

Clearwater, Florida, January 6, 2004

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 9:33 A.M. on this date with the following members present: Susan Latvala, Chairman; John Morroni, Vice-Chairman; Barbara Sheen Todd; Robert B. Stewart; Calvin D. Harris; Karen Williams Seel; and Kenneth T. Welch.

Absent: None.

Also present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Chief Deputy Clerk Clareth N. Harris; and Dawn Rubio, Board Reporter.

Commissioner Welch pronounced the invocation which was followed by the Pledge of Allegiance to the Flag led by Vice-Chairman Morroni.

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 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.

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.

1. Multi-Use Dock Application M33617-03 Submitted by Jay Gee Development (Santa Madeira Townhome Condominiums), 601 American Legion Drive, Boca Ciega Bay, Madeira Beach.
2. Commercial Dock Application CC33648-03, City of St. Petersburg Vinoy Basin Boardwalk, 255 Beach Drive Northeast, Vinoy Basin, St. Petersburg.

COUNTYWIDE PLANNING AUTHORITY

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

SUBTHRESHOLD AMENDMENTS

3. a. Case #CW 03-75 – Dunedin.
Location – 0.7 Acre Located on the Northwest Corner of Causeway Boulevard and Jeffrey Place; Amendment from Commercial General to Residential Low Medium.
- b. Case #CW 03-76 – Dunedin.
Location – 2.4 Acres Located on the Northeast Corner of Causeway Boulevard and Michael Place; Amendment from Commercial General to Residential Low Medium.
- c. Case #CW 03-81 – Oldsmar.
Location – 0.6 Acre Located on the East Side of Shore Drive, Approximately 175 Feet South of Lexington Street; Amendment from Residential Estate to Residential Urban.
- d. Case #CW 03-82 – Clearwater.
Location – 3.4 Acres Located on the South Side of Druid Road, Approximately 600 Feet West of U.S. Highway 19; Amendment from Residential Urban and Residential/Office General to Residential Low Medium and Preservation.

REGULAR AMENDMENTS

4. a. Case #CW 03-72 – Pinellas County (to be Continued).
Location – 9.6 Acres Located on the Northeast Corner of Roosevelt Boulevard and Bayside Bridge at the Northern Terminus of Turtle Lane; Amendment from Industrial Limited and Water/Drainage Feature Overlay to Commercial General and Water/Drainage Feature Overlay.

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- b. Case #CW 03-77 – Pinellas County.
Location – 51.7 Acres Located on the Northeast Corner of U.S. Highway 19 and 118th Avenue North; Amendment from Industrial Limited to Institutional.
- c. Case #CW 03-78 – Pinellas County.
Location – 18.4 Acres Located on the Northeast Corner of 134th Avenue North and Pine Street; Amendment from Residential Rural to Residential Low.
- d. Case #CW 03-79 – Pinellas County.
Location – 0.2 Acre Located on the Southwest Corner of Belcher Road and 14th Avenue Southeast; Amendment from Residential Low to Residential/Office Limited.
- e. Case #CW 03-80 – Pinellas County.
Location – 9.4 Acres Located on the East Side of North Jasmine Avenue, Approximately 830 Feet South of Sail Harbor Circle; Amendment from Residential Suburban and Transportation/Utility to Residential Suburban and Transportation/Utility.
- f. Case #CW 03-83 – Clearwater.
Location – 1.3 Acres Located on the Northeast Corner of Highland Avenue and Belleair Road; Amendment from Residential/Office General to Commercial General.

COUNTYWIDE RULES AMENDMENT

Consideration of the Following Proposal to Amend the Adopted Rules Concerning the Administration of the Countywide Future Land Use Plan:

- 5. PPC Resolution No. 03-7.
Proposed Amendment to the Countywide Rules to Allow Residential Uses within the Industrial Limited Future Land Use Plan Category.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

- 6. Approval of Minutes of Regular Meetings Held November 18 and December 2, 2003.
- 7. Reports:
 - a. Pinellas County Annual Operating and Capital Budget for Fiscal Year 2004.
 - b. Investment Report for the Quarter Ended September 30, 2003.
 - c. Property Appraiser Budget Amendment/Transfer No. 2 for Fiscal Year 2003/2004.
 - d. Tax Collector Budget Amendment/Transfer No. 1 for Fiscal Year 2003/2004.
 - e. Dock Fee Report for Month of November 2003.

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- f. Internal Audit Division, Clerk of the Circuit Court, Report No. 2003-20 Dated December 4, 2003.
- 8. Other Approvals:
 - a. General – None.
 - b. Vouchers and Bills Paid.
- 9. Miscellaneous Items to be Received for Filing:
 - a. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Rezoning and Zoning Atlas Amendments Regarding Ordinances Nos. 7218-04 through 7229-04 to be Held February 5, 2004.
 - b. City of Largo Notices of Public Hearings Regarding Ordinances Nos. 2004-10 and 2004-16 Held December 2 and December 16, 2003, Respectively.
 - c. Correspondence from the City of Pinellas Park Regarding Seven Ordinances Voluntarily Annexing Certain Property and One Ordinance De-Annexing a Road Right-of-Way; Public Hearings to be Held January 8, 2004.
 - d. Resolutions Adopted November 4, 2003 Supporting Continued Inclusion of Local Sources First Policy Pertaining to Florida's Water Resources:
 - 1. City of Fanning Springs No. 2003-09.
 - 2. City of Fort Lauderdale No. 03-166.
 - e. Pinellas Park Water Management District Public Notice Regarding Change in Regular Authority Meeting Date to December 11, 2003.

COUNTY ADMINISTRATOR

Public Works

- 10. Approval of the Releases of Sureties.
- 11. Approval of the Ratification of Three Southwest Florida Water Management District 2005 Cooperative Funding Initiative Grant Applications.
- 12. Approval of the Selection Advisory Committee's Recommendation of the Firms Most Qualified to Provide Ongoing Preservation Architectural Services for Heritage Village and Authorization for Staff to Initiate Negotiations to Finalize Contracts.
- 13. Approval of Awards of Bid:
 - a. Pipe Replacement Project (Re-Bid) - 46th Avenue North at 31st Street North.

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- b. MSTU Sidewalk and ADA Ramp Improvements - Contract "A".

Utilities

14. Approval of Change Order No. 1 (Final) with Westra Construction Corporation for the City of Treasure Island Reclaimed Water Distribution System and Herron's Subdivision Water Main Rehabilitation Project and Release of Retainage.
15. Approval of Change Order No. 1 (Final) with Cornerstone Businesses, Inc. for the St. Pete Beach Reclaimed Transmission Main Project and Release of Retainage.
16. Approval of the Ratification of Two Southwest Florida Water Management District 2005 Cooperative Funding Initiative Grant Applications.
17. Approval of an Award of Bid to TLC Diversified, Inc. for the Gulf Beach and Capri Isle Water Storage Tank Modifications.

Other Departments

18. Adoption of a Resolution Approving the Expenditure of Public Funds for the Pinellas Assembly Meeting (County Administrator).
19. Approval of the Ratification of Three Southwest Florida Water Management District 2005 Cooperative Funding Initiative Grant Applications (Culture, Education and Leisure).
20. Approval of an Award of Bid to Bright House Cleaning Company for Janitorial Services for Beach Access/Boat Ramp (Culture, Education and Leisure).
21. Adoption of a Resolution for Assessment of Liens against Lands Cleared (Environmental Management).
22. Adoption of a Resolution to Authorize the Annual Expenditure of Public Funds by the Sixth Judicial Circuit for Incentives, Awards and Related Items for Employees (Justice and Consumer Protection).
23. Approval of the Ratification of a Grant Application with the Florida Department of Children and Families for the Domestic Violence Intervention Project (Justice and Consumer Services).
24. Approval of Budget Amendment No. 3 for Fiscal Year 2004 (Management and Budget).
25. Approval of an Award of Bid to Marketex Storage Systems, Inc. for an IBM 3494 Virtual Tape Storage Subsystem (Purchasing/Information Technology).

D. REGULAR AGENDA

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

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Airport

27. Approval of the First Amendment to the Lease Agreement with Renewal Options with Engelhardt Gehrand Partnership.
28. Approval of the Warehouse Lease Agreement with Wackenhut Services, Inc. Operating the Nonproliferation and National Security Institute for the U.S. Department of Energy.

Public Works

29. Approval of Change Order No. 1 with APAC-Southeast, Inc. for the Year 2003 Countywide Pavement Preservation – Contract “A” (Various Locations).
30. Approval of the Purchase Authorization for Participation in the City of Lakeland Bid No. 3003 for Pavement Management and Data Collection Consultant with KMS and Associates, Ltd.
31. Approval of Award of Proposal for Highway Department Management Consultant Services to L.A. Consulting, Inc.
32. Approval to Accept Final Completion and Authorize Release of Retainage Monies for the Brooker Creek Environmental Education Center, Phase 2 Project, Construction Management Agreement.
33. Approval of the Ranking of Firms and Authorization for Staff to Negotiate a Contract with the Number One Ranked Firm for Professional Engineering Services for the Walsingham Road Sidewalks Project.
34. Approval of the Cooperative Funding Agreement with the Southwest Florida Water Management District for Alligator Creek Channel “B” Improvements.

Utilities

35. Approval of the Final Negotiated Contract with ELAB, Inc. for Laboratory Testing Services.
36. Approval of the Agreement for Consultant Services with Dewberry and Davis, LLC, for Coordinated Debris Management Planning.
37. Approval of Agreements for Consultant Services for Geotechnical Engineering for Miscellaneous Utilities Projects with Williams Earth Science, Inc. and Nodarse & Associates, Inc.
38. Approval of a Budget Adjustment to the Estimated Design Engineering Costs for the Galvanized Pipe Replacement Program.

Other Departments

39. Approval of the Utilization of Tropicana Field Bond Refinancing Savings for Additional Tourism Advertising (Convention and Visitors Bureau).

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40. Approval of the Grant Agreement with the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems for Sand Key Beach Restoration Phase IV (Environmental Management).
41. Approval of the Memorandum of Understanding with the Florida Department of Environmental Protection and the Clean Boating Partnership for the Clean Marina Program (Environmental Management).
42. Approval of an Award of Bid to Thermal Tech, Inc. for Boiler Parts/Maintenance (Rebid) (General Services).
43. Approval of the Ratification of a Grant Application and Acceptance of a Grant Award from the United States Department of Health and Human Services, Health Resources and Services Administration, for the Mobile Medical Unit (Human Services).
44. Approval of the Grant-in-Aid Agreement with the Justice Administrative Commission for Assistance in the Payment of Costs Incurred for Dependency Counsel (Justice and Consumer Protection).
45. Adoption of a Resolution to Appropriate Earmarked Receipts for a Particular Purpose in the Fiscal Year 2004 General Fund for the Sheriff (Life Skills and HIDTA Grants) (Management and Budget).
46. Adoption of a Resolution to Appropriate Earmarked Receipts for a Particular Purpose in the Fiscal Year 2004 Tourist Development Council Fund (Management and Budget).
47. Approval of an Extension of an Interlocal Agreement with the Pinellas County School Board Regarding the Alternative High School (Management and Budget).
48. Adoption of a Resolution Supporting Greater Awareness of Bicycling (Planning).
49. Approval to Declare Miscellaneous County-Owned Equipment as Surplus and Authorize Its Sale (Purchasing).
50. Approval to Declare Miscellaneous County-Owned Equipment Surplus and Authorize Its Donation to the Guardian Ad Litem Program (Purchasing/Circuit Court).
51. Other Administrative Matters.

COUNTY ATTORNEY

52. Authority for the County Attorney to Defend:
 - a. Andrew Otto Gauthier v. Pinellas County, Everett Rice, Individually, and in His Official Capacity as Pinellas County Sheriff, Scott M. Matthew, Individually and in His Official Capacity as a Detective for the Pinellas County Sheriff, Jack R. Mohrman, Individually and in His Official Capacity as a Sergeant for the Pinellas County Sheriff, and D.V. Antolini, Individually and in His Official Capacity as a Corporal for the Pinellas County Sheriff – Federal Case No. 8:03-CV-2512-T-30-MAP – Allegations of Battery, Assault,

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Intentional Infliction of Severe Emotional Distress, False Imprisonment and Civil Rights Violations.

- b. Robert T. Wagner v. Pinellas County - Circuit Civil Case No. 03-9349-CI-19 – Allegations of Interference with a Contract with City of St. Petersburg and Damages Subsequently Incurred.

53. Authority for the County Attorney to Initiate Litigation against:

- a. Gibson v. RSG Family Limited Partnership, et al – PCO No. PC-03-033, HUD No. 04-03-0654-8 – Complaint of Housing Discrimination.
- b. Ikner and Mister v. RSG Family Limited Partnership, et al – PCO No. PC-03-028, HUD No. 04-03-0569-8 - Complaint of Housing Discrimination.
- c. Jones v. RSG Family Limited Partnership, et al - PCO No. PC-03-030, HUD No. 04-03-0653-8 - Complaint of Housing Discrimination.
- d. Mahogany v. RSG Family Limited Partnership, et al - PCO No. PC-03-032, HUD No. 04-03-0655-8 - Complaint of Housing Discrimination.
- e. Williams v. RSG Family Limited Partnership, et al - PCO No. PC-03-031, HUD No. 04-03-0649-8 - Complaint of Housing Discrimination.

54. Authority to File a Circuit Civil Action on Behalf of Emergency Medical Services against Aetna for Unpaid Ambulance Bills.

55. Approval of Law Enforcement Contracts for:

- a. City of Clearwater - Crime Scene Services, Latent Fingerprint Services, and Property and Evidence Storage.
- b. Town of Kenneth City - Crime Scene Services.
- c. City of St. Pete Beach - Crime Scene Services and Evidence and Property Storage.

56. Extension of the Timeframe Contained in the Eldridge-Wilde Wellfield Transfer Agreement to February 28, 2005, for Tampa Bay Water to Seek Reimbursement of Expenses Related to the Clearing of Title Defects.

57. Authority to Settle the Case of Rebekah Stamp, as the Personal Representative of the Estate of Jared Raible, Deceased v. Pinellas County – Circuit Civil Case No. 01-6634-CI-13.

58. Miscellaneous.

E. COUNTY ADMINISTRATOR REPORTS

59. None.

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F. COUNTY COMMISSION

- 60. Approval of an Appointment to the Pinellas Opportunity Council Board of Directors.
- 61. Transit Governance Task Force Recommendations.
- 62. Miscellaneous.

ADJOURNMENT

* * * *

CRYSTAL PLATE PRESENTED TO COMMISSIONER SEEL IN APPRECIATION OF LEADERSHIP AS 2003 CHAIRMAN

Chairman Latvala presented a crystal plate to Commissioner Seel in appreciation for outstanding leadership and dedicated service to the citizens of Pinellas County as Chairman of the County Commission for the year 2003.

CITIZENS TO BE HEARD

W. C. Snipes, Clearwater, demonstrated a device powered by electromagnetic fields; and commented regarding the Pinellas Trail's placement near Progress Energy's transmission lines.

Don Cocker, Unincorporated, offered comments regarding the need for statewide handyman licensing.

H. Patrick Wheeler, Palm Harbor, requested a money changer in the Courthouse for parking meters; whereupon, County Administrator Spratt indicated that staff will follow up on the matter.

1 MULTI-USE DOCK APPLICATION M33617-03, JAY GEE DEVELOPMENT (SANTA MADEIRA TOWNHOME CONDOMINIUMS), 601 AMERICAN LEGION DRIVE, BOCA CIEGA BAY, MADEIRA BEACH - APPROVED

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 November 21 and November 28, 2003 issues of the Gulf Coast Business Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Multi-Use Dock Application M33617-03, Jay Gee Development (Santa Madeira Townhome Condominiums), 601 American Legion Drive, Boca Ciega Bay, Madeira Beach. 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 proposed to construct a multi-use dock consisting of a 433-foot by ten-foot boardwalk parallel to the seawall in the waters of Boca Ciega Bay; that the City of Madeira Beach has approved the project; 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 January 6, 2004, 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.

In response to the Chairman's call for persons wishing to be heard, Bill Woods, Woods Consulting, appeared and being duly sworn, indicated to Mr. Davis that a slight difference exists in his drawings; whereupon, Mr. Davis suggested that the next agenda item be discussed while conferring privately with Mr. Woods.

Later in the meeting, following Mr. Davis' confirmation that both sets of drawings are consistent, Commissioner Morrone moved, seconded by Commissioner Harris and carried, that the application be approved in accordance with the "Findings of Fact."

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2 COMMERCIAL DOCK APPLICATION CC33648-03, CITY OF ST. PETERSBURG
VINOY BASIN BOARDWALK, 255 BEACH DRIVE NORTHEAST, VINOY BASIN,
ST. PETERSBURG - APPROVED

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 November 21 and November 28, 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 CC33648-03, City of St. Petersburg Vinoy Basin Boardwalk, 255 Beach Drive Northeast, Vinoy Basin, St. Petersburg. Chief Deputy Clerk Clareth N. Harris reported that all interested parties have been notified by mail; that one e-mail letter in support of the application has been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to construct a boardwalk parallel to the seawall in the waters of Vinoy Basin to be used for transient mooring of boats; 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 January 6, 2004, 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.

No one appeared in response to the Chairman's call for persons wishing to be heard; thereupon, Commissioner Todd moved that the application be approved.

In response to query by Commissioner Stewart regarding the e-mail correspondence from Russ Bond, General Manager, Renaissance Vinoy Resort and Golf Club, Mr. Davis addressed Mr. Bond's concerns; and confirmed that adequate distance exists for boat access and maneuverability.

Responding to query by Commissioner Seel, Mr. Davis indicated that boats will be moored parallel to the dock.

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In response to query by Commissioner Welch, David M. Metz, City of St. Petersburg, agreed to notify the Board if a public hearing for further discussion is scheduled.

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

3a CASE #CW 03-75, PROPOSAL BY THE CITY OF DUNEDIN TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL LOW MEDIUM (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 04-1 ADOPTED

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

Pursuant to legal notice published in the November 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 03-75, a proposal by the City of Dunedin to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential low medium, re 0.7 acre located on the northwest corner of Causeway Boulevard and Jeffrey Place (subthreshold amendment). Chief Deputy Clerk Claretha 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 Stewart moved, seconded by Commissioner Welch, that Ordinance No. 04-1 approving Case #CW 03-75 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

3b CASE #CW 03-76, PROPOSAL BY THE CITY OF DUNEDIN TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO RESIDENTIAL LOW MEDIUM (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 04-1 ADOPTED

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

Pursuant to legal notice published in the November 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 03-76, a proposal by the City of Dunedin to amend the land use designation on the Countywide Future Land Use Plan from commercial general to residential low medium, re 2.4 acres located on the northeast corner of Causeway Boulevard and Michael Place (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 Stewart moved, seconded by Commissioner Welch, that Ordinance No. 04-1 approving Case #CW 03-76 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

3c CASE #CW 03-81, PROPOSAL BY THE CITY OF OLDSMAR TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL ESTATE TO RESIDENTIAL URBAN (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 04-2 ADOPTED

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

Pursuant to legal notice published in the November 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 03-81, a proposal by the City of Oldsmar to amend the land use designation on the Countywide Future Land Use Plan from residential estate to residential urban, re 0.6 acre located on the east side of Shore Drive, approximately 175 feet south of Lexington Street (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 Stewart moved, seconded by Commissioner Welch, that Ordinance No. 04-2 approving Case #CW 03-81 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

3d CASE #CW 03-82, PROPOSAL BY THE CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN AND RESIDENTIAL/OFFICE GENERAL TO RESIDENTIAL LOW MEDIUM AND PRESERVATION (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 04-3 ADOPTED

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

Pursuant to legal notice published in the November 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 03-82, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from residential urban and residential/office general to residential low medium and preservation, re 3.4 acres located on the south side of Druid Road, approximately 600 feet west of U.S. Highway 19 (subthreshold amendment). Chief Deputy Clerk Claretha 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 Stewart moved, seconded by Commissioner Welch, that Ordinance No. 04-3 approving Case #CW 03-82 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

4a CASE #CW 03-72, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM INDUSTRIAL LIMITED AND WATER/DRAINAGE FEATURE OVERLAY TO COMMERCIAL GENERAL AND WATER/DRAINAGE FEATURE OVERLAY (REGULAR AMENDMENT) - TEMPORARILY DEFERRED TO MEETING OF FEBRUARY 3, 2004

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

Pursuant to legal notice published in the November 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 03-72, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from industrial limited and water/drainage feature overlay to commercial general and water/drainage feature overlay, re 9.6 acres located on the northeast corner of Roosevelt Boulevard and the Bayside Bridge at the northern terminus of Turtle Lane (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 indicated that staff recommends a continuance of the case to the Authority meeting of February 3, 2004; whereupon, in response to query by Commissioner Stewart as to the reason for continuance, Mr. Spratt indicated that the property is under negotiation for development, and that a decision must be made regarding a zoning change.

Commissioner Harris moved, seconded by Commissioner Stewart and carried, that Case #CW 03-72 be temporarily deferred to the February 3, 2004 meeting.

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4b CASE #CW 03-77, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM INDUSTRIAL LIMITED TO INSTITUTIONAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 04-4 ADOPTED

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

Pursuant to legal notice published in the November 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 03-77, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from industrial limited to institutional, re 51.7 acres located on the northeast corner of U.S. Highway 19 and 118th Avenue North (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 Seel moved, seconded by Commissioner Welch, that Ordinance No. 04-4 approving Case #CW 03-77 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

4c CASE #CW 03-78, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM RESIDENTIAL RURAL TO RESIDENTIAL LOW (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 04-4 ADOPTED

Chairman Latvala 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 November 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 03-78, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential rural to residential low, re 18.4 acres located on the northeast corner of 134th Avenue North and Pine Street (regular amendment). Chief Deputy Clerk Claretha 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 Seel, that Ordinance No. 04-4 approving Case #CW 03-78 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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4d CASE #CW 03-79, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM RESIDENTIAL LOW TO RESIDENTIAL/OFFICE LIMITED (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 04-4 ADOPTED

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

Pursuant to legal notice published in the November 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 03-79, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low to residential/office limited, re 0.2 acre located on the southwest corner of Belcher Road and 14th Avenue Southeast (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 Stewart moved, seconded by Commissioner Welch, that Ordinance No. 04-4 approving Case #CW 03-79 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

4e CASE #CW 03-80, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM RESIDENTIAL SUBURBAN AND TRANSPORTATION/UTILITY TO RESIDENTIAL SUBURBAN AND TRANSPORTATION/UTILITY (REGULAR AMENDMENT) - TEMPORARILY DEFERRED TO MEETING OF FEBRUARY 3, 2004

Chairman Latvala 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 November 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 03-80, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential suburban (8.2 acres) and transportation/utility (1.2 acres) to residential suburban (6.4 acres) and transportation/utility (3.0 acres), re 9.4 acres located on the east side of North Jasmine Avenue, approximately 830 feet south of Sail Harbor Circle (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 indicated that staff recommends a continuance of the case to the Authority meeting of February 3, 2004.

Commissioner Harris moved, seconded by Commissioner Stewart, that Case #CW 03-80 be temporarily deferred to the February 3, 2004 meeting.

4f CASE #CW 03-83, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM RESIDENTIAL/OFFICE GENERAL TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 04-3 ADOPTED

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

Pursuant to legal notice published in the November 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 03-83, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential/office general to commercial general, re 1.3 acres located on the northeast corner of Highland Avenue and Belleair Road (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.

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In response to the Chairman's call for persons wishing to be heard, W. C. Snipes, Clearwater, appeared and being duly sworn, voiced his concern; whereupon, Commissioner Harris indicated that the change in land use to commercial general is in keeping with the shopping center that is already in place.

Thereupon, Commissioner Harris moved, seconded by Commissioner Morroni, that Ordinance No. 04-3 approving Case #CW 03-83 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

- # 5 **ORDINANCE NO. 04-5 AMENDING PINELLAS COUNTY ORDINANCE NO. 89-4, AS AMENDED, THE COUNTYWIDE PLAN ADOPTION ORDINANCE, BY AMENDING THE "RULES CONCERNING THE ADMINISTRATION OF THE COUNTYWIDE FUTURE LAND USE PLAN," AS AMENDED; PROVIDING FOR AMENDMENT OF THE INDUSTRIAL LIMITED FUTURE LAND USE PLAN CATEGORY TO ALLOW RESIDENTIAL USES WITHIN INDUSTRIAL PROJECTS EXCEEDING 100 CONTIGUOUS ACRES IN SIZE PRESENTLY EXISTING UNDER COMMON CONTROL; PROVIDING FOR THE CLARIFICATION OF THE REQUIREMENTS FOR MASTER PLANNED PROJECTS, ELIMINATION OF THE REQUIREMENT THAT A MIXED USE PROJECT BE PART OF A DEVELOPMENT OF REGIONAL IMPACT, CLARIFICATION OF THE OBJECTIVES RELATING TO THE CHARACTERISTICS OF MIXED USE PROJECTS, CLARIFICATION OF THE FIVE-ACRE THRESHOLD LIMITATIONS FOR SECONDARY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING - ADOPTED**
-

Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority (CPA).

Pursuant to legal notice published in the December 7, 2003 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Countywide Rules to allow residential uses within the industrial limited Future Land Use Plan Category (PPC Resolution No. 03-7). Chief Deputy Clerk Claretha N. Harris reported

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that one message in favor of and one letter in opposition to the application have been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that County staff had worked with the Pinellas Planning Council (PPC) to address the implications of the proposed rule change; and recommended that the change be narrowly applied to a select group of potential parcels; that a development plan be submitted to the CPA for approval; and that the issue of landfill expansion be addressed through an ordinance in which the Board retains control of solid waste disposal properties.

Chief Assistant County Attorney James L. Bennett outlined proposed changes in the draft ordinance; whereupon, in response to query by Commissioner Welch, Assistant County Administrator Jacob F. Stowers, III, confirmed that the PPC will review the master development plan and make recommendations to the CPA for subsequent action.

In response to the Chairman's call for objectors to the application, the following individuals appeared, and being duly sworn, voiced their concerns:

W. C. Snipes, Clearwater
Don Cocker, Unincorporated
Atillio Corbo, Palm Harbor

In addition, David Goodwin, Assistant Director, Development Services, City of St. Petersburg, indicated that the City has no objections to the ordinance as presented.

In response to query by Commissioner Seel, Mr. Spratt indicated that staff will make setback and notification recommendations when the development plan is brought back for approval.

Discussion ensued in which Commissioners Stewart and Morroni expressed reservations regarding the ordinance.

Thereupon, Commissioner Welch moved, seconded by Commissioner Seel, that Ordinance No. 04-5 amending the Countywide Rules be adopted effective March 31, 2004. Upon roll call, the vote was:

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

Nays: Morroni and Stewart.

Absent and not voting: None.

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#41 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN PINELLAS COUNTY, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) AND THE CLEAN BOATING PARTNERSHIP FOR THE CLEAN MARINA PROGRAM - APPROVED FOR EXECUTION (ENVIRONMENTAL MANAGEMENT)

Deviating from the agenda, Chairman Latvala announced that Item 41 will be considered at this time.

County Administrator Stephen M. Spratt recommended approval of a Memorandum of Understanding (MOU) between Pinellas County, the Florida Department of Environmental Protection (DEP) and the Clean Boating Partnership for the Clean Marina Program, for an estimated annual expenditure of in-kind support in the amount of \$40,000.00.

William M. Davis, Director, Environmental Management, acknowledged the assistance of Assistant County Administrator Jacob F. Stowers, III; and presented a brief history of the Clean Marina Program; whereupon, Charles Ryburn, Project Manager, explained the voluntary program and its boater education initiatives.

C. C. McKiernan, Administrator, Watershed and Environmental Resource Management, DEP, explained that the primary purpose of the MOU is to streamline the Clean Marina certification process for Pinellas County marinas; and to provide training, media and grant application support.

Commissioner Harris moved, seconded by Commissioner Seel and carried, that the Memorandum of Understanding be approved as recommended by the County Administrator.

* * * *

At this time, 11:18 A.M., Commissioner Harris left the meeting.

* * * *

6 APPROVAL OF MINUTES

Minutes of regular meetings of November 18 and December 2, 2003.

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7 REPORTS RECEIVED FOR FILING

- a. Pinellas County Annual Operating and Capital Budget for Fiscal Year 2004.
- b. Investment Report for the Quarter Ended September 30, 2003.
- c. Property Appraiser Budget Amendment/Transfer No. 2 for Fiscal Year 2003/2004.
- d. Tax Collector Budget Amendment/Transfer No. 1 for Fiscal Year 2003/2004.
- e. Dock Fee Report for Month of November 2003.
- f. Internal Audit Division, Clerk of the Circuit Court, Report No. 2003-20 dated December 4, 2003 - Follow-Up Review to Audit of Courtroom Automation.

8 OTHER APPROVALS

- a. General - None.
- b. Vouchers and Bills Paid
 - (1) Checks released for the period from September 8, 2003 through December 12, 2003 as follows:
 - Payroll Journal Expenditures
 - Payroll Journal pages numbered 1 through 2962 for the period from September 8 through September 12, 2003
 - Payroll Journal pages numbered 1 through 2718 for the period from November 3 through November 7, 2003

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Payroll Journal pages numbered 1 through 2721 for the period from December 1 through December 5, 2003

Payroll checks numbered 509023 through 512562

Imprest Fund Expenditures

Manual checks numbered 686327 through 686534

System checks numbered 700475 through 713577

Wire Transfers numbered 001928 through 002393

9 MISCELLANEOUS ITEMS RECEIVED

- a. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Rezoning and Zoning Atlas Amendments re Ordinances Nos. 7218-04 through 7229-04 to be held February 5, 2004.
- b. City of Largo Notices of Public Hearings re Ordinances Nos. 2004-10 and 2004-16 held December 2 and December 16, 2003, respectively.
- c. Correspondence from City of Pinellas Park re seven ordinances voluntarily annexing certain property and one ordinance de-annexing a road right-of-way; public hearings to be held January 8, 2004.
- d. Resolutions adopted November 4, 2003 supporting continued inclusion of Local Sources First policy pertaining to Florida's water resources:
 1. City of Fanning Springs No. 2003-09.
 2. City of Fort Lauderdale No. 03-166.
- e. Pinellas Park Water Management District Public Notice Regarding Change in Regular Authority Meeting Date to December 11, 2003.

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#10 RELEASE OF SURETIES

a. Sea Pines Subdivision

1. Funds released in the amount of \$91,279.00 as maintenance surety to Sarasota Woods Realty, 14414 91st Street North, Seminole, FL 33776, Attention: Leo Leonardo.

b. Charmant Courtyards

1. Release of Completion Bond No. BB060116 in the amount of \$15,000.00 to Harleysville Mutual Insurance Company, 355 Maple Avenue, Harleysville, PA 19348-2297.

#11 RATIFICATION AND CONFIRMATION OF FY2005 COOPERATIVE FUNDING INITIATIVE GRANT APPLICATIONS BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) AND PINELLAS COUNTY AS SUBMITTED BY THE COUNTY ADMINISTRATOR

Ratification and confirmation of Fiscal Year 2005 Cooperative Funding Initiatives grant applications submitted by the County Administrator between the Southwest Florida Water Management District (SWFWMD) and Pinellas County as follows:

1. Alligator Creek Channel B Phase III (\$1,179,850 SWFWMD share; \$1,179,850 Pinellas County share);
2. Bear Creek Channel Improvements (\$450,000 SWFWMD share; \$464,730 Pinellas County share);
3. Drainage Pond Water Quality Improvement (\$250,000 SWFWMD share; \$250,000 Pinellas County share);

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County's multi-year cost share in excess of 50 percent due to the County having to fully fund project land acquisition costs; applications signed by the County Administrator in order to meet SWFWMD's December 5, 2003 deadline.

#12 SELECTION OF ATELIER AEC, INC. AND RENKER EICH PARKS ARCHITECTS TO PROVIDE ONGOING PRESERVATION ARCHITECTURAL SERVICES FOR HERITAGE VILLAGE; AUTHORIZATION FOR STAFF TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRMS

Selection Advisory Committee's ranking of the firms most qualified to provide ongoing preservation architectural services on an "as needed" basis for the next three years for Heritage Village as follows:

1. Atelier AEC, Inc.
2. Renker Eich Parks Architects

Authorization for staff to initiate contract negotiations with the two firms, Atelier AEC, Inc. and Renker Eich Parks Architects, and to initiate negotiations to finalize contracts with said firms for Board approval.

#13 AWARD OF BIDS

- a. Bid of MTM Contractors, Inc. on the basis of being the lowest responsible bid received meeting specifications for the 46th Avenue North at 31st Street North pipe replacement project, for an estimated total expenditure in the amount of \$315,019.20 (re-bid) (P.I.D. No. 922364) (Bid No. 034-135-C); Chairman authorized to sign after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- b. Bid of Keystone Excavators, Inc. on the basis of being the lowest responsible bid received meeting specifications for the MSTU sidewalk and Americans with Disabilities Act (ADA) ramp improvements - Contract A, for an estimated total expenditure in the amount of \$1,080,797.20 (P.I.D. No. 994) (Bid No. 034-105-C) (one-year contract with

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renewal option for one additional 12-month period); Chairman authorized to sign after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#14 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH WESTRA CONSTRUCTION CORPORATION (PROJECT NO. 733-941814-1068) (BID NO. 001-0568-C) FOR CITY OF TREASURE ISLAND RECLAIMED WATER DISTRIBUTION SYSTEM AND HERRON'S SUBDIVISION WATER MAIN REHABILITATION AND RELEASE OF RETAINAGE

- a. Change Order No. 1 (Final) decreases the contract amount by \$474,801.22 (new total contract, \$9,400,677.28).
- b. Contract accepted as substantially complete as of March 28, 2003.
- c. Release of final invoice in the amount of \$5,050.00.
- d. Release of retainage in the amount of \$469,781.37.
- e. Eighty-six day extension to agreement.

#15 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH CORNERSTONE BUSINESSES, INC. (PROJECT NO. 733-759314-1563) (BID NO. 023-213-C) FOR ST. PETE BEACH RECLAIMED TRANSMISSION MAIN AND RELEASE OF RETAINAGE

- a. Change Order No. 1 (Final) decreases the contract amount by \$49,073.17 (new total contract, \$546,584.83).
- b. Contract accepted as substantially complete as of September 30, 2003.
- c. Release of retainage in the amount of \$27,329.24.

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#16 RATIFICATION OF FY2005 COOPERATIVE FUNDING INITIATIVE GRANT APPLICATIONS BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) AND PINELLAS COUNTY AS SUBMITTED BY THE COUNTY ADMINISTRATOR

Ratification of Fiscal Year 2005 Cooperative Funding Initiative grant applications between the Southwest Florida Water Management District (SWFWMD) and Pinellas County as follows:

1. Lake Tarpon ASR Test Well Program - Phase 2 (Project No. 761-639314-1567) (SWFWMD share, \$550,000; Pinellas County share, \$550,000);
2. Ultra Low Flow Toilet Rebate Project FY 2005 (SWFWMD share, \$1,309,500; Pinellas County share, \$1,309,500).

#17 BID OF TLC DIVERSIFIED, INC. FOR GULF BEACH AND CAPRI ISLE WATER STORAGE TANK MODIFICATION (PROJECT NO. 611-106113-1609) (BID NO. 034-46-C); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF THE COUNTY ATTORNEY

Bid of TLC Diversified, Inc. on the basis of being the lowest responsive, responsible bid received meeting specifications for an estimated total expenditure of \$679,600.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#18 RESOLUTION NO. 04-01 ADOPTED AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS FOR THE PINELLAS ASSEMBLY MEETING AND RECOGNITION OF THE PINELLAS COUNTY ASSEMBLY TASK FORCES' MEMBERS UNDER THE PROVISIONS OF PINELLAS COUNTY ORDINANCE NO. 00-16 (COUNTY ADMINISTRATOR)

Resolution authorizing the expenditure of public funds for the Pinellas Assembly meeting to be held on January 9, 2004, in an amount not to exceed \$1,000.00.

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#19 RATIFICATION OF FY2005 COOPERATIVE FUNDING INITIATIVE GRANT APPLICATIONS BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) AND PINELLAS COUNTY AS SUBMITTED BY THE COUNTY ADMINISTRATOR (PARK)

Ratification and confirmation of Fiscal Year 2005 Cooperative Funding Initiatives grant applications submitted by the County Administrator between the Southwest Florida Water Management District (SWFWMD) and Pinellas County as follows:

1. Eagle Lake Park Habitat Restoration and Boardwalk (\$560,000 SWFWMD share; \$993,000 Pinellas County share);
2. Pop Stansell Habitat Restoration and Boardwalk (\$666,532 SWFWMD share; \$1,258,500 Pinellas County share);
3. Joe's Creek/Lealman Community Greenway (\$715,500 SWFWMD share; \$715,500 Pinellas County share);

applications signed by the County Administrator in order to meet SWFWMD's deadline.

#20 BID OF BRIGHT HOUSE CLEANING COMPANY FOR JANITORIAL CLEANING SERVICES - BEACH ACCESS/BOAT RAMP (CONTRACT NO. 023-947-B) (PARK)

Bid of Bright House Cleaning Company on the basis of being the lowest responsive and responsible bid received meeting specifications for an estimated annual expenditure not to exceed \$99,840.00 (total estimated 24-month expenditure not to exceed \$199,680.00), for an initial period of 24 months with one additional 24-month option of renewal which shall be exercised only if all prices, terms and conditions remain the same, pending availability of funds and County Administrator approval; 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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#21 LOT CLEARING RESOLUTION (ENVIRONMENTAL MANAGEMENT)

Resolution No. 04-02 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, direction that this resolution be filed in the public records office of the Clerk of the Circuit Court of Pinellas County, Florida.

#22 RESOLUTION NO. 04-03 ADOPTED AUTHORIZING THE ANNUAL EXPENDITURE OF PUBLIC FUNDS BY THE SIXTH JUDICIAL CIRCUIT FOR INCENTIVES, AWARDS AND RELATED ITEMS FOR EMPLOYEES UNDER THE PROVISIONS OF PINELLAS COUNTY ORDINANCE NO. 00-16 (JUSTICE AND CONSUMER PROTECTION)

Resolution authorizing the annual expenditure of public funds by the Sixth Judicial Circuit for incentives, awards and related items for employees.

#23 RATIFICATION AND CONFIRMATION OF GRANT APPLICATION BETWEEN THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES AND PINELLAS COUNTY AS SUBMITTED BY THE SHERIFF'S OFFICE (JUSTICE AND CONSUMER PROTECTION)

Ratification, confirmation and entering into the minutes the grant application submitted by the Sheriff's Office, between the State of Florida, Department of Children and Families and Pinellas County in the amount of \$150,000.000 per year for three years with a match in the amount of \$50,000.00 per year for three years to be provided by the Sheriff's Office; total program cost for three years is \$600,000.00; application signed by the County Administrator.

#24 BUDGET AMENDMENT NO. 3 (FY2004) (MANAGEMENT AND BUDGET)

Copy of Budget Amendment No. 3 (FY2004) was filed and made a part of the minutes.

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#25 BID OF MARKETEX STORAGE SYSTEMS, INC. FOR IBM 3494 VIRTUAL TAPE STORAGE SUBSYSTEM (CONTRACT NO. 034-68-B) (PURCHASING AND INFORMATION TECHNOLOGY DEPARTMENTS)

Bid of Marketex Storage Systems, Inc. on the basis of being the lowest responsive, responsible bid received meeting specifications in an amount not to exceed \$146,979.00; Chairman authorized to sign agreement and Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#26 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF THE COURT) – NONE

* * * *

At this time, 11:22 A.M., Commissioner Harris returned to the meeting.

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#27 FIRST AMENDMENT TO LEASE AGREEMENT WITH RENEWAL OPTIONS BETWEEN PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS AND ENGELHARDT GEHRAND PARTNERSHIP – APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the First Amendment to Lease Agreement With Renewal Options between Pinellas County Board of County Commissioners and Engelhardt Gehrand Partnership, providing an additional \$15,389.00 in annual revenue to the St. Petersburg-Clearwater International Airport.

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

At the request of Commissioner Stewart, Interim Airport Director Thomas R. Jewsbury and Business Development Review Manager Robert Humberstone presented additional information.

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#28 WAREHOUSE LEASE AGREEMENT WITH WACKENHUT SERVICES, INC., OPERATING THE NONPROLIFERATION AND NATIONAL SECURITY INSTITUTE FOR THE UNITED STATES DEPARTMENT OF ENERGY – APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Warehouse Lease Agreement with Wackenhut Services, Inc., operating the Nonproliferation and National Security Institute for the U.S. Department of Energy for a term of three years at a Fair Market Value of \$3.75 per square foot for an annual fee in the amount of \$33,750.00, payable in monthly installments of \$2,812.50, which replaces the existing Access Agreement with the Office of Domestic Preparedness (ODP) dated May 3, 2003.

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

#29 CHANGE ORDER NO. 1 TO CONTRACT NO. 000882 WITH APAC-SOUTHEAST, INC. FOR CONSTRUCTION OF YEAR 2003 COUNTYWIDE PAVEMENT PRESERVATION – CONTRACT “A” (VARIOUS LOCATIONS) (BID NO. 023-660-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 1 to Contract No. 000882 with APAC-Southeast, Inc. for the construction of Year 2003 Countywide Pavement Preservation – Contract “A” (various locations) for an increase in the amount of \$78,013.18 (revised agreement amount, \$833,655.26).

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

Following input by Director of Public Works Jan R. Herbst, upon call for the vote, the motion carried unanimously.

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#30 NONCOMPETITIVE PURCHASE OF PAVEMENT MANAGEMENT AND DATA COLLECTION CONSULTANT SERVICES WITH KMS & ASSOCIATES, LTD BY PARTICIPATION IN CITY OF LAKE LAND BID NO. 3003 (CONTRACT NO. 034-75-B) – APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended approval of the noncompetitive purchase of pavement management and data collection consultant services with KMS & Associates, Ltd by participation in the City of Lakeland Bid No. 3003 for a total estimated expenditure in the amount of \$150,000.00; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

Responding to query by Commissioner Seel, Mr. Spratt indicated that participation in the City of Lakeland bid rather than seeking the County's own bidders would expedite the project.

Upon call for the vote, the motion carried unanimously.

* * * *

At this time, 11:25 A.M., Commissioner Seel left the meeting.

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#31 PROPOSAL OF L.A. CONSULTING, INC. ACCEPTED FOR HIGHWAY DEPARTMENT MANAGEMENT CONSULTANT SERVICES (BID NO. 023-951-P); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE 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 proposal of L.A.

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Consulting, Inc. be accepted for Highway Department Management Consultant Services for an estimated total expenditure in the amount of \$106,115.00 for Phases A and B; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

#32 CONSTRUCTION MANAGEMENT AGREEMENT WITH CREATIVE CONTRACTORS, INC. FOR BROOKER CREEK ENVIRONMENTAL EDUCATION CENTER PHASE 2, ACCEPTED AS COMPLETE; AUTHORIZATION GRANTED FOR RELEASE OF RETAINAGE MONIES

County Administrator Stephen M. Spratt recommended that the Construction Management Agreement with Creative Contractors, Inc. for the Brooker Creek Environmental Education Center Phase 2, be accepted as complete as of November 25, 2003; and that authorization be granted to release retainage monies in the amount of \$238,365.13.

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

Responding to query by Commissioner Stewart, Mr. Spratt indicated that construction and contracted exhibits are fully funded for the project.

Upon call for the vote, the motion carried unanimously.

#33 BAYSIDE ENGINEERING, INC. SELECTED TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE WALSINGHAM ROAD SIDEWALKS PROJECT (CIP NO. 940); STAFF AUTHORIZED TO INITIATE 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 engineering services for construction of five-foot sidewalks along both sides of Walsingham Road from 119th Street North to Seminole Boulevard, as follows:

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1. Bayside Engineering, Inc.
2. American Consulting Engineers of Florida, LLC
3. Orth-Rodgers & Associates, Inc.

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, Bayside Engineering, 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.

#34 COOPERATIVE FUNDING AGREEMENT BETWEEN THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) AND PINELLAS COUNTY FOR ALLIGATOR CREEK CHANNEL "B" IMPROVEMENTS (L063) (CIP NO. 714) – APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Cooperative Funding Agreement between SWFWMD and Pinellas County for Alligator Creek Channel "B" improvements which will provide \$250,000.00 in grant funds to support the project (estimated total construction cost of \$1,600,000.00).

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

#35 FINAL NEGOTIATED CONTRACT WITH ELAB, INC. FOR LABORATORY TESTING SERVICES (CONTRACT NO. 023-806-P) – APPROVED; 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

County Administrator Stephen M. Spratt recommended approval of a final negotiated contract with ELAB, Inc. for laboratory testing services for an estimated 24-month expenditure in the amount of \$190,000.00; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

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#36 AGREEMENT WITH DEWBERRY & DAVIS LLC FOR CONSULTANT SERVICES FOR COORDINATED DEBRIS MANAGEMENT PLANNING (PID NO. 819-839811-1682) – APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Agreement with Dewberry & Davis LLC for consultant services for coordinated debris management planning in the amount of \$162,500.00.

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

* * * *

At this time, 11:30 A.M., Commissioner Seel returned to the meeting.

* * * *

#37 AGREEMENTS WITH (1) WILLIAMS EARTH SCIENCES, INC. AND (2) NODARSE & ASSOCIATES, INC. FOR CONSULTANT SERVICES FOR GEOTECHNICAL ENGINEERING FOR MISCELLANEOUS UTILITIES PROJECTS (PID NO. 999-999999-1710) – APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the agreements with (1) Williams Earth Sciences, Inc. and (2) Nodarse & Associates, Inc. for consultant services for geotechnical engineering for miscellaneous Utilities' projects for a two-year term at a cost of \$125,000.00 annually per consultant with an additional one-year option of renewal subject to same terms and conditions.

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

#38 BUDGET ADJUSTMENT TO ESTIMATED DESIGN ENGINEERING COSTS FOR GALVANIZED PIPE REPLACEMENT PROGRAM (PID NO. 653-901814-1619) – APPROVED

County Administrator Stephen M. Spratt recommended approval of an adjustment to the project budget for design engineering services for the Galvanized Pipe

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Replacement Program in the amount of \$600,000.00 (revised total estimated budget for design engineering, \$5,600,000.00).

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

Responding to queries by Commissioner Morroni, Director of Utilities Pick Talley indicated that an extensive neighborhood outreach program is being conducted to ensure public awareness of the project; and that the project is scheduled for completion by October 2004.

Upon call for the vote, the motion carried unanimously.

#39 UTILIZATION OF TROPICANA FIELD BOND REFINANCING SAVINGS FOR ADDITIONAL TOURISM ADVERTISING – APPROVED (CONVENTION AND VISITORS BUREAU)

County Administrator Stephen M. Spratt recommended that the Board approve the recommendation of the Tourist Development Council to use the \$393,786.00, which was transferred to the Tourist Development Fund as a result of the refinancing of the Tropicana Field bonds, for additional tourism advertising.

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

#40 GRANT AGREEMENT (NO. 03PI1) WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), BUREAU OF BEACHES AND COASTAL SYSTEMS BEACH EROSION CONTROL PROGRAM, STATE OF FLORIDA, FOR SAND KEY BEACH RESTORATION PHASE IV – APPROVED FOR EXECUTION (ENVIRONMENTAL MANAGEMENT)

County Administrator Stephen M. Spratt recommended approval of FDEP Contract No. 03PI1 for the reimbursement of funds associated with the 1999 Sand Key Nourishment Project in the amount of \$384,450.00.

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

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- #42 BID OF THERMAL TECH, INC. ACCEPTED FOR BOILER PARTS/MAINTENANCE (REBID) (CONTRACT NO. 034-165-B); 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 (PURCHASING AND GENERAL SERVICES DEPARTMENTS)
-

County Administrator Stephen M. Spratt recommended that the Board approve the award of bid to Thermal Tech, Inc. for boiler parts/maintenance (rebid) on the basis of being the only responsive, responsible bid received meeting specifications for a 36-month initial period, with three additional 12-month options of renewal, in an amount not to exceed \$78,600.00 annually; 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 Morroni and carried, that the recommendations of the County Administrator be approved.

- #43 RATIFICATION OF GRANT APPLICATION WITH BASE FUNDING ADJUSTMENT AND ACCEPTANCE OF GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES & SERVICES ADMINISTRATION, FOR THE HUMAN SERVICES DEPARTMENT MOBILE MEDICAL UNIT – APPROVED (HUMAN SERVICES DEPARTMENT)
-

County Administrator Stephen M. Spratt recommended that the Board approve the ratification of a grant application with base funding adjustment and acceptance of a grant award from the United States Department of Health and Human Services, Health Resources and Services Administration for revised estimated federal funding in the amount of \$288,810.00.

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

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#44 GRANT-IN-AID AGREEMENT FOR CHILD DEPENDENCY FOR PINELLAS COUNTY, FLORIDA BETWEEN STATE OF FLORIDA JUSTICE ADMINISTRATIVE COMMISSION AND PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS – APPROVED FOR EXECUTION (JUSTICE AND CONSUMER PROTECTION)

County Administrator Stephen M. Spratt recommended approval of a grant-in-aid agreement for child dependency for Pinellas County, Florida between the State of Florida Justice Administrative Commission and the Pinellas County Board of County Commissioners on behalf of the Sixth Judicial Circuit as grant manager.

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

#45 RESOLUTION NO. 04-04 ADOPTED SUPPLEMENTING FY 2004 GENERAL FUND BUDGET – SHERIFF (LIFE SKILLS AND HIGH INTENSITY DRUG TRAFFICKING AREA [HIDTA] GRANTS) (MANAGEMENT AND BUDGET)

County Administrator Stephen M. Spratt recommended approval of a resolution to appropriate earmarked receipts for a particular purpose in the FY 2004 General Fund as requested by the Sheriff.

Commissioner Harris moved, seconded by Commissioner Todd, that Resolution No. 04-04 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#46 RESOLUTION NO. 04-05 ADOPTED SUPPLEMENTING FY 2004 TOURIST DEVELOPMENT FUND BUDGET (MANAGEMENT AND BUDGET)

County Administrator Stephen M. Spratt recommended approval of a resolution to appropriate earmarked receipts for a particular purpose in the FY 2004 Tourist Development Council Fund.

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Commissioner Harris moved, seconded by Commissioner Morroni, that Resolution No. 04-05 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#47 EXTENSION OF INTERLOCAL AGREEMENT WITH SCHOOL BOARD OF PINELLAS COUNTY REGARDING THE ALTERNATIVE HIGH SCHOOL – APPROVED FOR EXECUTION (MANAGEMENT AND BUDGET)

County Administrator Stephen M. Spratt recommended approval of the extension of an interlocal agreement with the School Board of Pinellas County reaffirming the commitment of \$15,000,000.00 from the extended Penny for Pinellas County proceeds for the alternative high school.

Commissioner Todd 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.

#48 RESOLUTION NO. 04-06 OF THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA ADOPTED CALLING FOR GREATER AWARENESS OF CYCLING AS A MEANS OF TRANSPORTATION (PLANNING)

County Administrator Stephen M. Spratt recommended adoption of a resolution of the Pinellas County Board of County Commissioners of Pinellas County, Florida calling for greater awareness of cycling as a means of transportation.

Commissioner Morroni moved, seconded by Commissioner Todd, that Resolution No. 04-06 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#49 DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR LIQUIDATION OF SAME THROUGH PUBLIC AUCTION CONDUCTED BY GOVDEALS.COM AND TAMPA MACHINERY AUCTION, INC. – APPROVED (PURCHASING)

County Administrator Stephen M. Spratt recommended that certain miscellaneous County-owned equipment as set forth in the attachment to his memorandum of January 6, 2004, a copy of which has been filed and made a part of the record, be declared surplus with authorization for liquidation of same through public auction conducted by GovDeals.com (on-line auction) and through Tampa Machinery Auction, Inc. (vendor site auction).

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

#50 DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS – APPROVED WITH AUTHORIZATION GRANTED TO DONATE TO ADMINISTRATIVE OFFICE OF THE COURTS GUARDIAN AD LITEM (GAL) PROGRAM (PURCHASING/CIRCUIT COURT)

County Administrator Stephen M. Spratt recommended that miscellaneous County-owned equipment as listed in the attachment to the agenda memorandum dated January 6, 2004 be declared as surplus, with authorization to donate the surplus equipment to the Administrative Office of the Courts Guardian Ad Litem (GAL) program.

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

#51 RESOLUTION NO. 04-07 ADOPTED AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS FOR REIMBURSEMENT OF MEALS, TRAVEL, MOVING AND RELATED EXPENSES IN CONNECTION WITH THE HIRING OF THE SELECTED CANDIDATE FOR THE AIRPORT DIRECTOR IN ACCORDANCE WITH PINELLAS COUNTY CODE SECTION 2-145 (COUNTY ADMINISTRATOR)

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing the expenditure of public funds for reimbursement of meals, travel,

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moving and related expenses in connection with the hiring of the selected candidate for the Airport Director in accordance with Pinellas County Code Section 2-145 in an amount not to exceed \$15,600.00.

Commissioner Morroni moved, seconded by Commissioner Welch, that Resolution No. 04-07 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

Mr. Spratt also acknowledged the work of Interim Airport Director Thomas Jewsbury as a dedicated County employee.

#52 COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST

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

- a. Andrew Otto Gauthier versus Pinellas County, Everett Rice, Individually, and in his Official Capacity as Pinellas County Sheriff, Scott M. Matthew, Individually and in his Official Capacity as a Detective for the Pinellas County Sheriff, Jack R. Mohrman, Individually and in his Official Capacity as a Sergeant for the Pinellas County Sheriff, and D. V. Antolini, Individually and in his Official Capacity as a Corporal for the Pinellas County Sheriff – Case No. 8:03-CV-2512-T-30-MAP – Allegations of Battery, Assault, Intentional Infliction of Severe Emotional Distress, False Imprisonment and Civil Rights Violations.
- b. Robert T. Wagner versus Pinellas County – Circuit Civil Case No. 03-9349-CI-19 – Allegations of Interference with a Contract with City of St. Petersburg and Damages Subsequently Incurred.

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#53 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Seel moved, seconded by Commissioner Welch, that the County Attorney be authorized to initiate litigation against:

- a. Gibson versus RSG Family Limited Partnership, et al. – PCO No. 03-033, HUD No. 04-03-0654-8 – Complaint of Housing Discrimination.
- b. Ikner and Mister versus RSG Family Limited Partnership, et al. – PCO No. PC-03-028, HUD No. 04-03-0569-8 – Complaint of Housing Discrimination.
- c. Jones versus RSG Family Limited Partnership, et al. – PCO No. 03-030, HUD No. 04-03-0653-8 – Complaint of Housing Discrimination.
- d. Mahogany versus RSG Family Limited Partnership, et al. – PCO No. PC-03-032, HUD No. 04-03-0655-8 – Complaint of Housing Discrimination.
- e. Williams versus RSG Family Limited Partnership, et al. – PCO No. PC-03-031, HUD No. 04-03-0649-8 – Complaint of Housing Discrimination.

Responding to query by Commissioner Seel, Attorney Churuti indicated that additional information regarding the apartment complex will be provided to the members.

Upon call for the vote, the motion carried unanimously.

#54 AUTHORITY TO FILE A CIRCUIT CIVIL ACTION ON BEHALF OF EMERGENCY MEDICAL SERVICES (EMS) AGAINST AETNA FOR UNPAID AMBULANCE BILLS – WITHDRAWN

County Attorney Susan H. Churuti referred to agenda Item No. 54, “Authority to file a Circuit Civil Action on behalf of Emergency Medical Services (EMS)

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against Aetna for Unpaid Ambulance Bills,” and indicated that the item is being pulled from the agenda.

#55 CONTRACTS FOR PROVISION OF 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 Welch and carried, that the following contracts for the fiscal year 2003-2004 be approved:

- a. City of Clearwater for crime scene services, latent fingerprint services, and property and evidence storage
- b. Town of Kenneth City for crime scene services
- c. City of St. Pete Beach for crime scene services, latent fingerprint services, and evidence and property storage

#56 EXTENSION OF TIME FRAME CONTAINED IN THE ELDRIGE-WILDE WELLFIELD TRANSFER AGREEMENT TO FEBRUARY 28, 2005 FOR TAMPA BAY WATER TO SEEK REIMBURSEMENT OF EXPENSES RELATED TO THE CLEARING OF TITLE DEFECTS - APPROVED

County Attorney Susan H. Churuti recommended approval of the extension of the time frame contained in the Eldridge-Wilde Wellfield Transfer Agreement to February 28, 2005 for Tampa Bay Water to seek reimbursement of expenses related to the clearing of title defects.

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

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#57 AUTHORIZATION GRANTED TO SETTLE IN THE CASE OF REBEKAH STAMP, AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF JARED RAIBLE, DECEASED VERSUS PINELLAS COUNTY, CIRCUIT CIVIL CASE NO. 01-6634-CI-13

County Attorney Susan H. Churuti requested that authorization be granted to settle in the case of Rebekah Stamp, as the personal representative of the Estate of Jared Raible, Deceased versus Pinellas County, Circuit Civil Case No. 01-6634-CI-13, as outlined in her confidential memorandum to the Board dated January 6, 2004.

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

#58 UPDATE RE FEDERAL TRIAL

County Attorney Susan H. Churuti provided a brief update regarding an ongoing federal trial related to a shooting incident involving an escaped prisoner from the Maryland Correctional System; and indicated that additional information will be forthcoming.

#59a \$10,000.00 CONTRIBUTION TO TAMPA BAY PARTNERSHIP RE LOBBYIST FOR TRANSPORTATION PROJECTS – APPROVED

County Administrator Stephen M. Spratt recommended approval of a contribution in the amount of \$10,000.00 to the Tampa Bay Partnership for the purpose of funding a lobbyist or lobbying team regarding regional transportation projects.

In response to queries by the members, Planning Director Brian K. Smith provided input regarding the request for proposal (RFP), the amounts being contributed by other counties, and the possible need for local lobbying in addition to the regional approach; whereupon, Chairman Latvala suggested that the local lobbying issue be revisited in the near future.

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

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#59b UPDATE RE GATEWAY PRESERVE AREA ANNEXATION DISCUSSIONS

County Administrator Stephen M. Spratt referred to an informational item regarding the Gateway Preserve area; whereupon, Commissioner Seel presented a brief update regarding recent discussions with the State of Florida Department of Community Affairs (DCA) and the City of St. Petersburg, and her suggestion that the County might consider looking at annexing the Gateway Preserve in the event that the City of St. Petersburg accomplishes a successful voluntary annexation referendum of Feather Sound. During discussion, Commissioner Stewart suggested revisiting a letter sent by Commissioner Todd to the DCA approximately two years ago regarding the County's position; whereupon, Mr. Spratt stated that a letter restating the Board's previous position had been sent to the State.

Discussion ensued and in response to query by Commissioner Welch, Planning Director Brian K. Smith displayed a map and pointed out the location of the Gateway Preserve, the annexation planning area boundaries, City of St. Petersburg parcels, and Feather Sound.

Responding to query by Chairman Latvala, Assistant County Administrator Jacob F. Stowers, III provided historical background information regarding the purchase of the Gateway Preserve and the endangered lands program. Commissioner Morroni added that another information letter to Feather Sound residents will be forthcoming.

#60 APPOINTMENT OF WALTER OLIVER MELVIN TO PINELLAS OPPORTUNITY COUNCIL BOARD OF DIRECTORS – APPROVED

Upon presentation by Chairman Latvala, Commissioner Morroni moved, seconded by Commissioner Seel and carried, that the appointment of Walter Oliver Melvin to the Pinellas Opportunity Council Board of Directors for a one-year term through December 31, 2004 be approved.

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#61 TRANSIT GOVERNANCE TASK FORCE RECOMMENDATION – APPROVED

Commissioner Stewart referred to a memorandum from the Pinellas County Metropolitan Planning Organization (MPO) regarding the Transit Governance Task Force recommendation to establish a Countywide transit authority and a proposed draft bill, which indicates that the authority may include all unincorporated areas and municipalities in Pinellas County, copies of which have been filed and made a part of the record.

Following his summary of the next steps in the procedure to create a Countywide transit authority, he noted that many issues will have to be addressed; whereupon, he moved approval of the recommendation to move forward, seconded by Commissioner Welch.

During discussion, Mr. Spratt indicated that the Pinellas Assembly Transportation Task Force report recommends a Countywide transit system; Commissioner Harris confirmed that the Pinellas Suncoast Transit Authority (PSTA) has recommended a Countywide system; and Planning Director Brian K. Smith discussed funding and timetable matters.

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

#62a APPOINTMENTS OF PAUL FERRERI AND GLORIA MEIER TO EAST LAKE COMMUNITY LIBRARY ADVISORY BOARD – APPROVED

Upon presentation by Chairman Latvala, Commissioner Seel moved, seconded by Commissioner Welch and carried, that the appointments of Paul Ferreri and Gloria Meier to the East Lake Community Library Advisory Board be approved.

#62b COMMISSIONER HARRIS RE WATER CONSERVATION TIP

Commissioner Harris offered a water conservation tip regarding the use of lawn sprinklers.

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#62c COMMISSIONER TODD RE INTERNATIONAL WATER CONFERENCE

Commissioner Todd related that she will be participating in an international water conference in Washington, D.C. on January 29 and 30, 2004 and requested input from the members regarding water issues.

#62d COMMISSIONER MORRONI RE LAW ENFORCEMENT DINNER

Commissioner Morroni announced that there will be a Law Enforcement Dinner on January 30, 2004 at the Sheraton Sand Key.

#62e COMMISSIONER SEEL RE VARIOUS MATTERS

Commissioner Seel thanked the members for their gift; reminded the Commissioners of the Pinellas Assembly meeting to be held on January 9, 2004 at the St. Petersburg College Seminole Campus; announced that the County will be hosting the State Transportation Committee on January 28 and 29, 2004; and offered her comments regarding the holiday light display at Lake Seminole Park.

#62f COMMISSIONER STEWART RE NEW YEAR'S OBSERVATIONS/RESOLUTIONS

Commissioner Stewart offered his top ten New Year's Observations/Resolutions for the Board of County Commissioners and other individuals.

#62g COMMISSIONER WELCH RE OUTBACK BOWL

Commissioner Welch thanked the Outback Bowl for being a part of the community.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 12:38 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk