

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, APRIL 13, 2004 - 9:31 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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.

Members Absent: None.

Members Late: None.

Members Excused: None.

Others Present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Barbara Harb, Board Reporter.

INVOCATION: Reverend Abhi Janamanchi
Unitarian Universalist of Clearwater.

PLEDGE OF ALLEGIANCE: Commissioner Morroni.

PRESENTATIONS AND AWARDS

1. Update on Pinellas County Community Foundation by Julie Scales, Executive Director.
2. Proclamation designating the month of April 2004 as Child Abuse Prevention Month announced by Chairman Latvala.
3. Proclamation designating the week of April 18 through 24, 2004, as National County Government Week accepted by Gary W. Vickers, Director of Emergency Management.
4. Proclamations designating the month of April 2004 as Fair Housing Month; and July 2, 2004 as the 40th Anniversary of the Civil Rights Act and 20th Anniversary of the Pinellas County Human Rights Ordinance accepted by Leon W. Russell, Human Rights/EEO Officer.

CITIZENS TO BE HEARD

H. Patrick Wheeler, Palm Harbor, re Lockheed Martin IMS.
Debra Shade, Neighborly Care Network, re pharmacy services for uninsured seniors.

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All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Boards Records Department.

SCHEDULED PUBLIC HEARINGS - COUNTYWIDE PLANNING AUTHORITY

#13 Deviating from the agenda, Chairman Latvala announced that item No. 13 would be considered at this time.

Commercial dock application No. CA33706-03, Jack L. Jones, 1098 Island Avenue, Tarpon Springs (Anclote River) approved; one letter in opposition to the application has been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

Responding to query by Commissioner Todd, Environmental Management Director William M. Davis described the layout of the channel and indicated that staff felt that a 40-foot clearance was adequate for safe navigation.

Motion	-	Commissioner Morrone
Second	-	Commissioner Welch
Vote	-	7 - 0

1 Ordinance No. 04-22 adopted approving Case No. CW 04-13, a proposal by the City of Madeira Beach to amend the Countywide Future Land Use Plan from commercial general to recreation/open space, re 1.6 acres located generally north of Tom Stuart Causeway/150th Avenue approximately 1,240 feet east of Madeira Way (subthreshold amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Stewart
Second	-	Commissioner Harris
Vote	-	7 - 0

2a Case No. CW 03-72, a proposal by Pinellas County to amend 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 Bayside Bridge at the northern terminus of Turtle Lane (regular amendment) continued to May 11, 2004. No correspondence has been received. Staff recommended approval of the continuance to allow for finalization of an agreement for use of the property. No citizens appeared to be heard.

Motion	-	Commissioner Morrone
Second	-	Commissioner Welch
Vote	-	7 - 0

- # 2b Ordinance No. 04-23 approving Case No. CW 04-14, a proposal by the City of Pinellas Park to amend the Countywide Future Land Use Plan from commercial general to industrial limited, re 6.0 acres located on the north side of 110th Avenue North at the terminus of 52nd Street North (regular amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Morroni
Second - Commissioner Welch
Vote - 7 - 0

- # 2c Ordinance No. 04-24 approving Case No. CW 04-15, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from residential low medium to commercial general, re 1.3 acres located approximately 450 feet west of U.S. Highway 19 and approximately 310 feet south of Central Avenue (regular amendment). Pinellas Planning Council recommended approval of the 0.5-acre portion of the amendment area east of the pond; and that the amendment to commercial general be denied for the remainder of the amendment area; and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Stewart
Second - Commissioner Seel
Vote - 7 - 0

- # 2d Ordinance No. 04-25 approving Case No. CW 04-16, a proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from residential/office/retail, residential urban, residential low medium, commercial general and water/drainage feature to residential medium and water/drainage feature, re 24.1 acres located generally north of Sunset Point Road and west of U.S. Highway 19 (regular amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred, with the understanding that the City will work with the County on the long-term concurrency program. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Morroni
Second - Commissioner Seel
Vote - 7 - 0

- # 3 Ordinance No. 04-26 adopted amending Exhibit 1 of Ordinance No. 00-63 delineating the annexation planning area boundaries for the Cities of St. Petersburg and Pinellas Park and the unincorporated portion of Pinellas County. One hundred four letters, 54 phone messages and two petitions with 112 signatures in opposition to the proposed ordinance have been received. David P. Healey, Pinellas Planning Council (PPC) Executive Director stated that the PPC recommends approval of items Nos. a, b, c and e; and denial of items Nos. d, f and g.

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Michael Crawford, PPC staff, presented a PowerPoint presentation outlining the proposed map changes. Planning Director Brian K. Smith referred to a summary map, a copy of which has been filed and made a part of the record, and outlined the criteria utilized in making the recommended map changes; provided geographic details of the affected areas; and responded to queries by the members with regard to the affect of the proposed amendments on the Lealman community, response to surveys of the Lealman residents, the definition of the "nature and interest of property owners" criteria and the items that the PPC and County staff are not in agreement on.

Comments by Ray Neri; Eleanor Lovell, Lealman area; E. H. Bud Wortendyke, Economic Development Director, City of Pinellas Park; Dave Goodwin, City of St. Petersburg; and Michael Brophy, Lealman Special Fire Control District Commissioner, were noted.

Following discussion with input by County Administrator Stephen M. Spratt and Mr. Smith, the decisions of the Board were as follows:

For the City of St. Petersburg:

- a. The unincorporated area east of I-275 between 54th Avenue North and 62nd Avenue North is approved to be included in St. Petersburg's Planning Area.
Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 5 - 2 (Commissioners Morroni and Todd dissenting)
- b. The area within St. Petersburg's corporate boundary (City jurisdiction) north of 40th Avenue North, west of 34th Street North and generally south of the railroad right-of-way is approved to be excluded from St. Petersburg's Planning Area.
Motion - Commissioner Stewart
Second - Commissioner Seel
Vote - 7 - 0
- c. The unincorporated area generally south of Tyrone Boulevard and west of Park Street (Lighthouse neighborhood) is approved to be included in St. Petersburg's Planning Area.
Motion - Commissioner Stewart
Second - Commissioner Seel
Vote - 5 - 2 (Commissioners Morroni and Todd dissenting)

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- d. The area within St. Petersburg's corporate boundary (City jurisdiction) generally north of Tyrone Boulevard and east of Park Street (Park/Tyrone Shopping Center and Wal-Mart) is denied to be excluded from St. Petersburg's Planning Area.
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|--------|---|----------------------|
| Motion | - | Commissioner Seel |
| Second | - | Commissioner Stewart |
| Vote | - | 7 - 0 |

For the City of Pinellas Park:

- e. The area of Pinellas Park's corporate boundary (City jurisdiction) east of 34th Street between 62nd Avenue North and U.S. Highway 19 North are approved to be excluded from Pinellas Park's Planning Area.
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| Motion | - | Commissioner Stewart |
| Second | - | Commissioner Seel |
| Vote | - | 7 - 0 |
- f. The area of Pinellas Park's corporate boundary (City jurisdiction) south of 62nd Avenue North between 34th Street North and 53rd Street North (extended) are approved to be excluded from Pinellas Park's Planning Area.
- | | | |
|--------|---|--------------------|
| Motion | - | Commissioner Welch |
| Second | - | Commissioner Todd |
| Vote | - | 7 - 0 |
- g. All of the unincorporated area north of 58th Avenue North between 53rd Street North (extended) and 67th Street North (extended) are approved to be included in Pinellas Park's Planning Area.
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| Motion | - | Commissioner Stewart |
| Second | - | Commissioner Seel |
| Vote | - | 7 - 0 |
- h. The unincorporated area south of 70th Avenue North, west of 68th Street North, and north of 62nd Avenue North (the northern half of the Bonnie Bay/Bonnie Glynn neighborhood) is approved to be excluded from Pinellas Park's Planning Area.
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Todd |
| Second | - | Commissioner Morrone |
| Vote | - | 7 - 0 |

- # 4 Proposed ordinance to amend Ordinance No. 89-4 regarding the Countywide Comprehensive Plan Adoption Ordinance temporarily deferred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Seel
Second - Commissioner Todd
Vote - 7 - 0

SCHEDULED PUBLIC HEARINGS - BCC

- # 5 Resolution No. 04-56 adopted granting petition of Robert J. Biddle, Sr. and Angela F. Biddle to vacate the southerly 0.2 feet of the northerly 7.5-foot wide platted drainage and utility easement, less that certain 10.0-foot wide drainage easement lying easterly of and contiguous with the west lot line, and less that certain 10.0-foot wide drainage and utility easement lying westerly of and contiguous with the easterly lot line of Lot 8, Block B, Lake St. George, Unit 1, located in Section 8, Township 28 South, Range 16 East. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. No correspondence has been received. Staff recommended that the vacation be granted. Clerk authorized to record. No citizens appeared to be heard.

Motion - Commissioner Harris
Second - Commissioner Morrone
Vote - 7 - 0

- # 6 Final assessment roll for drainage improvements to Hidden Meadows subdivision, rear of Lots 12 through 18, and the Garlands subdivision between Lots 8 and 9 approved; Resolution No. 04-57 adopted ordering assessment of properties benefited thereby. All property owners listed on the assessment roll have been notified as to the date of the public hearing. No correspondence has been received.

Public Works Director Jan Herbst referred to an aerial map and outlined the scope of the project; reported that the project has been completed; and that the final costs to the property owners were less than the original estimate.

Responding to comments by Palm Harbor residents George Ruiz, Joyce Messer and Linda Ackerman, Ms. Herbst explained the steps that would be taken to address the standing water problem; stated that the assessments to the property owners could be paid over a ten-year period; and that the design of the project was in accordance with permitting requirements.

Motion - Commissioner Morrone
Second - Commissioner Stewart
Vote - 7 - 0

- # 7 Ordinance No. 04-27 adopted providing that the Pinellas County Code be amended by adding a section to Chapter 90, Parks and Recreation, to be numbered 90-36; providing for certain exemptions for resident employees of the Pinellas County Parks Department; providing for severability; providing for an effective date; providing for inclusion in the Code. No correspondence has been received. Staff recommended adoption of the ordinance. No citizens appeared to be heard.

Motion - Commissioner Harris
Second - Commissioner Stewart
Vote - 7 - 0

- # 8 Ordinance No. 04-28 adopted providing that Chapter 150 of the Pinellas County Land Development Code, Impact Fees, be amended by revising Section 150-45, Exemptions; providing for other modifications that may arise from review of the ordinance at the public hearing and/or with other responsible parties; providing for severability; providing for inclusion in the Code; and establishing an effective date. No correspondence has been received. Staff recommended adoption of the ordinance. No citizens appeared to be heard.

Motion - Commissioner Stewart
Second - Commissioner Todd
Vote - 7 - 0

- # 9 Ordinance No. 04-29 adopted amending Sections 138-1, 138-240, 138-582 and 138-1341 of the Pinellas County Land Development Code to permit the construction of conventionally built single family dwellings in subdivisions within the R-6 zoning district; to increase the amount of fill or excavation material which requires a special exception review; providing inclusion in the Code; and providing for an effective date. No correspondence has been received. Staff recommended adoption of the ordinance. No citizens appeared to be heard.

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At 11:04 A.M. Commissioner Seel left the meeting.

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Motion - Commissioner Stewart
Second - Commissioner Welch
Vote - 6 - 0

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At 11:06 A.M. Commissioner Seel returned to the meeting.

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#10 Public hearing held re proposed ordinance implementing countywide authority to operate, maintain, develop, and control certain County facilities denominated as facilities of countywide significance; temporarily deferred. No correspondence has been received.

County Administrator Stephen M. Spratt related the circumstances leading up to the development of the proposed ordinance; reported on a meeting that was held with a planners group to discuss the ordinance; and responded to query by Commissioner Welch with regard to the ordinance's application to facilities currently located within municipalities and the process that would be utilized to address said facilities.

Commissioner Seel expressed concern with taking any action at the present time; whereupon, Commissioner Stewart recommended that the Board hear public testimony and thereafter make a decision as to what subsequent steps would be taken. Commissioner Todd suggested that the second public hearing could be scheduled, but that final action could be deferred until the issues are resolved.

Cyndi Tarapani, City of Clearwater, stated the position of the City and requested that the Board delay consideration of the item so that discussions between City and County staff could continue in order to arrive at a resolution that would be acceptable to all parties.

Responding to query by Commissioner Morrone, County Attorney Susan H. Churuti stated that an ordinance can be amended at the second hearing; whereupon, Director of Planning Brian K. Smith indicated that the first and second hearings are required to be two weeks apart.

Dave Goodwin, City of St. Petersburg, stated the basis of the City's objection to the ordinance and indicated that the City Council considered the action of the County to be unfavorable to the ongoing relationship between the City and the County.

Following discussion, Commissioner Morrone moved that the item be temporarily deferred.

Motion	-	Commissioner Morrone
Second	-	Commissioner Seel
Vote	-	7 - 0

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SCHEDULED PUBLIC HEARINGS - WATER AND NAVIGATION AUTHORITY

#11 Private dock application No. P33857-03, William G. Wright, 672 Soundview Drive, Palm Harbor (St. Joseph Sound) approved; no correspondence has been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

Motion - Commissioner Welch
Second - Commissioner Morroni
Vote - 7 - 0

#12 Commercial dock application No. CA33608-03, Donald Cate and Agnes E. Rice, Fathoms Island Grill, f/k/a the Hungry Fisherman Restaurant, 19915 Gulf Boulevard, Indian Shores (The Narrows) approved; no correspondence has been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

Motion - Commissioner Harris
Second - Commissioner Welch
Vote - 7 - 0

#14 Multi-Use dock application No. M33734-03/Revised, Seaside Builders' of Pinellas, LLC, 701 St. Petersburg Drive, Oldsmar (Old Tampa Bay) approved; no correspondence has been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

Motion - Commissioner Morroni
Second - Commissioner Seel
Vote - 7 - 0

#15 Multi-Use dock application No. M33769-03/Revised-A, Swan Landing Development, LLC, for the vacant lot southwest of Bayview Court South, St. Petersburg (Maximo Channel); two letters in objection to the application have been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

In response to query by Commissioners Stewart and Todd, Environmental Management Director William M. Davis explained that the objectors had concerns relative to boat wakes and manatees; and that manatee signs are being posted.

Motion - Commissioner Welch
Second - Commissioner Morroni
Vote - 7 - 0

CONSENT AGENDA ITEMS NOS. 16 THROUGH 24 – APPROVED

Motion - Commissioner Morroni
Second - Commissioner Welch
Vote - 7 - 0

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#16 Minutes of regular meeting of March 9, 2004.

#17 Reports received for filing:

- a. State of Florida Auditor General Report No. 2004-142 re Operational Audit of Florida Bright Futures Scholarship Program for fiscal year ended June 30, 2003.
- b. Pinellas Park Water Management District Public Facilities Report prepared February 2004 by Camp Dresser & McKee Inc.
- c. Pinellas County Board of County Commissioners Statement of Revenues, Expenditures and Allocation of Funds, Additional Court Costs, Section 27.3455, Florida Statutes, together with independent auditors' report, for the year ended September 30, 2003.
- d. Pinellas County Board of County Commissioners Statement of Conflict Counsel Fees, and Conflict Counsel Expenses and Costs, Sections 925.037(5)(a) and (5)(b), Florida Statutes, together with independent auditors' report, for the year ended September 30, 2003.
- e. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-03 dated March 18, 2004, Audit of Penny for Pinellas, together with *The Audit Watch*.
- f. Investment Report for the quarter ended December 31, 2003.

#18 Approvals received for filing:

- a. General – none.
- b. Vouchers and Bills Paid – Period of March 15, through March 26, 2004.
 - Payroll Journal Expenditures
 - Payroll Journal page numbers 1 through 2704
 - Payroll checks numbered 515944 through 516409

 - Imprest Fund Expenditures
 - Manual checks numbered 686623 through 686625
 - System checks numbered 725522 through 727707

 - Wire Transfers numbered 002869 through 002908

#19 Miscellaneous items received for filing as noted on agenda.

- a. Florida Public Service Commission Consummating Order re finalization of PSC-04-0151-TRF-EQ, Tampa Electric Company, issued March 9, 2004.
- b. City of Largo Notices of Public Hearing re Ordinances Nos. 2004-21, 2004-22, and 2004-26 held March 16, 2004 and 2004-28 through 2004-30 and 2004-33 held April 6, 2004, annexing certain property.

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- c. City of Safety Harbor Ordinance No. 2004-05, adopted March 15, 2004, annexing certain property.
 - d. Resolutions adopted supporting Pinellas Planning Council (PPC) and opposing any proposal that would abolish or weaken it as currently constituted under State law:
 - 1. City of Dunedin No. 04-07, adopted March 4, 2004.
 - 2. Town of Redington Beach No. 2004-06, adopted March 2, 2004.
 - e. Eastlake Oaks Community Development District minutes of meeting held December 11, 2003.
 - f. Pinellas Park Water Management District minutes of regular Authority meeting No. 5 dated February 19, 2004, together with Financial Statement dated February 2004.
- #20 Releases of Sureties:
- a. International Fibercom – funds released.
 - b. T&B Excavating, Inc. – completion letter released.
 - c. Home Depot Traffic Signal – completion bond released.
- #21 Change Order No. 2 (Final) to Contract No. 922489 with Sunset Underground Construction, Inc. approved for construction of Joe’s Creek erosion control; decreasing the contract by \$6,419.60 for a new total contract amount of \$306,793.00; contract accepted as complete as of August 28, 2003 (Bid No. 023-249-C); Chairman authorized to sign and Clerk to attest.
- #22a Ranking of firms to provide consulting services for Wall Springs Park/McMullen Property, CIP No. 840 approved as follows:
- 1. TBE Group, Inc.
 - 2. HDR Engineering, Inc.
 - 3. RMPK Group, Inc.
- Staff authorized to negotiate a contract with the Selection Advisory Committee’s number one ranked firm for Board approval.
- #22b Ranking of firms to provide consulting services for Advanced Traffic Management System (ATMS)/Intelligent Transportation System (ITS) (CIP No. 743) approved as follows:
- 1. Gray-Calhoun and Associates
 - 2. TEI Engineers and Planners, Inc.
 - 3. TBE Group, Inc.
- Staff authorized to negotiate a contract with the Selection Advisory Committee’s number one ranked firm for Board approval.

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- #23 Bids of Tampa Armature Works, McCabe & Associates, and Allied Services Group, Inc. awarded for predictive maintenance services for a total 24 months expenditure not to exceed \$100,000.00 (total annual expenditures by vendor: Tampa Armature Works, \$14,000.00; McCabe & Associates, \$16,000.00; Allied Services Group, Inc., \$20,000.00), with three additional 12-month options of renewal at the same prices, terms and conditions, subject to availability of funds and County Administrator approval (Bid No. 034-184-B); Chairman authorized to sign agreements and Clerk to attest after proper execution by the contractors and written approval as to form by the Office of the County Attorney.
- #24 Authorization granted for purchase of four loaders and three excavators from Ring Power Corporation as the authorized dealer for all Caterpillar, Inc. equipment sold in Central Florida, for an estimated expenditure not to exceed \$595,714.30; prices, terms and conditions based on GSA Contract GS-30F-1025D (Bids Nos. 034-321-G and 034-439-G) (General Services).
- #25 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.
- #41 Deviating from the agenda, Chairman Latvala announced that item No. 41 will be considered at this time.

WorkNet Pinellas, Inc. Board's request for the delegation of Fiscal Agent and Administrative Entity responsibilities approved and Resolution No. 04-61 adopted waiving the purchasing ordinance for WorkNet Pinellas, Inc. effective immediately.

Assistant County Attorney Dennis Long provided brief historical background information and related that the transition date is scheduled for July 1, 2004 with a possible extension to October 1 should unresolved issues remain. In response to query by the Chairman, he discussed the County's primary duties and responsibilities as the Chief Elected Official which are the appointment of members to the Workforce Board, conducting, monitoring and oversight of programs, and approving the five-year Workforce Plan. He described the structure of the Interlocal Agreement and Transition Plan and indicated that the agreement provides for the establishment of an Audit Committee as the primary vehicle to monitor and review the process on a regular basis.

Discussion ensued and in response to queries by Commissioner Todd, Mr. Long reviewed the existing WorkNet system; and referring to a summary of the current Fiscal Agent and Administrative Entity functions in Florida, a copy of which has been filed and made a part of the record, pointed out that Pinellas County is one of the few regions in the state that does not have the functions performed by the Workforce Board. Administrative

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Entity Ad Hoc Committee Chair Jack Geller added that an anticipated savings of over \$100,000.00 in overhead expenses and consistency with other Workforce Boards are the main reasons for the transition request; and WorkNet Executive Director Edward Peachey explained that the monetary savings will be realized by providing the overhead services in-house as opposed to paying the County; and that the savings could then be directed to client services; whereupon, Commissioner Welch indicated his support of the transition noting that the Audit Committee mechanism would ensure that the proper monitoring procedures are in place.

Responding to queries by Commissioner Seel, Mr. Geller indicated that a sub-committee has been formed to review employee benefits; and Mr. Peachey related that a savings of approximately \$70,000.00 would be realized with regard to rental space at the Epicenter; whereupon, Commissioner Seel suggested that more frequent meetings be scheduled to ensure that checks and balances are in place. In response to query by Commissioner Stewart, Mr. Long indicated that the Audit Committee would be responsible for determining the appropriate type of programmatic monitoring and for procuring performance and financial audits; and that WorkNet would be responsible for any costs incurred in that regard.

During additional discussion and in response to queries by Commissioner Todd, Mr. Peachey related that systems required by the state are utilized by WorkNet to track participants; and Mr. Geller referred to the 1999 contract and indicated that before entering into future contracts of that magnitude, review and input by the Board, Executive Committee and legal counsel would be required. WorkNet Board member Anthony Leisner provided background information regarding the 1999 contract, and related that current contracts are written differently; whereupon, Commissioner Todd requested regular reports detailing how many clients are being served and their progress. Commissioner Welch related that a report prepared by the state will be provided to the members; and stated that the WorkNet Board and its committees provide program oversight and are committed to the process; and suggested that WorkNet submit a quarterly report; whereupon, Commissioner Stewart commented that the current WorkNet Board is more committed and informed; that good leadership and a more effective staff is in place; and that oversight has been significantly improved with the establishment of the Auditing Committee structure.

Motion	-	Commissioner Welch
Second	-	Commissioner Stewart
Vote	-	7 - 0

#26 Addendum to Brevard County Job Order Contracting Consulting Agreement #P-3-02-13 between Pinellas County and The Gordian Group approved for execution with authorization for the Clerk to attest, for a minimum fee of \$100,000.00 to be paid over

the 36-month contract period, with additional 12-month options of renewal subject to availability of funds and County Administrator approval (RFP No. 023-171-P). As requested by Commissioners Todd and Harris, staff will provide reports regarding any impacts to the Small Business Assistance Program and possible cost savings.

Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 7 - 0

- #27 Authorization granted for Chairman to execute and Clerk to attest County Deed (Statutory Form – Section 125.411, F.S.) to transfer ownership of submerged lands in the Seaside Sanctuary Subdivision (Parcel No. 02/28/15/00000/240/0000) to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

Motion - Commissioner Seel
Second - Commissioner Welch
Vote - 7 - 0

- #28 Offer to Sell by Sarah P. Davis for acquisition of an unimproved parcel of land for the Keene Road, Phase 1B, Drew Street to Sunset Point Road Capital Improvement Project (PID No. 920491) approved for execution with authorization for the Clerk to attest and for issuance of a check in the amount of \$5,000.00 to Sarah P. Davis.

Motion - Commissioner Welch
Second - Commissioner Todd
Vote - 7 - 0

- #29 Change Order No. 2 to agreement with Westra Construction Corporation for Oakhurst Road Improvements, Project No. 733-614314-1152 (Bid No. 001-0895-C), approved for execution, increasing the contract by \$556,925.51 (total agreement amount, \$18,753,683.11), decreasing the amount of retainage held from five percent to one percent, and extending the agreement completion time by 381 days to May 15, 2004.

Motion - Commissioner Harris
Second - Commissioner Stewart
Vote - 7 - 0

- #30 Final project close out and release of retainage in the amount of \$762,523.67 for construction agreement with Synagro-WWT, Inc. for the Sludge Pelletization Project at South Cross Bayou Water Reclamation Facility (SCBWRf) approved (Project No. 710-619316-1506); project completed on February 13, 2004.

Motion - Commissioner Todd
Second - Commissioner Stewart
Vote - 7 - 0

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- #31 Resolution No. 04-58 adopted approving the issuance by the Housing Finance Authority of Pinellas County of its Single Family Mortgage Revenue Notes, Series 2004 in the aggregate amount not to exceed \$500,000,000.00 as part of the Authority's single family mortgage loan program; and providing an effective date (Community Development).

Motion - Commissioner Seel
Second - Commissioner Todd
Vote - 7 - 0

- #32 Resolution No. 04-59 adopted approving the issuance by the Housing Finance Authority of Pinellas County of its Single Family Mortgage Revenue Bonds in the aggregate amount not to exceed \$77,000,000.00 and approve the Housing Finance Authority's action regarding issuance of multi-county, single family housing bonds in calendar year 2004 in two or more series (Community Development).

Motion - Commissioner Seel
Second - Commissioner Morrioni
Vote - 7 - 0

- #33 Authorization granted to advertise a public information meeting for the Eagle Lake Park Development Project (PID No. 000625) to be held on May 25, 2004 from 4:00 P.M. to 7:00 P.M. at the Largo High School cafeteria. Following presentation by Neal Stralow, HDR Engineering, Inc., and in response to request by Commissioner Seel, Park Director Elizabeth Warren indicated that she will provide information regarding the popularity of disk golf and the cost of adding the component to the proposed project (Park).

Motion - Commissioner Stewart
Second - Commissioner Welch
Vote - 7 - 0

- #34 Authorization granted to advertise public information meetings on the Master Plan concepts for the Mills property, Wall Springs/McMullen property, McKay Creek Greenway and Lake Seminole Park. Following presentation by Mike Sobeczak, Glatting Jackson Kercher Anglin Lopez Rinehart, he indicated that the public information meeting dates are as follows: Mills Property on June 1, 2004 at East Lake High School; Wall Springs/McMullen property on June 10, 2004 at Palm Harbor University High School; McKay Creek Greenway on June 22, 2004 at Seminole High School; and Lake Seminole Park on June 29, 2004 at Osceola High School (all meetings will be from 4:00 P.M. to 7:00 P.M.) (Park).

Motion - Commissioner Seel
Second - Commissioner Welch
Vote - 7 - 0

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#35 Small Business Assistance Program (SBAP) Report accepted. Responding to queries by Commissioner Welch, Director of Purchasing Joseph Lauro and Senior Manager, Business Assistance, Economic Development Cynthia Johnson presented an overview of the program, provided contract growth projections for 2004 and outlined plans for future development of the program (Economic Development).

Motion - Commissioner Harris
Second - Commissioner Welch
Vote - 7 - 0

#36 Cooperative Agreement with Southwest Florida Water Management District (SWFWMD) for the Brooker Creek Environmental Education Center Watershed Exhibits (Agreement No. 04CON000067) providing additional revenue to the County in the amount of \$200,000.00 (agreement effective upon execution by all parties through September 20, 2004) approved for execution; Chairman authorized to sign and Clerk to attest (Environmental Management).

Motion - Commissioner Stewart
Second - Commissioner Welch
Vote - 7 - 0

#37 Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for the Alligator Lake Preserve Restoration (W369) (Agreement No. 04CONS00009) providing grant funds to the County in the amount of \$127,500.00 (CIP No. 845) approved for execution (Environmental Management).

Motion - Commissioner Harris
Second - Commissioner Morrone
Vote - 7 - 0

#38 Sole source agreement with Clearwater Marine Aquarium for environmental monitoring services during the marine turtle nesting season (total three-year contract cost of \$390,000.00; State to reimburse County 50 percent of monitoring costs) (Contract No. 034-533-N, PID No. 956) approved for execution; Chairman to sign agreement and Clerk to attest (Environmental Management).

Motion - Commissioner Morrone
Second - Commissioner Todd
Vote - 7 - 0

#39 Authority granted for Chairman to execute agreement with State of Florida Department of Revenue (DOR) for the Child Support Enforcement Program for Sheriff Service of Process (reimbursement rates are \$13.20 for Service of Process and \$46.20 for Writ of Bodily Attachment; effective date of the three-year agreement is July 1, 2004 or on the date both parties have executed the Agreement, whichever is later, through June 30,

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2007). Responding to query by Commissioner Seel, Justice and Consumer Services Director James Dates indicated that the cost to the County would be between \$35,000.00 and \$40,000.00 annually (Justice and Consumer Services).

Motion - Commissioner Todd
Second - Commissioner Morrone
Vote - 7 - 0

#40 Resolution No. 04-60 adopted to appropriate earmarked receipts for a particular purpose in the FY04 General Fund Budget (Residential Substance Abuse Treatment Grant for the Sheriff) (Management and Budget).

Motion - Commissioner Welch
Second - Commissioner Todd
Vote - 7 - 0

#42a Resolution No. 04-62 adopted authorizing certain intradepartmental budget amendments by the County Administrator as the designated budget officer (Management and Budget).

Motion - Commissioner Welch
Second - Commissioner Morrone
Vote - 7 - 0

#42b Modification to grant agreement with State of Florida Department of Community Affairs approved for execution (Contract No. 04FT-1B-08-62-01-305, CFDA No. 83.562) to extend the expiration date to May 14, 2004 and provide sufficient time to complete local Continuity of Operations planning (Emergency Management).

Motion - Commissioner Todd
Second - Commissioner Morrone
Vote - 7 - 0

#43 County Attorney authorized to defend the County's interest re F. M. Wells, Jr. versus Pinellas County, Small Claims Case No. 04-1311-SC-SPC – Action Involving Allegations of Property Damage.

Motion - Commissioner Harris
Second - Commissioner Morrone
Vote - 7 - 0

#44 County Attorney authorized to initiate litigation:

- a. On behalf of Katherine (“Kay”) Fricke (Fricke versus Imperial Point Condominium Association, et al, HUD Case No. 04-03-1210-8, PCO No. PC-03-060), housing discrimination.
- b. Against various skilled nursing facilities on behalf of Sunstar Services to recover unpaid bills.

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Motion - Commissioner Morroni
Second - Commissioner Welch
Vote - 7 - 0

- #45a Authorization granted to file an Amicus Curiae Brief on behalf of the Florida Association of County Attorneys, Inc. (FACA) and in support of Osceola County and the Florida Department of Environmental Protection (DEP) versus Best Diversified, Inc. and Peter L. Huff.

Motion - Commissioner Todd
Second - Commissioner Welch
Vote - 7 - 0

- #45b Authorization granted for Emergency Medical Services (EMS) to request that First Coast Service Options, Inc. offset their claimed overpayment based upon the successful prosecution of the 1999 payment audit.

Motion - Commissioner Todd
Second - Commissioner Seel
Vote - 7 - 0

- #46 Amendment No. 2 of the Ambulance Services Agreement with LifeFleet Southeast, Inc., d/b/a American Medical Response (AMR) to include an additional \$1.2 million for the remaining six months of the contract and for two 30-day extensions (Contract No. 989-0090-P) approved; authority granted to waive the Pinellas County purchasing ordinance to retroactively approve the amendment (Request for Proposal [RFP] process to be conducted in lieu of final renewal of the AMR contract).

During discussion, Commissioner Seel requested an annual cost analysis report covering the time period that the contract has been in effect; whereupon, County Administrator Stephen M. Spratt indicated that a report would be prepared.

In response to queries by Commissioners Stewart and Seel, Mr. Spratt explained the time limitations with regard to the RFP process, and noted that the City Managers and Fire Chiefs had been advised in February that the County would be proceeding with the RFP process. He indicated that he has received two protest letters from the cities objecting to the time frame and other matters, and related that the cities have not yet filed privacy documents required to assemble a proposal; and that other proposers have done so.

Director of Emergency Management Services and Fire Administration C. T. Kearns stated that October 1, 2004 would be the start-up date for the new vendor, and the 60-day extension would be utilized only if necessary; that the contract is substantially the same

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as the previous contract five years ago; and that the prequalification requirement has been eliminated.

Motion	-	Commissioner Morroni
Second	-	Commissioner Todd
Vote		5 – 2 (Commissioner Stewart dissenting; and later in the meeting, Commissioner Seel indicated a dissenting vote.)

#47 County Administrator Report
Emergency Medical Services (EMS) and Fire Administration Assistant Director Dwaine Booth provided historical background information and a summary of the High Point Fire District's inequitable tax burden and the resulting budget issue, a copy of which has been filed and made a part of the record. He discussed the economic impacts that have occurred as a result of annexation, and offered several recommendations; whereupon, Mr. Spratt requested direction from the members.

Commissioner Seel requested a copy of Mr. Booth's presentation; whereupon, following discussion, it was the consensus of the members to address the matter prior to the next budget information session; and Mr. Spratt indicated that a report outlining the options would be provided to the members for review.

#48 County Commission Miscellaneous

a.	Commissioner Seel	-	Indicated that she had voted "no" with regard to Agenda Item No. 46.
b.	Commissioner Morroni	-	Met with Mayors from Redington Beach and Largo; met with the Airport Director and Feather Sound residents; and provided a Michigan Commissioner with a tour of the Solid Waste Facility.
c.	Commissioner Todd	-	Requested an update regarding the progress of canoe trails; discussed the status of the Juvenile Justice Detention Funding Bill.
d.	Commissioner Harris	-	Provided a water conservation tip.
e.	Chairman Latvala	-	Commended Public Works staff for quick response to the Tampa Road issue; announced that the Doodlebug, a donated vehicle, has been received at Heritage Village.

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#49 Meeting adjourned at 3:50 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk