

Clearwater, Florida, April 3, 2001

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 9:33 A.M. on this date with the following members present: Calvin D. Harris, Chairman; Barbara Sheen Todd, Vice-Chairman; Robert B. Stewart; Karen Williams Seel; Susan Latvala; John Morroni and Kenneth T. Welch.

Absent: None.

Also present: Susan H. Churuti, County Attorney; D. Gay Lancaster, Interim County Administrator; C. R. Short, Chief Deputy Clerk; and Helen Groves, Board Reporter.

Reverend Peter Dembroski, Hope Presbyterian Church, Clearwater, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Morroni.

## A G E N D A

### 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 **B** Regular Meeting Held on March 13, 2001.
2. Reports **B** None.
3. Other Approvals:
  - a. General - None.
  - b. Satisfactions of Judgments and Liens.

4. Miscellaneous Items to be Received for Filing:
  - a. City of Dunedin Resolution No. 01-08 Adopted March 8, 2001 Encouraging the County Commission to Consider Adopting and Implementing the Bicycle Lane Implementation Plan Created by the Planning Department.
  - b. City of Seminole Notice of Public Hearing to be Held March 27, 2001 Regarding Ordinance Nos. 09-2001 and 10-2001, Voluntarily Annexing Certain Properties.
  - c. Cost Allocation Plans FY2000 Prepared by Maguire Associates of Virginia, Inc. for the County of Pinellas, Florida **B** Management Information Services Departmental Cost Allocation Plan, Risk Management Departmental Cost Allocation Plan, OMB Circular A-87 Central Services Cost Allocation Plan, Central Services Full Cost Allocation Plan.

COUNTY ADMINISTRATOR

Budget and Finance

5. Budget Amendment: No. 15.

Public Works

6. Approval of Change Order No. 1 (Final) **B** Hickory Drive Wetland Restoration at 8<sup>th</sup> Avenue Southwest.
7. Approval of Subdivision Plats and Related Items **B** None.

Utilities

8. Approval of Release of Sewer, Water and Reclaimed Water Liens.

General

9. Approval of Award of Bid - Animal Food for the Animal Services Department.
10. Approval of Option of Renewal for Vending Machine Services.
11. Approval of Purchase Authorization for Plumbing Supplies.
12. Adoption of a Resolution for Assessment of Liens against Lands Cleared.

C. REGULAR AGENDA

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

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COUNTY ADMINISTRATOR

Public Works

14. Approval of Consultant Selection for Architectural/Engineering Services at Pump Station No. 393 in the Tarpon Lake Village Neighborhood Area.
15. Approval of Consultant Selection for Architectural/Engineering Services for Pump Station Nos. 54, 63, 66, 68 and Indian Rocks Beach Pump Station.
16. Approval of Consultant Selection for Architectural/Engineering Services for the Reclaimed Water Distribution System for Severs Landing, Oak Trail, Allens Ridge, Patty Ann Acres, Pipers Meadow and Arbor Glen Subdivisions.

Utilities

17. Approval of Construction and Operating Agreements with Synagro for the Sludge Pelletization Project.
18. Approval of Authorization to Submit a Proposal to Purchase Property in the St. Petersburg Industrial Business Park B Sod Farm.

General

19. Approval of Recommendation to Declare Surplus and Authorize the Sale of County Owned Vehicles, Heavy Equipment and Related Parts and Approval of Authorization to Sell Three Surplus Trucks to Gilchrist County.
20. Approval of Amendment to the Agreement for Fire System Inspection/Repair with Piper Fire Protection, Inc.
21. Approval of Non-Competitive Contract for Repairs and Preventative Maintenance Service for Trane Air Conditioning Units.
22. Approval of Contract Amendment and Option of Renewal for Security Monitoring Services with Sonitrol of Clearwater.
23. Approval of Final Acceptance for the Construction of Reinforcement of the Radio Equipment Buildings at the Toytown and Highway Radio Sites and Approval of Release of Retainage.
24. Approval of Property Exchange by and between Pinellas County and the State of Florida Department of Transportation.
25. Approval of Recommendation of Appointment of the Pinellas County Park Department Director.

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26. Approval of Recommendation of Appointment of Mark S. Woodard to Assistant County Administrator.
27. Adoption of a Resolution Supplementing the FY2001 General Fund Budget **B** Mobile Home Tie-Down Program.
28. Adoption of a Resolution Supplementing the FY2001 General Fund Budget **B** Sheriff's Law Enforcement Trust Fund.
29. Adoption of a Resolution Supplementing the FY2001 General Fund Budget as Requested by the Sheriff - Residential Substance Abuse Treatment for State Prisoners Grant.
30. Adoption of a Resolution Supplementing the FY2001 General Fund Budget as Requested by the Sixth Judicial Court.
31. Other Administrative Matters.

CLERK OF CIRCUIT COURT

32. Approval of Vouchers and Bills:
  - a. Weekly Vouchers and Bills.
  - b. Requisition of Payment and Certificate to the Solid Waste Disposal and Resource Recovery System Construction Trust Account:
    1. Payment Order No. C-0230 in the Amount of \$4,500.00 to Menke Associates, Inc.

COUNTY ATTORNEY

33. Authority for County Attorney to Defend:
  - a. Midfirst Bank v. Sandra K. Barberio etc., et al **B** Circuit Civil Case No. 01-2351-CI-11 - Mortgage Foreclosure Involving a Welfare Lien.
34. Authority to Opt Out of Class Action, Bentley v. City of Tallahassee - Case No. 98-7107, - Circuit Court of the Second Judicial Circuit in and for Leon County, Florida.
35. Approval of Special Counsel Contract with Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A. **B** Revised Exhibit AA@
36. Consideration of Satisfaction of Pinellas County's Health Care Lien Against Annette Ann Luescher.
37. Miscellaneous.

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COUNTYWIDE PLANNING AUTHORITY

38. Receipt and File Pinellas Planning Council Resolution No. 01-3 Regarding Position Statement in Response to Growth Management Study Commission Report.
39. Involuntary Annexation Report No. 01-1 B Determination of Compliance, City of Dunedin.

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.

COUNTYWIDE PLANNING AUTHORITY

Consideration of the Following Proposals to Amend the Adopted Countywide Future Land Use Plan:

COUNTYWIDE RULES AMENDMENT

40. a. PPC Resolution No. 01-2  
Proposed Amendment to the Countywide Rules Providing for Revised Definitions for a Transient Accommodation Use and Related Uses.

SUBTHRESHOLD AMENDMENTS

41. a. Case #CW 01-11 B Pinellas Park  
Location B 2.24 Acres Located on the East Side of U.S. Highway 19 North, 218 Feet South of 126<sup>th</sup> Avenue North. Amendment from Commercial General to Industrial Limited.

REGULAR AMENDMENTS

42. a. Case #CW 00-51 B Clearwater  
Location B 0.56 Acre Located on the Southeast Corner of McMullen-Booth Road and Bay Lane.  
Amendment from Residential Urban to Residential/Office Limited.
- b. Case #CW 01-10 B Pinellas County  
Location B 0.66 Acre Located on the West Side of 21<sup>st</sup> Street, 617 Feet North of Nebraska Avenue. Amendment from Residential Low to Institutional.

SCHEDULED PUBLIC HEARINGS - BCC

43. Proposed Ordinance Amending Various Sections of the County Code Relating to Air Quality Regulation.

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44. Tentative (First) Assessment Roll for Dredging Improvements to the Channel between Sea Horse Mobile Home Park and Parque Narvaez Second Addition.

D. COUNTY ADMINISTRATOR REPORTS

45. Update on Water Issues.

E. COUNTY COMMISSION

46. Miscellaneous.

ADJOURNMENT

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PROCLAMATION RECOGNIZING APRIL 2001 AS FAIR HOUSING MONTH

Director of Human Rights Leon W. Russell introduced members of the Pinellas County Fair Housing Partnership; whereupon, Chairman Harris presented a Proclamation recognizing April 2001 as Fair Housing Month to Andy Madison, U. S. Department of Housing and Urban Development.

PROCLAMATION RECOGNIZING APRIL 2001 AS CHILD ABUSE PREVENTION MONTH

Chairman Harris presented a Proclamation recognizing April 2001 as Child Abuse Prevention Month to Janet Goree, Abuse, Neglect and Dependency Committee, Juvenile Welfare Board.

ANNUAL REPORT OF THE OFFICE OF THE MEDICAL EXAMINER

Medical Examiner Jon R. Thogmartin presented the Annual Report for Year 2000 for the Medical Examiner's Office, which includes the Forensic Laboratory Annual Report, a copy of which has been filed and made a part of the record. He displayed tables and graphs comparing District 6 data for the years 1995 through 2000 and identified trends in

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deaths due to drugs, traffic and homicide.

In response to queries by the members, Dr. Thogmartin indicated that white males in their 30s to early 40s account for a large majority of the drug overdose deaths; and that the Medical Examiner's Office accepts jurisdiction in unnatural deaths and natural deaths unattended by a physician and performed 798 or approximately 10 percent of the autopsies in Pinellas County in 2000.

Forensic Laboratory Director Reta Newman presented the Forensic Laboratory Annual Report for the Year 2000, and noted that the laboratory performs the analysis of suspected controlled substances and of fire debris for any law enforcement agency operating in Pinellas County and provides an extensive training program.

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At this time, 10:02 A.M., Commissioner Seel left the meeting.

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CITIZENS TO BE HEARD - NONE

No one appeared in response to Chairman Harris' call for persons wishing to speak under agenda item, A Citizens to be Heard. @

CONSENT AGENDA ITEMS NOS. 1 THROUGH 12 - APPROVED

Upon presentation by Chairman Harris, Commissioner Todd moved, seconded by Commissioner Latvala and carried, that the Consent Agenda, consisting of Items Nos. 1 through 12, be approved as follows:

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# 1 APPROVAL OF MINUTES

Minutes of regular meeting of March 13, 2001.

# 2 REPORTS RECEIVED FOR FILING - NONE

# 3 OTHER APPROVALS

a. General - None

b. Satisfactions of Judgements and Liens

(1) Satisfactions of various judgements for attorney fees and costs which have been paid in full.

# 4 MISCELLANEOUS ITEMS RECEIVED

a. City of Dunedin Resolution No. 01-08, adopted March 8, 2001, encouraging the County Commission to consider adopting and implementing the Bicycle Lane Implementation Plan created by the Planning Department.

b. City of Seminole Notice of Public Hearing to be held March 27, 2001 regarding Ordinances Nos. 09-2001 and 10-2001, voluntarily annexing certain properties.

c. Cost Allocation Plans FY2000, prepared by Maguire Associates of Virginia, Inc. for County of Pinellas, Florida:

1. Management Information Services
2. Risk Management
3. OMB Circular A-87 Central Services
4. Central Services

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# 5 BUDGET AMENDMENT NO. 15

A copy of Budget Amendment No. 15 was filed and made a part of the minutes.

# 6 CHANGE ORDER NO. 1 (FINAL) WITH CLARK HUNT CONSTRUCTION, INC. FOR CONTRACT NO. 922267 FOR HICKORY DRIVE WETLAND RESTORATION AT 8TH AVENUE SOUTHWEST (BID NO. 990-0796-C)

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- a. Change Order No. 1 (Final) decreases the contract by \$632.56 (final total contract, \$305,581.44).
- b. Contract accepted as complete as of January 19, 2001.
- c. Authorization for the Chairman to sign and the Clerk to attest.

# 7 SUBDIVISION PLATS AND RELATED ITEMS - NONE

# 8 RELEASES OF SEWER, WATER AND/OR RECLAIMED WATER LIENS

Releases of liens for delinquent sewer, water and/or reclaimed water charges which have been paid in full re properties identified on documents attached to the agenda memorandum dated April 3, 2001, copies of which have been filed and made a part of the record.

# 9 BID OF JIM DANDY FEED & SUPPLY FOR ANIMAL FOOD (DOG, CAT, PUPPY), ANIMAL SERVICES DEPARTMENT (BID NO. 001-0324-B)

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Bid is for a total estimated expenditure not to exceed \$34,915.00 for 24-month period (24-month contract with two 12-month options of renewal at the same price, terms and conditions, subject to approval by County Administrator and availability of funds).

#10 OPTIONS OF RENEWAL WITH PEPSI-COLA SOUTH AND TOM-S FOODS, INC. FOR VENDING MACHINE SERVICES (BID NO. 967-0243-B)

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Options of renewal, effective May 1, 2001, are exercised for an additional 12 months at the same unit prices, terms and conditions for an annual estimated revenue in the amount of \$32,000.00 (final options of renewal); Chairman authorized to sign agreements after proper execution by the contractors and written approval as to form by the Office of the County Attorney.

#11 AUTHORIZATION TO PURCHASE PLUMBING SUPPLIES FROM WARNER PLUMBING SUPPLY (CATEGORIES 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, 13, 14, 17, 18) AND SOUTHERN SUPPLY OF PINELLAS (CATEGORIES 5, 11, 15, 16) PER PINELLAS COUNTY SCHOOL BOARD BID NO. 01-670-606-RN (BID NO. 001-0617-B)

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Bid was awarded by categories on March 13, 2001, effective through March 23, 2003 and subject purchase is for an annual estimated expenditure not to exceed \$150,000.00.

#12 LOT CLEARING RESOLUTION

Resolution No. 01-57 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.

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

#14 HDR ENGINEERING, INC. SELECTED TO PROVIDE ARCHITECTURAL/ENGINEERING SERVICES FOR PUMP STATION 393 - APPROVED; STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

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Interim County Administrator D. Gay Lancaster recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide architectural/engineering services for Pump Station 393 as follows:

1. HDR Engineering, Inc.
2. Reynolds, Smith and Hills, Inc.
3. Cumbey & Fair, Inc.

She further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, HDR Engineering, Inc., and to finalize a contract with said firm for Board approval.

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

#15 HDR ENGINEERING, INC. SELECTED TO PROVIDE ARCHITECTURAL/ENGINEERING SERVICES FOR PUMP STATIONS NOS. 54, 63, 66, 68 AND INDIAN ROCKS BEACH - APPROVED; STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

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Interim County Administrator D. Gay Lancaster recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide

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architectural/engineering services for Pump Stations Nos. 54, 63, 66, 68 and Indian Rocks Beach as follows:

1. HDR Engineering, Inc.
2. Chastain Skillman, Inc.
3. McKim & Creed

She further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, HDR Engineering, Inc., and to finalize a contract with said firm for Board approval.

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

#16 URS CORPORATION SOUTHERN SELECTED TO PROVIDE ARCHITECTURAL/ENGINEERING SERVICES FOR RECLAIMED WATER DISTRIBUTION SYSTEMS FOR SEVERS LANDING AND OAK TRAIL, ALLENS RIDGE AND PATTY ANN ACRES, AND PIPERS MEADOW AND ARBOR GLEN - APPROVED; STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

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Interim County Administrator D. Gay Lancaster recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide architectural/engineering services for reclaimed water distribution systems for Severs Landing and Oak Trail, Allens Ridge and Patty Ann Acres, and Pipers Meadow and Arbor Glen as

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follows:

1. URS Corporation Southern
2. Cumbey & Fair, Inc.
3. King Engineering Associates, Inc.

She further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, URS Corporation Southern, and to finalize a contract with said firm for Board approval.

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

#17 CONSTRUCTION AND SERVICE (OPERATING) AGREEMENTS WITH SYNAGRO-WWT, INC. FOR SLUDGE PELLETIZATION PROJECT AT SOUTH CROSS BAYOU WATER RECLAMATION FACILITY (PROJECT NO.: 710-609016-0771) - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of construction and operating agreements with Synagro-WWT, Inc. authorizing construction of the sludge pelletization project at the South Cross Bayou Water Reclamation Facility at a capital cost of \$9,984,000.00 and adoption of the operating agreement for a ten-year period with two optional five-year extensions at an annual cost not to exceed \$2,070,630.00.

In response to query by Commissioner Stewart, Utilities Director Pick Talley indicated that various forms of conservation and recycling will be featured on the site and the public will be encouraged to tour the facility to see how the sludge is recycled into an ecological material.

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

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At this time, 10:06 A.M., Commissioner Seel returned to the meeting.

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#18 AUTHORIZATION GRANTED FOR SUBMISSION OF PROPOSAL TO CITY OF ST. PETERSBURG FOR PURCHASE OF PROPERTY IN ST. PETERSBURG INDUSTRIAL BUSINESS PARK (SOD FARM) AND FOR PAYMENT OF APPLICATION FEE

Interim County Administrator D. Gay Lancaster recommended that authorization be granted for the submission of a proposal to the City of St. Petersburg for the purchase of property in the St. Petersburg Industrial Business Park (Sod Farm) and for payment of the application fee in the amount of \$500.00.

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

#19 DECLARATION OF COUNTY-OWNED VEHICLES, HEAVY EQUIPMENT AND RELATED PARTS AS SURPLUS - APPROVED WITH AUTHORIZATION FOR DISPOSAL OF SAME AT PUBLIC AUCTION CONDUCTED BY TAMPA MACHINERY AUCTION, INC. AND FOR DISTRIBUTION OF PROCEEDS FROM SALE OF SURPLUS VEHICLES TO FLEET INTERNAL SERVICE FUND (BID NO. 967-0578-P); AUTHORIZATION GRANTED FOR SALE OF TRUCKS, ASSET NOS. 61594, 61472 AND 61475, TO GILCHRIST COUNTY

—

Interim County Administrator D. Gay Lancaster recommended that certain miscellaneous County-owned vehicles, heavy equipment and related parts as set forth in the attachment to her memorandum of April 3, 2001, a copy of which has been filed and made a part of the record, be declared surplus; and that authorization be granted for the sale of said

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items through public auction conducted by Tampa Machinery Auction, Inc. in accordance with the provisions of an existing contract approved by the Board and for the distribution of the proceeds from the sale of surplus vehicles to the Fleet Internal Service Fund; and further recommended that authorization be granted for the sale of trucks, Asset Nos. 61594, 61472 and 61475, from the said list of surplus vehicles to Gilchrist County for the sum of \$18,300.00.

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

- #20 AMENDMENT TO AGREEMENT WITH PIPER FIRE PROTECTION, INC. FOR FIRE SYSTEM INSPECTION/REPAIR, 2000-2002 (BID NO. 990-0667-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF COUNTY ATTORNEY

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Interim County Administrator D. Gay Lancaster recommended approval of an amendment to the agreement with Piper Fire Protection, Inc. for fire system inspection/repair, 2000-2002, increasing the contract by \$21,855.00, for a new annual estimated expenditure not to exceed \$65,675.00; 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 Todd moved, seconded by Commissioner Latvala and carried, that the recommendations of the Interim County Administrator be approved.

- #21 NONCOMPETITIVE CONTRACT WITH TAMPA BAY TRANE FOR REPAIRS AND PREVENTATIVE MAINTENANCE SERVICE FOR TRANE AIR CONDITIONING UNITS (BID NO. 001-0610-N) - APPROVED

—

Interim County Administrator D. Gay Lancaster recommended approval of a

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noncompetitive contract with Tampa Bay Trane for a 12-month period with two optional

12-month extensions for repairs and preventative maintenance service for Trane air conditioning units at an estimated annual expenditure not to exceed \$100,000.00.

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

#22 AMENDMENT AND OPTION OF RENEWAL TO AGREEMENT WITH SONITROL OF CLEARWATER FOR SECURITY MONITORING SERVICES (BID NO. 990-0733-N) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY OFFICE OF COUNTY ATTORNEY; FUTURE RENEWALS OF AGREEMENT TO BE APPROVED BY COUNTY ADMINISTRATOR PER COUNTY CODE

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Interim County Administrator D. Gay Lancaster recommended approval of an amendment and option of renewal to the 12-month contract with Sonitrol of Clearwater, effective April 28, 2001 through April 27, 2002 (first of two 12-month options of renewal) for security monitoring services for various Pinellas County departments at an annual estimated expenditure not to exceed \$25,000.00; 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; and that future renewals of the agreement be approved by the County Administrator per County Code.

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

#23 CONTRACT WITH MPJ MILLER CONSTRUCTION, INC. FOR REINFORCEMENT OF RADIO EQUIPMENT BUILDINGS AT THE TOYTOWN AND HIGHWAY RADIO SITES (BID. NO. 990-0223-C) ACCEPTED AS COMPLETE; AUTHORIZATION GRANTED FOR RELEASE OF RETAINAGE MONIES

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Interim County Administrator D. Gay Lancaster recommended that the contract with MPJ Miller Construction, Inc. for the construction of the reinforcement of radio equipment buildings at the Toytown and Highway radio sites be accepted as complete as of March 12, 2001; and that the retainage monies in the amount of \$15,830.00 be released to the aforesaid firm.

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

#24 (1) MEMORANDUM OF AGREEMENT WITH STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR EXCHANGE OF PROPERTY AND (2) COUNTY DEED - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of (1) Memorandum of Agreement with the State of Florida Department of Transportation (FDOT) for the exchange of property and (2) a County Deed necessary for the exchange.

In response to query by Commissioner Seel, Real Estate Manager Ellyn Kadel identified the property on aerial maps and related that the County owns the Showboat site; whereupon, in response to queries by Commissioner Stewart, Airport Director David Metz indicated that the development project planned for the site will include a small hotel, a gas station and a restaurant; and that the exchange of properties will allow the developer to move forward with the project.

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

#25 CONFIRMATION OF APPOINTMENT OF ELIZABETH A. WARREN TO POSITION OF PARK DIRECTOR - APPROVED

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Pursuant to recommendation by Interim County Administrator D. Gay Lancaster, Commissioner Todd moved, seconded by Commissioner Morroni and carried, that confirmation of the appointment of Elizabeth A. Warren to the position of Park Director at an annual salary of \$90,620.00, effective April 22, 2001, be approved; whereupon, Assistant County Administrator Jacob F. Stowers introduced Ms. Warren.

#26 APPOINTMENT OF MARK S. WOODARD TO POSITION OF ASSISTANT COUNTY ADMINISTRATOR FOR MANAGEMENT AND BUDGET - APPROVED

Pursuant to recommendation by Interim County Administrator D. Gay Lancaster, Commissioner Latvala moved, seconded by Commissioner Todd and carried, that the appointment of Mark S. Woodard to the position of Assistant County Administrator for Management and Budget at an annual salary of \$104,159.00, effective April 22, 2001, be approved.

#27 RESOLUTION NO. 01-58 ADOPTED SUPPLEMENTING FY01 GENERAL FUND BUDGET (MANUFACTURED HOME TIE-DOWN PROGRAM)

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Interim County Administrator D. Gay Lancaster recommended adoption of a resolution supplementing the FY01 General Fund Budget to appropriate earmarked receipts (Florida Department of Community Affairs grant) for a particular purpose in the FY01 General Fund.

Commissioner Latvala moved, seconded by Commissioner Seel, that Resolution No. 01- 58 be adopted as recommended by the Interim County Administrator.

Upon roll call, the vote was:

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

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Nays: None.

Absent and not voting: None.

#28 RESOLUTION NO. 01-59 ADOPTED SUPPLEMENTING THE FY01 GENERAL FUND BUDGET (SHERIFF-S LAW ENFORCEMENT TRUST FUND)

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Interim County Administrator D. Gay Lancaster recommended adoption of a resolution to appropriate earmarked receipts for a particular purpose in the FY01 General Fund Budget as requested by the Sheriff.

Commissioner Todd moved, seconded by Commissioner Latvala, that Resolution No. 01-59 be adopted as recommended by the Interim County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#29 RESOLUTION NO. 01-60 ADOPTED SUPPLEMENTING THE FY01 GENERAL FUND BUDGET (SHERIFF-S RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS GRANT)

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Interim County Administrator D. Gay Lancaster recommended adoption of a resolution to appropriate earmarked receipts for a particular purpose in the FY01 General Fund Budget as requested by the Sheriff.

Commissioner Todd moved, seconded by Commissioner Welch, that Resolution No. 01-60 be adopted as recommended by the Interim County Administrator. Upon roll call, the vote was:

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

Nays: None.

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Absent and not voting: None.

#30 RESOLUTION NO. 01-61 ADOPTED SUPPLEMENTING THE FY01 GENERAL FUND BUDGET (JUDICIARY)

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Interim County Administrator D. Gay Lancaster recommended adoption of a resolution to appropriate earmarked receipts for a particular purpose in the FY01 General Fund Budget as requested by the Judiciary.

Commissioner Todd moved, seconded by Commissioner Latvala, that Resolution No. 01-61 be adopted as recommended by the Interim County Administrator.

Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#31 OTHER ADMINISTRATIVE MATTERS - NONE

Interim County Administrator D. Gay Lancaster indicated that she has no items to be presented this date under Other Administrative Matters.®

#32a VOUCHERS APPROVED FOR PERIOD OF MARCH 26, 2001 THROUGH MARCH 30, 2001

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Chief Deputy Clerk C. R. Short recommended approval of vouchers for the period of March 26, 2001 through March 30, 2001 as follows:

Payroll Journal Expenditures

Payroll Journal pages numbered 1 through 2579

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Payroll checks numbered 468723 through 469428

Imprest Fund Expenditures

Manual checks numbered 539872 through 539897

System checks numbered 571501 through 572477

Commissioner Latvala moved, seconded by Commissioner Todd and carried that the recommendation of the Chief Deputy Clerk be approved.

#32b REQUISITION OF PAYMENT AND CERTIFICATE APPROVED FOR FORWARDING TO TRUSTEE RE GOODS AND SERVICES FOR SOLID WASTE RESOURCE RECOVERY FACILITY

—

Chief Deputy Clerk C. R. Short recommended that Requisition of Payment and Certificate for Payment Order No. C-0230 in the amount of \$4,500.00 re goods and services for the Solid Waste Resource Recovery Facility be approved for forwarding to Trustee.

Commissioner Latvala moved, seconded by Commissioner Todd and carried, that the recommendation of the Chief Deputy Clerk be approved.

#33a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE MIDFIRST BANK VERSUS SANDRA K. BARBERIO ETC., ET AL, CIRCUIT CIVIL CASE NO. 01-2531-CI-11 - MORTGAGE FORECLOSURE INVOLVING A WELFARE LIEN

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the County Attorney be authorized to defend the County's interest in the suit re Midfirst Bank versus Sandra K. Barberio etc., et al, Circuit Civil Case No. 01-2531-CI-11 - Mortgage Foreclosure Involving

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a Welfare Lien.

#34 COUNTY ATTORNEY AUTHORIZED TO OPT OUT OF CLASS ACTION, BENTLEY VERSUS CITY OF TALLAHASSEE, CASE NO. 98-7107, CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT IN AND FOR LEON COUNTY, FLORIDA; CHAIRMAN AUTHORIZED TO EXECUTE REQUEST FOR EXCLUSION FROM SETTLEMENT CLASS IN ABOVE REFERENCED CASE

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Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morroni moved, seconded by Commissioner Seel, that the County Attorney be authorized to opt out of the class action, Bentley versus City of Tallahassee, Case No. 98-7107, Circuit Court of the Second Judicial Circuit in and for Leon County, Florida; and that the Chairman be authorized to execute a Request for Exclusion From Settlement Class in the above referenced case.

In accordance with the provisions of the Standards of Conduct Law, Commissioner Welch submitted a Memorandum of Voting Conflict, which has been filed and made a part of the record.

Upon call for the vote, the motion carried 6 to 0, with Commissioner Welch abstaining.

#35 REVISED EXHIBIT "A" TO SPECIAL COUNSEL CONTRACT WITH CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P.A. FOR LEGAL SERVICES RELATING TO THE CRIMINAL COURT FACILITY EXPANSION PROJECT - APPROVED

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County Attorney Susan H. Churuti recommended approval of revised Exhibit "A" to the Special Counsel Contract with Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A. for legal services relating to the Criminal Court Facility Expansion Project.

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

#36 SETTLEMENT OFFER RE SATISFACTION OF PINELLAS COUNTY'S HEALTH CARE LIEN AGAINST ANNETTE ANN LUESCHER - APPROVED

County Attorney Susan H. Churuti recommended approval of a settlement offer re satisfaction of Pinellas County's Health Care Lien against Annette Ann Luescher, as outlined in her memorandum to the Board dated April 3, 2001.

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

#37 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#38 PINELLAS PLANNING COUNCIL (PPC) RESOLUTION NO. 01-3 REGARDING POSITION STATEMENT IN RESPONSE TO FLORIDA GROWTH MANAGEMENT STUDY COMMISSION REPORT - RECEIVED FOR FILING

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Noting for the record that the Board is now sitting as the Countywide Planning Authority, Interim County Administrator D. Gay Lancaster recommended that Pinellas Planning Council Resolution No. 01-3 regarding the position statement in response to the Florida Growth Management Study Commission Report be received for filing.

Commissioner Todd moved, seconded by Commissioner Latvala and carried,

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that the recommendation of the Interim County Administrator be approved.

In response to a request by Commissioner Stewart, Pinellas Planning Council Executive Director David P. Healey reviewed the Resolution and the accompanying position statement, copies of which have been filed and made a part of the record.

Responding to query by Commissioner Todd, Interim County Administrator D. Gay Lancaster stated that staff has not had sufficient time to fully consider the proposal before recommending a specific action and therefore recommends receipt and file of the documents as the appropriate Board action at the present time.

Assistant County Administrator Jacob F. Stowers, III, indicated that staff would prefer to somewhat enhance some of the issues in the document; and that a workshop will be scheduled to address this matter. Following additional discussion, Interim County Administrator D. Gay Lancaster indicated that the matter will be revisited for final Board discussion at the meeting of April 10, 2001.

#39 AGENDA ITEM "INVOLUNTARY ANNEXATION REPORT NO. 01-1, DETERMINATION OF COMPLIANCE, CITY OF DUNEDIN" - TEMPORARILY DEFERRED TO MEETING OF APRIL 10, 2001

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Noting for the record that the Board is now sitting as the Countywide Planning Authority, Interim County Administrator D. Gay Lancaster referred to agenda item No. 39, "Involuntary Annexation Report No. 01-1, Determination of Compliance, City of Dunedin," submitted by the Pinellas Planning Council and recommended that the item be temporarily deferred to the meeting of April 10, 2001.

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

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#40 ORDINANCE NO. 01-16 ADOPTED AMENDING RULES CONCERNING THE ADMINISTRATION OF THE COUNTYWIDE FUTURE LAND USE PLAN PROVIDING FOR REVISED DEFINITIONS FOR TRANSIENT ACCOMMODATION USE AND RELATED ISSUES

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Chairman Harris noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 10 and March 24, 2001 issues of the Pinellas edition of The Tampa Tribune and the March 12 and March 28, 2001 issues of the St. Petersburg Times as evidenced by publishers' affidavits filed with the Clerk, public hearing was held on a proposed ordinance amending the Rules concerning the administration of the Countywide Future Land Use Plan providing for revised definitions for transient accommodation use and related issues, as set forth in Exhibit III attached to the agenda memorandum, a copy of which has been filed and made a part of the record. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Authority to be heard.

Interim County Administrator D. Gay Lancaster stated that staff recommends approval of the proposed ordinance.

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

Following discussion and input by Pinellas Planning Council Executive Director David P. Healey, Commissioner Stewart moved, seconded by Commissioner Todd, that Ordinance No. 01-16 be adopted as recommended by the Interim County Administrator.

Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#41 CASE #CW 01-11, PROPOSAL BY CITY OF PINELLAS PARK TO AMEND LAND USE DESIGNATION ON COUNTYWIDE FUTURE LAND USE PLAN FROM COMMERCIAL GENERAL TO INDUSTRIAL LIMITED (SUBTHRESHOLD AMENDMENT) - APPROVED; ORDINANCE NO. 01-17 ADOPTED

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Chairman Harris noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 3, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 01-11, a proposal by the City of Pinellas Park to amend the land use designation on the Countywide Future Land Use Plan from commercial general to industrial limited, re 2.24 acres located on the east side of U.S. Highway 19 North, 218 feet south of 126th Avenue North (subthreshold amendment). 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 Authority to be heard.

Interim County Administrator D. Gay Lancaster stated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation.

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

Commissioner Todd moved, seconded by Commissioner Latvala, that Ordinance No. 01-17 approving Case #CW 01-11 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#42a CASE #CW 00-51, PROPOSAL BY CITY OF CLEARWATER TO AMEND LAND USE DESIGNATION ON COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE LIMITED (REGULAR AMENDMENT) - TEMPORARILY DEFERRED TO MEETING OF JUNE 5, 2001

Chairman Harris noted for the record that the Board is now sitting as the Countywide Planning Authority.

Pursuant to legal notice published in the March 3, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 00-51, a proposal by the City of Clearwater to amend the land use designation on the Countywide Future Land Use Plan from residential urban to residential/office limited, re .56 acre located on the southeast corner of McMullen Booth Road and Bay Lane (regular amendment). 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 Authority to be heard.

Interim County Administrator D. Gay Lancaster related that the Pinellas Planning Council (PPC) recommends the case be temporarily deferred to the Board meeting to be held on June 5, 2001; and that staff concurs with the PPC recommendation.

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

Commissioner Stewart moved, seconded by Commissioner Welch and carried, that Case #CW 00-51 be temporarily deferred to the meeting of June 5, 2001.

#42b CASE #CW 01-10, PROPOSAL BY PINELLAS COUNTY TO AMEND LAND USE DESIGNATION ON COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL LOW TO INSTITUTIONAL (REGULAR AMENDMENT) - APPROVED; ORDINANCE NO. 01-18 ADOPTED

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Chairman Harris noted for the record that the Board is now sitting as the

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Countywide Planning Authority.

Pursuant to legal notice published in the March 3, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Case #CW 01-10, a proposal by Pinellas County to amend the land use designation on the Countywide Future Land Use Plan from residential low to institutional, re .66 acre located on the west side of 21st Street, 617 feet north of Nebraska Avenue (regular amendment). 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 Authority to be heard.

Interim County Administrator D. Gay Lancaster stated that the Pinellas Planning Council (PPC) recommends approval of the proposal; and that staff concurs with the PPC recommendation.

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

Commissioner Morroni moved, seconded by Commissioner Seel, that Ordinance No. 01-18 approving Case #CW 01-10 be adopted. Responding to query by Commissioner Seel, Commissioner Morroni confirmed that his motion included the specific PPC recommendations regarding buffering and landscaping on a scenic corridor. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#43 **ORDINANCE NO. 01-19 ADOPTED PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY REVISING VARIOUS SECTIONS CONTAINED IN CHAPTER 58 AND RELATING TO AIR QUALITY REGULATION, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR INCLUSION IN THE CODE**

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Pursuant to legal notice published in the March 16, 2001 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance providing that the Pinellas County Code be amended by revising various sections contained in Chapter 58 and relating to air quality regulation, providing for severability, providing for an effective date and providing for inclusion in the Code. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

Interim County Administrator D. Gay Lancaster stated that staff recommends approval of the proposed Ordinance.

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

Commissioner Todd moved, seconded by Commissioner Latvala, that Ordinance No. 01-19 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#44 PUBLIC HEARING HELD RE TENTATIVE (FIRST) ASSESSMENT ROLL FOR DREDGING IMPROVEMENTS TO THE CHANNEL BETWEEN SEA HORSE MOBILE HOME PARK AND PARQUE NARVAEZ 2nd ADDITION; RESOLUTION NO. 01-62 ADOPTED CONFIRMING RESOLUTION ADOPTED FEBRUARY 8, 2000, ORDERING SAID IMPROVEMENTS AND ASSESSMENT OF PROPERTIES BENEFITED THEREBY

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Pursuant to legal notice published in the March 23 and 30, 2001 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re the Tentative (First) Assessment Roll for dredging improvements to the Channel between Sea Horse Mobile Home Park and Parque Narvaez 2nd Addition. Chief Deputy

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Clerk C. R. Short reported that Notice of Hearing had been sent to all property owners listed on the assessment roll; that no letters relative to the assessment have been received; and that the matter is properly before the Board to be heard.

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

Commissioner Todd moved, seconded by Commissioner Latvala, that the assessment be approved, and that Resolution No. 01-62 be adopted confirming the Resolution of February 3, 2000, ordering said improvements and the assessment of properties benefited thereby. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#45 UPDATE ON WATER ISSUES

Director of Utilities Pick Talley presented a brief update regarding the Emergency Order from Southwest Florida Water Management District (SWFWMD) and indicated that steps are being taken to comply with the requirements therein. He indicated that in order to facilitate increased enforcement of restrictions, 40 employees will be working overtime; and that a more complete report with specific recommendations will be presented within the next week.

Responding to queries by Commissioner Stewart relating to the issuing of an emergency ordinance, County Attorney Susan H. Churuti indicated that a draft resolution will be submitted for the Board's consideration at the April 10, 2001 meeting; and that the issue of fines will be reviewed; and Mr. Talley confirmed that he will obtain current information regarding fines in other counties.

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#46a COMMISSIONER MORRONI RE VARIOUS MATTERS

Commissioner Morroni offered his comments regarding his participation in the Florida Association of Counties meeting in Tallahassee, the fundraising event for Family Resources, and the grand opening of the new City of Pinellas Park Public Library which received Penny for Pinellas funding. He announced that the Feather Sound Services Taxing Unit District will hold a meeting at 9:00 A.M. on April 4, 2001 in the Mallard Group Board Room in Feather Sound; and that with regard to the Visioning Sessions, the Communications Task Force will hold a meeting at 1:00 P.M. on April 4, 2001 at the St. Petersburg Clearwater Airport.

#46b COMMISSIONER WELCH RE PENNY FOR PINELLAS WEBSITE

Commissioner Welch complimented Interim County Administrator D. Gay Lancaster and Assistant County Administrator Mark Woodard for the new Penny for Pinellas website; and thanked the Commissioners' assistants for their help.

#46c COMMISSIONER TODD RE VARIOUS MATTERS

Commissioner Todd announced that with regard to the Visioning Sessions, the Environmental Subcommittee will meet from 1:00 to 3:00 P.M. on April 23, 2001 in the Board of County Commissioners Conference Room. She also commented regarding volunteerism and activities at the Botanical Gardens and requested that a recent economic impact report be presented to the Board and suggested expanding the role of the business community in volunteer activities.

#46d COMMISSIONER SEEL RE VOLUNTEER WEEK AND PINELLAS CARES

Commissioner Seel related that Volunteer Week is coming up at the end of

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April; and as President of Pinellas Cares, reported that this organization is presently in the process of establishing a 2-1-1 hotline/helpline telephone number.

#46e COMMISSIONER STEWART RE VISIONING STEERING COMMITTEE AND WORKNET

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Commissioner Stewart indicated that the Visioning Steering Committee will meet and accept status reports after the last subcommittee meetings; and that an update will be forthcoming at the April 10, 2001 meeting regarding the meeting of the WorkNet Board to be held later today.

#46f COMMISSIONER LATVALA RE VISIONING SESSIONS

Commissioner Latvala reported that the Culture and Heritage Task Force met on March 29, 2001 and expressed her appreciation to Commissioner Stewart for his leadership regarding the Visioning Sessions.

#46g CHAIRMAN HARRIS RE SEARCH FOR NEW COUNTY ADMINISTRATOR AND OTHER MATTERS

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Chairman Harris stated that a letter has been received from Interim County Administrator D. Gay Lancaster indicating that she is not a candidate for the position of County Administrator; and that the next step in the search process is to interview the responders to the Request for Proposal (RFP). He continued that information on the census has been received and additional information is available on the Internet at [www.census.gov](http://www.census.gov);

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and also offered a consumer tip regarding the 30-day guarantee on the purchase of hearing aids.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 11:18 A.M.

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Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By \_\_\_\_\_  
Deputy Clerk