

Clearwater, Florida, May 6, 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: Susan Latvala, Vice-Chairman; Barbara Sheen Todd; Robert B. Stewart; Calvin D. Harris; John Morroni; and Kenneth T. Welch.

Absent: Karen Williams Seel, Chairman.

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

Pastor Tom Hamilton, Feather Sound Community Church, Clearwater, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Todd.

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 Yellow 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. Proposed Ordinance Amending the Purchasing Ordinance Relating to Small Purchases.
2. Proposed Ordinance Amending the Water and Navigation Control Authority Ordinance.

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3. Approval of the Tentative (First) Assessment Roll and Adoption of a Resolution for Drainage Improvements to Hidden Meadows Subdivision, Rear of Lots 12 and 18, and the Garland Subdivision between Lots 8 and 9.
4. Proposed Ordinance for the Establishment of a Slow Speed/No Wake Zone for the Waters of Tara Cay Channel.
5. Petition to Vacate Submitted by James P. Graham, III, and Lynae M. Graham, for the North 2.0 Feet of a 10.0-Foot Utility Easement on Lot 64 in the Seminole Pines Subdivision Phase 1.
6. Petition to Vacate Submitted by Martin Ziesman, Jamal Qandil and Ishaq Abu-Ayyash for a 6.0-Foot by 51.33-Foot by 4.22-Foot by 94.38-Foot by 1.85-Foot by 145.71-Foot Portion of a 6.0-Foot Utility Easement on Lots 1 through 4 in the Ken-Tre Addition to Pinellas Park, Florida, Located in the Southeast quarter of Section 31, Township 30 South, Range 16 East.

Planning and Zoning Applications Heard by the Examiner:

7. a. Z/LU-3-4-02
Application of Pinellas County Extension through Judy Yates, Pinellas County Extension, Representative, for a Zoning Change from R-3, Single Family Residential to PSP, Public/Semi-Public and a Land Use Change from Residential Low to Recreation/Open Space on Approximately 0.833 Acre on the West Side of 119th Street North, 1,200 Feet South of Ulmertown Road (Street Address: 12700 119th Street North) (Parcel ID No. 09-30-15-00000-240-0600).
- b. Z/LU-3-11-02
Application of Lorraine and Patrick Carrier, c/o W. Langston Holland, Esquire, through C. Randolph Wedding, Wedding, Stephenson and Ibarquen, Architects, Inc., Representative, for a Zoning Change from C-2, General Retail Commercial and Limited Services and A-E, Agricultural Estate Residential to RPD-5, Residential Planned Development 5-Units Per Acre and a Land Use Change from Commercial Recreation to Residential Low on Approximately 16.6 Acres Located on the North Side of Gandy Boulevard, 1,555 Feet East of Brighton Bay Boulevard Northeast (Parcels ID Nos. 17-30-17-28620-001-0020 and 17-30-17-00000-420-0200).
- c. LU-22-11-02
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Residential Estate to Preservation-Resource Management on Approximately 10.088 Acres Located ½ Mile Due South of the Southern Terminus of Ranch Road (Parcel ID No. 23-27-16-00000-240-0100).
- d. Z/LU-5-8-00
Application of Dorothy A. Mainella through Brian Morton Hicks, c/o The Storage House, and Keith E. Zayac, P.E., Representatives, to Amend and Reinstate a Previously Approved Developer's Agreement on Approximately 2.76 Acres Located on the North Side of 54th Avenue North, 135 Feet West of 64th Street North (Street Address: 6415 54th Avenue North) (Parcel ID No. 32-30-16-65700-000-0080).

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- e. Z/LU-2-11-02
Application of Nireus Corporation and Gene and Faye Russelo through Herbert Elliott, Representative, for a Zoning Change from C-2, General Retail Commercial and Limited Services, A-E, Agricultural Estate Residential and R-4, One, Two or Three Family Residential to CR, Commercial Recreation, a Land Use Change from Residential Suburban, Commercial Recreation and Residential Estate to Commercial Recreation and a Developer's Agreement on Approximately 3.4 Acres on the Westerly Side of Anclote Road, 900 Feet South of the Pasco County Line (Street Address: 1155 Anclote Road) (Parcels ID Nos. 02-27-15-00954-002-0020 and 02-27-15-00954-002-0021).
- f. Z/LU-1-4-03
Application of Skylark R.O. Association, Inc., through Ed Armstrong, c/o Johnson, Blakely, Pope, Bokor, Ruppel and Burns, Representative, for a Zoning Change from R-6, Mobile Home Parks and Subdivisions to C-2, General Retail Commercial and Limited Services District, a Land Use Change from Residential Urban and Transportation/Utility to Commercial General and Transportation/Utility and a Developer's Agreement on Approximately 13.04 Acres on the Northeast Corner of State Road 580 and Summerdale Drive (Street Address: 2526 S.R. 580 East) (Parcel ID No. 30-28-16-82694-000-0002).
- g. Z/LU-3-10-02 (Withdrawn)
Application of R2 Property Co., Ltd., Inc. through Keith E. Zayac, P.E., Representative, for a Change of Zoning from R-6, Mobile Home Parks and Subdivisions to C-2, General Retail Commercial and Limited Services District, a Land Use Change from Residential Medium to Commercial General and a Developer's Agreement on Approximately 4.97 Acres on the Southeast Corner of 54th Avenue North and Haines Road (Also Known As 2500 54th Avenue North, Parcel ID No. 02-31-16-00000-110-0100).

PROPOSED ORDINANCES AMENDING THE COUNTY COMPREHENSIVE PLAN.

- 8. An Ordinance Adopting a New Element, "Planning to Stay."
- 9. An Ordinance Amending Table 4 of the Future Land Use Element.
- 10. An Ordinance Amending the Transportation Element.
- 11. An Ordinance Amending the Goals, Objectives and Policies of the Recreation and Open Space Element, the Coastal Management Element, and the Natural, Historical and Cultural Resources Element.
- 12. An Ordinance Amending the Capital Improvements Element.

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COUNTYWIDE PLANNING AUTHORITY

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

SUBTHRESHOLD AMENDMENTS

13. a. 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.
- b. Case #CW 03-33 – Pinellas County.
Location – 0.8 Acre Located on the Northeast Corner of 54th Avenue North and 26th Street North. Amendment from Residential Low to Commercial General.
- c. Case #CW 03-34 – St. Petersburg.
Location - 0.2 Acre Located 130 Feet West of 4th Street North, between 76th Avenue North and 77th Avenue North. Amendment from Residential/Office General to Residential/Office/Retail.
- d. Case #CW 03-35 – St. Petersburg.
Location - 0.2 Acre Located on the North Side of 50th Avenue North, 125 Feet West of 4th Street North. Amendment from Residential Medium to Residential/Office/Retail.
- e. Case #CW 03-37 – Pinellas Park.
Location - 0.3 Acre Located on the Northwest Corner of 92nd Avenue North and 66th Street North. Amendment from Residential Low Medium to Commercial General.

REGULAR AMENDMENTS

14. a. Case #CW 03-30 – Tarpon Springs (To Be Continued).
Location - 1.4 Acres Located on the North Side of Athens Street from Hibiscus Street to Safford Avenue. Amendment from Residential Urban to Commercial Limited.
- b. Case #CW 03-31 – Dunedin (To Be Continued).
Location – 17.1 Acres Located on the Southwest Corner of U.S. Highway 19 and Congress Avenue. Amendment from Residential Low Medium; Preservation; Resort Facilities Overlay; Undesignated to Residential Low; Residential Low Medium; Commercial General; Preservation.
- c. Case #CW 03-32 - Pinellas County.
Location - 0.3 Acre Located on the East Side of McMullen-Booth Road, 357 Feet North of Gulf-to-Bay Boulevard. Amendment from Residential Medium to Residential/Office Limited.
- d. Case #CW03-36 – Largo (To Be Continued).
Location – 40.2 Acres Located on the Northwest Corner of 142nd Avenue North and 58th Street North. Amendment from Industrial Limited to Residential Urban.

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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 and Navigation Items, Please be Prepared to Stand and Take the Oath When Requested to do so by the Clerk.

15. Dredge and Fill Application D/F-1397/Revised, Indian Springs Marina, 15151 113th Avenue, The Narrows, Largo.
16. Commercial Dock Application CD32276-02/Revised-A, Indian Springs Marina, 15151 113th Avenue, The Narrows, Largo.
17. Commercial Dock Application CC32494-03, City of Clearwater, Pier 60, West End of Memorial Causeway, Clearwater Beach, Gulf of Mexico, Clearwater.
18. Commercial Dock Application CD32629-03, Carlouel Yacht Club, 1091 Eldorado Avenue, Clearwater Harbor, Clearwater.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

19. Approval of Minutes of the Regular Meeting of April 1, 2003.
20. Reports:
 - a. Dock Fee Report for the Month of March 2003.
 - b. Quarterly Report of Routine Dock Permits Issued from January 1, 2003 through March 31, 2003.
 - c. Southwest Florida Water Management District Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2002, Including Supplementary Financial Statements Pursuant to Office of Management Budget Circular A-133 and Management Letter Pursuant to Rules of the Auditor General, State of Florida, with the Annual Local Government Financial Report for Fiscal Year 2001 – 2002.
 - d. Pinellas County Sheriff's Office Florida Contraband Forfeiture Semiannual Report for the Period of October 1, 2002 through March 31, 2003, Submitted Pursuant to Section 932.705(8)(a), Florida Statutes.
 - e. Pinellas County Metropolitan Planning Organization Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2002.
 - f. Complete Summary Appraisal of 6.53 Acre Parcel of Lakeshore along Lake Chautauqua, Located South of Enterprise Road and Generally East of Platted First Street East, Unincorporated Pinellas County, Florida.

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- g. Complete Summary Appraisal of a 13.168 Tract of Vacant Land Generally Located along the West Side of East Lake Road, Approximately 457 Feet South of the Pinellas/Pasco County Line, Pinellas County, Florida.
 - h. Complete Appraisal of a 13.168 Gross Acre Site, Shaffer Property, Southwest Corner of East Lake Road and Grey Oaks Boulevard, Tarpon Springs, Pinellas County, Florida, File No. 08020903.
 - i. Office of the Clerk of the Circuit Court Audit of Pinellas Public Library Cooperative Report Dated April 17, 2003, Together with a Copy of Audit Watch, a Newsletter-Style Summary of the Audit Report.
21. a. General – None.
- b. Vouchers and Bills Paid.
22. Miscellaneous Items to be Received for Filing:
- a. Florida Public Service Commission Order No. PSC-03-0400-PCO-EI, Approving Mid-Course Correction to Fuel and Purchased Power Cost Recovery Factors Issued March 24, 2003, Regarding Docket No. 030001-EI.
 - b. Court Fiscal Year 2004 Annual Operating and Capital Budget Projections.
 - c. Clerk of the Circuit Court Financial Statements for Year Ended September 30, 2002, with Independent Auditor's Report.
 - d. Pinellas Planning Council Operating Procedures Amended March 19, 2003.
 - e. City of Largo Resolution No. 1807 Adopted April 1, 2003, Regarding the Creation of Countywide "Challenge" Recreation Program.
 - f. City of Largo Notice of Change of Land Use and Annexation Public Hearing Regarding Ordinance No. 2003-54 Held April 1, 2003.
 - g. Correspondence from City of Pinellas Park Regarding Ordinance Voluntarily Annexing Certain Property; Public Hearing Held April 24, 2003.
 - h. City of Seminole Ordinances Nos. 6-2003 through 8-2003, Including Lists of Annexed Properties, Effective March 11, 2003.
 - i. Pinellas Park Water Management District Minutes of Meeting No. 5 Held February 20, 2003, Together with Financial Statement Dated February 2003.
 - j. Resolutions Supporting a Pinellas County Ordinance Regarding the Sale and Use of Fireworks:
 - 1. City of Belleair Beach, No. 2003-01, Adopted March 3, 2003.

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2. City of Clearwater, No. 03-11, Adopted February 5, 2003.
3. City of Dunedin, No. 03-08, Adopted March 6, 2003.
4. City of Indian Rocks Beach, No. 2003-44, Adopted March 25, 2003.
5. City of Largo, No. 1806, Adopted March 18, 2003.
6. City of St. Petersburg, No. 2003-82, Adopted February 13, 2003.
7. City of Seminole, No. 2003-05, Adopted February 11, 2003.
8. City of Treasure Island, No. 03-17, Adopted February 11, 2003.
9. Pinellas Police Standards Council, No. 2002-10, Dated December 11, 2002.
10. Mayors' Council of Pinellas County Florida, Dated January 29, 2003.

COUNTY ADMINISTRATOR

Public Works

23. Approval to Accept, Execute and Record Easement Agreements, Accept Drainage and Sidewalk Easements for Recording, Release and Accept Sureties, Accept Plat for Recording, Execute and Record Sanitary Sewer Easement, and Adopt a Resolution Designating an Area of County-Owned Property as Road Right-of-Way.
24. Approval of an Award of Bid for 137th Street Pipe Replacement from Pinecrest Drive North to Joyce Drive North.

Utilities

25. Adoption of a Resolution Authorizing the Expenditure of Utilities Funds for the Purchase of Microwaves and Refrigerators on an As-Needed Basis.
26. Approval of an Award of Bid for Ridge Road Sanitary Sewer Replacement.
27. Approval of Change Order No. 2 (Final) for Improvements to Pump Stations Nos. 23, 54, 63, and 66, the Indian Rocks Pump Station, and Release of Retainage.
28. Approval of Change Order No. 1 (Final) for the Reclaimed Water Distribution System for the Towns of Redington Beach, Redington Shores and North Redington Beach, and Release of Retainage.

Other Departments

29. Approval of a Partial Release of Judgment Lien against Estelle Saunders, a/k/a Baby Sister (Community Development).

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30. Approval of an Exchange of Drainage and Utility Easements (Community Development) with:
 - a. Leroy and Agnes Campbell.
 - b. Annie Mary Hill.
31. Approval of an Agreement to Acquire Two Vacant Parcels in the Dansville Redevelopment Area (Community Development).
32. Adoption of a Resolution for Assessment of Liens against Lands Cleared (Environmental Management).
33. Approval of an Award of Bid for Interior Painting Services (Facility Management).
34. Approval to Declare Two Stevenson Creek Lots as Surplus, Establish Base Bids, Grant Authorization to Sell, and Grant Permission to Advertise (General Services).
35. Approval of the Eighteenth Lease Amendment with Community Service Foundation, Inc. (General Services).
36. Approval of Change Order No. 1 to the Construction Management Agreement for the New Medical Examiner's Facility and Forensic Center (General Services).
37. Adoption of a Resolution Authorizing the Expenditure of Funds for the Purchase of Miscellaneous Food Items (Justice and Consumer Services).
38. Approval of an Amendment to the Child Support Enforcement Contract with the State of Florida, Department of Revenue (Justice and Consumer Services).
39. Adoption of a Resolution Authorizing the Expenditure of Funds for Miscellaneous Materials for a Special County Event (Park).
40. Approval to Declare Miscellaneous County-Owned Equipment as Surplus and Authorize its Sale and Donation (Purchasing).
41. Receipt and File of the Quarterly Report of Claim Settlements for the Period of January 1, 2003 through March 31, 2003 (Risk Management).
42. Approval of Payment for Professional Liability Insurance Coverage (Risk Management).
43. Approval of Quarterly Payment of Self-Insurer Workers' Compensation Assessment (Risk Management).

D. REGULAR AGENDA

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

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COUNTY ADMINISTRATOR

Airport

45. Approval of Amendment No. 3 to the Agreement for Runway 17L/35R Extension Project Engineering Services.

Public Works

46. Approval of a Local Agency Agreement for the Forest Lakes Boulevard – St. Petersburg Drive (S.R. 580) to Tampa Road Sidewalk Improvement Project.
47. Approval of Real Property Acquisitions for Bear Creek Channel Improvements:
- a. 725 Brookwood Drive South, St. Petersburg.
 - b. 805 Brookwood Drive South, St. Petersburg.
48. Adoption of a Resolution Establishing Lealman Heights 5th Section Subdivision Street Lighting District.
49. Approval of the Installation of Four Speed Humps on 118th Terrace North, Located between 105th Lane North and 102nd Street North, and a Four-Way Stop Condition on 118th Terrace North at 104th Street North.
50. Approval of the Installation of One Speed Hump on 122nd Avenue North, Located between 91st Street North and Starkey Road, and One Three-Way Stop Condition on 122nd Avenue North at 92nd Street North.
51. Approval of the Installation of Three Speed Humps on Ridge Road between North Street and Orange Street.
52. Approval of the Installation of Two Speed Humps on Georgia Avenue, Located between Palm Harbor Boulevard (U.S. Alternate 19) and 8th Street.
53. Approval of an Exchange of an Existing Perpetual Drainage Easement (Parcel 40) for a Proposed Perpetual Drainage Easement (Parcel 53) for Klosterman Road from U.S. Alternate 19 to U.S. Highway 19.
54. Approval of an Award of Bid for Klosterman Road from U.S. 19A to U.S. 19.
55. Approval of Change Order No. 1 for Keene Road (Phase IB) from Drew Street to Sunset Point Road.

Utilities

56. Approval of a Cooperative Funding Agreement with Southwest Florida Water Management District for Ultra Low Flow Toilet Rebate Project.

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57. Approval of an Award of Bid for Autumn Woods and Eniswood Reclaimed Water Distribution System.
58. Approval of the Ranking of Firms and Authorization for Staff to Negotiate a Contract with the Number One Ranked Firm for a Wastewater System for the Town of Belleair.
59. Approval of Change Order No. 4 (Final) for the North Booster Pumping Station and Release of Retainage.
60. Approval of Amendment No. 2 to the Engineering Agreement for Consulting Services for the Reclaimed Water Transmission and Distribution System in Indian Shores and Indian Rocks Beach.
61. Approval of Amendment No. 4 to the Resource Recovery Facility Consolidated Management Agreement.

Other Departments

62. Approval of a Contract to Acquire Parcel No. 05/30/16/70920/100/0102 as a Planned Site for a Future Neighborhood Family Center in High Point (Community Development).
63. Approval of the Filing of an Application for Tax-Exempt Bond Financing through the Pinellas County Housing Finance Authority for Multi-Family Housing at Riverside Village (Community Development/Housing Finance Authority).
64. Approval of Electronic Media Use Policy and Telephone Administrative Procedures (County Administrator).
65. Adoption of a Resolution Establishing a Code Enforcement Task Force (Environmental Management).
66. Approval of Authority to Advertise for a Public Hearing on a Proposed Mangrove Ordinance (Environmental Management).
67. Approval to Negotiate a Non-Competitive Contract with Academy Studios for the Fabrication of Exhibits at the Brooker Creek Preserve Environmental Education Center (Environmental Management).
68. Approval of Recommendation Not to Exercise the Option to Purchase Parcels of Land Reported as Being Available by the Clerk of the Circuit Court (General Services).
69. Approval of the Purchase of Vacant Land in the Brooker Creek Project Area (General Services).

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70. Approval of Budget Amendments (Management and Budget):
 - a. Amendment No. 13.
 - b. Amendment No. 14.
 - c. Amendment No. 15.
71. Adoption of a Resolution to Appropriate Earmarked Receipts for a Particular Purpose in the Fiscal Year 2003 General Fund for (Management and Budget):
 - a. The Sheriff's Project Success and After-School Program.
 - b. The Seminole Fire District's Budget.
72. Approval of the Delegation of Authority to the City of St. Petersburg to Conduct Community Redevelopment Activities in the Proposed Tangerine Avenue Community Redevelopment District (Planning).
73. Approval of an Award of Bid for Motors and Parts for Lawn Equipment (CO-OP) (Purchasing).
74. Approval of First and Final Option of Renewal for Annual Requirement for Banking Services (Purchasing/BCC Finance).
75. Approval of the Ranking of Firms and Authority to Negotiate with the Number One Ranked Firm for On-Site Audits/Validating and Recovery of Hospital Overpayments (Rebid) (Risk Management).
76. Approval of the Food Vending Services Agreement for the Summer Food Service Program 2003 (Social Services).
77. Approval of the Summer Food Service Program for Children Agreement with the Florida Department of Education (Social Services).
78. Approval of the Emergency Home Energy Assistance Contract with the Area Agency on Aging of Pasco-Pinellas, Inc. (Social Services).
79. Approval of the Ranking of Firms and Authority to Negotiate with the Number One Ranked Firm for the Provision of Specialized Services (WorkNet).
80. Approval of Amendment No. 1 to the Agreement with Juvenile Services Program, Inc. through June 30, 2003 (WorkNet).
81. Approval of Amendment No. 1 to the Agreement with Family Service Centers Inc. through June 30, 2003 (WorkNet).
82. Approval of Amendment No. 1 to the Agreement with Pinellas Technical Education Centers through June 30, 2003 (WorkNet).

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83. Approval of Amendment No. 1 to the Contract with Goodwill Industries-Suncoast, Inc. through June 30, 2003 (WorkNet).
84. Approval of a Request to Waive the Purchasing Ordinance and the Non-Competitive Purchase of Strategic Planning Sessions (WorkNet).
85. Other Administrative Matters.

COUNTY ATTORNEY

86. Authority for County Attorney to Defend:
 - a. Beal Bank S.S.B. v. Dale R. Dupree, et al - Circuit Civil Case No. 03-2900-CI-8 - Mortgage Foreclosure Involving a Street Lighting Lien.
 - b. Centex Home Equity Company, LLC v. Jeffrey A. Herman, etc., et al - Circuit Civil Case No. 03-2457-CI - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs and a Judgment for Fines and Costs.
 - c. City of St. Petersburg, FL v. Vanessa Brady, et al - Circuit Civil Case No. 03-2764-CI-11 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Judgments for Fines and Costs.
 - d. Mortgage Electronic Registration Systems, Inc. v. Mae B. Wade, et al - Circuit Civil Case No. 03-2448-CI-07 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
 - e. Brenda L. Ballard v. Everett S. Rice, as Sheriff of Pinellas County - Circuit Civil Case No. 03-2678-CI-11 – Allegation of Negligence in Operating a Patrol Vehicle Resulting in a Collision.
 - f. Virginia Conlin, et al v. Pinellas County, et al - Circuit Civil Case No. 01-6294-CI-19 – Allegations of Negligence Resulting in Personal Injuries as a Result of a Sidewalk Trip and Fall Incident.
 - g. Manuel R. Dominguez v. Pinellas County Sheriff’s Office – Civil Case No. 8:02-CV-2241-T-27MSS – Allegation of Violations of the Florida Civil Rights Act, Fla. Stat. §760.10(1), and Title VII of the Civil Rights Act of 1964.
87. Authority for the County to File a Small Claims Action on Behalf of Sunstar for Unpaid Ambulance Bills Against the Estates of:
 - a. Alberta Bird.
 - b. Lloyd W. Day.
 - c. Adam J. Pataky.
 - d. Rita Warren, Beneficiary of the Estate of Donald D. Warren.

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- 88. Authority to Advertise a Public Hearing on a Proposed Amending Ordinance Relating to Street Lighting Districts.
- 89. Authority to Initiate Litigation on Behalf of Judith Stamper-Rusk in the Claim of Judith Stamper-Rusk v. Kings Manor Estates, LLC – HUD No. 04-02-0880-8; PC No. 03-026 – Allegations of Housing Discrimination.
- 90. Approval of the Alteration and Creation of Voting Precincts.
- 91. Miscellaneous.

E. AUTHORITIES

COUNTYWIDE PLANNING AUTHORITY

- 92. Receipt and Acceptance of the Composite Annexation Update Report.

ECONOMIC DEVELOPMENT AUTHORITY

- 93. Approval of a Lease Agreement with ImagiNail Corporation at the Young – Rainey STAR Center.
- 94. Approval of Agreement Regarding STAR Ground Leases with:
 - a. HP STAR I, LTD.
 - b. HP STAR II, LTD.
 - c. HP STAR III, LTD.

F. COUNTY ADMINISTRATOR REPORTS

- 95. Legislative Update.

G. COUNTY COMMISSION

- 96. Approval of Appointments to the Pinellas County Economic Development Authority.
- 97. Approval of Appointment to the Suncoast Health Council, Inc.
- 98. Adoption of a Resolution Regarding the Equal Rights Amendment.
- 99. Miscellaneous.

ADJOURNMENT

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PROCLAMATION DECLARING WEEK OF MAY 5 THROUGH 9, 2003 AS
NATIONAL BEACH SAFETY WEEK

Vice-Chairman Latvala presented a proclamation declaring the week of May 5 through 9, 2003 as National Beach Safety Week to Beth Bollman, Chief Lifeguard, Fred Howard Park.

PROCLAMATION DECLARING MAY 2003 AS CIVILITY MONTH

Vice-Chairman Latvala presented a proclamation declaring May 2003 as Civility Month to County Attorney Susan H. Churuti.

PROCLAMATION DECLARING WEEK OF MAY 10 THROUGH MAY 18, 2003 AS
NATIONAL TOURISM WEEK

Vice-Chairman Latvala presented a proclamation declaring the week of May 10, 2003 through May 18, 2003 as National Tourism Week to Carole Ketterhagen, Executive Director, St. Petersburg-Clearwater Area Convention and Visitors Bureau.

PROCLAMATION DECLARING WEEK OF MAY 5 THROUGH 9, 2003 AS
EMPLOYEE APPRECIATION WEEK

Vice-Chairman Latvala presented a proclamation declaring the week of May 5 through 9, 2003 as Employee Appreciation Week to Joyce Levesque, Director of Employee Relations, and Jean Magee, Employee Relations Manager.

2002 GOLD AWARDS RECOGNIZED

Vice-Chairman Latvala recognized the winners of the 2002 Gold Awards.

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COMMENDATION PRESENTED TO DEBBIE PECK FOR “OPERATION REACT”

Vice-Chairman Latvala presented a commendation to Debbie Peck, Personnel Department and Secretary of the Employees’ Advisory Council, for “Operation React.”

CITIZENS TO BE HEARD

H. P. Wheeler expressed his concerns regarding Nature’s Watch.

Jo-An Totty, Palm Harbor, stated her concerns regarding the renaming of the White Chapel in Palm Harbor.

W. C. Snipes, Clearwater, distributed a document requesting a grant, a copy of which has been filed and made a part of the record, and commented regarding Senate Bill 490.

Emily Rogers Coeyman, St. Petersburg, offered her comments regarding trash pick-up and Lealman issues.

John Shestag, Ozona, referred to censoring.

David Plyer, Clearwater, spoke regarding decorum rules.

Cathy Corry, Clearwater, spoke regarding the Pinellas County Sheriff’s Department.

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#1 ORDINANCE NO. 03-25 ADOPTED AMENDING SECTION 2-179 OF THE PURCHASING ORDINANCE RELATING TO SMALL PURCHASES; PROVIDING THAT SECTION 2-179 BE AMENDED TO PROVIDE THAT OPERATIONAL PROCEDURES FOR SMALL PURCHASES OF LESS THAN \$2,000.00 MAY PROVIDE FOR ADEQUATE AND REASONABLE COMPETITION WHEN DEEMED TO BE IN THE BEST INTEREST OF THE COUNTY; PROVIDING THAT PURCHASES BELOW \$2,000.00 ARE NOT SUBJECT TO COMPETITIVE QUOTATION; PROVIDING FOR ADDITIONS OR DELETIONS THAT MAY ARISE AS A RESULT OF MATTERS RAISED AT THE PUBLIC HEARING OR IN CONSULTATION WITH RESPONSIBLE AUTHORITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

Pursuant to legal notice published in the April 26, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending Section 2-179 of the Purchasing Ordinance relating to small purchases which will enable a subsequent increase to the purchasing card transaction limit up to \$2,000.00. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the ordinance has been received; and that the matter is properly before the Board to be heard.

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

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

Commissioner Welch moved, seconded by Commissioner Morrioni, that Ordinance No. 03-25 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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#2 PROPOSED ORDINANCE PROVIDING THAT THE PINELLAS COUNTY LAND DEVELOPMENT CODE BE AMENDED BY REVISING SECTION 166-251, RELATING TO CONTRACTORS' REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AMENDMENTS THAT MAY ARISE AT PUBLIC HEARING - TEMPORARILY DEFERRED TO MEETING OF JULY 1, 2003

Pursuant to legal notice published in the April 19, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Water and Navigation Control Authority Ordinance relating to dock contractors' requirements. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the ordinance has been received; and that the matter is properly before the Board to be heard.

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

Jewel White-Cole, Senior Assistant County Attorney, presented highlights of the proposed ordinance which will require all contractors working over navigable waters to carry insurance required under the U.S. Longshoremen's and Harbor Workers' (LSHW) Compensation Act.

Charles Lee, District Director, U.S. Department of Labor, Office of Workers' Compensation Programs, explained that the LSHW Act protects injured workers and also protects employers from tort action by workers; that when the LSHW Act applies, Florida Workers' Compensation does not; and that the insurance rates are set by a state agency.

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

Tim McGurk, Treasure Island
Dennis Walker, Madeira Beach
Larry Fisk, Clearwater
Doug Speeler, Clearwater
Myron Gibson, Dunedin
Kevin Fisk, Seminole
Mike Caswell, Tarpon Springs

In response to concerns of the objectors and queries by the members, County Attorney Susan H. Churuti stated that the ordinance will protect homeowners

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from legal action in the event of an injury; that it will take effect immediately upon receipt by the Secretary of State; that the Board can continue the item to allow for phasing in of the new requirements; and that a public campaign is planned to inform affected parties.

Following discussion, Commissioner Todd moved that the item be deferred until the July 1, 2003 meeting to allow further investigation; and requested that Assistant County Administrator Elithia V. Stanfield speak with the Insurance Commissioner and Congressman Young's office regarding the issue; whereupon, the motion was seconded by Commissioner Welch, and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#3 PUBLIC HEARING HELD RE TENTATIVE (FIRST) ASSESSMENT ROLL FOR DRAINAGE IMPROVEMENTS TO HIDDEN MEADOWS SUBDIVISION, REAR OF LOTS 12 THROUGH 18 AND THE GARLANDS SUBDIVISION BETWEEN LOTS 8 AND 9; RESOLUTION NO. 03-80 ADOPTED CONFIRMING THE RESOLUTION ADOPTED SEPTEMBER 18, 2001, ORDERING SAID IMPROVEMENTS AND ASSESSMENT OF PROPERTIES BENEFITED THEREBY

Pursuant to legal notice published in the April 25 and May 2, 2003 issues of the Tampa Bay Review as evidenced by publisher s affidavit filed with the Clerk, public hearing was held re the Tentative (First) Assessment Roll for drainage improvements to Hidden Meadows Subdivision, rear of lots 12 through 18 and the Garlands Subdivision between lots 8 and 9. Chief Deputy Clerk C. R. Short reported that Notice of Hearing has been sent to all property owners listed on the assessment roll; that no letters relative to the assessment have been received; and that the matter is properly before the Board to be heard.

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

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

Thereupon, Commissioner Todd moved, seconded by Commissioner Welch, that the assessment project be approved, and that Resolution No. 03-80 be

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adopted confirming the Resolution of September 18, 2001, ordering said improvements and the assessment of properties benefited thereby. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#4 ORDINANCE NO. 03-26 ADOPTED PROVIDING THAT SECTION 130-105(4) BE ADDED IN ORDER TO ESTABLISH A SLOW SPEED/MINIMUM WAKE ZONE FOR TARA CAY CHANNEL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE PINELLAS COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE

Pursuant to legal notice published in the April 18, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of the adoption of a proposed ordinance to establish a slow speed/minimum wake zone for Tara Cay Channel. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

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

Commissioner Todd moved, seconded by Commissioner Morroni, that Ordinance No. 03-26 be adopted as recommended by the County Administrator.

Responding to queries by Commissioner Stewart, Director of Public Works Keith Wicks stated that the proposed ordinance was the result of a petition by the Tara Cay Homeowners Association and residents; and that the channel is privately maintained; whereupon, Mr. Spratt confirmed that the cost of installation and maintenance of signage would be borne by the homeowners.

Thereupon, upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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#5 RESOLUTION NO. 03-81 ADOPTED RE PETITION OF JAMES P. GRAHAM, III AND LYNNAE M. GRAHAM IDENTIFYING AN ERROR IN THE LEGAL DESCRIPTION AND CONFIRMING THE VACATION OF THE NORTH 2.0 FEET OF A 10.0-FOOT UTILITY EASEMENT ON LOT 64, SEMINOLE PINES SUBDIVISION PHASE 1, LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 30 SOUTH, RANGE 15 EAST

Pursuant to legal notice published in the April 18, 2003 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed resolution identifying an error in the legal description and confirming the vacation of the north 2.0 feet of a 10.0-foot utility easement on Lot 64, Seminole Pines Subdivision Phase 1, as recorded in Plat Book 79, Pages 37 through 39, located in the northeast quarter of Section 26, Township 30 South, Range 15 East.

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

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

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

County Administrator Stephen M. Spratt stated that staff recommends approval of the resolution, with authorization for the Clerk to record.

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

Commissioner Todd moved, seconded by Commissioner Welch, that Resolution No. 03-81 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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#6 PETITION OF MARTIN ZIESMAN, JAMAL QANDIL, AND ISHAQ ABU-AYYASH TO VACATE A 6.0-FOOT BY 51.33-FOOT BY 4.22-FOOT BY 94.38-FOOT BY 1.85-FOOT BY 145.71-FOOT PORTION OF A 6.0-FOOT UTILITY EASEMENT ON LOTS 1 THROUGH 4 IN THE KEN-TRE ADDITION TO PINELLAS PARK, FLORIDA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 30 SOUTH, RANGE 16 EAST - GRANTED; RESOLUTION NO. 03-82 ADOPTED WITH AUTHORIZATION FOR CLERK TO RECORD

Pursuant to legal notice published in the April 18, 2003 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Martin Ziesman, Jamal Qandil, and Ishaq Abu-Ayyash for a 6.0-foot by 51.33-foot by 4.22-foot by 94.38-foot by 1.85-foot by 145.71-foot portion of a 6.0-foot utility easement on Lots 1 through 4, Ken-Tre Addition to Pinellas Park, Florida, as recorded in Plat Book 15, Page 21, located in the southeast quarter of Section 31, Township 30 South, Range 16 East.

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

Pinellas County Utilities
City of St. Petersburg
Florida Power Corporation
Verizon Florida, Inc.
Verizon Media Ventures, Inc.
Time Warner Communications

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

County Administrator Stephen M. Spratt stated that the item was continued from a previous meeting; that there was a question regarding Verizon lines on the easement which has since been resolved; and that staff recommends the vacation be granted and the Clerk authorized to record.

No one appeared in response to the Vice-Chairman's call for persons in opposition to the application; whereupon, the proponents waived their right to be heard.

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Commissioner Todd moved, seconded by Commissioner Welch, that the petition to vacate be granted; and that Resolution No. 03-82 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#7a APPLICATION OF PINELLAS COUNTY EXTENSION THROUGH JUDY YATES, PINELLAS COUNTY EXTENSION, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM R-3 TO PSP (RESOLUTION NO. 02-105 ADOPTED MAY 21, 2002) AND CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL LOW TO RECREATION/OPEN SPACE (Z/LU-3-04-02) - ORDINANCE NO. 03-27 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Pinellas County Extension through Judy Yates for a change of zoning from R-3 to PSP (Resolution No. 02-105 adopted May 21, 2002) and a change in land use designation from residential low to recreation/open space (0.833 acre), re approximately 35.595 acres on the west side of 119th Street North, 1,200 feet south of Ulmerton Road (street address: 12700 119th Street North) (Z/LU-3-04-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends approval of the ordinance adopting the land use amendment.

The Local Planning Agency/Examiner Findings of Fact and Recommendations for approval of the requested change of zoning from R-3 to PSP and change in land use designation from residential low to recreation/open space were filed and made a part of the record.

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

Commissioner Todd moved, seconded by Commissioner Welch, that Ordinance No. 03-27 be adopted approving the land use application, subject to review

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and approval by the Countywide Planning Authority (Z/LU-3-04-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#7b APPLICATION OF LORRAINE CARRIER AND PATRICK CARRIER, C/O W. LANGSTON HOLLAND, ESQUIRE, THROUGH C. RANDOLPH WEDDING, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM C-2 AND A-E TO RPD-5 (RESOLUTION NO. 02-334 ADOPTED DECEMBER 17, 2002) AND A CHANGE IN LAND USE DESIGNATION FROM COMMERCIAL RECREATION TO RESIDENTIAL LOW (Z/LU-3-11-02) - ORDINANCE NO. 03-28 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Lorraine Carrier and Patrick Carrier, c/o W. Langston Holland, Esquire, through C. Randolph Wedding for a change of zoning from C-2 and A-E to RPD-5 (Resolution No. 02-334 adopted December 17, 2002) and a change in land use designation from commercial recreation to residential low, re approximately 16.6 acres located on the north side of Gandy Boulevard, 1,555 feet east of Brighton Bay Boulevard Northeast (Z/LU-3-11-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends approval of the ordinance adopting the land use amendment.

The Local Planning Agency/Examiner Findings of Fact and Recommendations for approval of the requested change of zoning from C-2 and A-E to RPD-5 and change in land use designation from commercial recreation to residential low and preservation were filed and made a part of the record.

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

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Commissioner Todd moved, seconded by Commissioner Welch, that Ordinance No. 03-28 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (Z/LU-3-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#7c APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL ESTATE TO PRESERVATION-RESOURCE MANAGEMENT (LU-22-11-02) - APPROVED; ORDINANCE NO. 03-29 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of the Pinellas County Planning Director through Brian Smith for a change in land use designation from residential estate to preservation-resource management, re approximately 10.43 acres, of which 10.088 acres of residential estate are proposed for amendment, located one-half mile due south of the southern terminus of Ranch Road (LU-22-11-02). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested land use designation from residential estate to preservation-resource management were filed and made a part of the record.

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

Commissioner Todd moved, seconded by Commissioner Welch, that Ordinance No. 03-29 be adopted approving the land use application, subject to review

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and approval by the Countywide Planning Authority (LU-22-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#7d APPLICATION OF DOROTHY A. MAINELLA THROUGH BRIAN MORTON HICKS, C/O THE STORAGE HOUSE, AND KEITH E. ZAYAC, P.E., REPRESENTATIVES, TO AMEND AND REINSTATE A PREVIOUSLY APPROVED DEVELOPER AGREEMENT (Z/LU-5-8-00) - APPROVED

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Dorothy A. Mainella through Brian Morton Hicks, c/o The Storage House, and Keith E. Zayac, P.E., to amend and reinstate a previously approved developer agreement re approximately 2.76 acres located on the north side of 54th Avenue North, 135 feet west of 64th Street North (6415 54th Avenue North) (Z/LU-5-8-00). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

The Local Planning Agency/Examiner Findings of Fact and Recommendations for approval of the request were filed and made a part of the record.

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

Commissioner Morroni moved, seconded by Commissioner Welch, that the developer agreement be amended and reinstated as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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#7e APPLICATION OF NIREUS CORPORATION, GENE AND FAYE RUSSELO THROUGH HERBERT ELLIOTT, ESQUIRE, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM C-2, A-E, AND R-4 TO CR, A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL SUBURBAN, COMMERCIAL RECREATION AND RESIDENTIAL ESTATE TO COMMERCIAL RECREATION, AND A DEVELOPER AGREEMENT (Z/LU-2-11-02) - DENIED WITHOUT PREJUDICE; RESOLUTION NO. 03-83 ADOPTED

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Nireus Corporation, Gene and Faye Russelo through Herbert Elliott, Esquire, for a change of zoning from C-2, A-E, and R-4 to CR, a change in land use designation from residential suburban, commercial recreation and residential estate to commercial recreation, and a developer agreement, re approximately 3.4 acres located on the westerly side of Anclote Road, 900 feet south of the Pasco County line (street address: 1155 Anclote Road) (Z/LU-2-11-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends denial of the application without prejudice; that the recommendation has been discussed with the applicant's attorney; and that the applicant is in agreement with the recommendation.

Herbert Elliott, Esquire, Tarpon Springs, confirmed that the applicant has no objection to the application being denied without prejudice.

In response to the Vice-Chairman's call for persons wishing to be heard, the following individuals appeared and commented on the application:

Gene Russelo, Tarpon Springs
Karen Henderson, Dunedin

Responding to query by Commissioner Stewart, Director of Development Services Paul Cassel indicated that the application has appeared three times before the Planning and Zoning Examiner; that Mr. Russelo was previously a co-applicant and has withdrawn his portion of the request; that a new developer agreement and site plan will be required; and that the applicant is aware of the neighbors' concerns.

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Following discussion and in response to queries by Commissioner Welch, Mr. Cassel further stated that he believes an acceptable site plan is attainable; that he hopes to see the amended site plan in the very near future; and that a full denial would prevent the applicant from reapplying for six months.

Thereupon, Commissioner Stewart moved, seconded by Commissioner Morroni, that Resolution No. 03-83 be adopted denying the application without prejudice. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#7f APPLICATION OF SKYLARK R.O. ASSOCIATION, INC., THROUGH ED ARMSTRONG, ESQUIRE, JOHNSON, BLAKELY, POPE, BOKOR, RUPPEL AND BURNS, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM R-6 TO C-2, A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL URBAN AND TRANSPORTATION/UTILITY TO COMMERCIAL GENERAL AND TRANSPORTATION/UTILITY, AND A DEVELOPER AGREEMENT (Z/LU-1-4-03) - TEMPORARILY DEFERRED TO THE MEETING OF MAY 20, 2003

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Skylark R.O. Association, Inc., through Ed Armstrong, Esquire, for a change of zoning from R-6 to C-2, a change in land use designation from residential urban and transportation/utility to commercial general and transportation/utility and a developer agreement, re approximately 13.04 acres located on the northeast corner of State Road 580 and Summerdale Drive (street address: 2526 State Road 580 East) (Z/LU-1-4-03). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends denial of the application based upon the Local Planning Agency report; and that the applicant has requested a continuance.

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Ed Armstrong, Esquire, Clearwater, appeared and requested that the matter be continued to the June 10, 2003 meeting; whereupon, Mr. Spratt indicated that the date had been selected in consideration of upcoming agenda items before the Board.

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

Mary Louise Granger, Clearwater
Mary Wilson, Clearwater
Glenn Wilson, Clearwater

In response to query by the Vice-Chairman, Ms. Granger confirmed that petitions in opposition to the application were submitted previously.

Responding to queries by the members, Mr. Armstrong indicated that the applicant desires the continuance so that he can meet with the homeowners on May 19 and also to have the matter heard by the full Board. Following discussion, Commissioner Harris moved, seconded by Commissioner Welch, that Item No. 7f be temporarily deferred to the meeting of June 10 as requested by Mr. Armstrong but at which Commissioner Morrioni will be absent. Upon roll call, the vote was three to three, with Commissioners Todd, Stewart, and Morrioni dissenting; whereupon, Commissioner Stewart moved, seconded by Commissioner Todd and carried, that the case be continued until May 20, the next meeting at which all Board members will be present.

Thereupon, Vice-Chairman Latvala announced that Case No. Z/LU-1-4-03 will be heard at the meeting of May 20, 2003.

#7g APPLICATION OF R2 PROPERTY CO., LTD., INC., THROUGH KEITH E. ZAYAC, P.E., REPRESENTATIVE, FOR A CHANGE OF ZONING FROM R-6 TO C-2, A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL MEDIUM TO COMMERCIAL GENERAL, AND A DEVELOPER AGREEMENT (Z/LU-3-10-02) - WITHDRAWN

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of R2 Property Co., Ltd., Inc., through Keith E. Zayac, P.E., for a change of zoning from R-6 to C-2, a change in land use designation from residential medium to commercial general and a developer agreement, re

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approximately 4.97 acres located on the southeast corner of 54th Avenue North and Haines Road (street address: 2500 54th Avenue North) (Z/LU-3-10-02); whereupon, Chief Deputy Clerk C. R. Short stated that the application has been withdrawn.

#8 ORDINANCE NO. 03-30 ADOPTED AMENDING THE PINELLAS COUNTY COMPREHENSIVE PLAN, ADOPTING A NEW ELEMENT CONTAINING PRINCIPLES TO GUIDE LOCAL DECISION-MAKING ON ISSUES OF ECONOMIC VITALITY, ENVIRONMENTAL QUALITY, AND LONG TERM COMMUNITY SUSTAINABILITY; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARING AND/OR WITH RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Pinellas County Comprehensive Plan, adopting a new element entitled "Planning to Stay." Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

Director of Planning Brian K. Smith presented statistical data and an explanation of key sections of the proposed element; whereupon, in response to query by Vice-Chairman Latvala, he indicated that three public outreach workshops have been held on the matter; and that they were well attended.

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

Responding to query by Commissioner Welch, Mr. Smith indicated that roadways designated under the Scenic Corridors section are dealt with conservatively in terms of land use changes, setbacks, and scenic appearance; and that his department will continue to review corridors for possible inclusion under the designation.

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Following discussion, Commissioner Stewart moved, seconded by Commissioner Todd, that Ordinance No. 03-30 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#9 ORDINANCE NO. 03-31 ADOPTED AMENDING TABLE 4 OF THE FUTURE LAND USE ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN DELETING THE PUBLIC/SEMI-PUBLIC FUTURE LAND USE CATEGORY, AND CREATING THE TRANSPORTATION/UTILITY OVERLAY AS A PART OF THE TRANSPORTATION/UTILITY FUTURE LAND USE CATEGORY; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending Table 4 of the Future Land Use Element of the Pinellas County Comprehensive Plan. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

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

Commissioner Welch moved, seconded by Commissioner Todd, that Ordinance No. 03-31 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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- #10 ORDINANCE NO. 03-32 ADOPTED AMENDING THE TRANSPORTATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; AMENDING TABLE 1-3 DEFICIENT ROAD SEGMENTS - EXISTING CONDITIONS, TABLE 1-9 U.S. HIGHWAY 19 FLORIDA INTRASTATE HIGHWAY SYSTEM (FIHS) - EXISTING CONDITIONS, TABLE 1-10 U.S. HIGHWAY 19 FIHS - LONG TERM SCHEDULE OF CAPITAL IMPROVEMENTS, AND FIGURES 1-3, 1-3A, 1-3B AND 1-3C, THE EXISTING LEVEL OF SERVICE MAPS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT PUBLIC HEARING
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Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Transportation Element of the Pinellas County Comprehensive Plan. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

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

Commissioner Welch moved, seconded by Commissioner Todd, that Ordinance No. 03-32 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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- #11 ORDINANCE NO. 03-33 ADOPTED AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE RECREATION AND OPEN SPACE ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN PROVIDING POLICY DIRECTION FOR THE COUNTY'S ACTIVE RECREATION INITIATIVE; AMENDING THE COASTAL MANAGEMENT AND THE NATURAL, HISTORIC, AND CULTURAL RESOURCES ELEMENTS OF THE PINELLAS COUNTY COMPREHENSIVE PLAN RELATING TO THE SITING OF WATER DEPENDENT LAND USES AND THE PROTECTION OF MARINE RESOURCES; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARING AND/OR WITH RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Recreation and Open Space element; the Natural, Historic and Cultural Resources element; and the Coastal Management element of the Pinellas County Comprehensive Plan. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

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

Commissioner Welch moved, seconded by Commissioner Morroni, that Ordinance No. 03-33 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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- #12 ORDINANCE NO. 03-34 ADOPTED AMENDING THE MAJOR FINDINGS OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; AMENDING TABLE 1: CAPITAL IMPROVEMENT NEEDS; AMENDING TABLE 15: THE SIX-YEAR SCHEDULE OF IMPROVEMENTS; AMENDING TABLE 15-A: STATE HIGHWAY SYSTEM FACILITY CONSTRUCTION; AMENDING TABLE 16: U.S. HIGHWAY 19 (FIHS SEGMENT) LONG-TERM SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT PUBLIC HEARING

Pursuant to legal notice published in the April 25, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Capital Improvements Element of the Pinellas County Comprehensive Plan. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

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

Commissioner Morroni moved, seconded by Commissioner Welch, that Ordinance No. 03-34 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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#13b CASE #CW 03-33, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO COMMERCIAL GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-35 ADOPTED

Deviating from the agenda, Vice-Chairman Latvala announced that Item No. 13b, Case #CW-03-33 will be heard at this time; and noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-33, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low to commercial general, re 0.8 acre located on the northeast corner of 54th Avenue North and 26th Street North (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

Deborah Martohue, St. Petersburg, appeared and stated that the proposed amendment will make the Comprehensive Plan consistent with current zoning; that the proposal has been approved by the Examiner and the Pinellas Planning Council; that the application is consistent with development patterns in the area; that traffic and accident studies have been submitted and are on file with the Clerk; that studies have indicated no adverse impact on traffic or public facilities; and that a petition from neighbors to the north requested no changes to the intersection; whereupon she submitted photographs, a videotape, and transportation and accident studies for the record.

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

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Commissioner Harris moved, seconded by Commissioner Morroni, that Ordinance No. 03-35 approving Case #CW 03-33 be adopted. Upon roll call, the vote was:

Ayes: Latvala, Harris, Morroni and Welch.

Nays: Todd and Stewart.

Absent and not voting: Seel.

#13e CASE #CW 03-37, PROPOSAL BY THE CITY OF PINELLAS PARK TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW MEDIUM TO COMMERCIAL GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-36 ADOPTED

Deviating from the agenda, Vice-Chairman Latvala announced that Item No. 13e, Case #CW 03-37 will be heard at this time; and noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-37, a proposal by the City of Pinellas Park to amend the land use designation on the Countywide Future Land Use Plan from residential low medium to commercial general, re 0.3 acre located on the northwest corner of 92nd Avenue North and 66th Street North (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

Deborah Martohue, St. Petersburg, appeared and requested approval of the proposed amendment.

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

May 6, 2003

Commissioner Harris moved, seconded by Commissioner Welch, that Ordinance No. 03-36 approving Case #CW 03-37 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#13a 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) - APPROVED; ORDINANCE NO. 03-37 ADOPTED

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 and 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.

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 Vice-Chairman's call for persons wishing to be heard.

Commissioner Todd moved, seconded by Commissioner Morroni, that Ordinance No. 03-37 approving Case #CW 03-29 be adopted. Upon roll call, the vote was:

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

Nays: None.

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Absent and not voting: Seel.

- #13c CASE #CW 03-34, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL/OFFICE GENERAL TO RESIDENTIAL/OFFICE/RETAIL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-38 ADOPTED
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Vice-Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-34, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from residential/office general to residential/office/retail, re 0.2 acre located 130 feet west of 4th Street North, between 76th Avenue North and 77th Avenue North (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Harris moved, seconded by Commissioner Morroni, that Ordinance No. 03-38 approving Case #CW 03-34 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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#13d CASE #CW 03-35, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO RESIDENTIAL/OFFICE/RETAIL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 03-38 ADOPTED

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-35, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from residential medium to residential/office/retail, re 0.2 acre located on the north side of 50th Avenue North and 125 feet west of 4th Street North (subthreshold amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Welch moved, seconded by Commissioner Todd, that Ordinance No. 03-38 approving Case #CW 03-35 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

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- #14a CASE #CW 03-30, PROPOSAL BY THE CITY OF TARPON SPRINGS TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO COMMERCIAL LIMITED (REGULAR AMENDMENT) - TEMPORARILY DEFERRED TO MEETING OF JUNE 10, 2003

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-30, a proposal by the City of Tarpon Springs to amend the land use designation on the Countywide Future Land Use Plan from residential urban to commercial limited, re 1.4 acres located on the north side of East Athens Street between North Safford Avenue and North Hibiscus Street (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 that the case be temporarily deferred to the meeting of June 10, 2003; and that staff concurs with the PPC recommendation.

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

Commissioner Todd moved, seconded by Commissioner Welch and carried, that Case #CW 03-30 be temporarily deferred to the meeting of June 10, 2003.

- #14b CASE #CW 03-31, PROPOSAL BY THE CITY OF DUNEDIN TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW MEDIUM, PRESERVATION, RESORT FACILITIES OVERLAY, AND UNDESIGNATED TO RESIDENTIAL LOW, RESIDENTIAL LOW MEDIUM, COMMERCIAL GENERAL, AND PRESERVATION (REGULAR AMENDMENT) - TEMPORARILY DEFERRED TO MEETING OF MAY 20, 2003

May 6, 2003

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-31, a proposal by the City of Dunedin to amend the land use designation on the Countywide Future Land Use Plan from residential low medium, preservation, resort facilities overlay, and undesignated to residential low, residential low medium, commercial general, and preservation, re 17.1 acres located on the west side of U.S. Highway 19, and south side of Congress Avenue (regular amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) recommends that the case be temporarily deferred to the meeting of May 20, 2003; and that staff concurs with the PPC recommendation.

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

Commissioner Todd moved, seconded by Commissioner Welch and carried, that Case #CW 03-31 be temporarily deferred to the meeting of May 20, 2003.

#14c CASE #CW 03-32, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL MEDIUM TO RESIDENTIAL/OFFICE LIMITED (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 03-35 ADOPTED

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-32, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential medium to residential/office limited, re 0.3 acre located on the east side of McMullen Booth Road, 357 feet north of Gulf to Bay Boulevard (regular amendment).

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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 Vice-Chairman's call for persons wishing to be heard.

Commissioner Morroni moved, seconded by Commissioner Welch, that Ordinance No. 03-35 approving Case #CW 03-32 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#14d CASE #CW 03-36, PROPOSAL BY THE CITY OF LARGO TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM INDUSTRIAL LIMITED TO RESIDENTIAL URBAN (REGULAR AMENDMENT) - TEMPORARILY DEFERRED TO MEETING OF JUNE 10, 2003

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 30, 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 03-36, a proposal by the City of Largo to amend the land use designation on the Countywide Future Land Use Plan from industrial limited to residential urban, re 40.2 acres located on the northwest corner of 142nd Avenue North and 58th Street North (regular amendment). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt stated that the Pinellas Planning Council (PPC) recommends that the case be temporarily deferred to the meeting of June 10, 2003; and that staff concurs with the PPC recommendation.

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

Commissioner Welch moved, seconded by Commissioner Todd and carried, that Case #CW 03-36 be temporarily deferred to the meeting of June 10, 2003.

#15 DREDGE AND FILL APPLICATION D/F-1397/REVISED, INDIAN SPRINGS MARINA, 15151 113TH AVENUE, LARGO, THE NARROWS - APPROVED

and

#16 COMMERCIAL DOCK APPLICATION CD32276-02-REVISED-A, INDIAN SPRINGS MARINA, 15151 113TH AVENUE, LARGO, THE NARROWS - APPROVED

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

* * * *

At this time, 11:58 A.M., Commissioners Stewart and Welch left the meeting.

* * * *

Pursuant to legal notice published in the March 21 and 28, 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-1397/Revised and Commercial Dock Application CD32276-02/Revised-A, Indian Springs Marina, 15151 113th Avenue, Largo, The Narrows. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that no correspondence relative to the applications has been received; and that the matters are properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to maintenance dredge and to add a fixed dock and a floating dock to an existing marina within a boat basin off of The Narrows; and 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.

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He indicated that staff recommends approval of Dredge and Fill Application D/F-1397/Revised and execution of the order based upon negative "Findings of Fact," Items 1 through 9, and affirmative "Findings of Fact," Items 12 and 14, as indicated in his memorandum of May 6, 2003, which has been filed and made a part of the record, subject to the following conditions:

1. The applicant or contractor must take immediate corrective action should turbidity problems occur outside of the dredge or spoil area.
2. The applicant must obtain approval for the placement and containment of spoil material on uplands from Development Review Services (464-3888).
3. No dredging is allowed within eight feet of the mangroves.

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

Thereupon, Commissioner Todd moved, seconded by Commissioner Morroni and carried, that Dredge and Fill Application D/F-1397/Revised be approved with the aforementioned conditions and in accordance with the "Findings of Fact."

Mr. Spratt indicated that staff recommends approval of Commercial Dock Application CD32276-02/Revised-A and execution of the order based upon negative "Findings of Fact," Items 1 through 9, as indicated in his memorandum of May 6, 2003, which has been filed and made a part of the record, subject to the following condition:

Trimming of mangrove branches which overhang the dock surface and are within eight vertical feet of the deck surface is allowed without further approval from the County. Trimming beyond this may require permits from the Department of Environmental Management (464-4761).

Thereupon, Commissioner Morroni moved, seconded by Commissioner Todd and carried, that Commercial Dock Application CD32276-02/Revised-A be approved with the aforementioned condition and in accordance with the "Findings of Fact."

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#17 COMMERCIAL DOCK APPLICATION CC32494-03, CITY OF CLEARWATER (PIER 60), WEST END OF MEMORIAL CAUSEWAY, CLEARWATER BEACH, GULF OF MEXICO - APPROVED

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

Pursuant to legal notice published in the March 21 and 28, 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 CC32494-03, City of Clearwater (Pier 60), west end of Memorial Causeway, Clearwater Beach, Gulf of Mexico. 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 City of Clearwater proposes to construct an accessory walkway around the existing bait house on Pier 60 in the Gulf of Mexico; 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 May 6, 2003, which has been filed and made a part of the record.

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

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

#18 COMMERCIAL DOCK APPLICATION CD32629-03, CARLOUEL YACHT CLUB, 1091 ELDORADO AVENUE, CLEARWATER, CLEARWATER HARBOR - APPROVED

Vice-Chairman Latvala 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 March 21 and 28, 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 CD32629-03, Carlouel Yacht Club, 1091 Eldorado Avenue, Clearwater, Clearwater Harbor. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to add a floating dock to an existing marina in the waters of Clearwater Harbor; that the biological report prepared by the Pinellas County Department of Environmental Management was made available to the public and has been filed and made a part of the record; and that staff recommends approval of the application and execution of the order based upon negative "Findings of Fact," Items 1 through 9, as indicated in his memorandum of May 6, 2003, which has been filed and made a part of the record.

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

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

CONSENT AGENDA ITEMS NOS. 19 THROUGH 43 - APPROVED

Upon presentation by Vice-Chairman Latvala, Commissioner Todd moved, seconded by Commissioner Morroni and carried, that the consent agenda, consisting of items Nos. 19 through 43, be approved as follows:

#19 APPROVAL OF MINUTES

Minutes of regular meeting of April 1, 2003.

#20 REPORTS RECEIVED FOR FILING

- a. Dock Fee Report for the month of March 2003.

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- b. Quarterly Report of Routine Dock Permits issued from January 1, 2003 through March 31, 2003.
- c. Southwest Florida Water Management District Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2002, including Supplementary Financial Statements Pursuant to Office of Management Budget Circular A-133 and Management Letter Pursuant to Rules of the Auditor General, State of Florida; along with Annual Local Government Financial Report for Fiscal Year 2001/2002.
- d. Pinellas County Sheriff's Office Florida Contraband Forfeiture Semiannual Report for the period October 1, 2002 through March 31, 2003, submitted pursuant to Section 932.705(8)(a), Florida Statutes.
- e. Pinellas County Metropolitan Planning Organization Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2002.
- f. Complete Summary Appraisal of 6.53-Acre Parcel of Lakeshore Along Lake Chautauqua Located South of Enterprise Road and Generally East of Platted First Street East, Unincorporated Pinellas County, Florida.
- g. Complete Summary Appraisal of a 13.168-Acre Tract of Vacant Land Generally Located Along the West Side of East Lake Road Approximately 457 Feet South of the Pinellas/Pasco County Line, Pinellas County, Florida.
- h. Complete Appraisal Report of a 13.168-Gross Acre Site, Shaffer Property, Southwest Corner of East Lake Road and Grey Oaks Boulevard, Tarpon Springs, Pinellas County, Florida, File #08020903.
- i. Internal Audit Division, Clerk of the Circuit Court Report No. 2003-3 dated April 17, 2003, Audit of Pinellas Public Library Cooperative, together with a copy of *Audit Watch*, a newsletter-style summary of the audit report.

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#21 OTHER APPROVALS

a. General - None

b. Vouchers and Bills Paid

(1) Checks released for the period from March 31, 2003 through April 18, 2003 as follows:

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2712

Payroll checks numbered 503082 through 503646

Imprest Fund Expenditures

Manual checks numbered 686038 through 686061

System checks numbered 677028 through 679958

Wire transfers numbered 1109 through 1241

#22 MISCELLANEOUS ITEMS RECEIVED

a. Florida Public Service Commission Order No. PSC-03-0400-PCO-EI approving mid-course correction to fuel and purchased power cost recovery factors issued March 24, 2003, re Docket No. 030001-EI.

b. Court FY04 Annual Operating and Capital Budget Projections.

c. Clerk of the Circuit Court Financial Statements for year ended September 30, 2002 with Independent Auditor's Report thereon.

d. Pinellas Planning Council Operating Procedures amended March 19, 2003.

e. City of Largo Resolution No. 1807 adopted April 1, 2003, re creation of Countywide "Challenge" recreation program.

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- f. City of Largo Notice of Change of Land Use and Annexation Public Hearing re Ordinance No. 2003-54 held April 1, 2003.
- g. Correspondence from City of Pinellas Park re ordinance voluntarily annexing certain property; public hearing held April 24, 2003.
- h. City of Seminole Ordinances Nos. 6-2003 through 8-2003, including lists of annexed properties, effective March 11, 2003.
- i. Pinellas Park Water Management District Minutes of Meeting No. 5 held February 20, 2003, together with Financial Statement dated February 2003.
- j. Resolutions supporting a Pinellas County Ordinance re sale and use of fireworks:
 - 1. City of Belleair Beach, No. 2003-01, adopted March 3, 2003.
 - 2. City of Clearwater, No. 03-11, adopted February 5, 2003.
 - 3. City of Dunedin, No. 03-08, adopted March 6, 2003.
 - 4. City of Indian Rocks Beach, No. 2003-44, adopted March 25, 2003.
 - 5. City of Largo, No. 1806, adopted March 18, 2003.
 - 6. City of St. Petersburg, No. 2003-82, adopted February 13, 2003.
 - 7. City of Seminole, No. 2003-05, adopted February 11, 2003.

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8. City of Treasure Island, No. 03-17, Adopted February 11, 2003.
9. Pinellas Police Standards Council, No. 2002-10, dated December 11, 2002.
10. Mayors' Council of Pinellas County, Florida, dated January 29, 2003.

#23 SURETIES, EASEMENTS AND RESOLUTION

- a. Beckwith Electric Co., Inc.
 1. Ingress-egress easement accepted for recording; Chairman authorized to sign agreement.
- b. Rothman Investments Florida, Ltd.
 1. Ingress-egress easement accepted for recording; Chairman authorized to sign agreement.
- c. Beckett Lake Lodge, Ltd.
 1. Sidewalk easement accepted for recording.
 2. Drainage easement accepted for recording.
 3. Funds accepted in the amount of \$5,795.90 as maintenance surety.
- d. Hess Station 156
 1. Maintenance Bond No. 292 273 869 accepted in the amount of \$9,814.20.
 2. Release of Completion Bonds Nos. 423453 and 423052 in the respective amounts of \$36,300.00 and \$12,771.00 to Amerada Hess Corporation, One Hess Plaza, Woodbridge, NJ 07095-0961, Attention: Debbie Hufford, Retail Real Estate.

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- e. Hess Station at 49th Street and 126th Avenue
 - 1. Maintenance Bond No. 929 273 871 accepted in the amount of \$6,798.14.
 - 2. Release of Completion Bond No. 423054 in the amount of \$33,990.72 to Amerada Hess Corporation, One Hess Plaza, Woodbridge, NJ 07095-0961, Attention: Debbie Hufford, Retail Real Estate.

- f. Lehigh Whitney
 - 1. Funds in the amount of \$5,000.00 accepted as completion surety.

- g. Atlanta Testing and Engineering
 - 1. Release of Completion Bond No. 1450-13-087281 in the amount of \$5,000.00 to Marsh USA, Inc., 3475 Piedmont Road, Suite 1200, Atlanta, GA 30305, Attention: Barbara MacArthur, Assistant Vice President.

- h. 49th Street North
 - 1. Resolution No. 03-84 adopted dedicating a certain portion of County-owned property in Section 04, Township 30 South, Range 16 East, as public road right-of-way for 49th Street North.

- i. Somerset Lake Estates
 - 1. Plat approved.

- j. Tom May Warehouse
 - 1. Funds accepted in the amount of \$12,240.00 as completion surety.

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k. Cypress Knoll

1. Amendment to Letter of Credit No. 1S1388995 and Standby Letter of Credit No. 1S1388995 accepted in the amount of \$10,000.00 as completion surety.
2. Sanitary sewer easement accepted for recording; Chairman authorized to sign easement.

#24 BID OF McGEEHAN CONSTRUCTION, INC. FOR 137TH STREET PIPE REPLACEMENT FROM PINECREST DRIVE NORTH TO JOYCE DRIVE NORTH (PID NO. 922486) (BID NO. 023-350-C)

Bid of McGeehan Construction, Inc. for 137th Street Pipe Replacement from Pinecrest Drive North to Joyce Drive North, on the basis of being the lowest responsive, responsible bid received meeting specifications, in the amount of \$518,045.46; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#25 RESOLUTION NO. 03-85 AUTHORIZING THE EXPENDITURE OF UTILITIES FUNDS FOR THE PURCHASE OF A MICROWAVE OVEN FOR THE S. K. KELLER WATER TREATMENT PLANT BREAK ROOM, AND THE PURCHASE OF MICROWAVES AND REFRIGERATORS AT OTHER SITES ON AN AS-NEEDED BASIS, UNDER THE PROVISIONS OF PINELLAS COUNTY CODE SECTION 2-145, TITLED EXPENDITURES OF FUNDS FOR INCENTIVES, AWARDS AND RECRUITMENT

Resolution No. 03-85 authorizing the expenditure of Utilities funds for the purchase of a microwave oven for the S. K. Keller Water Treatment Plant (Keller) break room and the purchase of microwaves and refrigerators for other sites on an as-needed basis, under the provisions of Pinellas County Code Section 2-145, titled expenditures of funds for incentives, awards and recruitment, in a not to exceed amount of \$300.00 per expenditure for microwaves and a not to exceed amount of \$700.00 for refrigerators.

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#26 BID OF KEYSTONE EXCAVATORS, INC. FOR RIDGE ROAD SANITARY SEWER REPLACEMENT (PROJECT NO. 753-989114-1127) (BID NO. 023-397-C)

Bid of Keystone Excavators, Inc. for Ridge Road Sanitary Sewer Replacement, on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure in the amount of \$181,560.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#27 CHANGE ORDER NO. 2 (FINAL) TO CONTRACT WITH TLC DIVERSIFIED INC. FOR IMPROVEMENTS TO PUMP STATIONS NOS. 23, 54, 63, 66 AND INDIAN ROCKS BEACH (PROJECT NO. 724-623114-1468) (BID NO. 012-98-C)

- a. Change Order No. 2 (final) decreases the contract by \$8,051.00 (total agreement amount, \$777,139.00).
- b. Contract accepted as complete as of January 31, 2003.
- c. Release of retainage in the amount of \$37,297.63.
- d. Chairman authorized to sign and Clerk to attest.

#28 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH ROWLAND, INC. FOR TOWNS OF REDINGTON BEACH, REDINGTON SHORES AND NORTH REDINGTON BEACH RECLAIMED WATER DISTRIBUTION SYSTEM AND RELEASE OF RETAINAGE (PROJECT NO. 733-941814-1124) (BID NO. 001-0326-C)

- a. Change Order No. 1 (final) decreases the contract by \$1,082,889.19 (final payment, \$358,968.53); total agreement amount, \$6,719,114.56).
- b. Project completion time increased by 90 days; contract accepted as complete.
- c. Release of retainage in the amount of \$334,744.53.

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- d. Chairman authorized to sign and Clerk to attest.
- #29 EXECUTION OF A PARTIAL RELEASE OF JUDGMENT LIEN AGAINST ESTELLE SAUNDERS, A/K/A BABY SISTER

Execution of a partial release of judgement lien against Estelle Saunders a/k/a Baby Sister as to a particular property located in Pinellas County, Florida.

- #30a AGREEMENT WITH LEROY CAMPBELL AND AGNES CAMPBELL FOR EXCHANGE OF DRAINAGE AND UTILITY EASEMENTS FOR PARCEL NO. 08/30/15/70470/100/1915 FOR DANSVILLE REDEVELOPMENT AREA, PID NO. 720

- a. Chairman authorized to sign and Clerk to attest.
- b. Authorization granted for terms specified.

- #30b AGREEMENT WITH ANNIE MARY HILL FOR EXCHANGE OF DRAINAGE AND UTILITY EASEMENTS FOR PARCEL NO. 08/30/15/70470/100/1910 FOR DANSVILLE REDEVELOPMENT AREA (PID NO. 720)

- a. Chairman authorized to sign and Clerk to attest.
- b. Authorization granted for terms specified.

- #31 AGREEMENT WITH MARY KEENE A/K/A MARY L. KEENE FOR ACQUISITION OF PARCELS NOS. 08/30/15/70470/100/1601 AND 08/30/15/70470/100/1602, VACANT PARCELS LYING WITHIN DANSVILLE REDEVELOPMENT AREA (PID NO. 720)

- a. Chairman authorized to sign and Clerk to attest.
- b. Authorization granted for issuance of necessary check in the amount of \$20,000.00 in payment thereof.

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#32 LOT CLEARING RESOLUTION

Resolution No. 03-86 assessing liens against lands cleared in Pinellas County pursuant to Chapter 78-599, Laws of Florida, and Pinellas County Code Chapter 58, Article IX, Section 338 directing that this resolution be filed in the public records office of the Clerk of the Circuit Court in Pinellas County, Florida.

#33 BID OF OLYMPIC PAINTING CONTRACTING, INC. FOR INTERIOR PAINTING SERVICES (BID NO. 023-279-B)

Bid of Olympic Painting Contracting, Inc. for interior painting services on the basis of being the lowest responsive and responsible bid received meeting specifications, for a total estimated 24-month expenditure not to exceed \$78,450.00 (24-month contract with one additional 24-month option of renewal allowing for a one-time price adjustment based on the Consumer Price Index (CPI) or five percent, whichever is less, upon approval of the County Administrator); County Administrator authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#34 DECLARATION OF TWO STEVENSON CREEK LOTS AS SURPLUS WITH AUTHORIZATION TO ESTABLISH A BASE BID OF \$69,000.00 FOR LOT 1 AND A BASE BID OF \$66,000.00 FOR LOT 2, TO ADVERTISE FOR SALE AND TO SELL

#35 EIGHTEENTH AMENDMENT TO REVISED AND RESTATED LEASE AGREEMENT BETWEEN PINELLAS COUNTY AND COMMUNITY SERVICE FOUNDATION INCORPORATED TO DELETE ONE PROPERTY

Chairman authorized to sign and Clerk to attest.

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#36 CHANGE ORDER NO. 1 TO CONSTRUCTION MANAGEMENT AGREEMENT WITH SKANSKA USA BUILDING, INC. FOR THE NEW MEDICAL EXAMINER'S FACILITY AND FORENSIC CENTER

- a. Change Order No. 1 decreases the guaranteed maximum price (GMP) by \$1,180,332.97 (revised total GMP amount, \$9,158,888.03).
- b. Chairman authorized to sign and Clerk to attest.

#37 RESOLUTION NO. 03-87 PROVIDING FOR EXPENDITURES FOR PURCHASE OF MISCELLANEOUS FOOD ITEMS FOR LOCAL LAW ENFORCEMENT MEMBERS PARTICIPATING IN THE ALPHA GROUP CENTER FOR CRIME AND INTELLIGENCE ANALYSIS TRAINING SEMINAR SPONSORED BY JUSTICE COORDINATION

Resolution authorizing the purchase of miscellaneous food items pursuant to County Ordinance No. 00-16 for the Alpha Group Center for Crime and Intelligence Analysis Training Seminar for four and one-half days from April 21 through 25, 2003, for an estimated cost of \$200.00.

#38 AMENDMENT NO. 2 TO CHILD SUPPORT ENFORCEMENT CONTRACT CONTRACT NO. EZ9A1, PURCHASE ORDER NO. S7300 YEZ9A1 BETWEEN PINELLAS COUNTY AND STATE OF FLORIDA, DEPARTMENT OF REVENUE FOR SERVICE OF PROCESS

- a. Chairman authorized to sign and Clerk to attest.
- b. Amendment No. 2 increases the total five-year contract amount to \$509,000.00, subject to availability of funds; adds reimbursement language on behalf of the Sheriff, which reimbursed amount shall not exceed \$509,000.00 over that period; increases funding amounts by \$42,000.00 (for a new amount of \$127,000.00) for both FY 2002-2003 and FY 2003-2004; and makes the amendment's effective date the later of March 15, 2003 or the date on which both parties have signed the amendment.

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#39 RESOLUTION NO. 03-88 PROVIDING FOR EXPENDITURES FOR PURCHASE OF MISCELLANEOUS MATERIALS FOR CITIZENS PARTICIPATING IN THE PINELLAS COUNTY FLAG DAY PROGRAM COORDINATED BY THE DEPARTMENTS OF PARK AND PUBLIC AFFAIRS

Expenditure of funds for a Pinellas County special event for an amount not to exceed \$2,500.00.

#40 DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR LIQUIDATION OF SAME THROUGH SALES CONDUCTED BY GOVDEALS.COM AND AUTHORIZATION FOR DONATION OF 15 CHAIRS, ONE DESK, THREE FILE CABINETS, TWO TABLES, ONE COMPUTER (ASSET NO. 92566), ONE MONITOR, ONE KEYBOARD, ONE MOUSE AND ONE PRINTER TO OLD PALM HARBOR MAIN STREET PROGRAM

Declaration of certain County-owned equipment as set forth in the agenda memorandum of May 6, 2003.

#41 QUARTERLY REPORT OF CLAIM SETTLEMENTS FOR THE PERIOD FROM JANUARY 1, 2003 THROUGH MARCH 31, 2003 RECEIVED FOR FILING

Quarterly Report of Claim Settlements for the period from January 1, 2003 through March 31, 2003 for claims requiring the mutual consent of the County Attorney and Risk Management in the settlement area of \$25,000.00 to \$50,000.00 (total for all claims paid, \$127,500.00).

#42 PAYMENT OF INSURANCE PREMIUM TO ACORDIA SOUTHEAST FOR PROFESSIONAL LIABILITY INSURANCE COVERAGE

Payment of insurance premium to Acordia Southeast, Inc. in the amount of \$29,908.01 for professional liability insurance coverage.

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#43 QUARTERLY PAYMENT OF SELF-INSURER WORKERS' COMPENSATION ASSESSMENT TO FLORIDA DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY, DIVISION OF WORKERS' COMPENSATION

Payment of the self-insurer assessment in quarterly installments of \$162,401.76 to the Florida Department of Labor and Employment Security, Division of Workers' Compensation for the quarterly installment pursuant to Bulletin No. 235.

* * * *

At the direction of the Vice-Chairman, there being no objection, the meeting was recessed at 12:05 P.M. and reconvened at 1:10 P.M., with Commissioners Latvala, Harris, Morroni and Welch in attendance.

* * * *

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

#45 AMENDMENT NO. 3 TO AGREEMENT WITH URS CORPORATION SOUTHERN FOR CONSULTANT SERVICES FOR ST. PETERSBURG/CLEARWATER INTERNATIONAL AIRPORT RUNWAY 17L/35R EXTENSION PROJECT (PID NO. 922066) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 3 to the Agreement with URS Corporation Southern for St. Petersburg-Clearwater International Airport Runway 17L/35R Extension Project engineering services in the amount of \$270,628.00 (new total amount, \$1,349,479.00).

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

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* * * *

At this time, 1:11 P.M., Commissioner Stewart returned to the meeting.

* * * *

#46 LOCAL AGENCY PROGRAM (LAP) AGREEMENT BETWEEN STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND PINELLAS COUNTY FOR FOREST LAKES BOULEVARD SIDEWALK IMPROVEMENT PROJECT, ST. PETERSBURG DRIVE (S.R. 580) TO TAMPA ROAD - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Local Agency Program (LAP) Agreement between the Florida Department of Transportation (FDOT) and Pinellas County providing funding for the Forest Lakes Boulevard Sidewalk Improvement Project, St. Petersburg Drive (S.R. 580) to Tampa Road.

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

* * * *

At this time, 1:14 P.M., Commissioner Todd returned to the meeting.

* * * *

#47a OFFER TO SELL BY DOMENICK N. SAVINO, SR., TRUSTEE, FOR ACQUISITION OF AN IMPROVED LOT LYING WITHIN THE PROPOSED AREA OF THE BEAR CREEK CHANNEL CAPITAL 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 offer to sell by Domenick N. Savino, Sr., Trustee, for the acquisition of an improved lot in Section 29, Township 31 South, Range 15 East (property address: 725 Brookwood

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Drive South, St. Petersburg), for the Bear Creek Channel Improvement Project, with authorization for the issuance of a check in the amount of \$105,000.00 in payment thereof, together with a check payable to Somers Title Company in the amount of \$950.00, to declare the structure surplus and for 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 Welch moved, seconded by Commissioner Morroni, that the recommendation of the County Administrator be approved.

Following discussion and input by Director of Public Works J. Keith Wicks, upon call for the vote, the motion carried unanimously.

#47b OFFER TO SELL BY BRUCE A. TANTISH, SR., TRUSTEE, AND INA M. TANTISH, TRUSTEE, FOR ACQUISITION OF AN IMPROVED LOT LYING WITHIN THE PROPOSED AREA OF THE BEAR CREEK CHANNEL CAPITAL 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 offer to sell by Bruce A. Tantish, Sr., Trustee, and Ina M. Tantish, Trustee, for the acquisition of an improved lot in Section 29, Township 31 South, Range 15 East (property address: 805 Brookwood Drive South, St. Petersburg), for the Bear Creek Channel Improvement Project, with authorization for the issuance of a check in the amount of \$77,500.00 in payment thereof, together with a check payable to Somers Title Company in the amount of \$795.62, to declare the structure surplus and for 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 Todd moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

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- #48 RESOLUTION NO. 03-89 ADOPTED GRANTING PRELIMINARY APPROVAL OF LEALMAN HEIGHTS 5TH SECTION SUBDIVISION STREET LIGHTING DISTRICT AND REQUESTING THE COUNTY ADMINISTRATOR TO CALL FOR A PUBLIC HEARING FOR PROPOSED ORDINANCE CREATING SAID DISTRICT, AND AUTHORIZING FUNDS FOR ADMINISTRATIVE EXPENSES DIRECTLY INCIDENT TO CREATING SAID DISTRICT; AUTHORIZATION GRANTED TO WAIVE ADMINISTRATIVE COSTS AND DEPOSIT REQUIREMENT AND FOR AN ADVANCE OF FUNDS FROM THE GENERAL FUND TO COVER ALL RELATED INCIDENTAL ADMINISTRATIVE EXPENSES

County Administrator Stephen M. Spratt recommended adoption of a resolution granting preliminary approval of the Lealman Heights 5th Section Subdivision Street Lighting District, requesting the County Administrator to call for a public hearing for a proposed Ordinance creating said District, and authorizing funds for administrative expenses directly incident to creating said District; and further recommended that authorization be granted to waive administrative costs and deposit requirement and to advance funds from the general fund to cover all related incidental administrative expenses.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 03-89 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

In response to query by Commissioner Stewart regarding recourse for an individual who is impacted with a financial hardship by the creation of a lighting district, Mr. Spratt, Attorney Churuti and Cheryl Collier Reed, Community Development Department, discussed possible options to address the issue.

- #49 INSTALLATION OF FOUR SPEED HUMPS ON 118TH TERRACE NORTH, BETWEEN 105TH LANE NORTH AND 102ND STREET NORTH, AND A FOUR-WAY STOP CONDITION ON 118TH TERRACE NORTH AT 104TH STREET NORTH RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED

County Administrator Stephen M. Spratt recommended approval of the installation of four speed humps on 118th Terrace North, between 105th Lane North and

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102nd Street North, and a four-way stop condition on 118th Terrace North at 104th Street North, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997 and revised June 4, 2002.

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

#50 INSTALLATION OF ONE SPEED HUMPS ON 122ND AVENUE NORTH, BETWEEN 91ST WAY NORTH AND STARKEY ROAD, ONE THREE-WAY STOP CONDITION ON 122ND AVENUE NORTH AT 93RD STREET NORTH AND ONE THREE-WAY STOP CONDITION ON 122ND AVENUE NORTH AT 92ND STREET NORTH RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED

County Administrator Stephen M. Spratt recommended approval of the installation of one speed hump on 122nd Avenue North, between 91st Way North and Starkey Road, one three-way stop condition on 122nd Avenue North at 93rd Street North and one three-way stop condition on 122nd Avenue North at 92nd Street North, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997 and revised June 4, 2002.

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

#51 INSTALLATION OF THREE SPEED HUMPS ON RIDGE ROAD BETWEEN NORTH STREET AND ORANGE STREET RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED

County Administrator Stephen M. Spratt recommended approval of the installation of three speed humps on Ridge Road between North Street and Orange Street, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997 and revised June 4, 2002.

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

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

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#52 INSTALLATION OF TWO SPEED HUMPS ON GEORGIA AVENUE, BETWEEN PALM HARBOR BOULEVARD (U.S. 19A) AND 8TH STREET RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED

County Administrator Stephen M. Spratt recommended approval of the installation of two speed humps on Georgia Avenue, between Palm Harbor Boulevard (U.S. 19A) and 8th Street, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997 and revised June 4, 2002.

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

#53 AMENDMENT TO AGREEMENT WITH ST. PETERSBURG COLLEGE BOARD OF TRUSTEES FOR THE KLOSTERMAN ROAD PROJECT, U.S. ALTERNATE 19 NORTH TO U.S. 19 NORTH (PID NO. 920515) - APPROVED FOR EXECUTION; AUTHORIZATION GRANTED FOR EXCHANGE OF AN EXISTING PERPETUAL DRAINAGE EASEMENT (PARCEL 40) FOR A PROPOSED PERPETUAL DRAINAGE EASEMENT (PARCEL 53) TO BE EXECUTED BY ST. PETERSBURG COLLEGE; COUNTY DEED - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an amendment to an agreement with the St. Petersburg College Board of Trustees for the Klosterman Road Project, U.S. Alternate 19 North to U.S. 19 North; and further recommended authorization for the exchange of an existing perpetual drainage easement (Parcel 40) as recorded in O.R. Book 12045, Page 1799, for a proposed perpetual drainage easement to be executed by St. Petersburg College (Parcel 53) in Section 19, Township 27 South, Range 16 East (property address: 38500 U.S. Highway 19 North); and approval of the County Deed.

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

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- #54 BID OF DAVID NELSON CONSTRUCTION COMPANY ACCEPTED FOR KLOSTERMAN ROAD, U.S. HIGHWAY 19A TO U.S. HIGHWAY 19, PID NO. 920515 (BID NO. 023-399-C) - CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bid of David Nelson Construction Company be accepted for Klosterman Road, U.S. Highway 19A to U.S. Highway 19, on the basis of being the lowest responsive, responsible bid received meeting specifications, in the amount of \$9,705,867.80; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

- #55 CHANGE ORDER NO. 1 TO CONTRACT NO. 000820 WITH PEPPER CONTRACTING SERVICES, INC. FOR KEENE ROAD (PHASE 1B) FROM DREW STREET TO SUNSET POINT ROAD (BID NO. 012-822-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 1 to Contract No. 000821 with Pepper Contracting Services, Inc. for Keene Road (Phase 1B) from Drew Street to Sunset Point Road for an increase in the amount of \$244,679.86 (new total contract, \$6,496,514.14); and further recommended that a time extension of 14 consecutive calendar days be granted.

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

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#56 **COOPERATIVE FUNDING AGREEMENT NO. 03CON000051 BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND PINELLAS COUNTY FOR THE PINELLAS COUNTY ULTRA LOW FLOW TOILET REBATE PROGRAM (K679) - APPROVED FOR EXECUTION**

County Administrator Stephen M. Spratt recommended approval of Cooperative Funding Agreement No. 03CON000051 between the Southwest Florida Water Management District and Pinellas County for the Pinellas County ultra low flow toilet rebate program (K679) in the amount of \$1,455,000.00.

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

#57 **BID OF ROWLAND, INC. ACCEPTED FOR AUTUMN WOODS AND ENISWOOD RECLAIMED WATER DISTRIBUTION SYSTEM (PROJECT NO. 763-712313-1462) (BID NO. 023-412-C); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY**

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bid of Rowland, Inc. be accepted for the Autumn Woods and Eniswood reclaimed water distribution system, on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure in the amount of \$1,321,178.10; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

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#58 CDM (CAMP DRESSER & McKEE, INC.) SELECTED TO PROVIDE PROFESSIONAL SERVICES FOR TOWN OF BELLEAIR WASTEWATER SYSTEM ACQUISITION (PROJECT NO. 734-613313-1673); 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 professional services for the Town of Belleair Wastewater System acquisition, as follows:

1. CDM (Camp Dresser & McKee, Inc.)
2. King Engineering Associates, Inc.
3. McKim & Creed

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, CDM (Camp Dresser & McKee, Inc.), and to finalize a contract with said firm for Board approval.

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

#59 CHANGE ORDER NO. 4 (FINAL) TO CONTRACT WITH WHARTON-SMITH, INC. FOR MODIFICATIONS TO NORTH BOOSTER PUMPING STATION (PROJECT NO. 634-131613-0065) (BID NO. 001-0067-C) - APPROVED FOR EXECUTION; PROJECT ACCEPTED AS COMPLETE AND AUTHORIZATION GRANTED FOR FINAL PAYMENT AND RELEASE OF RETAINAGE

County Administrator Stephen M. Spratt recommended approval of Change Order No. 4 (Final) to the contract with Wharton-Smith, Inc. for modifications to the North Booster Pumping Station, decreasing the agreement amount by \$85,887.52, and release of retainage monies in the amount of \$54,052.29, for a total final payment in the amount of \$54,120.29 (total agreement amount, \$5,491,112.48); project accepted as complete as of January 31, 2003.

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

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#60 AMENDMENT NO. 2 TO THE ENGINEERING AGREEMENT FOR CONSULTING SERVICES WITH McKIM & CREED, P.A., FOR THE INDIAN SHORES/INDIAN ROCKS BEACH RECLAIMED WATER TRANSMISSION AND DISTRIBUTION SYSTEM, PROJECT NO. 733-941814-1149 - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 2 to the engineering agreement for consulting services with McKim & Creed, P.A. for the Indian Shores/Indian Rocks Beach reclaimed water transmission and distribution system, in the amount of \$211,600.00 (revised agreement amount, \$574,090.00).

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

#61 AMENDMENT NO. 4 TO REFUSE TO ENERGY PLANT CONSOLIDATED MANAGEMENT AGREEMENT WITH WHEELABRATOR PINELLAS INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 4 to the Refuse to Energy Plant Consolidated Management Agreement with Wheelabrator Pinellas, Inc., for the amount of \$163,570.00.

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

#62 CONTRACT WITH RAYMOND E. AND FRANCES C. LEVER FOR SALE AND PURCHASE OF PARCEL NO. 05/30/16/70920/100/0102 FOR A FUTURE NEIGHBORHOOD FAMILY CENTER IN THE HIGH POINT AREA - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a contract with Raymond E. and Frances C. Lever for sale and purchase of an improved lot for a future Neighborhood Family Center in the High Point area, for a sale price in the amount of \$75,000.00 (Community Development Block Grant funds).

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

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#63 APPROVAL OF THE FILING OF AN APPLICATION FOR TAX-EXEMPT BOND FINANCING THROUGH THE PINELLAS COUNTY HOUSING FINANCE AUTHORITY (HFA) FOR MULTI-FAMILY HOUSING AT RIVERSIDE VILLAGE - TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt referred to agenda Item No. 63, "Approval of the filing of an application for tax-exempt bond financing through the Pinellas County Housing Finance Authority for multi-family housing at Riverside Village," and asked that it be temporarily deferred as requested by the HFA.

Commissioner Morroni moved, seconded by Commissioner Todd and carried, that agenda Item No. 63 be temporarily deferred.

#64 PINELLAS COUNTY ELECTRONIC MEDIA USE POLICY AND TELEPHONE ADMINISTRATIVE PROCEDURES FOR DEPARTMENTS UNDER THE AUTHORITY OF THE COUNTY ADMINISTRATOR - APPROVED

County Administrator Stephen M. Spratt recommended approval of *Pinellas County Electronic Media Use Policy* and *Telephone Administrative Procedures*, copies of which have been filed and made a part of the record, effective May 6, 2003.

Commissioner Harris moved, seconded by Commissioner Welch, that the recommendation of the County Administrator be approved. Following discussion, upon call for the vote, the motion carried unanimously.

#65 RESOLUTION NO. 03-90 ADOPTED AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO ESTABLISH A CODE ENFORCEMENT TASK FORCE TO IDENTIFY AND ADDRESS SPECIFIC ISSUES IN EXISTING CODES WITHIN THE LEGAL BOUNDARIES OF PINELLAS COUNTY, FLORIDA

County Administrator Stephen M. Spratt recommended the Board adopt a resolution authorizing the Department of Environmental Management to establish a code enforcement task force to identify and address specific issues in existing codes within the legal boundaries of Pinellas County, Florida.

Commissioner Morroni moved, seconded by Commissioner Welch, that Resolution No. 03-90 be adopted as recommended.

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In response to query by Commissioner Todd, Mr. Spratt affirmed the participation of citizens with the task force; whereupon, Vice-Chairman Latvala requested that the membership and purpose of the task force be discussed further at a work session. Following discussion, upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

#66 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE
PROPOSED MANGROVE ORDINANCE

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held May 20, 2003 regarding a proposed ordinance relating to mangrove trimming and preservation.

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

#67 AUTHORIZATION GRANTED FOR PURCHASING DEPARTMENT AND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO NEGOTIATE
CONTRACT WITH ACADEMY STUDIOS THROUGH NON-COMPETITIVE
PROCESS FOR ADMINISTRATION AND OVERSIGHT OF FABRICATION OF
EXHIBITS AT THE BROOKER CREEK PRESERVE ENVIRONMENTAL
EDUCATION CENTER

County Administrator Stephen M. Spratt recommended that the Board authorize the Purchasing Department and the Department of Environmental Management to negotiate a contract with Academy Studios through a non-competitive process to administer and oversee the fabrication of exhibits at the Brooker Creek Preserve Environmental Education Center (approximate cost for fabrication, \$2,000,000.00).

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

Responding to queries by Commissioners Stewart and Todd, Jacob F. Stowers, III, Assistant County Administrator, provided an estimate of recurring costs and background information with regard to fabrication services; and indicated that staff is

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working with the County Attorney's Office with regard to establishing differential fees for this type of facility.

* * * *

At this time, 1:45 P.M., Commissioner Todd left the meeting.

* * * *

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

#68 OPTION NOT TO PURCHASE LANDS AVAILABLE FOR TAXES - APPROVED

County Administrator Stephen M. Spratt recommended that the Board not exercise its option to purchase the parcels of land reported by the Clerk on February 26, 2003 as available for taxes, thereby allowing individuals to purchase the parcels for the amount accrued, said property to escheat to Pinellas County if not purchased within seven years.

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

#69 CONTRACT WITH PAUL A. GIULIANI, II AND SYLVIA GIULIANI FOR SALE AND PURCHASE OF VACANT LAND IN THE BROOKER CREEK PRESERVE PROJECT AREA - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a contract with Paul A. Giuliani, II and Sylvia Giuliani for sale and purchase of 2.49 more or less acres located in the south central portion of the Brooker Creek Preserve, for an amount of \$28,000.00 with closing on the property contingent upon completion of a satisfactory environmental assessment.

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

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#70 FISCAL YEAR 2003 BUDGET AMENDMENTS NOS. 13 THROUGH 15 - APPROVED

County Administrator Stephen M. Spratt recommended approval of fiscal year 2003 budget amendments Nos. 13 through 15.

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

#71a RESOLUTION NO. 03-91 ADOPTED SUPPLEMENTING THE FISCAL YEAR 2003 GENERAL FUND BUDGET (SHERIFF - PROJECT SUCCESS AND AFTER-SCHOOL PROGRAM)

County Administrator Stephen M. Spratt recommended the adoption of a resolution supplementing the fiscal year 2003 General Fund Budget (Sheriff - Project Success and After-School Program); providing the budgetary framework to recognize unanticipated grant revenues in the amount of \$198,500.00 in the General Fund and increasing the fiscal year 2003 transfer to the Sheriff accordingly.

Commissioner Stewart moved, seconded by Commissioner Welch, that Resolution No. 03-91 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Todd.

#71b RESOLUTION NO. 03-92 ADOPTED REALLOCATING RESERVE FOR FUTURE YEARS IN THE FISCAL YEAR 2003 SEMINOLE FIRE DISTRICT'S BUDGET

County Administrator Stephen M. Spratt recommended the adoption of a resolution appropriating earmarked receipts for a particular purpose in the fiscal year 2003 fire district's fund.

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Commissioner Stewart moved, seconded by Commissioner Welch and carried, that Resolution No. 03-92 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Todd.

#72 **RESOLUTION NO. 03-93 ADOPTED DELEGATING CERTAIN AUTHORITY AND POWERS CONFERRED UPON PINELLAS COUNTY BY THE COMMUNITY REDEVELOPMENT ACT OF 1969, CHAPTER 163, PART III, TO THE CITY OF ST. PETERSBURG CITY COUNCIL FOR REDEVELOPMENT IN AN AREA IN THE CITY OF ST. PETERSBURG, FLORIDA WITHIN CERTAIN GEOGRAPHIC BOUNDARIES; AND PROVIDING FOR AN EFFECTIVE DATE**

County Administrator Stephen M. Spratt recommended the Board adopt a resolution delegating certain authority and powers conferred upon Pinellas County by the Community Redevelopment Act of 1969, Chapter 163, Part III, to the City of St. Petersburg City Council for redevelopment in an area in the City of St. Petersburg, Florida within certain geographic boundaries.

Referring to recent events, Commissioner Welch emphasized the importance of establishing public safety in the City of St. Petersburg mid-town area and expressed appreciation for the efforts expended to promote economic redevelopment.

Responding to query by Commissioner Stewart, Ron Barton, City of St. Petersburg Economic Development Director, indicated that the matter of requesting Tax Increment Financing (TIF) for the subject area has not yet been addressed; whereupon, Brian Smith, County Planning Director, noted that the statement indicating that the City will not request TIF may have been included in the board memorandum prematurely; and that it should be disregarded at this time.

Commissioner Welch moved, seconded by Commissioner Morroni, that Resolution No. 03-93 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Todd.

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#73 BIDS OF BRETTEL EQUIPMENT CORPORATION, RUDY'S RENTAL AND SALES, INC., QUALITY MOWERS, SOUTHERN FARM SUPPLY, AND SUNCOAST EQUIPMENT CENTER FOR MOTORS AND PARTS FOR LAWN EQUIPMENT (COOPERATIVE BID NO. 023-424-B) - APPROVED; BID OF WESCO TURF - REJECTED

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bids of Brettel Equipment Corporation, Rudy's Rental and Sales Inc., Quality Mowers, Southern Farm Supply, and Suncoast Equipment Center be accepted for motors and parts for lawn equipment; 24-month contract beginning July 20, 2003 through July 19, 2005 with two additional 12-month options for renewal beyond the primary contract period at the same pricing, terms and conditions, pending availability of funds and approval by the County Administrator (Pinellas County estimated annual expenditure not to exceed \$100,000.00); and further recommended that the bid of Wesco Turf be rejected on the basis of being nonresponsive in failing to meet specifications.

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

#74 FIRST AND FINAL OPTION OF RENEWAL WITH WACHOVIA BANK, N. A. (FORMERLY FIRST UNION NATIONAL BANK) FOR ANNUAL REQUIREMENTS OF BANKING SERVICES (BID NO. 990-0356-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended approval of a first and final option of renewal with Wachovia Bank, N.A. (formerly First Union National Bank) for annual requirements of banking services for an additional 36 months at the same terms and conditions, effective June 20, 2003 for an annual estimated expenditure not to exceed \$250,800.00 (Consumer Price Index adjustment of 4.5 percent); and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

Responding to query by Commissioner Welch, Chief Deputy Clerk C. R. Short indicated that the \$250,800.00 estimate did not include interest revenue; but that he would provide that information to the Board.

Upon call for the vote, the motion carried unanimously.

#75 AIM HEALTHCARE SERVICES, INC. SELECTED TO PROVIDE ON-SITE AUDITS/VALIDATING AND RECOVERY OF HOSPITAL OVERPAYMENTS (REBID) (BID NO. 023-246-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 on-site audits/validating and recovery of hospital overpayments (Bid No. 023-246-P), as follows:

1. AIM Healthcare Services, Inc.
2. Meridian Resource Company
3. PriceWaterHouseCoopers

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

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

* * * *

At this time, 2:02 P.M., Commissioner Stewart left the meeting.

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#76 FOOD VENDING SERVICES AGREEMENT AND MEMORANDUM OF AGREEMENT WITH PINELLAS COUNTY SCHOOL BOARD FOR THE 2003 SUMMER FOOD SERVICE PROGRAM (SFSP) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement for summer food vending services and a memorandum of agreement with the Pinellas County School Board for the 2003 Summer Food Service program, a federally funded program administered by the Florida Department of Education, effective for six months from date of execution.

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

#77 SUMMER FOOD SERVICE PROGRAM FOR CHILDREN AGREEMENT (NO. 04-0972) WITH FLORIDA DEPARTMENT OF EDUCATION (DOE) DIVISION OF SUPPORT SERVICES, FOOD AND NUTRITION MANAGEMENT FOR PINELLAS COUNTY TO PROVIDE SPONSORSHIP SERVICES - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Summer Food Service Program for Children Agreement (No. 04-0972) between the Florida DOE and Pinellas County to provide sponsorship services for the Summer Food Service Program for Children during the months of June and July 2003; costs associated with the program are reimbursed to the County by the DOE.

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

#78 STANDARD CONTRACT NO. EP003-PINELLAS AND MASTER AGREEMENT NO. MA-EM003-PINELLAS WITH AREA AGENCY ON AGING OF PASCO-PINELLAS, INC. FOR EMERGENCY HOME ENERGY ASSISTANCE FOR THE ELDERLY PROGRAM - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Standard Contract No. EP003-PINELLAS and Master Agreement No. MA-EM003-PINELLAS with the Area Agency on Aging of Pasco-Pinellas, Inc. for the Emergency Home Energy Assistance for the Elderly Program.

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

#79 ST. PETERSBURG CHAMBER OF COMMERCE SELECTED FOR WORKFORCE 2020 PROGRAM; GOODWILL INDUSTRIES-SUNCOAST, INC. SELECTED FOR EMPLOYER SERVICES AND EX-OFFENDER YOUTH PROGRAMS; LABOR LINE SERVICES, INC. SELECTED FOR EX-OFFENDER, ADULT PROGRAM; ST. PETERSBURG COLLEGE SELECTED FOR INCUMBENT WORKER PROGRAM; CATHOLIC CHARITIES DIOCESE OF ST. PETERSBURG SELECTED FOR FAITH BASED INITIATIVES PROGRAM; JUVENILE SERVICES PROGRAM, INC. SELECTED FOR YOUTH SERVICES PROGRAM; STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRMS (BID NO. 023-339-P)

County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of firms most qualified to provide specialized services through WorkNet Pinellas (Bid No. 023-339-P), as follows:

St. Petersburg Chamber of Commerce
Goodwill Industries-Suncoast, Inc.
Labor Line Services, Inc.
St. Petersburg College
Catholic Charities Diocese of St. Petersburg
Juvenile Services Program, Inc.

He further recommended that staff be authorized to initiate contract negotiations and to finalize contracts with said firms for Board approval.

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

#80 AMENDMENT TO AGREEMENT BETWEEN PINELLAS COUNTY AND JUVENILE SERVICES PROGRAM, INC. FOR THE PROVISION OF YOUTH SERVICES - APPROVED FOR EXECUTION (WORKNET PINELLAS)

County Administrator Stephen M. Spratt recommended that the Board approve the amendment to the agreement between Pinellas County and the Juvenile

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Services Program, Inc. for the provision of youth services, extending the term of the agreement through June 30, 2003 as requested by the WorkNet Pinellas Board.

Commissioner Welch moved, seconded by Commissioner Harris, that the recommendation of the County Administrator be approved. Following discussion, upon call for the vote, the motion carried unanimously.

#81 AMENDMENT TO AGREEMENT BETWEEN PINELLAS COUNTY AND FAMILY SERVICE CENTERS, INC. FOR PROVISION OF WELFARE TRANSITION CASE MANAGEMENT SERVICES - APPROVED FOR EXECUTION (WORKNET PINELLAS)

County Administrator Stephen M. Spratt recommended approval of the amendment to the agreement between Pinellas County and Family Service Centers, Inc. for the provision of welfare transition case management services, extending the agreement through June 30, 2003 as requested by the WorkNet Pinellas Board.

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

#82 AMENDMENT TO AGREEMENT BETWEEN PINELLAS COUNTY AND THE SCHOOL BOARD OF PINELLAS COUNTY (ON BEHALF OF PINELLAS TECHNICAL EDUCATION CENTERS) FOR PROVISION OF YOUTH SERVICES - APPROVED FOR EXECUTION (WORKNET PINELLAS)

County Administrator Stephen M. Spratt recommended approval of the amendment to the agreement between Pinellas County and the School Board of Pinellas County for the provision of youth services, extending the term of the agreement through June 30, 2003 as requested by the WorkNet Pinellas Board (revised total agreement amount, \$269,633.00).

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

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At this time, 2:07 P.M., Commissioner Stewart returned to the meeting.

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#83 AMENDMENT TO AGREEMENT BETWEEN PINELLAS COUNTY AND GOODWILL INDUSTRIES-SUNCOAST, INC. FOR THE PROVISION OF EMPLOYER SERVICES - APPROVED FOR EXECUTION (WORKNET PINELLAS)

County Administrator Stephen M. Spratt recommended approval of the amendment to the agreement between Pinellas County and Goodwill Industries-Suncoast, Inc. for the provision of employer services, extending the term of the agreement through June 30, 2003 (revised total agreement amount, \$356,284.07).

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

#84 AGREEMENT WITH THE CENTER FOR CREATIVE TEAMBUILDING FOR THE PROVISION OF STRATEGIC PLANNING SESSIONS FOR WORKNET PINELLAS WITH WAIVER OF COUNTY PURCHASING ORDINANCE - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended waiver of the purchasing ordinance and approval of an agreement with The Center For Creative Teambuilding for the provision of strategic planning sessions for WorkNet Pinellas, through June 30, 2003 for a total estimated cost not to exceed \$24,600.00.

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

#85 APPOINTMENT OF EDWARD PEACHEY AS EXECUTIVE DIRECTOR OF WORKNET PINELLAS - APPROVED

County Administrator Stephen M. Spratt recommended the appointment of Edward Peachey as Executive Director of WorkNet Pinellas at pay grade 115.

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

#86 COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST

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

- a. Beal Bank S.S.B. versus Dale R. Dupree, et al., Circuit Civil Case No. 03-2900-CI-8 - Mortgage Foreclosure Involving a Street Lighting Lien.
- b. Centex Home Equity Company, LLC versus Jeffrey A. Herman, etc., et al., Circuit Civil Case No. 03-2457-CI - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.
- c. City of St. Petersburg, Florida versus Vanessa Brady, et al., Circuit Civil Case No. 03-2764-CI-11 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fines and Costs.
- d. Mortgage Electronic Registration Systems, Inc. versus Mae B. Wade, et al., Circuit Civil Case No. 03-2448-CI-07 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
- e. Brenda L. Ballard versus Everett S. Rice, as Sheriff of Pinellas County, Circuit Civil Case No. 03-2678-CI-11 - Allegation of Negligence in Operating a Patrol Vehicle Resulting in a Collision.
- f. Virginia Conlin, et al. versus Pinellas County, et al., Circuit Civil Case No. 01-6294-CI-19 - Allegations of Negligence Resulting in Personal Injuries as a Result of a Sidewalk Trip and Fall Incident.
- g. Manuel R. Dominguez versus Pinellas County Sheriff's Office, Civil Case No. 8:02-CV-2241-T-27MSS - Allegation of Violations of the Florida Civil Rights Act, and Title VII of the Civil Rights Act of 1964, as amended.

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#87 COUNTY ATTORNEY AUTHORIZED TO FILE SMALL CLAIMS ACTIONS ON BEHALF OF SUNSTAR FOR UNPAID AMBULANCE BILLS

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the County Attorney be authorized to file small claims actions on behalf of Sunstar for unpaid ambulance bills against the estates of:

- a. Alberta Bird
- b. Lloyd W. Day
- c. Adam J. Pataky
- d. Rita Warren, beneficiary of the Estate of Donald D. Warren

#88 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED AMENDING ORDINANCE RELATING TO STREET LIGHTING DISTRICTS

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held on June 24, 2003 regarding a proposed amending ordinance relating to street lighting districts.

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

#89 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION ON BEHALF OF JUDITH STAMPER-RUSK IN THE CLAIM OF JUDITH STAMPER-RUSK VERSUS KINGS MANOR ESTATES, LLC, HUD NO. 04-02-0880-8; PC NO. 03-026 - ALLEGATIONS OF HOUSING DISCRIMINATION

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the County Attorney be authorized to initiate litigation on behalf of Judith Stamper-Rusk in the claim of Judith Stamper-Rusk versus Kings Manor Estates, LLC, HUD No. 04-02-0880-8; PC No. 03-026 - Allegations of Housing Discrimination.

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#90 RESOLUTION NO. 03-94 ADOPTED APPROVING VOTING PRECINCT CHANGES AS RECOMMENDED BY THE SUPERVISOR OF ELECTIONS

County Attorney Susan H. Churuti recommended adoption of a resolution approving voting precinct changes as recommended by the Supervisor of Elections.

Betsy M. Steg, Senior Assistant County Attorney, provided background information with regard to the voting precinct changes and pointed out a revision which had been requested by the City of St. Petersburg concerning Precinct No. 169. In response to query by Commissioner Stewart, Attorney Steg indicated that the cost involved in the issuance of new voter registration cards will be \$7,000.00.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 03-94 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Todd.

#91 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#92 COMPOSITE ANNEXATION UPDATE REPORT - RECEIVED AND ACCEPTED

County Administrator Stephen M. Spratt noted that the *Composite Annexation Update* had inadvertently been listed as a Countywide Planning Authority item rather than shown as a Planning Department report; whereupon, he recommended its receipt and acceptance.

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

In response to query by Commissioner Stewart with regard to a statement in the agenda memorandum, Mr. Spratt provided clarification as to his disagreement with some of the Pinellas Planning Council summary evaluations in the report, and indicated

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that efforts continue to be expended to better define criteria to assist with the management of annexation.

#93 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A ECONOMIC DEVELOPMENT AUTHORITY AND IMAGINAIL CORPORATION - 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 ImagiNail Corporation at the Young-Rainey STAR Center, on a month-to-month basis for a total of 2,962 square feet at a monthly rent in the amount of \$2,553.96 effective May 1, 2003.

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

#94a AGREEMENT REGARDING STAR GROUND LEASE BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (GROUND LESSOR) AND HP STAR I, LTD. BY HARROD DEVELOPMENT, INC. (GROUND LESSEE) IN FAVOR OF TEACHERS' INSURANCE AND ANNUITY ASSOCIATION OF AMERICA MORTGAGE (LENDER) - APPROVED AS AMENDED FOR EXECUTION

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Industrial Development Authority d/b/a the Economic Development Authority.

County Administrator Stephen M. Spratt recommended that the Agreement Regarding Star Ground Leases between Pinellas County Industrial Development Authority and HP Star I, LTD, by Harrod Development, Inc. in favor of an open-end mortgage from the Teachers Insurance and Annuity Association of America to ground lessee be approved.

James L. Bennett, Chief Assistant County Attorney, noted certain revisions to the agreement; whereupon, Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the Agreement Regarding Star Ground Lease be approved as amended.

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#94b AGREEMENT REGARDING STAR GROUND LEASE BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (GROUND LESSOR) AND HP STAR II, LTD. BY HARROD DEVELOPMENT, INC. (GROUND LESSEE) IN FAVOR OF TEACHERS' INSURANCE AND ANNUITY ASSOCIATION OF AMERICA MORTGAGE (LENDER) - APPROVED AS AMENDED FOR EXECUTION

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Industrial Development Authority d/b/a the Economic Development Authority.

County Administrator Stephen M. Spratt recommended that the Agreement Regarding Star Ground Leases between Pinellas County Industrial Development Authority and HP Star II, LTD, by Harrod Development, Inc. in favor of an open-end mortgage from the Teachers Insurance and Annuity Association of America to ground lessee be approved.

James L. Bennett, Chief Assistant County Attorney, noted certain revisions to the agreement; whereupon, Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the Agreement Regarding Star Ground Lease be approved as amended.

#94c AGREEMENT REGARDING STAR GROUND LEASE BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (GROUND LESSOR) AND HP STAR III, LTD. BY HARROD DEVELOPMENT, INC. (GROUND LESSEE) IN FAVOR OF TEACHERS' INSURANCE AND ANNUITY ASSOCIATION OF AMERICA MORTGAGE (LENDER) - APPROVED AS AMENDED FOR EXECUTION

Vice-Chairman Latvala noted for the record that the Board is now sitting as the Industrial Development Authority d/b/a the Economic Development Authority.

County Administrator Stephen M. Spratt recommended that the Agreement Regarding Star Ground Leases between Pinellas County Industrial Development Authority and HP Star III, LTD, by Harrod Development, Inc. in favor of an open-end mortgage from the Teachers Insurance and Annuity Association of America to ground lessee be approved.

James L. Bennett, Chief Assistant County Attorney, noted certain revisions to the agreement; whereupon, Commissioner Welch moved, seconded by

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Commissioner Morroni and carried, that the Agreement Regarding Star Ground Lease be approved as amended.

#95a LEGISLATIVE UPDATE

Assistant County Administrator Elithia V. Stanfield presented a legislative update, noted the commencement of a Special Session on May 12, and provided an overview of issues the Governor has asked to be addressed at that time.

#95b UPDATE RE NATURE'S WATCH

County Administrator Stephen M. Spratt presented an update with regard to Nature's Watch, a copy of which has been filed and made a part of the record; whereupon, in response to queries by the members, Jacob F. Stowers, III, Assistant County Administrator, provided an overview of the inspection process conducted by the County Building Department.

In response to query by Commissioner Welch, County Attorney Susan H. Churuti provided background information with regard to Florida's Sovereign Immunity Law and its relationship to certain building code decisions; and advised the members of recent legal proceedings pertaining to Nature's Watch.

Following discussion, Vice-Chairman Latvala indicated the Board approves Mr. Spratt proceeding with the plans as outlined in the report.

#95c COUNTY ADMINISTRATOR RE UNION FLYERS

County Administrator Stephen M. Spratt indicated that he has sent a letter to all employees under the County Administrator cautioning against recent anonymous communications to employees urging them to contact labor unions; and that it is his intention to keep employees advised of ongoing cost-containment measures and related issues.

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#96 COMMISSIONERS TODD AND HARRIS REAPPOINTED TO THE PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A ECONOMIC DEVELOPMENT AUTHORITY

Commissioner Stewart moved, seconded by Commissioner Welch and carried, that Commissioners Todd and Harris be reappointed to the Pinellas County Industrial Development Authority for a four-year term.

#97 SUNCOAST HEALTH COUNCIL, INC. APPOINTMENT - APPROVED

Upon motion by Commissioner Stewart, seconded by Commissioner Morroni and carried, the appointment of Grant Hurst to the Suncoast Health Council, Inc. for a two-year term in the consumer category was approved.

#98 RESOLUTION NO. 03-95 ADOPTED DECLARING THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS' SUPPORT RE INCLUSION BY CONSTITUTIONALLY VIABLE MEANS OF THE EQUAL RIGHTS AMENDMENT TO THE UNITED STATES CONSTITUTION

Commissioner Harris moved, seconded by Commissioner Morroni, that Resolution No. 03-95 in support of including the Equal Rights Amendment to the United States Constitution be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel and Todd.

#99a COMMISSIONER STEWART RE VARIOUS ISSUES

Commissioner Stewart requested updates with regard to billboard litigation; WorkNet Pinellas' records; and establishing an executive committee comprised of two representatives from Pinellas Suncoast Transit Authority, Metropolitan Planning Organization, and the Board of County Commissioners; whereupon, he provided updates with regard to the Senator Lee and Speaker Byrd amendments and Jobs Corp.

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#99b EVENT AND INDEMNITY AGREEMENT RE AMERICAN POWER BOAT ASSOCIATION (APBA) OFFSHORE POWER BOAT RACING, LLC - APPROVED FOR EXECUTION; COMMISSIONER HARRIS RE PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA) AND WATER CONSERVATION TIP

Commissioner Harris asked for input from the members with regard to a proposal presented to the PSTA suggesting the creation of a discretionary fund; and related a water conservation tip.

Thereupon, he referred to the APBA offshore power boat race set to take place at the Friendship Trail Bridge, and indicated that an Event and Indemnity Agreement has been compiled for the event; and that the Friendship Trail Bridge Committee will receive an up-front donation of \$10,000.00 and ten percent of the net profits; whereupon, he moved that the Agreement be approved, seconded by Commissioner Morrone. In response to query by Commissioner Stewart, County Attorney Susan H. Churuti advised that the Board's approval of the Agreement will provide insurance to protect the County and set forth parameters for Hillsborough County, Pinellas County, and the APBA. Following discussion and upon call for the vote, the motion carried unanimously.

#99c COMMISSIONER MORRONE RE LAW ENFORCEMENT DINNER

Commissioner Morrone announced his sponsorship of the ninth annual law enforcement dinner to be held May 15 at the Sheraton Sand Key Resort; and indicated that any money raised at the event will go to the Gold Shield Foundation, a foundation that gives money to families of individuals killed in the line of duty.

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Upon direction of the Vice-Chairman, there being no objection, the meeting was adjourned at 3:19 P.M.

Vice-Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk