

Clearwater, Florida, February 3, 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 9:35 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 Robert Thomson, Salvation Army, Clearwater, pronounced the invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner 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

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Their Presentation to Ten (10) Minutes. It is Expected that Others in the Organization or Group will Waive Their Time.

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. Dredge and Fill Application D/F-1469 Submitted by the City of Largo, 201 Highland Avenue, Church Creek Maintenance Dredge, Largo.

SCHEDULED PUBLIC HEARINGS – BCC

2. Proposed Ordinance Amending Ordinance No. 82-34, Approving the Creation of a Redevelopment Trust Fund by the City of Clearwater.

COUNTYWIDE PLANNING AUTHORITY

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

SUBTHRESHOLD AMENDMENTS

3. a. Case #CW 04-1 – St. Petersburg.
Location – 0.2 Acre Located on the West Side of 49th Street North Approximately 140 Feet North of 33rd Avenue North; Amendment from Residential Urban to Residential/Office General.
- b. Case #CW 04-2 – St. Petersburg.
Location – 0.3 Acre Located on the North Side of 22nd Avenue South between 34th Street South and I-275; Amendment from Residential/Office General to Commercial General.
- c. Case #CW 04-5 – Pinellas County.
Location – 3.6 Acres Located on the East Side of the Intersection of North Jasmine Avenue and Paradise Boulevard; Amendment from Undesignated to Residential Urban.

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COUNTYWIDE PLANNING AUTHORITY PUBLIC HEARINGS CONTINUED

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.
- b. 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.
- c. Case #CW 04-3 – St. Petersburg.
Location – 3.9 Acres Located on the Northeast Corner of 54th Avenue South and 31st Street South; Amendment from Residential/Office General to Commercial General.
- d. Case #CW 04-4 – St. Petersburg.
Location – 8.6 Acres Located on the Southeast Corner of Carillon Parkway and Fountain Parkway; Amendment from Industrial Limited and Activity Center/Primary to Residential/Office General and Activity Center/Primary.
- e. Case #CW 04-6 – Pinellas County.
Location – 1.2 Acres Located on the South Side of Alderman Road, Approximately 535 Feet East of U.S. Highway 19 North; Amendment from Residential Low to Residential/Office Limited.

PLANNING AREA MAP AMENDMENT

5. Case #VA 03-214 – St. Petersburg (To be Continued).
Location – 15.0 Acres Located on the Northwest Corner of 40th Avenue North and 79th Street North; Amendment to Planning Areas Delineating Eligibility for Annexation.

C. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

6. a. Approval of Minutes from the Regular Meeting Held January 6, 2004.
- b. Correction to the Minutes of December 2, 2003, Item No. 27, to Reflect “36-Month Contracts Effective January 6, 2004.”
- c. Correction to the Minutes of January 6, 2004, Item No. 7 F, to Include the Title of Report No. 2003-20 Dated December 4, 2003 - “Follow-Up Review to Audit of Courtroom Automation.”

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7. Reports:
 - a. Dock Fee Report for the Month of December 2003.
 - b. City of St. Petersburg Report Regarding Proposed Annexation of Weedon Island Preserve North, Pursuant to Chapter 171.042, Florida Statutes.
 - c. Pinellas County Florida, Property Appraiser Financial Statements for the Year Ended September 30, 2003 (with Independent Auditor's Report Thereon).
 - d. Pinellas County Florida, Clerk of the Circuit Court Financial Statements for the Year Ended September 30, 2003 (with Independent Auditor's Report Thereon).
 - e. Palm Harbor Special Fire Control and Rescue District Financial Statements for the Year Ended September 30, 2003 (with Independent Auditor's Report Thereon).
 - f. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-01 Dated January 15, 2004 – Audit of Collections and Enforcement of Court Fines and Costs, Together with The Audit Watch.
 - g. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-02 Dated January 15, 2004 – Audit of Finance Division Investment Policies and Procedures, Together with The Audit Watch.
8. Other Approvals:
 - a. General – None.
 - b. Vouchers and Bills Paid.
9. Miscellaneous Items to be Received for Filing:
 - a. Florida Public Service Commission Notice of Prehearing Conference Regarding Implementation of Requirements Arising from Federal Communications Commission's Triennial UNE Review to be Held February 9, 2004 in Tallahassee.
 - b. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Rezoning and Zoning Atlas Amendments Regarding Ordinances Nos. 7240-04 through 7252-04 to be Held March 4, 2004.
 - c. City of Largo Notice of Public Hearing Regarding Ordinance No. 2004-20 Held January 20, 2004.
 - d. Correspondence from City of Pinellas Park Regarding Six Ordinances Voluntarily Annexing Certain Property and One Ordinance Annexing a Road Right-of-Way; Public Hearings Held January 22, 2004.
 - e. Eastlake Oaks Community Development District Minutes of Meeting Held October 9, 2003.

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COUNTY ADMINISTRATOR

Public Works

10. Approval of the Release and Acceptance of Sureties.

Utilities

11. Approval of an Award of Bid to Palm Specialists, Inc., d/b/a ATS All Tree Service, for Tree Trimming Services.

Other Departments

12. Approval of an Award of Bid to Tom's Sod Service, Inc. for Sod – Picked Up, Delivered, or Installed (Purchasing).
13. Approval of the Receipt and File Report of Claim Settlements for the Quarter Ending December 31, 2003 (Risk Management/County Attorney).

D. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

15. Approval of Paving and Drainage Improvements to 118th Avenue North from Belcher Road and Authorization to Advertise for a Public Hearing.

Utilities

16. Approval of the Option of Renewal of the Contract with QRC, Inc. for Water and Reclaimed Mains Installation Annual Requirements 2004.

Other Departments

17. Approval of an Award of Proposal for a Retail Gift Shop at Brooker Creek Preserve (Environmental Management).
18. Approval of the Sixth Amendment to the Contract with KPMG, LLP, to Audit Financial Statements and Records (Human Services).
19. Adoption of a Resolution to Appropriate Earmarked Receipts for a Particular Purpose in the Fiscal Year 2004 General Fund for the Municipal Services Taxing Unit, Public Works (Management and Budget).

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20. Approval to Declare Miscellaneous County-Owned Equipment as Surplus, Authorize its Sale as Scrap Material, and Remove Stolen Items from County Fixed Asset Inventory (Purchasing).
21. Approval of a Purchase Authorization for Equipment Maintenance from International Business Management Corporation (Purchasing/Information Technology).
22. Approval of the Final Negotiated Contract with Westin Engineering, Inc. for a Comprehensive Information Technology Vulnerability Assessment (Purchasing/Information Technology).
23. Other Administrative Matters.

COUNTY ATTORNEY

24. Approval of the Authority for the County Attorney to Defend the Case of Edith Burke v. Pinellas County, et al - Circuit Civil Case No. 03-9579-CI-8 – Allegations of Negligence and Personal Injuries as a Result of a Trip and Fall Incident.
25. Approval of the Authority to Advertise for a Public Hearing Regarding a Proposed Ordinance Relating to the Style and Format for Citizens' Initiative Petition Forms.
26. Approval of the Authorization to Make Application to Transfer an H-1B Visa on Behalf of Ayumi Iida-Cordon.
27. Approval of the Recommendation of Settlement in the Workers' Compensation Case of Louis Novak v. Pinellas County Government.
28. Approval of the Recommendation of Settlement in the Case of Pinellas County v. Garcia Enterprises of Tampa, Inc., et al - Circuit Civil Case No. 00-000441-CI-21, Parcel 132 (Republic Billboard).
29. Miscellaneous.

E. AUTHORITIES

COUNTYWIDE PLANNING AUTHORITY

30. Approval of the Receipt and Acceptance of the Revised Downtown Plan (No. 03-1) for the City of Clearwater.

EMERGENCY MEDICAL SERVICES AUTHORITY

31. Adoption of a Resolution and Approval of a Grant Application Regarding Funding for Pre-Hospital Emergency Medical Services.
32. Approval of the Amendment No. 2 to the Agreement with Advanced Xerographics Imaging Systems, Inc. (Axis) for Laser Printing/Direct Mail Services.

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F. COUNTY ADMINISTRATOR REPORTS

33. None.

G. COUNTY COMMISSION

34. Approval of Appointments to the Pinellas County Youth Advisory Committee.

35. Approval of a Re-Appointment to the Pinellas County Health Facilities Authority.

36. Miscellaneous.

ADJOURNMENT

* * * *

CITIZENS TO BE HEARD - NONE.

1 DREDGE AND FILL APPLICATION D/F-1469, CITY OF LARGO, CHURCH CREEK MAINTENANCE DREDGE, LARGO - 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 December 19 and 26, 2003 issues of the Gulf Coast Business Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Dredge and Fill Application D/F-1469, City of Largo, Church Creek Maintenance Dredge, Largo. Chief Deputy Clerk Clarethia N. Harris reported that all interested parties have been notified by mail; that five letters in support of the application have been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the 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 one through nine, and affirmative "Findings of Fact," Items 10, 12 and 14, as indicated in his memorandum of February 3, 2004, which has been filed and made a part of the record, subject to the following condition:

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Floating turbidity curtains must be placed around the dredge areas. The applicant or contractor must take immediate corrective action should turbidity problems occur outside of the dredge or spoil area.

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

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

2 **ORDINANCE NO. 04-10 ADOPTED AMENDING ORDINANCE NO. 82-34 APPROVING THE CREATION OF A REDEVELOPMENT TRUST FUND BY THE CITY OF CLEARWATER, FLORIDA; PROVIDING FOR THE APPROPRIATION OF TAX INCREMENT REVENUES OF THE COUNTY TO SAID REDEVELOPMENT TRUST FUND; ESTABLISHING THE BASE YEAR FOR THE EXPANSION AREA; PROVIDING FOR THE COUNTY FUNDING OF THE REDEVELOPMENT TRUST FUND FOR THE COMMUNITY REDEVELOPMENT EXPANSION AREA; PROVIDING FOR THE DURATION OF THE TAX INCREMENT FINANCING; PROVIDING FOR A 15-YEAR REVIEW AFTER WHICH THE COUNTY WILL DECIDE ON CONTINUING FUNDING LEVELS; PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT**

Pursuant to legal notice published in the January 23, 2004 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 Ordinance No. 82-34 approving the creation of a Redevelopment Trust Fund for the Clearwater Downtown Community Redevelopment District. Chief Deputy Clerk Claretha N. Harris reported that no correspondence relative to the ordinance has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the proposed ordinance; and indicated that Agenda Item No. 30 is a companion item and should be considered at the same time.

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

Commissioner Morroni moved, seconded by Commissioner Welch, that Ordinance No. 04-10 approving the amendment to Ordinance No. 82-34 be adopted; whereupon, in response to query by Commissioner Welch, City of Clearwater Planning Director Cynthia Tarapani confirmed that updates will be provided annually.

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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#30 REVISED DOWNTOWN PLAN (NO. 03-1) FOR CITY OF CLEARWATER - APPROVED

Deviating from the agenda, and noting for the record that the Board is now sitting as the Countywide Planning Authority, County Administrator Stephen M. Spratt recommended that the Authority approve the Revised Downtown Plan (No. 03-1) for the City of Clearwater as recommended by the Pinellas Planning Council (PPC).

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

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3a CASE #CW 04-1, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 04-11 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 January 4, 2004 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 04-1, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from residential urban (7.5 units/acre) to residential/office general, re 0.2 acre located on the west side of 49th Street North, approximately 140 feet north of 33rd Avenue North (subthreshold 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 Welch moved, seconded by Commissioner Seel, that Ordinance No. 04-11 approving Case #CW 04-1 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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- # 3b CASE #CW 04-2, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION ON THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL/OFFICE GENERAL TO COMMERCIAL GENERAL (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 04-11 ADOPTED
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Chairman Latvala noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the January 4, 2004 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 04-2, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from residential/office general to commercial general, re 0.3 acre located on the north side of 22nd Avenue South, between 34th Street South and I-275 (subthreshold 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 Welch moved, seconded by Commissioner Seel, that Ordinance No. 04-11 approving Case #CW 04-2 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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3c CASE #CW 04-5, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM UNDESIGNATED TO RESIDENTIAL URBAN (SUBTHRESHOLD AMENDMENT) - TEMPORARILY DEFERRED TO MEETING OF MARCH 30, 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 January 4, 2004 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 04-5, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from undesignated to residential urban (7.5 units/acre), re 3.6 acres located on the east side of the intersection of North Jasmine Avenue and Paradise Boulevard (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.

In response to a request by Commissioner Seel, Paul Cassel, Director, Development Review Services, indicated that Case #CW 04-5 should be considered with Case #CW 03-80 due to the close proximity of both parcels.

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

Commissioner Todd moved, seconded by Commissioner Welch and carried, that Case #CW 04-5 be deferred to the meeting of March 30, 2004, with Commissioners Stewart and Morrioni casting the dissenting votes.

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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) (DEFERRED FROM MEETING OF JANUARY 6, 2004) - TEMPORARILY DEFERRED TO MEETING OF APRIL 13, 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 April 13, 2004.

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

Commissioner Morroni moved, seconded by Commissioner Welch and carried, that Case #CW 03-72 be temporarily deferred to the April 13, 2004 meeting.

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4b 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) (DEFERRED FROM MEETING OF JANUARY 6, 2004) - REMANDED TO EXAMINER'S HEARING FOR REVIEW

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 03-80, 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 Clarethia N. Harris reported that five e-mails in opposition to the application have been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the proposed amendment involves relocation of an above-ground power line; and that staff recommends that the item be remanded to the Examiner's hearing and Board of County Commissioners' process for review in order to better inform the public and provide neighbors the opportunity to be heard.

Referring to a map, Director of Development Review Services Paul Cassel directed attention to the location of a Progress Energy transmission line; indicated that Case #CW 03-80 was heard by the Examiner in October and approved by the Board of County Commissioners (BCC) in November; that the Pinellas Planning Council (PPC) had questioned why no property owners were in attendance at its consideration of the case on December 17, 2003; that Mr. Cassel's staff had directly contacted each property owner subsequent to the PPC's December meeting; and that following discussion with Mr. Spratt, staff's recommendation is to remand the case to the Examiner's hearing for

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the full review process, thereby allowing affected property owners to hear the case from the beginning.

Joel R. Tew, Esquire, Tew, Barnes and Atkinson, L.L.P., indicated that he represents the applicant; that no legal or procedural basis exists for the remanding of the case; that research of the County's records indicated that the property owners had been properly notified; and that his client, Zander Corporation, objects to a continuance of the case; whereupon, County Attorney Susan H. Churuti related that following consultation with her staff, she recommends that the case be remanded to the Examiner in order to provide due process to the property owners.

Thereupon, Attorney Tew suggested that the case be continued for no more than two weeks in order for it to be heard by the BCC in its capacity as the Countywide Planning Authority (CPA).

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

Robert A. Williams, Esquire, Fowler, White, Boggs and Banker, P.A.
Robert E. Marusa, Tarpon Springs
Lawrence D. Linnsey, Tarpon Springs
Glenn A. Hamburg, M.D., Tarpon Springs
Richard A. Martin, Tarpon Springs
Berlis Ennis, Tarpon Springs
E. D. Armstrong, Esquire, Johnson, Pope, Bokor, Ruppel and Burns,
P.A. - presented correspondence from Progress Energy, dated
February 2, 2004, to the Chief Deputy Clerk
Donald Munro, Tarpon Springs

In rebuttal, Attorney Tew indicated that the contract purchase deadline for his client is late March; and that his client will lose its investment if the case is referred back to the Examiner; whereupon, he presented a copy of the County's record of mailed notices to the Chief Deputy Clerk.

Commissioner Todd moved that Case #CW 03-80 be remanded to the Examiner's hearing for proper review; whereupon, following further discussion, Commissioner Todd amended her motion to include that Case #CW 03-80 be scheduled as soon as possible for hearing by the Examiner and brought back to the CPA at its March 30, 2004 meeting; and Commissioner Welch seconded the motion.

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Following further discussion and upon call for the vote, the motion carried 5 to 2, with Commissioners Stewart and Morroni casting the dissenting votes.

Following the vote, the County Administrator confirmed that the vote also included Agenda Item No. 3c, Case #CW 04-5.

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4c CASE #CW 04-3, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION FROM RESIDENTIAL/OFFICE GENERAL TO COMMERCIAL GENERAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 04-11 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 January 4, 2004 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 04-3, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from residential/office general to commercial general, re 3.9 acres located on the northeast corner of 54th Avenue South and 31st Street South (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 Morroni moved, seconded by Commissioner Welch, that Ordinance No. 04-11 approving Case #CW 04-3 be adopted.

In response to query by Commissioner Seel, David Goodwin, Assistant Director, Development Services Department, City of St. Petersburg, confirmed that City staff had initially recommended denial of the case; that the issues have been resolved; and that the property is not in a no-fee transportation impact zone.

Thereupon, Commissioner Todd moved, seconded by Commissioner Morroni, that Ordinance No. 04-11 approving Case #CW 04-3 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 04-4, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND LAND USE DESIGNATION FROM INDUSTRIAL LIMITED AND ACTIVITY CENTER/PRIMARY TO RESIDENTIAL/OFFICE GENERAL AND ACTIVITY CENTER/PRIMARY (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 04-11 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 January 4, 2004 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 04-4, a proposal by the City of St. Petersburg to amend the land use designation on the Countywide Future Land Use Plan from industrial limited and activity center/primary to residential/office general and activity center/primary, re 8.6 acres located on the southeast corner of Carillon Parkway and Fountain Parkway (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 Morroni moved, seconded by Commissioner Welch, that Ordinance No. 04-11 approving Case #CW 04-4 be adopted.

In response to query by Commissioner Seel, David Goodwin, Assistant Director, Development Services Department, City of St. Petersburg, confirmed that the property is not in a no-fee transportation impact zone.

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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4e CASE #CW 04-6, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION FROM RESIDENTIAL LOW TO RESIDENTIAL/OFFICE LIMITED (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 04-12 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 January 4, 2004 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 04-6, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low (up to five units/acre) to residential/office limited, re 1.2 acres located on the south side of Alderman Road, approximately 535 feet east of U.S. Highway 19 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 indicated that the Pinellas Planning Council (PPC) recommends approval of the proposal as an exception to the scenic/noncommercial corridor residential sub-classification; that the site be evaluated under the County's Concurrency Management System; and that the site be limited in that regard and the buffering and landscaping guidelines of the Scenic/Noncommercial Corridor Master Plan be applied to the site; and indicated further 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 Todd, that Ordinance No. 04-12 approving Case #CW 04-6 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

February 3, 2004

5 CASE VA #03-214, PROPOSAL BY THE CITY OF ST. PETERSBURG TO AMEND THE PLANNING AREAS DELINEATING ELIGIBILITY FOR ANNEXATION - TEMPORARILY DEFERRED TO MEETING OF AUGUST 24, 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 January 4, 2004 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 VA #03-214, a proposal by the City of St. Petersburg to amend the planning area map for voluntary annexations, re 15.0 acres located on the northwest corner of 40th Avenue North and 79th Street North. Chief Deputy Clerk Clareth N. Harris reported that one letter in support of and three letters and nine telephone calls 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 recommended that Case VA #03-214 be temporarily deferred to September 2004; whereupon, later in the meeting, he requested that in view of the scheduled budget hearings in September the hearing be set for the meeting of August 24, 2004.

Director of Planning Brian K. Smith indicated that contrary to the Pinellas Planning Council's (PPC) recommendation for a boundary change, a land use change from residential to commercial is needed before the proposed boundary change can be made; whereupon, David P. Healey, Executive Director of the PPC, expressed concern that the process for dealing with planning area boundaries is not being followed according to Ordinance 00-63.

Upon recommendation by County Attorney Susan H. Churuti, Chairman Latvala urged that citizen input be limited to comment regarding continuance of the proposal; whereupon, in response to the Chairman's call for persons wishing to be heard, the following individuals voiced their concerns:

Maureen Nelson, St. Petersburg, in favor of continuance
Thomas Jablonsky, SMILE International, in favor of continuance
Justin Joseph, Esquire, representing Colony Mobile Home Park non-owners,
in opposition to continuance
Ray Neri, unincorporated, in favor of continuance
John W. Link, III, St. Petersburg, in favor of continuance
Jan Frieling, St. Petersburg, in opposition to continuance

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Jonathan J. Damonte, Largo, representing Colony Co-Op, in opposition
to continuance

Following discussion, Commissioner Welch moved, seconded by Commissioner Morrioni, that the recommendation of the County Administrator be approved.

During further discussion, Commissioner Welch requested that staff explore ways to assist the residents who own their mobile homes but rent spaces; and to follow up regarding the issue of the CPA's submission of a previous boundary line change to the PPC for implementation.

Upon call for the vote, the motion carried six to one, with Commissioner Harris dissenting.

* * * *

At the direction of the Chairman, there being no objection, the meeting was recessed at 11: 27 A.M. Chairman Latvala reconvened the meeting at 11:43 A.M. with Commissioners Stewart, Harris and Welch in attendance.

* * * *

Clearwater, Florida, February 3, 2004

CONSENT AGENDA ITEMS NOS. 6 THROUGH 13 - APPROVED

Upon presentation by Chairman Latvala, Commissioner Stewart moved, seconded by Commissioner Welch and carried, that the consent agenda, consisting of Items Nos. 6 through 13, with additional action and requests re Items Nos. 7b and 9b addressed in Item No. 14, be approved as follows:

6 APPROVAL OF MINUTES

- a. Minutes of regular meeting of January 6, 2004.
- b. Correction to minutes of December 2, 2003, Item No. 27, to reflect "36-month contracts effective January 6, 2004."
- c. Correction to minutes of January 6, 2004, Item No. 7f, to include title of report No. 2003-20 dated December 4, 2003 - "Follow-up Review to Audit of Courtroom Automation."

7 REPORTS RECEIVED FOR FILING

- a. Dock Fee Report for the Month of December 2003.
- b. City of St. Petersburg Report Regarding Proposed Annexation of Weedon Island Preserve North, Pursuant to Chapter 171.042, Florida Statutes. See Item No. 14.
- c. Pinellas County Florida, Property Appraiser Financial Statements for the year ended September 30, 2003 (with Independent Auditors' Report Thereon).
- d. Pinellas County Florida, Clerk of the Circuit Court Financial Statements for the year ended September 30, 2003 (with Independent Auditors' Report Thereon).

February 3, 2004

- e. Palm Harbor Special Fire Control and Rescue District Financial Statements for the year ended September 30, 2003 (with Independent Auditors' Report Thereon).

- f. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-01 dated January 15, 2004 - Audit of Collections and Enforcement of Court Fines and Costs, together with The Audit Watch.

- g. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-02 dated January 15, 2004 - Audit of Finance Division Investment Policies and Procedures, together with The Audit Watch.

8 OTHER APPROVALS

- a. General - None

- b. Vouchers and Bills Paid
 - (1) Checks released for the period from January 5, 2004 through January 16, 2004 as follows:

Payroll Journal Expenditures
Payroll Journal pages numbers 1 through 2688
Payroll checks numbered 513540 through 514039
for the period January 12, 2004 through January 16, 2004

Imprest Fund Expenditures
Manual checks numbered 686563 through 686589
System checks numbered 715630 through 717473

Wire Transfers numbered 002458 through 002562

9 MISCELLANEOUS ITEMS RECEIVED

February 3, 2004

- a. Florida Public Service Commission Notice of Prehearing Conference re implementation of requirements arising from Federal Communications Commission's triennial UNE review, to be held February 9, 2004 in Tallahassee.
- b. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Rezoning and Zoning Atlas Amendments re Ordinances Nos. 7240-04 through 7252-04 to be held March 4, 2004. See Item No. 14.
- c. City of Largo Notice of Public Hearing re Ordinance No. 2004-20 held January 20, 2004.
- d. Correspondence from City of Pinellas Park regarding six ordinances voluntarily annexing certain property and one ordinance annexing a road right-of-way; public hearings held January 22, 2004.
- e. Eastlake Oaks Community Development District minutes of meeting held October 9, 2003.

#10 RELEASE AND ACCEPTANCE OF SURETIES

- a. Walgreen's at 49th Street
 1. Release of Completion Bond No. 929191270 in the amount of \$16,586.35 to Malcolmson Construction Company, Inc., 3350 122nd Avenue North, St. Petersburg, FL 33716-1842.
- b. Charmant Courtyards
 1. Maintenance Bond No. 21BCSBM8237 accepted in the amount of \$40,000.00.
- c. Leader's Furniture
 1. Completion surety funds released in the amount of \$22,001.63 to Rowand, Incorporated, 32730 U.S. Highway 19 North, Palm Harbor, FL 34684.

February 3, 2004

#11 BID OF PALM SPECIALISTS, INC., D/B/A ATS ALL TREE SERVICE, FOR TREE TRIMMING SERVICES FOR THE UTILITIES DEPARTMENT (CONTRACT NO. 034-96-B)

Bid of Palm Specialists, Inc., d/b/a ATS All Tree Service, on the basis of being the lowest responsive, responsible bid received meeting specifications for an estimated 24-month expenditure not to exceed \$52,000.00 (24-month contract with two 12-month options of renewal; prices are firm for 24 months; renewal options allow for a price adjustment in an amount equal to the Consumer Price Index, All Urban [CPI-U] or five percent, whichever is less, and are subject to availability of funds and County Administrator approval) (Contract No. 034-96-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.

#12 BID OF TOM'S SOD SERVICE, INC. FOR SOD - PICKED UP, DELIVERED, OR INSTALLED (CONTRACT NO. 034-161-B)

Bid of Tom's Sod Service, Inc. on the basis of being the lowest responsive, responsible bid received meeting specifications for an estimated 24-month expenditure not to exceed \$183,585.50 (24-month contract with two 24-month options of renewal; prices are firm for 24 months; renewal options allow for a price adjustment in an amount not to exceed the Consumer Price Index, All Urban [CPI-U] or five percent, whichever is less, and are subject to availability of funds and County Administrator approval) (Contract No. 034-161-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.

#13 QUARTERLY REPORT OF CLAIM SETTLEMENTS FOR PERIOD FROM OCTOBER 1, 2003 THROUGH DECEMBER 31, 2003 - RECEIVED FOR FILING (RISK MANAGEMENT/COUNTY ATTORNEY)

February 3, 2004

Quarterly Report of Claim Settlements for the period from October 1, 2003 through December 31, 2003 for claims requiring the mutual consent of the County Attorney and Risk Management in the settlement area of \$25,000.00 to \$50,000.00 (total for all claims paid, \$144,312.16).

* * * *

At this time, 11:45 A.M., Commissioners Morrone, Todd and Seel returned to the meeting.

* * * *

#14 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT) - ITEMS NOS. 7b AND 9b

Referring to Item No. 7b, County Administrator Stephen M. Spratt reported that at the request of the BCC, he had attended a recent St. Petersburg City Council meeting regarding the annexation of Weedon Island Preserve North; that he had suggested that the maintenance of the Preserve continue under the management of the County; and that an arrangement be established with the City for joint funding of the management costs; whereupon, Commissioner Stewart moved, seconded by Commissioner Todd and carried, that the County offer to continue its current management of the Preserve.

Referring to Item No. 9b, Commissioner Seel requested further information regarding the proposed annexation of a mobile home park by the City of Clearwater; whereupon, Mr. Spratt indicated that the information will be provided.

#15 FINAL PRELIMINARY (SECOND) ASSESSMENT ROLL FOR PAVING AND DRAINAGE IMPROVEMENTS TO 118th AVENUE NORTH FROM BELCHER ROAD, WEST APPROXIMATELY 3,585 FEET - APPROVED; AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING

February 3, 2004

County Administrator Stephen M. Spratt recommended that the Final Preliminary (Second) Assessment Roll for the paving and drainage improvements to 118th Avenue North from Belcher Road, west approximately 3,585 feet be approved; and further recommended that authorization be granted to advertise a public hearing to be held March 9, 2004 (project accepted as complete on July 1, 2003).

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

Commissioner Harris expressed concern that many north-south arteries are under construction at the same time; whereupon, Assistant County Administrator J. Keith Wicks indicated that staff endeavors to coordinate road construction projects to avoid traffic delays; and Commissioner Seel and Mr. Spratt related that road improvements involve multiple jurisdictions.

Upon call for the vote, the motion carried unanimously.

- #16 OPTION OF RENEWAL OF CONTRACT WITH QRC, INC. FOR WATER AND RECLAIMED MAINS INSTALLATION ANNUAL REQUIREMENTS 2004 (PROJECT NOS. 653-930014-1642, 753-753314-1643, AND 763-710314-1644; BID NO. 023-239-C) - 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 option of renewal of the existing contract for water and reclaimed mains installation annual requirements for 2004 with QRC, Inc., under the same terms and conditions of the original agreement for a total estimated annual expenditure of \$1,258,690.00; and further recommended that the Chairman be authorized to sign 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.

- #17 PROPOSAL OF NATURE'S FOCUS, INC. ACCEPTED FOR RETAIL GIFT SHOP AT BROOKER CREEK PRESERVE EDUCATION CENTER; FINAL NEGOTIATED LEASE AGREEMENT (RFP/CONTRACT NO. 034-78-P) - APPROVED FOR EXECUTION (ENVIRONMENTAL MANAGEMENT)

February 3, 2004

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the proposal of Nature's Focus, Inc. be accepted as the only proposal received for a retail gift shop at Brooker Creek Preserve Education Center (\$3,200.00 estimated annual revenue); and recommended approval of a final negotiated agreement (three-year contract with five two-year options of renewal, to be executed only if the percentage of sales, terms, and conditions remain the same, and subject to approval by the County Administrator); and further recommended that the Clerk be authorized to attest the Chairman's signature.

Commissioner Harris moved, seconded by Commissioner Welch, that the recommendations of the County Administrator be approved. Following discussion and input by Director of Environmental Management William M. Davis, upon call for the vote, the motion carried unanimously.

#18 SIXTH AMENDMENT TO AGREEMENT WITH KPMG LLP TO AUDIT FINANCIAL STATEMENTS AND RECORDS OF PINELLAS COUNTY (CONTRACT NO. 001-834-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AFTER PROPER EXECUTION OF THE AMENDMENT AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY (HUMAN SERVICES)

County Administrator Stephen M. Spratt recommended approval of the Sixth Amendment to the Agreement to Audit Financial Statements and Records of Pinellas County with KPMG LLP in the amount of \$2,700.00 (revised estimated expenditure not to exceed \$339,650.05); and further recommended that the Chairman be authorized to sign the amendment after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

Commissioner Morroni moved, seconded by Commissioner Welch, that the recommendations of the County Administrator be approved. Following discussion and input by Chief Assistant County Administrator D. Gay Lancaster, upon call for the vote, the motion carried unanimously.

#19 RESOLUTION NO. 04-19 ADOPTED SUPPLEMENTING FY 2004 GENERAL FUND BUDGET – MUNICIPAL SERVICES TAXING UNIT (PUBLIC WORKS) FROM FUND BALANCE ASSOCIATED WITH PRIOR YEAR REVENUE (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.

Commissioner Welch moved, seconded by Commissioner Seel, that Resolution No. 04-19 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.

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

County Administrator Stephen M. Spratt recommended that certain miscellaneous County-owned equipment as set forth in the attachment to his memorandum of February 3, 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 sales conducted by Trade Mark Metals Recycling with confirmation of items traded, scrapped/junked, cannibalized or utilized to repair other equipment and removal of stolen items from County fixed asset inventory.

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

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#21 NONCOMPETITIVE PURCHASE OF INTERNATIONAL BUSINESS MACHINES (IBM) EQUIPMENT MAINTENANCE FROM IBM CORPORATION (CONTRACT NO. 034-48-N) – APPROVED FOR EXECUTION (PURCHASING/INFORMATION TECHNOLOGY)

County Administrator Stephen M. Spratt recommended approval of the noncompetitive purchase of IBM equipment maintenance from IBM Corporation for a total 60-month estimated expenditure not to exceed \$596,898.49; and further recommended that the Clerk be authorized to attest the Chairman's signature.

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

#22 FINAL NEGOTIATED CONTRACT WITH WESTIN ENGINEERING, INC. FOR A COMPREHENSIVE INFORMATION TECHNOLOGY (IT) VULNERABILITY ASSESSMENT (CONTRACT NO. 023-730-P) - APPROVED FOR EXECUTION (PURCHASING/ INFORMATION TECHNOLOGY)

County Administrator Stephen M. Spratt recommended approval of the final negotiated contract with Westin Engineering, Inc. to provide a comprehensive IT vulnerability assessment as outlined in his memorandum dated February 3, 2004, a copy of which has been filed and made a part of the record, for a total expenditure not to exceed \$118,460.00; and further recommended that the Clerk be authorized to attest the Chairman's signature.

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

#23 AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING FOR THE PROPOSED PURCHASE OF BELLEAIR BEACH WASTEWATER COLLECTION SYSTEM

February 3, 2004

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held on February 17, 2004 regarding the proposed purchase of the Belleair Beach Wastewater Collection System.

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

#24 COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE EDITH BURKE VERSUS PINELLAS COUNTY, ET AL., CIRCUIT CIVIL CASE NO. 03-9579-CI-8 – ALLEGATION OF NEGLIGENCE AND PERSONAL INJURIES AS A RESULT OF A SIDEWALK TRIP AND FALL INCIDENT

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 suit re Edith Burke versus Pinellas County, et al. - Circuit Civil Case No. 03-9579-CI-8 – Alleged Negligence Resulting in Personal Injuries as a Result of a Sidewalk Trip and Fall Incident.

#25 AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING FOR ADOPTION OF PROPOSED ORDINANCE TO ESTABLISH THE PRESCRIBED FORM AND STYLE FOR CITIZEN INITIATIVE PETITIONS TO AMEND THE COUNTY CHARTER

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing to be held on February 17, 2004 at 6:30 P.M. for adoption of a proposed ordinance to establish the prescribed form and style for citizen initiative petitions to be used in proposing amendments to the County Charter.

Commissioner Morroni moved, seconded by Commissioner Stewart, that the recommendation of the County Attorney be approved. Following discussion and input by County Attorney Susan H. Churuti, upon call for the vote, the motion carried unanimously.

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- #26 COUNTY ATTORNEY AUTHORIZED TO MAKE APPLICATION FOR A H-1B VISA ON BEHALF OF AYUMI IIDA-CORDON AND FOR DIRECTOR OF PERSONNEL TO BE DESIGNATED AS SIGNATORY ON NECESSARY PAPERWORK; AUTHORIZATION GRANTED FOR PAYMENT OF APPLICATION FEE, AND IF IMPLEMENTED BY FEDERAL REGULATIONS, SCHOLARSHIP/TRAINING FEE IN ORDER TO MAKE APPLICATION TO DEPARTMENT OF LABOR
-

County Attorney Susan H. Churuti recommended that authorization be granted to make application for a H-1B visa on behalf of Ayumi Iida-Cordon and for the Director of Personnel to be designated as the signatory of the necessary paperwork; and further recommended that authorization be granted for payment of the application fee, and if implemented by federal regulation, payment of the scholarship/training fee in order to make application to the Department of Labor.

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

- #27 AUTHORIZATION GRANTED FOR SETTLEMENT IN CASE OF LOUIS NOVAK VERSUS PINELLAS COUNTY GOVERNMENT – WORKERS’ COMPENSATION CASE (DATE OF ACCIDENT, SEPTEMBER 1, 1992)
-

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the case of Louis Novak versus Pinellas County Government, a Workers’ Compensation claim, as outlined in her confidential memorandum to the Board dated February 3, 2004.

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

- #28 AUTHORIZATION GRANTED FOR SETTLEMENT IN CASE OF PINELLAS COUNTY VERSUS GARCIA ENTERPRISES OF TAMPA, INC., ET AL. – CIRCUIT CIVIL CASE NO. 00-000441-CI-21, PARCEL 132 (REPUBLIC)
-

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the case of Pinellas County versus Garcia Enterprises of Tampa,

February 3, 2004

Inc., et al. – Circuit Civil Case No. 00-000-441-CI-21, Parcel 132 (Republic), as outlined in her confidential memorandum to the Board dated February 3, 2004.

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

#29 COUNTY ATTORNEY MISCELLANEOUS – NONE

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

#31 RESOLUTION NO. 04-20 ADOPTED CERTIFYING THAT MONIES RECEIVED FROM THE EMERGENCY MEDICAL SERVICES (EMS) TRUST FUND SHALL BE USED SOLELY TO IMPROVE AND EXPAND PRE-HOSPITAL EMERGENCY MEDICAL SERVICES; AUTHORIZATION GRANTED FOR CHAIRMAN TO SIGN APPLICATION FOR AWARD FROM STATE EMS TRUST FUND

Noting for the record that the Board is now sitting as the Emergency Medical Services (EMS) Authority, County Administrator Stephen M. Spratt recommended adoption of a resolution certifying that monies received from the trust fund shall be used solely to improve and expand pre-hospital emergency medical services within the County as required by state statute; and that grant funds will not be used to supplant existing County EMS budget allocations; and further recommended that the Chairman be authorized to sign the application for an award from the State EMS Trust Fund.

Commissioner Seel moved, seconded by Commissioner Welch, that Resolution No. 04-20 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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#32 SECOND AMENDMENT TO AGREEMENT WITH ADVANCED XEROGRAPHICS IMAGING SYSTEMS, INC. (AXIS) FOR THE PURCHASE OF LASER PRINTING/DIRECT MAIL SERVICES FOR EMERGENCY MEDICAL SERVICES (EMS) AND FIRE ADMINISTRATION (CONTRACT NO. 989-0837-B) – APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Emergency Medical Services Authority, County Administrator Stephen M. Spratt recommended approval of a second amendment to the existing contract with Advanced Xerographics Imaging Systems, Inc. (AXIS) for laser printing and direct mail services for EMS to reflect a minimum per job type (invoice, late notice, and letter) of \$125.00 per run due to the decrease in the volume of printing needs; and the contractor will print the remaining notices under the old billing system once a week (no increase is required to the current contract amount of \$198,642.70; contract expires September 30, 2004); and further recommended that the Clerk be authorized to attest the Chairman's signature.

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

#33 COUNTY ADMINISTRATOR REPORTS – NONE

County Administrator Stephen M. Spratt indicated that there are no reports to be presented this date.

#34 APPOINTMENT OF LAUREN ROBERTSON AND JUSTIN BAUFORD TO YOUTH ADVISORY COMMITTEE – APPROVED

Upon presentation by Chairman Latvala, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the appointment of Lauren Robertson and Justin Bauford to the Youth Advisory Committee through July 31, 2004 be approved.

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#35 REAPPOINTMENT OF LINDA PARSONS TO PINELLAS COUNTY HEALTH FACILITIES AUTHORITY – APPROVED

Upon presentation by Chairman Latvala, Commissioner Morroni moved, seconded by Commissioner Stewart and carried, that the reappointment of Linda Parsons to the Pinellas County Health Facilities Authority for a four-year term be approved (term expires February 13, 2008).

#36a COMMISSIONER WELCH RE ANNUAL FLORIDA AFRICAN-AMERICAN HERITAGE CELEBRATION

Commissioner Welch announced the fifth annual Florida African-American Heritage celebration to be held on February 28, 2004 at Pinewood Cultural Park, Largo.

* * * *

Later in the meeting, Commissioner Welch requested a status report re the renovations at the Criminal Justice Center.

* * * *

#36b COMMISSIONER STEWART RE VARIOUS ISSUES

Commissioner Stewart provided a transit governance update; and reported that the Transportation Impact Fee Task Force will hold its first meeting on February 6, 2004.

#36c COMMISSIONER MORRONI RE VARIOUS ISSUES

Commissioner Morroni questioned the timeliness of presentations to the legislative delegation with regard to transportation issues; whereupon, the members discussed the matter; and Mr. Smith provided input.

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* * * *

Later in the meeting, Commissioner Morroni reported on the recently held Law Enforcement and Firefighters dinner.

* * * *

#36d COMMISSIONER SEEL RE VARIOUS ISSUES

Commissioner Seel reported that Pinellas County Animal Services is a semi-finalist for an award presented by Innovations in American Government Awards; discussed the status of the Starkey Road railroad crossing project; commented on the recently held Florida Transportation Commission meeting; addressed information reported in a recent newspaper article regarding the food services bidding process, and clarified the County's position on the issue.

* * * *

Later in the meeting, Director of General Services Carl M. Barron provided an update of the food services bidding process; discussed the Division of Blind Services' issue; and described remodeling plans for the cafeteria.

In response to query by Commissioner Seel, Mr. Spratt discussed the airport concession agreement and bidding process.

* * * *

#36e COMMISSIONER TODD RE VARIOUS ISSUES

Commissioner Todd reported that she recently represented Pinellas County in Washington, D.C. where she provided a water and estuary program presentation and seminar; and announced upcoming visits by representatives from the National Science Foundation, and the Nature Conservancy.

February 3, 2004

#36f COMMISSIONER HARRIS RE VARIOUS ISSUES

Commissioner Harris discussed Pinellas County water quality; and provided a water conservation tip.

#36g COMMISSIONER HARRIS TO SERVE AS PRIMARY MEMBER OF CANVASSING BOARD

Following discussion and input by County Attorney Susan H. Churuti, upon motion by Commissioner Stewart, seconded by Commissioner Seel and carried, Commissioner Harris was appointed to serve as primary member of the Canvassing Board. Following discussion, it was the consensus of the members that an alternate member would be appointed in the near future.

#36h FORMAT CHANGE TO BOARD MINUTES - APPROVED

Upon presentation by Chairman Latvala, Commissioner Seel moved, seconded by Commissioner Todd and carried, that a letter approving the change in format of the minutes be forwarded to Clerk of the Circuit Court Karleen F. De Blaker.

#36i REQUEST BY TIERRA VERDE ISLA DEL SOL CHAMBER OF COMMERCE THROUGH SENATOR SEBESTA FOR CHANGE OF NAME FROM PINELLAS BAYWAY TO FORT DeSOTO BAYWAY – TEMPORARILY DEFERRED

During discussion, Commissioner Harris moved, seconded by Commissioner Todd, that changing the name of the Pinellas Bayway to the Fort DeSoto Bayway be pursued.

Discussion ensued; whereupon, it was the consensus of the members to proceed with a public hearing prior to formalizing a name change.

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* * * *

Upon direction of the Chairman, there being no objection, the meeting was adjourned at 12:43 P.M.

* * * *

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk