

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, JUNE 5, 2007 – 9:30 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Members Absent: None.

Members Late: None.

Members Excused: None.

Others Present: Stephen M. Spratt, County Administrator; James L. Bennett, Chief Assistant County Attorney; Clarethia N. Harris, Chief Deputy Clerk; and Arlene Smitke, Deputy Clerk.

INVOCATION: Father Patrick Irwin, St. Cecelia Catholic Church, Clearwater.

PLEDGE OF ALLEGIANCE: Commissioner Seel.

PRESENTATIONS AND AWARDS – None.

CITIZENS TO BE HEARD – None.

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 – BOARD OF COUNTY COMMISSIONERS

1 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 07-67 adopted approving issuance of not to exceed \$2,000,000.00 Pinellas County Industrial Development Authority Industrial Development Revenue Bonds (Advanced Microwave Components, Inc. Project), Series 2007, on behalf of Advanced Microwave Components, Inc., pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. No correspondence has been received. No citizens appeared to be heard.

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

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Deviating from the agenda, County Administrator Spratt indicated that Item No. 47 would be heard at this time inasmuch as it is a companion to Item No. 1.

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#47 Sitting as the Pinellas County Industrial Development Authority, the Board adopted Resolution No. 07-68 approving issuance of not to exceed \$2,000,000.00 Pinellas County Industrial Development Authority Industrial Development Revenue Bonds (Advanced Microwave Components, Inc. Project), Series 2007, setting forth the terms and conditions of the financing, and approving all documents. No correspondence has been received. No citizens appeared to be heard.

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

2 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 07-69 adopted approving issuance of not to exceed \$12,000,000.00 Pinellas County Educational Facilities Authority Variable Rate Demand Revenue and Revenue Refunding Bonds (Shorecrest Preparatory School Project), Series 2007, on behalf of Shorecrest Preparatory School, Inc., pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. No correspondence has been received. No citizens appeared to be heard.

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

WATER AND NAVIGATION CONTROL AUTHORITY PUBLIC HEARINGS

3 Multi-use dock application No. M37979-07, Alan Wisne/Wisne Development, LLC, 1202 Sunset Drive Clearwater (Clearwater Harbor) approved subject to the following condition:

The remains of the existing dock must be removed.

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 Latvala
Second - Commissioner Welch
Vote - 7 - 0

- # 4 Multi-use dock application No. M38079-07, Frank Burkett/WD Development, LLC, 400 Meres Boulevard, Tarpon Springs (Canals off of Whitcomb Bayou) approved subject to the following condition:

The projection of any boat moored at this dock is restricted to a maximum of five feet beyond the outermost limit of the associated catwalk. This condition must be recorded in the homeowner documents for this development.

Three letters in support of and eight letters in opposition to the application have been received; no citizens appeared to be heard; and the biological report has been filed as part of the record.

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

- # 5 Multi-use dock application No. M38094-07, Tuscan Bay, LLC, 19519 Gulf Boulevard, Town of Indian Shores (Boca Ciega 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 Harris
Second - Commissioner Seel
Vote - 7 – 0

- # 6 Private dock application No. P37860-06/Revised, Ahmad Nematbakhsh and Lisa Flaherty, 1028 Friendly Way South, St. Petersburg (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 Latvala
Vote - 7 – 0

- # 7 Private dock application No. P37861-06/Revised, Mark Berset, 1050 Friendly Way South, St. Petersburg (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 Latvala
Second - Commissioner Welch
Vote - 7 – 0

CONSENT AGENDA ITEMS NOS. 8 THROUGH 20 – APPROVED

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

8 Minutes of regular meetings of April 17 and May 1, 2007.

9 Reports received for filing:

- a. Office of the Clerk of the Circuit Court budget request for non-court related expenditures for the Fiscal Year 2007-2008.
- b. Continuing Bond Disclosures dated April 30, 2007, pursuant to Rule 15c2-12 of the Securities and Exchange Commission for:
 - \$83,250,000 Resource Recovery Revenue Bonds, Series 1996;
 - \$104,795,000 Sewer Revenue and Revenue Refunding Bonds, Series 1998;
 - \$86,580,000 Sewer Revenue Bonds, Series 2003;
 - \$25,205,000 Sewer Revenue Refunding Bonds, Series 2006;
 - \$9,270,000 Second Guaranteed Entitlement Revenue and Revenue Refunding Bonds, Series 1996;
 - \$22,985,000 Transportation Improvement Revenue Refunding Bonds, Series 1998;
 - \$155,520,000 Capital Improvement Revenue Bonds, Series 2000;
 - and \$26,620,000 Capital Improvement Revenue Bonds, Series 2002.
- c. Pinellas County Quarterly Donation Listing of \$500 and Greater for the period January 1 through March 31, 2007.
- d. Charlotte County 2006 Annual Report.

#10 Approvals received for filing:

- a. General – none.
- b. Vouchers and Bills Paid – Period of April 16, 2007 through April 27, 2007
 - Payroll Journal Expenditures
 - Payroll Journal page numbers 1 through 2685
 - Payroll checks numbered 549090 through 549392

 - Imprest Fund Expenditures
 - Replacement checks numbered 751377 to 751377
 - Manual checks numbered 751373 through 751376
 - System checks numbered 876947 through 878733

 - Wire Transfers numbered 008725 through 008774

#11 Miscellaneous items received for filing:

- a. Florida Public Service Commission Notes of Prehearing and Hearing regarding petition of MCIMetro Access Transmission Services LLC d/b/a Verizon Access

Transmission Services for arbitration of disputes arising from negotiation of interconnection agreement with Embarq Florida, Inc., held April 23, 2007 and May 3, 2007, respectively, in Tallahassee.

- b. Florida Public Service Commission Notice of Prehearing and Hearing regarding petition of Tampa Electric Company for Determination of Need for Willow Oak-Davis 230 kV Transmission Line in Polk and Hillsborough Counties, held May 31, 2007 and to be held June 11, 2007, respectively, in Tallahassee.
 - c. Resolutions opposing any consideration by Pinellas County Board of County Commissioners to change the water and sewer system flow of funds:
 - 1. Mayor's Council No. 07-01 adopted April 4, 2007.
 - 2. City of Pinellas Park No. 07-11 adopted April 12, 2007.
 - 3. City of Treasure Island No. 07-27 adopted April 17, 2007.
 - d. Correspondence from City of Pinellas Park regarding three ordinances voluntarily annexing certain property; public hearings held May 10 and May 24, 2007.
 - e. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 6, dated March 15, 2007, and financial statement for the month of March 2007.
- #12 Local Agency Program Agreement with the Florida Department of Transportation (FDOT) for the Belcher Road Advanced Traffic Management System project (PID No. 1626) in the amount of \$8 million dollars for Advanced Traffic Management System (ATMS)/Intelligent Transportation System (ITS) improvements as part of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users; \$5,350,890.00 to be utilized along Belcher Road from Druid Road to Klosterman Road; Chairman authorized to sign and the Clerk to attest.
- #13 Joint Project Agreement with Peoples Gas System, Inc. for utility installation by Roadway Contractor for Park Street/Starkey Road Improvement Project from 84th Lane North to Bryan Dairy Road (PID No. 865) at no cost to the County; Chairman authorized to sign and the Clerk to attest.
- #14 Ranking of firms to provide master planning and design criteria professional services for the Public Safety Complex (PID No. 1635) as follows:
- 1. ARC3 Architecture, Inc.
 - 2. URS Corporation Southern
 - 3. Architects Design Group, Inc.
 - 4. Harvard Jolly, Inc.

Staff authorized to negotiate an agreement for Board approval with the No. 1 ranked firm, ARC3 Architecture, Inc.

June 5, 2007

- #15 Award of Base Bid plus Options 1 and 2 to Ajax Paving Industries, Inc. for 2007-2008 Countywide Pavement Preservation and Americans with Disabilities Act (ADA) Ramps (Project Nos. 1577, 1312, 628, Bid No. 067-0398-C) in the amount of \$6,759,772.62 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor and written approval as to form by the Office of the County Attorney.
- #16 Grant Award from the Pinellas County Environmental Fund (PCEF), through the National Fish and Wildlife Foundation, for habitat restoration and educational signage at the McKay Creek Greenway P-2000 property and Chestnut Park in the amount of \$345,875.00 (Culture, Leisure, and Education).
- #17 First Amendment to Grant Agreement No. 05CONS00005 between the Southwest Florida Water Management District (SWFWMD) and Pinellas County for the Joe's Creek Greenway Park Stormwater Treatment and Wetlands Restoration (W390) project extending the expiration date to January 31, 2008 (Culture, Education, and Leisure).
- #18 Agreement with I/C Mechanical, Inc. for furnishing and installation of a water-cooled centrifugal chiller addition at the Young-Rainey STAR Center (Contract No. 056-0627-B) accepted as complete as of April 6, 2007; retainage released in the amount of \$32,865.10 (Economic Development).
- #19 Fiscal Year 2007 Budget Amendment No. 12 was filed and made a part of the record (Management and Budget).
- #20 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the issuance of a Certificate of Public Convenience and Necessity to Trinity Mobility, Inc. d/b/a A Trinity Wheelchair Transportation as a provider of non-medical wheelchair transport, in accordance with Section 54-62, Pinellas County Code.

REGULAR AGENDA

- #21 Items for Discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.
- #22 Installation of three multi-way stop conditions and ten speed humps - one pending future studies, within the Somerset Lakes/Lakeside Village Subdivisions at the specific locations enumerated in the agenda memorandum dated June 5, 2007, which has been filed and made a part of the record, approved in accordance with the Residential Traffic Management (RTM) program adopted pursuant to Resolution No. 97-291 dated October 14, 1997, and revised June 4, 2002 and June 7, 2005.

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

- #23 Installation of three speed humps located on 106th Street North from 106th Avenue North to 110th Avenue North at the specific locations enumerated in the agenda memorandum dated June 5, 2007, which has been filed and made a part of the record, approved in accordance with the Residential Traffic Management (RTM) program adopted pursuant to Resolution No. 97-291 dated October 14, 1997, and revised June 4, 2002 and June 7, 2005.

Motion - Commissioner Welch
Second - Commissioner Latvala

In response to concerns expressed by Commissioner Seel, Engineering Manager Winston Needham stated that the areas of concern have already been traffic calmed.

Vote - 7 - 0

- #24 Interlocal Agreements with the Cities of Pinellas Park, Safety Harbor, and Tarpon Springs for Advanced Traffic Management System/Intelligent Transportation Systems (ATMS/ITS) and Roadway Transfer Agreements to transfer traffic control authority to the County, effective for a period of ten years with subsequent ten year renewals subject to mutual agreement, approved for execution; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Welch

In response to query by Commissioner Seel, Public Works Transportation Director Mashid D. Arasteh confirmed that the County becomes responsible for the locations enumerated in the Agreements as the ATMS/ITS equipment is installed; and that the Roadway Transfer Agreements will then transfer the roadways to the County. Responding to query by Commissioner Harris, Ms. Arasteh provided a brief status and timeline of the project to date and agreed to provide the Board with copies of the phasing map.

Vote - 7 - 0

- #25 Contract for Sale and Purchase with James H. Smith, Jr. for acquisition of vacant real property located in Palm Harbor, (Parcel No. 34/27/16/00000/330/0100) for the Tarpon Woods Boulevard - Brooker Creek project approved; authorization granted for issuance of a check in the amount of \$225,000.00 to Stephen G. Watts, P.A. (appraisal fee in the amount of \$1,800.00 for total estimated cost of \$226,800.00); Chairman authorized to execute the contract and the Clerk to attest.

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

- #26 Contract for Sale and Purchase with Harold M. Haftel for acquisition of real property located at 1201 East Tarpon Avenue, Tarpon Springs, for the Keystone Road - U.S. 19 to East Lake Road project (PID No. 920522) approved by extraordinary vote; authorization granted for issuance of a check in the amount of \$64,774.20 to Somers Title Company (purchase price of \$61,570.00; attorney fees of \$2,500.00; title insurance of \$704.20; appraisal fee of \$2,500.00; total estimated cost of \$67,274.20); Chairman authorized to execute the contract and the Clerk to attest.

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

- #27 Award of Bid to Pepper Contracting Services, Inc. for 2007-2008 Countywide Americans with Disabilities Act (ADA) ramp, sidewalk, drainage, and intersection improvements (PID No. 1459, Bid No. 067-0381-C) in the amount of \$3,330,062.40 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor and written approval as to form by the Office of the County Attorney. Bid of M.T.M. Contractors, Inc. rejected on the basis of being non-responsive as the company had not been pre-qualified in the amount bid.

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

- #28 Agreement for civil engineering services with TBE Group, Inc. (TBE) for Wall Springs Coastal Addition a/k/a Wall Springs Park/McMullen Property in the amount of \$994,001.00 (PID No. 840) approved; Chairman authorized to execute and the Clerk to attest.

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

- #29 Agreements with Canerday, Belfsky and Arroyo, Inc.; Fleischman and Garcia Architects and Planners, A.I.A., P.A.; HDR Architecture, Inc.; Long & Associates Architects/Engineers, Inc.; Mason Blau and Associates, Inc.; Plisko Architecture, P.A.; Renker, Eich, Parks Architects, Inc.; Williamson Dacar Associates, Inc.; and Woodroffe Corporation, Architects for ongoing architectural services, each in an amount not to exceed \$1,500,000.00 approved; Chairman authorized to execute and the Clerk to attest.

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

- #30 Change Order No. 1 with Insituform Technologies, Inc. for pipe lining services for Public Works Highway Division (Bid No. 045-846-B) approved, increasing the amount of the agreement by \$750,000.00 (revised 24 month expenditure, \$3,271,362.00), and adding 17 additional maintenance projects.

Motion - Commissioner Latvala
 Second - Commissioner Seel

In response to query by Commissioner Latvala, Public Works Director Jan R. Herbst explained when lining pipes is appropriate, the benefits and the process for lining pipes.

Vote - 7 - 0

- #31 Change Order No. 1 to the Option of Renewal with Kamminga & Roodvoets, Inc. for general storm sewer construction 2005-2006 (PID No. 1190, Bid No. 045-470-C) approved; increasing the amount of the agreement by \$329,571.60 for a revised agreement amount of \$1,681,022.10; time extension of 28 consecutive calendar days granted for a revised contract completion date of August 24, 2007; Chairman authorized to sign and the Clerk to attest.

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

- #32 Resolution No. 07-70 adopted providing authority for the use of golf carts in Highland Lakes, with conditions, on the streets listed in Attachment 1 to the Resolution, which has been filed and made a part of the record. One letter in opposition received. Funding provided from Highway Traffic Annual Operation and Maintenance Adopted Budget; 13 signs at \$200.00 per sign (\$2,600.00) and pavement markings (\$2,000.00). (Deferred from May 15, 2007, BCC Meeting.)

Motion - Commissioner Latvala
 Second - Commissioner Stewart
 Vote - 5 - 2 (Commissioners Duncan and Harris dissenting)

- #33 Proposal of Ashbritt, Inc. accepted on the basis of being the highest ranked proposal received for Disaster Debris Removal and Disposal (Contract No. 067-0331-P); proposals of DRC Emergency Services, LLC and Omni Pinnacle, LLC awarded as secondary contractors on the basis of being the second and third highest ranked firms; proposal of E. L. Trevena, Inc. rejected on the basis of being non-responsive for not meeting proposal submittal requirements. Five-year contract with potential yearly price adjustments in an amount not to exceed the average of the Consumer Price Index for all urban consumers, not seasonally adjusted, for the period of twelve months, or five percent, whichever is

less; and one two-year option of renewal with the same terms and conditions, pending approval by the County Administrator. Chairman is authorized to sign the Agreements and the Clerk to attest after proper execution by the contractors.

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

- #34 Resolution No. 07-71 adopted approving the 2007 project proposals recommended for funding under the Neighborhood Enhancement Grant (NEG) Program, subject to permitting and other requirements (total allocation, \$250,000.00; 25 projects approved for funding in the amount of \$154,892.00) (Community Development).

Motion - Commissioner Harris
Second - Commissioner Welch

Responding to query by Commissioner Seel, Assistant Director of Community Development Cheryl C. Reed agreed to provide the Board with a complete listing of grant proposals received, showing reasons for those not recommended for funding; and in response to query by Commissioner Stewart, Mr. Spratt confirmed that the NEG Program could face a partial or full reduction of funding under the FY 2008 budget.

Vote - 7 – 0

- #35 Assumption of ownership and maintenance responsibilities for Executive Drive in the Feather Sound community, as requested by the property owners, at an estimated expenditure of \$145,000.00 for immediate pavement and safety improvements and \$380,000.00 for roadway upgrades within the first five years for a total estimated five-year cost of \$525,000.00 denied (County Administrator).

Commissioner Latvala moved, seconded by Commissioner Morroni, that the County accept conveyance of Executive Drive, and discussion ensued. Responding to queries by Commissioner Welch, Mr. Spratt indicated that the cost would likely be allocated to the Municipal Services Taxing Unit (MSTU) road resurfacing fund; and Assistant County Administrator Peter J. Yauch indicated that a precedent would be set; that similar situations exist on two or three other private roadways in the County; and that the City of St. Petersburg has offered to purchase the right-of-way and make the roadway improvements.

Discussion continued, and Chief Assistant County Attorney James L. Bennett provided input, indicating that purchase of the road by the County would not preclude its annexation by the City of St. Petersburg; whereupon, Mr. Spratt related that he has explained to the parties that the County would not purchase the roadway; and clarified that the cost estimate is for resurfacing of the roadway only, assuming its conveyance to the County. Commissioner Latvala amended her motion, specifying that the County

would take over the roadway for maintenance and repairs only and would not pay for the right-of-way.

Following further discussion with additional input by Messrs. Spratt and Yauch and Attorney Bennett, Chairman Duncan expressed concern that the property owners understand that the transaction would not take place without conveyance by all nine of the abutting property owners, including the condominium association.

At the request of Chairman Duncan, Commissioner Latvala restated her motion, specifying that the County accept conveyance of Executive Drive in the Feather Sound community based on the assumption that all property owners agree to the conveyance of the right-of-way at no cost to the County, and Commissioner Morroni affirmed his second.

Vote: 3 – 4 (Commissioners Duncan, Stewart, Harris
and Welch dissenting)

#36 Resolution No. 07-72 adopted approving Project A7012442160 as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local county financial support of Project A7012442160 as local participation in the Qualified Target Industry Tax Refund Program; tax refund to be paid over a series of fiscal years as determined by the State, with the first payment expected to be requested in fiscal year 2009 (total tax refund of \$172,000.00; no more than 25 percent of the total refund to be taken in any single fiscal year; City of Oldsmar to provide 50 percent of the local match; total contribution of Pinellas County for Project A7012442160 will not exceed \$17,200.00) (Economic Development).

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

#37 Resolution No. 07-73 adopted encouraging sufficient funding for the National Wildlife Refuge System (Environmental Management).

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

#38 First renewal and second amendment to the agreement with Albertson’s LLC for pharmacy services (Contract No. 045-278-P) approved providing for new terms that will increase the discount for all drugs on the Wal-Mart list, resulting in an estimated savings to the County in the amount of \$140,000.00 per year (total estimated cost for the remainder of Fiscal Year 2007 and all of Fiscal Year 2008, \$4,825,300.00); 12-month contract beginning June 30, 2007; Chairman authorized to sign the agreement and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney (Health and Human Services).

Motion - Commissioner Harris
Second - Commissioner Welch

Responding to queries by Commissioners Seel and Stewart, Director of Human Services Maureen A. Freaney confirmed that the amendment carries over to the SweetBay Supermarket Pharmacy subcontract; and that it qualifies for Low Income Pool (LIP) funding, which allows the County to receive a higher level of federal funding.

Vote - 7 – 0

- #39 Amendment No. 1 to the Social Action Funding (SAF) Agreement between Pinellas County and Asian Neighborhood Family Center, Inc. approved for execution, allowing the agency to receive a one-time payment in the amount of \$14,000.00, the total amount of the SAF award, to provide for the buy-out/purchase of a leased vehicle (Health and Human Services).

Motion - Commissioner Welch
Second - Commissioner Latvala

Responding to queries by the members, Director of Human Services Maureen A. Freaney provided input regarding the purpose of the request and provisions of the amendment; whereupon, responding to query by Commissioner Welch, she indicated that before the transaction is finalized, she will determine what would happen if the Center were to receive a reduction in Juvenile Welfare Board funding.

Vote - 7 – 0

- #40 Mr. Spratt announced that a public hearing by the Local Planning Agency (LPA) will be held on June 19, 2007 at 7:00 P.M. at the Young-Rainey STAR Center, General Conference Facility, 7887 Bryan Dairy Road, Suite 120, Largo, regarding the designation of a Brownfield area in the City of Pinellas Park; and that a Review and Recommendation Report together with a proposed resolution designating the Bryan Dairy site in the City of Pinellas Park as a Brownfield area will be considered by the Board of County Commissioners at its meeting of July 24, 2007. He noted that designation as a Brownfield area will allow the County to offer economic incentives to encourage redevelopment of the area; and that the Pinellas County Community Development Department is asking for the designation and intends to redevelop the parcels into an affordable housing complex (Economic Development).

At the request of Commissioner Seel, Mr. Spratt agreed to provide information regarding the size of the parcels.

- #41 County Attorney authorized to defend the County's interest:
a. CitiMortgage, Inc. versus Catina L. Wilson, a/k/a Catina Cooper, et al. - Circuit Civil Case No. 07-4014-CI-13 – Mortgage Foreclosure involving a Community Development Mortgage.

- b. Wells Fargo Bank. N.A., versus Rossella Rotondo, et al. – Circuit Civil Case No. 07-3910-CI-21 – Mortgage Foreclosure involving a Homestead Fraud Tax Lien.
- c. Allstate Insurance Company, a/s/o Delores K. McCoy, versus Pinellas County – County Civil Case No. 07-003640-SC-NPC – Allegation of Negligence Resulting in Property Damage.

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

- d. Chief Assistant County Attorney James L. Bennett distributed an Amended Complaint and Demand for Jury Trial in the matter of Carole A. Ryan versus Jim Coats as Sheriff of Pinellas County, et al. – United States District Court, Middle District of Florida, Tampa Division, Case No. 8:07-CV-644-T26-TGW re Allegations of Harassment, Retaliation, and Denial of Rights under the Family and Medical Leave Act and related that the original complaint had been dismissed by the Judge prior to today’s meeting; whereupon, he requested that authority be granted for the County Attorney to defend the County’s interest in the case.

Commissioner Morroni moved that authority be granted as requested by the County Attorney; and the motion died for lack of a second.

Responding to queries by Commissioner Welch, Attorney Bennett reviewed the changes and indicated that the basis of the complaint is essentially the same; whereupon, Commissioner Latvala moved approval; and the motion died for lack of a second.

Following discussion with input by Attorney Bennett, Commissioner Welch moved, seconded by Commissioner Seel, that the matter be temporarily deferred until the June 7, 2007 work session.

Vote - 7 – 0

- #42 County Attorney authorized to initiate litigation against Steve’s Excavating and Paving, Inc., and Steven L. Sarnago for violation of Pinellas County ordinances relating to stormwater.

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

- #43 County Attorney authorized to submit a claim on behalf of the Pinellas County Group Health Plan to recover a portion of costs incurred by Pinellas County in the GlaxoSmithKline (GSK) Drugs third-party payor antitrust litigation.

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

- #44 Amendment to Service Provider and Custodial Agreements with AIG Federal Savings Bank and VALIC Retirement Services Company (AIG/VALIC) for the Pinellas County Board of County Commissioners VRSC Deferred Compensation Plan and attached loan guidelines approved; Chairman authorized to sign the amendment and loan guidelines and the Clerk to attest.

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

- #45 Offer of settlement rejected in case re Pinellas County versus Patricia S. Humberstone, As Trustee, Circuit Civil Case No. 06-2019-CI-21, Parcel P001-R1, in accordance with the confidential memorandum from County Attorney Susan H. Churuti dated June 5, 2007.

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

- #46 County Attorney Miscellaneous:
 Chief Assistant County Attorney James L. Bennett related that a complaint was filed on May 25, 2007 against Crest Capital; and that negotiations will continue in an attempt to resolve the matter.

- #48 Peter Stangel, Ph.D., Director, Eastern Partnership Office, National Fish and Wildlife Foundation, presented the Pinellas County Environmental Fund Annual Report, 2006, a copy of which has been filed and made a part of the record, and responded to queries by the Board. During discussion, Mr. Spratt and Director of Environmental Management William M. Davis provided input regarding grant funding and environmental distance learning.

At the request of Chairman Duncan, Mr. Spratt agreed to include the Annual Report, or a link thereto, on the County’s website.

- #49 County Commission Miscellaneous:
 a. Manager of Intergovernmental Relations Sally Everett, Office of Management and Budget provided an update on activities of the Special Committee of the Legislature re Property Tax Reform and responded to queries by the members.

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- b. Commissioner Morroni reported on his recent visits to Brooker Creek Preserve and Shell Key, and ride-along with Sunstar paramedics.
- c. Commissioner Harris urged citizens to prepare for hurricane season; offered a water conservation tip re over-watering.
- d. Commissioner Seel complimented Communications staff on its *Surviving the Storm* publication; reported on her visit to the Allen's Creek restoration area; and commented re flooding on Gulf Boulevard during last week's storms.
- e. Commissioner Welch inquired as to the status of budget reductions by the Constitutional Officers and the impact of a proposal by the City of St. Petersburg to eliminate its Human Rights ordinance; and discussed possible consolidation of services among various agencies due to budgetary considerations. Mr. Spratt and Attorney Bennett provided input.
- f. Commissioner Stewart commented regarding evacuation; and noted that the highest point in Pinellas County, located in Countryside, is 101 feet above sea level.
- g. Chairman Duncan reported on his participation in Media Day at the Emergency Operations Center; concurred with Commissioner Seel re the need to address Gulf Boulevard flooding; discussed his attendance at the Drug Court graduation; and invited the public to attend the budget development recap presentation at 6:30 P.M. on Thursday, June 7.

#50 Meeting adjourned at 11:26 A.M.

Chairman

ATTEST: KEN BURKE, CLERK

By: _____
Deputy Clerk