

Clearwater, Florida, October 7, 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 9:35 A.M. on this date with the following members present: Karen Williams Seel, Chairman; Susan Latvala, Vice-Chairman; Barbara Sheen Todd; Robert B. Stewart; Calvin D. Harris; John Morroni; and Kenneth T. Welch.

Absent: None.

Also present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Claretha N. Harris, Chief Deputy Clerk; and Carol J. Jones, Board Reporter.

Pastor Steve Kreloff, Lakeside Community Chapel, 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

A. CITIZENS TO BE HEARD

Any Person Wishing to Speak at this Time, Excluding Non-Public Hearing Items on the Agenda or Issues Previously Acted on by the Board of County Commissioners, Must Have a Yellow Card Completed and Given to the Board Secretary at the Staff Table Located at the Front of the Board Room. The Chairman will Call Each Speaker, One by One, to the Podium to be Heard. Each Speaker May Speak up to Three (3) Minutes.

B. SCHEDULED PUBLIC HEARINGS

Any Person Wishing to Speak about a Public Hearing Item Shall Complete a Blue Card and Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room. 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.

1. Any Person Who Has been Authorized to Represent an Organization with Five (5) or More Members or a Group of Five (5) or More Persons Shall Complete a Blue Card, Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room, and Should Limit Their Presentation to Ten (10) Minutes. It is Expected that Others in the Organization or Group will Waive Their Time.

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2. Any Other Person who Wishes to Speak about a Public Hearing Item Shall Complete a Blue Card, Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room, and May Speak up to Three (3) Minutes. The Chairman will Call Each Speaker, One by One, to the Podium to be Heard.

COUNTYWIDE PLANNING AUTHORITY

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

SUBTHRESHOLD AMENDMENTS

1. a. Case #CW 03-56 – Pinellas Park.
Location – 0.8 Acre Located on the East Side of 67th Street North, 75 Feet South of 96th Avenue North. Amendment from Residential Urban to Commercial General.
- b. Case #CW 03-57 – Clearwater.
Location – 1.0 Acre on the North Side of Woodlawn Street, 250 Feet East of Martin Luther King, Jr. Avenue. Amendment from Commercial General to Residential Urban.
- c. Case #CW 03-60 – Tarpon Springs.
Location – 0.4 Acre on the North Side of East Lemon Street, 330 Feet East of South Levis Avenue. Amendment from Residential/Office General to Commercial General.

REGULAR AMENDMENTS

2. a. Case #CW 03-58 – Clearwater.
Location – 0.4 Acre on the Northwest Corner of McMullen Booth Road and Allen Avenue. Amendment from Preservation Water to Residential/Office General.
- b. Case #CW 03-59 – Clearwater.
Location – 35.7 Acres on the West Side of Soule Road, 1,000 Feet North of Sunset Point Road. Amendment from Residential Urban to Institutional.
- c. Case #CW 03-61 – Pinellas County.
Location – 0.6 Acre on the Northeast and Southeast Corners of McMullen Booth Road and Downing Street. Amendment from Residential Urban to Residential/Office Limited.
- d. Case #CW 03-62 – Pinellas County.
Location – 8.5 Acres on the Southwest Corner of U.S. Alternate 19 and Columbia Avenue (West of the Pinellas Trail). Amendment from Industrial Limited to Residential Low Medium.

SCHEDULED PUBLIC HEARINGS – BCC

3. Proposed Ordinance Amending Street Lighting Districts.
4. Proposed Ordinance Amending Portions of the Pinellas County Code Allowing for the Addition of Section 104.5.1.6 to Chapter 1, Regarding Issuance of Certificates of Completion or Occupancy.

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5. Proposed Ordinance Amending the Quasi-Judicial Proceedings of Chapter 134 of the Pinellas County Land Development Code.
6. Proposed Ordinance Amending Section 6-29 of the Pinellas County Code Considering Amending Sunday Opening Hours for Business Establishments Dealing in Alcoholic Beverages on a Countywide Basis.

WATER AND NAVIGATION

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

7. Commercial Dock Application CC33210-03, City of Clearwater, 20 Island Way, Mandalay Channel, Clearwater.
8. Commercial Dock Application CD32860-03/Revised, John Lesousky of the Boca Ciega Resort and Marina, 8800 Bay Pines Boulevard, Boca Ciega Bay, St. Petersburg.
9. Private Dock Application P33056-03/Revised-A, Fletcher Dunn, 930 Weedon Drive Northeast, Riviera Bay, St. Petersburg.
10. Multi-Use Dock Application M33171-03, Island Key Condominium, 692 Bayway Boulevard, Clearwater Harbor.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

11. Approval of Minutes of the Regular Meeting Held on August 26, 2003.
12. Reports:
 - a. Dock Fee Report for Month of August 2003.
 - b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2003-15 Dated September 18, 2003 – Audit of Community Development, Together with The Audit Watch.
13. Other Approvals:
 - a. General – None.
 - b. Vouchers and Bills Paid.

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14. Miscellaneous Items to be Received for Filing:
 - a. Tax Collector's Summary of 2003-2004 Budget by Appropriation Category Accepted by the Florida Department of Revenue Pursuant to Section 195.087, Florida Statutes.
 - b. Correspondence from the City of Pinellas Park Regarding Update of One Ordinance Voluntarily Annexing Certain Property.
 - c. Eastlake Oaks Community Development District Minutes of Meeting Held June 12, 2003, Together with Proposed Budget for Fiscal Year 2004.
 - d. Pinellas Park Water Management District Calendar of Regular Authority Meetings for Fiscal Year 2003-2004.
 - e. Hernando County Board of County Commissioners Resolution No. 2003-247 Adopted September 9, 2003, Regarding Opposition to the Amendment of Florida's Water Resource Policy.

COUNTY ADMINISTRATOR

Public Works

15. Approval of the Acceptance of an Easement and a Sidewalk Guarantee, and the Execution of a Deed.
16. Approval of an Award of Bid to Kamminga and Roodvoets, Inc. for the Curlew Creek Channel "A" Drainage Improvements from State Road 580 to Republic Drive Project.

Utilities

17. Approval of Confirmation for the Emergency Procurement of Hauling Services and Authorization of Payments to Hauling Vendors.
18. Approval of Change Orders No. 1 (Final) and Releases of Retainage Regarding Contracts for Reclaimed Water Distribution Systems with:
 - a. Rowland, Inc. for the Bonnie Bay Subdivision.
 - b. Suncoast Development of Pinellas County, Inc. for Sever's Landing and Oak Trail Subdivisions.
19. Approval of the Ranking of Firms and Authorization for Staff to Negotiate a Contract with the Number One Ranked Firm for the Capri Isle 16" and 24" Water Main Replacement Project.

Other Departments

20. Approval of an Agreement to Accept Grant Funds from the State Department of Community Affairs for Emergency Management Preparedness Programs (Emergency Management).

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21. Approval of Budget Amendments Nos. 31 and 32 (Management and Budget).
22. Approval of an Award of Bid to Florida Rock Industries, Inc. for Concrete Ready Mix (CO-OP) (Purchasing).

D. AUTHORITIES

ECONOMIC DEVELOPMENT AUTHORITY

23. Approval of an Award of Bid to Superior Mechanical Systems, Inc. for the STAR Center Building 400 Clean Room HVAC Replacement.

E. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

25. Approval of a Request for a Quitclaim Deed Submitted by Covered Bridge, LLC, and Wilder Corporation for a Portion of Fisher Road Right-of-Way that Varies in Width from 33.0 Feet to 53.0 Feet, Lying South of Congress Avenue, Located in the Southwest Quarter of Section 18, Township 28 South, Range 16 East.
26. Approval of Amendment No. 2 to the Agreement for Consultant Services with Boyle Engineering, Inc. for the Alligator Creek Channel "B" Drainage Improvement Project.
27. Approval of an Agreement with Environmental Research and Design, Inc. for Professional Services for the Design of Regional Stormwater Treatment Facilities for the Lake Seminole Alum Injection Project.
28. Adoption of a Resolution and Approval of Authority to Advertise for a Public Hearing Creating a Proposed Street Lighting District at Courtyards at Bardmoor.
29. Approval of Amendment No. 1 to the Agreement for Consulting Services with Computran Systems Corp. for the Pinellas Countywide Traffic Signal System Head Replacement and Wide Area Network Project.
30. Approval of an Award of Bid for Landscape and Road Materials (CO-OP).

Utilities

31. Approval of Accounting Write-Off of Uncollectible Revenues for Retail Water, Sewer Accounts, and Special Invoice Billings for Fiscal Year 1999 – 2000.
32. Approval of Authority to Advertise for a Public Hearing on the Advisability of the County Providing Solid Waste Collection Services through an Exclusive Franchise in a Municipal

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Services Benefit Unit to be Set Up in a Portion of the Unincorporated Area of the County Known as Lealman.

Other Departments

33. Approval of 2004 New Product Development Recommendations from the Tourist Development Council (Convention and Visitors Bureau).
34. Adoption of a Resolution Approving Project A3082957017 as a Qualified Applicant for the Qualified Target Industries Tax Refund Program for Fiscal Years 2005 – 2010 (Economic Development).
35. Approval of the Cancellation without Cause of the Contract with Blue Water Aquatics, Inc. for Lot Mowing/Debris Removal (Environmental Management).
36. Approval of Amendment No. 1 to the Option of Renewal Agreement for Professional Communications Services with Conrod Associates Communications, L.L.C. (Environmental Management).
37. Approval of the Second Amendment to the Revised and Restated Lease Agreement with Cross Bayou Little League, Inc. (General Services).
38. Approval of the Master Emergency Shelter Funding Agreement and Recommendations for Funding to Local Social Service Agencies (Human Services).
39. Approval of the Rescission of the Ranking of Firms and Authorization for Staff to Negotiate with the Number One Ranked Firm, The Paxen Group, Inc., for Grant Solicitation for Education: The Pathway to Independence Project (WorkNet).
40. Other Administrative Matters:
 - a. Approval of Authority to Advertise for a Public Hearing on a Proposed Ordinance Relating to Watering Restrictions.

COUNTY ATTORNEY

41. Approval of the Authority to Initiate Litigation for Pinellas County Water and Navigation Control Authority v. Mark Robinson.
42. Approval of a Contract for Evidence and Property Storage Services for the Town of Kenneth City.
43. Approval of Contracts for Law Enforcement Services for:
 - a. Pinellas County Housing Authority – Rainbow Village.
 - b. Pinellas County Housing Authority – Safe Neighborhood Grant-Funded Community Policing.
 - c. Town of Redington Beach.

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44. Adoption of a Resolution Relating to Payment and Reimbursement of Travel Expenses for Pinellas County Officers and Employees.
45. Approval of the Authority for the County to Submit a Claim on its Behalf as a Class Member to Recover All, or a Portion of a Cost Incurred by Pinellas County BuSpar Third-Party Payer Anti-Trust Litigation.
46. Approval of the Recommendation of Settlement in Pinellas County v. Ned E. Burket, et al - Circuit Civil Case No. 92-2559-CI-20, Parcel 116.1 (Thomas).
47. Miscellaneous:
 - a. Resolution Approving Early Extension of Tax Roll.

F. COUNTY ADMINISTRATOR REPORTS

48. None.

G. COUNTY COMMISSION

49. Approval of Appointments to the Pinellas County Economic Development Council.
50. Miscellaneous.

ADJOURNMENT

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PROCLAMATION DECLARING WEEK OF OCTOBER 6 THROUGH OCTOBER 10, 2003 AS NATIONAL CUSTOMER SERVICE WEEK IN PINELLAS COUNTY

Chairman Seel presented a proclamation declaring the week of October 6 through October 10, 2003 as National Customer Service Week in Pinellas County, to Jolanda Jordan, Melissa Brooks, Chance Walton, and Patricia Anderson, Utilities Customer Service Department.

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COUNTY ADMINISTRATOR RECOGNIZES NAN JENSEN, COUNTY EXTENSION SERVICES

County Administrator Stephen M. Spratt recognized Nan Jensen, County Extension Services, for being awarded the Distinguished Service Award presented by the National Extension Association of Family and Consumer Sciences.

COMMISSIONER WELCH INTRODUCES NEW DIRECTOR OF INFORMATION TECHNOLOGY PAUL ALEXANDER III

Commissioner Welch introduced the new Director of the Information Technology Department Paul Alexander III and noted the outstanding and effective service provided by Interim Director of Information Technology David H. Sitter.

CITIZENS TO BE HEARD

Jim Martenhoff, Largo, expressed his concerns with jaywalking and offered ideas for “people crossings”; whereupon, at the suggestion of Commissioner Todd, he was referred to Director of Planning Brian K. Smith who invited Mr. Martenhoff to the next meeting of the Pedestrian Committee.

Mark P. Klutho, Largo, expressed his concerns with the lack of effort exhibited with regard to energy conservation in Pinellas County.

1a CASE #CW 03-56, PROPOSAL BY THE CITY OF PINELLAS PARK TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO COMMERCIAL GENERAL (SUBTHRESHOLD AMENDMENT) – APPROVED; ORDINANCE NO. 03-73 ADOPTED

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

Pursuant to legal notice published in the August 31, 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 03-56, a proposal by the City of Pinellas Park to amend the land use designation on the Countywide Future Land Use Plan from

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residential urban to commercial general, re 0.8 acre located on the east side of 67th Street North, 75 feet south of 96th Avenue North (subthreshold amendment). Chief Deputy Clerk Clarethia N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-73 approving Case #CW 03-56 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

1b CASE #CW 03-57, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL URBAN (SUBTHRESHOLD AMENDMENT) – APPROVED; ORDINANCE NO. 03-74 ADOPTED

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

Pursuant to legal notice published in the August 31, 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 03-57, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential urban, re 1.0 acre located on the north side of Woodlawn Street, 250 feet east of Martin Luther King, Jr. Avenue (subthreshold amendment). Chief Deputy Clerk Clarethia N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Todd moved, seconded by Commissioner Welch, that Ordinance No. 03-74 approving Case #CW 03-57 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

1c CASE #CW 03-60, PROPOSAL BY THE CITY OF TARPON SPRINGS TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL/OFFICE GENERAL TO COMMERCIAL GENERAL (SUBTHRESHOLD AMENDMENT) – APPROVED; ORDINANCE NO. 03-75 ADOPTED

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

Pursuant to legal notice published in the August 31, 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 03-60, a proposal by the City of Tarpon Springs to amend the land use designation on the Countywide Future Land Use Plan from residential/office general to commercial general, re 0.4 acre located on the north side of East Lemon Street, 330 feet east of South Levis Avenue (subthreshold amendment). Chief Deputy Clerk Clarethia N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

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Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-75 approving Case #CW 03-60 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2a CASE #CW 03-58, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM PRESERVATION WATER TO RESIDENTIAL/OFFICE GENERAL (REGULAR AMENDMENT) – APPROVED, ORDINANCE NO. 03-74 ADOPTED

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

Pursuant to legal notice published in the August 31, 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 03-58, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan, re 0.4 acre located on the northwest corner of McMullen Booth Road and Allen Avenue (regular amendment). Chief Deputy Clerk Clareth N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-74 approving Case #CW 03-58 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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2b CASE #CW 03-59, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO INSTITUTIONAL (REGULAR AMENDMENT) – APPROVED, ORDINANCE NO. 03-74 ADOPTED

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

Pursuant to legal notice published in the August 31, 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 03-59, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan, re 35.7 acres located on the west side of Soule Road, 1,000 feet north of Sunset Point Road (regular amendment). Chief Deputy Clerk Clarethia N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Welch moved, seconded by Commissioner Latvala, that Ordinance No. 03-74 approving Case #CW 03-59 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

2c CASE #CW 03-61, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE LIMITED (REGULAR AMENDMENT) – APPROVED, ORDINANCE NO. 03-76 ADOPTED

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

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Pursuant to legal notice published in the August 31, 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 03-61, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan, re 0.6 acre located on the northeast and southeast corners of McMullen Booth Road and Downing Street (regular amendment). Chief Deputy Clerk Clareth N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-76 approving Case #CW 03-61 be adopted. Upon roll call, the vote was:

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

Nays: Seel.

Absent and not voting: None.

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Chairman Seel's vote in objection to the amendment was stipulated after the adjournment of the meeting.

* * * *

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2d CASE #CW 03-62, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM INDUSTRIAL LIMITED TO RESIDENTIAL LOW MEDIUM (REGULAR AMENDMENT) – APPROVED; ORDINANCE NO. 03-76 ADOPTED

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

Pursuant to legal notice published in the August 31, 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 03-62, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan, re 8.5 acres located on the southwest corner of U.S. Alternate 19 and Columbia Avenue (west side of the Pinellas Trail) (regular amendment). Chief Deputy Clerk Clareth N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

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

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

Commissioner Harris moved, seconded by Commissioner Welch, that Ordinance No. 03-76 approving Case #CW 03-62 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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3 ORDINANCE NO. 03-77 ADOPTED AMENDING VARIOUS PINELLAS COUNTY ORDINANCES RELATED TO STREET LIGHTING DISTRICTS AS LISTED THEREIN; AMENDING, CLARIFYING AND UPDATING THE LEGAL DESCRIPTIONS COMPRISING THE AREA EMBRACED WITHIN SAID DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (COUNTY ATTORNEY)

Pursuant to legal notice published in the September 22 and October 2, 2003 issues of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending various Pinellas County ordinances related to street lighting districts as listed therein; amending, clarifying and updating the legal description listed therein; amending, clarifying and updating the legal descriptions comprising the area embraced within said districts; providing for severability; and providing for an effective date. Chief Deputy Clerk Claretha N. Harris reported that no correspondence has been received relative to the proposed ordinance; and that the matter is properly before the Board to be heard.

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

Responding to query by Commissioner Welch, Chairman Seel advised that the issue of notification to property owners with regard to the circulation of petitions would be addressed later in the meeting.

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

Commissioner Todd moved, seconded by Commissioner Welch, that Ordinance No. 03-77 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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- # 4 ORDINANCE NO. 03-78 ADOPTED PROVIDING FOR THE ADDITION OF SECTION 104.5.1.6 TO CHAPTER 1, ADMINISTRATION, OF THE FLORIDA BUILDING CODE, AS ADOPTED IN PINELLAS COUNTY ORDINANCE NO.02-14, PERTAINING TO THE ISSUANCE OF CERTIFICATES OF COMPLETION OR OCCUPANCY FOR EXISTING BUILDINGS BUILT WITHOUT PROPER PERMITS, INSPECTIONS OR WITH EXPIRED PERMITS; PROVIDING FOR THE DELETION OF SECTIONS 22-71 THROUGH 22-73 OF THE PINELLAS COUNTY CODE PERTAINING TO BOARDS FOR EXAMINING, ADJUSTMENTS AND APPEALS; PROVIDING FOR AREAS EMBRACED; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE INCLUSION IN THE PINELLAS COUNTY CODE; PROVIDING FOR 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 September 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 portions of the Pinellas County Code, thereby creating a mechanism to allow property owners the opportunity to properly close out permits that had previously been deemed abandoned due to inactivity, consistent with the Florida Building Code; and deleting other areas of the code as they are now contained in the Administrative chapter of the Florida Building Code. Chief Deputy Clerk Clareth N. Harris reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended adoption of the ordinance to amend portions of the Pinellas County Code.

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-78 be adopted as recommended.

Responding to query by Commissioner Harris, Mr. Spratt indicated that an administrative procedure is necessary to close permits that are either abandoned or not followed up on; and that the ongoing permit may cause a problem should the property change hands.

In response to queries by Commissioner Welch, Robert D. Nagin, Building Department Director, indicated that implementation of the permit tracking software is going forward; and alluding to Commissioner Harris' comments, stated that the Building Department does not determine the length of time a permit is allowed to stay open but that it is currently addressed in the code. Responding to additional queries by

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Commissioner Welch, he stated that the software is being developed and certain elements are ready to be tested; that the implementation date has not been finalized; and that Hillsborough County has been visited to review an earlier version of the software program; whereupon, Mr. Spratt indicated that a timetable will be provided to the Board with regard to the software implementation.

Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

5 **PROPOSED ORDINANCE AMENDING CHAPTER 134, ARTICLE I, SECTION 134-14, THE ORDINANCE GOVERNING QUASI-JUDICIAL PROCEEDINGS BEFORE THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AN ALTERNATE HEARING BEFORE A HEARING OFFICER; PROVIDING TIMEFRAMES FOR PRESENTATIONS BEFORE THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR CODIFICATION – TEMPORARILY DEFERRED**

Pursuant to legal notice published in the September 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 the quasi-judicial proceedings section of Chapter 134 of the Pinellas County Land Development Code. Chief Deputy Clerk Clarethia N. Harris reported that no correspondence has been received relative to the proposed ordinance; and that the matter is properly before the Board to be heard.

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

James L. Bennett, Chief Assistant County Attorney, provided background information with regard to the proposed ordinance and responding to queries by the members, indicated that the hearing officer procedure is solely an optional tool for the Board; that the Board would not hear any case referred to the hearing officer; and that the applicant fee is approximately \$1,000.00 with the hearing officer's fee between \$3,000.00 to \$5,000.00.

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

Following discussion, Commissioner Todd moved, seconded by Commissioner Latvala and carried, that the matter be temporarily deferred. In response to Mr. Spratt's query with regard to the second part of the proposed ordinance pertaining to quasi-judicial decorum rules, Chairman Seel directed the item be brought back as a separate agenda item and no objections were noted.

6 ORDINANCE NO. 03-79 ADOPTED AMENDING SECTION 6-29 OF THE PINELLAS COUNTY CODE RE CHANGES IN PERMISSIBLE SUNDAY OPENING HOURS FOR BUSINESS ESTABLISHMENTS DEALING IN ALCOHOLIC BEVERAGES ON A COUNTYWIDE BASIS; ALLOWING LOCAL GOVERNMENT FLEXIBILITY WITHIN UNIFORM LIMITS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CHANGES TO THE DRAFT ORDINANCE BASED UPON INPUT FROM RESPONSIBLE AUTHORITIES INCLUDING THE PINELLAS COUNTY COUNCIL OF MAYORS

Pursuant to legal notice published in the September 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 6-29 of the Pinellas County Code re changes in permissible Sunday opening hours for business establishments dealing in alcoholic beverages on a countywide basis; allowing local government flexibility within uniform limits; providing for an effective date; providing for codification; providing for severability; providing for changes to the draft ordinance based upon input from responsible authorities including the Pinellas County Council of Mayors.

Chief Deputy Clerk Clareth N. Harris reported that two letters in objection to the proposed ordinance have been received; and that the matter is properly before the Board to be heard.

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

James L. Bennett, Chief Assistant County Attorney, reviewed the proposed ordinance and advised that the ordinance only pertains to a change in the

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permissible Sunday opening hours for business establishments dealing in alcoholic beverages on a countywide basis, and specifically to allow a start time at 11:00 A.M.

Responding to queries by the members, County Attorney Susan H. Churuti advised that there is no assurance that the 24 municipalities will concur with the start time; and that if necessary, the issue will be decided in court; whereupon, Chairman Seel referred to the letter from L. Frank DiDonato, President, Mayors' Council wherein he notes the intent of the Mayors' Council to support the 11:00 A.M. start time.

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

Stan Mioduszewski, Unincorporated Seminole
Mark Ely, City of Seminole

Thereupon, Commissioner Latvala moved, seconded by Commissioner Todd, that Ordinance No. 03-79 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

7 COMMERCIAL DOCK APPLICATION CC33210-03, CITY OF CLEARWATER, 20 ISLAND WAY, CLEARWATER, CLEARWATER HARBOR, MANDALAY CHANNEL – APPROVED

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

Pursuant to legal notice published in the August 22 and August 29, 2003 issues of the Gulf Coast Business Review, as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Commercial Dock Application CC33210-03, City of Clearwater, 20 Island Way, Clearwater, Clearwater Harbor, Mandalay Channel. Chief Deputy Clerk Claretha N. Harris reported that all interested parties have been notified by mail; that one letter in objection to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to construct a nine-slip public dock in the waters of Clearwater Harbor; that it is

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part of the City's effort to provide public access docks in the City that are compliant with the Americans with Disabilities Act; 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 October 7, 2003, which has been filed and made a part of the record.

Referring to an aerial map and photographs, William M. Davis, Director, Environmental Management, pointed out the location of the proposed dock, presented background information, and stated that staff has found no environmental reasons to deny the permit. Responding to queries by the members, he indicated that the applicant is the City of Clearwater but that the Island Way Grill will be constructing the dock and donating it to the City for public use; and that should the Board approve the request, it may become necessary for the City to remove or relocate certain buoys belonging to a lessee in order to ensure navigable safety.

William D. Morris, Director, Marine and Aviation, City of Clearwater, provided additional photos of the area and indicated that multiple attempts have been made to resolve the objections registered by the lessee, Ross Yacht Sales, a Division of Quality Boats of Clearwater, Inc.; and that the buoys are in existence pursuant to a revocable permit established with the lessee 30 years ago. Responding to query by the Chairman, he indicated that the proposed dock will be free to the public; and that it will not affect any of the surrounding docks.

In response to the Chairman's call for objectors to the application, Ted Bair, Ross Yacht Sales, Clearwater, appeared and expressed his concerns.

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

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8 COMMERCIAL DOCK APPLICATION CD32860-03/REVISED, JOHN LESOUSKY/BOCA CIEGA RESORT & MARINA, 8800 BAY PINES BOULEVARD, ST. PETERSBURG, BOCA CIEGA BAY – APPROVED

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

Pursuant to legal notice published in the August 22 and August 29, 2003 issues of the Gulf Coast Business Review, as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Commercial Dock Application CD32860-03/Revised, John Lesousky/Boca Ciega Resort & Marina, 8800 Bay Pines Boulevard, St. Petersburg, Boca Ciega Bay. Chief Deputy Clerk Claretha N. Harris reported that all interested parties have been notified by mail; that one letter in opposition to the application has been received; and that the matter is properly before the Authority to be held.

County Administrator Stephen M. Spratt indicated that the applicant proposes to construct a 47-slip docking structure in the waters of Boca Ciega Bay to be used by the owners and guests of a 76-unit resort to be constructed on the adjacent uplands; 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 October 7, 2003, which has been filed and made a part of the record.

Referring to an aerial map and photographs, William M. Davis, Director, Environmental Management, pointed out the location of the proposed dock, presented background information, and stated that staff has found no environmental reasons to deny the permit.

David A. Bacon, Representative, appeared and being duly sworn, indicated that the applicant concurs with staff's report; and that he is available to answer any questions the Board may have.

In response to the Chairman's call for persons wishing to speak in objection to the application, Edward Quirk, representing Seahorse Park Homeowners' Association, St. Petersburg, appeared and presented a proposal to the Board, a copy of

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which has been filed and made a part of the record, which would incorporate certain restrictions into the dock permit if approved by the Board.

Alluding to Mr. Quirk's reference to a prior agreement established between the Seahorse Park Mobile Home Park and a similar marina, County Attorney Susan H. Churuti advised that the agreement had been between the mobile home park and the marina and not a permit condition; whereupon, Mr. Davis indicated that three of the proposed amendments furnished by Mr. Quirk are currently included in the County dock application.

Following discussion by the members and additional input by Mrs. Churuti, Commissioner Latvala moved, seconded by Commissioner Harris and carried, that the application be approved in accordance with the "Findings of Fact."

Chairman Seel suggested that the applicant work with the homeowners' association to try to resolve some of the other concerns.

9 PRIVATE DOCK APPLICATION P33056-03/REVISED-A, FLETCHER DUNN, 930 WEEDON DRIVE NORTHEAST, ST. PETERSBURG, RIVIERA BAY – APPROVED

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

Pursuant to legal notice published in the August 22 and August 29, 2003 issues of the Gulf Coast Business Review, as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Private Dock Application P33056-03/Revised-A for Fletcher Dunn, 930 Weedon Drive Northeast, St. Petersburg, Riviera Bay. Chief Deputy Clerk Clareth N. Harris reported that all interested parties have been notified by mail; that no correspondence relative to the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to construct additions to a single-family private dock in the waters of Riviera Bay; that the biological report prepared by the Pinellas County Department of Environmental Management was made available to the public and has been filed and made a part of the record; and that staff recommends approval of the application and execution of the order based upon negative "Findings of Fact," Items 1 through 9, as

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indicated in his memorandum of October 7, 2003, which has been filed and made a part of the record.

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

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

#10 MULTI-USE DOCK APPLICATION, M33171-03, ISLAND KEY CONDOMINIUM, 692 BAYWAY BOULEVARD, CLEARWATER, CLEARWATER HARBOR – TEMPORARILY DEFERRED TO MEETING OF DECEMBER 16, 2003

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

County Administrator Stephen M. Spratt recommended that Multi-Use Dock Application, M33171-03, Island Key Condominium, 692 Bayway Boulevard, Clearwater, Clearwater Harbor, be temporarily deferred to the December 16, 2003 meeting.

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

Commissioner Latvala moved, seconded by Commissioner Todd and carried, that the multi-use dock application be temporarily deferred as recommended by the County Administrator.

CONSENT AGENDA ITEMS NOS. 11 THROUGH 23 – APPROVED

Upon presentation by Chairman Seel, Commissioner Todd moved, seconded by Commissioner Latvala and carried, that the consent agenda, consisting of items Nos. 11 through 23, with the exception of item No. 15(a) which as been temporarily deferred, be approved as follows:

#11 APPROVAL OF MINUTES

Minutes of regular meeting of August 26, 2003.

#12 REPORTS RECEIVED FOR FILING

- a. Dock Fee Report for month of August 2003.
- b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2003-15 dated September 18, 2003 – Audit of Community Development together with *The Audit Watch*.

#13 OTHER APPROVALS

- a. General – None.
- b. Vouchers and Bills Paid
 - (1) Checks released for the period from September 15, 2003 through September 19, 2003 as follows:

Imprest Fund Expenditures
Manual Checks numbered 686350 through 686362
System checks numbered 701337 through 702284

Wire Transfers numbered 001949 through 001971
- c. Correction of Vouchers and Bills Paid
 - (1) Amount of \$32,419,280.46 for the period August 4, 2003 through August 8, 2003.

#14 MISCELLANEOUS ITEMS RECEIVED

- a. Tax Collector's Summary of 2003/04 Budget by Appropriation Category accepted by the Florida Department of Revenue pursuant to Section 195.087, Florida Statutes.

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- b. Correspondence from City of Pinellas Park re update of one ordinance voluntarily annexing certain property.
- c. Eastlake Oaks Community Development District minutes of meeting held June 12, 2003, together with proposed budget for fiscal year 2004.
- d. Pinellas Park Water Management District Calendar of regular Authority meetings for fiscal year 2003-2004.
- e. Hernando County Board of County Commissioners Resolution No. 2003-247 adopted September 9, 2003, re opposition to amendment of Florida's Water Resource Policy.

#15 EASEMENT, DEED AND GUARANTEE

- a. 86th Avenue and Leona Street
 - 1. See Item No. 24.
- b. City of Gulfport
 - 1. Chairman authorized to execute Quitclaim Deed releasing mineral, metal and petroleum rights with approval to record said deed.
- c. Charmant Courtyard
 - 1. Sidewalk Guarantee accepted for recording.

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- #16 AWARD OF BID TO KAMMINGA & ROODVOETS, INC. FOR CURLEW CREEK CHANNEL "A" DRAINAGE IMPROVEMENTS, STATE ROAD 580 TO REPUBLIC DRIVE (BID NO. 023-785-C) (PID NO. 921488); CHAIRMAN AUTHORIZED TO SIGN AND CLERK TO ATTEST AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

Bid of Kamminga & Roodvoets, Inc., on the basis of being the lowest responsible bid meeting specifications for Curlew Creek Channel "A" drainage improvements, for total expenditure in the amount of \$1,112,860.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

- #17 EMERGENCY PURCHASE FROM AMERICAN WATER SERVICES RESIDUALS MANAGEMENT, INC.; SEMINOLE SEPTIC, INC.; AND RELIABLE SEPTIC & SEWER, INC. FOR HAULING SERVICES (CONTRACT NO. 023-899-E)

Confirmation of emergency expenditure for hauling services for the Utilities Department and authorization of payment to American Water Services Residuals Management, Inc., Seminole Septic, Inc., and Reliable Septic & Sewer, Inc. in the amounts of \$44,767.50, \$29,200.00, and \$29,200.00, respectively; for a total expenditure not to exceed \$103,167.50.

- #18a CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH ROWLAND, INC. (PROJECT NO. 734-753314-1249/BID NO. 012-480-C) FOR BONNIE BAY SUBDIVISION RECLAIMED WATER DISTRIBUTION SYSTEM AND RELEASE OF RETAINAGE

- a. Change Order No. 1 (Final) decreases the contract amount by \$318,533.57 (new total contract \$2,678,821.18).
- b. Contract accepted as substantially complete as of July 25, 2003.
- c. Release of retainage in the amount of \$133,941.06.

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#18b CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH SUNCOAST DEVELOPMENT OF PINELLAS COUNTY, INC. FOR SEVER'S LANDING AND OAK TRAIL RECLAIMED WATER DISTRIBUTION SYSTEM (PROJECT NO. 763-712313-1481/BID NO. 012-986-C)

- a. Change Order No. 1 (Final) decreases the contract amount by \$73,234.65 (new total contract, \$429,528.85).
- b. Contract accepted as substantially complete as of August 12, 2003.
- c. Release of retainage in the amount of \$21,476.44.

#19 SELECTION OF ASH ENGINEERING, INC. TO PROVIDE PROFESSIONAL SERVICES FOR THE CAPRI ISLE 16 INCH AND 24 INCH WATER MAIN REPLACEMENTS (PID NO. 623-909514-1498); AUTHORIZATION FOR STAFF TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

Selection Advisory Committee's ranking of the firms most qualified to provide professional engineering services as follows:

1. Ash Engineering, Inc.
2. McKim & Creed Engineers, P.A.
3. Cumbey & Fair, Inc.

Authorization for staff to initiate contract negotiations with the number one ranked firm, Ash Engineering, Inc., and to finalize a contract with said firm for Board approval.

#20 STATE AND FEDERALLY FUNDED SUBGRANT AGREEMENT (NO. 04BG-04-08-62-01-052) (EMERGENCY MANAGEMENT)

Emergency Management Preparedness and Assistance Trust Fund grant funds for allowable expenses up to \$102,959.00; additional pass through funding to be added to contract by the Department of Community Affairs during the first quarter of calendar year 2004.

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#21 BUDGET AMENDMENT NOS. 31 AND 32 (MANAGEMENT AND BUDGET)

Copies of Budget Amendments Nos. 31 and 32 were filed and made a part of the minutes.

#22 AWARD OF BID TO FLORIDA ROCK INDUSTRIES, INC. FOR CONCRETE READY MIX (COOPERATIVE BID NO. 023-766-B) (PURCHASING)

Bid of Florida Rock Industries, Inc., on the basis of being the lowest responsive and responsible bid meeting specifications for concrete ready mix, for an estimated annual cooperative expenditure not to exceed \$213,922.50, and a total estimated Pinellas County annual expenditure not to exceed \$21,062.80 with one additional 12-month option of renewal which allows for a price adjustment based on the Consumer Price Index, All Urban Consumers, or five percent, upon renewal, whichever is less; based on terms and conditions remaining the same and availability of funds and County Administrator approval.

#23 AWARD OF BID – ECONOMIC DEVELOPMENT AUTHORITY

- a. Bid of Superior Mechanical Systems, Inc., on the basis of being the lowest responsive, responsible bid meeting specifications for the STAR Center Building 400 Clean Room HVAC Replacement, for an estimated expenditure not to exceed \$157,000.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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#24 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT) – ITEM NO. 15(a)

At the request of the County Administrator Stephen M. Spratt, Item No. 15(a), sidewalk easement between Frank V. Burianek and Pinellas County, was temporarily deferred.

* * * *

At this time, 11:26 A.M., Commissioner Stewart left the meeting.

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#25 QUITCLAIM DEED SUBMITTED BY COVERED BRIDGE, LLC, AND THE WILDER CORPORATION, FOR A PORTION OF FISHER ROAD RIGHT-OF-WAY VARYING IN WIDTH FROM 33.0 FEET TO 53.0 FEET, LYING SOUTH OF CONGRESS AVENUE, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 28 SOUTH, RANGE 16 EAST – APPROVED FOR EXECUTION WITH AUTHORIZATION FOR THE CLERK TO ATTEST AND RECORD

County Administrator Stephen M. Spratt recommended approval of a Quitclaim Deed submitted by Covered Bridge, LLC, and The Wilder Corporation, for a portion of Fisher Road right-of-way that varies in width from 33.0 feet to 53.0 feet, lying south of Congress Avenue, located in the southwest quarter of Section 18, Township 28 South, Range 16 East (File No. 1146), with authorization for the Clerk to attest and record.

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

#26 AMENDMENT NO. 2 TO AGREEMENT WITH BOYLE ENGINEERING, INC. FOR CONSULTANT SERVICES FOR ALLIGATOR CREEK CHANNEL “B” DRAINAGE IMPROVEMENTS (PID NO. 714) – APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 2 to the agreement with Boyle Engineering, Inc. for Consultant Services

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for Alligator Creek Channel "B" Drainage Improvements, Phase II Project Final Design Services, for a fee not to exceed \$124,931.00 for all services to be performed, and a contingency services amount of \$15,000.00 to allow administrative authorization of unforeseen requirements (total potential fees for Phase II, \$139,931.00, new total contract amount, \$308,436.00).

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

#27 AGREEMENT WITH ENVIRONMENTAL RESEARCH AND DESIGN, INC. (ERD) FOR CONSULTANT SERVICES FOR DESIGN OF REGIONAL STORMWATER TREATMENT FACILITIES FOR LAKE SEMINOLE ALUM INJECTION PROJECT (PID NO. 829) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the agreement with Environmental Research and Design, Inc. (ERD) for Consultant Services for Design of Regional Stormwater Treatment Facilities for Lake Seminole Alum Injection Project for a fee not to exceed \$394,044.00 and a contingency services amount of \$25,000.00 to allow administrative authorization of unforeseen requirements, for a total contract amount not to exceed \$419,044.00.

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

#28 RESOLUTION NO. 03-190 ADOPTED GRANTING PRELIMINARY APPROVAL OF COURTYARDS AT BARDMOOR 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

County Administrator Stephen M. Spratt recommended adoption of a resolution granting preliminary approval of the proposed Courtyards at Bardmoor 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.

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Commissioner Latvala moved, seconded by Commissioner Harris that Resolution No. 03-190 be adopted as recommended.

In response to query by the Chairman, Charles R. Norwood, Public Works Department, stated that the increased cost of the project is due to the installation of concrete decorative posts; and that of the 20 private property units, eight had objected to the project. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

* * * *

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

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#29 AMENDMENT NO. 1 TO AGREEMENT WITH COMPUTRAN SYSTEMS CORP., FOR CONSULTANT SERVICES FOR PINELLAS COUNTYWIDE TRAFFIC SIGNAL SYSTEM HEAD REPLACEMENT AND WIDE AREA NETWORK PROJECT (PID NO. 810) – APPROVED FOR EXECUTION; CORRECTION OF SCRIVENER’S ERROR

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 to the agreement with Computran Systems Corp. for the Pinellas Countywide Traffic Signal System Head Replacement and Wide Area Network Project, increasing the total contract by \$30,256.00 (new total contract \$832,866.00), and correction of a scrivener’s error in the agenda memorandum.

In response to query by Commissioner Harris, Ken Jacobs, Public Works Traffic Engineering, indicated that the proposed amendment is an interim step in connecting the traffic centers of the Cities of Clearwater and St. Petersburg, and Pinellas County.

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

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- #30 BIDS OF E. R. JAHNA INDUSTRIES, INC., EMMETT McCABE TRUCKING, INC., CONRAD YELVINGTON DISTRIBUTORS, INC., LARRY LARSON'S TOP SOIL, INC. ACCEPTED ON A LINE ITEM BASIS FOR LANDSCAPE AND ROAD MATERIALS (COOPERATIVE BID NO. 023-769-B); EMMETT McCABE TRUCKING, INC. ACCEPTED ON BASIS OF LOTS DRAWN

Legal notice having been published, publisher's affidavit filed with the Clerk and tabulation of bids submitted as appears of record in the file, County Administrator Stephen M. Spratt recommended that the bids of E. R. Jahna, Industries, Inc., Emmett McCabe Trucking, Inc., Conrad Yelvington Distributors, Inc., and Larry Larson's Top Soil, Inc. be accepted for the items indicated at unit prices bid for an annual estimated expenditure not to exceed \$243,339.50 (Pinellas County annual estimated expenditure not to exceed \$123,244.50); and further recommended that the Board conduct a drawing to determine award of two tied bids in accordance with County Code No. 98-16, for a 12-month contract with two additional 12-month options for renewal (each option of renewal allows for a price adjustment based on the Consumer Price Index, All Urban Consumers, or five percent whichever is less and subject to availability of funds and approval by the County Administrator).

Commissioner Latvala moved, seconded by Commissioner Todd and carried, that the bids of the aforementioned companies be accepted as recommended by the County Administrator, and that the award of the tie bids determined by lots drawn be approved.

- #31 ACCOUNTING WRITE-OFF OF UNCOLLECTIBLE REVENUES FOR RETAIL WATER AND SEWER ACCOUNTS AND SPECIAL INVOICE BILLINGS FOR FISCAL YEAR 1999/2000 – APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the execution of the accounting write-off of \$90,506.91 of uncollectible billings on 1,030 accounts for water and sewer services for the period of October 1, 1999 through September 30, 2000.

Commissioner Latvala moved, seconded by Commissioner Todd, that the recommendation of the County Administrator be approved. Following discussion and input by Director of Utilities Pick Talley, Mr. Spratt indicated that staff can provide

additional information regarding the number of delinquent accounts. Upon call for the vote, the motion carried unanimously.

#32a AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING ON THE ADVISABILITY OF THE COUNTY PROVIDING SOLID WASTE COLLECTION SERVICES THROUGH AN EXCLUSIVE FRANCHISE IN A MUNICIPAL SERVICES BENEFIT UNIT TO BE SET UP IN A PORTION OF THE UNINCORPORATED AREA OF THE COUNTY KNOWN AS LEALMAN

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held on December 2, 2003 to seek comment on the advisability of the County to provide solid waste collection services and statutory notice that the County intends to provide solid waste collection services through an exclusive franchise in a municipal services benefit unit to be set up in a portion of the unincorporated area of the County known as Lealman.

Commissioner Welch moved, seconded by Commissioner Todd, that the recommendation of the County Administrator be approved. Discussion ensued; and in response to queries by the members, input was provided by Director of Utilities Pick Talley; Don Crowell, County Attorney's Office; County Attorney Susan H. Churuti; and Ray Neri, Lealman, with regard to procedural issues, time frames and other related matters.

* * * *

At this time, 12:08 P.M., Commissioner Todd left the meeting.

* * * *

At this time, 12:10 P.M., Commissioner Stewart left the meeting.

* * * *

Upon call for the vote, the motion carried unanimously.

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#32b POLICY TO NOTIFY 100 PERCENT OF PROPERTY OWNERS IN A PROPOSED STREET LIGHTING DISTRICT THAT A PETITION IS BEING CIRCULATED – APPROVED

County Administrator Stephen M. Spratt indicated that staff has been working on drafting procedural changes which would encompass notification of 90 percent of the property owners in a proposed street lighting district that a petition is being circulated in order to ensure that most of the potentially affected parties are made aware of the petition.

During discussion, Chairman Seel stated that the written notification would be in the form of a postcard mailing; and in response to query by Commissioner Harris, Mr. Spratt indicated that Public Works staff would probably handle the notification process.

Following discussion, Chairman Seel sought consensus to proceed with notification to 100 percent of the property owners in a proposed district, with the petition process itself to be initiated by a member of the community; whereupon, Commissioner Morroni moved, seconded by Commissioner Latvala, that the aforesaid notification process be approved.

Pursuant to additional discussion and upon call for the vote, the motion carried by a vote of 5 to 1, with Commissioner Harris casting the dissenting vote.

#32c LEALMAN MEETING OF OCTOBER 16, 2003 CANCELLED

Chairman Seel announced that the Lealman meeting scheduled for October 16, 2003 has been cancelled inasmuch as there has been appropriate community input.

* * * *

At this time, 12:23 P.M., Commissioner Todd returned to the meeting.

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#33 RECOMMENDATION OF TOURIST DEVELOPMENT COUNCIL (TDC)
REGARDING 2004 NEW PRODUCT DEVELOPMENT GRANTS – APPROVED
(CONVENTION AND VISITORS BUREAU)

County Administrator Stephen M. Spratt recommended approval of the recommendation of the Tourist Development Council (TDC) regarding 2004 new product development grants to the Salvador Dali Museum in the amount of \$48,000.00; the Museum of Fine Arts in the amount of \$38,000.00; the Florida International Museum in the amount of \$29,000.00; the Tampa Bay Beaches Chamber of Commerce in the amount of \$20,000.00; and the YMCA of the Suncoast in the amount of \$15,000.00.

Commissioner Latvala moved, seconded by Commissioner Welch, that the recommendation of the County Administrator be approved. Responding to query by Commissioner Welch, Convention and Visitors Bureau Executive Director Carole Ketterhagen discussed the applications and ranking and will provide a copy of the information as requested.

Upon call for the vote, the motion carried unanimously.

#34 RESOLUTION NO. 03-191 ADOPTED BY THE BOARD OF COUNTY
COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, FINDING THAT PROJECT
A3082957017 BE APPROVED AS A QUALIFIED APPLICANT PURSUANT TO
SECTION 288.106, FLORIDA STATUTES; AND IDENTIFYING SOURCES OF
LOCAL COUNTY FINANCIAL SUPPORT OF PROJECT A3082957017 AS LOCAL
PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND
PROGRAM FOR FISCAL YEAR(S) 2005-2010 (ECONOMIC DEVELOPMENT)

County Administrator Stephen M. Spratt recommended adoption of a resolution by the Board of County Commissioners of Pinellas County, Florida, finding that project A3082957017 be approved as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local County financial support of Project A3082957017 as local participation in the Qualified Target Industry Tax Refund Program for fiscal year(s) 2005-2010; with the amount of \$42,500.00 being provided by the County as a local match.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 03-191 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart.

#35 CANCELLATION WITHOUT CAUSE OF CONTRACT WITH BLUE WATER AQUATICS, INC. FOR LOT MOWING/DEBRIS REMOVAL (CONTRACT NO. 978-0353-B) – APPROVED (ENVIRONMENTAL MANAGEMENT)

County Administrator Stephen M. Spratt recommended that the contract with Blue Water Aquatics, Inc. be cancelled without cause with 30 days notice, as per Page 5, Paragraph 6 of the bid document for lot mowing/debris removal at the request of the Environmental Management Department and the mutual agreement of Blue Water Aquatics, Inc.

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

* * * *

At this time, 12:30 P.M., Commissioner Stewart returned to the meeting.

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#36 AMENDMENT NO. 1 TO AGREEMENT FOR PROFESSIONAL COMMUNICATIONS SERVICES WITH CONROD ASSOCIATES COMMUNICATIONS, L.L.C. (CONTRACT NO. 990-0048-N) - TEMPORARILY DEFERRED TO MEETING OF OCTOBER 21, 2003 (ENVIRONMENTAL MANAGEMENT)

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 to the agreement for professional communications services with Conrod Associates, L.L.C. for a total expenditure not to exceed \$810,000.00 for fiscal year 2004.

Commissioner Todd moved that the recommendation of the County Administrator be approved.

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During discussion, Chairman Seel noted that the agreement relates to Environmental Distance Learning (EDL) and additional work in many different areas.

Responding to query by Commissioner Stewart regarding how much Environmental Management, Park Department and Utilities are paying towards the amount of \$810,000.00, Assistant County Administrator Jacob F. Stowers, III, distributed and reviewed a matrix, a copy of which has been filed and made a part of the record, showing a breakdown of amounts from the original agreement in 1996 through the present, including the proposed Amendment No. 1 for 2003-2004. During discussion, Commissioner Stewart requested additional information regarding the County's total investment to date and specific amounts and sources of outside funding to support the EDL programs; and Commissioner Welch sought additional clarification regarding software maintenance. Discussion ensued; whereupon, Chairman Seel suggested that the item be deferred until answers can be obtained to some of the questions raised.

Pursuant to additional deliberations, Commissioner Todd moved that the recommendation be approved, but that additional information and guidelines be provided to the members; whereupon, Commissioner Latvala added a request for the inclusion of deliverables for the end of the contract period, and seconded the motion. During discussion, Commissioner Stewart requested additional information regarding ongoing expenses related to operation and maintenance; and Chairman Seel expressed a preference for having compensation based on deliverables.

Mr. Spratt confirmed that staff will provide the information requested with regard to the amount of revenue which has been produced in the past in relation to this work; that Chairman Seel wishes the discretionary communications work to be on a contingent basis tied to external funding sources; and that Commissioner Stewart has requested figures be provided regarding ongoing operations and maintenance costs. Mr. Stowers provided input regarding a letter from David Conrod related to the contract; and Mr. Spratt confirmed that staff will restate a work program and budget which reflects the members' comments.

Thereupon, Commissioner Morroni offered a substitute motion, seconded by Commissioner Stewart and carried, that the matter be temporarily deferred to the meeting of October 21, 2003.

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At this time, 1:10 P.M., Commissioner Welch left the meeting.

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#37 SECOND AMENDMENT TO REVISED AND RESTATED LEASE AGREEMENT WITH CROSS BAYOU LITTLE LEAGUE, INC. – APPROVED FOR EXECUTION (GENERAL SERVICES)

County Administrator Stephen M. Spratt recommended approval of the Second Amendment to the Revised and Restated Lease Agreement with Cross Bayou Little League, Inc. to (1) reflect automatic one year renewals; (2) eliminate the rental rate negotiation language; and (3) add a new paragraph reserving the County's right to utilize the property for disaster preparedness and/or disaster relief activities; (nine remaining one-year renewals; current rental rate of \$1.00 per year which will remain in effect throughout the lease and any renewal terms); and with authorization for the Chairman to execute and the Clerk to attest.

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

#38 SOCIAL ACTION FUNDING PROGRAM MASTER EMERGENCY SHELTER FUNDING AGREEMENT FOR FUNDING TO LOCAL SOCIAL SERVICE AGENCIES – APPROVED; AUTHORIZATION GRANTED TO EXECUTE INDIVIDUAL AGREEMENTS PURSUANT TO FUNDING LEVEL MATRIX (HUMAN SERVICES)

County Administrator Stephen M. Spratt recommended approval of the Social Action Funding Program Master Emergency Shelter Funding Agreement for funding to local social service agencies; with authorization to execute individual agreements pursuant to the funding level matrix for Social Action Funding Program Recommendations attached to the agenda memorandum having a total authorization of \$126,000.00 for fiscal year 2003-2004.

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

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At this time, 1:14 P.M., Commissioner Morrone left the meeting.

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#39 RESCISSION OF RANKING OF FIRMS AND AUTHORIZATION FOR STAFF TO NEGOTIATE WITH NUMBER ONE RANKED FIRM, THE PAXEN GROUP, INC. FOR GRANT SOLICITATION FOR EDUCATION: THE PATHWAY TO INDEPENDENCE PROJECT (CONTRACT NO. 023-770-P) – APPROVED (WORKNET)

County Administrator Stephen M. Spratt recommended rescission of the ranking of firms and authorization for staff to negotiate with the number one ranked firm, The Paxen Group, Inc. for grant solicitation for education: The Pathway to Independence Project.

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

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At this time, 1:17 P.M., Commissioner Welch returned to the meeting.

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At this time, 1:22 P.M., Commissioner Morrone returned to the meeting.

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#40a AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED ORDINANCE RELATING TO WATERING RESTRICTIONS (UTILITIES) – TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held on October 21, 2003 on a proposed ordinance relating to watering restrictions.

During discussion, Commissioners Latvala and Stewart expressed concerns with regard to moving forward with the matter at the present time. Following input by Director of Utilities Pick Talley and in response to query by Mr. Spratt, Commissioner Stewart indicated that staff should continue to enforce the existing ordinance, which permits watering once a week; whereupon, Commissioner Welch expressed his support for Commissioners Latvala's and Stewart's statements.

Pursuant to additional discussion, Commissioner Latvala moved, seconded by Commissioner Stewart and carried, that the issue be tabled and that the Board not take any action at the present time.

Responding to Mr. Talley's request for clarification regarding enforcement, Commissioner Stewart indicated that it remain as is.

#41 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION ON BEHALF OF PINELLAS COUNTY WATER AND NAVIGATION CONTROL AUTHORITY AGAINST MARK ROBINSON FOR VIOLATION OF COUNTY ORDINANCES

County Attorney Susan H. Churuti recommended that the County Attorney be authorized to initiate litigation on behalf of the Pinellas County Water and Navigation Control Authority against Mark Robinson for violation of County ordinances.

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

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#42 CONTRACT FOR SUPPORT SERVICES, EVIDENCE AND PROPERTY CONTROL AMONG THE TOWN OF KENNETH CITY, EVERETT S. RICE, SHERIFF OF PINELLAS COUNTY AND THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY – APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of a contract for support services, evidence and property control among the Town of Kenneth City, Everett S. Rice, Sheriff of Pinellas County and the Board of County Commissioners of Pinellas County for a term beginning October 1, 2003 and concluding September 30, 2004.

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

#43 CONTRACTS FOR LAW ENFORCEMENT SERVICES BY PINELLAS COUNTY SHERIFF'S OFFICE FOR FISCAL YEAR 2003-2004 – APPROVED FOR EXECUTION

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Todd moved, seconded by Commissioner Latvala and carried, that the following contracts for fiscal year 2003-2004 be approved:

- a. Provision of Law Enforcement Services for the Pinellas County Housing Authority's Rainbow Village.
- b. Provision of Safe Neighborhood Grant-Funded Community Policing for the Pinellas County Housing Authority for the French Villas, Lakeside Terrace and Heatherwood Apartments.
- c. Provision of Law Enforcement Services for the Town of Redington Beach.

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#44 RESOLUTION NO. 03-192 ADOPTED RELATING TO PAYMENT AND REIMBURSEMENT OF TRAVEL EXPENSES FOR PINELLAS COUNTY OFFICERS AND EMPLOYEES

County Attorney Susan H. Churuti recommended adoption of a resolution relating to payment and reimbursement of travel expenses for Pinellas County officers and employees.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 03-192 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#45 AUTHORIZATION GRANTED TO COUNTY ATTORNEY TO SUBMIT A CLAIM ON THE COUNTY'S BEHALF AS A CLASS MEMBER TO RECOVER ALL, OR A PORTION OF A COST INCURRED BY THE COUNTY RE BUSPAR THIRD-PARTY PAYER ANTI-TRUST LITIGATION

County Attorney Susan H. Churuti recommended that authorization be granted to permit her office to submit a claim on the County's behalf as a class member to recover all, or a portion of a cost incurred by the County re BuSpar Third-Party Payer Anti-Trust Litigation.

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

#46 AUTHORIZATION GRANTED FOR SETTLEMENT IN CASE RE PINELLAS COUNTY VERSUS NED E. BURKET, ET AL., CIRCUIT CIVIL CASE NO. 92-2559-CI-20, PARCEL 116.1 (THOMAS)

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the case re Pinellas County versus Ned E. Burket, et al., Circuit Civil Case No. 92-2559-CI-20, Parcel 116.1 (Thomas), as outlined in her confidential memorandum dated October 7, 2003.

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

#47a RESOLUTION NO. 03-193 ADOPTED DIRECTING THE PROPERTY APPRAISER TO EXTEND THE TAX ROLLS AND DELIVER THEM TO THE TAX COLLECTOR PRIOR TO OCTOBER 15, 2003, TO ENABLE THE TAX COLLECTOR TO TIMELY MAIL 2003 AD VALOREM TAX BILLS

County Attorney Susan H. Churuti recommended adoption of a resolution approving early extension of the 2003 tax rolls, pursuant to Section 197.323, Florida Statutes, directing the Property Appraiser to complete and deliver the extended rolls to the Tax Collector on or before October 15, 2003, and directing the Clerk to deliver the resolution to the Property Appraiser.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 03-193 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#47b SHADOW MEETING SCHEDULED RE ACS STATE & LOCAL SOLUTIONS, INC., F/K/A LOCKHEED MARTIN IMS CORPORATION VERSUS THE PINELLAS WAGES COALITION, ET AL., CIRCUIT CIVIL CASE NO. 01-009324-CI-21

County Attorney Susan H. Churuti announced that she seeks advice concerning litigation relating to ACS State & Local Solutions, Inc., f/k/a Lockheed Martin IMS Corporation versus The Pinellas WAGES Coalition, et al., Circuit Civil Case No. 01-009324-CI-21; and that she has scheduled a strategy session to be held on November 4, 2003 at a time certain of 8:00 A.M., as outlined in her announcement, a copy of which has been filed and made a part of the record.

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#47c AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING REGARDING A PROPOSED ORDINANCE PROHIBITING PUBLIC SUICIDES AND PROMOTION THEREOF

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing regarding a proposed ordinance prohibiting public suicides and promotion thereof.

Chief Assistant County Attorney James L. Bennett referred to Attorney Churuti's memorandum dated October 7, 2003, a copy of which has been filed and made a part of the record, and summarized background information contained therein. He distributed additional documents related to public suicide, copies of which have been filed and made a part of the record; whereupon, he outlined possible courses of action for the Board, including the option to do nothing; or to schedule a public hearing at the next available meeting; or to adopt the proposed ordinance on an emergency basis.

Commissioner Latvala moved, seconded by Commissioner Stewart, that the Board do nothing.

Following discussion, Commissioner Welch presented a substitute motion to grant authorization to advertise a public hearing for the proposed ordinance, seconded by Commissioner Harris.

Pursuant to additional discussion and upon call for the vote, the motion carried unanimously.

#48 COUNTY ADMINISTRATOR RE (A) WRENSWAY COMMUNITY ANNEXATION UPDATE; (B) DISCUSSION RE PROPOSAL BY CITY OF ST. PETERSBURG TO INTRODUCE RESIDENTIAL USES INTO INDUSTRIAL AREA

County Administrator Stephen M. Spratt distributed copies of a letter to City of Largo Manager Steven B. Stanton regarding annexation issues related to the Wrensway community, a copy of which has been filed and made a part of the record; whereupon, he discussed concerns related to advertising requirements.

At Mr. Spratt's request, Planning Director Brian K. Smith presented an update regarding an upcoming proposal by the City of St. Petersburg to the Regional Planning Council to introduce residential uses into an industrial area adjacent to the

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County's landfill site; whereupon, he discussed compatibility concerns and density issues.

#49 APPOINTMENTS TO PINELLAS COUNTY ECONOMIC DEVELOPMENT COUNCIL – APPROVED

Upon presentation by Chairman Seel, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the appointments to the Pinellas County Economic Development Council as listed in the agenda memorandum dated October 7, 2003, a copy of which has been filed and made a part of the record, be approved.

#50a COMMISSIONER MORRONI RE VARIOUS MATTERS

Commissioner Morroni discussed the issue of appointments to the Tampa Bay Commuter Rail Authority; and reported on a visit to the Sarasota-Bradenton Airport and noise abatement procedures.

#50b COMMISSIONER HARRIS RE PINELLAS SUNCOAST TRANSIT AUTHORITY MEETING; AND WATER CONSERVATION TIP

Commissioner Harris discussed the Pinellas Suncoast Transit Authority planning meeting and a proposed rapid bus transit route on the McMullen Booth corridor; and offered a water conservation tip regarding sprinkler systems.

#50c CHAIRMAN SEEL RE VARIOUS MATTERS

Chairman Seel discussed changes in routes and training for the Coast Guard and Black Hawks; the significance of manufacturing in Pinellas County; various airport issues; and use of 3-1-1 for complaints and questions.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 2:15 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk