

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, MAY 11, 2004 – 9:30 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; Karen Williams Seel; Calvin D. Harris; 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 Caroline J. Jones, Board Reporter.

INVOCATION: Dr. Bill Talley, Liberty Baptist Church
PLEDGE OF ALLEGIANCE: Commissioner Welch

PROCLAMATIONS AND AWARDS

1. Presentation of a proclamation by Commissioner Stewart to Seminole High School's Cathy Hakes, Band Aides Booster Planning Committee Chair, and Dan Wood, Band Director, for Seminole High School Band's participation in the 2005 Tournament of Roses.
2. Presentation of the Library Support Staff Day Proclamation to Susan Anderson, Director of Libraries, St. Petersburg College.
3. Presentation of the Annual Gold Awards.
4. Presentation of the Equal Opportunities Month Proclamation to Leon W. Russell, Human Rights/EEO Officer.
5. Presentation of the National Trails Day Proclamation to Kathy Swain, Operations Manager, Culture, Education, and Leisure Department.
6. Presentation of the Emergency Medical Services Week Proclamation to Chuck Kearns, Executive Director of the Pinellas County EMS Authority.
7. Presentation of the Rodeo Awards by Stephen Spratt, County Administrator, to Larry Edmonds, Chad Madonia, and Rufus Whiting, Pinellas County Utilities Department.

CITIZENS TO BE HEARD

1. Stan Mioduszewski, Seminole, re former code violation complaint.
2. Cathy Corry, Clearwater, re juvenile injustice.

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3. Alexandra Belanger, Clearwater, re fluoridation of drinking water.
4. Dave Plyer, Clearwater, re fluoridation.

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

SCHEDULED PUBLIC HEARINGS - COUNTYWIDE PLANNING AUTHORITY

1a Ordinance No. 04-34 approving Case #CW 04-20, a proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from recreation/open space to residential urban, re 0.3 acre located on the south side of 16th Avenue North, approximately 75 feet west of 7th Street North (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 Seel
Second	-	Commissioner Welch
Vote	-	7 - 0

1b Ordinance No. 04-34 approving Case #CW 04-22, a proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from industrial general to residential medium, re 0.1 acre located on the west side of 15th Street North, 160 feet north of Burlington Avenue North (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 Seel
Second	-	Commissioner Welch
Vote	-	7 - 0

1c Ordinance No. 04-35 approving Case #CW 04-23, a proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from residential/office general to residential urban, re 0.7 acre located on the south side of Lakeview Road between Friend Avenue and Boylan Avenue (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 Seel
Second	-	Commissioner Welch
Vote	-	7 - 0

- # 1d Ordinance No. 04-35 approving Case #CW 04-24, a proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from residential urban to residential low medium, re 5.9 acres located on the south side of Montclair Road, approximately 1,000 feet west of Belcher Road (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 Seel
Second - Commissioner Welch
Vote - 7 - 0

- # 2a Case #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). Mr. Spratt indicated that staff has recommended withdrawal of the proposal. No correspondence has been received. No citizens appeared to be heard.

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

- # 2b Ordinance No. 04-34 approving Case #CW 04-17 (1-49), a proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from residential medium, residential urban, residential/office general, residential/office/retail, commercial general, industrial general, recreation/open space, and Central Business District to institutional and recreation/open space, re 244.6 acres comprising 49 sites located throughout the City of St. Petersburg (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 Todd
Vote - 7 - 0

- # 2c Ordinance No. 04-34 approving Case #CW 04-18, a proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from transportation/utility to industrial general, re 10.4 acres located on the northeast corner of 22nd Avenue North and 25th 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 Welch
Second - Commissioner Todd
Vote - 7 - 0

- # 2d Ordinance No. 04-34 approving Case #CW 04-19, a proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from institutional to Central Business District, re 2.0 acres located on the south side of 1st Avenue South and on the north side of 2nd Avenue South, between 1st Street South and 2nd Street South (regular amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred (regular amendment). No correspondence has been received. No citizens appeared to be heard.

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

- # 2e Ordinance No. 04-34 approving Case #CW 04-21, a proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from industrial general to industrial limited (16.2 acres) and commercial general (1.6 acres), re 17.8 acres located generally north of 7th Avenue South and south of 5th Avenue South between 22nd Street South and Interstate 275 (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 Welch
Second - Commissioner Morrone
Vote - 7 - 0

- # 2f Ordinance No. 04-36 approving Case #CW 04-25, a proposal by the City of Largo to amend the Countywide Future Land Use Plan from residential low (0.4 acre) and residential/office general (1.0 acre) to institutional, re 1.4 acres located generally east of Indian Rocks Road and west of Georgianna Street, approximately 100 feet south of Adrian Avenue (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 Seel
Second - Commissioner Welch
Vote - 7 - 0

SCHEDULED PUBLIC HEARINGS - BCC

- # 3 Resolution No. 04-74 adopted granting petition of Nohl Crest Homes Corporation to vacate the easterly ten feet of the platted conservation and private drainage easement on Lot 6, and the easterly ten feet of the platted conservation easement on Lot 7, Eagles' Cove at Lake Tarpon, located in the northeast quarter of Section 4, Township 28 South, Range 16 East. Letters of no objection received from all appropriate parties. Interested

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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.

Charles R. Norwood, Public Works Department, presented an overview of the proposed vacation and referring to an overhead aerial map, pointed out the subject site.

In response to the Chairman's call for persons wishing to be heard, Andrea Fair appeared and expressed the concerns of her clients Melvin E. and Janice E. Gavron.

In response to the concerns of the Gavrons and Commissioner Harris, Mr. Norwood indicated that the Public Work's Department had not been made aware of any objections; and that staff would be willing to meet with the concerned parties.

William Sweetnam, President, Sand Dollar Development Corporation, representing Nohl Crest Homes, pointed out that the developer would provide additional acreage to replace the vacated easement and increase the buffer on the west side of the wetland which faces Lake Tarpon; and responding to queries by the members, indicated that the new conservation easement will be granted from uplands property.

Motion - Commissioner Seel
Second - Commissioner Welch
Vote - 6 – 1 (Commissioner Harris dissenting)

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At this time, 10:36 A.M., Commissioner Todd left the meeting.

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SCHEDULED PUBLIC HEARINGS – WATER AND NAVIGATION AUTHORITY

4 Multi-use dock application No. M33765-03, Suncoast Ventures, Lots 8, 9 and 10, Red Bird Court, Seminole (The Narrows) approved; one letter in opposition to the application has been received; the biological report has been filed as part of the record; and staff recommends approval, subject to the following conditions:

1. The pier must be placed as far to the south in the drainage ditch as possible. Prior to construction, the contractor must arrange for a field meeting with the Department of Environmental Management (464-4761) to stake the exact location of the walkout.

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2. It is expected that some mangrove trimming will be necessary during initial installation of the walkout. Mangrove trimming/removal during construction must be limited to the footprint of the structure. Future trimming of mangrove branches, which overhang the deck surface and are within eight vertical feet of the deck surface is allowed without further approvals from the County. Trimming beyond this may require permits from the Department of Environmental Management (464-4761).
3. Any landward extensions of the proposed observation pier may require approvals from Pinellas County Development Review Services (464-3888).
4. The pier is not to have any lower landings at any time.
5. The entire terminal head of this pier is to be railed. The rail must be of standard height for a handrail and have a midrail halfway between the top rail and deck surface.
6. The pier surface is to be elevated to a height of five feet above mean high water.
7. The use of this structure to accommodate the loading or off loading or the mooring of vessels with motors is strictly prohibited.
8. The pier is subject to periodic inspection by the Department of Environmental Management in order to review for compliance with these conditions.

Director of Environmental Management William M. Davis presented an overview of the proposed multi-use dock application and indicated that it is a revision of a denied application heard by the Board in July 2003; that the revised dock would extend 20 feet beyond the mangrove line; that it requires no variances; and that the dock will not create a negative impact with regard to drainage.

In response to the Chairman's call for persons wishing to be heard, Cheryl Carrier, Seminole, appeared and expressed her concerns.

During rebuttal, Mr. Davis indicated that the posts referred to by Ms. Carrier are not associated with the current application; that future requests with regard to expansion of the dock would have to be permitted by the Board; that there would be a construction site

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review conducted; and that there are no restrictions against the presence of a dock box or the tying of a canoe to the dock; and in response to query by Commissioner Seel, related that a boatlift would not be permitted.

Lisa Ryan, Advanced Marine Construction, stated that she is the contractor and is available to answer any questions from the members.

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

CONSENT AGENDA ITEMS NOS. 5 THROUGH 19 – APPROVED

Motion	-	Commissioner Harris
Second	-	Commissioner Morroni
Vote	-	Vote 6 - 0

5 Minutes of regular meeting of April 13, 2004.

6 Reports received for filing:

- a. Pinellas County Sheriff's Office Florida Contraband Forfeiture Semiannual Report for the Period of October 1, 2003 through March 31, 2004, submitted pursuant to Section 932.705(8)(a), Florida Statutes.
- b. Juvenile Welfare Board of Pinellas County Interim Financial Reports, Unaudited, dated March 31, 2004.
- c. Pinellas County Arts Council Financial Statements dated September 30, 2003.
- d. City of Clearwater Comprehensive Annual Financial Report for the fiscal year ended September 30, 2003.
- e. City of South Pasadena Comprehensive Annual Financial Report for fiscal year ended September 30, 2003.
- f. City of Tarpon Springs Comprehensive Annual Financial Report for fiscal year ended September 30, 2003.
- g. City of Tarpon Springs, Pinellas County Fire Services Agreement, Supplemental Financial Information for year ended September 30, 2003.
- h. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-05 dated April 15, 2004, - Follow up Review to Audit of Telephone Usage.
- i. Pinellas County Sewer System Enterprise Fund Financial Statements with Independent Auditors' Report for the years ended September 30, 2003 and 2002.
- j. Pinellas County Water System Enterprise Fund Financial Statements with Independent Auditors' Report for the years ended September 30, 2003 and 2002.
- k. Pinellas County Solid Waste System Enterprise Fund Financial Statements with Independent Auditors' Report for the years ended September 30, 2003 and 2002.

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7 OTHER APPROVALS

a. General

- (1) Estimate of cost regarding improvements to 20th Avenue Southeast from Lake Avenue East to Starkey Road; public hearing regarding initial assessment roll scheduled for May 25, 2004.

b. Vouchers and Bills Paid

- (1) Checks released for the period from April 12, 2004 through April 23, 2004 as follows:

Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2714
Payroll check numbers 516885 through 517342

Imprest Fund Expenditures
Manual checks numbered 686631 through 686638
System checks numbered 729872 through 732013

Wire Transfers numbered 3014 through 3052

c. Correction of Vouchers and Bills Paid

- (1) Amount of \$3,971,558.94 for the period March 18, 2004 through March 19, 2004.

8 Miscellaneous items received for filing as noted on agenda.

- a. Florida Public Service Commission Consummating Order No. PSC 04-0357-PCO-EI issued April 5, 2004 granting request of Progress Energy Florida, Inc. to implement depreciation rates on a preliminary basis.
- b. City of Clearwater public hearing notice of annexation, land use plan and zoning atlas amendments regarding Ordinances Nos. 7271-04 through 7273-04 to be held June 17, 2004.
- c. City of Largo notices of public hearing regarding Ordinances Nos. 2004-28 through 2004-34 and 2004-36 through 2004-43 held April 20, 2004.
- d. Correspondence from City of Pinellas Park regarding two ordinances voluntarily annexing certain property; public hearing to be held May 13, 2004.
- e. One item relating to dock, pier, and wharf construction contract bonds.

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- f. Pinellas Park Water Management District minutes of regular Authority meeting No. 6 dated March 18, 2004.
- # 9 Change Order No. 1 (final) to contract No. 000841 with R. E. Purcell Construction Co., Inc. for Fort DeSoto parking lot resurfacing (Bid No. 023-472-C) decreases contract by \$3,673.97; contract completed as of November 14, 2003; and Chairman authorized to sign and the Clerk to attest.
- #10 Bid of Sterling Fin. And Management, Inc., d/b/a Cedarwood Landcare awarded in the aggregate, at unit prices bid, for landscaping and related maintenance for County Road 1 from Curlew Road (State Road 586) to Tampa Road (County Road 752), (Bid No. 034-138-B) for a total estimated 36-month contract not to exceed \$126,412.45 (initial planting is to be completed within the first 90 days and the contract will continue with mowing and maintenance for the duration of the 36 months); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- #11 Change Order No. 1 (final) to contract with Bandes Construction Company, Inc. (Bid No. 012-865-C) decreases the contract by \$7,235.12 for a revised total of \$791,932.88; contract substantially complete as of August 29, 2003 (change order includes a 79-day time extension on this project because the Pasco County Fire Marshall required that an ansul fire hood be installed at the facility); retainage released in the amount of \$38,938.46; and Chairman is authorized to sign and Clerk to attest.
- #12 Bid of Allied Universal Corporation awarded for liquid sodium hypochlorite 12.2 trade percent (Bid No. 034-418-B) for an estimated 24-month expenditure not to exceed \$712,570.80 (24-month contract with three additional 12-month options for renewal at the same terms and conditions, subject to availability of funds and approval by the County Administrator; contract renewals will allow for price adjustments in an amount not to exceed five percent or that indicated by the prevailing Consumer Price Index – All Urban [CPI-U], upon renewal, whichever is less).
- #13 Bid of Global Protection, LLC, awarded for annual requirements of hazmat suits, boot covers, gloves and accessories in the aggregate, at unit prices bid (Bid No. 034-353-B) for an estimated 24-month expenditure not to exceed \$200,879.96, annual expenditure not to exceed \$100,439.98 (24-month contract with two additional 12-month options of renewal, contract renewals allow for price adjustments in an amount not to exceed five percent or that indicated by the prevailing Consumer Price Index – All Urban [CPI-U], upon renewal, whichever is less; options shall be exercised only if all terms and conditions remain the same, pending availability of funds and County Administrator approval) (Emergency Management).

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- #14 Cooperative Agreement with United States Environmental Protection Agency (EPA), Section 103, Consolidated Research Grant, Special Purpose Ambient Monitoring Demonstration Study (EPA #BW97486903-1); second partial award for fiscal year 2003-2004 provides additional funding for a special purpose program; award in the amount of \$141,205.00 provides \$7,400.00 of EPA “in-kind services” for equipment and supplies and \$133,805.00 revenue; and increases total amount of the grant to \$304,595.00 (Environmental Management).
- #15 Standard Contract No. EP004 and Master Contract No. MA-EM004-Pinellas with Area on Aging of Pasco-Pinellas Inc. for Emergency Home Energy Assistance for the Elderly Program for the program year 2004-2005; Standard Contract is effective from date of execution through March 31, 2005 and Master Agreement from date of execution through December 31, 2006; no fiscal impact to the County (Human Services).
- #16 Bid of Rexel Consolidated awarded for annual requirements of telephone supplies in the aggregate at unit prices bid, (Bid No. 034-308-B) for a 24-month expenditure not to exceed \$445,914.00 (24-month contract with two additional 12-month options of renewal at the same prices, terms and conditions subject to availability of funds and County Administrator approval) (Information Systems).
- #17 Budget amendment No. 12 was filed and made a part of the record (Management and Budget).

ECONOMIC DEVELOPMENT AUTHORITY

- #18 Final release of retainage in the amount of \$11,940.00 to Anderson & Shah Roofing, Inc. for the Young-Rainey STAR Center Building 100 Roof Waterproofing Ferguson 1, package #3 (Bid No. 023-414-C); project completed as of March 26, 2004.

ECONOMIC DEVELOPMENT AUTHORITY

- #19 Bid of Caladesi Construction awarded for renovation to building 200 at the Young-Rainey STAR Center (Bid No. 034-460-C) in the amount of \$479,500.00; term of contract is for a 90-day period from receipt of notice to proceed (project is solely funded by a \$2,000,000.00 Department of Energy Grant received in fiscal year 2004).
- #20 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None

REGULAR AGENDA

- #21 Consent for Assignment and Assumption of Ground Lease between FSU Trent, Ltd. (a/k/a FSU Trent, Inc.) and Crosslantic Partners, Inc. approved for leased premises formerly known as the Showboat Dinner Theatre Leasehold.

And

- #22 Consent for the Assignment and Assumption of Ground Lease between Crosslantic Partners, Inc. and Malco Industries, Inc. approved for leased premises formerly known as the Showboat Dinner Theatre Leasehold.

St. Petersburg-Clearwater International Airport Director Noah Lagos presented background information pertaining to the assignments and in response to queries by Commissioner Stewart, Airport Business Development Review Manager Robert Humberstone pointed out the entranceway for the proposed Spring Hill Suites Hotel; and related that Malco Industries' lease contains the same terms as the previous leaseholder.

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

- #23 Change Order No. 2 (final) to Contract No. 012-681-C with APAC-Southeast, Inc. for Runway 17L-35R rehabilitation at the St. Petersburg-Clearwater International Airport in the amount of \$93,488.08 (new total contract \$3,402,617.31) approved for execution; and extending contract completion date to May 1, 2004.

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

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At this time, 10:55 A.M., Commissioner Todd returned to the meeting.

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- #25 Deviating from the agenda, Chairman Latvala announced that agenda Item No. 25 would be considered at this time.

Amendment No. 4 to the agreement with URS Corporation Southern for the St. Petersburg-Clearwater International Airport Runway 17L/35R extension project engineering services approved for execution, authorizing the design and construction of

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Runway 17L/35R runway safety areas, and extending the runway by 1,200 feet (Project No. 922066) for an amount of \$765,778.00 (new upset limit, \$2,115,257.00).

Administrator Spratt noted that the item involves two components: (1) implementation of mandatory safety improvements that will bring the longest primary runway into full compliance with Federal Aviation Authority (FAA) design standard; and (2) facilitation of the development of non-stop international service to the United Kingdom, Europe and other long haul destinations, resulting in extension of the runway to 10,000 feet; whereupon, Commissioner Harris moved, seconded by Commissioner Welch, that the design and construction of Runway 17L/35R safety areas be approved as recommended.

Thereupon, in response to query by Commissioner Stewart, Mr. Lagos stated that there are no plans to develop specialized cargo facilities; that the time frame is approximately two years from the time notice to proceed is given until construction of the runway extension is finished; and that the safety area improvements and extension project could run simultaneously if they are both approved. Upon call for the vote, the motion to approve the safety improvements carried unanimously.

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

In response to queries by the members, Mr. Lagos clarified how the FAA determines the level of noise impact and stated that he would provide a formal response with regard to the development of a noise bank; gave details regarding a resolution re noise abatement; and outlined the qualifications for receipt of federal noise abatement grants; whereupon, Mr. Spratt commented that the noise abatement resolution would direct staff to pursue additional supplemental studies that would augment the minimum FAA standards in order to further reduce noise impact. Responding to query by Commissioner Welch, Mr. Lagos explained that acceptance of FAA grant funds does not obligate the airport to become a cargo hub; that at present, freight carriers would be permitted use of the airport, but that there is no obligation for the airport to build facilities to accommodate freight carriers.

Following discussion, Commissioner Welch moved, seconded by Commissioner Harris, that the extension of the runway be approved. After further discussion, the vote was:

Motion	-	Commissioner Welch
Second	-	Commissioner Harris
Vote	-	5 - 2 (Commissioners Morroni and Seel dissenting)

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- #24 Resolution No. 04-75 adopted approving and authorizing execution of Joint Participation Agreement (Contract No. ANE93) between the Board of County Commissioners and Florida Department of Transportation providing \$500,000.00 in grant funds for the extension of Runway 17L/35R at the St. Petersburg-Clearwater International Airport.

Motion - Commissioner Stewart
Second - Commissioner Harris
Vote - 5 – 2 (Commissioners Morrioni and Seel dissenting)

- #40b Deviating from the agenda, Chairman Latvala announced that agenda Item No. 40b would be considered at this time.

Resolution No. 04-76 adopted directing the staff at the St. Petersburg-Clearwater International Airport to continue to aggressively pursue all courses of action resulting in the reduction of noise impacts from Airport aircraft operations on Pinellas County residents.

Motion - Commissioner Todd
Second - Commissioner Morrioni
Vote - 7 – 0

- #26 Four small parcels located in Section 8, Township 30 South, Range 15 East, Dansville Community, declared as surplus; deeded to four adjacent property owners by private sale; Chairman authorized to sign and the Clerk to attest the County Deeds.

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

- #27 Bid of Oakhurst Construction Company, Inc. for construction of a canine training facility for the Pinellas County Sheriff's Office for an estimated total expenditure of \$464,718.00 (Bid No. 034-406-C) temporarily deferred.

- #28 Change Order No. 3 (Final) to the agreement with Angle & Schmid, Inc. for construction of the General Maintenance Department facilities approved for execution, decreasing the agreement by \$4,678.51 (new total contract, \$4,327,817.89) (Project No. 673-025314-0099; Bid No. 001-0097-C); accepting the agreement as substantially complete as of January 15, 2002, and authorization for release of retainage in the amount of \$43,278.17.

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

- #29 Bid of Kloote Contracting, Inc. for modifications to the Oakhurst Station water storage tank accepted for an estimated total expenditure of \$647,011.00 (Project No. 611-

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106113-1609-B; Bid No. 034-409-C); 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.

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

- #30 Resolution No. 04-77 adopted approving the 2004 project proposals recommended for funding under the Neighborhood Enhancement Grant Program subject to permitting and other requirements (total allocation, \$250,000.00; recommended projects total, \$213,067.00; related expenses, \$36,933.00) (Community Development).

Commissioner Welch moved, seconded by Commissioner Harris, that Resolution No. 04-77 be adopted as recommended; whereupon, in response to query by Commissioner Stewart with regard to the inclusion of signs as a proposed project, Attorney Churuti addressed the constitutional issue relating to expenditure of public funds for a private purpose, i.e. placement of signs on private property; and Mr. Spratt indicated that signage applications are being reviewed with the County Attorney's Office on a case-by-case basis to determine constitutionality. Discussion ensued with regard to the amount of funding allocated for the program, the number of pending applications, the definition of a constitutional expenditure, and alternatives that could be considered, during which Chairman Latvala stated that the matter should be addressed in a work session.

Following discussion with input by Community Development Director Darlene Kalada, Attorney Churuti and Mr. Spratt, Commissioner Todd moved that Resolution No. 04-77 be adopted; and that a signage policy be discussed at a Board work session, as recommended by the Chairman.

Motion	-	Commissioner Todd
Second	-	Commissioner Harris
Vote	-	4 - 3 (Commissioners Stewart, Seel and Morrone dissenting)

- #31 Purchase of one Elgin Crosswind J street sweeper from Environmental Products of Florida approved for an estimated expenditure not to exceed \$119,900.00 (to be funded by the Federal Aviation Authority), based on Collier County Bid No. 04-3590 (Contract No. 034-515-B) (General Services).

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

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- #32 Third amendment to lease with Apostolu Food Service, Inc. for concession space at Fort DeSoto Park approved for execution, extending the term of the lease for a nine-month period with a possible three-month extension for a rental rate of \$2,530.64 per month along with 13 percent of the gross receipts (General Services).
- | | | |
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| Motion | - | Commissioner Morrone |
| Second | - | Commissioner Todd |
| Vote | - | 7 - 0 |
- #33 Third amendment to lease with Hallmark Development of Florida, Inc. for WorkNet Pinellas office space approved for execution, allowing the County the flexibility to terminate the lease at any time during the first renewal term (August 1, 2004 through July 31, 2005), given 90 days written notice to the landlord; (effective August 1, 2004, rental rate will increase subject to the terms of the lease agreement) General Services).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Welch |
| Second | - | Commissioner Morrone |
| Vote | - | 7 - 0 |
- #34 Third amendment to lease agreement with the State of Florida Department of Education, Division of Blind Services, for food concession services approved for execution, allowing the continuation of uninterrupted food concession services at the Sheriff's Administration facility and extending the term at the Clearwater Courthouse facility on a month-to-month basis, effective June 1, 2004 (current lease expires June 10, 2004) (General Services).
- | | | |
|--------|---|---------------------|
| Motion | - | Commissioner Harris |
| Second | - | Commissioner Todd |
| Vote | - | 7 - 0 |
- #35 Summer Food Service Program (SFSP) for Children Agreement Number 04-0972 with the Florida Department of Education, Division of Support Services, Food and Nutrition Management, approved for execution, allowing the County to sponsor the SFSP during the months of June and July 2004 (Human Services).
- | | | |
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| Motion | - | Commissioner Seel |
| Second | - | Commissioner Welch |
| Vote | - | 7 - 0 |
- #36 Food Vending Services Agreement and Memorandum of Agreement with Pinellas County School Board for the 2004 Summer Food Service Program (SFSP) approved for execution, for summer food vending services (a federally funded program administered by the Florida Department of Education) effective for six months from the date of execution (Human Services).

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

- #37 Final negotiated contract awarded to Analytica for consultant services for Human Services at an estimated annual expenditure not to exceed \$99,216.00; 12-month contract with one additional 12-month renewal, subject to prices, terms and conditions remaining the same, pending availability of funds and approval of the County Administrator (Bid No. 034-216-P); Chairman authorized to sign after proper execution by the contractor and written approval as to form by the Office of the County Attorney (Human Services).

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

- #38 Resolution No. 04-78 adopted temporarily waiving the requirements of the Pinellas County Code Section 6-47(A) for the Old Palm Harbor Main Street Inc. to hold its second Bike Night fundraising event on Florida Avenue between Alternate U.S. Highway 19 and Omaha Street (County Road 1) and on Georgia Avenue between Alternate U.S. Highway 19 and 12th Street and on 11th Street between Nebraska Avenue and Michigan Avenue and on 12th Street and Omaha Circle between Nebraska Avenue and Georgia Avenue on May 15, 2004 from 4:00 P.M. to 10:00 P.M. in Historic Downtown Palm Harbor (Planning Department).

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

- #39 Final option of renewal of contract with Smith Industries, Inc., d/b/a Smith Fence Company, for annual requirements of fencing-chain link (Cooperative); (Contract No. 001-0518-B) approved for an additional 12 months at the same terms and conditions, except as noted in the revised pricing schedule; estimated annual expenditure not to exceed \$666,000.00 effective May 22, 2004; Amendment No. 1 to contract granting permission to increase prices due to the substantial current increase in steel prices, approved; and Chairman authorized to sign after proper execution by the contractor and written approval as to form by the Office of the County Attorney (Purchasing Department).

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

#40 Other Administrative Matters

- a. Sitting as the Emergency Medical Services Authority the Board approved the ranking of firms to provide ambulance services:

1. Paramedics Plus, LLC
2. Lifefleet Southeast, Inc. d/b/a American Medical Response
3. MetroPinellas Ambulance Service

Following a brief presentation by EMS and Fire Administration Director Conrad T. "Chuck" Kearns, staff was granted authorization to negotiate a contract with the number one ranked firm (Paramedics Plus, LLC) (RFP 034-283-P) for approval by the Board.

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

- b. See Item No. 25

#41 County Attorney authorized to defend the County's interest:

- a. Midfirst Bank versus William M. Conley and Mary Louise Mogan Conley, et al – Circuit Civil Case No. 04-2669-CI-19 – Mortgage Foreclosure involving a Community Development Mortgage.
- b. Mortgage Electronic Registration System, Inc. et al versus Diane Algarin a/k/a Diane E. Algarin, et al – Circuit Civil Case No. 04-2485-CI-21 – Mortgage Foreclosure involving a Community Development Mortgage.
- c. Cathy MacLean, et al versus Pinellas County, Circuit Civil Case No. 04-2483-CI-15 – Allegations of Negligence Resulting in Personal Injuries as a result of a Trip and Fall Incident.

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

#42 Authority to defend the County's interest re KH Outdoor, L.L.C. versus Pinellas County granted; authorization granted for outside counsel contract with William D. Brinton, Rogers and Towers, Attorneys at Law, to defend the County in the matter.

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

May 11, 2004

#43 Amendment No. 1 to Contract for Law Enforcement Services for the City of Dunedin approved for execution, providing six additional school crossing guards during the time period of August 1, 2003 and May 31, 2004, for an additional amount of \$32,519.18 (original contract, \$3,375,207.21).

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

#44 County Attorney - Miscellaneous

a. Authorization granted for settlement with the State of Florida, Agency for Workforce Innovation, re claim for disallowed costs arising from Workforce Investment Act (WIA) and Temporary Assistance for Needy Families (TANF) Grant Programs.

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

#45a Pinellas Trail Extension

Planning Director Brian K. Smith reported that the Trust for Public Lands has approved a contract for purchase of the CSX Rail line in St. Petersburg with the intent of being a place-holder for a local implementing agency; and that upon completion of CSX's abandonment procedure, a local agency could take ownership by declaring an interest in using the property for a public purpose and notifying the federal board that regulates abandonment procedures; whereupon, he referred to an aerial, a copy of which has been filed and made a part of the record, and outlined a proposed rail line trail project.

Following discussion with input by Mr. Smith and Joe Kubicki, City of St. Petersburg, County Administrator Stephen M. Spratt requested approval to submit a letter to the Surface Transportation Board stating the County's intent to use the property for the Pinellas Trail; whereupon, Commissioner Harris moved, seconded by Commissioner Welch, that the request of the County Administrator be approved. Following further discussion and upon call for the vote, the motion carried unanimously.

#45b Update on Blue Ways/Canoe Trails

Planning Director Brian K. Smith gave a brief report on the progress of an initiative to create blue ways/canoe trails; whereupon, he referred to a graphic and pointed out water ways that have been identified as potential sites for such a project.

#45c Update re Short-term Free Parking Spaces

County Administrator Stephen M. Spratt stated that requests have been made relative to providing more convenient short-term parking in the vicinity of the courthouse for the use of citizens conducting business at the facility and noted that during the rebuilding of the east parking lot there would be an opportunity to allocate approximately 39 spaces for that purpose; that there have been discussions with the City of Clearwater in that regard, during which the City had expressed concern relative to enforcement issues; and that the designated parking spaces would be free with a two-hour limit; whereupon, Assistant County Administrator J. Keith Wicks displayed a map and pointed out the locations in close proximity of the courthouse that staff envisions could be utilized for the short-term spaces.

Following discussion with input by Director of General Services Carl M. Barron with regard to the total number of spaces available, the assignment of time limits, and Americans with Disabilities Act requirements, Mr. Spratt indicated that staff would proceed with the project in coordination with the City of Clearwater; and no objections were noted.

* * * *

At 12:40 P.M. Commissioner Todd left the meeting.

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#46 Rachel Scherer appointed to the Pinellas County Youth Advisory Committee to serve through July 31, 2004.

Motion - Commissioner Harris
Second - Commissioner Seel
Vote - 6 - 0

#47 Appointments to fill vacancies on the Building Board for Examining, Adjustments and Appeals approved; Dennis Deal appointed by Commissioner Morroni and Randy Smith appointed by Commissioner Seel, to complete the remainder of a one-year term ending December 31, 2004.

Motion - Commissioner Morroni
Second - Commissioner Seel
Vote - 6 - 0

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At 12:47 P.M. Commissioner Todd returned to the meeting.

May 11, 2004

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#48 County Commission Miscellaneous

- a. Commissioner Welch - reported on Washington Fly-in attended by himself and Commissioner Seel; thanked Commissioner Stewart for attending the WorkNet meeting on his behalf.
- b. Commissioner Stewart - informed the Board of the loss of the Job Corp site and described future steps.
- c. Commissioner Harris - announced the implementation of the "My Neighborhood" web site; water conservation tip.
- d. Commissioner Todd - spoke about social services plan; NACo Homeland Task Force; appointment to EPA national task force advisory team; and seminar to be held June 1 at SPC Seminole Campus regarding use of technology as a leadership tool.
- e. Commissioner Morrioni - reported on lighting and sidewalk improvements in Feather Sound; need to communicate with unincorporated citizens; and new community healthcare center opening in Pinellas Park.
- f. Chairman Latvala - commented on the Ulmerton Road and 119th Street school crossing guards' issues.

#49 Meeting adjourned at 1:05 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk