

Clearwater, Florida, September 10, 2002

The Board of County Commissioners in and for the County of Pinellas met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 9:33 A.M. on this date with the following members present: Barbara Sheen Todd, Chairman; Karen Williams Seel, Vice-Chairman; Calvin D. Harris; Susan Latvala; and John Morroni.

Absent: Robert B. Stewart; and Kenneth T. Welch.

Also Present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; C. R. Short, Chief Deputy Clerk; and Cathy Fickley, Board Reporter.

County Attorney Susan H. Churuti pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Morroni.

A G E N D A

INVOCATION

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

PRESENTATIONS & AWARDS

A. CITIZENS TO BE HEARD

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

B. SCHEDULED PUBLIC HEARINGS

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

SCHEDULED PUBLIC HEARINGS - BCC

1. Proposed Ordinance Amending Section 2-142 Relating to the Risk Finance Program Administration.
2. Proposed Ordinance Creating Oakhurst Groves No. 3 Subdivision Street Lighting District.

September 10, 2002

C. CONSENT AGENDA

CLERK OF CIRCUIT COURT

3. Approval of Minutes:
 - a. Regular Meetings – None.
 - b. Correction to Minutes of July 9, 2002, Agenda Item No. 76; Caption to Read, "Resolution No. 02-132 Adopted Approving Changes in County Commission District Lines as Recommended by the Supervisor of Elections."
4. Reports:
 - a. Internal Audit Report No. 2002-22 Dated August 22, 2002 – Audit of Clerk of the Circuit Court – South County Branch Office.
 - b. \$83,250,000 Pinellas County, Florida Resource Recovery Revenue Bonds, Series 1996 (the "Bonds") – Determination of Arbitrage Rebate Liability for Year 5, Report Dated August 7, 2002.
5. Other Approvals:
 - a. General.
 1. Clerk of the Circuit Court 2002-2003 Budget Submitted in Two Parts Pursuant to Chapter 218.35, Florida Statutes; and Estimate of Interest Earnings and Revenues of the Office of the Clerk of the Circuit Court.
 - b. Satisfactions of Judgments and Liens.
 - c. Vouchers and Bills Paid.
6. Miscellaneous Items to be Received for Filing:
 - a. Resolutions Endorsing High Level Fixed Span Type Bridge for Belleair Causeway:
 1. City of Belleair Beach, No. 2002-12, Adopted July 1, 2002.
 2. Town of North Redington Beach, No. 2002-77, Adopted August 8, 2002.
 3. Town of Redington Shores, No. 15-02, Adopted August 13, 2002.
 - b. Resolutions Opposing Use of Beach Nourishment Fund by Convention and Visitors Bureau (CVB):
 1. City of Oldsmar, No. 2002-24, Adopted August 6, 2002.
 2. City of Seminole, No. 2002-08, Adopted August 13, 2002.

September 10, 2002

3. City of Treasure Island, No. 02-64, Adopted August 13, 2002.
4. Town of Kenneth City, No. 02-10, Adopted August 14, 2002.
5. Town of North Redington Beach, No. 2002-78, Adopted August 8, 2002.
- c. City of Largo Notice of Annexation and Land Use Plan Amendment Hearings Regarding Ordinances Nos. 2002-87 and 2002-97 to be Held October 15, 2002.
- d. Correspondence from the City of Pinellas Park Regarding Five Ordinances Voluntarily Annexing Certain Property, Public Hearing to be Held September 12, 2002.
- e. Pinellas Park Water Management District Notice of Public Hearing Regarding Fiscal Year 2002-2003 Millage Rate/Budget Held August 22, 2002.
- f. U.S. Department of Transportation/United States Coast Guard Public Notice (1-02) Regarding Receipt of Application from URS Corporation for Replacement of a Bridge (Boca-Ciega, Gulf Intra-Coastal Waterway).

COUNTY ADMINISTRATOR

Public Works

7. Approval of Request for Refund of Filing Fees Submitted by Paul A. Manuel, P.E., President of Coastal Design Consultants, Representing Thurman J. Ross, III.
8. Approval of Request for Refund of Filing Fees Submitted by Robert S. Tripka, Represented by Todd Pressman of Pressman and Associates, Inc.

Other Departments

9. Adoption of a Resolution for Assessment of Liens against Lands Cleared (Environmental Management).
10. Approval of Option of Renewal – Hydraulic Repair Parts and Service (Fleet Management).
11. Approval of Contract Assignment for Guzzler and Vactor Original Equipment Manufacturer Parts (Fleet Management).
12. Approval of a Service Funding Agreement with Operation PAR, Inc. for Assessor Positions at the Pinellas Juvenile Assessment Center (Justice Coordination).
13. Approval of a Grant-in-Aid Agreement with the Office of the State Courts Administrator for the Civil Traffic Infraction Hearing Officer Program (Justice Coordination).
14. Adoption of a Resolution Supplementing the FY02 General Fund Budget – Law Library (Management and Budget).

September 10, 2002

15. Adoption of a Resolution Authorizing the Expenditure of County Funds for the Fiscal Year 2002 CommUnity Campaign of the National Conference for Community and Justice (Management and Budget).
16. Approval of Budget Amendment No. 26 (Management and Budget).
17. Approval of Option of Renewals:
 - a. First and Final – Managed Care Benefits (Purchasing/Personnel).
 - b. First and Final – Vision Benefits (Purchasing/Personnel).
 - c. Third and Final – Group Dental Benefits (Purchasing/Personnel).
 - d. First and Final – Retail and Mail Order Pharmacy Benefits (Purchasing/Personnel).
 - e. First and Final and First Amendment – Commercial Driver's License (CDL) and Other Alcohol/Urine Drug Testing Services (Risk Management).

D. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

19. Approval of Amendment No. 2 to the Construction Engineering and Inspection Services Agreement for the Bryan Dairy Road – 72nd Street to U.S. 19 Project.
20. Approval of the Installation of Three Speed Humps on 35th Way North between 54th Avenue North and 58th Avenue North.

Utilities

21. Adoption of a Reimbursement Resolution Relating to Proposed Future Tax-Exempt Financing for the Sewer System.

Other Departments

22. Approval of an Amendment to the Exempt Pay Plan (County Administrator/Personnel).
23. Approval of Authority to Advertise for a Public Hearing on Proposed Amendments to Chapter 42, Article VII – Charitable Solicitations Ordinance (County Attorney/Consumer Protection).
24. Approval of the Execution of an Access and Joint Operating Agreement for the Planned Remediation of the Former Zero Site (General Services).
25. Approval of a Contract for Medical Examiner Services (Justice Coordination).

September 10, 2002

26. Approval of a Contract for Forensic Laboratory Services (Justice Coordination).
27. Approval of Award of Bid – Financing for the Computer Lease Program (Management and Budget).
28. Approval of Contract Extension – Collection/Sale of Scrap Metal (Purchasing).
29. Other Administrative Matters.

COUNTY ATTORNEY

30. Request Authority for County Attorney to Defend:
 - a. LaSalle Bank, N.A. v. Vicks, Darla - Circuit Civil Case No. 02-6299-CI-8 – Mortgage Foreclosure Involving Judgments for Attorney Fees.
 - b. Mortgage Electric Registration Systems, Inc. v. Green, Winifred - Circuit Civil Case No. 02-6516-CI-8 – Mortgage Foreclosure Involving Judgments for Fine and Costs.
 - c. Mortgage Electric Registration Systems Inc. v. Linda S. Steele, et ux, et al - Circuit Civil Case No. 02-5709-CI-11 – Mortgage Foreclosure Involving a Community Development Mortgage.
 - d. Southtrust Mortgage Corp. v. Irene E. Griffin, et al – Circuit Civil Case No. 02-6178-CI-20 – Mortgage Foreclosure Involving a Community Development Mortgage.
 - e. United States of America v. Robert A. Angell, et al – Circuit Civil Case No. 02-6311-CI-7 – Mortgage Foreclosure Involving a Street Lighting Lien.
 - f. Wachovia Bank, etc. v. USA Cable Connections, Inc., et al – Circuit Civil Case No. 02-6187-CI-19 – Mortgage Foreclosure Involving a Judgment for Attorney Fees and Cost.
 - g. Wells Fargo Home Mortgage, Inc. v. Morena M. Mahon, et al – Circuit Civil Case No. 02-6148-CI - Mortgage Foreclosure Involving a Community Development Mortgage.
 - h. William Mortgage Corp. v. Day, Keith and Donna - Circuit Civil Case No. 02-6496-CI-15 – Mortgage Foreclosure Involving a Judgment for Fine and Costs.
 - i. Rosella L. Nance and Jasper Nance v. Pinellas County Sheriff's Office – Circuit Civil Case No. 02-6138-CI-13 – Allegations of Negligence by the Pinellas County Sheriff's Office.
31. Approval of Special Counsel Contract of Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A. to Represent the County Regarding South Cross Bayou Water Reclamation Project.
32. Authority by the Board to File Declaratory Judgment against Don Connolly as Trustee of the Connolly Land Trust and James Zingale, Executive Director of Florida Department of Revenue Related to 1.7-Foot Parcel in Mangrove.

September 10, 2002

33. Issuance of a Deed to Bengal Industries, Inc. as Required by that Certain Loan Agreement between the Pinellas County Industry Council (Predecessor in Interest to Pinellas County) and Bengal Industries, Inc.
34. Authorization for Filing of an Amicus Curiae Brief on Behalf of the Florida Association of County Attorneys in the Supreme Court in the Matter of the State of Florida v. City of Clearwater, Florida, Case No. SC02-1694.
35. Consideration of the Information Technology Board Interlocal Agreement.
36. Recommendation of Settlement in Pinellas County v. Innisbrook, Inc., et al – Circuit Civil Case No. 01-1575-CI-7.
37. Recommendation of Rejection of Mediation Settlement Offer in ACS State and Local Solutions, Inc., f/k/a Lockheed Martin IMS Corporation v. the Pinellas WAGES Coalition; et al, Case No. 01-009324-CI-21, and Approval of Further Financial Analysis.
38. Miscellaneous.

E. AUTHORITIES

Economic Development Authority

39. Approval of First Amendment to Lease Agreement with Specialized Information Management Associates, Inc.
40. Approval of First Amendment to Lease Agreement with New Directions in Learning.

Water and Navigation Control Authority

41. Consideration of Appeal of Approval of Application P31083-02, Theresa Buck, 4194 Harbor Hills Drive, McKay Creek, Largo.
42. Adoption of a Resolution Relating to the Sea Horse Mobile Home Park Channel – Navigational Dredge Assessment Project.

F. COUNTY ADMINISTRATOR REPORTS

43. Update on Mosquito Control.
44. Municipal Dispute Resolution Status.

September 10, 2002

G. COUNTY COMMISSION

- 45. Approval of Appointment to the Pinellas County Park Board.
- 46. Miscellaneous.

ADJOURNMENT

* * * *

PROCLAMATIONS HONORING SENATORS LATVALA AND SULLIVAN AND REPRESENTATIVES CROW AND WALLACE

Chairman Todd presented proclamations to Senators Jack Latvala and Don Sullivan and Representatives Larry Crow and Rob Wallace in recognition of their dedication and unselfish service to the citizens of Pinellas County.

PROCLAMATION DECLARING WEEK OF SEPTEMBER 16 THROUGH 22, 2002 AS POLLUTION PREVENTION WEEK

Chairman Todd presented a proclamation declaring the week of September 16 through 22, 2002 as Pollution Prevention Week to Senior Environmental Specialist Tammy Allen.

PROCLAMATION DECLARING WEEK OF SEPTEMBER 11 THROUGH 17, 2002 AS CIVIC PARTICIPATION WEEK IN PINELLAS COUNTY

Chairman Todd presented a proclamation declaring the week of September 11 through 17, 2002 as Civic Participation Week to Mike Trepper, Director of Programs, Tarra Woodard, Program Specialist and volunteers Donald Taylor and Beth Tobias for the National Conference for Community and Justice.

September 10, 2002

**EMS ADMINISTRATOR OF THE YEAR AWARD PRESENTED TO DIRECTOR OF
EMERGENCY MEDICAL SERVICES AND FIRE ADMINISTRATION C. T.
"CHUCK" KEARNS**

Chairman Todd presented the EMS Administrator of the Year Award to Director of Emergency Medical Services and Fire Administration C. T. "Chuck" Kearns.

CITIZENS TO BE HEARD

Mike Ellis, Pinellas Park, referred to a traffic diagram, a copy of which has been filed and made a part of the record, and requested that a traffic hump be installed in the area between 67th Street and 68th Street.

Gail Conroy, Redington Shores; and Mona Radler, Seminole, expressed their concerns regarding environmental issues.

Bill Sanders, Clearwater, announced that the upcoming Florida Coastal Clean-up is scheduled for September 21, 2002 in conjunction with Keep Pinellas Beautiful; that a clean-up is scheduled for the Highpoint area in October; and that the Coastal Adopt-A-Shore Program has been revised and is currently in progress. Keep Pinellas Beautiful Treasurer Raymond Neri presented the Board members with Keep Pinellas Beautiful tee shirts.

- # 1 **ORDINANCE NO. 02-70 ADOPTED, AS AMENDED, AMENDING THE PINELLAS COUNTY CODE BY REVISING SECTION 2-142, RELATING TO THE RISK FINANCE PROGRAM ADMINISTRATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR ADDITIONS OR DELETIONS THAT MAY ARISE AS A RESULT OF MATTERS RAISED AT THE PUBLIC HEARING OR IN CONSULTATION WITH RESPONSIBLE AUTHORITIES**
-

Pursuant to legal notice published in the August 30, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance amending the Pinellas County Code by revising Section 2-142 relating to the Risk Finance Program administration.

September 10, 2002

Chief Deputy Clerk C. R. Short reported that no letters relative to the proposed ordinance 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 proposed ordinance.

Following discussion and in response to Commissioner Seel's request, County Attorney Susan H. Churuti stated that the ordinance will be amended to reflect the following:

- Paragraph one shall read, "The County Administrator or his or her designee and the County Attorney shall have joint discretion to approve settlements in an amount up to \$50,000.00."
- Paragraph three, which states that settlements over the amount of \$100,000.00 will be sent to outside counsel for review and approval, shall be retained.
- Paragraph four, which states that a quarterly report with regard to all resolved Risk matters shall be provided to the County Commissioners, shall be deleted.

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

Commissioner Latvala moved, seconded by Commissioner Seel, that Ordinance No. 02-70 amending the Pinellas County Code by revising Section 2-142 be adopted as amended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart and Welch.

#2 PROPOSED ORDINANCE CREATING OAKHURST GROVES NO. 3 SUBDIVISION STREET LIGHTING DISTRICT – TEMPORARILY DEFERRED

Pursuant to legal notice published in the September 6, 2002 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public

September 10, 2002

hearing was held on a proposed ordinance relating to street lighting; providing for the creation of a municipal service taxing unit for street lighting to be known as Oakhurst Groves No. 3 subdivision street lighting district; providing for distance areas included within said district; designating the Board of County Commissioners of Pinellas County as the governing body of said district; authorizing the governing body to enter into said agreements with utility companies supplying electricity and maintenance to said district; providing for the funding of said district through special annual assessments levied on all properties within the district; providing for the filing of the assessment roll; providing for collection and payment of assessments; providing for items to be included in the initial assessment; authorizing the establishment of a revolving fund; providing for the dissolution or transfer of said district resulting from its annexation into a municipality; providing for severability; and providing for an effective date of ordinance. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

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

Russell Hendrickson, Seminole (submitted a petition with 23 signatures in opposition)
Gary Cunliffe, Seminole
Montgomery Geldern, Seminole
Bob Cochran, Seminole
Marsha Cochran, Seminole

In response to the Chairman's call for proponents of the proposed ordinance, Roger Marsters, Seminole, appeared and expressed his support.

Following discussion, Mr. Spratt stated that the neighborhood petitions will be verified and validated; and in response to a request from Chairman Todd, he indicated that citizens will be polled on a street by street basis in order to determine where the streetlights should be installed.

Following input by Director of Engineering Jan R. Herbst, Commissioner Morroni moved, seconded by Commissioner Seel, that the proposed ordinance be temporarily deferred. Upon call for the vote, the motion carried unanimously.

CONSENT AGENDA ITEMS NOS. 3 THROUGH 17 – APPROVED

Upon presentation by Chairman Todd, Commissioner Latvala moved, seconded by Commissioner Seel and carried, that the consent agenda, consisting of Items Nos. 3 through 17, be approved as follows:

3 APPROVAL OF MINUTES

- a. Regular meetings – none.
- b. Correction to minutes of July 9, 2002, caption of Item No. 76 to read, “Resolution No. 02-132 adopted approving changes in County Commission district lines as recommended by the Supervisor of Elections.”

4 REPORTS RECEIVED FOR FILING

- a. Internal Audit Report No. 2002-22 – Audit of Clerk of the Circuit Court, South County Branch Office.
- b. Statement for the Determination of Arbitrage Rebate Liability for Year 5 on \$83,250,000.00 Pinellas County, Florida Resource Recovery Revenue Bonds, Series 1996 (Arbitrage Rebate Company), submitted by Jamshed J. Patel, Foley & Lardner, dated August 7, 2002.

5 OTHER APPROVALS

- a. General
 - (1) Clerk of the Circuit Court 2002-2003 Budget submitted in two parts, pursuant to Chapter 218.35, Florida Statutes.
- b. Satisfactions of Judgments and Liens
 - (1) Satisfactions of various paving and street lighting assessment liens which have been paid in full.

September 10, 2002

c. Vouchers and Bills Paid

- (1) Checks released for the period from August 12, 2002 through August 23, 2002 as follows:

Payroll Journal Expenditures

Payroll Journal pages numbered 1 through 2698

Payroll checks numbered 493109 through 493761

Imprest Fund Expenditures

Manual checks numbered 605598 through 605648

System checks numbered 645504 through 647526

Wire transfers numbered 000232 through 000286

6 MISCELLANEOUS ITEMS RECEIVED

a. Resolutions endorsing high level fixed span type bridge for Belleair Causeway:

1. City of Belleair Beach, No. 2002-12, adopted July 1, 2002;
2. Town of North Redington Beach, No. 2002-77, adopted August 8, 2002; and
3. Town of Redington Shores, No. 15-02, adopted August 13, 2002.

b. Resolutions opposing use of Beach Nourishment Fund by Convention and Visitors Bureau (CVB):

1. City of Oldsmar, No. 2002-24, adopted August 6, 2002;
2. City of Seminole, No. 2002-08, adopted August 13, 2002;
3. City of Treasure Island, No. 02-64, adopted August 13, 2002;

September 10, 2002

4. Town of Kenneth City, No. 02-10, adopted August 14, 2002; and
 5. Town of North Redington Beach, No. 2002-78, adopted August 8, 2002.
- c. City of Largo Notice of Annexation and Land Use Plan Amendment Hearings regarding Ordinances Nos. 2002-87 and 2002-97 to be held October 15, 2002.
 - d. Correspondence from City of Pinellas Park regarding five ordinances voluntarily annexing certain property; public hearing to be held September 12, 2002.
 - e. Pinellas Park Water Management District Notice of Public Hearing regarding Fiscal Year 2002-2003 Millage Rate/Budget held August 22, 2002.
 - f. U.S. Department of Transportation/United States Coast Guard Public Notice (1-02) regarding receipt of application from URS Corporation for replacement of a bridge (Boca-Ciega Bay, Gulf Intra-Coastal Waterway).

7 REQUEST FOR REFUND OF FILING FEES IN THE AMOUNT OF \$500.00 SUBMITTED BY PAUL A. MANUEL, P.E., PRESIDENT OF COASTAL DESIGN CONSULTANTS, REPRESENTING THURMAN J. ROSS, III (PETITION TO VACATE, CASE NO. 1114)

8 REQUEST FOR REFUND OF FILING FEES IN THE AMOUNT OF \$500.00 SUBMITTED BY ROBERT S. TRIPKA, REPRESENTED BY TODD PRESSMAN, PRESSMAN AND ASSOCIATES, INC. (PETITION TO VACATE, CASE NO. 1108)

9 LOT CLEARING RESOLUTION

Resolution No. 02-246a 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.

September 10, 2002

#10 FIRST OPTIONS OF RENEWAL AND AMENDMENT WITH HYDRAULIC SUPPLY FOR GROUPS 1, 3, 7 AND 11; AND HOSE AND HYDRAULICS, INC. FOR GROUPS 2, 4, 5, 6, 9, 10, 12 AND 13 FOR ANNUAL REQUIREMENTS OF HYDRAULIC REPAIR PARTS AND SERVICE 00/02 (BID NO. 990-0802-B)

- a. Options of renewal are exercised for an additional 12 months at the same prices, terms and conditions as stated in the contract, for an estimated annual expenditure not to exceed \$50,000.00 (first of two 12-month renewal options; current contracts expire September 17, 2002).
- b. Chairman authorized to sign and Clerk to attest.
- c. County Administrator authorized to renew contracts after the first 12-month renewal period has been completed, per County Code 2-176(f).

#11 CONTRACT ASSIGNMENT FROM VANTAGE EQUIPMENT COMPANY TO ENVIRONMENTAL PRODUCTS OF FLORIDA CORPORATION (BID NO. 001-0687-N)

1. Subject contract is for Guzzler and Vactor 2001/2002 original equipment manufacturer (OEM) parts (current contract expires September 17, 2002).
2. Two additional 12-month options of renewal at the same prices, terms and conditions pending availability of funds and approval by the County Administrator.
3. Estimated annual expenditure not to exceed \$15,000.00.

#12 SERVICE FUNDING AGREEMENT BETWEEN OPERATION PAR, INC. AND PINELLAS COUNTY

Service Funding Agreement with Operation PAR, Inc. in the amount of \$100,000.00 for fiscal year 2002-2003; Chairman authorized to execute Service Funding Agreement for assessor positions at the Pinellas Juvenile Assessment Center (PJAC).

September 10, 2002

#13 GRANT-IN-AID AGREEMENT BETWEEN OFFICE OF THE STATE COURTS ADMINISTRATOR (OSCA) AND BOARD OF COUNTY COMMISSIONERS FOR CIVIL TRAFFIC INFRACTION HEARING OFFICER PROGRAM

Grant-In-Aid Agreement with the Office of the State Courts Administrator (OSCA) on behalf of the Sixth Judicial Circuit for \$30,750.00 in funding for the Civil Traffic Infraction Hearing Officer Program.

#14 RESOLUTION NO. 02-247 SUPPLEMENTING THE FY 2002 GENERAL FUND BUDGET (LAW LIBRARY)

Resolution No. 02-247 appropriating earmarked receipts for a particular purpose in the FY 2002 General Fund Budget as requested by the Judiciary.

#15 RESOLUTION NO. 02-248 AUTHORIZING EXPENDITURE OF COUNTY FUNDS FOR FISCAL YEAR 2002 COMM-UNITY CAMPAIGN OF THE NATIONAL CONFERENCE FOR COMMUNITY AND JUSTICE (NCCJ) UNDER THE PROVISIONS OF PINELLAS COUNTY ORDINANCE NO. 00-16

#16 BUDGET AMENDMENT

A copy of Budget Amendment No. 26 was filed and made a part of the minutes.

#17 OPTIONS OF RENEWAL

- a. Option of renewal (first and final) to current contract with United Healthcare of Florida for managed care benefits for an additional 36 months at the same terms and conditions with a five percent increase effective October 1, 2002, a four percent increase effective October 2, 2003 and a four

percent increase effective October 1, 2004 for an annual estimated expenditure with five percent increase not to exceed \$3,140,777.00 (36-month estimated expenditure not to exceed \$10,209,365.00); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney (RFP No. 989-0613-P).

- b. Option of renewal (first and final) to current contract with Eye Care Plan of America for annual requirement of vision benefits for an additional 36 months effective October 1, 2002 at the same prices, terms and conditions for an annual estimated expenditure not to exceed \$73,976.63 (estimated 36-month expenditure not to exceed \$221,929.89); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney (RFP No. 989-0617-P).
- c. Option of renewal (third and final) to current contract with Direct Reimbursement Benefit Plans for group dental benefits for Pinellas County Unified Personnel System for an additional 12 months at the same terms and conditions with a 3.8 percent increase effective October 1, 2002 for an annual estimated expenditure not to exceed \$117,000.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney (RFP No. 967-0473-P).
- d. Option of renewal (first and final) to current contract with SysMed for annual requirements of retail and mail order pharmacy benefits for an additional 36 months at a negotiated reduction in cost effective October 1, 2002 for an estimated annual expenditure not to exceed \$49,271.67 (estimated 36-month expenditure not to exceed \$147,815.01); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney (RFP No. 989-0618-P).

- e. Option of renewal (first and final) and first amendment to current contract with Alcohol and Substance Abuse Prevention Programs for annual requirements of commercial driver's license (CDL) and other alcohol/urine drug testing services for an additional 24 months at the same prices, terms and conditions effective September 15, 2002 for a 12-month estimated annual expenditure not to exceed \$13,135.00 (24-month estimated expenditure not to exceed \$26,270.00); agreement amended to include ALCO-SCREEN 02 and Q.E.D. A150 Saliva Alcohol Test; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney (RFP No. 990-0945-B).

#18 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT) - ITEMS NOS. 15 and 17

Referring to agenda Item No. 15, Commissioner Seel suggested increased participation by Pinellas County re the National Conference for Community and Justice.

County Administrator Stephen M. Spratt referred to agenda Item No. 17a and noted that a replacement has been provided which clarifies percentage adjustments.

#19 AMENDMENT NO. 2 TO AGREEMENT WITH PARSONS BRINCKERHOFF CONSTRUCTION SERVICES, INC. FOR CONSTRUCTION ADMINISTRATION ENGINEERING AND INSPECTION SERVICES FOR BRYAN DAIRY ROAD (COUNTY ROAD 296) – 66th STREET TO U.S. 19 - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 2 to the Agreement with Parsons Brinckerhoff Construction Services, Inc. for Construction Administration Engineering and Inspection Services for Bryan Dairy Road (County Road 296), 66th Street to U.S. 19, to provide compensation for an additional 2.5 months of service required to properly monitor and inspect all construction activities (additional fee of \$100,172.47, for a revised agreement in the amount of \$1,663,025.40).

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

September 10, 2002

#20 RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - 35TH WAY NORTH, BETWEEN 54TH AVENUE NORTH AND 58TH AVENUE NORTH - APPROVED

County Administrator Stephen M. Spratt recommended approval of the installation of three speed humps on 35th Way North between 54th Avenue North and 58th Avenue North, in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-297, dated October 14, 1997 and revised June 4, 2002.

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

#21 RESOLUTION NO. 02-249 ADOPTED ESTABLISHING PINELLAS COUNTY'S INTENT TO REIMBURSE CERTAIN SEWER PROJECT COSTS INCURRED BY THE COUNTY WITH PROCEEDS OF A FUTURE TAX-EXEMPT FINANCING; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

County Administrator Stephen M. Spratt recommended adoption of a resolution relating to proposed future tax-exempt financing for the sewer system.

Commissioner Latvala moved, seconded by Commissioner Seel, that Resolution No. 02-249 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart and Welch.

#22 AMENDMENTS TO EXEMPT PAY PLAN - APPROVED

County Administrator Stephen M. Spratt recommended approval of amendments to the Exempt Pay Plan as outlined in a memorandum from the Personnel Director dated July 30, 2002, a copy of which has been filed and made a part of the record.

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

September 10, 2002

#23 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED AMENDMENTS TO THE CHARITABLE SOLICITATIONS ORDINANCE, CHAPTER 42, ARTICLE VII, OF PINELLAS COUNTY CODE

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public hearing to be held October 15, 2002 regarding proposed amendments to the Charitable Solicitations Ordinance, Chapter 42, Article VII, of the Pinellas County Code.

Carl E. Brody, Jr., Senior Assistant County Attorney, provided input and background information concerning the proposed amendments to the ordinance.

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

#24 ACCESS AND JOINT OPERATING AGREEMENT WITH APW NORTH AMERICA INC. (F/K/A ZERO MANUFACTURING, INC. AND ZERO CORPORATION) FOR PLANNED REMEDIATION OF THE FORMER ZERO SITE - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an Access and Joint Operating Agreement with APW North America, Inc. supporting the planned remediation of the former Zero Site. APW will pay the County or a future tenant for any unique construction costs caused by the contamination of the property (there are no costs involved with this agreement).

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

#25 CONTRACT WITH JON R. THOGMARTIN, M.D., P.A. FOR PROVISION OF MEDICAL EXAMINER SERVICES FROM OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a contract with Jon R. Thogmartin, M.D., P.A. for provision of medical examiner services from October 1, 2002 through September 30, 2003, in the amount of \$1,694,460.00.

September 10, 2002

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

Following input by D. Gay Lancaster, Assistant County Administrator, upon call for the vote, the motion carried unanimously.

#26 CONTRACT WITH JON R. THOGMARTIN, M.D., P.A. FOR PROVISION OF FORENSIC LABORATORY SERVICES FROM OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a contract with Jon R. Thogmartin, M.D., P.A. for provision of forensic laboratory services from October 1, 2002 through September 30, 2003, in the amount of \$684,690.00.

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

#27 BID OF ePLUS GROUP, INC. ACCEPTED FOR FINANCING FOR COMPUTER LEASE PROGRAM (BID NO. 012-634-B); (1) LEASE AGREEMENT FOR COMPUTER HARDWARE (DELL COMPUTER PRODUCTS) WITH ePLUS GROUP, INC. AND (2) AGREEMENT WITH AXON TECHNOLOGIES, INC. TO PROVIDE WARRANTY SERVICE FOR COMPUTER LEASE PROGRAM - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AGREEMENTS AFTER PROPER EXECUTION BY THE CONTRACTORS AND WRITTEN APPROVAL AS TO FORM BY THE OFFICE OF THE COUNTY ATTORNEY

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bid of ePlus Group, Inc. be accepted for financing of the computer lease program in the aggregate, at lease rate factors, with approval of the Lease Agreement for Computer Hardware (36-month contract for estimated annual requirements for financing of computer lease program with one additional 36-month option of renewal at the same terms and conditions subject to availability of funds and County Administrator approval); computer hardware equipment to be purchased by ePlus Group, Inc. from Dell Computer Corporation on Florida State Contract #240-040-99-1 pricing plus a discount of 13 percent and leased to Pinellas County; software licenses to be purchased from Software House International on Florida State Contract #250-001-01-1 pricing for an estimated

September 10, 2002

total leasing expenditure over three years in the amount of \$4,447,620.14. He also recommended that the Board approve an agreement with Axon Technologies to provide warranty service for the computer lease program; and further recommended that the Chairman be authorized to sign agreements after proper execution by the contractors and written approval as to form by the Office of the County Attorney.

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

Responding to queries by Commissioner Latvala, Mark S. Woodard, Assistant County Administrator, related that the contract includes computer systems under the purview of the BCC excluding the Sheriff and certain constitutional officers.

Upon call for the vote, the motion carried unanimously.

#28 EXTENSION OF CONTRACT WITH SCRAP-ALL, INC. FOR COLLECTION/SALE OF SCRAP METAL (BID NO. 978-0595-B); 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 an Amendment to Agreement with Scrap-All, Inc. for the collection/sale of scrap metal at the same prices, terms and conditions as outlined in the contract awarded on December 22, 1998 that is expiring on September 30, 2002, for an estimated revenue in the amount of \$2,000.00; and further recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

September 10, 2002

#29a RESOLUTION NO. 02-250 ADOPTED AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS FOR THE COST OF TOKENS OF APPRECIATION RECOGNIZING OUTGOING MEMBERS OF THE PINELLAS COUNTY LEGISLATIVE DELEGATION UNDER THE PROVISIONS OF PINELLAS COUNTY ORDINANCE NO. 00-16

County Administrator Stephen M. Spratt recommended approval of a resolution authorizing the expenditure of public funds for the cost of tokens of appreciation recognizing outgoing members of the Pinellas County Legislative Delegation.

Commissioner Harris moved, seconded by Commissioner Seel, that Resolution No. 02-250 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart and Welch.

#29b UPDATE RE FUNDING FOR UNINCORPORATED HOMEOWNERS' ASSOCIATIONS' COMMUNITY IMPROVEMENT PROJECTS

County Administrator Stephen M. Spratt reported on the efforts being made by staff to identify and assess the needs of Homeowners' Associations with regard to available funding for community improvement projects.

#29c WORK SESSION SCHEDULED RE TROPICANA FIELD

County Administrator Stephen M. Spratt reported that the City of St. Petersburg is ready to proceed with the conveyance of the deed for Tropicana Field; whereupon, at the request of the Chairman, a work session was scheduled for September 24, 2002 at 2:00 P.M. to afford the Board the opportunity to discuss the matter.

September 10, 2002

#30 COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST

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

- a. LaSalle Bank, N.A. versus Vicks, Darla, et al, Circuit Civil Case No. 02-6299-CI-8 - Mortgage Foreclosure Involving Judgments for Attorney Fees.
- b. Mortgage Electric Registration Systems, Inc. versus Green, Winifred, et al, Circuit Civil Case No. 02-6516-CI-8 - Mortgage Foreclosure Involving Judgments for Fine and Costs.
- c. Mortgage Electronic Registration Systems, Inc. versus Linda S. Steele, et ux., et al., Circuit Civil Case No. 02-5709-CI-11 - Mortgage Foreclosure Involving a Community Development Mortgage.
- d. Southtrust Mortgage Corp. versus Irene E. Griffin, et al., Circuit Civil Case No. 02-6178-CI-20 - Mortgage Foreclosure Involving a Community Development Mortgage.
- e. United States of America versus Robert A. Angell, et al., Circuit Civil Case No. 02-6311-CI-7 - Mortgage Foreclosure Involving a Street Lighting Lien.
- f. Wachovia Bank, etc. versus USA Cable Connections, Inc., et al., Circuit Civil Case No. 02-6187-CI-19 - Mortgage Foreclosure Involving Judgments for Fine and Costs and Attorney Fees and Cost.
- g. Wells Fargo Home Mortgage, Inc. versus Morena M. Mahon, et al., Circuit Civil Case No. 02-6148-CI - Mortgage Foreclosure Involving a Community Development Mortgage.

- h. William Mortgage Corp. versus Day, Keith and Donna, et al, Circuit Civil Case No. 02-6496-CI-15 - Mortgage Foreclosure Involving a Judgment for Fine and Costs.
- i. Rosella L. Nance and Jasper Nance versus Pinellas County Sheriff's Office, Circuit Civil Case No. 02-6138-CI-13 - Allegations of Negligence by the Pinellas County Sheriff's Office.

#31 REVISED APPENDIX "A" TO SPECIAL COUNSEL CONTRACT WITH CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P.A. TO PROVIDE SPECIAL SERVICES TO THE COUNTY - APPROVED

County Attorney Susan H. Churuti recommended approval of revised Appendix "A" to the contract for special counsel services with Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A. for services relating to litigation of the Great Monument Construction Company regarding the South Cross Bayou Water Reclamation Project, retroactive to August 1, 2002.

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

#32 COUNTY ATTORNEY AUTHORIZED TO FILE DECLARATORY JUDGMENT AGAINST DON CONNOLLY AS TRUSTEE OF THE CONNOLLY LAND TRUST AND JAMES ZINGALE, EXECUTIVE DIRECTOR OF FLORIDA DEPARTMENT OF REVENUE RELATED TO 1.7-FOOT PARCEL IN MANGROVE POINTE SUBDIVISION

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Seel moved, seconded by Commissioner Latvala and carried, that the County Attorney be authorized to file a declaratory judgment action seeking judicial determination of the validity of a tax deed and ancillary and supplemental relief against Don Connolly, Trustee of the Connolly Family Land Trust, and James Zingale, Executive Director of the Florida Department of Revenue.

September 10, 2002

#33 AUTHORIZATION GRANTED TO ISSUE COUNTY DEED TO BENGAL INDUSTRIES, INC. AND TO EXECUTE BILL OF SALE FOR PERSONAL PROPERTY (PINELLAS COUNTY INDUSTRY COUNCIL)

County Attorney Susan H. Churuti recommended that the Industrial Development Authority d/b/a the Economic Development Authority, as successor to the Pinellas County Industry Council, be authorized to issue a County deed to Bengal Industries, Inc. for property located at 11346 53rd Street North, Clearwater, Florida 33721 following satisfaction of a loan to Bengal Industries (proceeds of bonds issued in 1981 for a term of 20 years); and execution of a Bill of Sale for personal property which had been held as security for the loan and described in Exhibit A.

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

#34 COUNTY ATTORNEY AUTHORIZED TO FILE AMICUS CURIAE BRIEF IN THE SUPREME COURT ON BEHALF OF FLORIDA ASSOCIATION OF COUNTY ATTORNEYS, INC. (FACA) IN THE MATTER OF STATE OF FLORIDA VERSUS CITY OF CLEARWATER, FLORIDA, CASE NO. SC02-1694

County Attorney Susan H. Churuti recommended that authorization be granted to file an amicus curiae brief in the Supreme Court on behalf of the Florida Association of County Attorneys, Inc. (FACA) in the matter of the State of Florida versus the City of Clearwater, Florida, Case No. SC02-1694.

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

In response to query by Commissioner Seel, the County Attorney related that the brief is being filed as a friend of the court in support of the City of Clearwater; and that the issue involves public policy regarding public records and the Internet.

#35 INFORMATION TECHNOLOGY BOARD INTERLOCAL AGREEMENT - APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of the redrafted Information Technology Board Interlocal Agreement as adopted on August 28, 2002 by the Information Technology Board.

September 10, 2002

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

#36 AUTHORIZATION GRANTED FOR SETTLEMENT OF THE SUIT RE PINELLAS COUNTY VERSUS INNISBROOK, INC., ET AL. - CIRCUIT CIVIL CASE NO. 01-1575-CI-7 (PARCEL 63, OTINIANO)

County Attorney Susan H. Churuti recommended that authorization be granted for settlement of the suit re Pinellas County versus Innisbrook, Inc., et al., Circuit Civil Case No. 01-1575-CI-7, as outlined in her confidential memorandum to the Board dated September 10, 2002.

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

#37 MEDIATION SETTLEMENT OFFER IN ACS STATE & LOCAL SOLUTIONS, INC., F/K/A LOCKHEED MARTIN IMS CORPORATION VERSUS THE PINELLAS WAGES COALITION, ET AL., CASE NO. 01-009324-CI-21 - REJECTED; FURTHER FINANCIAL ANALYSIS - APPROVED

County Attorney Susan H. Churuti recommended that a mediation settlement offer regarding ACS State & Local Solutions, Inc., f/k/a Lockheed Martin IMS Corporation versus the Pinellas WAGES Coalition, et al., Circuit Civil Case No. 01-009324-CI-21, be rejected as outlined in her confidential memorandum to the Board dated September 10, 2002; and recommended that further financial analysis of the matter be approved.

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

#38 COUNTY ATTORNEY MISCELLANEOUS

County Attorney Susan H. Churuti noted that two trials involving Pinellas County are currently underway.

September 10, 2002

#39 FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND SPECIALIZED INFORMATION MANAGEMENT ASSOCIATES, INC. (SIMA) - APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority, County Administrator Stephen M. Spratt recommended approval of the First Amendment to the Lease Agreement between the Pinellas County Industrial Development Authority and Specialized Information Management Associates, Inc. (SIMA), for the renewal period of October 1, 2002 to September 30, 2003, with a monthly rental payment, including a Consumer Price Index (CPI) increase and sales tax, of \$963.96.

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

#40 FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND NEW DIRECTIONS IN LEARNING (NDL) - APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority, County Administrator Stephen M. Spratt recommended approval of the First Amendment to the Lease Agreement between the Pinellas County Industrial Development Authority and New Directions In Learning (NDL), for the renewal period of October 1, 2002 to September 30, 2003, with a monthly rental payment, including a Consumer Price Index (CPI) increase, of \$3,274.16.

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

#41 APPEAL TO REHEAR APPROVAL OF PRIVATE DOCK PERMIT APPLICATION NO. P31083-02, THERESA BUCK, 4194 HARBOR HILLS DRIVE, McKAY CREEK, LARGO - DENIED

Noting for the record that the Board is now sitting as the Water and Navigation Control Authority, County Administrator Stephen M. Spratt recommended

September 10, 2002

that a motion to rehear the approval of Private Dock Permit Application No. P31083-02, Theresa Buck, 4194 Harbor Hills Drive, McKay Creek, Largo, be denied.

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

#42 RESOLUTION NO. 02-251 ADOPTED APPROVING THE REPORT OF FINAL COSTS, CONFIRMATION AND APPROVAL OF THE FINAL ASSESSMENT ROLL FOR SEA HORSE MOBILE HOME PARK CHANNEL IMPROVEMENTS, AND ORDERING ASSESSMENT OF THE PROPERTIES BENEFITED THEREBY

Noting for the record that the Board is now sitting as the Water and Navigation Control Authority, County Administrator Stephen M. Spratt recommended adoption of a resolution approving the Report of Final Costs, confirmation and approval of the Final Assessment Roll for the Sea Horse Mobile Home Park Channel improvements (relating to Sea Horse Mobile Home Park, Units 17 through 20, Units 124 through 142, and Parque Narvaez Second Addition, Lots 3 through 15 - Navigational Dredge Assessment Project, P.I.D. 922459), and ordering assessment of the properties benefited thereby.

Commissioner Latvala moved, seconded by Commissioner Seel, that Resolution No. 02-251 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Stewart and Welch.

#43 UPDATE ON MOSQUITO CONTROL

Sue Bartlett, Public Works Highway Department, presented a brief overview in which she outlined a variety of mosquito control treatments used by the department. She indicated that the department works closely with Code Enforcement personnel to reduce mosquito breeding sites in residential areas; and that the Public Affairs Department has assisted with media coverage and public awareness; whereupon, she presented two 30-second videos produced by Public Affairs.

September 10, 2002

#44 MUNICIPAL DISPUTE RESOLUTION STATUS

County Administrator Stephen M. Spratt presented a brief update regarding the dispute resolution process as it relates to a building permit/sewer connection issue with the City of Largo and planning area boundary lines involving Kenneth City, Pinellas Park and the Lealman community.

In response to query by the Chairman, Mr. Spratt indicated that a work session will be scheduled to discuss Charter Review issues regarding annexation.

#45 APPOINTMENT OF TIM TRACY TO PARK BOARD - APPROVED

Upon motion by Commissioner Harris, seconded by Commissioner Latvala and carried, the appointment of Tim Tracy to fill the seat previously held by Aaron Connelly on the Park Board, said term to expire July 31, 2003, was approved.

#46a COMMISSIONER MORRONI RE VARIOUS MATTERS

Commissioner Morroni presented a Your Penny's Worth update regarding the construction of the Brooker Creek Preserve Environmental Education Center; and reported on his recent meeting with the Tierra Verde Homeowners Association.

#46b COMMISSIONER SEEL RE VARIOUS MATTERS

Commissioner Seel related that citizens can stop phone solicitations through a service offered by the Department of Agriculture; announced that a Service of Remembrance will be held on September 11 at the Harborview Center in Clearwater; encouraged citizens to vote today; and clarified the rescheduling of the Council of Mayors and Board of County Commissioners joint meeting.

September 10, 2002

#46c COMMISSIONER LATVALA RE ESTABLISHMENT OF 1906 COMMITTEE REGARDING GROWTH MANAGEMENT LEGISLATION

Commissioner Latvala announced the establishment of the 1906 Committee under the School Safety Task Force of the Metropolitan Planning Organization (MPO) relating to Senate Bill 1906 growth management legislation, and requested action by the Board in support of the committee; whereupon, County Administrator Stephen M. Spratt indicated that staff will prepare an agenda item for consideration at the September 17 Board meeting.

#46d COMMISSIONER HARRIS RE VARIOUS MATTERS

Commissioner Harris offered a water conservation tip regarding installation of an instant hot water heater; and requested an update concerning the traffic signalization process; whereupon, County Administrator Stephen M. Spratt indicated that he has submitted a suggested consolidated approach to the mayors of Clearwater and St. Petersburg and is awaiting a response.

#46e CHAIRMAN TODD RE ENVIRONMENTAL ISSUES AND ECONOMIC DEVELOPMENT COUNCIL MEETINGS

Chairman Todd reported on her recent tour of Lake Seminole Park and commended staff's leadership regarding environmental issues. She related that Economic Development Council (EDC) meetings will be taped for later viewing on Channel 18; that meetings will begin with an update from each member; and that in cooperation with the Convention and Visitors Bureau (CVB), a representative from the Chambers of Commerce will attend EDC meetings, and EDC representatives will attend CVB meetings.

September 10, 2002

* * * *

Upon direction of the Chairman, there being no objection, the meeting was adjourned at 11:40 A.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk