

Clearwater, Florida, July 29, 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 3:10 P.M. on this date with the following members present: Karen Williams Seel, Chairman; Robert B. Stewart; Calvin D. Harris; John Morroni; and Kenneth T. Welch.

Absent: Susan Latvala, Vice-Chairman; and Barbara Sheen Todd.

Also present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Chief Deputy Clerk Claretha N. Harris; and Barbara Harb and MaryAnn Penhale, Board Reporters.

Reverend Jimmy Hammond, First Baptist Church, Pinellas Park, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Stewart.

## 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 of Regular Meetings Held on June 10 and June 24, 2003.
2. Reports:
  - a. Pinellas County Proposed FY 2004 Operating and Capital Budget.
  - b. Dock Fee Report for Month of June 2003.
  - c. Quarterly Report of Routine Dock Permits Issued from April 1, 2003 through June 30, 2003.
  - d. State of Florida Auditor General Report No. 03-194, Operational Audit of the Pinellas County District School Board for the Period from July 1, 2001 through June 30, 2002.
  - e. Internal Audit Division, Clerk of the Circuit Court, Report No. 2003-11 Dated June 19, 2003 – Audit of Clerk of the Circuit Court Clerk's Accounting Operations and Internal Controls Together with The Audit Watch.

July 29, 2003

3. Other Approvals:
  - a. General – None.
  - b. Vouchers and Bills Paid in the Amount of \$20,910,452.48 for the Period from June 16, 2003 through June 20, 2003.
  - c. Vouchers and Bills Paid in the Amount of \$17,510,681.15 for the Period from June 23, 2003 through June 27, 2003.
  - d. Vouchers and Bills Paid in the Amount of \$44,741,556.37 for the Period from June 30, 2003 through July 4, 2003.
  - e. Vouchers and Bills Paid in the Amount of \$6,333,303.37 for the Period from July 7, 2003 through July 11, 2003.
  - f. Correction of Vouchers and Bills Paid in the Amount of \$7,438,290.64 for the Period from April 21, 2003 through April 25, 2003.
  - g. Correction of Vouchers and Bills Paid in the Amount of \$5,954,056.15 for the Period from May 5, 2003 through May 9, 2003.
  - h. Correction of Vouchers and Bills Paid in the Amount of \$8,191,462.84 for the Period from May 19, 2003 through May 23, 2003.
4. Miscellaneous Items to be Received for Filing:
  - a. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Rezoning and Zoning Atlas Amendments Regarding Ordinances Nos. 7155-03 through 7157-03, 7160-03 through 7162-03, 7166-03 and 7168-03 to be Held September 4, 2003.
  - b. Correspondence from the City of Pinellas Park Regarding 16 Ordinances Voluntarily Annexing Certain Property; Public Hearings Held July 10 and July 24, 2003.
  - c. Resolutions Supporting Medicaid Waiver for Renal Transplant Patients Meeting Requirements for State's Medicaid-Medically Needy Program:
    1. City of Pinellas Park Resolution No. 03-27, Adopted June 12, 2003.
    2. Town of Kenneth City Resolution No. 03-04, Adopted June 25, 2003.
  - d. Correspondence from the City of St. Petersburg Dated June 24, 2003, Regarding Notice of Amendment to Tangerine Avenue Community Redevelopment Area's Boundary.
  - e. City of St. Petersburg Ordinance No. 597-G, Adopted June 19, 2003, Annexing Certain Property.
  - f. Eastlake Oaks Community Development District Proposed Budget for Fiscal Year 2004 Dated June 12, 2003, Pursuant to Chapter 190.008(2)(b), Florida Statutes.

July 29, 2003

- g. Two Items Related to Dock, Pier and Wharf Construction Contract Bonds.
- h. Fish and Wildlife Conservation Commission Notice of Rule Development Announcing Tentative Schedule of Public Meetings of the Local Rule Review Committee Beginning July 15 Regarding Consideration of Additional Regulations to Protect Manatees and Manatees' Habitats; Tampa Bay Regional Planning Council Offices, St. Petersburg.

COUNTY ADMINISTRATOR

Public Works

- 5. Approval of the Receipt and File Report of County Administrator-Approved CCNA Items for April 1, 2003, through June 30, 2003.
- 6. Approval to Release Sureties and Record a Sidewalk Guarantee and Sidewalk Easement.
- 7. Approval of Awards of Bids for Year 2003 Countywide Pavement Preservation:
  - a. Contract "A," Various Locations.
  - b. Contract "B," Various Locations.
- 8. Approval of Change Order No. 1 (Final) – Part I: Hamlin Boulevard Sidewalk from Walsingham Road (State Road 688) to 102<sup>nd</sup> Avenue North; and Part II: 128<sup>th</sup> Street Sidewalk from 175 Feet South of 88<sup>th</sup> Avenue North to 90<sup>th</sup> Avenue North.

Utilities

- 9. Confirmation of Emergency Purchase of Pipeline Replacement Services with Gulfcoast Utility Constructors, Inc.
- 10. Approval of Awards of Bids for:
  - a. Exterior and Infrastructure Painting Services to Olympic Painting Contracting, Inc.
  - b. Pump Station 393 Improvements to Westra Construction Corporation.
- 11. Approval of Change Orders No. 1 (Final) and Releases of Retainage for:
  - a. William E. Dunn Water Reclamation Facility Improvements Phase I Construction.
  - b. Six-Inch – 12-Inch Sanitary Sewer Cleaning.

Other Departments

- 12. Approval of the Receipt and File of Items Delegated to the County Administrator for Signature (County Administrator).
- 13. Adoption of a Resolution to Assess Liens against Lands Cleared (Environmental Management).

July 29, 2003

14. Approval of an Award for Continued Grant Funding for Air Pollution Control from the U.S. Environmental Protection Agency (Environmental Management).
15. Approval of an Award of Bid to Cox Construction Company for Replacement of the Kalwall Roofing System at the Emergency Medical Services Facility (General Services).
16. Approval of Budget Amendments Nos. 19 - 22 (Management and Budget).
17. Approval of the Receipt and File of the Quarterly Report on Law Enforcement Trust Fund Payments to the Sheriff for the Quarter Ending June 30, 2003 (Management and Budget).
18. Approval of the Receipt and File of the Quarterly Report on Administrative Budget Amendments for the Quarter Ending June 30, 2003 (Management and Budget).
19. Approval of the Receipt and File of the Quarterly Report on Procurement Items Approved by the County Administrator for the Quarter Ending June 30, 2003 (Purchasing).
20. Approval of the Purchase Authorization for Annual Requirements of Janitorial Supplies with ZEP Manufacturing, a Division of Acuity Specialty Products Group, Inc. (Purchasing).
21. Approval of the Purchase Authorization for the Annual Requirements of Industrial Supplies and Equipment with Grainger Industrial Supply, a Division of W. W. Grainger (Purchasing).
22. Approval to Declare Miscellaneous County-Owned Equipment as Surplus and Authorize its Sale as Scrap Material (Purchasing).
23. Adoption of a Resolution to Expend Public Funds for the Cost of Meals and Beverages for Members of the WorkNet Board and Business Participants (WorkNet).

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

25. Approval of the Commercial Operations Agreement with Brendan Airways LLC, d/b/a USA 3000 Airlines.
26. Approval of the Office Lease Agreement with ABX Air, Inc., d/b/a Airborne Express.
27. Approval of the First Amendment to the Commercial Operations Agreement with Southeast Airlines, Inc.

July 29, 2003

Public Works

28. Approval of the Request for a Quitclaim Deed Submitted by Evangelos and Sophia Legakis for the West 10.0 Feet of the South 40 Feet of Lot 9, Milton's Subdivision, Located in the Northeast Quarter of Section 31, Township 30 South, Range 16 East.
29. Approval of the Installation of a Four-Way Stop at 90<sup>th</sup> Avenue North and 93<sup>rd</sup> Street North, a Three-Way Stop at 90<sup>th</sup> Avenue North and 91<sup>st</sup> Street North, and a Four-Way Stop at 90<sup>th</sup> Avenue North and Country Square Drive/90<sup>th</sup> Street North.
30. Approval of a State of Florida Department of Agriculture and Consumer Services Mosquito Control Statutory Compliance Agreement.
31. Approval of Authority to Advertise for a Public Hearing on a Proposed Ordinance Regarding the Public Correction of Dangerous Conditions on Private Road Rights-of-Way or Adjacent Real Property.
32. Approval of the Purchase Sale Agreement with CSX Transportation, Incorporated to Establish 20<sup>th</sup> Avenue Southeast from Lake Avenue to Starkey Road as a Public Road.
33. Approval to Accept a Petition and Adopt a Resolution for 20<sup>th</sup> Avenue Southeast from Lake Avenue to Starkey Road Improvement Assessment Project.

Utilities

34. Approval of Change Order No. 1 (Final) and Release of Retainage for Seminole Lakes Golf and Country Club Estates Reclaimed Water Distribution System.
35. Approval of the Ranking of Firms and Authorization for Staff to Negotiate a Contract with the Number One Ranked Firm for Design Services for the Redevelopment of the Maintenance and Operations Site at the Utilities Solid Waste Facility.
36. Approval of an Award of Proposal for the Balanced Scorecard and Performance Measurement Project to IMT/International Management Technologies, Inc. to Provide a Results-Driven Performance Management System.

Other Departments

37. Approval of the Agreement to Acquire Right-of-Way for Parcel No. 08/30/15/70470/100/1303, Improved Property within the Dansville Redevelopment Area (Community Development).
38. Approval of the Convention and Visitors Bureau Fiscal Year 2004 Promotional Budget (Convention and Visitors Bureau).
39. Approval of the Agreement with the Pinellas County School Board for Local Emergency Management (Emergency Management).
40. Approval to Reduce Retainage Monies for the Construction Management Agreement for Renovations to the St. Petersburg Judicial Building (General Services).

July 29, 2003

41. Approval of the Joint Use Agreement with the School Board of Pinellas County for Educational and Recreational Programs (General Services).
42. Approval of the Antenna Siting License Agreement with ALLTEL Wireless Holding, LLC (General Services).
43. Approval of the Fourth Amendment to the Lease Agreement with Highwoods/Florida Holdings, L.P. (General Services).
44. Approval to Accept the Final Completion and Release of Retainage Monies Regarding the Construction Management Agreement for the Weedon Island Preserve Education Center Phase 2 Project (General Services).
45. Approval of Change Order No. 1 and Reduction of Retainage Regarding the Construction Management Agreement for the Brooker Creek Preserve Environmental Education Center Phase 2 Project (General Services).
46. Approval of Amendment No. 1 to the Professional Services Agreement with Heery International, Inc. for the Countywide Government Space Needs Assessment (General Services).
47. Approval of the First Amendment to the Agreement for Retail/Business Opportunities Feasibility Studies with Economics Research Associations (General Services).
48. Approval of the Recommendations of the Pinellas County Substance Abuse Advisory Board for the Distribution of Byrne Memorial Grant Funds (Justice and Consumer Services).
49. Approval of the Service Funding Agreement with Operation PAR, Inc. for Project HOPE (Justice and Consumer Services).
50. Approval of the Recommendations of the Pinellas County Substance Abuse Advisory Board for the Distribution of Funds from the Alcohol and Drug Abuse Trust Fund (Justice and Consumer Services).
51. Adoption of a Resolution Earmarking Receipts for a Particular Purpose in the FY03 General Fund Budget for Justice and Consumer Services (Management and Budget).
52. Approval of the Final Negotiated Contract with Tampa Bay Ferry for Passenger Ferry Boat Service to and from Fort DeSoto Park (Park).
53. Adoption of a Resolution Waiving a Provision of the Purchasing Ordinance Requirements for a One Time Test of the Market for a Holiday Light Display at Lake Seminole Park (Park).
54. Adoption of a Resolution Redelegating to the City of St. Petersburg the Power to Conduct Community Redevelopment Activities within the Proposed Tangerine Avenue Community Redevelopment District (Planning).
55. Approval of the Cancellation with Cause of the Contract for Moving Services with Adkins Transfer, Inc. and Approval of the Reaward of the Contract to Effort Enterprises of Florida, Inc., d/b/a Atlantic Relocation Systems (Purchasing).

July 29, 2003

56. Approval of Ranking of Firms for Financial Advisory Services (Purchasing/Management and Budget).
57. Approval of Ratification of Minor Revisions to the Contracts with St. Petersburg College for the Provision of One Stop Operation and Youth Services (WorkNet).
58. Approval of Amendment No. 1 to the Contract with St. Petersburg College for the Provision of Youth Services (WorkNet).
59. Other Administrative Matters.

COUNTY ATTORNEY

60. Authority for County Attorney to Defend:
  - a. Chase Mortgage Company v. Eileen Tracey a/k/a Eileen E. Tracey, et al - Circuit Civil Case No. 03-3114-CI-8 - Mortgage Foreclosure Involving a Judgment for Fines and Costs.
  - b. Citifinancial Mortgage Company, Inc. f/k/a Associates Home Equity Services, Inc. v. Rick Paul Franks - Circuit Civil Case No. 03-5118-CI-20 - Mortgage Foreclosure Involving a Judgment for Attorneys Fees and Costs.
  - c. Rent to Own Leasing Co., Inc. v. Bonnie Thomas - Circuit Civil Case No. 03-5068-CI-08 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
  - d. Washington Mutual Bank, et al v. Richard J. Moralis, et al - Circuit Civil Case No. 03-4588-CI-8 - Mortgage Foreclosure Involving a Judgment for Fines and Costs.
  - e. Wells Fargo Bank Minnesota, National Association, as Trustee v. Patricia G. Howard, et al - Circuit Civil Case No. 03-3477-CI-20 - Mortgage Foreclosure Involving Judgments for Fines and Costs and Judgments for Attorneys Fees and Costs.
  - f. Local Relocation Agreement Also Known as Case Number 1065 – Mortgage Foreclosure Involving a Community Development Mortgage.
61. Authority to Initiate Litigation:
  - a. Renee Ludera Burney and Jeannie Anne Cappadona – Risk Claim No. 03-72822 – Negligence in the Operation of a Motor Vehicle Owned by Jeannie Anne Cappadona.
  - b. Zup, Inc., Robo-Clean, Inc., and Maurice Martindale – Circuit Civil Case No. 03-005456-CI-021 - Violations of County Stormwater Ordinance.

July 29, 2003

- c. On Behalf of Sunstar for Unpaid Ambulance Bills against the Estates of:
  - 1. Robert Kane, Wayne Kane, and Michael Kane, Beneficiaries of the Estate of Edward F. Kane.
  - 2. Mark Nielsen.

- 62. Authority to Advertise for a Public Hearing on a Proposed Amendment to an Ordinance Relating to Street Lighting Districts.
- 63. Approval of the Recommendation to Appeal Adverse Rulings at Medicare Fair Hearing.
- 64. Approval of the Amendment to the 401(A) Plan.
- 65. Approval of the Extension of an Interlocal Agreement with Pasco County/General and Special Master Services.
- 66. Approval of Addendum No. 1 for Law Enforcement Services for the City of Belleair Bluffs.
- 67. Execution of a Satisfaction of Judgment against James Joseph Spera – Case No. CRC91-00259CFANO.
- 68. Authority to Reject the Settlement Offer in State v. Hardy H. Huntley - Circuit Civil Case No. CTC00-36559COANO.
- 69. Authority to Settle the Case of Eckley v. Pinellas County Sheriff's Office - Circuit Civil Case No. 02-8529-CI-13.
- 70. Miscellaneous.

C. AUTHORITIES

ECONOMIC DEVELOPMENT AUTHORITY

- 71. Approval of the Property Transfer Agreement and Bill of Sale with Constellation Technology Corporation.
- 72. Approval of the Fourth Amendment to the Lease Agreement with Constellation Technology Corporation.
- 73. Approval of Ratification of Minor Revisions to the Amended Agreement Regarding STAR Ground Leases, and the First Amendment to the Ground Lease Agreement with Renewal Options with HP STAR III, LTD.

FIRE AUTHORITY

- 74. Approval of an Interlocal Agreement with the City of Pinellas Park to Provide Fire Prevention Inspection Services for the Gandy Fire Protection District.

July 29, 2003

D. COUNTY ADMINISTRATOR REPORTS

75. Pinellas Assembly Status Report.

E. COUNTY COMMISSION

76. Approval of Appointments to the WorkNet Pinellas Board of Directors.

77. Approval of the Extension of Terms for Ten Existing Members of the WorkNet Pinellas Board of Directors.

78. Approval of Appointments to the Pinellas County Youth Advisory Committee.

79. Approval of Appointments to the Pinellas County Economic Development Council.

80. Approval of an Appointment to the Pinellas County Environmental Foundation.

81. Approval of an Appointment to the Pinellas County Arts Council.

82. Approval of an Appointment to the Pinellas Suncoast Transit Authority.

83. Miscellaneous.

6:30 P.M.

PRESENTATIONS AND AWARDS

F. CITIZENS TO BE HEARD

Any Person Wishing to Speak at this Time, Excluding Non-Public Hearing Items on the Agenda or Issues Previously Acted on by the Board of County Commissioners, Must Have a Yellow Card Completed and Given to the Board Secretary at the Staff Table Located at the Front of the Board Room. The Chairman will Call Each Speaker, One by One, to the Podium to be Heard. Each Speaker May Speak up to Three (3) Minutes.

G. SCHEDULED PUBLIC HEARINGS

Any Person Wishing to Speak about a Public Hearing Item Shall Complete a Blue Card and Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room. 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.

July 29, 2003

1. Any Person Who Has been Authorized to Represent an Organization with Five (5) or More Members or a Group of Five (5) or More Persons Shall Complete a Blue Card, Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room, and Should Limit Their Presentation to Ten (10) Minutes. It is Expected that Others in the Organization or Group will Waive Their Time.
2. Any Other Person who Wishes to Speak about a Public Hearing Item Shall Complete a Blue Card, Submit it to the Board Secretary at the Staff Table Located at the Front of the Board Room, and May Speak up to Three (3) Minutes. The Chairman will Call Each Speaker, One by One, to the Podium to be Heard.

#### 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.

84. Commercial Dock Application CC32772-03 for the City of Madeira Beach, 424 - 150th Avenue, Boca Ciega Bay, Madeira Beach.

#### SCHEDULED PUBLIC HEARINGS - BCC

85. Proposed Ordinance to Adopt a New Official County Seal.
86. Proposed Ordinance to Amend County Street Lighting Ordinances.
87. Petition to Vacate Submitted by Robert A. and Vivlyn E. Lawson for a 5.3-Foot by 60.0-Foot Portion of a 10.0-Foot Wide Drainage and Utility Easement on Lot 145, East Lake Woodlands Unit 1, Located in the Northeast Quarter of Section 09, Township 28 South, Range 16 East.
88. Petition to Vacate Submitted by Stephen L. and Margaret Peacock for a .431 Acre Portion of a Conservation Easement on Lot D-1, Coventry Village Phase 1, Located in the Northwest Quarter of Section 26, Township 27 South, Range 16 East.
89. Petition to Vacate Submitted by Michael D. and Kathleen M. Moran for a 1.5-Foot Portion of a 7.5-Foot Wide Utility Easement on Lot 169, Patty Ann Acres, Located in the Southeast Quarter of Section 01, Township 28 South, Range 15 East.
90. Petition to Vacate Submitted by Bank of America, N. A., as Successor-in-Interest to NationsBank of Florida, N. A., as Trustee under that Certain Land Trust Agreement Dated June 15, 1984, Charles O. Lowe, C. Eugene Lowe, Judith L. Wells, and Katherine L. Carreker, Represented by R. James Robbins, Jr., for a 60.0-Foot Paved, Open, and Publicly Used Right-of-Way Known as 53<sup>rd</sup> Avenue North, Lying South of and Adjacent to Lots 16 through 26, Block 49, Grove Park Vista, Located in the Northwest Quarter of Section 02, Township 31 South, Range 16 East.

91. Planning and Zoning Applications Heard by the Examiner:
- a. Z-2-6-03.  
Application of Robert M. Meli for a Change of Zoning from A-E, Agricultural Estate Residential to RM-7.5, Residential Multiple Family - 7.5 Units per Acre on Approximately 0.689 Acre on the East Side of Michigan Drive, 450 Feet South of Evans Avenue (Parcel ID No. 32-29-16-70362-300-0217).
  - b. Z-5-6-03.  
Application of The Alliance for Affordable Housing, Inc., through Michael J. Morina, Representative, for a Change of Zoning from C-3, Commercial, Wholesale, Warehousing and Industrial Support to R-4, One, Two or Three Family Residential on Approximately 0.44 Acre at the Southwest Corner of 40<sup>th</sup> Street North and 41<sup>st</sup> Avenue North (Parcel ID Nos. 03-31-16-60894-003-0100 and 03-31-16-60894-003-0110).
  - c. Z-6-6-03.  
Application of Frederick E., Frederick J., and Richard C. Schneider, Joyce Seefluth and Theresa Bayes, through E. D. Armstrong, III, c/o Johnson, Blakely, Pope, Bokor, Ruppel & Burns, P.A., Representative, for a Change of Zoning from C-2, General Retail Commercial and Limited Services District to CR, Commercial Recreation, and a Variance to Allow Development of the Site on Less than an Acre, and Variances for Various Structural Setbacks on Approximately 0.463 Acre on the North Side of County Road 16, 670 Feet East of 68<sup>th</sup> Street North (Parcel ID No. 06-31-16-70020-100-3206).
  - d. Z/LU-7-6-03.  
Application of 1221 Palm Harbor, LLC, through Michael D. Horner, AICP, c/o MDH & Associates, Representative, for a Change of Zoning from M-1, Light Manufacturing and Industry to RM-10, Residential Multiple Family and Land Use Change from Industrial Limited to Residential Low Medium on Approximately 8.45 Acres at the Southwest Corner of U. S. Highway Alternate 19 and Columbia Avenue (West of the Pinellas Trail) (Parcel ID Nos. 02-28-15-65623-000-0010, 02-28-15-65623-000-0020, 02-28-15-65623-000-0030 and 02-28-15-65623-000-0040).
  - e. Z/LU-4-6-03.  
Application of Daniel and Brenda Edsall and Michael A. Ciaramello, for a Change of Zoning from R-3, Single Family Residential to P-1A, Limited Office District and Land Use Change from Residential Urban to Residential/Office Limited on: Parcel One – Approximately 0.429 Acre on the Northeast Corner of McMullen Booth Road and Downing Street (Parcel ID No. 16-29-16-22410-000-0010); and Parcel Two – Approximately 0.213 Acre at the Southeast Corner of McMullen Booth Road and Downing Street (Parcel ID No. 16-29-16-22410-000-0180).
  - f. CU-8-6-03.  
Application of Medico Environmental Services Corporation, through Harry S. Cline, Esquire, c/o Macfarlane, Ferguson & McMullen, Representative, for a Conditional Use for the Expansion of the Existing Biomedical Waste Incinerator Facility in an M-1, Light Manufacturing and Industry Zone on Approximately Five Acres on the West Side of 58<sup>th</sup> Street North, 620 Feet South of Ulmerton Road (Parcel ID No. 08-30-16-70974-100-1601).

July 29, 2003

- g. Z/LU-3-6-03.  
Application of Robert and Michelle Hey and Luven Loken, Trust, through Robert Hey, c/o Coldwell Banker Commercial Wikle Properties, Representative, for a Change of Zoning from RM-10, Residential Multiple Family - 10 Units per Acre and A-E, Agricultural Estate Residential to P-1A, Limited Office and Land Use Change from Residential Low Medium to Residential/Office Limited on Approximately 2.8 Acres at the Northeast Corner of U. S. Alternate Highway 19 and Jeter Street (Parcel ID Nos. 11-28-15-00000-310-0200 and 11-28-15-00000-310-0300).
- h. Z/LU-11-6-03 (to be Continued).  
Application of Pinellas County Board of County Commissioners through David M. Metz, Executive Director, St. Petersburg-Clearwater International Airport, Representative, for a Change of Zoning from M-2, Heavy Manufacturing and Industry to C-2, General Retail Commercial and Limited Services District and Land Use Change from Industrial Limited to Commercial General on Approximately 9.79 Acres Located at the Northern Terminus of Turtle Lane (Parcel ID No. 33-29-16-70380-400-0201).

ADJOURNMENT

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CONSENT AGENDA ITEMS NOS. 1 THROUGH 23 – APPROVED

Upon presentation by Chairman Seel, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the consent agenda, consisting of items Nos. 1 through 23, be approved as follows:

# 1 APPROVAL OF MINUTES

Minutes of regular meetings of June 10 and June 24, 2003.

# 2 REPORTS RECEIVED FOR FILING

- a. Pinellas County Proposed FY 2004 Operating and Capital Budget.
- b. Dock Fee Report for the month of June 2003.
- c. Quarterly Report of Routine Dock Permits issued from April 1, 2003 through June 30, 2003.

July 29, 2003

- d. State of Florida Auditor General Report No. 03-194 re the Operational Audit of the Pinellas County District School Board for the period from July 1, 2001 through June 30, 2002.
- e. Internal Audit Division, Clerk of the Circuit Court, Report No. 2003-11 dated June 19, 2003 – Audit of Clerk of the Circuit Court Clerk’s Accounting Operations and Internal Controls, 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 June 16, 2003 through July 11, 2003 as follows:

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2698

Payroll checks numbered 505812 through 506355  
for the period June 16, 2003 through June 20, 2003

Payroll Journal page numbers 1 through 2702

Payroll checks numbered 506356 through 506888  
for the period June 30, 2003 through July 4, 2003

Imprest Fund Expenditures

Manual checks numbered 686177 through 686228

System checks numbered 688881 through 692930

Wire Transfers numbered 1509 through 1645

c. Corrections of Vouchers and Bills Paid

- (1) Amount of \$7,438,290.64 for the period April 21, 2003 through April 25, 2003.

July 29, 2003

- (2) Amount of \$5,954,056.15 for the period May 5, 2003 through May 9, 2003.
- (3) Amount of \$8,191,462.84 for the period May 19, 2003 through May 23, 2003.

# 4 MISCELLANEOUS ITEMS RECEIVED

- a. City of Clearwater Public Hearing Notices of Annexation, Land Use Plan, Rezoning and Zoning Atlas Amendments re Ordinances Nos. 7155-03 through 7157-03, 7160-03 through 7162-03, 7166-03 and 7168-03 to be held September 4, 2003.
- b. Correspondence from the City of Pinellas Park re 16 ordinances voluntarily annexing certain properties; public hearings held July 10 and July 24, 2003.
- c. Resolutions supporting Medicaid waiver for renal transplant patients meeting requirements for State's Medicaid-Medically Needy Program:
  - 1. City of Pinellas Park Resolution No. 03-27, adopted June 12, 2003.
  - 2. Town of Kenneth City Resolution No. 03-04, adopted June 25, 2003.
- d. Correspondence from the City of St. Petersburg dated June 24, 2003, re notice of amendment to Tangerine Avenue Community Redevelopment Area boundary.
- e. City of St. Petersburg Ordinance No. 597-G, adopted June 19, 2003, annexing certain property.
- f. Eastlake Oaks Community Development District Proposed Budget for Fiscal Year 2004 dated June 12, 2003, pursuant to Chapter 190.008(2)(b), Florida Statutes.

July 29, 2003

- g. Two items related to Dock, Pier and Wharf Construction Contract Bonds.
- h. Fish and Wildlife Conservation Commission Notice of Rule Development announcing tentative schedule of public meetings of the Local Rule Review Committee beginning July 15 re consideration of additional regulations to protect manatees and manatee habitat; Tampa Bay Regional Planning Council offices, St. Petersburg.

# 5 CONSULTANT'S COMPETITIVE NEGOTIATION ACT (CCNA) AMENDMENTS AND/OR AGREEMENTS APPROVED BY COUNTY ADMINISTRATOR FOR QUARTER ENDING JUNE 30, 2003 - RECEIVED FOR FILING

Amendment No. 1 to Agreement with Hahn Engineering, Inc. in the amount of \$9,625.63, with \$2,500.00 in contingency services for the emergency generator, 315 Court Street (Project No. 580); Agreement with George F. Young, Inc. in the amount of \$72,312.50 (contingency services included) for South Cross Bayou Education Center/Garage (Project No. 733-617213-0711); and Agreement with Vanasse Hangen Brustlin, Inc. in the amount of \$33,852.50 (contingency services included) for Keene Road Phase 1A (Project No. 819).

# 6 SURETIES AND EASEMENTS

- a. Johnathan Stricker Site
  - 1. Release of Letter of Credit No. 502075001 in the amount of \$5,000.00 to Sun Custom, Incorporated, Post Office Box 2237, Tarpon Springs, FL 34682.
- b. Oak Trace Apartments
  - 1. Release of Maintenance Bond No. MB3564 in the amount of \$1,714.46 to Contemporary Housing Alternatives of Florida Incorporated, 4500 140<sup>th</sup> Avenue North, Suite 204, Clearwater, FL 33760.

July 29, 2003

- c. Willow Grove Estate
  - 1. Sidewalk Guarantee accepted for recording.
- d. Curlew Baptist Church
  - 1. Sidewalk Easement accepted for recording.

# 7 AWARD OF BIDS - PUBLIC WORKS DEPARTMENT

- a. Bid of APAC-Southeast, Inc., on the basis of being the lowest responsive, responsible bid received meeting specifications for Year 2003 Countywide Pavement Preservation - Contract "A" (various locations), in the amount of \$755,642.08 (PID No. 000882/921544) (Bid No. 023-660-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.
- b. Bid of APAC-Southeast, Inc., on the basis of being the lowest responsive, responsible bid received meeting specifications for Year 2003 Countywide Pavement Preservation - Contract "B" (various locations), in the amount of \$427,609.32 (PID No. 000966/921544) (Bid No. 023-603-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.

July 29, 2003

# 8 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH CENTRAL FLORIDA CONTRACTORS, INC. FOR PART I: HAMLIN BOULEVARD SIDEWALK FROM WALSINGHAM ROAD (STATE ROAD 688) TO 102<sup>ND</sup> AVENUE NORTH AND PART II: 128<sup>TH</sup> STREET SIDEWALK FROM 175 FEET SOUTH OF 88<sup>TH</sup> AVENUE NORTH TO 90<sup>TH</sup> AVENUE NORTH (BID NO. 023-124-C) (CONTRACT NO. 000886)

- a. Change Order No. 1 ( Final) decreases the contract amount by \$16,808.50 (final total contract, \$84,577.80).
- b. Contract accepted as complete as of April 9, 2003.
- c. Chairman authorized to sign and clerk to attest.

# 9 EMERGENCY PURCHASE FROM GULF COAST UTILITY CONSTRUCTORS, INC. FOR PIPELINE REPLACEMENT SERVICES (CONTRACT NO. 023-673-E)

Confirmation of emergency expenditure for pipeline replacement services for the Utilities Department and authorization of payment to Gulfcoast Utility Constructors, Inc. for a total expenditure not to exceed \$294,700.00.

#10 AWARD OF BIDS - UTILITIES DEPARTMENT

- a. Bid of Olympic Painting Contracting, Inc., on the basis of being the lowest responsive, responsible bid received meeting specifications for exterior and infrastructure painting services, for an estimated 24-month expenditure not to exceed \$300,000.00 (Bid No. 023-465-B); 24-month contract with three additional 12-month options of renewal with an allowance for price adjustments in an amount not to exceed five percent or that indicated by the prevailing Consumer Price Index - All Urban (CPI-U) upon renewal, whichever is less; subject to same terms and conditions and approval by the County Administrator; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

July 29, 2003

- b. Bid of Westra Construction Corporation, on the basis of being the lowest responsive, responsible bid received meeting specifications for Pump Station 393 improvements, for an estimated total expenditure in the amount of \$672,996.00 (Project No. 794-190514-1461) (Bid No. 023-550-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.

#11a CHANGE ORDER NO. 1 (FINAL) TO AGREEMENT WITH ANGLE & SCHMID, INC. FOR WILLIAM E. DUNN WATER RECLAMATION FACILITY IMPROVEMENTS PHASE I CONSTRUCTION (PROJECT NO. 761-637114-1092) (BID NO. 001-0896-C)

- a. Change Order No. 1 (Final) decreases the agreement amount by \$490.49 (final total agreement, \$3,051,331.51).
- b. Project accepted as substantially complete as of January 16, 2003.
- c. Release of retainage in the amount of \$152,566.58.

#11b CHANGE ORDER NO. 1 (FINAL) TO AGREEMENT WITH RIDIN PIPELINE SERVICES, INC. FOR SIX-INCH - 12-INCH SANITARY SEWER CLEANING (PROJECT NO. 751-901719-1488) (BID NO. 012-16-C)

- a. Change Order No. 1 (Final) decreases the agreement amount by \$28,779.47 (final total agreement, \$393,290.53).
- b. Project accepted as complete as of August 25, 2002.
- c. Release of retainage in the amount of \$19,664.53.

July 29, 2003

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

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
<u>Airport</u>	Airport Parking Permit with Pinellas Suncoast Transit Authority; Lessor's Subordination Agreement with Suntrust Bank	N/A	6/18/03
<u>Clerk of the Circuit Court</u>	Releases of Lien – Paving: Walter L. And Stella C. McGinty; Salvatore F. and Maryann H. Clements (2); Robert L. and Flora C. Owen; John Oakes; Donald S. and Kathleen M. Quire; Gerald E. and Greta J. McGory; Antonion Pennacchio; Frank P. and Betty J. Barlow, TRE; Plants by Sue, Inc.; Neil W. and Perrin W. Albertson; John J. and Rosemary E. Piazza; Ronald J. and Jo Anne M. Denick; George F and Mary Wyant; Robert K. and Jeri Johnson, TRE (3); Release of Lien - Sewer - Samuel R. and Sandra L. Thompson (3); Release of Lien – Navigational Dredging – Harry Stucker; See attached list of names for Releases of Street Lighting Lien	All liens paid in full	6/27/03
<u>Communications</u>	Option of Renewal with Pinellas Suncoast Transit Authority for the Sale of Bicycle Permit Cards	\$2.00 per permit	7/7/03
<u>Community Development</u>	Satisfactions of Mortgage – Julie A. Johnson; TEAMEFFORT, Incorporated and Carl W. and Emma Lee Martin; Susan B. Robinson a/k/a Susan Elaine Robinson; Releases of Lien (Housing) – Janice M. Mitchell; Vincent F. and Kathy E. Lowe	All liens paid in full	7/14/03
<u>Community Development</u>	Satisfactions of Mortgage – Melissa M. Barany; Melanie J. King; Yuko Okazato; Amy R. Olsen; Wendy Jean Kinney; Rhonda K. Lawrence; Verna E. Fountain f/k/a Verna Eileen Luke and Earl Fountain; Queen V. Hodge a/k/a Queen F. Hodge f/k/a Queen Victoria Anderson and Edward Hodge; Thelma Jill Jacobs; William A. Rodriguez, Sr. and Maria S. Diaz; Bryan J. Sykes; Ronald S. and Paula D. Layle; Jerry Krentz; Judith Lee Miller; Deritangian Davis; Release of Lien (Housing) – Mario J. Pompeo	All liens paid in full.	7/10/03

July 29, 2003

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
<u>Community Development</u>	Neighborhood Enhancement Grants with (a) Baywood Village Association, Inc.; (b) Bonnie Glynn Homeowners Association, Inc.; and (c) Farrell Park/Brookhaven Community Association, Inc	(a) \$10,000.00 (b) \$9,030.00 (c) \$10,000.00	7/10/03
<u>Community Development</u>	Satisfactions of Mortgage – James B. Atkinson; Margaret A. Forman; Martin and Maritza Hernandez; Cynthia J. Rochette; Joseph L. Crawford, Jr. and Altamese S. Bennett; Tina L. and Stephen D. Rix	All liens are paid in full.	6/23/03
<u>Community Development</u>	Neighborhood Enhancement Grant Agreements with: (a) Bridlewood Homeowners' Association, Inc.; (b) Independence Square Homeowners Association, Inc.; and (c) Carol O'Shea for Lealman 49 <sup>th</sup> – 50 <sup>th</sup> Ave. North Joe's Creek Group	(a) \$9,350.00 (b) \$10,000.00 (c) \$4,000.00	6/11/03
<u>Community Development</u>	Neighborhood Enhancement Grant Agreement with Cypress Lakes Estates, Phase II, Homeowner Association, Inc.	\$10,000.00	6/6/03
<u>Environmental Management</u>	Grant Application for Federal Assistance for Special Purpose Ambient Monitoring Demonstration Study from U.S. Dept. of Environmental Protection	\$304,595.00	7/11/03
<u>Emergency Communications</u>	Grant Application for Stop Accidental Wireless 9-1-1 Phantom Calls Program from the Public Safety Foundation of America	\$297,000.00	7/1/03
<u>General Services</u>	Antenna License Agreement with University of South Florida, College of Marine Science; Temporary License Agreement with School Board	N/A	7/2/03
<u>General Services</u>	Access Agreement with Clearwater Housing Authority, Inc. and Partners in Self-Sufficiency, Inc. for Shared Office Space	N/A	6/30/03
<u>General Services</u>	Letter Agreement Extending the Access Agreement with Progress Energy Service Company, LLC	N/A - 5-year time extension only	6/17/03
<u>General Services</u>	Ontario Avenue Crystal Beach Utility Easement with Progress Energy Florida, Inc.	N/A	6/10/03
<u>Human Services</u>	Amendment No. 1 to 2002-2003 State/County Contract with Pinellas County Health Department	N/A – reflects a redistribution of current funding	7/7/03
<u>Human Services</u>	Federal Grant Application for Purchase of New Mobile Medical Unit and Additional Support Equipment	\$196,712.00	6/23/03

July 29, 2003

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
<u>Human Services</u>	Amendment No. 1 to the Master Hospital Uncompensated Care Service Agreement and Amendment No. 1 to the Master Hospital Emergency Services Agreement with Mease Hospital Countryside, Mease Hospital Dunedin, St. Anthony's Hospital, and Morton Plant Hospital	N/A - 6 month time extension only	6/17/03
<u>Human Services</u>	Amendment No. 2 to the State of Florida, Dept. of Health, Agreement for Laboratory Services	N/A	5/16/03
<u>Justice and Consumer Services</u>	Grant Application for Facial Recognition Technology Project through U.S. Dept. of Justice, Office of Community Oriented Policing Services; Service Funding Agreement with Suncoast Center for Community Mental Health	\$993,500.00; no dollar amount – amendment for subcontractor's name change	7/11/03
<u>Justice and Consumer Services</u>	Grant Application for Crime Stoppers with the Florida Office of the Attorney General	\$250,000.00 approximately	7/7/03
<u>Justice and Consumer Services</u>	Grant Application for Homeland Security Overtime Program through the U.S. Dept. of Justice, Office of Community Oriented Policing Services	\$500,000.00	5/21/03
<u>Park</u>	Grant Funding Agreement with Seminole Junior Warhawk Athletic Association for Field Maintenance	\$42,500.00	7/1/03
<u>Park</u>	Grant Funding Agreement with Pinellas Community Center, Inc. d/b/a Long Center for Scholarship Program for Unincorporated Residents	\$30,000.00	5/15/03
<u>Park</u>	Grant Funding Agreements with Largo United Soccer Club for Largo United Soccer Club Subsidization Program and Scholarship Program	\$5,000.00 and \$3,500.00 respectively	5/2/03
<u>Public Works</u>	Joint Project Agreement for Derelict Pier Removal by Contractor with the Clearwater Key Association, Inc.	\$24,450.00 is County's share	7/10/03
<u>Public Works</u>	Supplement No. 1 to Grant Agreement for Local Agency Program for Gulfport -49 <sup>th</sup> Street Landscaping Project	No County dollars are involved	6/24/03
<u>Utilities</u>	Option of Renewal for the Agreement for Professional Consulting Services for the Development of Management Systems for Employee Improvement and Opportunity	Not to exceed \$50,000.00	7/9/03
<u>Utilities</u>	Sovereign Submerged Lands Easement for the 12" Water Main Crossing the Intracoastal Waterway at 113 <sup>th</sup> Avenue with the Bureau of Public Land Administration (easement No. 520222293)	N/A	5/19/03

July 29, 2003

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
<u>WorkNet</u>	Agreement with the Metropolitan Planning Organization for the Central Avenue Childcare Shuttle Initiative	\$30,000.00	6/24/03
<u>Young-Rainey STAR Center</u>	Second Amendment to Lease Agreement with Air Technology Engines, Inc.	CPI increase 1.03% (new monthly payment \$137.71 including sales tax)	6/17/03
<u>Young-Rainey STAR Center</u>	Utility Access Agreement with Time Warner Telecom of Florida L.P.	N/A	6/13/03

#13 LOT CLEARING RESOLUTION (ENVIRONMENTAL MANAGEMENT)

Resolution No. 03-129 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.

#14 CHAIRMAN AUTHORIZED TO EXECUTE AND CLERK TO ATTEST AWARD FOR CONTINUING U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) AIR POLLUTION CONTROL (SECTION 105) GRANT NO. A00402103-1 (ENVIRONMENTAL MANAGEMENT)

Second partial award for continuing U.S. Environmental Protection Agency (EPA) Air Pollution Control (Section 105) Grant in the amount of \$103,713.00 with the balance of cost incurred as the local match covered by currently budgeted County funds; County Administrator authorized to carry out agreement.

July 29, 2003

#15 AWARD OF BID TO COX CONSTRUCTION COMPANY FOR GENERAL CONSTRUCTION AGREEMENT FOR EMERGENCY MEDICAL SERVICES (EMS) & FIRE ADMINISTRATION DEPARTMENT KALWALL ROOF REPLACEMENT (BID NO. 023-509-C) (GENERAL SERVICES)

Bid of Cox Construction Company, on the basis of being the lowest responsive bid meeting specifications for a General Construction Agreement for the Emergency Medical Services (EMS) & Fire Administration Department Kalwall Roof Replacement, for an estimated total expenditure in the amount of \$147,400.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#16 BUDGET AMENDMENTS NOS. 19 THROUGH 22 (MANAGEMENT AND BUDGET)

Copies of Budget Amendments Nos. 19 through 22 were filed and made a part of the minutes.

#17 QUARTERLY REPORT ON LAW ENFORCEMENT TRUST FUND - PAYMENTS TO SHERIFF FOR PERIOD FROM APRIL 1, 2003 THROUGH JUNE 30, 2003 (MANAGEMENT AND BUDGET)

Quarterly Report on the Law Enforcement Trust Fund authorizing payments to the Sheriff for April 1, 2003 through June 30, 2003 was filed and made a part of the minutes.

#18 ADMINISTRATIVE BUDGET AMENDMENTS FOR PERIOD FROM APRIL 1, 2003 THROUGH JUNE 30, 2003 (MANAGEMENT AND BUDGET)

Quarterly Report on administrative budget amendments for April through June 2003 was filed and made a part of the minutes.

July 29, 2003

#19 PROCUREMENT ITEMS APPROVED BY THE COUNTY ADMINISTRATOR - RECEIVED FOR FILING (PURCHASING)

<u>COMMODITY</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u>	<u>AWARD DATE</u>
Non-Competitive Purchase – Seals, Mechanical (Repair Kits Only), Utilities	Florida Sealing Products, Inc.	\$ 50,000.00	6/30/03
Award of Contract – Digital Traffic Controllers, Loop Vehicle Detectors, Signal Heads and Auxiliaries, Florida State Contract, Highway	Peek Traffic Systems, Inc.	\$ 80,000.00	6/26/03
Approval Request – Mainview License Support, Information Technology	BMC Software Distribution, Inc.	\$ 29,340.00	6/26/03
Option of Renewal - Household Chemical Waste Collection Services, Utilities	US Liquids of Florida, Inc.	\$388,269.00	6/26/03
Approval of Purchase – Computer Equipment: WorkNet/Gulf-to Bay Center, Florida State Contract, WorkNet	Big Sur Technologies, Inc.	\$ 62,790.00	6/23/03
Approval of Purchase – Computer Equipment – WorkNet/One Stop Centers, Florida State Contract	Big Sur Technologies, Inc.	\$ 36,160.00	6/23/03
Award of Bid – Viewpanels/Monitors, Emergency Communications/911	Solutions 4 Sure – An Office Depot Company	\$ 26,672.00	6/20/03
Purchase Approval – Server, Florida State Contract, WorkNet/AWI	Big Sur Technologies, Inc.	\$ 25,177.00	6/20/03
Renewal of Contract – Auto Glass Furnished and Installed, Fleet	Guardian Auto Glass	\$ 20,000.00*	6/20/03
Increase to Master Purchase Orders – Road Materials 2001-2002 COOP, Various Departments	Conrad Yelvington Distribution, Inc. Emmett McCabe Trucking, Inc. E. R. Janna Industries, Inc.	\$ 32,720.00	6/18/03

July 29, 2003

<u>COMMODITY</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u>	<u>AWARD DATE</u>
Purchase Authorization – Florida State SNAPS Agreement 9912026-4 Consultant Services IT, WorkNet	Resource Inc.	\$ 48,740.00	6/18/03
Purchase Authorization – Playground Equipment Purchase and Install – Walsingham Park	Playmore Recreational Products and Services	\$ 41,312.69	6/17/03
Approval Request – Consulting Services, Florida State Contract, Information Technology	PMP Group Company	\$ 57,600.00	6/17/03
Purchase Authorization: Gas, Liquid Propane – Pinellas County School Board Bid 03-405-055, Various Departments	Suburban Propane	\$ 45,000.00	6/17/03
The Gulf Beaches Historic Museum Restoration – Emergency Purchase, Park	Semco Construction	\$ 50,000.00	6/9/03
Second and Final Option of Renewal – Telephone Supplies, Annual Requirements, General Services	Graybar Electric Company, Inc.	\$ 75,000.00	6/9/03
Approval Request – Life Cycle Support Agreement, WorkNet	Resource Inc.	\$ 54,644.00	6/9/03
Award of Contract – Texture Coating and Painting Services- County Road 296, Highway	Olympic Painting Contracting, Inc.	\$ 26,000.00	6/9/03
First Option of Renewal – Envelopes, Preprinted- Utilities	Tampa Envelope Manufacturing and Paper Company	\$ 20,896.50 *	6/5/03
Approval Request – Emergency Purchase, Utilities	Gulfcoast Utility Constructors, Inc.	\$294,700.00	6/5/03
Final Option of Renewal – Land Survey Equipment, Accessories and Supplies 2000-2002, Public Works	Florida Level & Transit Company, Inc.	\$ 42,067.50	6/1/03
Rejection of Request for Proposal – Financial Advisory Services, OMB	Various	N/A	6/1/03
Final Negotiated Contract – Design, Installation, Training & Purchase of Audio Visual Equipment for Brooker Creek Environmental Education Center, Environmental Mgmt.	Audio Visual Innovation	\$ 56,894.21	5/29/03
Reject all Bids – Repairs to Tierra Verde Bridges and Fort DeSoto Gulf Pier, Public Works	Johnson Brothers Corp./Misner Marine Construction, Inc.	N/A	5/29/03

July 29, 2003

<u>COMMODITY</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u>	<u>AWARD DATE</u>
Renewal of Contract – Cable, Chain and Rigging, Fleet	Certified Slings, Inc.	\$ 25,000.00 *	5/29/03
Approval Request – Coliform Source Tracking Project, Utilities	Analytical Services, Inc.	\$ 95,000.00	5/29/03
Reject all Bids – Fort DeSoto Water Circulation Improvements, Park	Various	N/A	5/27/03
Approval Request – Florida State Contract, Laboratory & Safety Supplies & Equipment, Various Departments	Fisher Scientific Company L.L.C.	\$1,100,000.00	5/27/03
Approval Request – Florida State Contract KioskPro's OSMISme Registration System, WorkNet	Kioskpros, Inc.	\$ 27,300.00	5/27/03
Approval Request – Florida State Contract, Computer Software Licenses & Upgrades, WorkNet	Software House International	\$ 50,330.00	5/27/03
Purchase Authorization – Surf Rake, Fleet	Rockland Manufacturing Company	\$ 29,790.00	5/26/03
Purchase Authorization – Florida State Contract 070-001-3-1 Suburban, ¾ Ton, 4 X 4 (2), Fleet	Garber Chevrolet, Inc.	\$ 65,908.00	5/19/03
Award of Bid - Storefront Doors and Windows – Rebid, General Services	Glass Service Company	\$ 30,900.00	5/19/03
Second and Final Option of Renewal and Amendment – Grounds Maintenance for the Community Development Department	Native Sun Landscaping Maintenance, Inc.	\$ 22,858.00 *	5/19/03
Award of Bid – New Roof System – White Chapel Activities Building, General Services	Quality Roofing of Florida, Inc.	\$ 27,600.00	5/19/03
Renewal of Contract – Cranes: Inspect, Repair, Certify, Fleet	National Crane Services, Inc. Baker Equipment Engineering Co.	\$ 6,000.00 * \$ 4,000.00 *	5/19/03
Second and Final Option of Renewal – Bridge Tending Services, Highway Department	C&S Building Maintenance Corporation	\$295,715.70	5/19/03

July 29, 2003

<u>COMMODITY</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u>	<u>AWARD DATE</u>
First Option of Renewal – Veterinary Supplies – Animal Services	Schering-Plough Animal Health Corp., Parke Medical Supply, Inc., Synbiotics Corp. & Mercy Surgical Dressing Group, Inc.	\$ 24,491.47 *	5/18/03
Sole Source Contract for ViewDirect for MVS Software Maintenance Support, Information Technology	Mobius Management Systems, Inc.	\$ 29,970.00	5/18/03
Request for Approval – Office Furniture Florida State Contract– WorkNet	Interior Services Group, Inc.	\$101,693.67	5/18/03
Renewal of Contract – Hydraulic Hose and Fittings, Fleet	Goodyear Rubber Products, Inc.	\$ 25,000.00 *	5/18/03
Renewal of Contract – Turbochargers, Blowers and Diesel Injection Parts and Repair, Rebid, Fleet	Florida Diesel Injection, Inc.	\$ 14,439.00 *	5/18/03
Reject of Bids - Internet Access Services, Enterprise Wide, Information Technology	AT&T/ Worldcom	N/A	5/8/03
Purchase Authorization – Backhoe Loader, Florida State Contract, Fleet	Ringhaver Equipment Company	\$ 87,229.00	5/7/03
Purchase Authorization – Florida State Contract, Computer Equipment - WorkNet	Florida State Networks	\$ 95,748.00	5/5/03
Approval of Contract Extension (Time Only) – Job Corps Consultant, Economic Development	The Leonard Resource Group, Inc.	N/A	4/29/03
Option of Renewal – Transmission Services, Vehicle, Fleet	Sunshine Industries D/B/A Aamco Transmissions	\$ 30,000.00	4/29/03
Option of Renewal – Lawn & Grounds Maintenance – Mosquito Control, Survey and Traffic	Native Sun Landscape Maintenance	\$ 36,600.00	4/29/03
Name Change -Tampa Bay Trane	Tampa Bay System Sales, Inc. D/B/A Tampa Bay Trane, D/B/A Trane Parts Center	N/A	4/29/03
Name Change – Florida Hydraulic Machinery, Inc.	Hydraulic Machinery, Inc.	N/A	4/29/03

July 29, 2003

<u>COMMODITY</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u>	<u>AWARD DATE</u>
Award of Proposal – Independent Golf Contractor Teaching Professional – Airco Golf	Bill Buttner	\$ 27,000.00 Revenue	4/27/03
Award of Bid - Cotton Rags, Various Departments	Coastal Wipers, Inc.	\$ 12,870.00 *	4/27/03
Renewal of Contract – Plant Materials, Supply and Install, Utilities	Trugreen Landcare	\$ 20,000.00 *	4/25/03
Approval of Purchase of (4) Canon Image Runner Copiers and Non-Competitive Purchase of (6) Jamex Attachments for Administrative Office of the Courts	Danka Office Imaging	\$ 46,273.33	4/23/03
Approval Request – Sole Source ISCO Flow Meter and Sampler Parts, Accessories, Upgrades and Calibration, Utilities	AMJ Equipment Corporation	\$ 75,000.00	4/17/03
Change Order No. 1 (Final) for Landfill Underdrain Video Inspection and Repairs and Release of Retainage, Utilities	Comanco Environmental Corporation	\$ 6,068.05 *	4/17/03
Purchase Authorization – Light Emitting Diode for Traffic Signals and Left Arrows, Highway	Temple, Inc.	\$ 78,490.50	4/16/03
Name Change – Plotter Supplies 01/03, XESystems, Inc. (Xerox Engineering System)	Xerox Corporation	N/A	04/16/03
Final Option of Renewal – Chlorination System Services & Parts, Utilities	Water Treatment and Controls Company	\$50,000.00	04/16/03
Rejection of Bids – Ammonium Hydroxide, Utilities	Harcros Chemicals La Roche Industries, Inc.	N/A	04/15/03
Rejection of Bids – Paint and Supplies Automotive, Fleet	American Icon Auto Paint & Supplies, Finishmaster Automotive & Industrial Paint, and Fleet Products	N/A	04/15/03
First and Final Option of Renewal – Variable Frequency Drives – Preventable Maintenance and Repair (REBID), Utilities	Aardvark Automation, Inc.	\$ 54,964.00	04/14/03
Option of Renewal – Pipe Lining Services, Highway	Insituform Technologies, Inc.	\$1,883,060.00	04/14/03

July 29, 2003

<u>COMMODITY</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u>	<u>AWARD DATE</u>
Purchase Authorization: Florida State Contract 765-900-02-1 Tractor Mowers (2), Highway	Alamo Sales Corporation	\$137,312.62	04/11/03
Request for Approval Change Order No. 1 – Florida State Contract for Acceptance of Credit/Debit Cards – Utilities	Bank of America	\$ 32,301.00	04/09/03
Final Option of Renewal – Supply, Delivery, Installation and/or Removal of Thermoplastic Traffic Markings & Reflective Pavement Markers FY01/02 (Coop) Highway	AKCA, Inc.	\$350,000.00	04/08/03
Request for Approval – Office Furniture, Florida State Contract, Utilities	Commercial Design Services, Inc.	\$ 40,054.27	04/08/03
Approval of Contract – Paper, Office: Virgin and Recycled, Florida State Contract, Various Departments	Unisource	\$125,000.00	04/08/03
Approval Request – Closed Captioning Services, Public Affairs	Americaption, Inc.	\$ 35,200.00	04/08/03
Second and Final Option of Renewal – Security Guard Services for Friendship Trail Bridge, Park	The Budd Group	\$ 56,137.58	04/08/03
Extension of Contract – Fire Extinguisher Services 01-02 Coop, Various Departments	County Fire Equipment Company	\$ 14,860.00 *	04/08/03
Approval Request – Reject Bids for 6”-12” Sanitary Sewer Cleaning, Utilities	Advanced Underground Imaging	N/A	04/07/03
Final Option of Renewal No. 2 – Electronic Recycling/Demanufacturing Service, Utilities	Creative Recycling Systems, Inc.	\$ 50,803.99	04/02/03
Approval Request – Change Order to PMP Group Company, Information Technology	PMP Group Company	\$ 12,000.00 *	04/02/03
Purchase Authorization: Florida State Contract 250-000-03-01 IBM Storage Capacity Upgrade, Information Technology	Marketex Storage Systems, Inc.	\$ 55,222.00	04/02/03
Final Option of Renewal No. 3 – Employee Service Award Program, Personnel	Michael C. Fina Company	\$ 40,000.00	04/02/03
Award of Bid: Pump Station No. 124 Replacement, Utilities	C.R.E.W.S. Construction Services, Inc.	\$ 92,841.00	3/25/03

\* The aggregate value of the contract is between \$25,000 and \$100,000.

July 29, 2003

- #20 AUTHORIZATION FOR PURCHASE OF ANNUAL REQUIREMENTS OF JANITORIAL SUPPLIES FROM ZEP MANUFACTURING COMPANY, A DIVISION OF ACUITY SPECIALTY PRODUCTS GROUP, INC., PER U.S. COMMUNITIES/NATIONAL ASSOCIATION OF COUNTIES (NACo) CONTRACT NO. 45983 (BID NO. 023-656-N) (PURCHASING)

Purchase of annual requirements of janitorial supplies from Zep Manufacturing Company, a division of Acuity Specialty Products Group, Inc., per U.S. Communities/NACo Contract pricing structure, for an estimated annual expenditure not to exceed \$200,000.00 (estimated three-year expenditure, \$600,000.00); three-year contract from date of Board approval through January 6, 2006 in accordance with County Code 2-164.

- #21 AUTHORIZATION FOR PURCHASE OF ANNUAL REQUIREMENTS OF INDUSTRIAL SUPPLIES AND EQUIPMENT (2003-2004) FROM GRAINGER INDUSTRIAL SUPPLY, A DIVISION OF W. W. GRAINGER, PER SCHOOL BOARD OF ORANGE COUNTY FLORIDA CONTRACT NO. 01-05-06NN (BID NO. 023-722-B) (PURCHASING)

Purchase of annual requirements of industrial supplies from Grainger Industrial Supply, based on the pricing structure, terms and conditions of the School Board of Orange County Florida Contract No. 01-05-06NN, for an expenditure not to exceed \$300,000.00; contract is effective from July 31, 2001 through July 31, 2004 and provides for four additional one-year renewal periods, subject to County Administrator approval.

- #22 DECLARATION OF MISCELLANEOUS COUNTY-OWNED EQUIPMENT AS SURPLUS WITH AUTHORIZATION FOR LIQUIDATION OF SAME THROUGH PUBLIC AUCTION CONDUCTED BY GOVDEALS.COM (PURCHASING)

The County-owned equipment as set forth in the attachment to the County Administrator's memorandum dated July 29, 2003.

July 29, 2003

- #23 RESOLUTION NO. 03-130 ADOPTED AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS FOR THE COST OF MEALS AND BEVERAGES FOR MEMBERS OF THE WORKNET PINELLAS BOARD AT BOARD AND COMMITTEE MEETINGS, AND PARTICIPANTS FROM THE BUSINESS COMMUNITY IN JOB FAIRS, FOCUS GROUPS AND SPECIAL MEETINGS, AND FOR THE COST OF PLAQUES AND CERTIFICATES OF RECOGNITION UNDER THE PROVISIONS OF PINELLAS COUNTY ORDINANCE NO. 00-16; PROVIDING AN EFFECTIVE DATE (WORKNET)

Resolution No. 03-130 authorizing the expenditure of public funds for the cost of meals and beverages for members of the WorkNet Pinellas Board at board and committee meetings, and participants from the business community in job fairs, focus groups and special meetings, and for the cost of plaques and certificates of recognition as requested by WorkNet, in an amount not to exceed \$10,000.00 on an annual basis.

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

\* \* \* \*

At this time, 3:12 P.M., Commissioner Stewart left the meeting.

\* \* \* \*

- #25 USA 3000 AIRLINES COMMERCIAL OPERATIONS AGREEMENT WITH BRENDAN AIRWAYS LLC D/B/A USA 3000 AIRLINES - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an airlines operations agreement with Brendan Airways LLC, d/b/a USA 3000 Airlines for commercial air service at the St. Petersburg-Clearwater International Airport.

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

July 29, 2003

\* \* \* \*

At this time, 3:14 P.M., Commissioner Stewart returned to the meeting.

\* \* \* \*

#26 LEASE AGREEMENT WITH ABX AIR, INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a lease agreement with ABX Air, Inc. for office space at the St. Petersburg-Clearwater International Airport Terminal Building for an annual rental amount of \$3,136.00.

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

#27 FIRST AMENDMENT TO SOUTHEAST AIRLINES COMMERCIAL OPERATIONS AGREEMENT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the First Amendment to the Commercial Operations Agreement with Southeast Airlines, Inc. providing for St. Petersburg-Clearwater International Airport to provide \$27,000.00 towards a cooperative marketing program to promote the new service to the Newburgh, New York/Hudson Valley region, with Southeast Airlines, Inc., at a minimum, matching funds in its overall media budget (\$26,000.00 to be used for television marketing in the Tampa Bay area with the remaining \$1,000.00 to be used for production and installation of a billboard sign on airport property).

Following discussion and input by Airport Director of Operations Thomas Jewsbury, Chairman Seel requested that a report on the results of the marketing plan be provided to the Board; whereupon Commissioner Stewart moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

July 29, 2003

- #28 QUITCLAIM DEED SUBMITTED BY EVANGELOS LEGAKIS AND SOPHIA LEGAKIS FOR THE WEST 10.0 FEET OF THE SOUTH 40 FEET OF LOT 9, MILTON'S SUBDIVISION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 30 SOUTH, RANGE 16 EAST (PUBLIC WORKS) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR THE CLERK TO ATTEST AND ACCEPT FOR RECORDING
- 

County Administrator Stephen M. Spratt recommended approval of a quitclaim deed submitted by Evangelos Legakis and Sophia Legakis for the west 10.0 feet of the south 40 feet of Lot 9, Milton's Subdivision, located in the northeast quarter of Section 31, Township 30 South, Range 16 East (File No. 1148) (street address: 6850 66<sup>th</sup> Street North, Pinellas Park), with authorization for the Clerk to attest and accept for recording.

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

- #29 INSTALLATION OF A FOUR-WAY STOP AT 90<sup>TH</sup> AVENUE NORTH AND 93<sup>RD</sup> STREET NORTH, A THREE-WAY STOP AT 90<sup>TH</sup> AVENUE NORTH AND 91<sup>ST</sup> STREET NORTH AND A FOUR-WAY STOP AT 90<sup>TH</sup> AVENUE NORTH AND COUNTRY SQUARE DRIVE/90<sup>TH</sup> STREET NORTH RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED
- 

County Administrator Stephen M. Spratt recommended approval of the installation of a four-way stop at 90<sup>th</sup> Avenue North and 93<sup>rd</sup> Street North, a three-way stop at 90<sup>th</sup> Avenue North and 91<sup>st</sup> Street North and a four-way stop at 90<sup>th</sup> Avenue North and Country Square Drive/90<sup>th</sup> Street North, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No 97-291, dated October 14, 1997 and revised June 4, 2002.

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

July 29, 2003

#30 AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (FDACS) AND THE PINELLAS COUNTY MOSQUITO DISTRICT (FDACS CONTRACT NO. 007815) (PUBLIC WORKS) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the mosquito control statutory compliance agreement with the State of Florida Department of Agriculture and Consumer Services (FDACS) for the period of October 1, 2003 through September 30, 2004.

Commissioner Morroni moved, seconded by Commissioner Harris, that the recommendation of the County Administrator be approved; whereupon, in response to comments by Commissioner Harris relative to current efforts to control mosquitoes, Mr. Spratt indicated that he would schedule a briefing by Mosquito Control staff at an upcoming work session. Upon call for the vote, the motion carried unanimously.

#31 AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING RE AN ORDINANCE PROVIDING FOR PUBLIC CORRECTION OF DANGEROUS CONDITIONS ON PRIVATE ROAD RIGHTS-OF-WAY OR REAL PROPERTY ADJACENT THERETO (PUBLIC WORKS)

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held August 19, 2003 regarding a proposed ordinance relative to public correction of dangerous conditions on private road rights-of-way or real property adjacent thereto.

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

#32 AGREEMENT WITH CSX TRANSPORTATION, INC. FOR SALE AND PURCHASE OF 20<sup>TH</sup> AVENUE SOUTHEAST FROM LAKE AVENUE TO STARKEY ROAD (PID NO. 880) (PUBLIC WORKS) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an Agreement with CSX Transportation Inc. for sale and purchase of 20<sup>th</sup> Avenue Southeast from Lake Avenue to Starkey Road, providing for CSX to deed the right-of-way at no

July 29, 2003

expense to the County as part of an overall improvement effort for 20<sup>th</sup> Avenue Southeast.

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

#33 RESOLUTION NO. 03-131 ADOPTED ORDERING PAVING IMPROVEMENTS TO 20<sup>TH</sup> AVENUE SOUTHEAST FROM LAKE AVENUE TO STARKEY ROAD, ORDERING ASSESSMENT OF THE PROPERTIES BENEFITED THEREBY AND AUTHORIZING DIRECTOR OF PUBLIC WORKS TO BEGIN PLAN PREPARATION, AND DEVELOP AN ESTIMATE OF COST

County Administrator Stephen M. Spratt recommended that the petition signed by the owners of 64.93 percent of the benefiting property on 20<sup>th</sup> Avenue Southeast from Lake Avenue to Starkey Road be accepted; and that the initial resolution ordering the desired street improvements to be accomplished by assessment and authorizing the Director of Public Works to prepare plans, specifications and estimate of cost be adopted.

Commissioner Stewart moved, seconded by Commissioner Harris, that Resolution No. 03-131 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Latvala and Todd.

#34 CHANGE ORDER NO. 1 (FINAL) TO AGREEMENT WITH MASTEC NORTH AMERICA, INC. FOR SEMINOLE LAKES GOLF & COUNTRY CLUB ESTATES RECLAIMED WATER DISTRIBUTION SYSTEM (PROJECT NO. 734-753314-1206) (BID NO. 012-108-C) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 1 (final) to the agreement with MasTec North America, Inc. for Seminole Lakes Golf & Country Club Estates Reclaimed Water Distribution System, increasing the agreement by \$6,661.64 (final total agreement, \$2,169,835.23); accepting the project as substantially complete as of March 26, 2003; and releasing retainage in the amount of \$108,152.41.

July 29, 2003

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

#35 PBS&J SELECTED TO PROVIDE PROFESSIONAL SERVICES FOR THE REDEVELOPMENT OF THE MAINTENANCE AND OPERATIONS SITE AT UTILITIES SOLID WASTE FACILITY (PROJECT NO. 814-822414-1482); STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide professional services for the redevelopment of the maintenance and operations site at Utilities Solid Waste Facility, as follows:

PBS&J  
George F. Young  
Mason Blau & Associates, Inc.

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, PBS&J, and to finalize a contract with said firm for Board approval.

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

#36 PROPOSAL OF IMT/INTERNATIONAL MANAGEMENT TECHNOLOGIES, INC. ACCEPTED FOR BALANCED SCORECARD AND PERFORMANCE MEASUREMENT PROJECT (BID NO. 023-720-P); 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 proposal of IMT/International Management Technologies, Inc. be accepted for the Balanced Scorecard and Performance Measurement project for an estimated total expenditure in the amount of \$316,412.00; and further recommended that the Chairman be authorized to

July 29, 2003

sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

Commissioner Morroni moved, seconded by Commissioner Welch, that the recommendations of the County Administrator be approved. Following discussion and input by Director of Utilities Pick Talley, the motion carried unanimously.

#37 AGREEMENT WITH IDA P. MITCHELL, PERSONAL REPRESENTATIVE FOR THE ESTATE OF EARL PERRY, FOR ACQUISITION OF A PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/1303, IMPROVED PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA (PID NO. 921938) (COMMUNITY DEVELOPMENT) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of an agreement with Ida P. Mitchell, personal representative for the estate of Earl Perry, for the acquisition of a partial taking of Parcel No. 08/30/15/70470/100/1303, improved property lying within the Dansville Redevelopment Area for infrastructure improvements, with authorization for issuance of a check in the amount of \$1,620.00.

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

#38 ST. PETERSBURG-CLEARWATER AREA CONVENTION AND VISITORS BUREAU (CVB) FY 2004 PROMOTIONAL BUDGET (CONVENTION AND VISITORS BUREAU) – APPROVED

County Administrator Stephen M. Spratt recommended approval of the St. Petersburg-Clearwater Area Convention and Visitors Bureau (CVB) FY 2004 promotional budget in the amount of \$6,393,760.00.

\* \* \* \*

At this time, 3:22 P.M., Commissioner Latvala entered the meeting.

\* \* \* \*

July 29, 2003

Following discussion and input by CVB Executive Director Carole Ketterhagen, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the recommendation of the County Administrator be approved.

#39 AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY FOR LOCAL EMERGENCY MANAGEMENT (EMERGENCY MANAGEMENT) - APPROVED

County Administrator Stephen M. Spratt recommended approval of an agreement with the School Board of Pinellas County for the provision of public shelters, citizen evacuation transportation and animal collection facilities in the event of a natural or technological disaster (County is responsible for reimbursing the School Board for operational costs of facilities, buses and staff at current rates at the time of request and/or usage).

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

#40 AUTHORIZATION GRANTED FOR REDUCTION OF RETAINAGE MONIES TO PETER R. BROWN CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR ST. PETERSBURG JUDICIAL BUILDING RENOVATIONS (GENERAL SERVICES)

County Administrator Stephen M. Spratt recommended that authorization be granted for a reduction of retainage monies to 50 percent or \$200,755.49 to Peter R. Brown Construction, Inc. for the St. Petersburg Judicial Building renovations project.

\* \* \* \*

At this time, 3:35 P.M., Commissioner Stewart left the meeting.

\* \* \* \*

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

July 29, 2003

#41 JOINT USE AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY  
(GENERAL SERVICES) - APPROVED

County Administrator Stephen M. Spratt recommended approval of a Joint Use Agreement with the School Board of Pinellas County for use of facilities for educational and recreational programs for a term of five years with additional five-year renewals, subject to approval and written agreement by the School Board and the County (County Administrator and Superintendent of Schools may approve the short-term use of facilities).

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

\* \* \* \*

At this time, 3:36 P.M., Commissioner Stewart returned to the meeting.

\* \* \* \*

#42 ANTENNA SITING LICENSE AGREEMENT WITH ALLTEL WIRELESS  
HOLDING, LLC (GENERAL SERVICES) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an antenna siting license agreement with ALLTEL Wireless Holding, LLC to locate an antenna array on the existing County tower at the W.E. Dunn Water Reclamation Plant and to construct a building for their equipment (license period is ten years with two five-year renewals at an initial annual rent of \$21,600.00 or \$1,800.00 per month, with an annual rental increase of four percent; termination may be given by either party with 90 days written notice prior to the expiration of the then current term).

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

July 29, 2003

#43 FOURTH LEASE AMENDMENT TO LEASE AGREEMENT WITH HIGHWOODS/FLORIDA HOLDINGS, L.P. (GENERAL SERVICES) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Fourth Lease Amendment to the lease agreement with Highwoods/Florida Holdings, L.P., amending the term of the lease to three years with two three-year renewals; changing the annual adjustment rate from a Consumer Price Index (CPI) formula to a fixed 50 cents per square foot increase per year; increasing the fixed monthly janitorial fee to \$225.31 per month with a fixed four percent increase each year after the first year; providing for the County to reimburse the landlord for the tenant improvements if the County terminates before the end of the first three-year term; and including a late payment clause (beginning August 1, 2003, the monthly rental payment will be \$4,157.77 plus the janitorial fee of \$225.31).

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

#44 CONSTRUCTION MANAGEMENT AGREEMENT WITH PETER R. BROWN CONSTRUCTION, INC. FOR WEEDON ISLAND PRESERVE EDUCATION CENTER, PHASE II (GENERAL SERVICES) - ACCEPTED AS COMPLETE WITH AUTHORIZATION FOR RELEASE OF RETAINAGE MONIES

County Administrator Stephen M. Spratt recommended that the Construction Management Agreement with Peter R. Brown Construction, Inc. for the Weedon Island Preserve Education Center, Phase II be accepted as complete as of June 13, 2003; and that authorization be granted for release of retainage monies in the amount of \$91,308.75.

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

July 29, 2003

#45 CHANGE ORDER NO. 1 TO CONSTRUCTION MANAGEMENT AGREEMENT WITH CREATIVE CONTRACTORS, INC. FOR BROOKER CREEK PRESERVE ENVIRONMENTAL EDUCATION CENTER PHASE TWO (GENERAL SERVICES) - APPROVED FOR EXECUTION; AUTHORIZATION GRANTED FOR REDUCTION OF RETAINAGE MONIES

County Administrator Stephen M. Spratt recommended approval of Change Order No. 1 to the Construction Management Agreement with Creative Contractors, Inc. for Brooker Creek Preserve Environmental Education Center Phase Two, increasing the Guaranteed Maximum Price (GMP) by \$163,500.00, and the Construction Management fee by \$16,350.00; extending the completion date of the three main buildings to October 2, 2003; and reducing retainage from ten to five percent or \$197,258.74.

Commissioner Latvala moved, seconded by Commissioner Welch, that the recommendation of the County Administrator be approved; whereupon, in response to query by Chairman Seel relative to the delays, Assistant County Administrator Jacob F. Stowers, III provided information regarding the exhibit displays and maintenance work for some of the buildings. Upon call for the vote, the motion carried unanimously.

#46 AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH HEERY INTERNATIONAL, INC. FOR THE COUNTYWIDE GOVERNMENTAL SPACE NEEDS ASSESSMENT (GENERAL SERVICES) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 1 to the agreement for professional services with Heery International, Inc. for the countywide space needs assessment, incorporating the facilities and operations of the Utilities Department into the scope of study and services; extending the project end date by 130 calendar days; and revising the original agreement amount to a total not to exceed \$316,850.00.

Commissioner Latvala moved, seconded by Commissioner Welch, that the recommendation of the County Administrator be approved. Following discussion and input by Director of General Services Carl M. Barron, upon call for the vote, the motion carried unanimously.

July 29, 2003

- #47 FIRST AMENDMENT TO AGREEMENT WITH ECONOMICS RESEARCH ASSOCIATES (ERA) FOR RETAIL/BUSINESS OPPORTUNITIES FEASIBILITY STUDIES (RFP NO. 012-785-P) (GENERAL SERVICES) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended approval of the first amendment to the agreement with Economics Research Associates (ERA) for retail/business opportunities feasibility studies, deleting Section 2.2.1 of Schedule B that established a reimbursable expense fee not to exceed the amount of \$100.00; 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 Latvala moved, seconded by Commissioner Welch and carried, that the recommendations of the County Administrator be approved.

- #48 DISTRIBUTION OF BYRNE MEMORIAL GRANT FUNDS FOR FY 2003-2004 RE SUBSTANCE ABUSE ADVISORY BOARD RECOMMENDATION (JUSTICE AND CONSUMER SERVICES) - APPROVED

County Administrator Stephen M. Spratt recommended approval of the distribution of Byrne Memorial Grant funds for FY 2003-2004 in the amount of \$724,892.00 among 12 applicants as recommended by the Pinellas County Substance Abuse Advisory Board.

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

- #49 SERVICE FUNDING AGREEMENT WITH OPERATION PAR, INC. FOR PROJECT HOPE (JUSTICE AND CONSUMER SERVICES) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Service Funding Agreement with Operation PAR, Inc. for Project HOPE to provide second year funding in the amount of \$100,000.00 (the legislature has provided funding in the total amount of \$200,000.00 to Pinellas County for the two-year program;

July 29, 2003

\$100,000.00 to be expended in FY 2002-2003, and \$100,000.00 in FY 2003-2004; no County funds are involved).

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

#50 DISBURSEMENT OF ALCOHOL AND DRUG ABUSE TRUST FUND MONIES FOR FISCAL YEAR 2003-2004 RE SUBSTANCE ABUSE ADVISORY BOARD RECOMMENDATION (JUSTICE AND CONSUMER SERVICES) - APPROVED

County Administrator Stephen M. Spratt recommended approval of the disbursement of funds from the Alcohol and Drug Abuse Trust Fund for FY 2003-2004 in the amount of \$50,000.00 to certain agencies as recommended by the Pinellas County Substance Abuse Advisory Board.

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

#51 RESOLUTION NO. 03-132 ADOPTED SUPPLEMENTING FY 2003 GENERAL FUND BUDGET (JUSTICE AND CONSUMER SERVICES)

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 Justice and Consumer Services.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 03-132 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

July 29, 2003

- #52 FINAL NEGOTIATED CONTRACT WITH TAMPA BAY FERRY FOR PASSENGER FERRY BOAT SERVICE (CONTRACT NO. 012-901-P) (PARK) – APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended approval of the final negotiated contract with Tampa Bay Ferry for passenger ferry boat service (proposed minimum anticipated revenue to the County is \$1,200.00 per year with a \$.50 per passenger revenue beyond the minimum guarantee); initial contract is for three years with two additional 12-month options of renewal at the same terms and conditions, with the exception of the \$.50 per passenger revenue which will be evaluated and may be renegotiated after the first year, pending approval by the County Administrator; and further recommended that the Chairman be authorized to sign the agreement and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

- #53 RESOLUTION NO. 03-133 ADOPTED WAIVING PROVISION OF THE PURCHASING DIVISION OF PINELLAS COUNTY CODE FOR A ONE-TIME TEST OF THE MARKET FOR A HOLIDAY LIGHT SHOW AT LAKE SEMINOLE PARK (PARK)

County Administrator Stephen M. Spratt recommended approval of a resolution waiving the purchasing ordinance requirements for the procurement of a holiday light vendor, generator vendor and sponsorship vendor for the proposed special event to be held at Lake Seminole Park.

Commissioner Morroni moved, seconded by Commissioner Latvala, that Resolution No. 03-133 be adopted as recommended. Following discussion and input by Park Department Director Elizabeth Warren and Park and Recreation Operations Manager Leah Hoffman, upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

July 29, 2003

- #54 RESOLUTION NO. 03-134 ADOPTED RE-DELEGATING CERTAIN AUTHORITY AND POWERS CONFERRED UPON PINELLAS COUNTY BY THE COMMUNITY REDEVELOPMENT ACT OF 1969, CHAPTER 163, PART III, TO THE CITY OF ST. PETERSBURG CITY COUNCIL FOR REDEVELOPMENT IN AN AREA IN THE CITY OF ST. PETERSBURG, FLORIDA WITHIN CERTAIN GEOGRAPHIC BOUNDARIES; AND PROVIDING FOR AN EFFECTIVE DATE (PLANNING)

County Administrator Stephen M. Spratt recommended approval of a resolution re-delegating to the St. Petersburg City Council the authority to declare itself a community redevelopment agency, and to prepare a Redevelopment Plan for the Tangerine Avenue Community Redevelopment District.

Commissioner Welch moved, seconded by Commissioner Latvala, that Resolution No. 03-134 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

- #55 CANCELLATION OF CONTRACT WITH ADKINS TRANSFER, INC. FOR MOVING SERVICES (BID NO. 012-968-B) - APPROVED; CONTRACT RE-AWARDED TO EFFORT ENTERPRISES OF FLORIDA, INC., D/B/A ATLANTIC RELOCATION SYSTEMS (PURCHASING) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENT AFTER PROPER EXECUTION BY THE CONTRACTOR AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

County Administrator Stephen M. Spratt recommended that the contract with Adkins Transfer, Inc. be canceled, with cause, for failure to perform the contract as specified; authorization for a three-year debarment from participating in the Pinellas County bid process due to poor performance per County Code 2-161; re-awarding of the contract to Effort Enterprises of Florida, Inc., d/b/a Atlantic Relocation Systems on the basis of being the second lowest responsive and responsible bid received meeting specifications, at the same prices, terms, rates and conditions as offered in the original bid until the original contract terminates on November 15, 2004 (one additional 12-month option of renewal at the same prices, terms and conditions, pending approval by the County Administrator); and further recommended that the Chairman be authorized to

July 29, 2003

sign and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

In response to query by the Chairman, County Attorney Susan H. Churuti indicated that a follow-up report will be provided with regard to the length of time a company can be debarred.

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

#56 WILLIAM R. HOUGH & COMPANY SELECTED TO PROVIDE FINANCIAL ADVISORY SERVICES (BID NO. 023-706-P) (PURCHASING/MANAGEMENT AND BUDGET); STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRM

County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide financial advisory services (Bid No. 023-706-P) as follows:

1. William R. Hough & Company
2. Public Financial Management
3. Public Resources Advisory Group

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, William R. Hough & Co., and to finalize a contract with said firm for Board approval.

Following discussion and input by Purchasing Director Joseph Lauro and County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Welch and carried, that the recommendations of the County Administrator be approved.

#57 MINOR REVISIONS TO CONTRACTS BETWEEN PINELLAS COUNTY (WORKNET PINELLAS) AND ST. PETERSBURG COLLEGE FOR PROVISION OF ONE STOP OPERATION AND YOUTH SERVICES (WORKNET) - RATIFIED

County Administrator Stephen M. Spratt recommended ratification of the minor revisions made to the contracts between Pinellas County (WorkNet Pinellas) and

July 29, 2003

St. Petersburg College for the provision of One Stop Operation and Youth Services through June 30, 2004.

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

#58 FIRST AMENDMENT TO AGREEMENT BETWEEN PINELLAS COUNTY AND ST. PETERSBURG COLLEGE – APPROVED FOR EXECUTION (WORKNET PINELLAS, INC.)

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County Administrator Stephen M. Spratt recommended approval of the First Amendment to the Agreement between Pinellas County and St. Petersburg College for the provision of youth services through June 30, 2004; and that the Chairman be authorized to execute the amendment.

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

#59a BUDGET AMENDMENT NO. 23 - APPROVED

County Administrator Stephen M. Spratt recommended approval of Budget Amendment No. 23.

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

#59b RESOLUTION NO. 03-135 ADOPTED SUPPORTING A REQUEST FOR CONGRESSIONAL FUNDING FOR THE IMPLEMENTATION OF THE GULF BOULEVARD BEAUTIFICATION PROJECT; PROVIDING AN EFFECTIVE DATE

County Administrator Stephen M. Spratt recommended approval of a resolution supporting a request for congressional funding for the implementation of the Gulf Boulevard Beautification Project.

During discussion, Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 03-135 be adopted as recommended; whereupon, Chairman Seel suggested that a letter be sent to the legislature indicating that

July 29, 2003

the County Commission's priorities have not changed; and requesting that support of the project not impact previously prioritized County funding requests. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

#59c MILLAGE RATE CERTIFICATION

County Administrator Stephen M. Spratt reported that it is required by statute that the tentative millage rates be provided to the Property Appraiser's Office by July 25, 2003; that the maximum millage rates will be published on the Trim Notices and distributed by the Property Appraiser on August 15, 2003; and that he had provided the Board with the rates and a proposed budget on July 7, 2003.

Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the millage rates be certified.

#60 COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST

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

- a. Chase Mortgage Company versus Eileen Tracey a/k/a Eileen E. Tracey, et al., Circuit Civil Case No. 03-3114-CI-8 - Mortgage Foreclosure Involving a Judgment for Fines and Costs.
- b. Citifinancial Mortgage Company, Inc. f/k/a Associates Home Equity Services, Inc. versus Rick Paul Franks, Circuit Civil Case No. 03-5118-CI-20 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.

July 29, 2003

- c. Rent to Own Leasing Co., Inc. versus Bonnie Thomas, Circuit Civil Case No. 03-5068-CI-08 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
- d. Washington Mutual Bank, et al. versus Richard J. Moralis, et al., Circuit Civil Case No. 03-4588-CI-8 - Mortgage Foreclosure Involving a Judgment for Fines and Costs.
- e. Wells Fargo Bank Minnesota, National Association, as Trustee versus Patricia G. Howard, et al., Circuit Civil Case No. 03-3477-CI-20 - Mortgage Foreclosure Involving Judgments for Fines and Costs and Attorney Fees and Costs.
- f. Local Relocation Agreement also known as Case No. 1065 - Mortgage Foreclosure Involving a Community Development Mortgage (Ms. Churuti provided an update).

#61 COUNTY ATTORNEY AUTHORIZED TO INITIATE LITIGATION

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Morrone moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to initiate litigation against:

- a. Renee Ludera Burney and Jeannie Anne Cappadona, Risk Claim No. 03-72822 – Charge of Negligence in the Operation of a Motor Vehicle.
- b. Zup, Inc., Robo-Clean, Inc. and Maurice Martindale, Case No. 03-005456-CI-021 – Charge of Violations of County Stormwater Ordinance.

July 29, 2003

- c. Small Claims action on behalf of Sunstar for unpaid ambulance bills:
  - 1. Robert Kane, Wayne Kane and Michael Kane, beneficiaries of the Estate of Edward F. Kane in the amount of \$729.00.
  - 2. Estate of Mark Nielsen in the amount of \$3,365.40.

#62 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED AMENDING ORDINANCE RELATING TO STREET LIGHTING DISTRICTS

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing to be held August 19, 2003 regarding a proposed amending ordinance relating to street lighting districts.

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

#63 APPEAL OF ADVERSE RULINGS AT MEDICARE FAIR HEARING – APPROVED

County Attorney Susan H. Churuti recommended that the Medicare audit results be appealed to the level of the administrative law judge based upon the opinion of outside counsel, with concurrence by Emergency Medical Services; and that Foley and Lardner continue to represent the County in the appeal process.

Following discussion and input by Ms. Churuti, Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the recommendation of the County Attorney be approved.

#64 401(a) PLAN RE-ADOPTION AND AMENDMENT NO. 4 – APPROVED; AUTHORIZATION FOR CHAIRMAN TO SIGN AND CLERK TO ATTEST AFTER WRITTEN APPROVAL AS TO FORM BY COUNTY ATTORNEY

County Attorney Susan H. Churuti recommended readoption of the 401(a) Plan sponsored by the Board of County Commissioners (BCC), also known as the Bencor

July 29, 2003

National Government Employees Retirement Plan, and execution of Amendment No. 4 to said Plan as indicated in her memorandum dated July 29, 2003, a copy of which has been filed and made a part of the record; and that the Chairman be authorized to sign the readopted Plan and amendment and the Clerk to attest after written approval as to form by the Office of the County Attorney.

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

#65 EXTENSION OF INTERLOCAL AGREEMENT WITH PASCO COUNTY FOR GENERAL AND SPECIAL MASTER SERVICES – APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of the Extension of Interlocal Agreement between Pinellas County, David A. Demers as the Chief Judge of the Sixth Judicial Circuit, and Pasco County for General Master and Special Master services, extending the agreement for a two-year term effective July 1, 2003 through June 30, 2005.

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

#66 ADDENDUM NO. 1 FOR LAW ENFORCEMENT SERVICES FOR CITY OF BELLEAIR BLUFFS – APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of Addendum No. 1 to the agreement with Everett S. Rice, Sheriff of Pinellas County, for law enforcement services for the City of Belleair Bluffs.

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

July 29, 2003

#67 AUTHORIZATION GRANTED FOR CHAIRMAN TO EXECUTE SATISFACTION OF JUDGMENT AGAINST JAMES JOSEPH SPERA, CASE NO. CRC91-00259CFANO

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Latvala moved, seconded by Commissioner Welch and carried, that a satisfaction of judgment be executed against James Joseph Spera, Case No. CRC91-00259CFANO, thereby accepting payment in the total amount of \$35,000.00 to secure a full release of the \$50,547.00 Judgment for Fine and Costs.

#68 OFFER OF SETTLEMENT REJECTED IN CASE RE STATE VERSUS HARDY H. HUNTLEY, CIRCUIT CIVIL CASE NO. CTC00-36559COANO

County Attorney Susan H. Churuti recommended that the offer of settlement be denied re State versus Hardy H. Huntley, Circuit Civil Case No. CTC00-36559COANO, as outlined in her confidential memorandum to the Board dated July 29, 2003.

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

#69 AUTHORIZATION GRANTED FOR SETTLEMENT IN THE CASE RE ECKLEY VERSUS PINELLAS COUNTY SHERIFF'S OFFICE, CIRCUIT CIVIL CASE NO. 02-8529-CI-13

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the case of Eckley versus Pinellas County Sheriff's Office, Circuit Civil Case No. 02-8529-CI-13, as outlined in her confidential memorandum to the Board dated July 29, 2003.

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

July 29, 2003

#70 COUNTY ATTORNEY MISCELLANEOUS

County Attorney Susan H. Churuti reported that a Joint Final Judgment will be forthcoming with regard to the Eight is Enough litigation relating to Board members' term limits; and presented a closing document for execution regarding a Neighborly Senior Services bond closing.

#71 PROPERTY TRANSFER AGREEMENT AND BILL OF SALE BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND CONSTELLATION TECHNOLOGY CORPORATION – APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Economic Development Authority, County Administrator Stephen M. Spratt recommended approval of a Property Transfer Agreement and Bill of Sale between the Economic Development Authority and Constellation Technology Corporation for items as outlined in Exhibit "A"; and that the Chairman be authorized to execute the document.

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

#72 FOURTH AMENDMENT TO LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND CONSTELLATION TECHNOLOGY CORPORATION – APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Economic Development Authority, County Administrator Stephen M. Spratt recommended approval of the Fourth Amendment to the Lease Agreement between the Pinellas County Economic Development Authority and Constellation Technology Corporation reducing the leased space to 12,058 square feet (51,615 total square footage) (per Exhibit "A" Phase I, effective August 1, 2003 through October 31, 2003, monthly lease payment to remain at \$38,550.29 including sales tax;

July 29, 2003

per Exhibit "A" Phase II, effective November 1, 2003 through June 30, 2004, monthly lease payment including sales tax to be \$31,249.87 which reflects fair market value); and that the Chairman be authorized to execute the amendment.

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

#73 RATIFICATION OF MINOR REVISIONS TO AMENDED AGREEMENT REGARDING STAR GROUND LEASES AND FIRST AMENDMENT TO GROUND LEASE AGREEMENT WITH RENEWAL OPTION DATED JUNE 4, 2002 WITH REVISED EXHIBIT "A" BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND HP STAR III, LTD (HP)

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Economic Development Authority, County Administrator Stephen M. Spratt recommended ratification of the minor revisions made to the amended agreement regarding STAR ground leases and revised Exhibit "A" to the first amendment to the ground lease agreement with renewal options dated June 4, 2002, between Pinellas County Industrial Development Authority and HP STAR III, Ltd.

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

#74 INTERLOCAL AGREEMENT WITH THE CITY OF PINELLAS PARK TO PROVIDE FIRE PREVENTION INSPECTION SERVICES FOR THE GANDY FIRE PROTECTION DISTRICT – APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Fire Protection Authority, County Administrator Stephen M. Spratt recommended approval of an Interlocal Agreement with the City of Pinellas Park to provide fire prevention inspection services for the Gandy Fire Protection District, commencing on October 1, 2002 through September 30, 2003, renewing annually for a term commencing October 1 to September 30 of the following year for a period not to exceed five years (\$40.00 hourly compensation; total compensation during the first year not to exceed

July 29, 2003

\$15,000.00 with a six percent increase commencing on October 1 during each succeeding year that the contract remains in force).

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

Following discussion and input by Assistant Director of Emergency Medical Services and Fire Administration Dwaine E. Booth, upon call for the vote, the motion carried unanimously.

#75a PINELLAS ASSEMBLY STATUS REPORT

County Administrator Stephen M. Spratt referred to a document entitled *Pinellas County Assembly Task Forces Status Report*, a copy of which has been filed and made a part of the record; presented a brief update, and noted that Assistant County Administrator Elithia V. Stanfield is monitoring all task force activity; whereupon, Chairman Seel related that a midpoint meeting is scheduled for August 14, 2003 at 5:30 P.M.

#75b SEWER PIPELINE RUPTURES REPORT

Director of Utilities Pick Talley referred to a memorandum entitled *Recent Utilities Wastewater Force Main Ruptures*, a copy of which has been filed and made a part of the record, and provided an update with regard to the six pipeline ruptures which have occurred in the last 30 days.

#75c SEMINOLE AREA ANNEXATION UPDATE

County Administrator Stephen M. Spratt related that staff has attended meetings and provided informative materials to unincorporated Seminole residents in an effort to enable the residents to come to an informed decision with regard to proposed annexations; whereupon, he distributed an annexation information packet to the Board, a copy of which has been filed and made a part of the record.

July 29, 2003

During discussion, Director of Community Development Darlene Kalada indicated that the packets would be mailed to residents; that meetings have been scheduled for August 5 and August 23, 2003; and that the information will be made available on the Internet and through the Pinellas County Connection Centers.

Responding to query by Commissioner Morroni, Mr. Spratt indicated that brochures can be created for other areas of the County.

#76 APPOINTMENTS OF NIKKI GASKIN-CAPEHART, JACK GELLER, JOHN KLEMENT AND BILL PROTZ TO WORKNET PINELLAS BOARD OF DIRECTORS – APPROVED

Upon presentation by Chairman Seel, Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that the appointments of Nikki Gaskin-Capehart, Jack Geller, John Klement and Bill Protz to the WorkNet Board of Directors for a two-year term, through June 30, 2005, be approved.

#77 EXTENSION OF TERMS FOR TEN EXISTING MEMBERS OF WORKNET PINELLAS BOARD OF DIRECTORS - APPROVED

Upon presentation by Chairman Seel, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the terms of the ten existing members of the WorkNet Pinellas Board of Directors be adjusted to run through June 30, 2005, as outlined in the agenda memorandum dated July 29, 2003, a copy of which has been filed and made a part of the record, be approved.

#78 APPOINTMENTS TO PINELLAS COUNTY YOUTH ADVISORY COMMITTEE – APPROVED

Upon presentation by Chairman Seel, Commissioner Harris moved, seconded by Commissioner Morroni and carried, that the appointments to the Pinellas County Youth Advisory Committee for the term of August 1, 2003 through July 31, 2004, as outlined in the agenda memorandum dated July 29, 2003, be approved.

July 29, 2003

#79 APPOINTMENT TO PINELLAS COUNTY ECONOMIC DEVELOPMENT COUNCIL – APPROVED

Upon presentation by Chairman Seel, Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the appointments to the Pinellas County Economic Development Council as listed in the agenda memorandum dated July 29, 2003, a copy of which has been filed and made a part of the record, be approved.

#80 APPOINTMENT OF DICK ECKENROD TO PINELLAS COUNTY ENVIRONMENTAL FOUNDATION – APPROVED

Upon presentation by Chairman Seel, Commissioner Stewart moved, seconded by Commissioner Latvala and carried, that the appointment of Dick Eckenrod to the seat vacated by Karen Brown on the Pinellas County Environmental Foundation be approved.

#81 APPOINTMENT OF JULIE SCALES FOR REMAINDER OF FOUR-YEAR TERM TO PINELLAS COUNTY ARTS COUNCIL – APPROVED

Upon presentation by Chairman Seel, Commissioner Latvala moved, seconded by Commissioner Welch and carried, that the appointment of Julie Scales to the remainder of a four-year term (January 1, 2000 through December 31, 2003) on the Pinellas County Arts Council be approved.

#82 APPOINTMENT OF CHRYSTAL C. HOLMES TO PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA) BOARD OF DIRECTORS – APPROVED

Upon presentation by Chairman Seel, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the appointment of Chrystal C. Holmes to the seat vacated by Jean Scott for the remainder of the two-year term (October 1, 2000 through September 30, 2003) on the PSTA Board of Directors be approved.

July 29, 2003

#83a COMMISSIONER MORRONI RE MEMORIAL FOR KOREAN WAR VETERANS

Commissioner Morroni reported that he recently attended a memorial ceremony for the Korean War Veterans in the City of Pinellas Park.

#83b COMMISSIONER HARRIS RE WATER CONSERVATION TIP

Commissioner Harris related that mulching around flowers and landscaping greatly reduces the need for outdoor water use.

#83c COMMISSIONER LATVALA RE VARIOUS ISSUES

Commissioner Latvala indicated that the Palm Harbor Main Street project has commenced. She requested that staff provide a recommendation for the purchase of vacant property adjacent to Sunset Beach Park in Tarpon Springs; whereupon, County Administrator Stephen M. Spratt indicated that a report will be prepared for the Board in the near future.

#83d COMMISSIONER STEWART RE ANNUAL JOB CORPS ALPHA DINNER

Commissioner Stewart reported on the Job Corps Alpha Dinner Awards Program in Washington, D.C.

#83e COMMISSIONER WELCH RE SOLID WASTE MEETING

Commissioner Welch related that he had attended the solid waste meeting along with the Chairman and staff members; whereupon, he requested that a report be prepared regarding the progress of the installation of fire hydrants in the Lealman area.

July 29, 2003

#83f CHAIRMAN SEEL RE VARIOUS ISSUES

Chairman Seel requested that a copy of the final mobility report be distributed to the Board members who do not serve on the Metropolitan Planning Organization (MPO); and related that the tri-County meeting will be rescheduled.

\* \* \* \*

Upon direction of the Chairman, there being no objection, the meeting was recessed at 5:10 P.M. and reconvened at 6:35 P.M., with Commissioners Seel, Latvala, Stewart, Harris and Welch in attendance.

\* \* \* \*

PINELLAS COUNTY ENVIRONMENTAL SOCIETY AWARD PRESENTED TO BOARD OF COUNTY COMMISSIONERS

Rich Paul, Manager of the Florida Coastal Islands Sanctuaries of Audubon of Florida, together with Dr. Mark Kraus, Acting President of Audubon of Florida; Ann Paul, Assistant Manager of the Florida Coastal Sanctuaries of Florida and Coordinator of the Tampa area programs; Dana Kerstein, President of the Clearwater Audubon Society; Mauri Peterson, President of the St. Petersburg Audubon Society; and Joyce King, Secretary of the Audubon of Florida, Board of Directors, presented a Pinellas County Environmental Society award of an Audubon print of the roseate spoonbill to the Pinellas County Board of County Commissioners.

PROCLAMATION DECLARING MONTH OF JULY 2003 AS RECREATION AND PARKS MONTH

Chairman Seel presented a proclamation declaring the month of July 2003 as Recreation and Parks Month to Elizabeth A. Warren, Director, Culture, Education, Parks and Recreation Department.

July 29, 2003

CITIZENS TO BE HEARD

Tom Akos, Riverview, and Michael Hansen, Apollo Beach, expressed concerns regarding parking access on Gandy Boulevard west of the Friendship Trail. Assistant County Administrator Jacob F. Stowers, III, presented a brief status report regarding the area; and Chairman Seel directed staff to follow up with regard to the matter.

Cathy Corry, Clearwater, discussed the Department of Juvenile Justice and abuse at Pinellas facilities.

David Plyer, Clearwater, requested that the Board of County Commissioners facilitate a meeting between the citizens of Pinellas County and the State of Florida Department of Juvenile Justice.

#84 COMMERCIAL DOCK APPLICATION CC32772-03, CITY OF MADEIRA BEACH, 424 150<sup>TH</sup> AVENUE, MADEIRA BEACH, BOCA CIEGA BAY – 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 June 13 and June 20, 2003 issues of the Tampa Bay Review, now known as Gulf Coast Business Review, as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Commercial Dock Application CC32772-03, City of Madeira Beach, 424 150<sup>th</sup> Avenue, Madeira Beach, Boca Ciega Bay. Chief Deputy Clerk Clarethia N. Harris 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 construct a public observation pier in the waters of Boca Ciega Bay; 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 July 29, 2003, which has been filed and made a part of the record.

July 29, 2003

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

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

#85 ORDINANCE NO. 03-55 ADOPTED REGARDING A NEW OFFICIAL COUNTY SEAL FOR PINELLAS COUNTY, FLORIDA; PROVIDING AN AREA EMBRACED; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE PINELLAS COUNTY CODE

Pursuant to legal notice published in the July 15, 2003 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance adopting a new official County seal for Pinellas County, Florida; providing an area embraced; providing an effective date; and providing for inclusion in the Pinellas County Code. Chief Deputy Clerk Clarethia N. Harris reported that no correspondence has been received relative to the proposed ordinance; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends adoption of the proposed ordinance.

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

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-55 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morrioni.

July 29, 2003

#86 ORDINANCE NO. 03-56 ADOPTED AMENDING VARIOUS PINELLAS COUNTY ORDINANCES RELATED TO STREET LIGHTING DISTRICTS AS LISTED THEREIN; AMENDING, CLARIFYING AND UPDATING THE LEGAL DESCRIPTIONS COMPRISING THE AREA EMBRACED WITHIN SAID DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Pursuant to legal notice published in the July 15 and July 22, 2003 issues of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending various Pinellas County ordinances related to street lighting districts as listed therein; amending, clarifying and updating the legal descriptions comprising the area embraced within said districts; providing for severability; and providing for an effective date. Chief Deputy Clerk Clarethia N. Harris reported that no correspondence has been received relative to the proposed ordinance; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends adoption of the proposed ordinance.

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

Commissioner Latvala moved, seconded by Commissioner Welch, that Ordinance No. 03-56 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

#87 PETITION OF ROBERT A. AND VIVLYN E. LAWSON TO VACATE A 5.3-FOOT BY 60.0-FOOT PORTION OF A 10.0-FOOT WIDE DRAINAGE AND UTILITY EASEMENT ON LOT 145, EAST LAKE WOODLANDS UNIT 1, LOCATED IN THE NORTHEAST QUARTER OF SECTION 09, TOWNSHIP 28 SOUTH, RANGE 16 EAST – GRANTED; RESOLUTION NO. 03-136 ADOPTED WITH AUTHORIZATION FOR CLERK TO RECORD

Pursuant to legal notice published in the July 19 and July 26, 2003 issues of the St. Petersburg Times and the July 4 and July 11, 2003 issues of the Tampa Bay Review, now known as Gulf Coast Business Review, as evidenced by publisher's

July 29, 2003

affidavit filed with the Clerk, public hearing was held on the petition of Robert A. and Vivlyn E. Lawson to vacate a 5.3-foot by 60.0-foot portion of a 10.0-foot wide drainage and utility easement on Lot 145, East Lake Woodlands Unit 1, as recorded in Plat Book 75, Pages 9 through 12, located in the northeast quarter of Section 09, Township 28 South, Range 16 East.

Chief Deputy Clerk Clareth N. Harris reported that letters of no objection have been received from the following:

Management and Associates/Homeowners' Association  
Pinellas County Utilities  
Tampa Electric Company  
Verizon Florida, Inc.  
Verizon Media Ventures, Inc.  
Bright House Networks

She indicated that all interested property owners have been notified as to the date of the public hearing; that no correspondence in objection to the petition has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted and the Clerk authorized to record the resolution.

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

Commissioner Harris moved, seconded by Commissioner Welch, that the petition to vacate be granted; and that Resolution No. 03-136 be adopted as recommended with authorization for the Clerk to record. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

July 29, 2003

#88 PETITION OF STEPHEN L. AND MARGARET PEACOCK TO VACATE A 0.431 ACRE PORTION OF A CONSERVATION EASEMENT ON LOT D-1, COVENTRY VILLAGE PHASE 1, LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 27 SOUTH, RANGE 16 EAST – GRANTED; RESOLUTION NO. 03-137 ADOPTED WITH AUTHORIZATION FOR CLERK TO RECORD

Pursuant to legal notice published in the July 11 and July 18, 2003 issues of the Tampa Bay Review, now known as Gulf Coast Business Review, as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Stephen L. and Margaret Peacock to vacate a 0.431 acre portion of a conservation easement on Lot D-1, Coventry Village Phase 1, as recorded in Plat Book 111, Pages 5 through 14, located in the northwest quarter of Section 26, Township 27 South, Range 16 East.

Chief Deputy Clerk Clareth N. Harris indicated that all interested property owners have been notified as to the date of the public hearing; that no correspondence in objection to the petition has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted and the Clerk authorized to record the resolution; and clarified the correction of a scrivener's error.

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

In response to query by Chairman Seel, Director of Public Works J. Keith Wicks indicated that it appears the homeowners' association had not been notified; whereupon, the applicant, Stephen L. Peacock, stated that the subject parcel was not actually part of the homeowners' association.

Commissioner Latvala moved, seconded by Commissioner Welch, that the petition to vacate be granted; and that Resolution No. 03-137 be adopted as recommended with authorization for the Clerk to record. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morrioni.

July 29, 2003

#89 PETITION OF MICHAEL D. AND KATHLEEN M. MORAN TO VACATE A 1.5-FOOT PORTION OF A 7.5-FOOT WIDE UTILITY EASEMENT ON LOT 169, PATTY ANN ACRES, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 01, TOWNSHIP 28 SOUTH, RANGE 15 EAST – GRANTED; RESOLUTION NO. 03-138 ADOPTED WITH AUTHORIZATION FOR THE CLERK TO RECORD

Pursuant to legal notice published in the July 4 and July 11, 2003 issues of the Tampa Bay Review, now known as Gulf Coast Business Review, as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Michael D. and Kathleen M. Moran to vacate a 1.5-foot portion of a 7.5-foot wide utility easement on Lot 169, Patty Ann Acres, as recorded in Plat Book 71, Pages 87 through 89, located in the southeast quarter of Section 01, Township 28 South, Range 15 East.

Chief Deputy Clerk Claretha N. Harris reported that letters of no objection have been received from the following:

Pinellas County Utilities  
Progress Energy Florida, Inc.  
Verizon Florida, Inc.  
Verizon Media Ventures, Inc.  
Bright House Networks

She indicated that all interested property owners have been notified as to the date of the public hearing; that no correspondence in objection to the petition has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted and the Clerk authorized to record the resolution.

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

Commissioner Harris moved, seconded by Commissioner Latvala, that the petition to vacate be granted; and that Resolution No. 03-138 be adopted with authorization for the Clerk to record. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

July 29, 2003

#90 PETITON OF BANK OF AMERICA, N.A., AS SUCCESSOR-IN-INTEREST TO NATIONSBANK OF FLORIDA, N.A., AS TRUSTEE UNDER THAT CERTAIN LAND TRUST AGREEMENT DATED JUNE 15, 1984, CHARLES O. LOWE, C. EUGENE LOWE, JUDITH L. WELLS, AND KATHERINE L. CARREKER, REPRESENTED BY R. JAMES ROBBINS, JR. AND CROWN AUTO DEALERSHIPS, INC. TO VACATE A 60.0-FOOT WIDE PAVED, OPEN AND PUBLICLY USED RIGHT-OF-WAY KNOWN AS 53<sup>RD</sup> AVENUE NORTH, LYING SOUTH OF AND ADJACENT TO LOTS 16 THROUGH 26, BLOCK 49, GROVE PARK VISTA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 02, TOWNSHIP 31 SOUTH, RANGE 16 EAST – GRANTED; RESOLUTION NO. 03-139 ADOPTED WITH AUTHORIZATION FOR CLERK TO RECORD; UTILITY EASEMENT, FEE SIMPLE DEED AND TRUSTEE’S DEED ACCEPTED WITH AUTHORIZATION FOR CLERK TO RECORD

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Pursuant to legal notice published in the July 4, 2003 issue of the Tampa Bay Review, now known as Gulf Coast Business Review, as evidenced by publisher’s affidavit filed with the Clerk, public hearing was held on the petition of Bank of America, N.A, as Successor-in-Interest to NationsBank of Florida, N.A., as Trustee under that Certain Land Trust Agreement dated June 15, 1984, Charles O. Lowe, C. Eugene Lowe, Judith L. Wells, and Katherine L. Carreker, represented by R. James Robbins, Jr. and Crown Auto Dealerships, Inc. to vacate a 60.0-foot wide paved, open and publicly used right-of-way known as 53<sup>rd</sup> Avenue North, lying south of and adjacent to Lots 16 through 26, Block 49, Grove Park Vista, as recorded in Plat Book 12, Pages 8 through 10, located in the northwest quarter of Section 02, Township 31 South, Range 16 East.

Chief Deputy Clerk Claretha N. Harris reported that letters of no objection have been received from the following:

- Pinellas County Utilities, subject to easement
- City of St. Petersburg, subject to easement
- Progress Energy Florida, Inc., subject to easement
- Verizon Florida, Inc., subject to easement
- Verizon Media Ventures, Inc., subject to easement
- TECO/Peoples Gas
- Bright House Networks

July 29, 2003

She indicated that all interested property owners have been notified as to the date of the public hearing; that no correspondence in objection to the petition has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted and the Clerk authorized to record the resolution; and further recommended that the right-of-way deeds for 54<sup>th</sup> Avenue North be accepted with authorization for the Clerk to record.

Director of Public Works J. Keith Wicks referred to photographs and a map, pointed out the location of the proposed vacation, and presented an overview of the petition, including a description of traffic patterns in the area; whereupon, he related that public benefit would be achieved by acquisition of the right-of-way off 54<sup>th</sup> Avenue North which will be needed for the future 54<sup>th</sup> Avenue road improvement project in exchange for the vacation of 53<sup>rd</sup> Avenue North. Responding to query by Commissioner Welch, he discussed traffic access issues and existing signals in the area.

E. D. Armstrong, III, Esquire, stated that he represents the applicant and referring to query by Commissioner Stewart, indicated that a previous petition for the proposed vacation had not been heard by the Board; that the public interest will be served by the value of obtaining the right-of-way along 54<sup>th</sup> Avenue at no cost other than tying it to the vacation of 53<sup>rd</sup> Avenue; and that the present traffic movement system along 53<sup>rd</sup> Avenue would not be viewed as conforming to current standards.

Robert Pergolizzi, Gulf Coast Consulting, Seminole, presented an overview of traffic patterns in the area.

Attorney Armstrong added that a public utility easement will be granted; and that the property owner and tenant will be allowed to continue to occupy the 54<sup>th</sup> Avenue North right-of-way until such time as the County needs it for the widening of 54<sup>th</sup> Avenue North.

In response to the Chairman's call for persons wishing to be heard in objection to the petition, the following individuals expressed their concerns:

Ted Naumann, Punta Gorda (submitted documents)  
Ned Helmuth, St. Petersburg  
Virginia Lyke, St. Petersburg

July 29, 2003

In rebuttal and in response to queries by the members, Attorney Armstrong stated that there will be no access from the dealership traveling east on 53<sup>rd</sup> Avenue North; that the fee simple owner is the Bank of America as Trustee; that Crown Auto Dealerships, Inc. is a tenant; and that he does not believe the value of Mr. Naumann's property will be reduced; whereupon, he submitted a letter from Mr. Naumann to Mr. Robbins for the record.

Following discussion and input from Mr. Wicks, Commissioner Harris moved, seconded by Commissioner Latvala, that the petition to vacate be granted; that Resolution No. 03-139 be adopted with authorization for the Clerk to record the resolution; and that the utility easement, fee simple deed and trustee's deed for the 54<sup>th</sup> Avenue North right-of-way be accepted with authorization for the Clerk to record. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

#91a APPLICATION OF ROBERT M. MELI FOR A CHANGE OF ZONING FROM A-E TO RM-7.5 (Z-2-6-03) – APPROVED; RESOLUTION NO. 03-140 ADOPTED

Pursuant to legal notice published in the July 15, 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 Robert M. Meli for a change of zoning from A-E to RM-7.5, re approximately 0.689 acre located on the east side of Michigan Drive, 450 feet south of Evans Avenue (Z-2-6-03). Chief Deputy Clerk Clareth N. Harris 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 A-E to RM-7.5 were filed and made a part of the record.

July 29, 2003

In response to the Chairman's call for persons wishing to be heard, Bonita Wilder, Pinellas County, stated her concerns; whereupon, Director of Development Review Services Paul Cassel explained the requested zoning change.

Commissioner Harris moved, seconded by Commissioner Latvala, that Resolution No. 03-140 be adopted approving zoning application Z-2-6-03. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

#91b APPLICATION OF THE ALLIANCE FOR AFFORDABLE HOUSING, INC. THROUGH MICHAEL J. MORINA, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM C-3 TO R-4 (Z-5-6-03) – APPROVED; RESOLUTION NO. 03-141 ADOPTED

Pursuant to legal notice published in the July 15, 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 The Alliance for Affordable Housing, Inc. through Michael J. Morina for a change of zoning from C-3 to R-4, re approximately 0.44 acre located at the southwest corner of 40<sup>th</sup> Street North and 41<sup>st</sup> Avenue North (Z-5-6-03). Chief Deputy Clerk Clareth N. Harris 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 C-3 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.

July 29, 2003

Commissioner Welch moved, seconded by Commissioner Latvala, that Resolution No. 03-141 be adopted approving zoning application Z-5-6-03. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

#91c APPLICATION OF FREDERICK E., FREDERICK J. AND RICHARD C. SCHNEIDER, JOYCE SEEFLUTH AND THERESA BAYES THROUGH E. D. ARMSTRONG, III, ESQUIRE, C/O JOHNSON, BLAKELY, POPE, BOKOR, RUPPEL & BURNS, P.A., REPRESENTATIVE, FOR A CHANGE OF ZONING FROM C-2 TO CR AND VARIANCES (Z-6-6-03) – APPROVED; RESOLUTION NO. 03-142 ADOPTED

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Pursuant to legal notice published in the July 15, 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 Frederick E., Frederick J. and Richard C. Schneider, Joyce Seefluth and Theresa Bayes through E. D. Armstrong, III, Esquire, for a change of zoning from C-2 to CR, a variance to allow development of the site on less than an acre, and variances for various structural setbacks, re approximately 0.463 acre on the north side of County Road 16, 670 feet east of 68<sup>th</sup> Street North (Z-6-6-03). Chief Deputy Clerk Clareth N. Harris reported that 11 letters 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 C-2 and CR, a variance to allow development of the site on less than an acre, and variances for various structural setbacks 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.

July 29, 2003

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 03-142 be adopted approving zoning application Z-6-6-03. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

#91d APPLICATION OF 1221 PALM HARBOR, LLC, THROUGH MICHAEL D. HORNER, AICP, MDH & ASSOCIATES, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM M-1 TO RM-10 AND A CHANGE IN LAND USE DESIGNATION FROM INDUSTRIAL LIMITED TO RESIDENTIAL LOW MEDIUM (Z/LU-7-6-03) – APPROVED; RESOLUTION NO. 03-143 ADOPTED; ORDINANCE NO. 03-57 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

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Pursuant to legal notice published in the July 15, 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 1221 Palm Harbor, LLC, through Michael D. Horner for a change of zoning from M-1 to RM-10 and a change in land use designation from industrial limited to residential low medium, re approximately 8.45 acres located at the southwest corner of U.S. Highway Alternate 19 and Columbia Avenue (west of the Pinellas Trail) (Z/LU-7-6-03). Chief Deputy Clerk Clareth N. Harris 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 M-1 to RM-10 and the companion land use plan amendment from industrial limited to residential low medium 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. 03-143 be adopted approving the zoning application; and that Ordinance

July 29, 2003

No. 03-57 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (Z/LU-7-6-03). Following discussion and upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

#91e APPLICATION OF DANIEL AND BRENDA EDSALL AND MICHAEL A. CIARAMELLO FOR A CHANGE OF ZONING FROM R-3 TO P-1A AND A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE LIMITED (Z/LU-4-6-03) – APPROVED; RESOLUTION NO. 03-144 ADOPTED; ORDINANCE NO. 03-58 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

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Pursuant to legal notice published in the July 15, 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 Daniel and Brenda Edsall and Michael A. Ciaramello for a change of zoning from R-3 to P-1A and a change in land use designation from residential urban to residential/office limited, re approximately 0.429 acre located on the northeast corner of McMullen Booth Road and Downing Street and approximately 0.213 acre located at the southeast corner of McMullen Booth Road and Downing Street (Z/LU-4-6-03). Chief Deputy Clerk Clareth N. Harris reported that two letters in opposition to 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 urban to residential/office limited were filed and made a part of the record.

Director of Development Review Services Paul Cassel referred to an aerial photograph and land use map and pointed out the location of the subject parcels;

July 29, 2003

whereupon, he presented an overview of the application, identified surrounding uses in the area, and reiterated that staff recommends approval of the application.

Michael A. Ciaramello, Clearwater, stated that the property consists of three lots; that the application applies to two of the lots; and that he intends to have the third lot remain residential. Dan Edsall, Clearwater, indicated that there is no existing buffering from traffic on the overpass.

In response to the Chairman's call for proponents of the application, George Hurst, Palm Harbor, expressed his support for the requested zoning and land use change.

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

George P. Egri, Clearwater  
Shirley Kovacs, Clearwater  
Jennifer Davidson, Clearwater

In rebuttal, Mr. Ciaramello pointed out that the requested P-1A represents the least intensive commercial zoning designator; and that noise and traffic at the site render it unsuitable for residential use. Brenda Edsall, Clearwater, added that the property may be utilized as an office for her husband's small business.

During discussion and in response to queries by the members, Mr. Cassel stated that the area is multi-jurisdictional, being comprised of lots in the City of Clearwater and unincorporated Pinellas County; that coordination with the City of Clearwater would be necessary to address the issue of cut-through traffic; that an approximately 2,200-square foot building per parcel would be allowable; and that the P-1A zoning is very restrictive as to professional use and building height limits.

July 29, 2003

Thereupon, Commissioner Latvala moved, seconded by Commissioner Stewart, that Resolution No. 03-144 be adopted approving the zoning application; and that Ordinance No. 03-58 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (Z/LU-4-6-03); whereupon, Chairman Seel directed staff to work with City of Clearwater staff to resolve some of the concerns expressed by the objectors regarding cut-through traffic issues. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd and Morroni.

#91f APPLICATION OF MEDICO ENVIRONMENTAL SERVICES CORPORATION THROUGH HARRY S. CLINE, ESQUIRE, MACFARLANE, FERGUSON & McMULLEN, REPRESENTATIVE, FOR A CONDITIONAL USE TO PERMIT EXPANSION OF THE EXISTING BIOMEDICAL WASTE INCINERATOR FACILITY (CU-8-6-03) – APPROVED WITH CONDITIONS

Pursuant to legal notice published in the July 15, 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 Medico Environmental Services Corporation through Harry S. Cline, Esquire, Macfarlane, Ferguson & McMullen, for a conditional use to permit expansion of the existing biomedical waste incinerator facility, re approximately five acres located on the west side of 58<sup>th</sup> Street North, 620 feet south of Ulmerton Road (CU-8-6-03). Chief Deputy Clerk Clareth N. Harris reported that one letter indicating no objection 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 conditional approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of a conditional use to permit the expansion of the existing biomedical waste incinerator facility subject to certain conditions were filed and made a part of the record, said conditions being as follows:

July 29, 2003

1. Appropriate site plan review.
2. Compliance with all applicable local, state and federal laws.
3. Permit obtained from the Department of Health.
4. The Board shall reserve the right to rescind any approval given, in the event the above conditions are not met or if issues arise that might affect the health, safety and welfare of adjacent residents .

Director of Development Review Services Paul Cassel referred to an aerial photograph and land use map, presented an overview of the application and pointed out surrounding uses in the area; whereupon, he indicated that water pollution issues at the site have been resolved; and that staff recommends approval of the application with the aforesaid conditions.

Harry S. Cline, Clearwater, stated that the request for expansion at the existing facility is necessary to implement the autoclave system which represents advanced environmental technology; and that the process will produce no impacts to the community.

In response to the Chairman's call for persons wishing to be heard in opposition to the application, the following individuals expressed their concerns:

Mary Peters, Clearwater  
Jeff Joker, Clearwater (submitted video)  
Migdalia Rivera, Clearwater  
Beth A. Szwed, Clearwater

Alluding to the concerns of the objectors, Mr. Cline indicated that loss of electrical power and subsequent smoke released from the facility into the neighborhood occurs at infrequent intervals; that a scale at the site is not available for public use; that trucks accessing the location are smaller than those described by the objectors; and that use of the autoclave technology will result in a lessening of impacts.

Responding to query by Chairman Seel, Jerry Hubbell, General Manager, Medico Environmental Services Corporation, indicated that use of a back-up generator is being investigated in an effort to resolve smoke issues resulting from power failures.

July 29, 2003

Commissioner Latvala moved, seconded by Commissioner Stewart and carried, that conditional use application CU-8-6-03 be approved subject to the aforesaid conditions.

#91g APPLICATION OF ROBERT AND MICHELLE HEY AND LUVEN LOKEN, TRUST, THROUGH ROBERT HEY, C/O COLDWELL BANKER COMMERCIAL WIKLE PROPERTIES, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM RM-10 AND A-E TO P-1A AND A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL LOW MEDIUM TO RESIDENTIAL/OFFICE LIMITED (Z/LU-3-6-03) – DENIED; RESOLUTION NO. 03-145 ADOPTED

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Pursuant to legal notice published in the July 15, 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 Robert and Michelle Hey and Luven Loken, Trust, through Robert Hey for a change of zoning from RM-10 and A-E to P-1A and a change in land use designation from residential low medium to residential/office limited, re approximately 2.8 acres located at the northeast corner of U.S. Highway Alternate 19 and Jeter Street (Z/LU-3-6-03). Chief Deputy Clerk Clareth N. Harris reported that one letter in favor of and two letters in opposition to 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 denial of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for denial of the change of zoning from RM-10 and A-E to P-1A and the companion land use plan amendment from residential low medium to residential/office limited were filed and made a part of the record.

Director of Development Review Services Paul Cassel referred to an aerial photograph and a land use map, pointed out the location of the property and existing uses in the surrounding area, presented an overview of the application, and indicated that staff finds no compelling reason to change the zoning and recommends denial of the application.

Robert Hey, Palm Harbor, stated that the property is not conducive to residential development; that it is not his intention to increase traffic through Westwind I and II Mobile Home Parks; that he believes traffic impact on U.S. Highway Alternate 19

July 29, 2003

would be less with P-1A than with the current zoning; and that limiting access to Jeter Street would not present a problem to the applicants.

In response to the Chairman's call for persons objecting to the petition and in support of staff's recommendation for denial, the following individuals expressed their concerns:

Bob Tweedy, Dunedin  
James Swenson, Dunedin

Alluding to the concerns of the objectors, Mr. Hey reiterated his willingness to limit access to Jeter Street to right turns only or no access at all as part of a conditional approval and his opinion that the property is not suitable for residential development.

During discussion and in response to queries by the members, Mr. Cassel provided input as to accessibility issues regarding Jeter Street, feasibility of development of the property under the current zoning, and traffic impacts.

Following discussion, Commissioner Harris moved, seconded by Commissioner Latvala, that Resolution No. 03-145 be adopted denying application Z/LU-3-6-03. Upon roll call, the vote was:

Ayes: Latvala, Harris and Welch.

Nays: Seel and Stewart.

Absent and not voting: Todd and Morroni.

#91h APPLICATION OF PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS THROUGH DAVID M. METZ, EXECUTIVE DIRECTOR, ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM M-2 TO C-2 AND CHANGE IN LAND USE DESIGNATION FROM INDUSTRIAL LIMITED TO COMMERCIAL GENERAL (Z/LU-11-6-03) – TEMPORARILY DEFERRED TO MEETING OF SEPTEMBER 23, 2003

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Pursuant to legal notice published in the July 15, 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 the Pinellas County Board of County Commissioners through David M. Metz, Executive Director, St. Petersburg-Clearwater

July 29, 2003

International Airport, for a change of zoning from M-2 to C-2 and a change in land use designation from industrial limited to commercial general, re approximately 9.79 acres located at the northern terminus of Turtle Lane (Z/LU-11-6-03). Chief Deputy Clerk Claretha N. Harris 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 a continuance to the meeting of September 23, 2003.

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

Commissioner Harris moved, seconded by Commissioner Latvala and carried, that application Z/LU-11-6-03 be temporarily deferred to the meeting of September 23, 2003.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 9:25 P.M.

\_\_\_\_\_  
Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

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