

Clearwater, Florida, January 29, 2002

The Board of County Commissioners in and for the County of Pinellas met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 9:35 A.M. on this date with the following members present: Barbara Sheen Todd, Chairman; Karen Williams Seel, Vice-Chairman; Robert B. Stewart; Calvin D. Harris; Susan Latvala; John Morroni; and Kenneth T. Welch.

Absent: None.

Also present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; C. R. Short, Chief Deputy Clerk; and Dawn Rubio, Board Reporter.

Commissioner Welch pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Stewart.

AGENDA

INVOCATION

PLEDGE OF ALLEGIANCE to the Flag of the United States of America

PRESENTATIONS & AWARDS

A. CITIZENS TO BE HEARD

Any Person Wishing to Speak at this Time (Excluding Issues on the Agenda or Previously Acted on by the BCC) Must Have a Card Filled Out and Turned in to Staff at the Administrative Table Located at the Front of the Board Room.

B. CONSENT AGENDA

CLERK OF CIRCUIT COURT

1. Approval of Minutes – Regular Meeting Held on December 18, 2001.
2. Reports:
 - a. Tampa Bay Water Annual Financial Report and Audited Financial Statements for the Fiscal Year Ended September 30, 2001.
 - b. Audit Report No. 2002-02, Dated January 24, 2002 – Audit of Courtroom Automation Project.
 - c. Palm Harbor Special Fire Control and Rescue District Independent Auditor's Reports and

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Financial Statements for the Year Ended September 30, 2001.

- d. City of Belleair Bluffs Comprehensive Annual Financial Report for the Year Ended September 30, 2001.
3. Other Approvals:
- a. General - None.
 - b. Satisfactions of Judgments and Liens.
 - c. Vouchers and Bills Paid.
4. Miscellaneous Items to be Received for Filing:
- a. Administrative Budget Amendments for the First Quarter of the Fiscal Year 2002, Submitted by County Administrator Stephen M. Spratt
 - b. Official Traffic Regulations Submitted by the County Traffic Engineer.
 - c. City of Clearwater Notice of Rezoning and Land Use Plan Amendment Public Hearing Regarding Ordinances Nos. 6924-02 and 9625-02 to be Held February 21, 2002.
 - d. City of Largo Notice of Annexation Public Hearing Held January 22, 2002 Regarding Ordinance No. 2002-19.
 - e. City of Safety Harbor Ordinance No. 2001-30 Annexing Certain Property.

COUNTY ADMINISTRATOR

Budget and Finance

5. Budget Amendments: None.

Public Works

6. Authorization to Execute a Quit Claim Deed Submitted by Emilio Ruiz, Barbara Jean Ruiz and James V. Gulu for a Portion of a 20.0 Foot Drainage Maintenance Easement, Located in the Northeast ¼ of Section 33, Township 27 South, Range 16 East, Palm Harbor.
7. Approval of the Installation of Thirteen Speed Humps in the Country Grove Subdivision Located East of U.S. 19 and South of Lake Tarpon Drive.
8. Approval of the Installation of Four Speed Humps in the Alderman Ridge Subdivision Located East of U.S. 19 and North of Alderman Road.

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9. Approval of Subdivision Plats and Related Items.

General

10. Adoption of a Resolution for Assessment of Liens Against Lands.

C. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

12. Approval of Subtenancy Agreements by and between Cooper Coil Coating, Inc. and Leaders Holding Company.
13. Approval of the Offer to Sell Real Property to the United States Department of the Army.
14. Adoption of a Resolution and Approval of a Joint Participation Agreement with the Florida Department of Transportation for \$130,000 in Grant Funds.
15. Adoption of a Resolution and Approval of a Joint Participation Agreement with the Florida Department of Transportation for \$31,842 in Grant Funds.

Utilities

16. Approval to Execute a Temporary Construction Easement Agreement.

General

17. Approval of a Non-Competitive Contract for Specialized Plumbing Supplies.
18. Approval of Partial Taking of Parcels Numbers 08/30/15/96282/002/0150 and 08/30/15/96282/002/0160 for the Dansville Neighborhood Improvement Area Project.
19. Approval of Partial Taking of Parcel Number 08/30/15/96282/002/0170 for the Dansville Neighborhood Improvement Area Project.
20. Approval of Partial Taking of Parcel Number 08/30/15/70470/100/1704 for the Dansville Neighborhood Improvement Area Project.
21. Approval of the Pinellas County Housing Finance Authority's Actions Concerning Issuance of Single

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Family Mortgage Revenue Notes, Series 2002.

22. Approval of Confirmation of Appointment of the Heritage Village Director.
23. Approval of Amendment No. 1 to the Guaranteed Maximum Price for Phase I of the Construction Management Agreement at the Weedon Island Preserve Education Center.
24. Approval to Execute the Fiscal Administrative Services Agreement between Pinellas County and Catholic Charities, Diocese of St. Petersburg, Inc.
25. Approval of the Emergency Medical Services Compliance Program Revisions.
26. Approval of an Appointment of the Emergency Medical Services Compliance Officer.
27. Adoption of a Resolution Supplementing the FY02 WorkNet Pinellas Fund Budget - Agency for Workforce Innovation.
28. Other Administrative Matters.

ECONOMIC DEVELOPMENT AUTHORITY

29. Approval of the First Amendment to the Lease Agreement with Eckerd Corporation at the Young - Rainey STAR Center.

COUNTY ATTORNEY

30. Authority for County to Defend:
 - a. AmSouth Bank v. Jeffrey Benson, et al - Circuit Civil Case No. 02-0246-CI-20 – Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
 - b. The Provident Bank v. Roy Thomas, et al - Circuit Civil Case No. 01-9022-CI-7 – Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Judgments for Fees and Costs.
 - c. First Nationwide Mortgage v. Tracy Galbraith – Circuit Civil Case No. 01-9634-CI-15 – Mortgage Foreclosure Involving a Community Development Mortgage.
 - d. Irwin Mortgage Corp. v. Edith M. Gross, et al – Circuit Civil Case No. 01-9601-CI-11 – Mortgage Foreclosure Involving a Welfare Lien.
31. Miscellaneous.

SCHEDULED PUBLIC HEARINGS
PUBLIC HEARINGS WILL BEGIN AT 10:30 A.M.

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The Procedure Used by the Board of County Commissioners in Conducting Public Hearings is to Have a Staff Presentation Followed by the Applicant Presenting the Specific Proposal. The Board Will Then Hear Comments From the Proponents Followed by Comments From the Opponents and a Staff Summary. The Applicant Will Then be Given an Opportunity to Close and the Board of County Commissioners Will Decide on the Matter. Please Refer to the Back of Your Agenda Copy for More Details on Guidelines for Time Limitations and Opportunities to Speak.

SCHEDULED PUBLIC HEARINGS - BCC

32. Proposed Ordinance Authorizing the Chairman to Execute a Settlement Agreement with Lamar Company, LLC Regarding Billboard Litigation. (Continued from January 15, 2002 BCC Meeting.)
33. Proposed Ordinance Authorizing the Chairman to Execute a Settlement Agreement with Viacom Outdoor Media, Inc. Regarding Billboard Litigation. (Continued from January 15, 2002 BCC Meeting.)

WATER AND NAVIGATION

Pursuant to the Provisions of Chapter 31182, Laws of Florida (1955), as Amended, it is the Policy of the Pinellas County Water & Navigation Control Authority that all Persons Giving Testimony on Matters Relating to Application for Dredge, Fill, or Dock Permits do so Under Oath. If You Wish to Make Statements or Give Testimony Concerning any of the Water & Navigation Items, Please be Prepared to Stand and Take the Oath When Requested to do so by the Clerk.

34. Commercial Dock Application CA30196-01/Revised, Steve Westphal, The Pub Restaurant, 20025 Gulf Boulevard, The Narrows, Indian Shores.

D. COUNTY ADMINISTRATOR REPORTS

35. Report on Lealman.

E. COUNTY COMMISSION

36. Approval of Appointment to the Pinellas County Historical Commission.
37. Miscellaneous.

ADJOURNMENT

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PRESENTATION OF CHECK BY PROGRESS ENERGY FOUNDATION, INC. FOR

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WEEDON ISLAND INTERPRETIVE CENTER

Nancy Loehr, Florida Power Corporation, presented a check for \$50,000 made payable to the National Fish and Wildlife Foundation on behalf of Progress Energy Foundation, Inc. for the Weedon Island Interpretative Center; whereupon, Chairman Todd expressed appreciation to Florida Power and commended Commissioners Seel and Stewart and Assistant County Administrator Jacob F. Stowers for their endeavors with regard to Weedon Island.

PROCLAMATION DECLARING WEEK OF FEBRUARY 3 TO FEBRUARY 9, 2002 AS NATIONAL CONSUMER PROTECTION WEEK

Chairman Todd presented a Proclamation declaring February 3 to February 9, 2002, as National Consumer Protection Week to Director of Consumer Protection Sheryl Goodman-Lord.

CITIZENS TO BE HEARD

Kim Snyder, Executive Director, Keep Florida Beautiful, presented the Great American Clean-up award to Agnes Stebelton and Bill Sanders of Keep Pinellas Cities Beautiful; and with the assistance of Brian Michaels, Oldsmar City Council member, presented Great American Clean-up tee shirts to the Board.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 10 - APPROVED

Upon presentation by Chairman Todd, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the Consent Agenda, consisting of items Nos. 1 through 10, be approved as follows:

1 APPROVAL OF MINUTES

Minutes of regular meeting of December 18, 2001.

2 REPORTS RECEIVED FOR FILING

- a. Tampa Bay Water Annual Financial Report and Audited Financial Statements for fiscal year ended September 30, 2001.
- b. Audit Report No. 2002-02, dated January 24, 2002 - Audit of Courtroom Automation Project.
- c. Palm Harbor Special Fire Control and Rescue District Independent Auditor's Reports and Financial Statements for the year ended September 30, 2001.
- d. City of Belleair Bluffs Comprehensive Annual Financial Report for the year ended September 30, 2001.

3 OTHER APPROVALS

- a. General - None
- b. Satisfactions of Judgments and Liens
 - (1) Satisfactions of various judgments for attorney fees and costs which have been paid in full.
- c. Vouchers and Bills Paid
 - (1) Checks released for the period from January 7, 2002 to January 11, 2002 as follows:

Imprest Fund Expenditures
Manual checks numbered 605071 through 605087
System checks numbered 614770 through 615907

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4 MISCELLANEOUS ITEMS RECEIVED

- a. Administrative Budget Amendments for the first quarter of fiscal year 2002 submitted by County Administrator Stephen M. Spratt.
- b. Official Traffic Regulations submitted by the Country Traffic Engineer.
- c. City of Clearwater Notice of Rezoning and Land Use Plan Amendment Public Hearing regarding Ordinances Nos. 6924-02 and 9625-02 to be held February 21, 2002.
- d. City of Largo Notice of Annexation Public Hearing held January 22, 2002 regarding Ordinance No. 2002-19.
- e. City of Safety Harbor Ordinance No. 2001-30 annexing certain property.

5 BUDGET AMENDMENTS - NONE

6 QUITCLAIM DEED ACCEPTED FROM EMILIO RUIZ, BARBARA JEAN RUIZ AND JAMES V. GULU, FOR A PORTION OF A 20.0 FOOT DRAINAGE MAINTENANCE EASEMENT, RECORDED IN O.R. BOOK 5418, PAGES 496 THROUGH 499, LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 27 SOUTH, RANGE 16 EAST, CASE NUMBER 1098; AUTHORIZATION GRANTED FOR CHAIRMAN TO SIGN AND CLERK TO ATTEST AND RECORD

7 INSTALLATION OF 13 SPEED HUMPS IN THE COUNTRY GROVE SUBDIVISION LOCATED EAST OF U.S. HIGHWAY 19 AND SOUTH OF LAKE TARPON DRIVE RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM

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Approval is granted for installation of 13 speed humps in the Country Grove Subdivision located east of U.S. Highway 19 and south of Lake Tarpon Drive in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997.

8 INSTALLATION OF FOUR SPEED HUMPS IN THE ALDERMAN RIDGE SUBDIVISION LOCATED EAST OF U.S. HIGHWAY 19 AND NORTH OF ALDERMAN ROAD RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM

Approval is granted for installation of four speed humps in the Alderman Ridge Subdivision located east of U.S. Highway 19 and north of Alderman Road in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997.

9 SUBDIVISION PLATS AND RELATED ITEMS

- a. Clearwater Citgo
 - 1. Completion Bond No. 103 409 701 accepted in the amount of \$20,185.00.
- b. Bardmoor Sidewalks
 - 1. Sidewalk easement accepted for recording.
- c. 49th Street and 54th Avenue North Retail Center
 - 1. Letter of Credit No. 79530482 accepted in the amount of \$18,625.20 as completion surety.
- d. Walgreens at Park Boulevard and 66th Street

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1. Completion Bond No. 929191271 accepted in the amount of \$5,500.00.
- e. First Community Bank
1. Letter of Credit No. 01-006 accepted in the amount of \$32,699.70 as completion surety.
- f. International Fibercom
1. Funds accepted in the amount of \$6,427.96 as completion surety.
- g. Roesch House Movers
1. Funds accepted in the amount of \$20,000.00 as completion surety.
 2. Funds released in the amount of \$5,000.00 to Roesch House Movers Inc., 13650 66th Street North, Largo, FL 33771.
- h. Northern Trust Bank
1. Release of Completion Bond No. 929-200-245 in the amount of \$11,000.00 to N T Realty, 525 Indian Rocks Road, Belleair Bluffs, Florida 33770.
- i. Eckerd's at Belleair Road and Missouri Avenue
1. Funds released in the amount of \$2,165.13 to The Sembler Company, 5858 Central Avenue, St. Petersburg, Florida 33707, Attention: Mr. Flack.

#10 LOT CLEARING RESOLUTION

Resolution No. 02-20 assessing liens against lands cleared in Pinellas County

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pursuant to Chapter 78-599, Laws of Florida, and Pinellas County Code Chapter 58, Article IX, Section 338, directing that this resolution be filed in the public records office of the Clerk of the Circuit Court of Pinellas County, Florida.

#11 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT) - NONE

#12 SUBTENANCY AGREEMENT BY AND BETWEEN COOPER COIL COATING, INC. AND LEADERS HOLDING COMPANY - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Subtenancy Agreement by and between Cooper Coil Coating, Inc. and Leaders Holding Company; and for the Chairman to execute and the Clerk to attest the attached Approval of Subtenancy.

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

#13 OFFER TO SELL REAL PROPERTY BY AND BETWEEN PINELLAS COUNTY AND THE DEPARTMENT OF THE ARMY - APPROVED FOR EXECUTION; CHAIRMAN AUTHORIZED TO EXECUTE DEED AND OTHER CLOSING DOCUMENTS

County Administrator Stephen M. Spratt recommended approval of an Offer to Sell Real Property by and between Pinellas County and the Department of the Army for the purchase price of \$2,850,000.00; with authorization for the Chairman to execute deed and other closing documents, as required.

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

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#14 RESOLUTION NO. 02-21 ADOPTED AUTHORIZING EXECUTION OF JOINT PARTICIPATION AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND FLORIDA DEPARTMENT OF TRANSPORTATION (CONTRACT NO. AL222) (FINANCIAL PROJECT NO. 41244119401)

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing execution of Joint Participation Agreement between the Board of County Commissioners and Florida Department of Transportation providing \$130,000.00 in grant funds for parking lot expansion and improvements at the St. Petersburg-Clearwater International Airport (Contract No. AL222) (Financial Project No. 41244119401).

Commissioner Morrone moved, seconded by Commissioner Welch, that Resolution No. 02-21 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#15 RESOLUTION NO. 02-22 ADOPTED AUTHORIZING EXECUTION OF SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND FLORIDA DEPARTMENT OF TRANSPORTATION

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing execution of Supplemental Joint Participation Agreement between the Board of County Commissioners and Florida Department of Transportation for \$31,842.00 in additional grant funds.

Commissioner Morrone moved, seconded by Commissioner Latvala, that Resolution No. 02-22 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#16 TEMPORARY CONSTRUCTION EASEMENT AGREEMENTS BETWEEN MARK E AND KIM C. ROESSLER AND PINELLAS COUNTY AND BETWEEN WILLIAM R. MITCHELL AND PINELLAS COUNTY - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Temporary Construction Easement Agreements between Mark E. and Kim C. Roessler and Pinellas County and between William R. Mitchell and Pinellas County for repair of approximately 278.67 feet of existing sewer line at 135 and 138 Rodney Court, Palm Harbor, (project scheduled to begin February 1, 2002, for a period of no more than 60 days); and for the Chairman to execute and the Clerk to attest the attached Temporary Construction Easement Agreements.

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

#17 NON-COMPETITIVE CONTRACT WITH J. A. SEXAUER FOR SPECIALIZED PLUMBING SUPPLIES (BID NO. 012-359-N) - APPROVED

County Administrator Stephen M. Spratt recommended approval of a noncompetitive contract with J. A. Sexauer for specialized plumbing supplies (Bid No. 012-359-N), for an estimated annual expenditure not to exceed \$60,000.00.

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

#18 AGREEMENT WITH MARY KEENE, a/k/a MARY L. KEENE, FOR PARTIAL TAKING OF PARCELS NOS. 08/30/15/96282/002/0150 AND 08/30/15/96282/002/0160, IMPROVED PROPERTY LYING WITHIN THE DANVILLE REDEVELOPMENT AREA FOR THE DANVILLE NEIGHBORHOOD IMPROVEMENT PROJECT - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

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County Administrator Stephen M. Spratt recommended approval of the agreement with Mary Keene, a/k/a Mary L. Keene, for partial taking of Parcels Nos. 08/30/15/96282/002/0150 and 08/30/15/96282/002/0160, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, with authorization for issuance of necessary checks.

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

- #19 AGREEMENT WITH CORA M. HELM FOR A PARTIAL TAKING OF PARCEL NO. 08/30/15/96282/002/0170, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

County Administrator Stephen M. Spratt recommended approval of agreement with Cora M. Helm for a partial taking of Parcel No. 08/30/15/96282/002/0170, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, with authorization for issuance of necessary checks.

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

- #20 AGREEMENT WITH CLEMMIE ROBINSON FOR A PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/1704, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

County Administrator Stephen M. Spratt recommended approval of agreements with Clemmie Robinson for acquisition of a partial taking of Parcel No. 08/30/15/70470/100/1704, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood

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Improvement Project, with authorization for issuance of necessary checks.

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

- #21 RESOLUTION NO. 02-23 ADOPTED APPROVING THE ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF PINELLAS COUNTY OF ITS SINGLE FAMILY MORTGAGE REVENUE NOTES, SERIES 2002 IN THE AGGREGATE AMOUNT NOT TO EXCEED \$250,000,000 AS PART OF THE AUTHORITY'S SINGLE FAMILY MORTGAGE LOAN PROGRAM; AND PROVIDING AN EFFECTIVE DATE

County Administrator Stephen M. Spratt recommended adoption of a resolution approving the issuance by the Housing Finance Authority of Pinellas County of its Single Family Mortgage Revenue Notes, Series 2002, in the aggregate amount not to exceed \$250,000,000 as part of the Authority's single family mortgage loan program; and providing an effective date.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 02-23 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

- #22 CONFIRMATION OF APPOINTMENT OF JANICE BONNIE LUTH TO POSITION OF DIRECTOR OF HERITAGE VILLAGE. - APPROVED

County Administrator Stephen M. Spratt recommended confirmation of the appointment of Janice Bonnie Luth to the position of Director of Heritage Village.

Commissioner Latvala moved, seconded by Commissioner Welch and carried, that

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the recommendation of the County Administrator be approved.

#23 AMENDMENT NO. 1 TO CONSTRUCTION MANAGEMENT AGREEMENT WITH PETER R. BROWN CONSTRUCTION, INC. FOR WEEDON ISLAND PRESERVE EDUCATION CENTER - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 to the Construction Management Agreement negotiated with Peter R. Brown Construction, Inc. for the guaranteed maximum price (GMP) of \$2,121,797.00 for Phase I construction of the subject project.

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

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At this time, 10:30 A.M., Commissioner Latvala left the meeting.

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#24 FISCAL ADMINISTRATIVE SERVICES (“CHOOSE LIFE” LICENSE PLATES) AGREEMENT BETWEEN PINELLAS COUNTY AND CATHOLIC CHARITIES, DIOCESE OF ST. PETERSBURG, INC. - APPROVED

County Administrator Stephen M. Spratt recommended approval of Fiscal Administrative Services Agreement between Pinellas County and Catholic Charities, Diocese of St. Petersburg, Inc. (Agreement in effect until September 30, 2002.)

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

#25 REVISIONS TO THE EMERGENCY MEDICAL SERVICES COMPLIANCE PROGRAM MANUAL - APPROVED

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County Administrator Stephen M. Spratt recommended approval of revisions to the Emergency Medical Services Compliance Program Manual.

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

#26 APPOINTMENT OF DOMENICK MURANO AS EMERGENCY MEDICAL SERVICES COMPLIANCE OFFICER - APPROVED

County Administrator Stephen M. Spratt recommended approval of the appointment of Domenick Murano as the Emergency Medical Services Compliance Officer.

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

#27 RESOLUTION NO. 02-24 ADOPTED SUPPLEMENTING THE FY02 WORKNET PINELLAS FUND BUDGET (AGENCY FOR WORKFORCE INNOVATION)

County Administrator Stephen M. Spratt recommended adoption of a resolution to appropriate earmarked receipts for particular purposes in the FY02 WorkNet Pinellas Fund as requested by the Pinellas WorkNet Board.

Commissioner Welch moved, seconded by Commissioner Stewart, that Resolution No. 02-24 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Latvala.

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At this time, 10:33 A.M., Commissioner Latvala returned to the meeting.

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At this time, Chairman Todd proceeded to agenda item No. 32, Public Hearings, which had been scheduled for 10:30 A.M.

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#32 **PROPOSED ORDINANCE RE SETTLEMENT AGREEMENT WITH LAMAR COMPANY LLC FOR BILLBOARD REMOVAL (CONTINUED FROM MEETING OF JANUARY 15, 2002) - TEMPORARILY DEFERRED TO MEETING OF FEBRUARY 12, 2002; AUTHORIZATION GRANTED TO ADVERTISE SECOND PUBLIC HEARING TO BE HELD FEBRUARY 26, 2002**

Pursuant to legal notice published in the January 7, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance to authorize the execution of a settlement agreement with Lamar Company LLC regarding billboard removal.

County Administrator Stephen M. Spratt requested that the first public hearing be continued to the meeting of February 12, 2002; and that authorization be granted to advertise the second public hearing to be held February 26, 2002.

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

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- #33 PROPOSED ORDINANCE RE SETTLEMENT AGREEMENT WITH VIACOM OUTDOOR, INC. FOR BILLBOARD REMOVAL (CONTINUED FROM MEETING OF JANUARY 15, 2002) - TEMPORARILY DEFERRED TO MEETING OF FEBRUARY 12, 2002; AUTHORIZATION GRANTED TO ADVERTISE SECOND PUBLIC HEARING TO BE HELD FEBRUARY 26, 2002
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Pursuant to legal notice published in the January 7, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance to authorize the execution of a settlement agreement with Viacom Outdoor, Inc. regarding billboard removal.

County Administrator Stephen M. Spratt requested that the first public hearing be continued to the meeting of February 12, 2002; and that authorization be granted to advertise a second public hearing to be held February 26, 2002.

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

- #34 COMMERCIAL DOCK APPLICATION CA30196-01/REVISED, STEVE WESTPHAL, PUB RESTAURANT, 20025 GULF BOULEVARD, INDIAN SHORES, THE NARROWS (CONTINUED FROM MEETING OF JANUARY 15, 2002) - APPROVED
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Chairman Todd noted for the record that the Board is now sitting as the Water and Navigation Control Authority.

Pursuant to legal notice published in the October 26 and November 2, 2001 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Commercial Dock Application CA30196-01/Revised, Steve Westphal, Pub Restaurant, 20025 Gulf Boulevard, Indian Shores, The Narrows. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that three informational letters, one letter in favor of and three letters in objection to the application have been received; and that the matter is properly before the Authority to be heard.

County Administrator Stephen M. Spratt indicated that the applicant proposes to

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construct two floating docks and to extend an existing dock at the Pub Restaurant; that staff recommends approval of the commercial dock application and execution of the associated order based on negative "Findings of Fact," Items 1 through 9, as indicated in his memorandum of January 29, 2002, which has been filed and made a part of the record; that the Pinellas County Department of Environmental Management has reviewed this application and finds it to be consistent with the Water and Navigation Control Authority criteria of the Pinellas County Code; and that there are no environmental or navigational concerns with the proposed project; whereupon, he called upon Director of Environmental Management William M. Davis to respond to a prior request for a temporary moratorium on commercial dock construction.

Mr. Davis referred to drawings, maps and photographs; indicated that the project is consistent with other structures in the immediate vicinity as far as its projection into the waterway; addressed the issues of boating safety, waterway congestion and manatee sightings in the area; cited Attorney Douglas Jones' request of December 4, 2001 for a temporary moratorium; reported his staff's findings regarding the adequacy of the County's dock regulations; and recommended that a moratorium not be enacted.

Stephen Westphal, owner of the Pub Restaurant, and Bill Woods, Woods Consulting, Inc., project engineers for the applicant, introduced three documents for the record.

In response to the Chairman's call for opponents to the application, the following individuals appeared and expressed their concerns:

Douglas S. Jones, Esquire, representing Imperial Point Condominium VI Association Inc. and Concerned Citizens of Imperial Point, who introduced documents into the record
Norman Malone, Largo
John Ellison, Largo
Barry Likeness, Largo;

following which Mary Lou Jenkins, President, Imperial Point Property Owners Association, stated that the Imperial Point Board of Directors had voted January 22, 2002 to take a neutral stand regarding the dock expansion; and Douglas Speeler, Largo, representing the applicant, cited the County's Comprehensive Land Use Plan Coastal Management Element and related that the County encourages water-dependent and water-related land uses.

In response to queries by Chairman Todd and Commissioner Seel, Mr. Davis

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addressed issues such as no-wake and minimum-wake zones, manatee deaths, and the existence of shoaling in The Narrows; stated that waterway signage is governed by the State of Florida; and that additional enforcement by the Sheriff's marine unit may be requested by the Authority.

Responding to further questions of Commissioners Seel and Welch, Mr. Westphal indicated that City of Largo officials had considered his earlier plans for dining room expansion; and Mr. Davis explained that the application meets the setback criteria; whereupon, Commissioner Seel moved, seconded by Commissioner Welch and carried, that the application be approved in accordance with the "Findings of Fact."

#28 RESOLUTION NO. 02-25 ADOPTED CONCERNING STATE HIGH SPEED RAIL

County Administrator Stephen M. Spratt recommended adoption of a resolution concerning a State high speed rail system terminus at St. Petersburg-Clearwater International Airport.

Following discussion, Commissioner Stewart moved, seconded by Commissioner Latvala, that Resolution No. 02-25 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#29 FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND ECKERD CORPORATION - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the First Amendment to the Lease Agreement between Pinellas County Industrial Development Authority d/b/a Pinellas County Economic Development Authority and Eckerd Corporation. This is the second of five one-year options of renewal for the period January 1 through December 31, 2002,

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reducing the office space to 9,629 square feet at a monthly rental of \$7,968.00.

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

#30a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE AMSOUTHBANK VERSUS JEFFREY C. BENSON, ET AL, CIRCUIT CIVIL CASE NO. 02-0246-CI-20 - MORTGAGE FORECLOSURE INVOLVING JUDGMENT FOR ATTORNEY FEES AND COSTS

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re AmSouth Bank versus Jeffrey C. Benson, et al, Circuit Civil Case No. 02-0246-CI-20 - Mortgage Foreclosure Involving Judgment for Attorney Fees and Costs.

#30b COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE THE PROVIDENT BANK VERSUS ROY THOMAS, ET AL, CIRCUIT CIVIL CASE NO. 01-9022-CI-7 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS AND FEES AND COSTS

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re The Provident Bank versus Roy Thomas, et al, Circuit Civil Case No. 01-9022-CI-7 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fees and Costs.

#30c COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE FIRST NATIONWIDE MORTGAGE VERSUS TRACY GALBRAITH, ET AL, CIRCUIT CIVIL CASE NO. 01-9634-CI-15 - MORTGAGE FORECLOSURE INVOLVING A COMMUNITY DEVELOPMENT MORTGAGE

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Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re First Nationwide Mortgage versus Tracy Galbraith, et al, Circuit Civil Case No. 01-9634-CI-15 - Mortgage Foreclosure Involving a Community Development Mortgage.

#30d COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE IRWIN MORTGAGE CORP. VERSUS EDITH M. GROSS, ET AL, CIRCUIT CIVIL CASE NO. 01-9601-CI-11 - MORTGAGE FORECLOSURE INVOLVING A WELFARE LIEN

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to defend the County's interest in the suit re Irwin Mortgage Corp. versus Edith M. Gross, et al, Circuit Civil Case No. 01-9601-CI-11 - Mortgage Foreclosure Involving a Welfare Lien.

#31 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#35 REPORT ON LEALMAN

Chairman Todd noted that the Board had requested a report on the status of the Lealman area; whereupon, Fire Chief Richard Graham of the Lealman Special Fire Control District expressed his concerns regarding erosion of the Lealman Fire District's tax base and possible reduction of services to Lealman citizens; and Raymond Neri, President of the Lealman Community Association, asked that the Lealman boundaries be protected pending the outcome of the

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American Assembly process.

County Administrator Stephen M. Spratt sought the Board's direction regarding a formal request to amend the planning area boundaries for the municipalities around Lealman in order to embody the Lealman Special Fire Control District and a feasibility study for the incorporation of Lealman; whereupon, Commissioner Welch announced his intention to draft an amendment to adjust the Lealman boundaries should other initiatives fail; and in response to query by Commissioner Stewart, Chief Assistant County Attorney James L. Bennett outlined the procedures for amending boundary lines.

Following discussion, Commissioner Welch moved, seconded by Commissioner Morroni, that a feasibility study for the incorporation of Lealman be approved with the conditions that the methodology for the study include the identification of a steering committee; scope, timetable and projected cost of the study including division of costs among the participants; data elements; per capita costs for fire service in Lealman versus all other fire districts in Pinellas County; and that the methodology report be completed within two weeks for submission to the Board for final authorization.

Additionally, the Board requested (1) the County's portion of the study costs be funded by the Municipal Service Taxing Unit (MSTU); (2) the Pinellas Planning Council (PPC) be actively involved in the study; (3) options be identified to secure Lealman's borders should the residents decide to remain unincorporated; (4) a link be added to the County's website for Lealman residents' input; (5) the annexation request process be reviewed; and (6) information of financial assistance previously provided by the County to cities at the time of incorporation.

Upon call for the vote, the motion carried unanimously.

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#36 APPOINTMENT OF RAYNETTA MOBLEY TO PINELLAS COUNTY HISTORICAL COMMISSION - APPROVED

Upon motion by Commissioner Harris, seconded by Commissioner Latvala and carried, the appointment of Raynetta Mobley to the Pinellas County Historical Commission was approved.

#37a COMMISSIONER STEWART RE VARIOUS ISSUES

Commissioner Stewart reported on the January 28, 2002 Tampa Bay Water meeting regarding the Mid-Pinellas Brackish Wellfield Agricultural Well Mitigation Plan and distributed copies of a letter from the Florida Nurserymen and Growers Association in which the association lends its support to the project. He noted the passing of former Florida State Supreme Court Justice Alan Sundberg; and reported that funds are available for a minimum of two new Job Corps centers in Pinellas County.

#37b COMMISSIONER LATVALA RE TAMPA BAY WATER

Referring to Commissioner Stewart's comments regarding the Mid-Pinellas Brackish Wellfield Agricultural Well Mitigation Plan, Commissioner Latvala reported that the project has been selected and is being assessed as to its safety, efficiency and environmental soundness.

#37c COMMISSIONER MORRONI RE VARIOUS ISSUES

Commissioner Morroni thanked his colleagues for their support of the law enforcement dinner which netted more than \$5,000 for families of the World Trade Center victims; and gave a Your Penny's Worth update on the County's new central production facility.

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#37d COMMISSIONER WELCH RE VARIOUS ISSUES

Commissioner Welch commended Deborah Godfrey and the STARS job skills program; reported on the new HOTSPOT program in which residents of St. Petersburg can report illegal drug activity; and encouraged attendance at the third annual Florida African-American Heritage Celebration on February 23 at Pinewood Cultural Park.

#37e COMMISSIONER HARRIS RE TAMPA BAY PARTNERSHIP AND WATER CONSERVATION TIP

Commissioner Harris reported that the Tampa Bay Partnership is encouraging involvement by elected officials; that the annual meeting will be scheduled in May and the County Commissioners will be invited; and offered a water conservation tip regarding digging and water leaks.

#37f CHAIRMAN TODD RE PUBLIC TECHNOLOGY, INC. MEETING

Chairman Todd reported that she had represented the County at last week's Public Technology, Inc. (PTI) meeting; and that funds and grants are available to member counties for homeland security defense programs.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 1:08 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk