RESIDENTIAL LOW MEDIUM (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-22 ADOPTED

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Pursuant to legal notice published in the March 2, 2003 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 03-27, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from residential medium to residential low medium, re 8.65 acres located on the west side of Seacrest Drive and north and south sides of Barnsdale Drive, Camelot Drive and Sherwood Drive (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Morroni moved, seconded by Commissioner Harris, that Ordinance No. 03-22 approving Case #CW 03-27 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2g **CASE #CW 03-28, PROPOSAL BY THE CITY OF LARGO TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO RESIDENTIAL URBAN AND WATER/DRAINAGE FEATURE OVERLAY (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-22 ADOPTED**

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

Pursuant to legal notice published in the March 2, 2003 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 03-28, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from residential medium to residential urban and water/drainage feature overlay, re 8.28 acres

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located on the north and south sides of Sherwood Drive and the east and west sides of Jody Court and Debby Court (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Harris moved, seconded by Commissioner Welch, that Ordinance No. 03-22 approving Case #CW 03-28 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2h **CASE #CW 03-29, PROPOSAL BY THE CITY OF LARGO TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM INSTITUTIONAL TO INSTITUTIONAL AND WATER DRAINAGE FEATURE OVERLAY (SUBTHRESHOLD AMENDMENT) - TEMPORARILY DEFERRED TO MAY 6, 2003 MEETING**

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

Pursuant to legal notice published in the March 2, 2003 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 03-29, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from institutional to institutional and water/drainage feature overlay, re 5.37 acres located 110 feet south of 122nd Avenue North, 695 feet east of Vonn Road (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.

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County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) has continued the case to its April 16, 2003 meeting; and that the case will be rescheduled before the Authority on May 6.

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

Commissioner Todd moved, seconded by Commissioner Welch and carried, that Case #CW 03-29 be temporarily deferred to the May 6, 2003 meeting.

3a CASE #CW 03-21, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL HIGH (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 03-20 ADOPTED

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

Pursuant to legal notice published in the March 2, 2003 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 03-21, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential high, re 1.83 acres located on the northeast side of Windward Passage, 230 feet north of Marina Way (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; whereupon, Pinellas Planning Council Executive Director David P. Healey reviewed the factors considered during the PPC's review of the application; and noted that the PPC found the request consistent with the Countywide Plan rules and policies. In response to query by Commissioner Todd, Mr. Healey indicated that the Countywide Plan speaks to permitted use and intensity of use; and that design of the property including building height and setbacks are addressed at the local government level.

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City of Clearwater Planning Director Cyndi Tarapani provided additional information relative to the City's site plan review process; whereupon, Attorney Harry Cline indicated that he represents the land owners; and reiterated the comments of Mr. Healey and Ms. Tarapani.

In response to the Chairman's call for persons wishing to be heard, Albert Saykee appeared and stated his concerns regarding the potential building height.

Following discussion and input by Planning Director Brian Smith regarding Federal Emergency Management Agency (FEMA) requirements, Commissioner Harris moved, seconded by Commissioner Welch, that Ordinance No. 03-20 approving Case #CW 03-21 be adopted. Upon roll call the vote was:

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

Nays: None.

Absent and not voting: None.

3b **CASE #CW 02-39/03-22, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL SUBURBAN, PRESERVATION AND WATER/DRAINAGE FEATURE TO RESIDENTIAL LOW, PRESERVATION AND WATER/DRAINAGE FEATURE (REGULAR AMENDMENT) - DENIED; RESOLUTION NO. 03-55 ADOPTED**

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

Pursuant to legal notice published in the March 2, 2003 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 02-39/03-22, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from residential suburban, preservation and water/drainage feature to residential low, preservation and water/drainage feature, re 22.18 acres located on the east side of Chautauqua Avenue, from 103 feet south of Second Avenue North to Second Avenue South (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.

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County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation with the added conditions that should the density amendment be approved, provisions be made to minimize the character change to the area and the long term concurrency policies for U.S. Highway 19 be applied.

Pinellas Planning Council Executive Director David P. Healey reviewed the history of the application; and stated that the City of Clearwater proposes to extend Chautauqua Avenue to Enterprise Road in order to address access and safety concerns; whereupon, in response to queries by Commissioners Todd and Stewart, he added that contiguity can be established across a public right-of-way; and that the unincorporated areas to the north and south of the subject site could be annexed into the City of Clearwater upon the request of the property owners.

City of Clearwater Planning Director Cyndi Tarapani outlined the City's plan amendment and rezoning requests process; discussed access options; stated that the City believes the proposed improvements to Chautauqua Avenue mitigate the traffic impacts; and that the Department of Community Affairs (DCA) and the Florida Department of Transportation (FDOT) have indicated no objections to the proposal.

Attorney Harry Cline stated that he represents the property owner; that the request is compatible with the land use plan; that the traffic issue has been addressed; and that some of the current residents support the project; whereupon, Robert Pergolizzi, Florida Design Consultants, reported on FDOT improvements to U.S. Highway 19 that will improve traffic flow and safety in the area.

In response to the Chairman's call for opponents; the following persons appeared and stated their concerns:

Gina Signor, Clearwater
Brian Ganglehoff, Clearwater
Brenda Crum, Clearwater
Don Sutton, Clearwater

Alluding to the traffic issues raised by the opponents, Ms. Tarapani stated that the proposed access improvements will be park-like in design and include traffic calming measures to discourage cut-through traffic. In response to query by Commissioner Welch, she added that if the site were developed under the current density,

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some traffic mitigation would still be required; whereupon, Pinellas Planning Director Brian Smith explained the reasoning behind the conditions recommended by staff.

Following discussion, Commissioner Latvala moved, seconded by Commissioner Todd, that Resolution No. 03-55 denying Case #CW 02-39/03-22 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

3c CASE #CW 03-23, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO RESIDENTIAL/OFFICE LIMITED (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 03-21 ADOPTED

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

Pursuant to legal notice published in the March 2, 2003 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 03-23, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low to residential/office limited, re 0.14 acre located on the west side of Belcher Road, 80 feet south of 14th Avenue Southeast (regular amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the 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.

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Commissioner Todd moved, seconded by Commissioner Morroni, that Ordinance No. 03-21 approving Case #CW 03-23 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

4 CONSIDERATION OF PROPOSED ORDINANCE AMENDING RULES CONCERNING THE ADMINISTRATION OF THE COUNTYWIDE FUTURE LAND USE PLAN RE DETERMINATION OF VESTED RIGHTS; SECOND HEARING TO BE HELD APRIL 15, 2003

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

Pursuant to legal notice published in the March 2, 2003 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Rules concerning the administration of the Countywide Future Land Use Plan, providing for the creation of a process and criteria for the determination of vested rights. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt recommended that the Board review the ordinance, receive public comment and set a second public hearing for April 15, 2003; whereupon, Pinellas Planning Council Executive Director David P. Healey summarized the provisions of the proposed ordinance; and in response to query by Commissioner Todd, indicated that the amendment would not affect a citizen's right to fully participate in the process; and noted that a two-year time limit for filing an application for vested rights has been included in the ordinance.

In response to the Chairman's call for persons wishing to be heard, John Shestag, Ozona, appeared and voiced his concerns.

Following discussion and input by County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that a second public hearing be set for April 15, 2003.

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5 MULTI-USE DOCK APPLICATION M32262-02, VILLAGGIO AT TIERRA VERDE OWNERS' ASSOCIATION, INC., C/O ISLAND PATH, LLC, 600 PINELLAS BAYWAY BOULEVARD, TIERRA VERDE, TAMPA BAY - APPROVED

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

Pursuant to legal notice published in the February 14 and 21, 2003 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 M32262-02, Villaggio at Tierra Verde Owners' Association, Inc., c/o Island Path, LLC, 600 Pinellas Bayway Boulevard, Tierra Verde, Tampa Bay. 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 replace a 20-slip multi-use private dock with a 22-slip multi-use private dock in the Pine Key Cutoff located off 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 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 April 1, 2003, 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.

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

6 COMMERCIAL DOCK APPLICATION CA30543-01/REVISED-B, FRANK CHIVAS A/K/A SALT ROCK GRILL, 19325 GULF BOULEVARD, INDIAN SHORES, THE NARROWS - APPROVED

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

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Pursuant to legal notice published in the February 14 and 21, 2003 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Commercial Dock Application CA30543-01/Revised-B, Frank Chivas a/k/a Salt Rock Grill, 19325 Gulf Boulevard, Indian Shores, The Narrows. 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 a 12-slip dock was approved by the Authority on February 12, 2002; that the applicant wishes to redesign the proposed structure to create a 10-slip dock; 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, as indicated in his memorandum of April 1, 2003, 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.

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

7 PRIVATE DOCK APPLICATION P32446-02, THOMAS AND SUZANNE INZINA, 405 BUTTONWOOD LANE, LARGO, CLEARWATER HARBOR - APPROVED

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

Pursuant to legal notice published in the February 14 and 21, 2003 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Private Dock Application P32446-02, Thomas and Suzanne Inzina, 405 Buttonwood Lane, 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 the application has been received; and that the matter is properly before the Authority to be heard.

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County Administrator Stephen M. Spratt indicated that the applicant proposes to replace an existing dock and boat lift in the waters of the Intracoastal Waterway; 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 10 through 13, as indicated in his memorandum of April 1, 2003, 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.

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

8 DREDGE AND FILL APPLICATION D/F-1384, CITY OF ST. PETERSBURG, 45TH AVENUE DRAINAGE CANAL, ST. PETERSBURG, SMACKS BAYOU - APPROVED

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

Pursuant to legal notice published in the February 14 and 21, 2003 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-1384, City of St. Petersburg, 45th Avenue Drainage Canal, St. Petersburg, Smacks Bayou. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that one letter in favor of 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 the 45th Avenue drainage canal to restore navigability to residents; 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 10, 12 and 14, as indicated in his memorandum of

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April 1, 2003, which has been filed and made a part of the record, subject to the following condition:

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

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

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

9 DREDGE AND FILL APPLICATION D/F-1187, CITY OF TARPON SPRINGS, 11 LOCATIONS IN AND AROUND THE ANCLOTE RIVER, TARPON SPRINGS, ANCLOTE RIVER - APPROVED

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

Pursuant to legal notice published in the February 14 and 21, 2003 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-1187, City of Tarpon Springs, 11 locations in and around the Anclote River, Tarpon Springs, Anclote River. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that seven letters and one petition with 19 signatures in favor of and two letters and one package 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 dredge 11 locations in the Anclote River and surrounding bayous and lagoons; 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 10, 12 and 14, as indicated in his memorandum of

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April 1, 2003, which has been filed and made a part of the record, subject to the following condition:

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

Referring to an aerial map and photographs, Director of Environmental Management William M. Davis presented background information and stated that staff has traveled each of the affected waterways and no substantial environmental impacts were found.

In response to the Chairman's call for opponents, the following persons appeared and being duly sworn, stated their concerns:

Mary Quessenberry, Tarpon Springs
Barbara Hoffman, Tarpon Springs
John Schestag, Ozona
Henry Ross, Tarpon Springs
Robert Mossberg, Tarpon Springs

In response to the Chairman's call for proponents, the following persons appeared and being duly sworn, indicated their support:

Wallace Ericson, Tarpon Springs
Mark Mitchell, Tarpon Springs
Mark Keiser, Tarpon Springs
Russell St. Arnold, Tarpon Springs
Thomas Martell, Tarpon Springs

Joseph DiPasqua, City of Tarpon Springs Development Services Director, reported that the project has changed significantly since the original application was submitted in 1998; and that permits from the Florida Department of Environmental Protection and the Army Corps of Engineers have been issued.

In response to queries by Commissioners Todd and Latvala, Mr. Davis stated that numerous biological assessments have been performed; that the benthic communities will be temporarily disturbed, but will reestablish themselves; that oyster bars and mangroves will not be removed; and that some intermittent seagrass was found in only one of the channel areas.

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

* * * *

At the direction of the Chairman, there being no objection, the meeting was recessed at 12:00 P.M. and reconvened at 1:15 P.M.

* * * *

CONSENT AGENDA ITEMS NOS. 10 THROUGH 19 - APPROVED

Upon presentation by Chairman Seel, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the consent agenda, consisting of items Nos. 10 through 19, with the exception of item No. 18 which has been temporarily deferred, be approved as follows:

#10 APPROVAL OF MINUTES

Minutes of regular meetings of March 4 and March 11, 2003.

#11 REPORTS RECEIVED FOR FILING

- a. Dock Fee Report for the month of February 2003.
- b. Determination of Arbitrage Rebate Liability for Year Seven dated November 8, 2002 for \$63,620,000.00 Pinellas County, Florida, Water Revenue and Refunding Bonds, Series 1995.
- c. Pinellas County Property Appraiser Financial Statements for the year ended September 30, 2002, together with Independent Auditor's Report.

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- d. Investment Report for the quarter ended December 31, 2002.
- e. City of Safety Harbor Fire District Budget Summary FY 2003-2004.
- f. Gandy Fire District Budget Summary FY 2003-2004.
- g. Tierra Verde Fire District Budget Summary FY 2003-2004.
- h. Transcript of closing documents for the \$86,580,000.00 Pinellas County, Florida, Sewer Revenue Bonds, Series 2003 dated January 8, 2003.

#12 OTHER APPROVALS

- a. General - None
- b. Vouchers and Bills Paid
 - (1) Checks released for the period from March 3, 2003 through March 14, 2003, as follows:
 - Payroll Journal Expenditures
 - Payroll Journal page numbers 1 through 2692
 - Payroll checks numbered 501953 through 502519

 - Imprest Fund Expenditures
 - Manual checks numbered 686007 through 686027
 - System checks numbered 673130 through 674961

 - Wire transfers numbered 1000 through 1073

#13 MISCELLANEOUS ITEMS RECEIVED

- a. City of Belleair Beach Resolution No. 2003-01 adopted March 3, 2003, supporting a Pinellas County ordinance re sale and use of fireworks.

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- b. City of Clearwater Notice of Public Hearings re Annexation, Land Use Plan, Zoning Atlas and Rezoning Amendments re Ordinances Nos. 7107-03 through 7117-03 to be held May 1, 2003.
- c. City of Gulfport Notice that Ordinance No. 2002-19 adopted December 3, 2002 was approved in a referendum election held March 4, 2003.
- d. City of Largo Notice of Annexation Hearings re Ordinances Nos. 2003-44 through 2003-48 and 2003-56, 2003-57 and 2003-60 held March 11, 2003 and March 18, 2003, respectively.
- e. City of Oldsmar Resolution No. 2003-12 adopted February 18, 2003, supporting a Pinellas County ordinance regarding sale and use of fireworks.
- f. Correspondence from the City of Pinellas Park regarding two ordinances voluntarily annexing certain property, public hearing held March 27, 2003.
- g. City of Safety Harbor Notice of Proposed Annexation regarding Ordinance No. 2003-02, public hearing held March 17, 2003.
- h. City of St. Petersburg notice of public hearing regarding Tangerine Avenue Blight Study and proposed creation of Tangerine Avenue Community Redevelopment Area, held March 13, 2003, pursuant to Chapter 163.346, Florida Statutes.
- i. Eastlake Oaks Community Development District minutes of meeting held December 4, 2002.
- j. One item related to Dock, Pier and Wharf Construction Contract Bonds.

#14 AWARD OF BIDS

- a. Bid of Seaway Marine Contractors, Inc. for Ridgecrest Park Fishing Pier on the basis of being the lowest responsive, responsible bid received meeting specifications, in the amount of \$41,421.40 (PID No. 811) (Bid No. 023-298-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.
- b. Bid of Farneski Construction Company, Inc. for Park Boulevard Bridge Control House strengthening, on the basis of being the lowest responsive, responsible bid received meeting specifications, in the amount of \$57,980.00 (PID No. 000913) (Bid No. 023-325-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.

#15 SURETIES AND EASEMENTS

- a. Walgreens at Roosevelt and 58th Street
 1. Release of Completion Bond No. 929199764 in the amount of \$6,633.00 to Nom Largo, Ltd., 250 South Washington Street, Prattville, AL 36067.
- b. Hansel Innovations
 1. Release of Letter of Credit No. 231 in the amount of \$5,000.00 to Hansel Innovations, Inc., 1621 South Dover Road, Dover, FL 33527.
- c. Roesch House Movers, Inc.
 1. Release of funds in the amount of \$5,000.00 to Roesch House Movers, Inc., 13650 66th Street North, Largo, FL 33771, Attention: Mark Roesch.

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d. Rubin Roosevelt Office

1. Release Letter of Credit No. 1000415001-002 in the amount of \$3,779.60 to Rubin Roosevelt, Ltd., 15500 Roosevelt Boulevard, Suite 301, Clearwater, FL 33760.

e. T & B Excavating (02-0344)

1. Release of Completion Bond No. 25264210 in the amount of \$5,000.00 to T & B Excavating, 121 Meadowlark Lane, Clearwater, FL 33756, Attention: Taylor Bingham.

f. T & B Excavating (02-0346)

1. Release of Completion Bond No. 25264211 in the amount of \$5,000.00 to T & B Excavating, 121 Meadowlark Lane, Clearwater, FL 33756, Attention: Taylor Bingham.

g. Southern Ridge

1. Release of Completion Bond No. 11127442348 in the amount of \$159,786.00 to R. J. Bunbury Company, Inc., 14202 62nd Street, Clearwater, FL 33760.

h. Quality Boats of Clearwater

1. Release of Letter of Credit No. 9700001261 in the amount of \$5,060.27 to First National Bank of Florida, 1150 Cleveland Street, Clearwater, FL 33755, Attention: Gary Gray.

i. General Equity

1. Release of Letter of Credit No. 02.OD.04218 in the amount of \$8,184.00 to General Equity Associates, Inc., P.O. Box 12332, St. Petersburg, FL 33733.

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- j. Gilbert G. Jannelli
 - 1. Conservation easement accepted for recording.
- k. Masterson Holdings, LLC
 - 1. Conservation easement accepted for recording.

#16 AWARD OF BIDS

- a. Bid of Lanzo Lining Services, Inc. for 15-inch - 42-inch sewer interceptor cured in place pipe lining 2003/04, on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure in the amount of \$877,098.00 (Project No. 713-604117-1629) (Bid No. 023-319-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.
- b. Bid of Ferguson Waterworks for meter boxes, in the aggregate, at unit prices bid on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated annual expenditure not to exceed \$744,863.30 (Pinellas County's annual estimated expenditure, \$377,183.30) (Cooperative Bid No. 023-291-B); contract is for 12 months with one additional 12-month option of renewal to be exercised only if prices, terms and conditions remain the same, subject to availability of funds and County Administrator approval.

#17 DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR SALE OF SAME

The County-owned equipment is set forth in the County Administrator's memorandum dated April 1, 2003.

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#18 APPROVAL OF RECOMMENDATION TO DECLARE VARIOUS ITEMS OF COUNTY OWNED EQUIPMENT AS SURPLUS AND AUTHORIZE THE SALE - SEE ITEM NO. 20

#19 DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR LIQUIDATION OF SAME THROUGH SALES CONDUCTED BY TRADE MARK METALS RECYCLING WITH CONFIRMATION OF ITEMS TRADED, SCRAPPED/JUNKED, CANNIBALIZED OR UTILIZED TO REPAIR OTHER EQUIPMENT AND REMOVAL OF STOLEN ITEMS FROM COUNTY FIXED ASSET INVENTORY

Declaration of certain miscellaneous County-owned equipment as set forth in the agenda memorandum of April 1, 2003, a copy of which has been filed and made a part of the record.

#20 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT) - ITEM NO. 18 - TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt stated that agenda Item No. 18 has been temporarily deferred.

#21 AGREEMENT WITH BRUCE A. TANTISH, SR., TRUSTEE, AND INA M. TANTISH, TRUSTEE, FOR ACQUISITION OF PORTIONS OF LOTS 16 AND 17, BROOKWOOD SUBDIVISION, FOR THE BEAR CREEK CHANNEL IMPROVEMENT PROJECT (PID NO. 922306) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR DISPOSITION OF STRUCTURE AND PERSONAL PROPERTY THEREON AND FOR ISSUANCE OF NECESSARY CHECKS

County Administrator Stephen M. Spratt recommended approval of an agreement with Bruce A. Tantish, Sr., Trustee, and Ina M. Tantish, Trustee, for acquisition of portions of Lots 16 and 17, Brookwood Subdivision, Section 29, Township 31, Range 15 East (property address: 775 Brookwood Drive South, St. Petersburg), for the Bear Creek Channel Improvement Project, with authorization for the issuance of a check in the amount of \$69,500.00 in payment thereof, together with a check payable to

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Somers Title Company in the amount of \$749.62, 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 the Pinellas County Code.

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

#22 CONTRACT NO. 000503 WITH AJAX PAVING INDUSTRIES, INC. FOR YEAR 2001 RESURFACING CONTRACT ACCEPTED AS COMPLETE; CHANGE ORDER NO. 1 (FINAL) (BID NO. 001-1032-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended that Contract No. 000503 with Ajax Paving Industries, Inc. for the year 2001 resurfacing contract be accepted as complete as of January 26, 2002; and further recommended that Change Order No. 1 (Final), decreasing the contract by \$47,072.36 (new total contract, \$515,303.04), be approved.

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

Following discussion and input from Director of Engineering Jan Herbst and upon call for the vote, the motion carried unanimously.

#23 QUITCLAIM DEED SUBMITTED BY CURLEW BAPTIST CHURCH REPRESENTED BY PENNY GARDNER, FOR 6.0-FOOT UTILITY EASEMENTS ON LOTS 19 THROUGH 24, LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 28 SOUTH, RANGE 16 EAST - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR THE CLERK TO ATTEST AND ACCEPT FOR RECORDING

County Administrator Stephen M. Spratt recommended approval of a quitclaim deed submitted by Curlew Baptist Church represented by Penny L. Gardner, for 6.0-foot utility easements on Lots 19 through 24, Lake Highland Estates, located in the northwest quarter of Section 18, Township 28 South, Range 16 East (Case No. 1139) (street address: 2276 Curlew Road, Palm Harbor), with authorization for the Clerk to attest and accept for recording.

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

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

#24 RESOLUTION NO. 03-56 ADOPTED AUTHORIZING TRANSFER TO THE CITY OF OLDSMAR BY COUNTY DEED, SIGNED BY THE CHAIRMAN, ATTESTED AND RECORDED BY THE CLERK, OF THE COUNTY'S INTEREST IN A PORTION OF PINE AVENUE NORTH RIGHT-OF-WAY, AS RECORDED IN O.R. BOOK 4950, PAGES 1263 THROUGH 1266, FROM FOREST LAKES BOULEVARD TO BROOKER CREEK PRESERVE, IN SECTIONS 11 AND 14, TOWNSHIP 28 SOUTH, RANGE 16 EAST; COUNTY DEED - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR THE CLERK TO ATTEST AND ACCEPT FOR RECORDING

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing transfer to the City of Oldsmar by County deed, signed by the Chairman, attested and recorded by the Clerk, of the County's interest in a portion of Pine Avenue North right-of-way, as recorded in O.R. Book 4950, pages 1263 through 1266, from Forest Lakes Boulevard to Brooker Creek Preserve, in Sections 11 and 14, Township 28 South, Range 16 East; with authorization for the Chairman to sign the County deed and for the Clerk to attest and accept for recording.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 03-56 be adopted as recommended; and that the County Deed be approved for execution with authorization for the Clerk to attest and accept for recording. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#25 MEMORANDUM OF AGREEMENT (MOA) WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF RECREATION AND PARKS (DRP) FOR THE HONEYMOON ISLAND BEACH RESTORATION PROJECT (DEP CONTRACT NO. DC371) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Memorandum of Agreement with the Florida Department of Environmental Protection, Division of Recreation and Parks to provide additional funding for the Honeymoon Island Beach Restoration Project.

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

Following discussion and input from Director of Engineering Jan Herbst, upon call for the vote, the motion carried unanimously.

#26 AGREEMENT WITH OWEN AYRES & ASSOCIATES, INC. D/B/A AYRES ASSOCIATES, INC. FOR CONSULTANT SERVICES FOR KEYSTONE ROAD (C.R. 582), U.S. HIGHWAY 19 TO EAST LAKE ROAD AND FRED MARQUIS PINELLAS TRAIL NORTHEAST EXTENSION (CIP NO. 920522) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with Owen Ayres & Associates, Inc. d/b/a Ayres Associates, Inc. for consultant services for Keystone Road (C.R. 582), U.S. Highway 19 to East Lake Road and Fred Marquis Pinellas Trail Northeast Extension, for a fee not to exceed \$959,893.00 and a contingency services amount of \$95,989.00, for a total contract amount not to exceed \$1,055,882.00.

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

Responding to query by Commissioner Stewart, Director of Engineering Jan Herbst indicated that the amount of funding from Transportation Impact Fees is \$3,000,000.00; and that she will ascertain whether the dollars are already in the fund or are anticipated over the time period before construction takes place.

Upon call for the vote, the motion carried unanimously.

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* * * *

Later in the meeting, Commissioner Stewart announced that he had been informed that the amount of \$3,000,000.00 in Transportation Impact Fees represents projections of anticipated income over the next several years until the construction year 2006.

* * * *

#27 RESOLUTION NO. 03-57 ADOPTED AUTHORIZING REVISIONS TO THE PINELLAS COUNTY WATER SYSTEM POLICY MANUAL

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing revisions to the Pinellas County Water System Policy Manual to enable Pinellas County Utilities to accept credit/debit cards as a form of payment for an estimated annual expense of \$32,301.00 (estimated start-up expense, \$2,500.00), and retitling the document as “Pinellas County Utilities Policy Manual.”

Commissioner Harris moved, seconded by Commissioner Todd, that Resolution No. 03-57 be adopted as recommended.

Responding to queries by the members, Director of Utilities Pick Talley indicated that a report can be provided to the members after one year regarding use of the credit/debit cards and possible savings; and that he will provide information regarding the type of software to be used when payments will be accepted over the Internet in the future. Following discussion and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#28 **RESOLUTION NO. 03-58 ADOPTED AUTHORIZING THE EXPENDITURE OF SOLID WASTE FUNDS FOR THE PURCHASE OF REFRESHMENTS AND DOOR PRIZES ASSOCIATED WITH THE 2003 RECYCLE REGATTA, UNDER THE PROVISIONS OF PINELLAS COUNTY CODE SECTION 2-145, TITLED EXPENDITURES OF FUNDS FOR INCENTIVES, AWARDS AND RECRUITMENT**

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing the expenditure of Solid Waste funds for the purchase of refreshments and door prizes associated with the 2003 Recycle Regatta, under the provisions of Pinellas County Code Section 2-145, titled expenditures of funds for incentives, awards and recruitment, with a not to exceed amount of \$2,500.00 for the 2003 Recycle Regatta and an increase, not to exceed five percent annually in subsequent years, subject to available budget appropriations.

Commissioner Latvala moved, seconded by Commissioner Todd, that Resolution No. 03-58 be adopted as recommended. Following discussion and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#29 **BIDS OF WESTRA CONSTRUCTION CORPORATION, MASTEC NORTH AMERICA, INC., ROWLAND INC., DAVID NELSON CONSTRUCTION COMPANY, KAMMINGA & ROODVOETS, INC. AND CORNERSTONE BUSINESSES INC. ACCEPTED FOR TWO-INCH GALVANIZED WATER MAIN REPLACEMENT, PROJECT NO. 653-901814-1634 (BID NO. 023-176-C); CHAIRMAN AUTHORIZED TO SIGN AGREEMENTS AFTER PROPER EXECUTION BY CONTRACTORS AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY**

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bids of Westra Construction Corporation in the amount of \$4,481,885.00; Mastec North America, Inc. in the amount of \$5,282,845.00; Rowland Inc. in the amount of \$5,345,157.50; David Nelson Construction Company in the amount of \$5,448,106.00; Kamminga & Roodvoets, Inc. in the amount of \$5,577,965.00; and Cornerstone Businesses Inc. in the amount of

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\$5,697,717.60; be accepted for the two-inch galvanized water main replacement, on the basis of being the lowest responsive, responsible bids received meeting specifications; that the addition of \$1,000,000.00 to each of the above contracts for work within the scope of the agreement and at the unit prices bid be approved; and further recommended that the Chairman be authorized to sign the agreements after proper execution by the contractors and written approval as to form by the Office of the County Attorney.

Commissioner Latvala moved, seconded by Commissioner Todd, that the recommendations of the County Administrator be approved.

Responding to queries by the members, Director of Utilities Pick Talley discussed the source of funds and the use of six contractors for the project.

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

Following the vote, in response to query by Commissioner Morroni, Mr. Talley indicated that he will furnish information regarding the status of another unrelated project by Westra Construction Corporation.

#30 JOINT PROJECT AGREEMENT (JPA) WITH FLORIDA POWER CORPORATION TO FURNISH AND RECEIVE ELECTRIC SERVICE AND ENERGY AT SOUTH CROSS BAYOU WATER RECLAMATION FACILITY - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Joint Project Agreement (JPA) with Florida Power Corporation to furnish and receive electric service and energy at South Cross Bayou Water Reclamation Facility for interruptible general service at an estimated annual savings of \$246,000.00.

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

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#31 DECLARATION OF PARCEL NO. 21/30/16/85082/000/0278 AS SURPLUS - APPROVED WITH AUTHORIZATION TO DONATE TO CATHOLIC CHARITIES COMMUNITY DEVELOPMENT CORPORATION, RELEASE MINERAL RIGHTS AND EXECUTE COUNTY DEED

County Administrator Stephen M. Spratt recommended that Parcel No. 21/30/16/85082/000/0278 be declared surplus with authorization to donate the residential property located at 4994 Jonquil Place, Pinellas Park, to Catholic Charities Community Development Corporation subject to the execution of a mortgage and promissory note; to release mineral rights; and for the Chairman to execute and the Clerk to attest the County deed.

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

Following discussion and input from Lawrence E. Woodard, Community Development Department, and upon call for the vote, the motion carried unanimously.

#32 RESOLUTION NO. 03-59 ADOPTED APPROVING THE 2002-2003 FIRST ROUND PROPOSALS RECOMMENDED FOR FUNDING UNDER THE NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM; WITH AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO SIGN CONTRACTS WITH GRANT RECIPIENTS

County Administrator Stephen M. Spratt recommended adoption of a resolution approving the 2002-2003 first round proposals recommended for funding under the Neighborhood Enhancement Grant Program (22 projects totaling \$158,675.00), with authorization for the County Administrator to sign contracts with the grant recipients.

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

Responding to query by Chairman Seel, Patricia A. Tyrer, Community Development Department, explained the grant application process and related time frame.

Following discussion and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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- #33 AGREEMENT WITH SARAH B. THOMAS A/K/A SARAH BELL THOMAS, PERSONAL REPRESENTATIVE FOR THE ESTATE OF WILLIE J. THOMAS, SR., FOR ACQUISITION OF PARCEL NO. 08/30/15/70470/100/1604, A VACANT LOT LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT (PID NO. 720) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of an agreement with Sarah B. Thomas a/k/a Sarah Bell Thomas, Personal Representative for the Estate of Willie J. Thomas, Sr., for the acquisition of Parcel No. 08/30/15/70470/100/1604, a vacant lot lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, with authorization for issuance of the necessary check in payment thereof.

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

- #34 PARTIAL RELEASE OF LIEN TO IRENE GARDNER FOR PARCEL NO. 08/30/15/70470/100/1605, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a partial release of lien to Irene Gardner for Parcel No. 08/30/15/70470/100/1605, improved property lying within the Dansville Redevelopment Area.

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

- #35 RESOLUTION NO. 03-60 ADOPTED AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO DEMOLISH UNSAFE BUILDINGS WITHIN THE LEGAL BOUNDARIES OF PINELLAS COUNTY, FLORIDA

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing the Department of Environmental Management to demolish unsafe buildings within the legal boundaries of Pinellas County, Florida, regarding an unsafe

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single family dwelling and detached garage located at 5330 31st Street North, unincorporated St. Petersburg, Florida.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 03-60 be adopted as recommended. Following discussion and input from Director of Environmental Management William M. Davis and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#36 RESOLUTION NO. 03-61 AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO DEMOLISH UNSAFE BUILDINGS WITHIN THE LEGAL BOUNDARIES OF PINELLAS COUNTY, FLORIDA

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing the Department of Environmental Management to demolish unsafe buildings within the legal boundaries of Pinellas County, Florida, regarding an unsafe single family dwelling, detached garage, and removal of all other attractive nuisances from the property located at 5790 61st Street North, unincorporated St. Petersburg, Florida.

Commissioner Welch moved, seconded by Commissioner Latvala, that Resolution No. 03-61 be adopted as recommended. Following discussion and input from Director of Environmental Management William M. Davis and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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- #37 AUTHORIZATION GRANTED TO PURCHASE 70 VEHICLES FROM ALAN JAY CHEVROLET, OLDSMOBILE, CADILLAC, INC., ATLANTIC TRUCK CENTER, CLASSIC CHEVROLET, DON REID FORD, DUVAL FORD, GARBER CHEVROLET, INC., MAROONE CHEVROLET, LLC, AND McCOTTER FORD, INC. PER FLORIDA SHERIFFS ASSOCIATION AND FLORIDA ASSOCIATION OF COUNTIES CONTRACT NO. 02-10-0826 (BID NO. 023-149-B)
-

County Administrator Stephen M. Spratt recommended that authorization be granted to purchase 70 vehicles from Alan Jay Chevrolet, Oldsmobile, Cadillac, Inc., Atlantic Truck Center, Classic Chevrolet, Don Reid Ford, Duval Ford, Garber Chevrolet, Inc., Maroone Chevrolet, LLC and McCotter Ford, Inc. per the Florida Sheriffs Association and Florida Association of Counties Contract No. 02-10-0826, for an estimated expenditure not to exceed \$1,376,304.00.

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

- #38 BID OF AMERICAN TECHNICAL SERVICE OF CENTRAL FLORIDA, INC. ACCEPTED FOR CHEMICAL WATER TREATMENT SERVICES PROGRAM, FACILITY MANAGEMENT (BID NO. 023-189-B); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY; BID OF CASCADE WATER SERVICES - REJECTED; CASCADE WATER SERVICES DEBARRED FROM PARTICIPATING IN PINELLAS COUNTY BID PROCESS FOR A PERIOD OF THREE YEARS
-

County Administrator Stephen M. Spratt recommended that the bid of American Technical Service of Central Florida be accepted for the chemical water treatment services program, Facility Management, on the basis of being the lowest responsive and responsible bid received meeting specifications, for an estimated 24-month expenditure not to exceed \$49,296.00; contingency amount, \$10,000.00 (total estimated 24-month expenditure not to exceed \$59,296.00) (24-month contract with two additional 12-month options for renewal, with each renewal allowing for a price adjustment based on the Consumer Price Index, All Urban Consumers, or five percent, whichever is less and approved by the County Administrator); 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; and further recommended that

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the bid of Cascade Water Services be rejected as nonresponsible for failure to meet ethical standards required under Pinellas County Code Section 2-161 (a)(1)(c); and that Cascade Water Services be debarred from participating in the Pinellas County bid process for a period of three years as per Pinellas County Code Section 2-161.

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

#39 AMENDMENTS NO. 2 TO AGREEMENTS DATED OCTOBER 16, 2000 WITH GLE-CBB, INC., COLLMAN AND KARSKY ASSOCIATES, P.A., HARPER PARTNERS, INC., AND MASON BLAU AND ASSOCIATES, INC. FOR ONGOING DESIGN PROFESSIONAL SERVICES - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendments No. 2 to agreements dated October 16, 2000 with GLE-CBB, Inc., Collman and Karsky Associates, P.A., Harper Partners, Inc. and Mason Blau and Associates, Inc. for ongoing design professional services, increasing the cumulative maximum limit for each of the four firms to \$750,000.00.

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

#40 DONATION BY WAL-MART STORES EAST, INC. OF APPROXIMATELY 27 ACRES OF VACANT LAND ADJACENT TO BROOKER CREEK PRESERVE - ACCEPTED

County Administrator Stephen M. Spratt recommended acceptance of the donation by Wal-Mart Stores East, Inc. of approximately 27 acres of land adjacent to Brooker Creek Preserve.

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

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#41 RESOLUTION NO. 03-62 ADOPTED SUPPLEMENTING FY 2003 GENERAL FUND BUDGET - SHERIFF (LAW ENFORCEMENT TRUST FUND)

County Administrator Stephen M. Spratt recommended approval of a resolution to appropriate earmarked receipts for a particular purpose in the FY 2003 General Fund as requested by the Sheriff.

Commissioner Morroni moved, seconded by Commissioner Harris, that Resolution No. 03-62 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#42 TAMPA BAY FERRY SELECTED TO PROVIDE PASSENGER FERRY BOAT SERVICE, PARK DEPARTMENT (BID NO. 012-901-P); 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 passenger ferry boat service, Park Department, as follows:

Tampa Bay Ferry
HoverCraft USA
Gulf Coast Fast Ferry Service, LLC

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

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

Responding to query by Commissioner Welch, Senior Assistant County Attorney Jewel White Cole provided an update regarding jurisdiction related to docking rights.

Following discussion and input from Park Department Director Elizabeth Warren and Assistant Director Joseph T. Lupardus regarding the customer base for the

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passenger service and the time frame of the contract, upon call for the vote, the motion carried unanimously.

Following the vote, in response to query by Commissioner Welch, Attorney White Cole discussed the parameters of the noise ordinance and enforcement issues.

#43 **BIDS OF FLORIDA OFFICE MACHINES AND EN POINTE TECHNOLOGIES SALES, INC. ACCEPTED FOR LASER PRINTER MAINTENANCE AND FOR PURCHASE OF TONER CARTRIDGES, RESPECTIVELY; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH FLORIDA OFFICE MACHINES AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY; BIDS OF BLAIR BUSINESS MACHINES, TEC-AMERICA, INC. AND TOTAL SOLUTIONS REJECTED**

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bids of Florida Office Machines and En Pointe Technologies Sales, Inc. be accepted for laser printer maintenance and for the purchase of toner cartridges, respectively, on the basis of being the lowest responsive, responsible bids received meeting specifications, for an estimated annual expenditure not to exceed \$160,569.50 (Florida Office Machines, \$135,072.00; En Pointe Technologies Sales, Inc., \$25,497.50); that the Chairman be authorized to sign the agreement with Florida Office Machines after proper execution by the contractor (no agreement required for En Pointe Technologies Sales, Inc.) and written approval as to form by the Office of the County Attorney; and that the bids of Blair Business Machines, Tec-America, Inc. and Total Solutions be rejected as nonresponsive for not meeting specifications.

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

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#44 SOLE SOURCE CONTRACT WITH SONITROL FOR SECURITY MONITORING SERVICES (CONTRACT NO. 023-278-N) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a sole source contract with Sonitrol for security monitoring services for an estimated annual expenditure not to exceed \$33,353.00 (estimated five-year expenditure not to exceed \$166,765.00).

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

#45 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING REGARDING PROPOSED REVISIONS TO THE PURCHASING ORDINANCE RELATING TO SMALL PURCHASES

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held regarding proposed revisions to the Purchasing Ordinance relating to small purchases, which will enable a subsequent increase to the purchasing card transaction limit up to \$2,000.00.

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

Following discussion and input from Director of Purchasing Joseph Lauro and upon call for the vote, the motion carried unanimously.

#46 RESOLUTION NO. 03-63 ADOPTED AUTHORIZING THE EXPENDITURE OF COUNTY FUNDS FOR THE COST OF MEALS FOR MEMBERS OF THE SOCIAL ACTION FUNDING ADVISORY BOARD, DELETING ALL REFERENCES TO THE MENTAL HEALTH FUNDING ADVISORY BOARD, AMENDING THE TOTAL AMOUNT TO BE EXPENDED, AMENDING THE NUMBER OF DELIBERATIONS FROM FIVE TO EIGHT DAYS PER ANNUM, AND AMENDING WHO MAY CALL THE MEETING OF THE SOCIAL ACTION FUNDING ADVISORY BOARD

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing the expenditure of County funds for the cost of meals for members of the Social Action Funding Advisory Board, deleting all references to the Mental Health Funding Advisory Board, amending the total amount to be expended, amending

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the number of deliberations from five to eight days per annum, and amending who may call the meeting of the Social Action Funding Advisory Board.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 03-63 be adopted as recommended. Following discussion and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

* * * *

At this time, 2:04 P.M., Commissioner Latvala left the meeting.

* * * *

#47 FIRST OPTION OF RENEWAL TO CONTRACT NO. 001-0325-P WITH ALBERTSON'S, INC. FOR PHARMACY SERVICES - 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 first option of renewal of the contract with Albertson's, Inc. for pharmacy services, for an annual estimated expenditure in the amount of \$3,500,000.00 for the period from April 27, 2003 through April 26, 2004 (first of two 12-month options of renewal); and further recommended that authorization be granted for the Chairman to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney, and for the County Administrator to renew this contract, after the first renewal period has been completed, per County Code 2-176(F).

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

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

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#48 OTHER ADMINISTRATIVE MATTERS

County Administrator Stephen M. Spratt indicated that he has no other matters to be presented this date under “Other Administrative Matters.”

#49 COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY’S INTEREST

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

- a. BA Mortgage, LLC, etc. versus Brett Pokorny, etc., et al., Circuit Civil Case No. 03-811-CI-11 - Mortgage Foreclosure Involving a Subordinate Mortgage.
- b. Bank of America versus James T. Murray, et al., Circuit Civil Case No. 03-722-CI-8 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
- c. Chase Manhattan Mortgage versus Sean Michael Davis, et al., Circuit Civil Case No. 03-792-CI-7 - Mortgage Foreclosure Involving a Street Lighting Lien.
- d. First Nationwide Mortgage Corporation versus Annie Daniels, etc., et al., Circuit Civil Case No. 03-853-CI-8 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
- e. The Leader Mortgage Company versus Ronald S. Layle, et al., Circuit Civil Case No. 03-689-CI-5 - Mortgage Foreclosure Involving a Subordinate Mortgage.
- f. Manufacturers & Traders Trust Company versus Wallace Smith, Jr., et al., Circuit Civil Case No. 03-913-CI-11 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.

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- g. Mortgage Electronic Registration Systems, Inc. versus John E. Brodnax, et al., Circuit Civil Case No. 03-1574-CI-7 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
- h. Mortgage Electronic Registration Systems, Inc. versus Nancy C. Marushia, etc., et al., Circuit Civil Case No. 02-6704-CI-11 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.
- i. Suntrust Mortgage, Inc. versus Catherine Britten, etc., et al., Circuit Civil Case No. 03-1568-CI-15 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
- j. Sandra Delancy versus Pinellas County Animal Services, Circuit Civil Case No. 03-1746-CO-39 - Injunction and Writ of Replevin Resulting from Quarantine of Dog Suspected of Biting Human.
- k. Valentin Ianev versus Everett Rice, as Sheriff of Pinellas County, and Michael Anthony, an Individual, Circuit Civil Case No. 03-690-CI-11 - Allegations of Personal Injury Due to Motor Vehicle Accident.
- l. Estate of Earlvin Todd Neal, by and through its Personal Representative, Angela Mica Neal versus Pinellas County Sheriff's Office, Everett S. Rice, Individually, and Michael C. Borland, Individually, Case No. 8:03-CV-247-T-17MAP, Claim No. 02-72227 - Allegations of Wrongful Death, Civil Rights Violations and Excessive Force.
- m. William Sandridge versus Diane Kacmarik, New World Communications of Kansas City, Inc., d/b/a WDAF-TV, Pinellas County Board of County Commissioners through its Members, et al., the Board of Police Commissioners of Kansas City through its Members, et al., Case No. 03-0007-CV-2-ODS (U.S. District Court, Western District of Missouri) - Allegations of Violations to Rights of Privacy Secured by Federal and State Statutes.

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- n. Hoover Santos versus Pinellas County, et al., Circuit Civil Case No. 03-1212-CI-19 - Allegations of Negligence in Personal Injuries as a Result of a Bicycle Fall Incident.
- o. Stephen J. Spencer and Angela Spencer versus Pinellas County and Green Dolphin Park Condominium Association, Inc., a Not-for-Profit Corporation, Circuit Civil Case No. 03-1349-CI-7 - Claims of Trespass, Private Nuisance, Public Nuisance and Negligence Involving Alleged Damage.

#50 SPECIAL COUNSEL CONTRACT WITH BRADHAM, BLEVINS & BAYLISS, P.A. IN THE CASE OF EARLVIN TODD NEAL, BY AND THROUGH ITS PERSONAL REPRESENTATIVE, ANGELA MICA NEAL VERSUS PINELLAS COUNTY SHERIFF'S OFFICE, EVERETT S. RICE, INDIVIDUALLY AND MICHAEL C. BORLAND, INDIVIDUALLY, CASE NO. 8:03-CV-247-T-17MAP - ALLEGATIONS OF WRONGFUL DEATH, CIVIL RIGHTS VIOLATIONS AND EXCESSIVE FORCE - APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of a special counsel contract with Bradham, Blevins & Bayliss, P.A. in the case of Earlvin Todd Neal, by and through its personal representative, Angela Mica Neal versus Pinellas County Sheriff's Office, Everett S. Rice, Individually and Michael C. Borland, Individually, Case No. 8:03-CV-247-T-17MAP.

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

#51 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION AGAINST BETTY RUTH MARTINEZ FOR BREACH OF PROMISSORY NOTE - RISK CLAIM NO. 99-56086

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 Betty Ruth Martinez, Risk Claim No. 99-56086 - Breach of Promissory Note.

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#52 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION IN THE CASE OF PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS VERSUS EDWARD SOUZA AND STEPHEN AND VERONICA BEARD, RISK CLAIM 02-67451 - NEGLIGENCE IN OPERATION OF A MOTOR VEHICLE

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Welch moved, seconded by Commissioner Morroni and carried, that the County Attorney be authorized to initiate litigation in the case of Pinellas County Board of County Commissioners versus Edward Souza and Stephen and Veronica Beard, Risk Claim 02-67451 - Negligence in Operation of a Motor Vehicle.

#53 AUTHORIZATION GRANTED FOR SETTLEMENT OF THE SUIT IN PINELLAS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA VERSUS NEIGHBORLY SENIOR SERVICES, INC., CIRCUIT CIVIL CASE NO. 03-1257-CI-20

County Attorney Susan H. Churuti recommended that authorization be granted for settlement of the suit regarding Pinellas County, a Political Subdivision of the State of Florida versus Neighborly Senior Services, Inc., Circuit Civil Case No. 03-1257-CI-20, as outlined in her confidential memorandum to the Board dated April 1, 2003.

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

* * * *

At this time, 2:08 P.M., Commissioner Latvala returned to the meeting.

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#54 CITIZENS' REVIEW BOARD

County Attorney Susan H. Churuti recommended that the Board decline to create a Citizens' Review Board exercising jurisdiction over the Sheriff.

Commissioner Welch moved, seconded by Commissioner Latvala, that the recommendation of the County Attorney be approved; whereupon, Commissioner Welch

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noted for the record that the St. Petersburg Citizens' Review Board does not have jurisdiction over the police administration and acts only in an advisory capacity; and the County Attorney indicated that the Sheriff is a Constitutional Officer not subject to the Board's jurisdiction.

Upon call for the vote, the motion carried unanimously.

#55 PUBLIC PARTICIPATION AND DECORUM RULES BY PINELLAS COUNTY - TEMPORARILY DEFERRED

County Attorney Susan H. Churuti recommended that the Board adopt the Pinellas County Commission Public Participation and Decorum Rules, a copy of which has been filed and made a part of the record.

Following discussion in which the members debated the relevance of citizens' disclosure of home addresses and restrictions regarding audience applause, the three-minute limit, and speaking more than once on the same subject within a 30-day period, the County Attorney agreed to submit a revised set of rules for discussion at a future Board meeting.

#56 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#57 OPPORTUNITIES SUMMIT FINDINGS REPORT - RECEIVED AND ACCEPTED

Noting for the record that the Board is now sitting as the Countywide Planning Authority, County Administrator Stephen M. Spratt recommended that the Authority receive and accept the Opportunities Summit Findings Report as recommended by the Pinellas Planning Council (PPC).

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

In response to Commissioner Latvala's concern regarding acceptance by the local governments, the County Administrator suggested that land development and

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permit regulations could be streamlined and made more compatible to encourage local government participation; whereupon, Assistant County Administrator Jacob F. Stowers indicated that the findings report concepts and models could be adopted by the PPC as part of the Countywide Plan, and individually implemented by the municipalities.

In response to query by Commissioner Stewart, Mr. Stowers indicated that the Pinellas Assembly will be involved in the redevelopment process; whereupon, Commissioner Stewart suggested that coordination is needed to avoid overlapping of efforts by the different entities.

Upon call for the vote, the motion carried unanimously.

#58 AUTHORIZATION GRANTED FOR EXECUTION OF AGREEMENT WITH PINELLAS PLANNING COUNCIL CONCERNING PHASE II, PART B SCOPE OF SERVICES OF THE REDEVELOPMENT PROJECT

Noting for the record that the Board is now sitting as the Countywide Planning Authority, County Administrator Stephen M. Spratt recommended that the Authority authorize the execution of an agreement with the Pinellas Planning Council (PPC) for Phase II of the Redevelopment Project in the amount of \$396,000.00 (County's share, \$198,000.00).

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

In response to query by Commissioner Stewart, David P. Healey, Executive Director, PPC, indicated that funding of Phase II will be shared between the County and the PPC; that 40 percent of the County's portion is included in the current Economic Development fiscal year budget and that the other 60 percent will be requested in its 2004 fiscal budget.

Upon call for the vote, the motion carried unanimously.

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#59 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A ECONOMIC DEVELOPMENT AUTHORITY AND KOTW, INC. AT THE YOUNG-RAINEY STAR CENTER - APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Economic Development Authority, County Administrator Stephen M. Spratt recommended approval of a Lease Agreement between the Economic Development Authority and KOTW, Inc. at the Young-Rainey STAR Center, for a term of three years commencing April 1, 2003 and ending March 31, 2006, with a monthly rental payment in the amount of \$275.63 (including seven percent sales tax) and providing for a rental increase subject to a minimum of six percent and a maximum of 18 percent for 276 square feet of office space.

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

#60a 2003 LEGISLATIVE SESSION REPORT

County Administrator Stephen M. Spratt distributed Assistant County Administrator Elithia V. Stanfield's 2003 Session Report No. 2, a copy of which has been filed and made a part of the record.

#60b PROPOSED ANNEXATION LEGISLATION

Gordon R. Beardslee, General Planning Administrator, related that he had participated in a conference call with staff from other counties and the Florida Association of Counties (FAC) on March 28, 2003 in which proposed annexation legislation suggested by State Senator Constantine was discussed.

County Administrator Stephen M. Spratt referred to documents regarding specific annexation incentives and his draft of a community protection act relating to exemption from annexation, copies of which have been filed and made a part of the record; whereupon, following discussion, Commissioner Todd requested that Mr. Spratt return with more recommendations at a future Board meeting.

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#60c UPDATE ON WATER TRANSMISSION LINE REPAIR ACTIVITY

Director of Utilities Pick Talley summarized actions taken following the March 20, 2003 pipeline break. He reported that the pipeline will be back in service on April 2; and indicated that communication procedures will be revised so that city officials are notified directly regarding water emergencies.

In response to queries by Commissioners Latvala and Welch regarding a coliform bacteria incident which preceded the pipeline break, Mr. Talley indicated that a new blending facility would probably resolve the problem and will be discussed at a future Board meeting; that a blending system is essential; and that current plans for an enhanced treatment plant could be delayed following the construction of a detention and blending facility.

#61 APPOINTMENT OF RUSSELL LEGGETTE TO THE WORKNET PINELLAS BOARD OF DIRECTORS - APPROVED

Upon motion by Commissioner Todd, seconded by Commissioner Welch and carried, the appointment of Russell Leggette to the WorkNet Pinellas Board of Directors under the mandatory category of "Organized Labor" as recommended by Local Union 123, Plumbers, Pipefitters, HVAC Refrigeration and as approved by the WorkNet Pinellas Board of Directors at its meeting on March 19, 2003 was approved.

#62 APPOINTMENT OF COMMISSIONER JOHN MORRONI TO THE OLD GANDY BRIDGE OVERSIGHT COMMITTEE - APPROVED

Upon motion by Commissioner Harris, seconded by Commissioner Latvala and carried, the appointment of Commissioner John Morroni to replace Commissioner Barbara Sheen Todd on the Old Gandy Bridge Oversight Committee was approved.

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#63a COMMISSIONER MORRONI RE U.S. HIGHWAY 19 SIGNAGE

Commissioner Morroni expressed appreciation to Chairman Seel for the new address signs along U.S. Highway 19.

#63b COMMISSIONER HARRIS RE VARIOUS MATTERS

Commissioner Harris welcomed Commissioner Morroni to the Old Gandy Bridge Oversight Committee; announced plans for power boat races in Tampa Bay in October; and offered a water conservation tip regarding cleaning of driveways and sidewalks.

#63c COMMISSIONER LATVALA RE CODE ENFORCEMENT

Commissioner Latvala requested a work session concerning code enforcement policies; whereupon, County Administrator Stephen M. Spratt reported on plans to assemble a citizen-based code enforcement task force.

#63d COMMISSIONER STEWART RE VARIOUS MATTERS

Commissioner Stewart congratulated the Tampa Bay Devil Rays and Coach Lou Piniella for winning the season opener; reported on the proposed County reorganization plan as it affects the botanical gardens and the Cooperative Extension; and indicated that financing of the Keystone Road improvements and the Gulf Beautification Project is scheduled for discussion at the April 15 BCC meeting.

#63e COMMISSIONER TODD RE PUBLIC TECHNOLOGY, INC. ANNUAL CONFERENCE

Commissioner Todd announced that the Public Technology, Inc. annual conference will be held in Miami the week of April 7 and encouraged the Commissioners to attend.

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#63f COMMISSIONER WELCH RE SEARCHES FOR WORKNET AND INFORMATION TECHNOLOGY (IT) DIRECTORS

Commissioner Welch announced that approximately 70 applications have been received for the WorkNet Director position; and that the Information Technology Board will search for an IT Director rather than a Chief Information Officer.

#63g CHAIRMAN SEEL RE VARIOUS MATTERS

Chairman Seel reported on the Chapter 164 conflict resolution process and the City of Largo; a discussion regarding Lealman boundaries scheduled for April 15; and a proposed new radio system. She commended Ronnie Goodstein, Director of Public Affairs, and her staff for a report regarding Citizens University; and congratulated Tampa Mayor-Elect Pam Iorio.

* * * *

Upon direction of the Chairman, there being no objection, the meeting was adjourned at 4:00 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk