

Clearwater, Florida, February 18, 2003

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 3:05 P.M. on this date with the following members present: Karen Williams Seel, Chairman; Susan Latvala, Vice-Chairman; Robert B. Stewart; Calvin D. Harris; John Morroni; and Kenneth T. Welch.

Absent: Barbara Sheen Todd.

Also Present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; C. R. Short, Chief Deputy Clerk; and Carol Jones and MaryAnn Penhale, Board Reporters.

Commissioner Robert Thomson, Salvation Army, Clearwater, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Latvala.

A G E N D A

INVOCATION

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

A. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. Approval of Minutes – Regular Meeting Held on January 21, 2003.
2. Reports:
 - a. Juvenile Welfare Board of Pinellas County Interim Fiscal Reports (Unaudited) Dated December 31, 2002.
 - b. Palm Harbor Community Services Agency, Inc., Financial Statements for Fiscal Year Ending September 30, 2002, Together with Independent Auditor's Report.
 - c. Pinellas Park Water Management District Annual Financial Report of Units of Local Government for Fiscal Year 2001-02, Together with Independent Auditor's Report and General Purpose Financial Statements for the Fiscal Year Ended September 30, 2002.
 - d. Internal Audit Report No. 2003-02 Dated January 30, 2003 – Audit of the Building Department.

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3. Other Approvals.
 - a. General – None.
 - b. Vouchers and Bills Paid.
4. Miscellaneous Items to be Received for Filing.
 - a. Florida Public Service Commission Notice of Commission Hearing Regarding Docket No. 020412-TP Held February 6, 2003 in Tallahassee.
 - b. City of Largo Notice of Annexation Hearings Regarding Ordinances Nos. 2003-38 through 2003-41 Held February 4, 2003.
 - c. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 3 Dated December 19, 2002, Together with Financial Statement dated December 2002.
 - d. Appraisal of McDermott Parcel, a 15.50 Acre Residential Tract Located at the End of Old East Lake Road, Pinellas County, Prepared by Corson & Associates, Inc., Dated October 14, 2002.

COUNTY ADMINISTRATOR

Public Works

5. Approval to Release Sureties and Record Plat.

Utilities

6. Approval of Awards of Bid:
 - a. 10” Force Main Replacement at 118th Avenue North, 2” Galvanized Water Main Replacement at 118th Avenue North, Stormwater Intake Structure at Pond “A” for Bridgeway Acres Landfill.
 - b. Water and Reclaimed Mains Installation Annual Requirements for 2003.
 - c. St. Pete Beach Reclaimed Water Extension.
7. Approval of Final Owner Controlled Insurance Program (OCIP) Insurance Premium Payment to Acordia Southeast for Solid Waste Retrofit Project.
8. Approval of Change Order No. 2 (Final) to the Hydrogen Sulfide Water Feed System and Release of Retainage.

Other Departments

9. Approval to Proceed with Foreclosure Action against Pledged Property II, L.L.C. (Community Development).
10. Receipt and File of Items Delegated to the County Administrator for Signature (County Administrator).

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11. Adoption of a Resolution for Assessment of Liens against Lands Cleared (Environmental Management).
12. Approval of Award of Bid for a Mobile Medical Clinic Vehicle (Fleet Management).
13. Approval of Final Option of Renewal for Lease and Maintenance Agreement of Studio Apartment Located at 113 10th Avenue, St. Pete Beach (General Services).
14. Approval of Recommendation to Declare Miscellaneous County Owned Equipment as Surplus and Authorize its Donation (Purchasing).
15. Approval of Recommendation to Declare Miscellaneous County Owned Equipment as Surplus and Authorize its Sale (Purchasing/Tax Collector).
16. Receipt and File of Quarterly Report of Claim Settlements for the Period of September 1, 2002 through December 31, 2002 (Risk Management).

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

18. Approval to Execute an Agreement for Airside General Engineering Consultant Services.
19. Approval to Execute an Agreement for Landside General Engineering Consultant Services.
20. Approval of a Non-disturbance and Consent Agreement with Sheltair St. Petersburg, L.L.C.

Public Works

21. Approval of the Installation of Three Speed Humps on Ridge Road between Orange Street and North Street.
22. Approval of the Installation of Two Speed Humps on Whisperwood Drive between Feather Sound Drive and Heron Place.
23. Approval of Award of Bid for the Annual Contract for Construction of Underdrains and Minor Drainage.

Utilities

24. Approval of a Joint Project Agreement with the Florida Department of Transportation for S.R. 688 (Ulmerton Road) East of Oakhurst Road to East of 119th Street for Utility Relocation.
25. Approval of an Agreement for Professional Consulting Services for Water Storage Tank Modifications.
26. Approval of an Agreement for Design Professional Services for Logan Laboratory Additions/Renovations.

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Other Departments

27. Approval of an Agreement to Acquire Right-of-Way for Parcel No. 08/30/15/70470/100/1800 for Improved Property Lying within the Dansville Redevelopment Area (Community Development).
28. Approval of a Noncompetitive Purchase-Maintenance Agreement for 9-1-1 Emergency Telephone and Recording Equipment (Emergency Communications).
29. Approval of Amendment No. 1 to the Professional Services Agreement for Architectural Programming for the Jail Expansion Phase 2 Health Care Facility, 14400 49th Street North, Clearwater (General Services).
30. Approval of a Recreation License Agreement with Pinellas NBL Parents Council, Inc. (General Services).
31. Adoption of a Resolution to Authorize the Sale of Airport Property to the Pinellas County School Board for a School, Approve the Contract for Sale and Purchase of Airport Property, Waive the Mineral Rights Reservation, and Authorize Execution of the Deeds (General Services).
32. Adoption of Resolutions (Management and Budget):
 - a. Supplementing the Fiscal Year 2003 General Fund Budget for the Sheriff's Boot Camp Program.
 - b. Supplementing the Fiscal Year 2003 General Fund Budget for the Sheriff's Contract with the City of Clearwater for Law Enforcement Services.
 - c. Supplementing the Fiscal Year 2003 County Transportation Trust Fund Budget for U.S. Highway 19 Wayfinder Signage Project.
33. Approval of a Request by the City of St. Petersburg to Approve an Ad Valorem Property Tax Exemption for a Historic Structure, the Seaboard Coastline Building (Planning).
34. Approval of Third Amendment to the Contract to Audit County Financial Statements and Records Pertaining to the Pinellas County Health Service Program, Indigent Health Care (Social Services).
35. Approval of a Grant Award from the United States Department of Health and Human Services' Health Resources and Services Administration (Social Services).
36. Other Administrative Matters.

COUNTY ATTORNEY

37. Request Authority for County Attorney to Defend:
 - a. Bank of America, National Association v. Victor Camilo Lopez, et al - Circuit Civil Case No. 03-319-CI-20 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs and a Judgment for Fine and Costs.
 - b. Citifinancial Mortgage Company, Inc. v. the Estate of Pearline Poinsette, Deceased, et al - Circuit Civil Case No. 03-476-CI-11 - Mortgage Foreclosure Involving a Deferred Payment Mortgage.

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- c. First Nationwide Mortgage Corporation v. Wanda F.C. Wilson, et al - Circuit Civil Case No. 03-301-CI-13 - Mortgage Foreclosure Involving a State Housing Initiative Partnership Mortgage and a Low Interest Loan Mortgage Modification Agreement.
 - d. Wells Fargo Bank Minnesota National Association v. Darryl Gainer, et al - Circuit Civil Case No. 03-484-CI-7 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and a Judgment for Fine and Costs.
 - e. Donna Cook v. Arthur Tetreault, Florida Department of Transportation, Pinellas County, and the TBE Group, Inc., et al - Circuit Civil Case No. 00-004937-CI-007 – Allegations of Negligence Resulting from a Motor Vehicle Accident.
 - f. Richard Dodge v. Pinellas County - Circuit Civil Case No. 03-1016CI-7 – Allegations of Violation of Whistleblower’s Act.
 - g. John Karas, et al v. State of Florida, et al - Circuit Civil Case No. 03-333-CI-7 – Quiet Title Action.
 - h. Willie M. Lightfoot v. Sheriff Everett Rice, et al – U.S. District Court Case No. 02-CV-1818 – Allegations of Excessive Force and Denial of Medical Treatment, Due Process and Equal Protection.
 - i. Estelle Scalice v. Pinellas County – Circuit Civil Case No. 02-9575-CI-8 - Allegations of Negligence Resulting in Personal Injuries.
 - j. Harvey L. Seybold, Jr. v. Pinellas County - Circuit Civil Case No. 03-510-CI-7 – Quiet Title Action.
 - k. Steven Blair Sullivan v. Timothy Connelly, Craig Chaisson, Ural E. Darling, Randall Speakman and Everett Rice – Case No. 8:02CV2353-T-27MAP - Allegations of Civil Rights Violation, Wrongful Arrest and Incarceration and Misidentification by Deputy Sheriffs.
 - l. Naomi M. Whiting v. Eugene R. Lebrecht, Christopher N. Hale, Ural E. Darling and Everett Rice, Sheriff, Pinellas County – Case No. 8:02-CB-2330-T-30MSS – Allegations of Civil Rights Violation, Wrongful Arrest and Incarceration and Misidentification by Deputy Sheriffs.
 - m. Michael T. Wilfeard and Kathleen I. Wilfeard, His Wife v. Mark T. Seymour and Patricia A. Seymour, His Wife, and Pinellas County - Circuit Civil Case No. 03-178-CI-21 – Seeking Injunctive Relief, Mandatory Injunction against the County and Declaratory Judgment against the County.
 - n. Deneen S. Wright v. Sheriff Rice, et al - Circuit Civil Case No. 02-6594-CI-20 – Claim No. 01-64120 – Allegations of Injuries Due to a Vehicle Chase.
38. Request Authority for the County Attorney to File a Small Claims Action against the Estate of Richard Arlen Coltman on Behalf of Sunstar for Unpaid Ambulance Bills.
39. Request Authority for the County Attorney to Initiate Legal Action against Extendicare d/b/a Arbors at St. Petersburg to Recover Unpaid Bills for Sunstar Services Rendered to Their Residence at Their Request.

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40. Request Authority to Advertise for a Public Hearing for Adoption of Proposed Fireworks Ordinance.
41. Request Authority for the County Attorney to File Suit to Set Aside Judgment in the Case of Bebe D. Tindal v. Raymond Varner and T. Mozelle Varner, His Wife – Pasco County Case No. 91-341CA Div. H.
42. Request Authority for the County Attorney to File Suit in the Case of Pinellas County v. Pan American Airways Corp.
43. Request Authority for the County Attorney to Initiate Litigation in the Case of Pinellas County v. Fantasy in Lingerie, etc.
44. Approval of Local Travel Reimbursements for Court Administration.
45. Recommendation of Settlement in the Case of Georgette LaFalcia and William LaFalcia, et al v. Pinellas County Sheriff's Department - Circuit Civil Case No. 01-7477-CI-11.
46. Miscellaneous.

C. AUTHORITIES

ECONOMIC DEVELOPMENT

47. Adoption of a Resolution for Issuance of Pinellas County Industrial Development Authority Revenue Bonds for Ruth Eckerd Hall (PACT, Inc., Project) Series 2003. (See Companion Item No. 54.)

WATER AND NAVIGATION

48. Appeal of Approval of Application P32009-02, Giao Nguyen, 945 Bayshore Boulevard, Tampa Bay, Safety Harbor.
49. Appeal of Approval of Application P31034-02/Revised, Dennis or Julie Gulkis, 941 Bayshore Boulevard, Tampa Bay, Safety Harbor.

D. COUNTY ADMINISTRATOR REPORT

50. None.

E. COUNTY COMMISSION

51. Miscellaneous.

6:30 P.M.

PRESENTATIONS AND AWARDS

F. 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.

G. SCHEDULED PUBLIC HEARINGS

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.

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.

- 52. Dredge and Fill Application D/F-1389, Belle Harbor, LLC, 501 Mandalay Avenue, Clearwater Harbor, Clearwater.
- 53. Multi-Use Dock Application M32160-02, Belle Harbor, LLC, 501 Mandalay Avenue, Clearwater Harbor, Clearwater.

SCHEDULED PUBLIC HEARINGS - BCC

- 54. TEFRA Public Hearing on Proposed Issuance of Pinellas County Industrial Development Authority Revenue Bonds in an Aggregate Principal Amount Not to Exceed \$8,100,000 for Ruth Eckerd Hall (PACT, Inc. Project), Series 2003. (See Companion Item No. 47.)
- 55. Planning and Zoning Applications Heard by the Examiner:
 - a. Z/LU-1-12-02
Application of Jose A. Perez-Arce for a Change of Zoning from R3, Single Family Residential to P-1A, Limited Office and Land Use Change from Residential Low to Residential/Office Limited on Approximately 0.142 Acre on the West Side of Belcher Road, 80 Feet South of 14th Avenue Southeast (Street Address: 1424 Belcher Road, Parcel ID No. 01-30-15-86382-000-0040).
 - b. Z-3-12-02
Application of Charles J. and Joan Brown and Charles W. and Peggy B. Beville for a Change of Zoning from AE, Agricultural Estate Residential to E-1, Estate Residential on Approximately 3.53 Acres on the South Side of Union Street, 355 Feet East of Landmark Drive (Street Addresses: 2965 and 2955 Union Street, Parcel ID Nos. 05-29-16-00000-110-0400 and 05-29-16-00000-110-0300).
 - c. Z-2-1-03
Application of American Housing Corporation through Stuart Cohen, c/o American Housing Corporation, Representative, for a Change of Zoning from R-6, Mobile Home Parks and Subdivisions to R-3, Single Family Residential on Approximately 0.145 Acre on the South Side of 109th Terrace North, 300 Feet West of 60th Street North (Parcel ID No. 17-30-16-33402-000-0750).

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- d. Z-3-1-03
Application of Alexandre and Alla Panteleer for a Change of Zoning from C-2, General Retail Commercial and Limited Services District to R4, One, Two or Three Family Residential on Approximately 0.213 Acre at the Northeast Corner of 28th Street North and 40th Avenue North (Parcel ID Nos. 02-31-16-16344-004-0050 and 02-31-16-16344-004-0060).
- e. Z-4-1-03
Application of Barron's Air Conditioning and Appliance Service, Inc. through Stephen Barron, c/o Barron's Air Conditioning and Appliance Service, Inc., Representative, for a Change of Zoning from M-2, Heavy Manufacturing and Industry to M-1, Light Manufacturing and Industry on Approximately 0.346 Acre on the South Side of Tampa Road, 888 Feet West of U. S. Alternate Highway 19 (Parcel ID No. 11-28-15-29916-000-0090).
- f. Z/LU-5-1-03
Application of Bayou Marketing Group, Inc. through Norman Cullen Jr., c/o Bayou Marketing Group, Inc., Representative, for a Change of Zoning from AE, Agricultural Estate Residential and C-2, General Retail Commercial and Limited Services District to P-1A, Limited Office and PC, Preservation Conservation and Land Use Change from Preservation to Residential/Office Limited and Preservation on Approximately 3 Acres at the Northeast Corner of U. S. Alternate Highway 19 and Blue Moon Boulevard (Parcel ID Nos. 11-28-15-32652-000-0120, 11-28-15-32652-016-0010 and 11-28-15-32652-024-0010).
- g. Z/LU-3-10-02
Application of R2 Property Co., Ltd., Inc. through Keith E. Zayac, P.E., Representative, for a Change of Zoning from R-6, Mobile Home Parks and Subdivisions to C-2, General Retail Commercial and Limited Services District, a Land Use Change from Residential Medium to Commercial General and a Developer's Agreement on Approximately 4.97 Acres on the Southeast Corner of 54th Avenue North and Haines Road (Also Known As 2500 54th Avenue North, Parcel ID No. 02-31-16-00000-110-0100).
- h. Z-1-1-03
Application of Anclote Development, Inc., through Charles M. B. Ross, Representative, for a Change of Zoning from R6, Mobile Home Parks and Subdivisions and AE, Agricultural Estate Residential to R-2, Single Family Residential on Approximately 4.2 Acres on the West Side of Jasmine Avenue and 310 Feet South of Mary Lane (Parcel ID No. 12-27-15-89982-089-0000).

CONSENT AGENDA ITEMS NOS. 1 THROUGH 16 - APPROVED

Upon presentation by Chairman Seel, Commissioner Latvala moved, seconded by Commissioner Morrioni and carried, that the Consent Agenda, consisting of items Nos. 1 through 16, be approved as follows:

1 APPROVAL OF MINUTES

Minutes of regular meeting of January 21, 2003.

2 REPORTS RECEIVED FOR FILING

- a. Juvenile Welfare Board of Pinellas County Interim Fiscal Reports (unaudited) dated December 31, 2002.
- b. Palm Harbor Community Services Agency, Inc. Financial Statements for fiscal year ending September 30, 2002, together with Independent Auditor's Report.
- c. Pinellas Park Water Management District Annual Financial Report of Units of Local Government for fiscal year 2001-02, together with Independent Auditor's Report and General Purpose Financial Statements for fiscal year ended September 30, 2002.
- d. Internal Audit Report No. 2003-02 dated January 30, 2003 - Audit of the Building Department, together with a copy of *The Audit Watch*.

3 OTHER APPROVALS

- a. General - None.
- b. Vouchers and Bills Paid
 - (1) Checks released for the period from January 13, 2003 through January 24, 2003, as follows:

Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2563
Payroll checks numbered 499669 through 500241

Imprest Fund Expenditures
Manual checks numbered 685903 through 685938
System checks numbered 666421 through 668258

Wire Transfers numbered 818 through 851

4 MISCELLANEOUS ITEMS RECEIVED

- a. Florida Public Service Commission Notice of Commission Hearing re Docket No. 020412-TP held February 6, 2003 in Tallahassee.
- b. City of Largo Public Hearing Notices of Annexation re Ordinances Nos. 2003-38 through 2003-41 held February 4, 2003.
- c. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 3 dated December 19, 2002, together with Financial Statement dated December 2002.
- d. Appraisal of McDermott Parcel, a 15.50-acre residential tract located at the end of Old East Lake Road, Pinellas County, prepared by Corson & Associates, Inc., dated October 14, 2002.

5 SUBDIVISION PLATS AND SURETIES

- a. Stonebridge Park at Boot Ranch
 1. Maintenance Bond No. 8184-15-86 released in the amount of \$87,862.43 to Turner Development Corporation, Bank of America Plaza, 901 Main Street, Suite 4900, Dallas TX 75202.
- b. Forest Lakes Boulevard Waterline Extension
 1. Maintenance Bond No. 447-405531 released in the amount of \$120,385.20 to H & H Insurance Services, Inc., 3160 Campus Drive #100, Norcross, GA 30071-1476, Attention: Shirley Coleman.
- c. Walgreens at Park Boulevard and 66th Street North
 1. Completion Bond No. 929191271 released in the amount of \$5,500.00 to David Malcolmson, President, Malcolmson Construction Co., Inc., 3350

122nd Avenue North, St. Petersburg, FL 33716-1842.

- d. Bay Vista Gardens
 - 1. Plat approved.

6 AWARD OF BIDS

- a. Bid of MTM Contractors, Inc. for ten-inch force main replacement at 118th Avenue North, two-inch galvanized water main replacement at 118th Avenue North, and stormwater intake structure at Pond "A" for Bridgeway Acres Landfill, on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure in the amount of \$387,312.00 (Bid No. 023-227-C; Projects Nos. 753-961614-1455, 653-901814-1455, and 819-809914-1398); Chairman authorized to sign agreement and Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- b. Bid of QRC, Inc. for water and reclaimed mains installation annual requirements 2003, on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure in the amount of \$1,258,690.00 (Bid No. 023-239-C; Projects Nos. 653-930014-1642, 753-753314-1643, and 763-710314-1644); Chairman authorized to sign agreement and Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- c. Bid of Cornerstone Businesses, Inc. for St. Pete Beach reclaimed water extension, on the basis of being the lowest responsive, responsible bid received meeting specifications, for an estimated total expenditure in the amount of \$595,658.00 (Bid No. 023-213-C; Project No. 733-759314-1563); Chairman authorized to sign agreement and Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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7 PAYMENT OF INSURANCE PREMIUM TO ACORDIA SOUTHEAST, INC. FOR FINAL RETROSPECTIVE ADJUSTMENT TO OWNER CONTROLLED INSURANCE PROGRAM (OCIP) FOR SOLID WASTE RETROFIT PROJECT

Payment of insurance premium to Acordia Southeast, Inc. in the amount of \$58,442.00 for the final retrospective adjustment of the OCIP for the Solid Waste Retrofit Project.

8 CHANGE ORDER NO. 2 (FINAL) TO CONTRACT WITH KLOOTE CONTRACTING, INC. FOR HYDROGEN SULFIDE WATER FEED SYSTEM (BID NO. 012-160-C; PROJECT NO. 615-239810-0017-A)

- a. Change Order No. 2 (final) decreases the contract by \$20,000.00 (total contract amount, \$231,000.00).
- b. Project completion time increased by 44 days; contract accepted as complete as of October 8, 2002.
- c. Release of retainage in the amount of \$11,550.00.

9 AUTHORIZATION FOR SUNTRUST MORTGAGE, INC. TO PROCEED WITH FORECLOSURE ACTION ON DELINQUENT FIRST MORTGAGE IN THE NAME OF PLEDGED PROPERTY II, LLC, A/K/A COMMUNITY DEVELOPMENT CASE NO. 2223

#10 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR PURSUANT TO ORDINANCE NO. 02-44 - RECEIVED FOR FILING

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Building	Interlocal Agreement with the City of Safety Harbor	Costs are recovered through chargeback to municipality.	2/3/03
Building	Interlocal Agreement with the City of St. Pete Beach	Costs are recovered through chargeback to municipality.	2/3/03
Building	Interlocal Agreement with the City of Belleair Bluffs	Costs are recovered through chargeback to municipality.	12/16/02

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Clerk of the Circuit Court	Release of Liens (Paving) – James R. and Susan E. Parnell; Thomas C. and Kimberly A. Penman, Jr.; Donald D. and Theresa A. Kersey; Carol Wexler; Release of Liens (Navigational Dredging) Helen Cliver. See attached list of names for Release of Street Lighting Liens.	All liens paid in full.	1/27/03
Clerk of the Circuit Court	Satisfaction of Judgment for Attorney Fees and Costs – Jamie L. Aronow; Rodney Arne Cooper; Robyn L. Johnson; Chrystal Terra Karr; Peggy L. Marin; Andrew Scott Meddoff; Alberto Jimenez Perez; Joseph Royal; Robert J. Sullivan; Flavio Velazquez-Hernandez; Leif Randall Yettaw	All liens paid in full.	1/15/03
Community Development	Release of Liens (Housing) – Robert Smith a/k/a Robert H. Smith and Jacqueline Smith; Donald D. Kersey; Virginia Dobbins	All liens paid in full.	2/3/03
Community Development	Satisfaction of Mortgages (Housing) – Thomas Iannone; Tammy L. Valltos; Lawrence Michael and Mary E. McClimon	All liens paid in full.	1/16/03
Economic Development	Space Alliance Technological Outreach Program Contract	\$6,000.00 annually	1/15/03
EMS and Fire Administration	Grant Application for State EMS Matching Grant	\$48,226.00	1/23/03
Heritage Village	Florida Humanities Council Grant	\$10,000.00	1/9/03
Public Works	Event and Indemnity Agreement for Florida Gulf Beaches Marathon	N/A	1/27/03
Public Works	Local Agency Program Agreement with Florida Department of Transportation Regarding 49 th Street – 7 th Avenue South to Gulfport Boulevard South Landscaping Project	No County dollars are involved.	1/24/03
Public Works	Locally Funded Agreement – Fred Marquis Pinellas Trail Northeast Extension Project	\$100,000.00	1/14/03

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Public Works	Interlocal Agreement with the City of Gulfport Regarding 49 th Street – 7 th Avenue South to Gulfport Boulevard South Landscaping Project	Maximum of \$89,492.00	1/9/03
Social Services	Agreement for Contractor Services – Mobile Medical Unit LPN	Maximum of \$50,000.00	1/27/03
Social Services	Services Agreement with Pinellas County Health Department	Approximately \$22,500.00	1/16/03
Utilities	Annual Interagency Agreement for Law Enforcement Services for Solid Waste Resource Operations Recovery Facility	\$74,157.97	1/27/03
Utilities	Temporary Construction Easement Agreement for Boca Ciega Pump Station Upgrades	N/A	10/30/02

#11 LOT CLEARING RESOLUTION

Resolution No. 03-23 assessing liens against lands cleared in Pinellas County 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.

#12 BID OF AK SPECIALTY VEHICLES FOR MOBILE MEDICAL CLINIC (BID NO. 023-218-B)

Bid of AK Specialty Vehicles for mobile medical clinic on the basis of being the only responsive, responsible bid meeting specifications, for a total expenditure not to exceed \$204,500.00.

#13 FINAL OPTION OF RENEWAL FOR LEASE AND MAINTENANCE AGREEMENT WITH ANNE L. MILLER FOR STUDIO APARTMENT AT 113 10TH AVENUE, ST. PETE BEACH (BID NO. 989-0089-B)

Final option of renewal for a one-year period beginning March 1, 2003, for total annual revenue in the amount of \$6,176.88.

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#14 DECLARATION OF CERTAIN MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS AND AUTHORIZATION FOR DONATION OF SAME TO CLEARWATER NEIGHBORHOOD HOUSING SERVICES

The County-owned equipment is set forth in the County Administrator's memorandum dated February 18, 2003.

#15 DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR SALE OF SAME

The County-owned equipment is set forth in the County Administrator's memorandum dated February 18, 2003.

#16 QUARTERLY REPORT OF CLAIM SETTLEMENTS FOR THE PERIOD FROM SEPTEMBER 1, 2002 THROUGH DECEMBER 31, 2002 - RECEIVED FOR FILING

Quarterly Report of Claim Settlements for the period from September 1, 2002 through December 31, 2002 for claims requiring the mutual consent of the County Attorney and Risk Management in the settlement area of \$25,000.00 to \$50,000.00 (total for all claims paid, \$46,991.00).

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

#18 AGREEMENT WITH URS CORPORATION SOUTHERN FOR AIRPORT AIRSIDE GENERAL ENGINEERING CONSULTING SERVICES FOR ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with URS Corporation Southern for airport airside general engineering consulting services for the St. Petersburg-Clearwater International Airport on an as-needed basis over a three-year time period with an upset limit for compensation in an amount not to exceed \$250,000.00.

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

#19 AGREEMENT WITH TAMPA BAY ENGINEERING, INC. FOR AIRPORT LANDSIDE GENERAL ENGINEERING CONSULTING SERVICES FOR ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with Tampa Bay Engineering, Inc. for airport landside general engineering consulting services for the St. Petersburg-Clearwater International Airport on an as-needed basis over a three-year time period with an upset limit for compensation in an amount not to exceed \$250,000.00.

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

#20 NON-DISTURBANCE AND CONSENT AGREEMENT AMONG PINELLAS COUNTY, SHELTAIR ST. PETERSBURG, L.L.C., AND ECKERD FLEET, INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a non-disturbance and consent agreement among Pinellas County, Sheltair St. Petersburg, L.L.C., and Eckerd Fleet, Inc.

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

In response to query by Chairman Seel, Airport Director David M. Metz explained that the agreement is a lease assignment; that all terms and conditions of the original lease stay the same; that the lease has two ten-year options of renewal remaining; and that both companies are longtime tenants in good standing.

Upon call for the vote, the motion carried unanimously.

#21 INSTALLATION OF THREE SPEED HUMPS ON RIDGE ROAD BETWEEN ORANGE STREET AND NORTH STREET RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt recommended that Item No. 21, installation of three speed humps on Ridge Road between Orange Street and North Street, be temporarily deferred to allow further review of the traffic calming issues pursuant to a request by the Ozona Village Improvement Society.

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Following discussion and input by Director of Public Works J. Keith Wicks, Commissioner Latvala moved, seconded by Commissioner Welch and carried, that Item No. 21 be temporarily deferred as recommended by the County Administrator.

#22 INSTALLATION OF TWO SPEED HUMPS ON WHISPERWOOD DRIVE BETWEEN FEATHER SOUND DRIVE AND HERON PLACE RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED

County Administrator Stephen M. Spratt recommended approval of the installation of two speed humps on Whisperwood Drive between Feather Sound Drive and Heron Place, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-297, dated October 14, 1997, and revised June 4, 2002.

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

#23 BID OF McGEEHAN CONSTRUCTION, INC. FOR FY 2002/2003 ANNUAL CONTRACT CONSTRUCTION OF UNDERDRAINS AND MINOR DRAINAGE (PID NO. 000893) (BID NO. 023-203-C); CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bid of McGeehan Construction, Inc. be accepted for FY 2002/2003 annual contract construction of underdrains and minor drainage on the basis of being the lowest responsive, responsible bid received meeting specifications, for a total expenditure in the amount of \$384,118.04; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

#24 JOINT PROJECT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR UTILITY RELOCATIONS AT S.R. 688 (ULMERTON ROAD) EAST OF OAKHURST ROAD TO EAST OF 119TH STREET (PROJECTS NOS. 653-992310-0119 AND 753-992310-0119) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the joint project agreement (JPA) with the FDOT for utility relocations at S.R. 688 (Ulmerton Road) east of Oakhurst Road to east of 119th Street for an estimated expenditure in the amount of \$2,000,000.00.

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

A discussion ensued in which suggestions were made to ensure timely dissemination of construction information to residents of the affected neighborhood; and Director of Utilities Pick Talley related that the 9,000 feet of major pipeline will cost approximately \$250.00 per foot.

Upon call for the vote, the motion carried unanimously.

#25 AGREEMENT WITH McKIM & CREED, P.A. FOR CONSULTANT SERVICES FOR WATER STORAGE TANK MODIFICATIONS (PROJECT NO. 661-106113-1609) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with McKim & Creed, P.A. for consultant services for water storage tank modifications in the amount of \$303,550.00.

Following input by Director of Utilities Pick Talley, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Administrator be approved.

#26 AGREEMENT WITH GLE/CBB ARCHITECTS FOR DESIGN PROFESSIONAL SERVICES FOR LOGAN LABORATORY ADDITIONS/RENOVATIONS (PROJECT NO. 644-041214-1526) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with GLE/CBB Architects for design professional services for Logan Laboratory Additions/Renovations in the amount of \$259,715.00.

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

- #27 AGREEMENT WITH LINDA D. HAYNES AND JARED DRIVER FOR ACQUISITION OF A PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/1800, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT, PHASE II (PID NO. 720) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of an agreement with Linda D. Haynes and Jared Driver for the acquisition of a partial taking of Parcel No. 08/30/15/70470/100/1800, improved property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, Phase II, for infrastructure improvements, with authorization for issuance of the necessary check in payment thereof.

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

- #28 NON-COMPETITIVE PURCHASE OF SYSTEM SUPPORT AND MAINTENANCE AGREEMENT WITH VERIZON, FLORIDA, INC. FOR COUNTY'S EMERGENCY 9-1-1 TELEPHONE SYSTEM (CONTRACT NO. 023-311-N) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended that the Board approve the non-competitive purchase of a system support and maintenance agreement with Verizon, Florida, Inc. for Countywide 9-1-1 emergency telephone and recording equipment for the period commencing on October 1, 2002 through September 30, 2003 for an estimated annual expenditure in the amount of \$268,281.00 (agreement renewable for three additional 12-month periods allowing for rate adjustments in the renewal periods in accordance with the Consumer Price Index [CPI], U.S. City Average, for the group entitled Other Goods and Services, not to exceed five percent annually); and further recommended that the County Administrator be authorized to renew the contract after the first twelve-month period, per County Code 2-176 (f).

Commissioner Latvala moved, seconded by Commissioner Harris, that the recommendations of the County Administrator be approved.

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Following comments by Commissioner Harris and Chairman Seel, Mr. Spratt indicated that due to the cost involved, he would evaluate alternatives to the agreement prior to future renewals.

Upon call for a vote, the motion carried unanimously.

#29 AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT DATED DECEMBER 4, 2001, WITH KIMME & ASSOCIATES, INC. FOR ARCHITECTURAL PROGRAMMING FOR THE JAIL EXPANSION PHASE 2 HEALTH CARE FACILITY - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 to the Professional Services Agreement dated December 4, 2001, with Kimme & Associates, Inc. for architectural programming for the Jail Expansion Phase 2 Health Care Facility for a fee of \$63,060.00 and \$17,700.00 for reimbursable expenses (revised not-to-exceed contract amount, \$351,565.00).

In response to query by Commissioner Latvala, Director of General Services Carl M. Barron advised that the video visitation facility was temporarily moved to facilitate construction activity; that the Sheriff's Office has found the change to be valuable in terms of security and staffing issues; and that the cost should be recoverable within the project and not have a negative impact on the \$30 million budgeted for the medical facility.

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

#30 RECREATION LICENSE AGREEMENT WITH PINELLAS NATIONAL BICYCLE LEAGUE (NBL) PARENTS COUNCIL, INC. FOR A BICYCLE MOTOCROSS (BMX) OPERATION - APPROVED FOR EXECUTION WITH AUTHORIZATION TO EXECUTE SUBSEQUENT AMENDMENT FURTHER DEFINING THE LEGAL DESCRIPTION OF THE SUBJECT PREMISES

County Administrator Stephen M. Spratt referred to a scrivener's error on page No. 11 of the agreement indicating that the property is a Class I, rather than a Class III, landfill; and recommended approval of a 15-year recreation license agreement with Pinellas National Bicycle League (NBL) Parents Council, Inc. for a bicycle motocross (BMX) operation on ten acres of vacant property with authorization to execute a subsequent agreement further defining the legal description of the premises.

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Commissioner Latvala moved, seconded by Commissioner Welch, that the recommendation of the County Administrator be approved, pending further clarification.

Following discussion and input by Director of Utilities Pick Talley, Mr. Spratt agreed to prepare a report on the value of survey work and other County expenditures related to the subject site; whereupon, following further discussion, Chairman Seel requested that Attorney Churuti reword the fiscal funding clause.

Upon call for the vote, the motion carried unanimously.

- #31 RESOLUTION NO. 03-24 ADOPTED AUTHORIZING SALE OF AIRPORT PROPERTY TO THE SCHOOL BOARD OF PINELLAS COUNTY FOR A SCHOOL; CONTRACT FOR SALE AND PURCHASE OF AIRPORT PROPERTY WITH THE SCHOOL BOARD OF PINELLAS COUNTY - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR CHAIRMAN TO EXECUTE COUNTY DEED CONVEYING SAID PROPERTY WITH WAIVER OF MINERAL RIGHTS

County Administrator Stephen M. Spratt recommended adoption of Resolution No. 03-24 authorizing sale of airport property to the School Board of Pinellas County and approval of a Contract for Sale and Purchase with the School Board of Pinellas County in the amount of \$2,400,000.00 with authorization for the Chairman to execute the County deed conveying said property with waiver of mineral rights.

Following discussion regarding exchange of the property for a parcel currently in the custody of Public Works and input from Real Estate Administrator Elyn Kadel and Airport Executive Director David M. Metz, Commissioner Todd moved, seconded by Commissioner Welch, that Resolution No. 03-24 be adopted and the contract be approved as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: Latvala.

Absent and not voting: None.

- #32a RESOLUTION NO. 03-25 ADOPTED SUPPLEMENTING FY 2003 GENERAL FUND BUDGET - (SHERIFF'S BOOT CAMP PROGRAM)

County Administrator Stephen M. Spratt recommended approval of a resolution to appropriate earmarked receipts for a particular purpose in the FY 2003 General Fund as requested by the Sheriff.

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Commissioner Morroni moved, seconded by Commissioner Welch, that Resolution No. 03-25 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#32b RESOLUTION NO. 03-26 ADOPTED SUPPLEMENTING FY 2003 GENERAL FUND BUDGET - (SHERIFF'S CONTRACT WITH THE CITY OF CLEARWATER)

County Administrator Stephen M. Spratt recommended approval of a resolution to appropriate earmarked receipts for a particular purpose in the FY 2003 General Fund as requested by the Sheriff.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 03-26 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#32c RESOLUTION NO. 03-27A ADOPTED SUPPLEMENTING FY 2003 COUNTY TRANSPORTATION TRUST FUND BUDGET (U.S. 19 WAYFINDER SIGNAGE PROJECT)

County Administrator Stephen M. Spratt recommended approval of a resolution to appropriate earmarked receipts for a particular purpose in the FY 2003 County Transportation Trust Fund.

In response to query by Chairman Seel, Director of Public Works Keith Wicks advised that the project will be completed using in-house staff; that the contingency fee is primarily for future maintenance; that all materials have been ordered and determination of sign placement is halfway to completion; and that installation will commence within two weeks.

Commissioner Morroni moved, seconded by Commissioner Latvala, that Resolution No. 03-27A be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#33 RESOLUTION NO. 03-27B ADOPTED APPROVING A HISTORIC PROPERTY TAX EXEMPTION FOR THE SEABOARD COASTLINE BUILDING IN THE CITY OF ST. PETERSBURG; AND PROVIDING AN EFFECTIVE DATE

County Administrator Stephen M. Spratt recommended adoption of a resolution approving a historic property tax exemption for the Seaboard Coastline Building located at 420 22nd Street South in the City of St. Petersburg; and providing an effective date.

Commissioner Todd moved, seconded by Commissioner Welch, that Resolution No. 03-27B be adopted as recommended.

During discussion and in response to concern voiced by Commissioner Latvala regarding loss of tax revenue, Planning Director Brian K. Smith advised that the structure meets criteria for the exemption; and that the financial impact for the property would be approximately \$70,000 over a ten-year period. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#34 THIRD AMENDMENT TO AGREEMENT TO AUDIT FINANCIAL STATEMENTS AND RECORDS OF PINELLAS COUNTY (BID NO. 001-834-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY (SOCIAL SERVICES)

County Administrator Stephen M. Spratt recommended approval of the Third Amendment to the Agreement to Audit Financial Statements and Records of Pinellas County with KPMG LLP in the amount of \$28,000.00 (revised estimated expenditure not to exceed \$331,431.00); and further recommended that the Chairman be authorized to sign the amendment after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

In response to query by Chairman Seel, Director of Social Services Evelyn Bethell advised that the actuarial report should be completed in about five weeks for presentation in May.

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

#35 GRANT AWARD FROM UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES - ACCEPTED

County Administrator Stephen M. Spratt recommended acceptance of the grant award of \$268,810.00 from the United States Department of Health and Human Services Health Resources & Services Administration (HRSA) for the Department of Social Services Mobile Medical Unit.

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

In response to query by Chairman Seel, Director of Social Services Evelyn Bethell advised that the County receives partial funding for the unit annually; and that a recently received grant for \$200,000.00 was for upgrade of the unit.

Upon call for the vote, the motion carried unanimously.

#36 OTHER ADMINISTRATIVE MATTERS - NONE

#37 COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Harris and carried, that the County Attorney be authorized to defend the County's interest in the following suits:

- a. Bank of America, National Association, etc. versus Victor Camilo Lopez, etc., et al., Circuit Civil Case No. 03-319-CI-20 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.
- b. Citifinancial Mortgage Company, Inc., etc. versus the Estate of Pearline Poinsette, Deceased, et al., Circuit Civil Case No. 03-476-CI-11 - Mortgage Foreclosure Involving a Deferred Payment Mortgage.
- c. First Nationwide Mortgage Corporation versus Wanda F.C. Wilson, et al., Circuit Civil Case No. 03-301-CI-13 - Mortgage Foreclosure Involving a State Housing Initiative Partnership Mortgage and a Low Interest Loan Mortgage Modification Agreement.

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- d. Wells Fargo Bank Minnesota National Association, etc. versus Darryl Gainer, et al., Circuit Civil Case No. 03-484-CI-7 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.
- e. Donna Cook versus Arthur Tetreault, Florida Department of Transportation, Pinellas County, and the TBE Group, Inc., a Florida Corporation, a/k/a Tampa Bay Engineering, Circuit Civil Case No. 00-004937-CI-007 – Allegations of Negligence Resulting from a Motor Vehicle Accident.
- f. Richard Dodge versus Pinellas County, Circuit Civil Case No. 03-1016-CI-7 – Allegations of Violation of Whistleblower’s Act.
- g. John Karas, a/k/a John M. Karas, a/k/a John Michael Karas versus State of Florida, et al., Circuit Civil Case No. 03-333-CI-7 – Quiet Title Action.
- h. Willie M. Lightfoot versus Sheriff Everett Rice, et al., U.S. District Court Case No. 02-CV-1818 – Allegations of Excessive Force and Denial of Medical Treatment, Due Process and Equal Protection.
- i. Estelle Scalice versus Pinellas County, Circuit Civil Case No. 02-9575-CI-8 - Allegations of Negligence Resulting in Personal Injuries.
- j. Harvey L. Seybold, Jr. versus Pinellas County, Circuit Civil Case No. 03-510-CI-7 – Quiet Title Action.
- k. Steven Blair Sullivan versus Timothy Connelly, Craig Chaisson, Ural E. Darling, Randall Speakman and Everett Rice, Case No. 8:02CV2353-T-27MAP - Allegations of Civil Rights Violation, Wrongful Arrest and Incarceration and Misidentification by Deputy Sheriffs.
- l. Naomi M. Whiting versus Eugene R. Lebrecht, Christopher N. Hale, Ural E. Darling and Everett Rice, Sheriff, Pinellas County, Case No. 8:02-CB-2330-T-30MSS – Allegations of Civil Rights Violation, Wrongful Arrest and Incarceration and Misidentification by Deputy Sheriffs.
- m. Michael T. Wilfeard and Kathleen I. Wilfeard, his wife, versus Mark T. Seymour and Patricia A. Seymour, his wife, and Pinellas County, Circuit Civil Case No. 03-178-CI-21 – Action Seeking Injunctive Relief, Mandatory Injunction against the County and Declaratory Judgment against the County.

- n. Deneen S. Wright versus Sheriff Rice, et al., Circuit Civil Case No. 02-6594-CI-20, Claim No. 01-64120 – Allegations of Injuries Due to a Vehicle Chase.

#38 COUNTY ATTORNEY AUTHORIZED TO FILE A SMALL CLAIMS ACTION ON BEHALF OF SUNSTAR AGAINST THE ESTATE OF RICHARD ARLEN COLTMAN

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Todd and carried, that the County Attorney be authorized to file a small claims action on behalf of Sunstar against the estate of Richard Arlen Coltman for unpaid ambulance bills and other services.

#39 COUNTY ATTORNEY AUTHORIZED TO INITIATE LEGAL ACTION AGAINST EXTENDICARE D/B/A/ARBORS AT ST. PETERSBURG TO RECOVER UNPAID BILLS FOR SUNSTAR SERVICES RENDERED TO THEIR RESIDENCE AT THEIR REQUEST

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to initiate legal action on behalf of Sunstar against Extendicare d/b/a Arbors at St. Petersburg to recover payment for emergency medical services.

#40 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED PINELLAS COUNTY FIREWORKS ORDINANCE

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing for June 10, 2003, regarding the proposed Pinellas County Fireworks Ordinance in accordance with requirements of Florida Statute 125.66.

Commissioner Welch moved, seconded by Commissioner Morroni, that the recommendation of the County Attorney be approved.

Following discussion and upon the Chairman's call for a vote, the motion carried unanimously.

#41 COUNTY ATTORNEY AUTHORIZED TO FILE SUIT TO SET ASIDE JUDGMENT RE BEBE D. TINDAL VERSUS RAYMOND VARNER AND T. MOZELLE VARNER, HIS WIFE, PASCO COUNTY CASE NO. 91-341CA DIVISION H

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Todd and carried, that the County Attorney be authorized to file suit to set aside, in part, a judgment in the case of Bebe D. Tindal versus Raymond Varner and T. Mozelle Varner, his wife, Pasco County Case No. 91-341CA Division H.

#42 COUNTY ATTORNEY AUTHORIZED TO FILE SUIT RE PINELLAS COUNTY VERSUS PAN AMERICAN AIRWAYS CORP.

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Harris and carried, that the County Attorney be authorized to file suit on behalf of the St. Petersburg-Clearwater Airport against Pan American Airways Corp. for collection of past-due landing fees.

#43 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION IN THE CASE OF PINELLAS COUNTY, ETC. VERSUS FANTASY IN LINGERIE, ETC.

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the County Attorney be authorized to initiate litigation in the Circuit Court of the Sixth Judicial Circuit in and for Pinellas County, Florida, in the matter of Pinellas County, etc. versus Fantasy in Lingerie, etc.

#44 LOCAL TRAVEL REIMBURSEMENTS FOR COURT ADMINISTRATION - APPROVED

County Attorney Susan H. Churuti recommended that the Board of County Commissioners pay nine local travel reimbursement requests submitted after the deadline for the month of September 2002 out of the Court Administrator's current budget.

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

#45 AUTHORIZATION GRANTED FOR SETTLEMENT OF THE SUIT RE GEORGETTE LaFALCIA AND WILLIAM LaFALCIA, HER HUSBAND, VERSUS PINELLAS COUNTY SHERIFF'S DEPARTMENT, CIRCUIT CIVIL CASE NO. 01-7477-CI-11

County Attorney Susan H. Churuti recommended that authorization be granted for settlement of the suit re Georgette LaFalcia and William LaFalcia, her husband, versus Pinellas County, Circuit Civil Case No. 01-7477-CI-11, as outlined in her confidential memorandum to the Board dated February 18, 2003.

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

#46 COUNTY ATTORNEY MISCELLANEOUS

County Attorney Susan H. Churuti advised the Board that a zero verdict was awarded on behalf of the County re a slip-and-fall case.

#47 RESOLUTION NO. 03-28 OF THE PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, DOING BUSINESS AS THE PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY, ADOPTED PERTAINING TO THE ISSUANCE OF THE PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE BONDS (PACT, INC. PROJECT), SERIES 2003, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$8,100,000.00, FOR THE PURPOSE OF MAKING A LOAN OF FUNDS TO PACT, INC. IN ORDER TO FINANCE AND REFINANCE THE COST OF THE CONSTRUCTION AND EQUIPPING OF AN EXPANSION OF A TOURISM FACILITY FOR PERFORMING ARTS, INCLUDING COSTS OF ISSUANCE OF THE BONDS, IN PINELLAS COUNTY, FLORIDA; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF AGREEMENT WITH PACT, INC.; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT TO PROVIDE SECURITY FOR SUCH BONDS; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE BETWEEN THE AUTHORITY AND THE BANK OF NEW YORK TRUST COMPANY OF FLORIDA, N.A., AS TRUSTEE; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE FOREGOING; AUTHORIZING THE CHAIRMAN OR VICE-CHAIRMAN OF THE AUTHORITY TO AWARD THE SALE OF THE BONDS TO BANC OF AMERICA SECURITIES LLC AND APPROVING THE CONDITIONS OF SUCH SALE; MAKING CERTAIN OTHER APPOINTMENTS; AND PROVIDING CERTAIN OTHER DETAILS IN CONNECTION THEREWITH - CONTINGENT UPON APPROVAL AT PUBLIC HEARING

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Pinellas County Economic Development Authority, County Administrator Stephen M. Spratt recommended adoption of an inducement resolution authorizing the issuance of the Pinellas County Industrial Development Authority Revenue Bonds (PACT, Inc. Project), Series 2003, in an amount not to exceed \$8,100,000.00; and authorizing the Memorandum of Agreement setting forth the terms and conditions of the financing.

Commissioner Todd moved, seconded by Commissioner Welch, that Resolution No. 03-28 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

* * * *

At this time, 4:25 P.M., Commissioner Welch left the meeting.

* * * *

#48 APPEAL TO REHEAR APPROVAL OF PRIVATE DOCK PERMIT APPLICATION NO. P32009-02, GIAO NGUYEN, 945 BAYSHORE BOULEVARD, SAFETY HARBOR, TAMPA BAY, - DENIED

Noting for the record that the Board is now sitting as the Water and Navigation Control Authority, County Administrator Stephen M. Spratt recommended that a petition to rehear the approval of Private Dock Permit Application No. P32009-02, Giao Nguyen, 945 Bayshore Boulevard, Safety Harbor, Tampa Bay, be denied, given the absence of new supporting information.

Commissioner Latvala moved, seconded by Commissioner Morroni, that the recommendation of the County Administrator be approved.

Following discussion and upon call for the vote, the motion carried unanimously.

#49 APPEAL TO REHEAR APPROVAL OF PRIVATE DOCK PERMIT APPLICATION NO. P31034-02/REVISED, DENNIS OR JULIE GULKIS, 941 BAYSHORE BOULEVARD, SAFETY HARBOR, TAMPA BAY - DENIED

Noting for the record that the Board is now sitting as the Water and Navigation Control Authority, County Administrator Stephen M. Spratt recommended that a motion to rehear the approval of Private Dock Permit Application No. P31034-02/Revised, Dennis or Julie Gulkis, 941 Bayshore Boulevard, Safety Harbor, Tampa Bay, be denied, given the absence of new supporting information.

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

* * * *

At this time, 4:30 P.M., Commissioner Welch returned to the meeting.

* * * *

#50 COUNTY ADMINISTRATOR RE (1) ANNEXATION PROPOSAL DRAFT AND (2) BUILDING DEPARTMENT INSPECTIONS

At the request of County Administrator Stephen M. Spratt, Chief Assistant County Attorney James L. Bennett reviewed a document regarding an Annexation Proposal Draft, dated February 17, 2003, a copy of which has been filed and made a part of the record.

Mr. Spratt provided an update regarding Building Department inspections and indicated that proactive measures are being taken to address the issue.

#51a COMMISSIONER WELCH RE INFORMATION TECHNOLOGY BOARD VISIONING SESSION

Commissioner Welch related that the Information Technology (IT) Board will be conducting an all-day Visioning Session regarding governance issues on February 20, 2003.

#51b COMMISSIONER TODD RE LEGISLATIVE ISSUES AND PRIORITIES

Commissioner Todd stated that she had attended a recent meeting of the Florida Regional Council in Tallahassee, and referring to presentations from a number of State associations, discussed various legislative issues and priorities; whereupon, she indicated that she will be distributing copies of information regarding the foregoing to the members and requested staff review of the data referenced therein.

#51c COMMISSIONER STEWART RE VARIOUS MATTERS

Commissioner Stewart presented a brief update regarding the first meeting of the Transportation Impact Fee Task Force; and commented regarding his and Commissioner Latvala's tour of the desalination plant and reservoir.

#51d COMMISSIONER LATVALA RE VARIOUS MATTERS

Commissioner Latvala presented a brief update regarding Tampa Bay Water and suggested that a workshop be held in the future; discussed the 1906 Committee and stated that a document regarding schools will be presented for the Board's consideration at the meeting of March 4, 2003; and requested that an executive session be held on February 25, 2003 regarding billboard legislation; whereupon, Attorney Churuti indicated that she will address the issue later in the meeting.

#51e COMMISSIONER HARRIS RE VARIOUS MATTERS

Commissioner Harris reminded citizens that our drinking water is safe and that it is unnecessary to pay for water testing; indicated that the Pinellas Suncoast Transit Authority (PSTA) wishes to broadcast its meetings in the future; and presented a water conservation tip regarding lawn irrigation.

#51f CHAIRMAN SEEL RE VARIOUS MATTERS

Chairman Seel presented updates regarding the Redevelopment Steering Committee and Metropolitan Planning Organization (MPO) meetings; directed staff to follow up regarding the issue of road designation; and reminded citizens that the Florida African American Heritage Celebration will be held on February 22, 2003 at Heritage Village.

* * * *

At the direction of Chairman Seel, there being no objection, the meeting was recessed at 5:33 P.M. and reconvened at 6:34 P.M.

* * * *

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PROCLAMATION DECLARING FEBRUARY 22, 2003 AS FLORIDA AFRICAN AMERICAN HERITAGE CELEBRATION EVENT DAY

Chairman Seel presented a Proclamation declaring February 22, 2003 as Florida African American Heritage Celebration Event day to Sandra Rooks, Vice President of the Pinellas County African American History Museum, Inc.

PROCLAMATION DECLARING WEEK OF FEBRUARY 23 THROUGH MARCH 1, 2003 AS TAMPA BAY EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW AWARENESS WEEK

Chairman Seel presented a Proclamation declaring the week of February 23 through March 1, 2003 as Tampa Bay Emergency Planning and Community Right-to-Know Awareness Week to Bill Lofgren, Local Emergency Planning Committee Coordinator; whereupon, he imparted an overview of the Emergency Planning and Community Right-To-Know Act (EPCRA).

YOUTH ADVISORY COUNCIL UPDATE

Aaron Connelly, Chairman, Youth Advisory Council (YAC), presented the February report including details with regard to:

- YAC decision not to support the proposed fireworks ordinance;
- explore the idea of a site for the YAC on the Board of County Commission website;
- changes to the member selection process of the YAC;
- progress report re proposed bill that will provide improved voter registration programs to Florida high school students; and
- reiteration of the Council's position to not change the mangrove height requirements.

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Alluding to the Council's decision to not support the proposed fireworks ordinance, Commissioner Welch asked that the YAC come back to the Board with suggestions on addressing the public safety issue as it relates to fireworks.

SHADOW MEETING SCHEDULED RE (1) ELLER MEDIA COMPANY AND SUNUS CORP. VERSUS PINELLAS COUNTY, SIXTH JUDICIAL CIRCUIT, CASE NO. 00-3639-CI-08 AND (2) ELLER MEDIA COMPANY AND SUNUS CORP. VERSUS PINELLAS COUNTY, MIDDLE DISTRICT OF FLORIDA, CASE NO. 8:00CV979-T-30-C

County Attorney Susan H. Churuti announced that she seeks advice concerning litigation relating to (1) Eller Media Company and Sunus Corp. versus Pinellas County, Sixth Judicial Circuit, Case No. 00-3639-CI-08 and (2) Eller Media Company and Sunus Corp. versus Pinellas County, Middle District of Florida, Case No. 8:00CV979-T-30-C; and that she has scheduled a strategy session related to billboard litigation on February 25, 2003 at a time certain of 9:00 A.M. as outlined in her announcement, a copy of which has been filed and made a part of the record.

CITIZENS TO BE HEARD

Tony Costanza, Largo, presented an economic development proposal; whereupon, Chairman Seel suggested that the concept be referred to the Convention and Visitors Bureau.

Reverend Floyd Irwin, New Port Richey, recounted various religious scriptures.

Jo-An Totty, Palm Harbor, noted the need for a children's' recreation center in downtown Palm Harbor.

John Schestag, Ozona, voiced his concerns with regard to government practices and accountability issues; whereupon, at the direction of the Chairman, County Attorney Susan H. Churuti advised of the process which had been undertaken concerning Mr. Schestag's violations of local ordinances.

David Plyer, Clearwater, asked that a citizens' review board be assembled in Pinellas County.

Cathy Corry, Clearwater, (also representing Justice For Kids), asked that a citizens' review board be implemented; whereupon, Chairman Seel directed the matter to the County Administrator for consideration to be placed on a future agenda.

Charles Wright, Palm Harbor, expressed concern with the lack of accountability and the harassment of citizens exhibited by the law enforcement community. At the direction of the Chairman, Mrs. Churuti noted the agencies that have oversight for the Sheriff's Department, and advised that the Board of County Commissioners' limited authority pertains only to the Sheriff's preliminary budget.

Debby Bolen, St. Petersburg, requested assistance with obtaining information with regard to the guardianship of her son; whereupon, the Chairman directed the matter to Assistant County Administrator D. Gay Lancaster.

* * * *

At this time, 7:29 P.M., Commissioner Todd left the meeting.

* * * *

#52 DREDGE AND FILL APPLICATION D/F-1389, BELLE HARBOR, LLC, 501 MANDALAY AVENUE, CLEARWATER, CLEARWATER HARBOR - APPROVED

Chairman Seel noted for the record that the Board is now sitting as the Water and Navigation Control Authority.

Pursuant to legal notice published in the January 3 and January 10, 2003 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Dredge and Fill Application D/F-1389, Belle Harbor, LLC, 501 Mandalay Avenue, Clearwater, Clearwater Harbor. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that no correspondence relative to the application has 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 maintenance dredge sediment from within existing slips in the yacht basin; that it will involve the removal of 1,100 cubic yards of sediment and return the slips to a depth of four feet at mean low water; that the biological report prepared by the Pinellas County Department of Environmental Management was made available to the public and has been filed and made a part of the record; and that staff recommends approval of the

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application and execution of the order based upon negative "Findings of Fact," Items 1 through 9, and affirmative "Findings of Fact," Items 12 and 14, as indicated in his memorandum of February 18, 2003, which has been filed and made a part of the record, 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.

No one appeared in response to the Chairman's call for persons wishing to be heard; whereupon, she closed the public hearing.

Commissioner Harris moved, seconded by Commissioner Welch and carried, that the application be approved with the aforementioned condition and in accordance with the "Findings of Fact."

#53 MULTI-USE DOCK APPLICATION M32160-02, BELLE HARBOR, LLC, 501 MANDALAY AVENUE, CLEARWATER, CLEARWATER HARBOR - APPROVED

Chairman Seel noted for the record that the Board is now sitting as the Water and Navigation Control Authority.

Pursuant to legal notice published in the January 3 and January 10, 2003 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Multi-use Dock Application M32160-02, Belle Harbor, LLC, 501 Mandalay Avenue, Clearwater, Clearwater Harbor. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that no correspondence relative to the application has 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 rebuild 16 existing slips and construct 49 new slips in the waters of Clearwater Harbor to be used by the residents of a 200-unit condominium; that the biological report prepared by the Pinellas County Department of Environmental Management was made available to the public and has been filed and made a part of the record; and that staff recommends approval of the application and execution of the order based upon negative "Findings of Fact," Items 1 through 9, as indicated in his memorandum of February 18, 2003, which has been filed and made a part of the record.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Harris moved, seconded by Commissioner Welch and carried, that the application be approved in accordance with the "Findings of Fact."

#54 RESOLUTION NO. 03-31 ADOPTED APPROVING ISSUANCE OF NOT TO EXCEED \$8,100,000.00 PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE BONDS (PACT, INC.), SERIES 2003, PURSUANT TO SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

Pursuant to legal notice published in the February 3, 2003 issue of the Hillsborough classified edition of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing (TEFRA) was held re consideration of the proposed issuance of not to exceed \$8,100,000.00 Pinellas County Industrial Development Authority Revenue Bonds for Ruth Eckerd Hall (PACT, INC.), Series 2003. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the hearing has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that a resolution be adopted approving the issuance of not to exceed \$8,100,000.00 revenue bonds, Series 2003, by the Industrial Development Authority, d/b/a Pinellas County Economic Development Authority (Ruth Eckerd Hall project).

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Welch moved, seconded by Commissioner Latvala, that Resolution No. 03-31 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

* * * *

At this time, 7:32 P.M., Commissioner Todd returned to the meeting.

* * * *

#55a APPLICATION OF JOSE A. PEREZ-ARCE FOR A CHANGE OF ZONING FROM R-3 TO P-1A AND A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL LOW TO RESIDENTIAL/OFFICE LIMITED (Z/LU-1-12-02) - APPROVED; RESOLUTION NO. 03-32 ADOPTED; ORDINANCE NO. 03-11 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher’s affidavit filed with the Clerk, public hearing was held on the application of Jose A. Perez-Arce for a change of zoning from R-3 to P-1A and a change in land use designation from residential low to residential/office limited, re approximately 0.142 acre on the west side of Belcher Road, 80 feet south of 14th Avenue Southeast (street address: 1424 Belcher Road) (Z/LU-1-12-02). Chief Deputy Clerk C. R. Short reported that two affidavits in favor of the application have been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the change of zoning from R-3 to P-1A and the companion land use plan amendment from residential low to residential/office limited were filed and made a part of the record.

No one appeared in response to the Chairman’s call for persons wishing to be heard.

Commissioner Harris moved, seconded by Commissioner Todd, that Resolution No. 03-32 be adopted approving the zoning application, and that Ordinance No. 03-11 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (Z/LU-1-12-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#55b APPLICATION OF CHARLES J. AND JOAN BROWN AND CHARLES W. AND PEGGY B. BEVILLE FOR A CHANGE OF ZONING FROM AE TO E-1 (Z-3-12-02) - APPROVED; RESOLUTION NO. 03-33 ADOPTED

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Charles J. and Joan Brown and Charles W. and Peggy B. Beville for a change in zoning from AE to E1, re approximately 3.53 acres on the south side of Union Street, 355 feet east of Landmark Drive (street addresses: 2965 and 2955 Union Street) (Z-3-12-02). Chief Deputy Clerk C. R. Short reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the change of zoning from AE to E-1 were filed and made a part of the record.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Todd moved, seconded by Commissioner Latvala, that Resolution No. 03-33 be adopted approving zoning application Z-3-12-02. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#55c APPLICATION OF AMERICAN HOUSING CORPORATION THROUGH STUART COHEN, C/O AMERICAN HOUSING CORPORATION, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM R-6 TO R-3 (Z-2-1-03) - APPROVED; RESOLUTION NO. 03-34 ADOPTED

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of American Housing Corporation through Stuart Cohen, c/o American Housing Corporation, for a change of zoning from R-6 to R-3, re approximately 0.145 acre on the south side of 109th Terrace North, 300 feet west of 60th

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Street North (Z-2-1-03). Chief Deputy Clerk C. R. Short reported that one letter in favor of the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the change of zoning from R-6 to R-3 were filed and made a part of the record.

Paul Cassel, Director of Development Review Services, referred to an aerial photograph of the subject area and identified surrounding land uses; and indicated that the subdivision's current mobile home zoning does not allow site-built structures; and that the applicant is seeking the zoning change in order to construct a single family home on the site. Mr. Cassel related that several of the home sites in the subdivision are located in the City of Pinellas Park; and that the City's mobile home zoning does permit site-built homes.

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

William Cawley, Pinellas Park
Mary and Gerry Maddingly, Pinellas Park

In response to query by Commissioner Morroni, Stuart Cohen, American Housing Corporation, indicated that the lot is vacant; that initially the application had been submitted to the City of Pinellas Park; and that he had not been aware that the site was located within an unincorporated area of the County.

Following discussion, Commissioner Stewart moved, seconded by Commissioner Latvala, that Resolution No. 03-34 be adopted approving zoning application Z-2-1-03. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

55d APPLICATION OF ALEXANDRE AND ALLA PANTELEER FOR A CHANGE OF ZONING FROM C-2 TO R-4 (Z-3-1-03) - APPROVED; RESOLUTION NO. 03-35 ADOPTED

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Alexandre and Alla Panteleer for a change of zoning from C-2 to R-4, re approximately 0.213 acre at the northeast corner of 28th Street North and 40th Avenue North (Z-3-1-03). Chief Deputy Clerk C. R. Short reported that one letter in opposition to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the application.

The Local Planning Agency/Examiner of Findings of Fact and Recommendation for approval of the change of zoning from C-2 to R-4 were filed and made a part of the record.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Latvala moved, seconded by Commissioner Todd, that Resolution No. 03-35 be adopted approving zoning application Z3-1-03. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#55e APPLICATION OF BARRON'S AIR CONDITIONING AND APPLIANCE SERVICE, INC., THROUGH STEPHEN BARRON, C/O BARRON'S AIR CONDITIONING AND APPLIANCE SERVICE, INC., REPRESENTATIVE, FOR A CHANGE OF ZONING FROM M-2 TO M-1 (Z-4-1-03) - APPROVED; RESOLUTION NO. 03-36 ADOPTED

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Barron's Air Conditioning and Appliance Service, Inc., through Stephen Barron, c/o Barron's Air Conditioning and Appliance Service, Inc., for a change of zoning from M-2 to M-1, re approximately 0.346 acre on the south side of Tampa Road, 888 feet west of U.S. Alternate Highway 19 (Z-4-1-03). Chief Deputy

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Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the change of zoning from M-2 to M-1 were filed and made a part of the record.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Welch moved, seconded by Commissioner Todd, that Resolution No. 03-36 be adopted approving zoning application Z4-1-03. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#55f APPLICATION OF BAYOU MARKETING GROUP, INC., THROUGH NORMAN CULLEN, JR., C/O BAYOU MARKETING GROUP, INC., FOR A CHANGE OF ZONING FROM AE AND C-2 TO P-1A AND PC, AND CHANGE IN LAND USE DESIGNATION FROM PRESERVATION TO RESIDENTIAL/OFFICE LIMITED AND PRESERVATION (Z/LU-5-1-03) - APPROVED; RESOLUTION NO. 03-37 ADOPTED; ORDINANCE NO. 03-12 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Bayou Marketing Group, Inc., through Norman Cullen, Jr., c/o Bayou Marketing Group, Inc., for a change of zoning from AE and C-2 to P-1A and PC, and a change in land use designation from preservation to residential/office limited and preservation, re approximately three acres at the northeast corner of U.S. Alternate Highway 19 and Blue Moon Boulevard (Z/LU-5-1-03). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends approval of the application.

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The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the change of zoning from AE and C-2 to P-1A and PC and the companion land use plan amendment from preservation to residential/office limited and preservation were filed and made a part of the record.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Harris moved, seconded by Commissioner Latvala, that Resolution No. 03-37 be adopted approving the zoning application, and that Ordinance No. 03-12 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (Z/LU-5-1-03). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#55g APPLICATION OF R2 PROPERTY CO., LTD., INC., THROUGH KEITH E. ZAYAC, P.E., REPRESENTATIVE, FOR A CHANGE OF ZONING FROM R-6 TO C-2, A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL MEDIUM TO COMMERCIAL GENERAL AND A DEVELOPER'S AGREEMENT (Z/LU-3-10-02) - TEMPORARILY DEFERRED TO THE MEETING OF MAY 6, 2003

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of R2 Property Co., Ltd., Inc., through Keith E. Zayac, P.E., for a change of zoning from R-6 to C-2, a change in land use designation from residential medium to commercial general and a developer's agreement, re approximately 4.97 acres on the southeast corner of 54th Avenue North and Haines Road (a.k.a: 2500 54th Avenue North) (Z/LU-3-10-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the application be continued for 30 days to the May 6, 2003 meeting.

In response to the Chairman's call for persons wishing to be heard, William L. Johnson, Clearwater, indicated that he is the applicant; and that he is seeking the continuance in order to finalize the developer's agreement.

No one else appeared in response to the Chairman's call for persons wishing to be heard; whereupon, she closed the public hearing.

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Commissioner Morroni moved, seconded by Commissioner Latvala and carried, that Case No. Z/LU-3-10-02 be temporarily deferred to the meeting of May 6, 2003.

#55h APPLICATION OF ANCLOTE DEVELOPMENT, INC., THROUGH CHARLES M. B. ROSS FOR A CHANGE OF ZONING FROM R-6 AND AE TO R-2 (Z-1-1-03) - TEMPORARILY DEFERRED FOR 60 DAYS

Pursuant to legal notice published in the February 7, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Anclote Development, Inc., through Charles M. B. Ross for a change of zoning from R-6 and AE to R-2, re approximately 4.2 acres on the west side of Jasmine Avenue and 310 feet south of Mary Lane (Z-1-1-03). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the application be continued for 60 days.

No one appeared in response to the Chairman's call for persons wishing to be heard; whereupon, she closed the public hearing.

Commissioner Latvala moved, seconded by Commissioner Harris and carried, that Case No. Z-1-1-03 be temporarily deferred for 60 days.

* * * *

Upon direction of the Chairman, there being no objection, the meeting was adjourned at 7:50 P.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk