

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, JANUARY 11, 2005 – 9:31 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: John Morroni, Chairman; Kenneth T. Welch, Vice-Chairman; Robert B. Stewart; Calvin D. Harris; Karen Williams Seel; Susan Latvala; and Ronnie Duncan.

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 Sokolowski, Board Reporter.

INVOCATION: Reverend Curt Hess, Retired

PLEDGE OF ALLEGIANCE: Commissioner Welch

PRESENTATIONS:

1. Chairman Morroni presented a gift to Commissioner Latvala in appreciation for her service as Chairman of the County Commission for the year 2004.
2. Administrator Spratt announced that the County's Greenways and Trail Month activities have won the top award for 2004 from the Florida Department of Environmental Protection Office of Greenways and Trails.

CITIZENS TO BE HEARD

Reverend Floyd Irwin re Christians and abusive authority.

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 - BCC

- # 1 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 05-01 adopted approving the issuance by the Pinellas County Industrial Development Authority, d/b/a the Economic Development Authority, of not to exceed \$5,500,000.00 Industrial Development Revenue Bonds (EuroBake, L.P. project) Series 2005, pursuant to Section 147(f) of the Internal Revenue Code of 1986; providing certain other matters in connection therewith; and providing an effective date. No correspondence has been received and staff recommended approval.

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

SCHEDULED PUBLIC HEARINGS – COUNTYWIDE PLANNING AUTHORITY

2 Ordinance No. 05-1 adopted approving Case No. CW 04-54, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from residential rural to residential estate, re 4.1 acres generally located on the west side of East Lake Road, 1,535 feet north of Bryan Lane (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

3a Ordinance No. 05-2 adopted approving Case No. CW 04-55, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from commercial general to residential low and preservation, re 5.2 acres generally located on the north side of Gandy Boulevard, east of San Martin Drive (extended), and west of Snug Harbor Road (extended) (regular amendment). The 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 Welch
 Vote - 7 - 0

3b Ordinance No. 05-3 adopted approving Case No. CW 04-56, the proposal by the City of Pinellas Park to amend the Countywide Future Land Use Plan from commercial general to residential/office/retail, re 3.1 acres located at 8300 and 8350 66th 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 Latvala
 Second - Commissioner Duncan
 Vote - 7 - 0

3c County Administrator Stephen M. Spratt referred to item No. 3c, Case No. CW 04-57, the proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from commercial general to residential/office/retail, re 1.1 acres generally located on the north side of 38th Avenue South, immediately west of the I-275 right-of-way (regular amendment) and recommended a 90-day continuance pursuant to the request of the applicant.

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

- # 3d Ordinance No. 05-4 adopted approving Case No. CW 04-58, the proposal by the City of Seminole to amend the Countywide Future Land Use Plan from commercial general, institutional, residential urban, preservation and water/drainage feature to residential low medium, water/drainage feature and preservation re 13.2 acres generally located on the east side of Seminole Boulevard, 584 feet north of 94th Place, and extending into Lake Seminole (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 Latvala
 Second - Commissioner Duncan
 Vote - 7 - 0

- # 3e Ordinance No. 05-1 adopted approving Case No. CW 04-59, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from residential low medium to residential medium re 0.3 acre generally located on the south side of 101st Avenue North, 450 feet east of Seminole Boulevard (regular amendment). Pinellas Planning Council recommended approval with a scenic corridor exception, and further recommended like action for the remainder of the 101st Avenue in this neighborhood. County staff concurred with the PPC recommendation of approval of the proposal and follow-on actions. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
 Second - Commissioner Duncan
 Vote - 7 - 0

- # 3f Ordinance No. 05-1 adopted approving Case No. CW 04-60, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from residential urban and commercial general to residential medium re 4.6 acres generally located on the east side of 28th Street North, 130 feet north of 42nd Avenue 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 Latvala
 Second - Commissioner Welch
 Vote - 7 - 0

- # 3g Ordinance No. 05-1 adopted approving Case No. CW 04-61, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from residential urban to commercial recreation re 2.7 acres generally located between Harbor Heights Drive North and the Pinellas Trail, all north of 92nd 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 Latvala
Second - Commissioner Duncan
Vote - 7 - 0

SCHEDULED PUBLIC HEARINGS – WATER AND NAVIGATION AUTHORITY

4 Commercial dock application CC34834-04, City of Clearwater (pedestrian bridge), State Road 60 (Memorial Causeway) at Mandalay Channel, Clearwater approved; no correspondence has been received; the biological report has been filed as part of the record. No citizens appeared to be heard. Staff recommended approval of the application.

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

5 Public hearing was held on dredge and fill application D/F-1556/Revised, Lehigh-Venice LLC, canals off of Whitcomb Bayou between Meres Boulevard, U.S. Alternate Highway 19 and West Morgan Street, Tarpon Springs. No correspondence has been received, and the biological report has been filed as part of the record. Staff recommended approval of the application, subject to the following condition:

The applicant or contractor must take immediate corrective action should turbidity problems occur outside of the dredge or spoil area.

William M. Davis, Director, Environmental Management Department, conducted a brief presentation with the aid of an aerial map and photographs, and indicated that the application is for maintenance dredging of the canals, which would restore navigation through the canals; and that his department found no objections based upon the county ordinance, and supports the application.

Comments by William Bolle and Robert Archambault, Tarpon Springs were noted; whereupon, Terri Skapik, Woods Consulting, spoke on behalf of the applicant and described the measures that would be taken to help entrap any possible siltation that may occur from the dredging process; indicated that there are no sea grasses, oyster beds or any type of submerged aquatic vegetation that would be negatively impacted; and that the dredge would increase the value of the waterfront property which the applicant is proposing to develop.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Duncan, that the application be approved. Discussion ensued with regard to the statements made by Mr.

Bolle and Mr. Archambault regarding proper notification, during which Commissioner Stewart indicated that he would like to have the assurance that residents within 500 feet of the subject area were notified. Chief Deputy Clerk Clarethia N. Harris indicated that the information could be provided by the end of the meeting.

Thereupon, in response to query by Commissioner Seel, Mr. Davis stated that it is his understanding that the 500 feet is calculated from the property boundaries by a computer program; whereupon, it was the consensus of the board that the item be deferred until later in the meeting.

* * * *

Later in the meeting, it was determined that notice was mailed to all of the affected property owners within 500 feet of the center of the property, which should have been calculated to the property boundaries; whereupon, Mr. Davis indicated that there had been an organizational change in the mapping section of the Property Appraiser's Office, which affected the calculation; that if the notices are re-mailed today, the administrative hearing could be held on January 18; that the administrative hearing is required to be held two weeks before the public hearing, which would be February 1; that it would be requested at that meeting that the board waive the 30-day appeal period, which would allow the applicant to proceed more quickly, but at its own risk. Attorney Churuti confirmed that if an appeal is filed, the financial risk would be that of the applicant.

Following discussion, Commissioner Latvala moved that the case be continued; whereupon, Attorney Churuti indicated that the motion should be amended to continue to a date certain. Commissioner Stewart moved that agenda item No. 5 be continued to the February 1, 2005 meeting.

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

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CONSENT AGENDA ITEMS NOS. 6 THROUGH 20 APPROVED

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

6 Minutes of regular meetings of November 16 and December 7, 2004.

7 Reports received for filing:

- a. City of St. Petersburg Notice of Proposed Annexation - Pirates Cove.
- b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-19 dated December 9, 2004 - Follow-up Review to Audit of Traffic Ticket Credit Card Payments.
- c. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-20 dated December 16, 2004 - Audit of Outside Attorney Contracts.
- d. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-21 dated December 16, 2004 - Audit of Solid Waste Disposal - Artificial Reef Program.
- e. Internal Audit Division, Clerk of the Circuit Court, Report No. 2004-22 dated December 16, 2004 - Follow-up Review to Audit of Clerk's Accounting.

8 Approvals received for filing:

- a. General none.
- b. Vouchers and Bills Paid - Period of December 6 through December 17, 2004.
Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2704
Payroll checks numbered 527208 through 527609

Imprest Fund Expenditures
Manual checks numbered 751035, 751037, 751040, and 751042
Replacement checks numbered 751036, 751038, 751039 and 751041
System checks numbered 766559 through 768537

Wire Transfers numbered 004164 through 004230

9 Miscellaneous items received for filing as noted on the agenda.

- a. City of Clearwater Public Hearing Notice of Annexation, Land Use Plan and Zoning Atlas Amendments re Ordinances Nos. 7362-05 through 7364-05, public hearing to be held February 3, 2005.
- b. City of Oldsmar Resolution No. 2004-35 expressing thanks to Commissioner Barbara Sheen Todd for her 24 years of service on the Board of County Commissioners, effective November 16, 2004.
- c. Correspondence from the City of Pinellas Park re nine ordinances voluntarily annexing certain property, public hearing to be held January 13, 2005.
- d. Town of North Redington Beach Resolution No. 2004-98 adopted November 9, 2004 re comprehensive overall transportation system.
- e. Pinellas Park Water Management District Financial Statement dated October 2004.

- f. City of St. Petersburg Notice of Proposed Annexation, first public hearing held December 9, 2004.
- #10 Release of Surety
- a. Ace's Patio, Incorporated - completion surety funds released.
- #11 Award of Bids - Public Works
- a. Bid of Steve's Excavating & Paving, Inc. awarded for Currie Lane drainage improvements and Cardinal Estates Municipal Services Taxing Unit (MSTU) resurfacing (P.I.D. Nos. 000807 and 001164; Bid No. 045-66-C) in the amount of \$365,374.27 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
 - b. Bid of R. E. Purcell Construction Company, Inc. awarded for year 2004 countywide pavement preservation (various locations) (P.I.D. No. 1003; Bid No. 045-85-C) in the amount of \$1,956,340.01 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- #12 Emergency expenditure for hurricane recovery assistance to oversee debris management and Federal Emergency Management Agency (FEMA) guidelines confirmed, and payment to Patton Harris Rust & Associates, Inc. authorized for a total expenditure not to exceed \$721,470.00 (Contract No. 034-936-E) (reimbursement rates: FEMA \$649,323.00 (90%); State of Florida \$36,073.50 (5%); and County \$36,073.50 (5%).
- #13 Award of Bids - Utilities
- a. Bid of Baker Construction Services, Inc. awarded for the South Cross boardwalk and outfall containment cover (Project No. 734-612119-1547B; Bid No. 034-918-C) for an estimated total expenditure of \$284,000.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
 - b. Bid of Oakhurst Construction Company, Inc. awarded for the South Cross storage facility (Project No. 734-612119-1547A; Bid No. 034-919-C) for an estimated total expenditure of \$297,734.00 on the basis of being the lowest responsive,

responsible bid received meeting specifications; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

- #14 Change Order No. 1 (final) to agreement with A&L Underground, Inc. for Old Oakhurst Road/Seminole area reclaimed water distribution system - Phase 1-B (Project Nos. 733-653314-1608 and 733-753314-1608; Bid No. 023-214-C) approved for execution, decreasing the agreement in the amount of \$184, 612.80 (revised total agreement amount, \$1,177,129.70); release of retainage in the amount of \$58,856.50 authorized.
- #15 Amendment No. 2 to the Service Agreement with Prison Rehabilitative Industries and Diversified Enterprises, Inc., d/b/a Pride Enterprises for reprographics and customer billing services approved for execution, decreasing the annual expenditure by \$41,218.56 (overall decrease of \$85,872.00 for the remaining 25 months of the agreement, retroactive to October 2004).
- #16 Resolution No. 05-02 adopted authorizing the expenditure of public funds to host regional environmental education trainings, workshops, and other special events according to Pinellas County Code Section 2-145, for expenses not to exceed \$5,000.00 annually (Environmental Management).
- #17 Resolution No. 05-03 adopted authorizing the annual expenditure of public funds by the Sixth Judicial Circuit for incentives, awards and related items for employees under the provisions of Pinellas County Ordinance No. 00-16; expenditures up to \$50.00 each not to exceed 20 per fiscal year, for a total of \$1,000.00 annually (Justice and Consumer Services).
- #18 Budget amendment No. 8 was filed and made a part of the record (Management and Budget).
- #19 Bid of Waste Management of Pinellas County awarded for garbage/trash collection services (Contract No. 034-949-B) on the basis of being the lowest responsive, responsible bid received meeting specifications for a 36-month contract in the amount of \$879,181.56, with one additional 24-month option of renewal, pending prices, terms and conditions remain the same and approval by the County Administrator (Purchasing).
- #20 Composite Annexation Report for Fiscal Years 2000/01 through 2003/04 received and filed as part of the record (Planning).

REGULAR AGENDA

- #21 Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court)
 Agenda Item No. 11b – Commissioner Seel requested information regarding which streets would be paved and the cost of the program to the MSTU.
 Agenda Item No. 16 – In response to query by Commissioner Seel, County Administrator Stephen M. Spratt indicated that the expenses that may be incurred would be defrayed by registration payments and contributions for the events.
- #22 Change Order No. 1 to construction agreement with Cox Construction Company for Emergency Medical Services (EMS) Kalwall roof replacement, increasing the contract in the amount of \$17,655.87 (revised agreement amount, \$165,055.87) approved; Chairman authorized to sign and Clerk to attest; time extension of 270 calendar days granted (Bid No. 023-509-C).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Welch |
| Second | - | Commissioner Latvala |
| Vote | | 7 - 0 |
- #23 Cancellation of contract with JCI Jones Chemicals, Inc. for sodium hydroxide (25 percent) solution approved as per special conditions, paragraph six (6) of the bid document (Contract No. 023-431-B).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Harris |
| Vote | - | 7 - 0 |
- #24 Reappointment of June Cullen to Housing Finance Authority of Pinellas County approved for a four-year term expiring on February 1, 2009 (Community Development).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Harris |
| Second | - | Commissioner Latvala |
| Vote | - | 7 - 0 |
- #25 Resolution No. 05-04 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 \$250,000,000.00 to provide funds to finance the purchase of single-family residences in various counties within the State of Florida, including Pinellas County; and providing an effective date (Community Development).
- | | | |
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| Motion | - | Commissioner Harris |
| Second | - | Commissioner Duncan |
| Vote | - | 7 - 0 |

- #26 Amendment to Agreement between the Palm Harbor Community Services District and the Palm Harbor Community Services Agency, Inc. renewing the contract effective October 1, 2004 through September 30, 2005, for a budgeted operating cost of \$1,651,940.00, approved for execution (Culture, Education, and Leisure).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 - 0 |
- #27 Resolution No. 05-05 adopted finding that Project A4052535968 be approved as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A4052535968 as local participation in the Qualified Target Industry Tax Refund Program for fiscal year(s) 2006-2011 (Economic Development).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Duncan |
| Vote | - | 7 - 0 |
- #28 Disaster Relief Funding Agreement No. 05-PA-C%-08-62-01-786 (CSFA No. 52600308; CFDA No. 97.036) with the State of Florida, Department of Community Affairs (DCA) to accept disaster relief funding for eligible expenses incurred during the county's response to and recovery from Hurricane Charley approved (FIPS No. 103-99103-00) (Emergency Management).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Welch |
| Second | - | Commissioner Latvala |
| Vote | - | 7 - 0 |
- #29 Disaster Relief Funding Agreement No. 05-PA-G%-08-62-00-850 (CSFA No. 52600308; CFDA No. 97.036) with the State of Florida, Department of Community Affairs (DCA) to accept disaster relief funding for eligible expenses incurred during the county's response to and recovery from Hurricane Frances approved (FIPS No. 103-99103-00) (Emergency Management).
- | | | |
|--------|---|---------------------|
| Motion | - | Commissioner Harris |
| Second | - | Commissioner Duncan |
| Vote | - | 7 - 0 |
- #30 Disaster Relief Funding Agreement No. 05-PA-E=-08-62-01-571 (CSFA No. 52600308; CFDA No. 97.036) with the State of Florida, Department of Community Affairs (DCA) to accept disaster relief funding for eligible expenses incurred during the county's response to and recovery from Hurricane Jeanne approved (FIPS No. 103-99103-00) (Emergency Management).

Motion - Commissioner Latvala
 Second - Commissioner Duncan
 Vote - 7 - 0

- #31 First Amendment to Agreement between the Southwest Florida Water Management District (SWFWMD) and Pinellas County for Roosevelt Creek Watershed Management Program (L068), increasing the agreement by \$200,000.00 approved (CIP No. 921920) (Environmental Management).

Motion - Commissioner Latvala
 Second - Commissioner Duncan
 Vote - 7 - 0

- #32 Cancellation of contract with Stan Cisilski, Inc. for lot maintenance and debris removal for Environmental Management for an estimated 24-month expenditure in the amount of \$138,680.00, on the basis of Mr. Cisilski's medical condition approved (Contract No. 023-614-B) (Environmental Management).

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

- #33 Contract between the Pinellas County Board of County Commissioners and State of Florida Department of Health for operation of the Pinellas County Health Department (CHD) effective October 1, 2004 for contract year 2004-2005, for an amount not to exceed \$3,755,840.00, approved for execution (Human Services).

Motion - Commissioner Harris
 Second - Commissioner Duncan

Responding to query by Commissioner Seel, Director of Human Services Evelyn Bethell introduced Katherine Durkin, Contract Manager for the Health Department, who provided input regarding the SAVE, Child Car Seat, and Violence Prevention Programs; provided a brief status report regarding flu shots; and confirmed she would furnish the members with a copy of a report presented at a recent work session.

Vote - 7 - 0

- #34 Resolution No. 05-06 adopted supplementing the fiscal year 2005 General Fund budget, (Community Development – Neighborhood Programs), from fund balance associated with prior year revenues related to neighborhood enhancement grants to appropriate earmarked receipts for a particular purpose (Management and Budget).

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

- #35 Resolution No. 05-07 adopted supplementing the fiscal year 2005 General Fund budget (County Extension) to appropriate earmarked receipts for a particular purpose (Management and Budget).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Harris |
| Vote | - | 7 - 0 |
- #36 Resolution No. 05-08 adopted supplementing the fiscal year 2005 General Fund budget (U. S. Department of Justice Grant - Human Services) to appropriate earmarked receipts for a particular purpose (Management and Budget).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Harris |
| Second | - | Commissioner Latvala |
| Vote | - | 7 - 0 |
- #37 Resolution No. 05-09 adopted supplementing the fiscal year 2005 General Fund Budget (Health Care for the Homeless Grant awarded by the U.S. Department of Health and Human Services, Health Resources and Services Administration – Human Services) to appropriate earmarked receipts for a particular purpose (Management and Budget)
- | | | |
|--------|---|---------------------|
| Motion | - | Commissioner Welch |
| Second | - | Commissioner Duncan |
| Vote | - | 7 - 0 |
- #38 Resolution No. 05-10 adopted supplementing the fiscal year 2005 General Fund Budget (Human Services Department) from fund balance associated with prior year revenues related to an indigent healthcare fee and previously funded contracts to appropriate earmarked receipts for a particular purpose (Management and Budget).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 - 0 |
- #39 Resolution No. 05-11 adopted supplementing the fiscal year 2005 General Fund budget from fund balance associated with prior year revenue related to Municipal Services Taxing Unit (local road paving and sidewalk program) to appropriate earmarked receipts for a particular purpose (Management and Budget).
- | | | |
|--------|---|----------------------|
| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Duncan |
| Vote | - | 7 - 0 |
- #40 Resolution No. 05-12 adopted supplementing the fiscal year 2005 General Fund budget (school resource officers) to appropriate earmarked receipts for a particular purpose as requested by the Sheriff (Management and Budget).

Motion - Commissioner Welch
 Second - Commissioner Duncan
 Vote - 7 – 0

- #41 Resolution No. 05-13 adopted supplementing the fiscal year 2005 General Fund budget from fund balance associated with prior year grants and contract receipts to appropriate earmarked receipts for a particular purpose as requested by the Sheriff (Management and Budget).

Motion - Commissioner Harris
 Second - Commissioner Latvala
 Vote - 7 – 0

- #42 Resolution No. 05-14 adopted approving an amendment to the Community Redevelopment Plan of the downtown community redevelopment area of the City of Clearwater pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes; and providing for an effective date (Management and Budget).

Motion - Commissioner Latvala
 Second - Commissioner Harris

During discussion and following input by Planning Director Brian K. Smith and County Attorney Susan H. Churuti, Chairman Morroni suggested that a City of Clearwater representative be available or provide appropriate documentation at future meetings.

Vote - 7 – 0

- #43 Emergency suspension of performance by HGJ Maintenance Engineering, Inc. re contracts Nos. 1B and 6 for janitorial services for various county buildings approved by the board on November 16, 2004 confirmed; re-award of contract No. 1B to Knight Facilities Management, Inc., and contract No. 6 to Tri-Angle Maintenance Service for a revised estimated annual expenditure of \$1,447,545.98, effective December 1, 2004 (Contract No. 034-364-B) (Purchasing).

Commissioner Duncan suggested that staff review the rating criteria for potential service providers more closely prior to award of bid; and no objections were noted.

Motion - Commissioner Latvala
 Second - Commissioner Welch
 Vote - 7 – 0

- #44 Final negotiated agreement with Marsh Risk Technologies Company for the Risk Management Claims Administration System, for a total expenditure not to exceed \$260,662.00; 36-month contract with no renewals (Contract No. 034-770-P); Chairman authorized to sign the agreement and Clerk to attest after proper execution by the

contractor and written approval as to form by the Office of the County Attorney (Risk Management).

Motion - Commissioner Welch
Second - Commissioner Duncan
Vote - 7 – 0

#45 Authorization granted for payment of insurance premiums to Willis of Florida in the amount of \$2,029,852.00 for boiler and machinery and all property layers of insurance; County Administrator or his designee authorized to execute documents necessary to continue coverage for said policies (Risk Management).

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 7 – 0

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At this time, 11:43 A.M., Commissioner Welch left the meeting.

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#46 Deviating from the agenda, Mr. Spratt suggested that item No. 54 be considered at this time; whereupon, he provided background information pertaining to the proposed guidelines for annexation review criteria. Referring to his memorandum dated January 11, 2005, a copy of which has been filed and made a part of the record, Mr. Spratt presented three options for consideration by the members; whereupon, Pinellas Planning Council Executive Director David P. Healey stated that the PPC has recommended rejection of the proposed criteria. He provided historical background information regarding Ordinance No. 00-63 compliance issues; and offered five alternative solutions to annexation-related issues; whereupon, discussion ensued wherein Commissioner Welch requested a copy of Mr. Healey’s presentation.

In response to the Chairman’s call for persons wishing to speak, the following appeared and expressed their views:

Gina Clayton, City of Clearwater Planning Department
Albert Redman, Jr., Largo
Roger H. Wilson, Seminole
Ray Neri, St. Petersburg
Tom Shevlin, representing City of Pinellas Park
Arthur Hebert, Largo

Referring to the planning annexation area map, Mr. Healey pointed out that the objective of the ordinance is to ensure logical boundary lines; and that additional limitations to

annexation would occur if the ordinance is amended; whereupon, during further discussion, Commissioner Latvala suggested that a letter be sent from the Chairman to every city councilmember and mayor clearly defining the Board's position.

During further discussion and in response to query by Commissioner Welch, Mr. Spratt explained how staff selected 50 percent for the coterminus boundary; referred to a map and discussed the annexation pattern in the last two years; and indicated that the criteria was created to develop quantifiable guidelines in an effort to avoid disputes over what is contiguous, and to form efficient municipal boundaries.

Deliberations continued; whereupon, Chairman Morroni offered the options proposed by Mr. Spratt. Thereupon, Commissioner Seel moved, seconded by Commissioner Latvala and carried, that authorizing a public hearing to amend Ordinance No. 00-63 to adopt a proposal to quantify criteria for annexation review be rejected.

Commissioner Seel moved, seconded by Commissioner Harris, that the Board do nothing; whereupon, upon call for the vote, the motion failed 2-5, with Commissioners Morroni, Welch, Stewart, Latvala and Duncan casting the dissenting votes.

Commissioner Latvala moved, seconded by Commissioner Welch, that the Board not quantify the criteria for annexation by ordinance amendment, but adopt it as a policy guideline with deviations triggering a case-by-case Board review; whereupon, upon call for the vote, the motion carried 5-2, with Commissioners Seel and Harris casting the dissenting votes.

Thereupon, following discussion and in response to query by Commissioner Latvala, Commissioner Harris moved, seconded by Commissioner Stewart, that no letter be sent to county officials; whereupon, upon call for the vote, the motion failed 2-5, with Commissioners Morroni, Welch, Seel, Latvala and Duncan casting the dissenting votes.

Commissioner Latvala moved, seconded by Commissioner Welch, that a letter clarifying the actions taken today be sent to all mayors, city councilmembers and city managers; whereupon, upon call for the vote, the motion carried 5-2, with Commissioners Harris and Stewart casting the dissenting votes.

- #47 County Attorney authorized to defend the county's interests:
- a. Deutsch Bank versus Rhonda Calhoun, et al., Circuit Civil Case No. 04-8530-CI-13 – Mortgage Foreclosure Involving a Street Lighting Lien.
 - b. Mortgage Electronic Registration Systems versus Bobby Leroy Irons, et al., Circuit Civil Case No. 04-8612-CI-15 – Mortgage Foreclosure Involving a Notice of Lien, and Judgments for Attorney Fees and Fine and Costs.

c. Nationscredit Financial Services Corporation versus Gladys Davis, et al., Circuit Civil Case No. 04-8526-CI-15, Mortgage Foreclosure Involving Judgments for Attorney Fees and Fine and Costs.

Motion - Commissioner Harris
Second - Commissioner Duncan
Vote - 6 – 0

#48 County Attorney authorized to initiate litigation in the case of Pinellas County versus Visk Construction, Risk Claim No. GC0159762 - Allegations of Negligence.

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

#49 County Attorney Miscellaneous – None.

#50 Sitting as the Industrial Development Authority d/b/a Economic Development Authority, the board adopted Resolution No. 05-15 authorizing the issuance of Industrial Development Authority Revenue Bonds (EuroBake Project), Series 2005, in an amount not to exceed \$5,500,000.00.

Motion - Commissioner Latvala
Second - Commissioner Harris
Vote - 7 – 0

#51 Sitting as the Emergency Medical Services (EMS) Authority, the board adopted Resolution No. 05-16 certifying that monies received from the Emergency Medical Services Trust Fund shall be used solely to improve and expand pre-hospital emergency medical services; Chairman authorized to sign EMS County Grant Application for an award from the State EMS Trust Fund.

Motion - Commissioner Latvala
Second - Commissioner Duncan
Vote - 6 – 0

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At this time, 11:46 A.M., Commissioner Welch returned to the meeting.

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#52 Jorge Quintas, Public Works, referred to a document titled *Belleair Beach Causeway Bridge Replacements Project Status Report*, a copy of which has been filed and made a part of the record; reviewed the Project Development and Environment Study process; and indicated that staff anticipates a location and design acceptance letter from the

Federal Highway Administration by March 2005 ensuring eligibility and compliance with federal funding requirements. Mr. Quintas provided a summary of the project funding allocation and cost estimate; indicated that a more elaborate bridge design has evolved as elements of the project have been refined; and discussed a new line item in the cost estimate recommended by staff to ensure that the project is successful; whereupon, Mr. Spratt reviewed the new line items and discussed the budget process.

Thereupon, Mr. Quintas referred to a document distributed by Commissioner Seel titled *Pinellas County FY 2005 Florida Earmarked Projects*, a copy of which has been filed and made a part of the record; and related that the Florida Department of Transportation (FDOT) has indicated that earmarked projects have not been addressed in the FDOT's work plan and are therefore essentially unfunded. Mr. Spratt reported that an allocation to the bridge project may affect funding of other projects; whereupon, Commissioner Seel related that she has been in contact with Congressman C. W. "Bill" Young's office; that she is waiting to see if the FDOT statewide funding issue can be resolved; and that if need be, she will continue to communicate with Congressman Young.

Following discussion regarding the project budget, Penny for Pinellas, and escalation of the cost estimate, Director of Public Works Jan R. Herbst indicated that she will prepare a report for the members outlining project funding from the date of inception forward.

- #53a Director of Utilities Pick Talley referred to two charts, copies of which have been filed and made a part of the record; and provided a report pertaining to a proposed water utility rate change. Mr. Talley indicated that direction had been given by the members to review several items in the rate structure; whereupon, he listed the services covered in the billing charge which is currently \$4.50 bi-monthly, and noted that not all of the billing costs are recovered. He provided historical background information pertaining to the minimum consumption issue; and discussed customer consumption rates.

Mr. Talley indicated that staff has recommended that the minimum consumption and billing charges be eliminated; that a base charge of \$6.00 bi-monthly per customer be imposed to recover a portion of the lost revenue impact; that 13 percent of the customers would receive a lower bill; and that 87 percent of the customers would realize a \$1.50 increase per billing.

- #53b Jean Vleming, Human Services Department, referred to a document titled *Healthy Kids/Kidcare Local Match Issue*, a copy of which has been filed and made a part of the record; and reported that an emergency meeting of the local Healthy Kids Board had taken place; and that 193 children will be disenrolled from the Healthy Kids program due to legislative changes that took place in the last regular session. She related that the local Healthy Kids Board sent a letter to the state Healthy Kids Corporation indicating that it would continue to pay the local match but at a pro-rated share based on the number of

children actively enrolled; and that the state corporation then notified staff that all children would be disenrolled; whereupon, the local coalition confirmed that it would allow the disenrollment to go through, and other funding options will be explored.

Ms. Vleming related that another meeting is scheduled in the near future to discuss options; whereupon, Commissioner Latvala urged the members to discuss the issue with the legislative delegation. Thereupon, following discussion, Chairman Morrone requested that the members be kept apprised of what transpires at the meetings.

#54 See Item No. 46.

#55a County Attorney Susan H. Churuti reminded the members that a Shadow Meeting has been scheduled for Tuesday, January 18, 2005 at 2:00 P.M. in the Board of County Commissioners Conference Room regarding the Eldridge Wilde Wellfield litigation issue.

b Appointment of Will Alexander to the Building Board for Examining, Adjustments and Appeals approved.

Move	-	Commissioner Harris
Second	-	Commissioner Latvala
Vote	-	7 - 0

c Commissioner Welch Reported that the Governor's Office has appointed him to the Legislative Committee on Intergovernmental Affairs.

d Commissioner Harris Water conservation tip re installing efficient water fixtures and checking frequently for leaks.

e Commissioner Seel Requested consensus by the members that staff work with community to protect properties of historical significance to the county; and no objections were noted.

f Commissioner Duncan Commended Director of Emergency Management Gary W. Vickers who was a guest speaker at a luncheon he recently attended.

g Chairman Morrone Requested that Commissioner Seel keep members apprised of community efforts in protecting properties of historical significance; and reported that the annual law enforcement dinner will be held on January 28, 2005.

January 11, 2005

#56 Meeting adjourned at 12:47 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By: _____
Deputy Clerk