

Clearwater, Florida, November 19, 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 3:00 P.M. on this date with the following members present: Barbara Sheen Todd, Chairman; Karen Williams Seel, Vice-Chairman; Robert B. Stewart; Calvin D. Harris; Susan Latvala; John Morroni; and Kenneth T. Welch.

Absent: None.

Also present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; C. R. Short, Chief Deputy Clerk; and Carol J. Jones, Maryann Penhale, and Barbara Wilson, Board Reporters.

Senior Pastor Chip Dearmon, Skycrest Baptist Church, Clearwater, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Latvala.

A G E N D A

INVOCATION

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

A. CONSENT AGENDA

CLERK OF THE CIRCUIT COURT

1. Approval of Minutes – Regular Meeting Held on October 15, 2002.
2. Reports:
 - a. Capital Improvement Program, Six-Year Work Plan, FY2003 through FY 2008, Pinellas County, Florida.
 - b. State of Florida Constitutional Officer Financial Report for 2001 through 2002 – Pinellas County Supervisor of Elections.
 - c. State of Florida Constitutional Officer Financial Report for 2001 through 2002 – Pinellas County Clerk of the Circuit Court.
 - d. State of Florida Constitutional Officer Financial Report for 2001 through 2002 – Pinellas County Clerk of the Circuit Court Public Records Modernization Trust Fund.
 - e. State of Florida Constitutional Officer Financial Report for 2001 through 2002 – Pinellas County Tax Collector.

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- f. State of Florida Constitutional Officer Financial Report for 2001 through 2002 – Pinellas County Sheriff's Office.
 - g. State of Florida Constitutional Officer Financial Report for 2001 through 2002 – Pinellas County Property Appraiser.
 - h. Bond Transcripts for Pinellas County, Florida - \$26,620,000 Capital Improvement Revenue Bonds, Series 2002, Dated July 1, 2002.
3. Other Approvals:
- a. General – None.
 - b. Vouchers and Bills Paid.
4. Miscellaneous Items to be Received for Filing:
- a. Notification from the Clerk of the Circuit Court that Pursuant to Chapter 28.32, Florida Statutes, Cancelled Checks (Warrants) from October 1, 1996 through September 30, 1997 will be Destroyed in Accordance with the Florida Department of State Records Retention Schedules.
 - b. City of Clearwater Public Hearing Notice of Land Use Plan and Zoning Atlas Amendments Regarding Ordinances Nos. 7004-02 and 7005-02 to be Held November 21, 2002.
 - c. City of Safety Harbor Ordinance No. 2002-20 Adopted October 21, 2002, Annexing Certain Property.
 - d. City of Seminole Ordinances Nos. 24-2002 and 25-2002 Adopted October 8, 2002, Voluntarily Annexing Certain Property.
 - e. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 12, Together with Certification of Final Taxable Value.
 - f. Eastlake Oaks Community Development District Minutes of Meeting Held June 5, 2002; Financial Statements for Period Ending April 30, 2002; and Proposed Budget for Fiscal Year 2003, Dated June 5, 2002, Pursuant to Chapter 190.008(2)(b), Florida Statutes.
 - g. Correspondence from Pinellas County Sheriff Everett S. Rice Regarding Returning \$6,998,863 in Excess Fees for FY 2001-2002 in Accordance to Statute Responsibility.

COUNTY ADMINISTRATOR

Public Works

5. Approval of Change Orders:
- a. Change Order No. 1 Final – Walsingham Park Expansion Phase 5A.
 - b. Change Order No 1. Final – Whitcomb Boulevard Culvert Extension.

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- c. Change Order No. 1 Final – 2001/2002 Annual Contract Construction of Underdrains and Minor Drainage.
 - d. Change Order No. 2 Final – Part I, 52nd Avenue at 108th Way Drainage Improvement and Part II, Feather Sound Structure Replacement.
- 6. Approval of Award of Contract for Countywide Sidewalk and Driveway Construction, Repair/Replacement.
 - 7. Approval of Sidewalk Easement for Recording, Acceptance and Release of Sureties.

Utilities

- 8. Approval of Amendment to the Contract – Air Conditioning Maintenance Services for Utilities Buildings.

Other Departments

- 9. Receipt and File of Items Delegated to the County Administrator for Signature (County Administrator).
- 10. Adoption of a Resolution for Assessment of Liens against Lands Cleared (Environmental Management).
- 11. Approval to Declare Surplus and Authorize the Sale of Miscellaneous County Owned Equipment (Purchasing).
- 12. Approval to Declare Surplus and Authorize the Transfer of Miscellaneous County Owned Equipment (Purchasing).

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Airport

- 14. Approval of the First Amendment to the Agreement for Cooperative Marketing with American Trans Air, Inc.
- 15. Approval of Award of Contract for Security Guard Services for the Coast Guard Air Station.

Public Works

- 16. Approval of the Ranking of Firms for a Consultant Selection and Authorization for Staff to Negotiate a Contract with the Number One Ranked Firm for the Fire and EMS Training Facility, Design and Build Services.
- 17. Approval of Change Order No. 1 for Construction of the East/West Connector Road Phase I, from Tampa Road to the East Property Line of Harrod Properties, and Phase II from the East Property Line of Harrod Properties to Race Track Road.

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18. Approval to Execute Amendment No. 5 to the Engineering Services Agreement for the Klosterman Road – U.S. 19A to U.S. 19 Roadway Improvement Project.
19. Adoption of a Resolution Authorizing a Quit Claim Deed to Transfer the County's Interest in a Sidewalk Easement to the State of Florida, Department of Transportation for the State Road 586 (Curlew Road) Project.
20. Approval of a Request to Execute a Quit Claim Deed Submitted by Daniel A. Baker and Sherri L. Baker for a 3.5-Foot by 50.0-Foot Portion of a 5.0 Foot Private Drainage and Utility Easement on Lots 17 and 18, Block 39, Tierra Verde Unit One, Located in the Southwest quarter of Section 20, Township 32 South, Range 16 East.
21. Approval of Authority to Advertise for a Public Meeting on the Proposed Belleair Beach Causeway Bridge Replacements.

Utilities

22. Approval to Transfer Escrow Funds from the Joint Project Agreement with the Florida Department of Transportation for the Blind Pass Bridge Replacement Project to the Joint Project Agreement with the Florida Department of Transportation for the Curlew Road at U.S. Highway 19 Project.
23. Approval of the Ranking of Firms for a Consultant Selection and Authorization for Staff to Negotiate a Contract with the Number One Ranked Firm for Water Storage Tank Modifications.
24. Approval to Amend the Contract for Grounds Maintenance, Utilities and Re-Award in Part for Grounds Maintenance at Various Utilities Locations.

Other Departments

25. Approval of Appointment of Director of Emergency Management (County Administrator).
26. Approval of an Agreement for the Partial Taking of Vacant Property from Parcels Nos. 08/30/15/70470/100/1917 and 08/30/15/70470/100/1918 for the Dansville Neighborhood Improvement Area, Phase II (Community Development).
27. Approval of an Agreement with Jesse J. Campbell and Sharon D. Campbell for the Exchange of Drainage and Utility Easements for the Dansville Neighborhood Improvement Area, Phase II (Community Development).
28. Approval of an Agreement to Acquire Parcel No. 08/30/15/70470/100/1605 for the Dansville Neighborhood Improvement Area, Phase II (Community Development).
29. Approval of an Agreement for the Partial Taking of Vacant Property from Parcel No. 08/30/15/70470/100/0415 for the Dansville Neighborhood Improvement Area (Community Development).
30. Approval of Second Addendum to the Interlocal Agreement with the School Board of Pinellas County to Increase the Amount of Safe Hurricane Shelter Space (Emergency Management).

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31. Approval of a Special Purpose Grant Agreement with the U.S. Environmental Protection Agency for the Tampa Bay Region Air Toxics Study (Environmental Management).
32. Approval of a Second Amendment to the Agreement and First Option of Renewal for Fire System Inspections/Repair, 2000-2002 (General Services).
33. Approval of a Noncompetitive Purchase for Extended Warranty Services for Elevators and Escalators (General Services).
34. Approval of Final Negotiated Contract for Countywide Space Needs Assessment (General Services).
35. Approval of a Service Funding Agreement with Operation PAR, Inc. for Project HOPE (Justice Coordination).
36. Adoption of a Resolution Supplementing the FY03 General Fund Budget - Transfer to the Sheriff's Department for Law Enforcement Services at the St. Petersburg-Clearwater International Airport (Management and Budget).
37. Approval of an Amendment to the St. Petersburg College and WorkNet Pinellas Contract (WorkNet Pinellas).
38. Other Administrative Matters.

COUNTY ATTORNEY

39. Request Authority for County Attorney to Defend:
 - a. Anita Mancini Roesch, et al v. Julie Marie Williams – Circuit Civil Case No. 01-8382-CI-8 – Mortgage Foreclosure Involving a State Housing Investment Partnership Program Mortgage and a Judgment for Fine and Costs.
 - b. Citimortgage, Inc., etc. v. Carrie B. Evans, et al - Circuit Civil Case No. 02-8323-CI-15 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and a Judgment for Fine and Costs.
 - c. G.E. Capital Mortgage Services, Inc. v. Solomon E. Ponds, et al - Circuit Civil Case No. 02-8281-CI-13 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and a Judgment for Fine and Costs.
 - d. Mortgage Electronic Registration Systems, Inc., v. Kevin F. Bull, et al - Circuit Civil Case No. 02-8377-CI-007 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
 - e. Republic Bank v. Adams L. Radcliffe, et al - Circuit Civil Case No. 02-8336-CI-15 – Mortgage Foreclosure Involving a Street Lighting Lien.
 - f. Wells Fargo Bank, etc., v. Kelly Marie Franks, et al - Circuit Civil Case No. 02-8501-CI-008 – Mortgage Foreclosure Involving a Judgment for Fine and Costs and a Judgment for Attorney Fees and Costs.

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- g. Clifford Cohoon v. State of Florida, Florida Fish and Wildlife Conservation Commissioner, Florida Attorney General, City of Sanibel, et al – Case No. 8:02-CV-1677-T-26-TBM – In the U.S. District Court, Middle District of Florida, Tampa – Allegations of Violations of a Fundamental Constitutional Right.
- 40. Approval of Contract for Law Enforcement Services for:
 - a. City of Indian Rocks Beach.
 - b. City of Pinellas Park for Latent Fingerprint and Crime Scene Services and Evidence and Property Storage.
 - c. City of Safety Harbor.
 - d. City of St. Pete Beach for Crime Scene and Latent Fingerprint Services and Property and Evidence Storage.
 - e. Diane Nelson, as Tax Collector.
- 41. Approval of Amendment to Special Counsel – Ford & Harrison, LLP.
- 42. Approval of Indemnity Agreement with Honeywell, Inc.
- 43. Approval of Grant-in-Aid Agreement for Child Dependency between Justice Administrative Commission and BCC – July 1, 2002 – June 30, 2003.
- 44. Approval of Settlement of Claim for Injuries Incurred as a Result of a Motor Vehicle Accident – Gary Lynch.
- 45. Authorization of Offer of Judgment in Great Monument Construction Company v. Board of County Commissioners and Parsons Engineering Science, Inc., et al.
- 46. Miscellaneous.

C. AUTHORITIES

EMERGENCY MEDICAL SERVICES AUTHORITY

- 47. Adoption of a Resolution and Approval of a Grant Application for an Award from the State Emergency Medical Services Trust Fund.
- 48. Approval of Renewal of Certificates of Public Convenience and Necessity for Advanced Life Support First Responders, Advanced Life Support Helicopter Ambulance Services, All Children's Hospital, and the Emergency Medical Services Authority d/b/a Sunstar.

D. COUNTY ADMINISTRATOR REPORTS

- 49. Update by Leroy Sullivan, Chairman – WorkNet Pinellas.
- 50. Revisions to the Water Policy.
- 51. Fire District Options.
- 52. Status of Recreation Funding Recommendations.
- 53. Special Assessment Collection Method.

E. COUNTY COMMISSION

- 54. Election of Chairman and Vice Chairman.
- 55. Approval of Re-Appointment to the St. Petersburg-Clearwater Economic Development Council.
- 56. Approval of Re-Appointment to the Pinellas County Health Facilities Authority.
- 57. Miscellaneous.

6:30 P.M.

PRESENTATIONS AND AWARDS

F. CITIZENS TO BE HEARD

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

G. SCHEDULED PUBLIC HEARINGS – 6:30 P.M.

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

- 58. Planning and Zoning Applications Heard by the Examiner:
 - a. Z/LU-2-9-02
Application of Minnie Lopez c/o Rosalee D. Nicholas, Baycrest Plaza, Inc., Ronald R. Conkright, Ilva E. and Helen K. Metcalf, Jr., Crystal Lucas, Gary L. and Shawn L. Arnold, II, through Deborah L. Martohue c/o Hayes and Martohue, P.A., William H. Howell, c/o Clear Ocean Investments Corp., Representative, for a Change of Zoning from C-2, General Retail Commercial and Limited Services and R-4, One, Two or Three Family Residential to C-1, Neighborhood Commercial and C-2, General Retail

Commercial and Limited Services, Land Use Change from Residential Low to Commercial General and Commercial Neighborhood and a Developer's Agreement on Approximately 1.58 Acres at the Northwest Corner of 54th Avenue North and I-275 (Street Addresses: 2504, 2538, 2530, 2520, 2510, 2500 55th Avenue North, Parcel ID Nos. 35/30/16/00000/430/2100 and 2000, 35/30/16/74340/009/0090, 0080, 0021, 0020, 0010, 0070, 0060, 0050, 0040 and 0030) (Continued from October 15, 2002 BCC Meeting and to be Continued to December 17, 2002 BCC Meeting.)

- b. Z-1-10-02
Application of Gemini Development Co., Inc., through Jeffery M. Hoyt, c/o Gemini Development Co., Inc., Representative, for a Change of Zoning from A-E, Agricultural Estate Residential to R-3, Single Family Residential on Approximately 0.15 Acre on the West Side of 49th Street North, 1170 Feet South of 162nd Avenue North (Parcel ID No. 33/29/16/89118/003/0140).
- c. Z-2-10-02
Application of Benjamin Family Investments/Rellimites Partnership through Keith Zayac, P.E. FL, Keith Zayac and Associates, Inc., Representative, for a Change of Zoning from C-2, General Retail Commercial and Limited Services to C-3, Commercial, Wholesale, Warehousing and Industrial Support on Approximately 2.48 Acres 320 Feet East of 66th Street North, 180 Feet North of 126th Avenue North (Parcel ID Nos. 08/30/16/70974/200/0901, 0902 and 0903).
- d. Z-4-10-02
Application of Patricia Anne Harrison for a Change of Zoning from C-1, Neighborhood Commercial to C-2, General Retail Commercial and Limited Services on Approximately 0.84 Acre on the West Side of Seminole Boulevard, 98.5 Feet South of 61st Avenue North (Street Address: 6000-6036 Seminole Boulevard, Parcel ID Nos. 34/30/15/00000/310/0400 and 0500).
- e. Z-5-10-02
Application of John A. and Miriam C. Craig through John Craig, High Performance Plumbing Services, Representative, for a Change of Zoning from M-2, Heavy Manufacturing and Industry to M-1, Light Manufacturing and Industry on Approximately 0.52 Acre on the Southwest Corner of Morris Street and 45th Avenue North (Street Address: 4420 Morris Street, Parcel ID No. 03/31/16/61722/003/0060).
- f. Z/LU-6-10-02
Application of SJS, 4400 Center, L.P. through Robert S. Schumaker, Representative, for a Change of Zoning from M-1, Light Manufacturing and Industry to C-2, General Retail Commercial and Limited Services and Land Use Change from Industrial Limited to Commercial General on Approximately 6.741 Acres on the West Side of 34th Street North, 225 Feet South of 44th Avenue North (Street Address: 4386 34th Street North, Parcel ID No. 03/31/16/00000/410/0500).

- 59. Petition to Vacate Submitted by Michael Andolino and Sahar Andolino for a 44.26-Foot by 3.1-Foot by 44.37-Foot Portion of a 262.55-Foot by 66.06-Foot by 18.98-Foot by 271.89-Foot, Private "Natural Area/Drainage Easement" on Lot 31, Block B, Seabrooke, Located in the Southeast quarter of Section 28, Township 29 South, Range 16 East.
- 60. Proposed Ordinance Regarding Mangrove Trimming and Preservation and Replacing Chapter 166, Division 3 of the County Land Development Code.

61. Proposed Resolution Adopting Revised Retail Rates for the Pinellas County Sewer System.
62. Proposed Resolution Adopting Revised Retail Rates for the Pinellas County Water System.
63. Proposed Resolution Adopting Revised Wholesale Rates for the Pinellas County Water System.

ADJOURNMENT

CONSENT AGENDA ITEMS NOS. 1 THROUGH 12 - APPROVED

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

#1 APPROVAL OF MINUTES

Minutes of regular meeting of October 15, 2002.

#2 REPORTS RECEIVED FOR FILING

- a. Capital Improvement Program, Six-Year Work Plan, FY 2003 through FY 2008, Pinellas County, Florida.
- b. State of Florida Constitutional Officer Financial Report for 2001-2002 - Pinellas County Supervisor of Elections.
- c. State of Florida Constitutional Officer Financial Report for 2001-2002 - Pinellas County Clerk of the Circuit Court.
- d. State of Florida Constitutional Officer Financial Report for 2001-2002 - Pinellas County Clerk of the Circuit Court Public Records Modernization Trust Fund.
- e. State of Florida Constitutional Officer Financial Report for 2001-2002 - Pinellas County Tax Collector.
- f. State of Florida Constitutional Officer Financial Report for 2001-2002 - Pinellas County Sheriff's Office.

- g. State of Florida Constitutional Officer Financial Report for 2001-2002 - Pinellas County Property Appraiser.
- h. Bond Transcripts for Pinellas County, Florida, \$26,620,000 Capital Improvement Revenue Bonds, Series 2002, dated July 1, 2002.

#3 OTHER APPROVALS

- a. General - None
- b. Vouchers and Bills Paid
 - (1) Checks released for the period from October 21, 2002 through November 1, 2002 as follows:

Payroll Journal Expenditures
Payroll Journal page numbers 1 through 2703
Payroll checks numbered 496199 through 496785

Imprest Fund Expenditures
Manual checks numbered 685767 through 685799
System checks numbered 655422 through 657552

Wire Transfers numbered 523 through 553

#4 MISCELLANEOUS ITEMS RECEIVED

- a. Notification from the Clerk of the Circuit Court that pursuant to Chapter 28.32, Florida Statutes, cancelled checks (warrants) from October 1, 1996 through September 30, 1997 will be destroyed in accordance with the Florida Department of State Records Retention Schedules.
- b. City of Clearwater Public Hearing Notice of Land Use Plan and Zoning Atlas Amendments re Ordinances Nos. 7004-02 and 7005-02 to be held November 21, 2002.
- c. City of Safety Harbor Ordinance No. 2002-20 adopted October 21, 2002, annexing certain property.

- d. City of Seminole Ordinances Nos. 24-2002 and 25-2002 adopted October 8, 2002, voluntarily annexing certain property.
- e. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 12, together with Final Certification of Taxable Value.
- f. Eastlake Oaks Community Development District Minutes of Meeting held June 5, 2002; Financial Statements for period ending April 30, 2002; and Proposed Budget for fiscal year 2003, dated June 5, 2002, pursuant to Chapter 190.008(2)(b), Florida Statutes.
- g. Correspondence from Pinellas County Sheriff Everett S. Rice re returning \$6,998,863 in excess fees for FY 2001-2002 in accordance with Statute responsibility.

#5a CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH PEPPER CONTRACTING SERVICES, INC., FOR WALSINGHAM PARK EXPANSION PHASE 5A (BID NO. 001-894-C)

- a. Change Order No. 1 (final) decreases the contract by \$142,748.77 (final total contract, \$1,614,815.12).
- b. Contract accepted as complete as of August 3, 2002.

#5b CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH T.A. CUMMINGS CONSTRUCTION CORPORATION FOR CONSTRUCTION OF THE WHITCOMB BOULEVARD CULVERT EXTENSION (BID NO. 012-657-C)

- a. Change Order No. 1 (final) decreases the contract by \$11,887.60 (final total contract, \$115,936.90).
- b. Contract accepted as complete as of August 4, 2002.

#5c CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH SUNCOAST DEVELOPMENT OF PINELLAS COUNTY, INC., FOR 2001/2002 ANNUAL CONTRACT CONSTRUCTION OF UNDERDRAINS AND MINOR DRAINAGE (BID NO. 012-339-C)

- a. Change Order No. 1 (final) decreases the contract by \$76,549.21 (final total contract, \$384,807.79).
- b. Contract accepted as complete as of September 16, 2002.

#5d CHANGE ORDER NO. 2 (FINAL) TO CONTRACT WITH CASTCO CONSTRUCTION, INC., FOR PART I: 52ND AVENUE AT 108TH WAY DRAINAGE IMPROVEMENT; PART II: FEATHER SOUND STRUCTURE REPLACEMENT (BID NO. 012-118-C)

- a. Change Order No. 2 (final) decreases the contract by \$12,900.29 (final total contract, \$243,346.50).
- b. Contract accepted as complete as of July 22, 2002.

#6 AWARD OF CONTRACT TO TAGARELLI CONSTRUCTION, INC. FOR COUNTYWIDE SIDEWALK AND DRIVEWAY CONSTRUCTION, REPAIR/REPLACEMENT (BID NO. 012-988-B)

Bid of Tagarelli Construction, Inc. on the basis of being the lowest responsive, responsible bid received meeting specifications for Countywide sidewalk and driveway construction, repair/replacement, for an annual estimated expenditure not to exceed \$331,215.00; Chairman authorized to sign Agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#7 SURETIES AND EASEMENTS

- a. Amerada Hess
 - 1. Sidewalk easement accepted for recording.

- b. Crystal Springs Subdivision
 - 1. Funds accepted in the amount of \$5,610.00 as maintenance surety.
 - 2. Release of Letter of Credit No. SM420716P in the amount of \$28,050.00 to First Union/Wachovia Bank, One South Broad Street, Philadelphia, PA 19107, Attn: Standby Letter of Credit Department.

- c. Lake Seminole Park Trails
 - 1. Funds accepted in the amount of \$3,750.00 as completion surety.

- d. CVS Pharmacy at 49th Street and 54th Avenue
 - 1. Maintenance Bond No. 929264656 accepted in the amount of \$9,866.00.
 - 2. Release of Completion Bond No. 929231485 in the amount of \$49,330.00 to Metro Group Construction, LLC, 700 Old Roswell Lakes Parkway, Suite 350, Roswell, GA 30076.

- e. Mobil No. 10386/Handex
 - 1. Completion Bond No. 5450768 accepted in the amount of \$10,000.00.

- f. Sterling Auto Body
 - 1. Funds in the amount of \$38,842.10 accepted as completion surety.

8 AMENDMENT TO CONTRACT WITH TBG OF TAMPA, D/B/A THE BEACON GROUP FOR AIR CONDITIONING MAINTENANCE SERVICES, UTILITIES (BID NO. 990-0696-B)

Contract amended to include the main Utilities building located at 14 South Fort Harrison Avenue, Clearwater, Florida; all other specifications, terms and conditions to remain the same (estimated annual expenditure for 14 South Fort Harrison

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not to exceed \$18,828.00; estimated annual expenditure for all other Utilities buildings not to exceed \$26,676.00; total estimated annual expenditure for all buildings not to exceed \$45,504.00); Chairman authorized to sign Agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Clerk of the Circuit Court	Release of Paving Liens – Max J. and Alice J. Martin; Peter Riemer; Release of Street Lighting Liens (see attached); Satisfaction of Judgment for Attorney Fees and Costs – Daniel Fernando Arcila; George Anthony Birx; Ulysses Burton; Donald James Carbonell; Charles Robert Clauss; Kelly Anne Dunlavy; Nicholas J. Ellis; Eugene Frances Gehen; Randall Heflin; Robert J. Keseleski; Richard Hendrickson; David Joseph Kirlis; Jerry Leon; Eugene C. McKim; Robert Metcalfe; Kenneth Michelson; Edward Michael Mooney; Manuel Palacios; Suzanne Gale Peck; Victoria Marie Spear; Irfan S. Valla; Juvenile Court - Satisfaction of Judgment for Attorney Fees and Costs – Christopher Kirkland	All Liens Paid in Full	10/23/02
Community Development	Satisfaction of Mortgage (Housing) – Tamara L. Pippin	All Liens Paid in Full	11/5/02
Community Development	Specific Performance Agreements – Homeless Emergency Project, Inc.; Lealman Family Center, Inc.	Emergency Project, - \$50,000 Lealman Center, Inc. - \$14,500	11/4/02
Community Development	Specific Performance Agreement with Tampa Bay Community Development Corporation	\$100,000	10/22/02
Community Development	Satisfaction of Mortgages (Housing) – Derrick J. and Raquel T. McClary; Joseph T. and Florence Van Luppen; Laura J. Campbell; Bonnie L. Groves; Patricia Stewart; Robert G. and Kimberly S. McKenzie; Jason R. and Caron M. Kelley; Linda M. and Charles R. Kirckler; Lavonne M. Smith; Release of Liens (Housing) – Daniel Slessor; Marie E. Anttonen	All Liens Paid in Full	10/21/02
Community Development	Specific Performance Agreements – Dansville Neighborhood Development Corp., Inc.; Community Service Foundation, Inc.; Caring and Sharing Center for Independent Living, Inc.; Tampa Bay Community Development Corp.; Pinellas Opportunity Council, Inc.; Suncoast Center for Community Mental Health, Inc.; The Mustard Seed Foundation, Inc.	Dansville Neighborhood - \$80,000; Community Service Foundation - \$33,000; Caring and Sharing Center - \$70,000; Tampa Bay Community Development - \$35,000; Pinellas Opportunity Council - \$20,000; Suncoast Center for Community Mental Health - \$19,050; The Mustard Seed-\$19,050	10/21/02

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Cooperative Extension	Interlocal Agreement with Tampa Bay Water for the Florida Yards and Neighborhoods Program	\$50,000	9/26/02
Environmental Management	First Amendment to the Interlocal Agreement – FDOT for Design of a Water Quality Monitoring Program	FDOT contributes \$5,000 annually through FY2007	10/31/02
Environmental Management	EPA – Environmental Education Program Grant Amendment (Education Modules on Environmental Sustainability and Stewardship of Natural Resources)	Time Extension to 1/31/03	10/20/02
Justice Coordination	Byrne Formula Grant Program – Focused Outreach and Intervention Program – Suncoast Center for Community Mental Health, Inc.	\$34,247	10/22/02
Justice Coordination	Clearwater Bar Foundation Inc., Contract	Not to Exceed \$30,000	10/21/02
Justice Coordination	Byrne Formula Grant Program Certificate of Acceptance of Subgrant Award – Justice Coordination	\$40,035	10/18/02
Justice Coordination	Byrne Formula Grant Program Contract – Deeb Horizons Program – Alpha “A Beginning,” Inc.	\$74,679	10/18/02
Justice Coordination	Byrne Formula Grant Program – Certificate of Acceptance of Subgrant Award – In-Jail Services Program with Operation PAR, Inc.	\$68,550	10/18/02
Social Services	Quality Assurance Chart Review (Mobile Medical Unit) – Pinellas County Health Dept.	\$36,300	10/21/02
Young Rainey STAR Center	– Second Amendment – Orange Blossom Catering Agreement	Approximately \$25,000 per annum in revenue	10/30/02

#10 LOT CLEARING RESOLUTION

Resolution No. 02-298 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.

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

The County-owned equipment is set forth in the attachment to the County Administrator's memorandum dated November 19, 2002.

- #12 DECLARATION OF ONE COMPUTER AND ONE FACSIMILE AS SURPLUS AND AUTHORIZATION FOR TRANSFER OF SAME TO THE PINELLAS COUNTY SHERIFF'S DEPARTMENT AT NO COST (ASSETS NOS. 96502 AND 84474)
- #13 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF COURT) - NONE
- #13a REPORT RE ST. ANDREW'S LINKS GOLF COURSE AND RECREATION PARTNERSHIP INTERLOCAL AGREEMENT - CONCEPT APPROVED

County Administrator Stephen M. Spratt recommended conceptual approval of a proposed St. Andrew's Links Golf Course and Recreation Partnership Interlocal Agreement as set forth in his agenda memorandum dated November 19, 2002, a copy of which has been filed and made a part of the record. He presented highlights of the report and stated that the County would become a funding partner by contributing \$575,000.00 from available endangered lands funds towards an estimated purchase price of approximately \$1,200,000.00 for the acquisition of the golf course; and that unincorporated residents would have open access to use of the facilities; whereupon, City of Dunedin Commissioner John Doglione stated that the City looks forward to working with the County in expanding recreational opportunities.

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

Responding to query by Commissioner Seel, City of Dunedin Director of Leisure Services Harry Gross indicated that he will provide the members with additional information regarding amounts received from nonresident fees.

In response to query by Commissioner Welch, Mr. Spratt indicated that staff will provide details regarding the amount left in the Capital Improvements Program (CIP) in the endangered lands fund.

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

#14 FIRST AMENDMENT TO AMERICAN TRANS AIR, INC. AGREEMENT FOR COOPERATIVE MARKETING - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the First Amendment to the American Trans Air, Inc. Agreement for Cooperative Marketing for an amount of \$202,000.00.

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

During discussion, Commissioner Seel suggested that American Trans Air, Inc. be recognized at the Economic Development Summit.

Upon call for the vote, the motion carried unanimously.

#15 BID OF THE BUDD GROUP, INC. FOR SECURITY GUARD SERVICES, COAST GUARD STATION - ACCEPTED; AGREEMENT WITH THE BUDD GROUP, INC. - APPROVED FOR EXECUTION; BID OF INTERSTATE SECURITY AGENCY, INC. - REJECTED

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Stephen M. Spratt recommended that the bid of The Budd Group, Inc. for security guard services, Coast Guard Station be accepted on the basis of being the lowest responsive and responsible bid received meeting specifications; that the agreement with The Budd Group, Inc. for the aforesaid services be approved for a 24-month contract with two 12-month options of renewal allowing for a price adjustment based on the Consumer Price Index or five percent, whichever is less, and approval by the County Administrator, for an estimated 24-month expenditure not to exceed \$429,240.00; and that the bid of Interstate Security Agency, Inc. be rejected for being nonresponsive on the basis of not meeting bid specifications.

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

- #16 W. G. MILLS, INC., FLAD & ASSOCIATES AND GEORGE F. YOUNG, INC. SELECTED TO PROVIDE CONSULTING SERVICES FOR FIRE AND EMS TRAINING FACILITY DESIGN/BUILD SERVICES, CIP NO. 151; 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 consulting services for the Fire and EMS Training Facility design/build services as follows:

1. W. G. Mills, Inc., Flad & Associates and George F. Young, Inc.
2. BEERS Skanska, Inc., Fleischman and Garcia & Elliott-Leboeuf
3. Hennessy Construction Services and Collman & Karsky Associates

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked team, W. G. Mills, Inc., Flad & Associates and George F. Young, Inc. and to finalize contracts with said team for Board approval.

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

- #17 APPROVAL OF CHANGE ORDER NO. 1 FOR CONSTRUCTION OF THE EAST/WEST CONNECTOR ROAD PHASE I, FROM TAMPA ROAD TO THE EAST PROPERTY LINE OF HARROD PROPERTIES, AND PHASE II CONSTRUCTION OF THE EAST/WEST CONNECTOR ROAD FROM THE EAST PROPERTY LINE OF HARROD PROPERTIES TO RACE TRACK ROAD - TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt referred to agenda Item No. 17, "Approval of Change Order No. 1 for Construction of the East/West Connector Road Phase I, from Tampa Road to the East Property Line of Harrod Properties, and Phase II from the East Property Line of Harrod Properties to Race Track Road," and recommended that it be temporarily deferred; and no objections were noted.

#18 AMENDMENT NO. 5 TO AGREEMENT FOR CONSULTANT SERVICES FOR KLOSTERMAN ROAD - U.S. 19A TO U.S. 19 WITH FLORIDA DESIGN CONSULTANTS, INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 5 to an agreement for consultant services for the Klosterman Road - U.S. 19A to U.S. 19 with Florida Design Consultants for a negotiated amount of \$51,144.00, which includes a contingency services amount not to exceed \$10,000.00 (new total agreement amount, \$694,273.00).

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

Following discussion and input by Public Works Director J. Keith Wicks, upon call for the vote, the motion carried unanimously.

#19 RESOLUTION NO. 02-299 ADOPTED AUTHORIZING EXECUTION OF A QUITCLAIM DEED TO TRANSFER THE COUNTY'S INTEREST IN A SIDEWALK EASEMENT TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, FOR THE IMPROVEMENTS TO STATE ROAD 586 (CURLEW ROAD) IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 15 EAST (PARCEL NO. 809.04, SECTION NO. 15009-2539)

County Administrator Stephen M. Spratt recommended adoption of a resolution authorizing a quitclaim deed to transfer the County's interest in a sidewalk easement to the State of Florida, Department of Transportation, for the improvements to State Road 586 (Curlew Road) in Section 13, Township 28 South, Range 15 East.

Commissioner Harris moved, seconded by Commissioner Latvala, that Resolution No. 02-299 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

- #20 QUITCLAIM DEED SUBMITTED BY DANIEL A. BAKER AND SHERRI L. BAKER FOR A 3.5-FOOT BY 50.0-FOOT PORTION OF A 5.0-FOOT PRIVATE DRAINAGE AND UTILITY EASEMENT ON LOTS 17 AND 18, BLOCK 39, TIERRA VERDE UNIT ONE, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 32 SOUTH, RANGE 16 EAST - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a quitclaim deed submitted by Daniel A. Baker and Sherri L. Baker for a 3.5-foot by 50.0-foot portion of a 5.0-foot private drainage and utility easement on Lots 17 and 18, Block 39, Tierra Verde Unit One, located in the southwest quarter of Section 20, Township 32 South, Range 16 East (Case No. 1120, street address: 1114 2nd Avenue South, Tierra Verde, Florida 33715), to release any interest the County may have in said private easement.

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

- #21 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC MEETING RE PROPOSED BELLEAIR BEACH CAUSEWAY BRIDGE REPLACEMENTS

County Administrator Stephen M. Spratt recommended that authorization be granted to advertise a public meeting regarding the proposed Belleair Beach Causeway Bridge Replacements during January 2003.

Director of Public Works J. Keith Wicks presented a brief update regarding the project and Doug Butler, HDR Engineering, showed a video of the project, a copy of which has been filed and made a part of the record.

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

- #22 TRANSFER OF ESCROW FUNDS FROM THE JOINT PROJECT AGREEMENT (JPA) WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR BLIND PASS BRIDGE REPLACEMENT PROJECT TO THE JPA WITH FDOT FOR CURLEW ROAD AT U.S. HIGHWAY 19 PROJECT (PROJECTS NOS. 653-995514-0450 AND 653-992714-0453) - APPROVED

County Administrator Stephen M. Spratt recommended approval of the transfer of escrow funds from the Joint Project Agreement (JPA) with the Florida

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Department of Transportation (FDOT) for the Blind Pass Bridge Replacement Project to the JPA with FDOT for the Curlew Road at U.S. Highway 19 Project, as follows:

Blind Pass Bridge Replacement Project Funds	\$31,434.88
Curlew Road at U.S. Highway 19 Project Funds	16,895.42
Total Funds in Escrow	\$48,330.30

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

#23 McKIM & CREED ENGINEERS, P.A. SELECTED TO PROVIDE CONSULTING SERVICES FOR WATER STORAGE TANK MODIFICATIONS (PROJECT NO. 661-106113-1609); 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 consulting services for water storage tank modifications as follows:

1. McKim & Creed Engineers, P.A.
2. King Engineering Associates, P.A.
3. Metzger & Willard

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, McKim & Creed Engineers, P.A., and to finalize a contract with said firm for Board approval.

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

#24 AMENDMENT TO AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES WITH LUKE BROTHERS, INC. (BID NO. 012-80-B) - APPROVED; PARTIAL REAWARD OF BID TO NATURAL DESIGNS LANDSCAPING, INC. - 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

County Administrator Stephen M. Spratt recommended approval of an amendment to the agreement for landscape maintenance services with Luke Brothers,

Inc. for an adjusted 15-month expenditure not to exceed \$221,762.52; that the bid be partially reawarded to Natural Designs Landscaping for an adjusted 15-month expenditure not to exceed \$266,064.75 (total estimated 15-month expenditure not to exceed \$487,827.27; total estimated increase in cost not to exceed \$83,562.67); and further recommended that the Chairman be authorized to sign the agreements after proper execution by the contractors and written approval as to form by the Office of the County Attorney.

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

#25 APPOINTMENT OF GARY W. VICKERS AS DIRECTOR OF EMERGENCY MANAGEMENT UPON RETIREMENT OF DAVID R. BILODEAU - APPROVED

County Administrator Stephen M. Spratt recommended approval of the appointment of Gary W. Vickers as Director of Emergency Management, an exempt position, at pay grade 113, effective December 26, 2002, upon the retirement of David R. Bilodeau.

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

At the invitation of Chairman Todd, Mr. Vickers introduced himself and briefly addressed the members.

#26 AGREEMENT WITH JESSIE J. CAMPBELL AND SHARON D. CAMPBELL FOR ACQUISITION OF A PARTIAL TAKING OF PARCELS NOS. 08/30/15/70470/100/1917 AND 08/30/15/70470/100/1918, VACANT PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT, PHASE II (PID NO. 720) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of an agreement with Jessie J. Campbell and Sharon D. Campbell for the acquisition of a partial taking of Parcels Nos. 08/30/15/70470/100/1917 and 08/30/15/70470/100/1918, vacant property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, for infrastructure improvements, with authorization for issuance of the necessary check in payment thereof.

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

- #27 AGREEMENT WITH JESSIE J. CAMPBELL AND SHARON D. CAMPBELL FOR PARCEL NO. 08/30/15/70470/100/1917 FOR THE EXCHANGE OF DRAINAGE AND UTILITY EASEMENTS FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT, PHASE II (PID NO. 720) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement with Jessie J. Campbell and Sharon D. Campbell for Parcel No. 08/30/15/74070/100/1917 for the exchange of drainage and utility easements for the Dansville Neighborhood Improvement Project, Phase II, for the installation of underground utilities.

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

- #28 AGREEMENT WITH E. J. ROBINSON WITH DURABLE POWER OF ATTORNEY FOR IRENE GARDNER FOR ACQUISITION OF A PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/1605 LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT, PHASE II (PID NO. 720) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of an agreement with E. J. Robinson with Durable Power of Attorney for Irene Gardner for the acquisition of a partial taking of Parcel No. 08/30/15/70470/100/1605 as a buildable lot for future residential development and a corner clip for right-of-way for construction of infrastructure improvements for the Dansville Neighborhood Improvement Project, Phase II, with authorization for the necessary check in payment thereof.

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

- #29 AGREEMENT WITH MOUNT OLIVE MISSIONARY BAPTIST CHURCH FOR ACQUISITION OF A PARTIAL TAKING OF PARCEL NO. 08/30/15/70470/100/0415, VACANT PROPERTY LYING WITHIN THE DANSVILLE REDEVELOPMENT AREA FOR THE DANSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT (PID NO. 720) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Stephen M. Spratt recommended approval of an agreement with Mount Olive Missionary Baptist Church for acquisition of a partial taking of Parcel No. 08/30/15/70470/100/0415, vacant property lying within the Dansville Redevelopment Area for the Dansville Neighborhood Improvement Project, for construction and maintenance of an authorized County Road, with authorization for issuance of the necessary check in payment thereof.

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

- #30 SECOND ADDENDUM TO INTERLOCAL AGREEMENT WITH SCHOOL BOARD OF PINELLAS COUNTY TO INCREASE THE AMOUNT OF SAFE HURRICANE SHELTER SPACE - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the Second Addendum to the Interlocal Agreement with the School Board of Pinellas County to increase the amount of safe hurricane shelter space.

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

In response to query by Commissioner Latvala, Gary Vickers, Emergency Management, explained the strategies currently in place to address the deficit of safe hurricane shelter space.

Upon call for the vote, the motion carried unanimously.

- #31 SPECIAL PURPOSE GRANT AGREEMENT NO. X-97407800-4 WITH U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR TAMPA BAY REGION AIR TOXICS STUDY - APPROVED FOR EXECUTION; AUTHORIZATION GRANTED TO COUNTY ADMINISTRATOR TO CARRY OUT AGREEMENT

County Administrator Stephen M. Spratt recommended approval of special purpose grant agreement No. X-97407800-4 with the U.S. Environmental

Protection Agency (EPA) for the Tampa Bay Region Air Toxics Study, providing for an increase in the amount of \$44,424.00 which includes \$16,785.00 in EPA support services and \$27,639.00 for cash reimbursements; and further recommended that authorization be granted to the County Administrator to carry out the agreement.

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

#32 FIRST OPTION OF RENEWAL AND AMENDMENT TO AGREEMENT WITH PIPER FIRE PROTECTION, INC. FOR FIRE SYSTEM INSPECTIONS/REPAIR 2000-2002 (PROPOSAL NO. 990-0667-P) - 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 a first option of renewal and amendment to the agreement with Piper Fire Protection, Inc. for fire system inspections/repair 2000-2002 for an estimated annual expenditure not to exceed \$57,377.00; recommended that the Chairman be authorized to sign the agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney; and further recommended that the County Administrator be authorized to renew the contract after the first 12-month renewal period has been completed, per County Code 2-176(f).

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

#33 NONCOMPETITIVE PURCHASE OF EXTENDED WARRANTY SERVICES FOR ELEVATORS AND ESCALATORS FOR GENERAL SERVICES DEPARTMENT FROM SCHINDLER ELEVATOR CORPORATION (CONTRACT NO. 023-111-N) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of the noncompetitive purchase of extended warranty services for elevators and escalators for the General Services Department for an estimated annual expenditure not to exceed \$52,896.00 (estimated 36-month expenditure not to exceed \$158,688.00).

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

#34 AGREEMENT FOR PROFESSIONAL SERVICES WITH HEERY INTERNATIONAL, INC. FOR COMPLETION OF PINELLAS COUNTY, FLORIDA COUNTYWIDE GOVERNMENT SPACE NEEDS ASSESSMENT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an agreement for professional services with Heery International, Inc. for completion of Pinellas County, Florida Countywide Government space needs assessment, for an amount not to exceed \$249,000.00, including \$4,500.00 in net cost savings from negotiated proposal changes to be reallocated as a project contingency to fund any additional scope changes requested by the County or to resolve any unforeseen issues.

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.

#35 SERVICE FUNDING AGREEMENT BETWEEN OPERATION PAR, INC. AND PINELLAS COUNTY FOR PROJECT HOPE - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a Service Funding Agreement between Operation PAR, Inc. and Pinellas County for Project Hope, in the total amount of \$200,000.00 for the two year program (\$100,000.00 to be expended in fiscal year 2002-2003 and \$100,000.00 to be expended in fiscal year 2003-2004).

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

#36 RESOLUTION NO. 02-300 ADOPTED SUPPLEMENTING FY 2003 GENERAL FUND BUDGET - SHERIFF (LAW ENFORCEMENT SERVICES AT ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT)

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

Commissioner Morroni moved, seconded by Commissioner Latvala, that Resolution No. 02-300 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#37 APPROVAL OF AN AMENDMENT TO THE ST. PETERSBURG COLLEGE AND WORKNET PINELLAS CONTRACT - TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt referred to agenda Item No. 37, "Approval of an Amendment to the St. Petersburg College and WorkNet Pinellas Contract," and recommended that it be temporarily deferred; and no objections were noted.

#38 OTHER ADMINISTRATIVE MATTERS - NONE

County Administrator Stephen M. Spratt indicated that he has no items to be presented this date under "Other Administrative Matters."

#39 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. Anita Mancini Roesch, et al versus Julie Marie Williams, Circuit Civil Case No. 01-8382-CI-8 - Mortgage Foreclosure Involving a State Housing Investment Partnership Program Mortgage and a Judgment for Fine and Costs.
- b. Citimortgage, Inc., etc. versus Carrie B. Evans, et al., Circuit Civil Case No. 02-8323-CI-15 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.

- c. G.E. Capital Mortgage Services, Inc. versus Solomon E. Ponds, et al., Circuit Civil Case No. 02-8281-CI-13 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.
- d. Mortgage Electronic Registration Systems, Inc. versus Kevin F. Bull, et al., Circuit Civil Case No. 02-8377-CI-007 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs.
- e. Republic Bank versus Adams L. Radcliffe, et al., Circuit Civil Case No. 02-8336-CI-15 - Mortgage Foreclosure Involving a Street Lighting Lien.
- f. Wells Fargo Bank, etc. versus Kelly Marie Franks, et al., Circuit Civil Case No. 02-8501-CI-008 - Mortgage Foreclosure Involving a Judgment for Fine and Costs and Attorney Fees and Costs.
- g. Clifford Cohoon versus State of Florida, Florida Fish and Wildlife Conservation Commissioner, Florida Attorney General, City of Sanibel, et al., Case No. 8:02-CV-1677-T-26-TBM - in the U.S. District Court, Middle District of Florida, Tampa - Allegations of Violations of a Fundamental Constitutional Right.

#40 CONTRACTS FOR PROVISION OF SERVICES BY PINELLAS COUNTY SHERIFF'S OFFICE FOR FISCAL YEAR 2002-2003 - APPROVED

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the following contracts for the fiscal year 2002-2003 be approved:

- a. Provision of law enforcement services for the City of Indian Rocks Beach.
- b. Provision of latent fingerprint and crime scene services/evidence and property storage for the City of Pinellas Park.
- c. Provision of law enforcement services for the City of Safety Harbor.

- d. Provision of crime scene and latent fingerprint services and evidence and property storage for the period of November 1, 2002 through October 31, 2003 for the City of St. Pete Beach.
- e. Provision of law enforcement services for Diane Nelson, Tax Collector.

#41 REVISED APPENDIX "A" TO SPECIAL COUNSEL CONTRACT WITH FORD & HARRISON, LLP 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 Ford & Harrison, LLP in conjunction with services provided for litigation and administrative proceedings involving labor matters, and to make the revision retroactive to September 1, 2002.

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

#42 INDEMNITY AGREEMENT WITH HONEYWELL INTERNATIONAL, INC. - APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of an Indemnity Agreement with Honeywell International, Inc. in order to facilitate any construction, remodeling, or renovation in a timely manner during the next year so as not to impede production at the Honeywell plants.

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

#43 GRANT-IN-AID AGREEMENT FOR CHILD DEPENDENCY FOR PINELLAS COUNTY, FLORIDA WITH STATE OF FLORIDA JUSTICE ADMINISTRATIVE COMMISSION FOR THE PERIOD FROM JULY 1, 2002 THROUGH JUNE 30, 2003 - APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of a Grant-In-Aid Agreement for Child Dependency for Pinellas County, Florida with the State of

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Florida Justice Administrative Commission for the period from July 1, 2002 through June 30, 2003 in the amount of \$170,233.60.

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

#44 AUTHORIZATION GRANTED FOR SETTLEMENT IN THE CLAIM OF GARY LYNCH FOR INJURIES INCURRED AS A RESULT OF A MOTOR VEHICLE ACCIDENT

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the claim of Gary Lynch for injuries incurred as a result of a motor vehicle accident in the amount of \$100,000.00.

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

#45 SPECIAL MEETING RE GREAT MONUMENT CONSTRUCTION COMPANY VERSUS BOARD OF COUNTY COMMISSIONERS AND PARSONS ENGINEERING SCIENCE, INC. ET AL., CASE NO. 95-1881-CI-007

County Attorney Susan H. Churuti requested authorization for a global settlement among the County, Great Monument Construction Company and Parsons Engineering Science, Inc., with the County paying up to a sum certain and submission by the County of an offer of judgment to Great Monument Construction Company in an amount that is a sum certain; and indicated that the offer would either be with Parsons Engineering Science making a contribution for a global settlement or only from the County with a requirement of indemnification from Emcor Corporation, the current owner of Great Monument Construction Company, as outlined in her confidential memorandum dated November 18, 2002.

Commissioner Latvala moved, seconded by Commissioner Welch, that the request of the County Attorney be approved.

Responding to query by Commissioner Stewart, Attorney Churuti summarized the background information regarding her recommendation and the corresponding time frame related to the offer of judgment and stated that if the members wish, a special Board meeting could be called regarding the matter.

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During discussion, Commissioner Welch offered a substitute motion authorizing the County Attorney to move forward with the global settlement and in the event that the global settlement is not accepted, the members then revisit the matter and discuss a separate settlement.

Following additional dialogue, Attorney Churuti stated that she could provide an appropriate announcement regarding a special meeting later in the evening; whereupon, Commissioner Seel offered a substitute motion, seconded by Commissioner Stewart, that the matter be deferred until later in the meeting. Chairman Todd noted that Commissioner Welch's substitute motion died for lack of a second.

Upon call for the vote, the motion to defer the matter until later in the meeting carried unanimously.

* * * *

Later in the meeting, Attorney Churuti outlined possible options regarding the matter; whereupon, Commissioner Harris moved, seconded by Commissioner Latvala, that the County Attorney be authorized to make an offer of judgment as outlined in her confidential memorandum.

During discussion, Commissioner Stewart stated his preference to schedule a special meeting on December 3, 2002.

Following discussion and upon call for the vote, the motion failed by a vote of 3 to 4, with Chairman Todd and Commissioners Seel, Stewart and Morroni casting the dissenting votes.

Thereupon, Commissioner Stewart moved, seconded by Commissioner Morroni and carried, that a special meeting be announced for December 3, 2002 at 8:00 A.M.

Attorney Churuti announced that she desires advice concerning specific litigation matters relating to the Great Monument Construction Company versus the Board of County Commissioners of Pinellas County, et al., Circuit Civil Case No. 95-1881-CI-007; and related that she would like to schedule this meeting for Tuesday, December 3, 2002, at a time certain of 8:00 A.M., as outlined in her memorandum dated November 19, 2002, a copy of which has been filed and made a part of the record; and no objections were noted.

#46a AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING ON A PROPOSED ORDINANCE RELATING TO REGISTRATION OF LOBBYISTS

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing to be held December 3, 2002 on a proposed ordinance relating to the registration of lobbyists.

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

#46b UPDATE RE LEALMAN ELECTION

County Attorney Susan H. Churuti presented a brief update regarding the Lealman election and stated that a reelection will not be forthcoming.

#47 RESOLUTION NO. 02-301 ADOPTED CERTIFYING THAT MONIES RECEIVED FROM THE EMERGENCY MEDICAL SERVICES TRUST FUND SHALL BE USED SOLELY TO IMPROVE AND EXPAND PREHOSPITAL EMERGENCY MEDICAL SERVICES; EMERGENCY MEDICAL SERVICES (EMS) COUNTY GRANT APPLICATION TO STATE OF FLORIDA DEPARTMENT OF HEALTH, BUREAU OF EMERGENCY MEDICAL SERVICES - APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Emergency Medical Services (EMS) Authority, County Administrator Stephen M. Spratt recommended adoption of a resolution certifying that monies received from the Emergency Medical Services Trust Fund shall be used solely to improve and expand prehospital emergency medical services; and further recommended approval of an Emergency Medical Services (EMS) County Grant Application to the State of Florida Department of Health, Bureau of Emergency Medical Services.

Commissioner Harris moved, seconded by Commissioner Welch, that the recommendations of the County Administrator be approved and that Resolution No. 02-301 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#48 AUTHORIZATION GRANTED FOR ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO CURRENT PROVIDERS OF ADVANCED LIFE SUPPORT (ALS) FIRST RESPONDERS, ALS HELICOPTER AMBULANCES, ALL CHILDREN'S HOSPITAL AND THE EMERGENCY MEDICAL SERVICES (EMS) AUTHORITY D/B/A SUNSTAR

Noting for the record that the Board is now sitting as the Pinellas County Emergency Medical Services (EMS) Authority, County Administrator Stephen M. Spratt recommended that authorization be granted for the issuance of Certificates of Public Convenience and Necessity to the current providers of advanced life support (ALS) First Responders and ALS helicopter ambulance services within Pinellas County as listed on the attachment to his memorandum dated November 19, 2002, All Children's Hospital, and the EMS Authority d/b/a SUNSTAR.

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

#49 UPDATE BY LEROY SULLIVAN, CHAIRMAN - WORKNET PINELLAS

County Administrator Stephen M. Spratt introduced Leroy Sullivan, Chairman, WorkNet Pinellas Board of Directors, who displayed photographs of various individuals involved with WorkNet Pinellas, the career centers and one-stop centers; recommended that the Board of County Commissioners and the WorkNet Pinellas Board of Directors schedule a joint meeting to participate in public dialogue; and commented regarding various issues related to WorkNet Pinellas.

Tony Leisner, Chairman, WorkNet Pinellas One-Stop Committee, presented an update regarding the achievements of the One-Stop Centers, and indicated that all facilities have been remodeled, touch screen compatible computer systems have been installed, grant applications have been increased, and thousands of clients have been served.

Commissioner Stewart commented regarding the County's role as the administrative entity and the positive accomplishments of WorkNet Pinellas.

Alluding to some of the concerns expressed by Mr. Sullivan, Chairman Todd requested that Mr. Spratt and Commissioner Welch present periodic updates regarding WorkNet issues.

#50 REVISIONS TO THE WATER POLICY ADOPTED

County Administrator Stephen M. Spratt recommended adoption of revisions to the water policy.

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

At Commissioner Stewart's request, Planning Director Brian K. Smith presented highlights of *Principles and Position Statements on Water Resources*, a copy of which has been filed and made a part of the record.

Responding to query by Commissioner Stewart, Chris Staubus, Assistant Director, Utilities Department, explained the language contained in the Conservation Section A, which stated that conservation is not a future source of water supply; whereupon, Mr. Spratt suggested that language be added to reflect that conservation is an important part of a water resource management program that can reduce potable demand, but is not a future source of water supply. Mr. Staubus also discussed the language contained under Legislative and Regulatory Opportunities, Section H, related to growth management responsibilities of local government; and explained opposition to any linkage between consumptive use permitting and the disposition of local reclaimed water resources as set forth in Reuse, Section D.

In response to query by Commissioner Harris, Mr. Staubus indicated that some positions in the document are specific to Pinellas County; and that others are more generalized and can be applied Statewide.

Upon call for the vote, the motion carried by a vote of 6 to 1, with Commissioner Harris casting the dissenting vote.

#51 REPORT RE FIRE DISTRICT OPTIONS - RECEIVED FOR FILING

County Administrator Stephen M. Spratt indicated that County Attorney Susan H. Churuti has pointed out one option available to the members regarding the collapsing of the Municipal Service Taxing Units (MSTU), which would require adoption of an ordinance prior to January 1, 2003. Mrs. Churuti also confirmed that a work session regarding a full range of fire district options and issues has been scheduled for December 10, 2003; and that the option being presented today would require compliance with advertising requirements within a limited time frame.

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Assistant County Administrator Mark S. Woodard distributed and reviewed a document entitled *Fire Districts Analysis*, a copy of which has been filed and made a part of the record.

Following discussion, Commissioner Stewart moved, seconded by Commissioner Welch and carried, that the report be received for filing.

#52 STATUS OF RECREATION FUNDING RECOMMENDATIONS - TEMPORARILY DEFERRED

County Administrator Stephen M. Spratt referred to agenda item No. 52, "Status of Recreation Funding Recommendations," and recommended that it be temporarily deferred; and no objections were noted.

#53 SPECIAL ASSESSMENT COLLECTION METHOD REPORT

County Administrator Stephen M. Spratt referred to the separate billing process currently utilized for street lighting districts and related that subsequent to discussions with the Tax Collector, Property Appraiser and Clerk of the Circuit Court, agreement had been reached in favor of encompassing the special assessments into the tax bill as a more efficient collection method.

Assistant County Administrator Mark S. Woodard conducted a computer presentation entitled *Street Lighting Districts Special Assessments Collection Method*, a copy of which has been filed and made a part of the record.

Following discussion, Chairman Todd noted the consensus of the members to direct staff to move forward with the appropriate next steps and revisit the matter with specific recommendations in the near future.

#53a ANNEXATION - PUBLIC INFORMATION PAMPHLET

Chairman Todd referred to a draft public information pamphlet provided to the members by County Administrator Stephen M. Spratt, a copy of which has been filed and made a part of the record, and requested that the Commissioners submit any input to him for review.

#54 COMMISSIONER KAREN WILLIAMS SEEL ELECTED CHAIRMAN AND COMMISSIONER SUSAN LATVALA ELECTED VICE-CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS FOR THE YEAR 2003

At the request of the Chairman, Chief Deputy Clerk C. R. Short assumed the gavel and presided as Acting Chairman for the purpose of electing a Chairman and Vice-Chairman of the Board of County Commissioners for the calendar year 2003; and indicated that the floor is open for nominations.

Chairman Todd nominated Vice-Chairman Karen Williams Seel for the Chairmanship and Commissioner Susan Latvala for the Vice-Chairmanship of the Board of County Commissioners, which was seconded by Commissioner Harris. Upon call for the vote, the nominations carried unanimously.

#55 REAPPOINTMENT OF J. J. BEYROUTI TO THE ST. PETERSBURG/CLEARWATER AREA ECONOMIC DEVELOPMENT COUNCIL - APPROVED

Upon motion by Commissioner Harris, seconded by Commissioner Morroni and carried, the reappointment of J. J. Beyrouiti to the St. Petersburg/Clearwater Area Economic Development Council for an additional one-year term was approved.

#56 REAPPOINTMENT OF EMIL (MARK) MARQUARDT TO PINELLAS COUNTY HEALTH FACILITIES AUTHORITY - APPROVED

Upon motion by Commissioner Harris, seconded by Commissioner Latvala and carried, the reappointment of Emil (Mark) Marquardt to the Pinellas County Health Facilities Authority for a term to expire on November 24, 2006 was approved.

In response to queries by Commissioner Stewart, County Attorney Churuti indicated that she will provide additional information regarding term limits for various Board appointments made by County Commissioners.

#57a COMMISSIONER STEWART RE VARIOUS MATTERS

Commissioner Stewart offered congratulations to the reelected Commissioners and to the newly elected Chairman and Vice-Chairman for the upcoming year; and recognized Commissioner Welch.

#57b COMMISSIONER MORRONI RE VARIOUS MATTERS

Commissioner Morroni thanked the voters of District 6 for their support; congratulated the reelected Commissioners and incoming Chairman and Vice-Chairman; congratulated Commissioner Todd for receiving the Sierra Club Black Bear Award; and presented Your Penny's Worth report regarding road construction connecting Snug Harbor Road to San Martin Boulevard.

#57c COMMISSIONER SEEL RE VARIOUS MATTERS

Commissioner Seel commended Commissioners Welch and Stewart regarding their efforts related to WorkNet; offered congratulations to the reelected Commissioners; stated that a Visioning Session is scheduled for January 2003; presented a brief update regarding the one traffic signal system; and commented regarding the Pinellas Assembly Task Forces.

#57d COMMISSIONER WELCH RE VARIOUS MATTERS

Commissioner Welch commented regarding WorkNet; congratulated the reelected Commissioners and the newly elected Chairman and Vice-Chairman; and commented regarding the Lealman Park dedication.

#57e COMMISSIONER LATVALA RE VARIOUS MATTERS

Commissioner Latvala offered congratulations to the reelected Commissioners; and thanked the members for electing her as Vice-Chairman for the upcoming year.

#57f COMMISSIONER HARRIS RE VARIOUS MATTERS

Commissioner Harris thanked Chairman Todd for her leadership during the past year; expressed thanks to Mr. Spratt; offered a water conservation tip regarding the use of lawn sprinklers; and commented regarding community meetings.

#57g CHAIRMAN TODD RE VARIOUS MATTERS

Chairman Todd thanked the members for the opportunity to serve as Chairman during the past year; offered a brief update regarding the American Assembly process; reported that an Economic Development Summit will be held on December 12 and 13, 2002 at the Harborview Center regarding redevelopment issues; presented a brief update regarding the World Trade Summit which was held in London; and commented regarding the Lealman Park dedication.

CHAIRMAN TODD PRESENTS PROCLAMATION IN RECOGNITION OF 32 YEARS OF EFFECTIVE AND LOYAL SERVICE BY JAMES B. TERRY, PUBLIC WORKS COASTAL MANAGEMENT AND INFORMATION SYSTEMS

Chairman Todd, assisted by Director of Engineering Jan Herbst, presented a proclamation in appreciation of 32 years of effective and loyal service to Mary Kim, wife of Public Works Coastal Management and Information Systems Coordinator James B. Terry who was unable to attend the meeting due to a recent accident. Testimonials to Mr. Terry's distinguished career were presented by friend and colleague, Dr. Richard Davis, Research Professor at the Geology Department, University of South Florida and George Cretekos, representing Congressman Bill Young's office.

YOUTH ADVISORY COMMITTEE REPORT

Aaron Connelly, Chairman of the Youth Advisory Committee, presented a report on the last committee meeting which included highlights concerning the Legislative Affairs Subcommittee, recreation funding, an advisory opinion regarding driver education funding, and the draft noise ordinance. He expressed appreciation to Commissioner Harris for his involvement with the Committee's trip to Tallahassee; and congratulated the incoming Chairman and Vice-Chairman.

CITIZENS TO BE HEARD

Reverend Otis Green, Clearwater, expressed his concerns related to Parkinson's Disease and the loss of gulf front water views.

Don Cocker, Largo, commented on the procedures utilized in determining the necessity for additional traffic signals, and inquired as to the status of an earlier inquiry with regard to an alleged invasion of privacy by a County inspector. County Administrator Stephen M. Spratt advised that the issue has been referred to the appropriate staff members for investigation.

Teresa Lassiter, St. Petersburg, requested that WorkNet Pinellas be held responsible for the debt owed to her while under contract with Lockheed Martin; and noted that additional information had been given to Commissioner Welch. Following discussion, Commissioner Welch requested that the County Attorney review the information and report back to the Board with her findings.

W. C. Snipes, Clearwater, asked that the Board cease building the Pinellas Trail extension into transmission line rights-of-way, requested that bike paths and/or widening of sidewalks be undertaken in school areas; and asked that the Board direct the Department of Transportation to locate the U.S. Highway 19 overpass at Belleair Road as opposed to Nursery Road. Chairman Todd requested that Director of Planning Brian Smith review Mr. Snipes' information.

Kurt Gratzol, Indian Rocks Beach, Bonnie Rosendale, Clearwater, and W. Reed, St. Petersburg, urged the Board to adopt a resolution in support of peace, and Ms. Rosendale requested that it be sent to the White House in opposition to the possibility of a war with Iraq.

#58a APPLICATION OF MINNIE LOPEZ, C/O ROSALEE D. NICHOLAS, BAYCREST PLAZA, INC., RONALD R. CONKRIGHT, ILVA E. METCALF, JR. AND HELEN K. METCALF, CRYSTAL LUCAS AND GARY L. ARNOLD, II AND SHAWN L. ARNOLD THROUGH DEBORAH L. MARTOHUE, HAYES AND MARTOHUE, P.A., AND WILLIAM H. HOWELL, CLEAR OCEAN INVESTMENTS CORP., REPRESENTATIVES, FOR A CHANGE OF ZONING FROM C-2 AND R-4 TO C-1 AND C-2, A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL LOW TO COMMERCIAL GENERAL AND COMMERCIAL NEIGHBORHOOD AND A DEVELOPER'S AGREEMENT (Z/LU-2-09-02) (CONTINUED FROM OCTOBER 15, 2002 MEETING) - TEMPORARILY DEFERRED TO MEETING OF DECEMBER 17, 2002

Pursuant to legal notice published in the October 4, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Minnie Lopez, c/o Rosalee D. Nicholas, Baycrest Plaza, Inc., Ronald R. Conkright, Ilva E. Metcalf, Jr. and Helen K. Metcalf, Crystal Lucas

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and Gary L. Arnold, II and Shawn L. Arnold, through Deborah L. Martohue, c/o Hayes and Martohue, P.A., and William H. Howell, c/o Clear Ocean Investments Corp., for a change of zoning from C-2 and R-4 to C-1 and C-2, a land use change from residential low to commercial general and commercial neighborhood and a Developer's Agreement, re approximately 1.575 acres at the northwest corner of 54th Avenue North and Interstate 275 (street addresses: 2504, 2538, 2530, 2520, 2510, 2500 55th Avenue North) (Z/LU-2-09-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the application be continued for 30 days to the December 17, 2002 meeting in order to allow staff time to address the traffic report submitted by the applicant.

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

Commissioner Morroni moved, seconded by Commissioner Latvala and carried, that Case No. Z/LU-2-9-02 be temporarily deferred to the meeting of December 17, 2002.

#58b APPLICATION OF GEMINI DEVELOPMENT CO., INC., THROUGH JEFFERY M. HOYT, C/O GEMINI DEVELOPMENT CO., INC., REPRESENTATIVE, FOR A CHANGE OF ZONING FROM A-E TO R-3 (Z-1-10-02) - APPROVED; RESOLUTION NO. 02-302 ADOPTED

Pursuant to legal notice published in the November 8, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Gemini Development Co., Inc., through Jeffery M. Hoyt, c/o Gemini Development Co., Inc. for a change of zoning from A-E to R-3, re approximately 0.15 acre on the west side of 49th Street North, 1,170 feet south of 162nd Avenue North (Z-1-10-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

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

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

Commissioner Welch moved, seconded by Commissioner Seel, that Resolution No. 02-302 be adopted approving zoning application Z-1-10-02. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#58c APPLICATION OF BENJAMIN FAMILY INVESTMENTS/RELLIMITIES PARTNERSHIP THROUGH KEITH ZAYAC, P.E. FLA., KEITH ZAYAC AND ASSOCIATES, INC., REPRESENTATIVE, FOR A CHANGE OF ZONING (Z-2-10-02) - APPROVED; RESOLUTION NO. 02-303 ADOPTED

Pursuant to legal notice published in the November 8, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Benjamin Family Investments/Rellimities Partnership through Keith Zayac, P.E. Fla., Keith Zayac and Associates, Inc., for a change of zoning from C-2 to C-3, re approximately 2.48 acres, 320 feet east of 66th Street North, 180 feet north of 126th Avenue North (Z-2-10-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt 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 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.

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Commissioner Latvala moved, seconded by Commissioner Harris, that Resolution No. 02-303 be adopted approving zoning application Z-2-10-02. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#58d APPLICATION OF PATRICIA ANNE HARRISON FOR A CHANGE OF ZONING FROM C-1 TO C-2 (Z-4-10-02) - APPROVED; RESOLUTION NO. 02-304 ADOPTED

Pursuant to legal notice published in the November 8, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Patricia Anne Harrison for a change of zoning from C-1 to C-2, re approximately 0.84 acre on the west side of Seminole Boulevard, 98.5 feet south of 61st Avenue North (street address: 6000-6036 Seminole Boulevard) (Z-4-10-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt 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-1 to C-2 were filed and made a part of the record.

Paul Cassel, Director of Development Review Services, referred to an aerial photograph of the subject area and identified surrounding land uses; and noted that several months ago the Board had approved a zoning change from the more restrictive neighborhood commercial to general retail commercial and limited services in the same area.

In response to the Chairman's call for persons wishing to be heard, Eleanor Speed, Seminole, appeared, expressed her concerns, and submitted a petition representing 35 households in the surrounding area.

In rebuttal, the applicant, Patricia Anne Harrison, Seminole, indicated that automobile services conducted on the property are performed in a garage; and that utilizing the space behind the building as a thoroughfare is not possible due to the existence of a six-foot fence. Responding to a query by the Chairman, Ms. Harrison

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stated that the C-2 zoning designation will allow her to compete with other businesses in the area.

In response to queries by the members, Mr. Cassel indicated that he had not been cognizant of opposition to the application until tonight's hearing; that the problems in the neighborhood may be attributed to code enforcement issues rather than zoning; that outdoor car repair is not allowed with a C-2 zoning; and that he is not aware of any code violations on the property. Responding to additional queries by the members, he referred to an aerial map and indicated the location of various C-1 and C-2 zoned properties; and stated that notices of the Examiner's Hearing are mailed to all property owners within 200 feet of the subject site and no one had appeared at that time; and that the C-2 zoning is an appropriate designation for U.S. Highway 19.

Thereupon, Commissioner Stewart moved, seconded by Commissioner Latvala, that Resolution No. 02-304 be adopted approving zoning application Z-4-10-02. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#58e APPLICATION OF JOHN A. AND MIRIAM C. CRAIG THROUGH JOHN CRAIG, HIGH PERFORMANCE PLUMBING SERVICES, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM M-2 TO M-1 (Z-5-10-02) - APPROVED; RESOLUTION NO. 02-305

Pursuant to legal notice published in the November 8, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of John A. and Miriam C. Craig through John Craig, High Performance Plumbing Services, for a change of zoning from M-2 to M-1, re approximately 0.52 acre on the southwest corner of Morris Street and 45th Avenue North (street address: 4420 Morris Street) (Z-5-10-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

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

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

Commissioner Morroni moved, seconded by Commissioner Latvala, that Resolution No. 02-305 be adopted approving zoning application Z-5-10-02. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#58f APPLICATION OF SJS, 4400 CENTER, L.P., THROUGH ROBERT S. SCHUMAKER, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM M-1 TO C-2 AND CHANGE OF LAND USE DESIGNATION FROM INDUSTRIAL LIMITED TO COMMERCIAL GENERAL (Z/LU-6-10-02) - APPROVED; RESOLUTION NO. 02-306 ADOPTED; ORDINANCE NO. 02-90 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the November 8, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of SJS, 4400 Center, L.P. through Robert S. Schumaker for a change of zoning from M-1 to C-2 and change in land use designation from industrial limited to commercial general, re approximately 6.741 acres located on the west side of 34th Street North, 225 feet south of 44th Avenue North (street address: 4386 34th Street North) (Z/LU-6-10-02). Chief Deputy Clerk C. R. Short stated that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt 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 M-1 to C-2 and the companion land use change from industrial limited to commercial general were filed and made a part of the record.

Director of Development Review Services Paul Cassel referred to an aerial photograph and a map of the site and presented an overview of the application; and indicated that the recommendation for denial is to comply with the Comprehensive Plan which encourages preservation of industrial properties; that approval of the request could be interpreted as spot zoning; and that staff has concerns with accessibility to the site and increased traffic generation.

Sue Murphy, Senior Land Planner, Ruden, McClosky, Smith, Schuster & Russell, P.A., Tampa, representing the applicant, referred to photographs of the site and pointed out the mixed commercial and industrial uses in the immediate area. Ms. Murphy noted similar situations on U.S. Highway 19 where land uses could be likened to spot zoning; and indicated that the entire area is functioning as a commercial use regardless of the designation. Referring to negative impacts mentioned in the staff recommendation, she indicated that a change to C-2 will have very little impact on the neighborhood; that it is compatible with surrounding land uses; and that there will not be a significant generation of vehicle trips in and out of the site.

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

Responding to query by the Chairman, Mr. Cassel stated that staff's primary concern is the creation of a commercial spot in the industrial park; and that the recommendation is purely a policy issue.

Commissioner Stewart moved, seconded by Commissioner Welch, that Resolution No. 02-306 be adopted approving the zoning application; and that Ordinance No. 02-90 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (Z/LU-6-10-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

* * * *

At this time, 8:11 P.M., Commissioner Seel left the meeting.

* * * *

#59 PETITION OF MICHAEL ANDOLINO AND SAHAR ANDOLINO TO VACATE A 44.26-FOOT BY 3.1-FOOT BY 44.37-FOOT PORTION OF A 262.55-FOOT BY 66.06-FOOT BY 18.98-FOOT BY 271.89-FOOT PRIVATE NATURAL AREA AND DRAINAGE EASEMENT ON LOT 31, BLOCK B, SEABROOKE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 29 SOUTH, RANGE 16 EAST - APPROVED; RESOLUTION NO. 02-307 ADOPTED

Pursuant to legal notice published in the November 1, 2002 issue of the Tampa Bay Review as evidenced by publisher’s affidavit filed with the Clerk, public hearing was held on the petition of Michael Andolino and Sahar Andolino to vacate a 44.26-foot by 3.1-foot by 44.37-foot portion of a 262.55-foot by 66.06-foot by 18.98-foot by 271.89-foot private natural area and drainage easement on Lot 31, Block B, Seabrooke, as recorded in Plat Book 104, Pages 46 through 49, located in the southeast quarter of Section 28, Township 29 South, Range 16 East.

Chief Deputy Clerk C. R. Short reported that a letter of no objection has been received from the Vistas/Seabrooke Homeowner Association. He 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.

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

Commissioner Morroni moved, seconded by Commissioner Welch, that the petition to vacate be granted; and that Resolution No. 02-307 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Seel.

* * * *

At this time, 8:19 P.M., Commissioner Seel returned to the meeting.

* * * *

#60 PROPOSED ORDINANCE RELATING TO MANGROVE TRIMMING AND PRESERVATION AND PROVIDING THAT THE PINELLAS COUNTY LAND DEVELOPMENT CODE BE AMENDED BY REPLACING IN ITS ENTIRETY CHAPTER 166, DIVISION 3; PROVIDING FOR FINDINGS; PROVIDING FOR INTENT; PROVIDING AUTHORITY; PROVIDING FOR TERRITORY EMBRACED; PROVIDING DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR REGULATING OF ALTERATION AND TRIMMING OF MANGROVES AND REQUIRING A PERMIT THEREFORE; PROVIDING FOR REGULATION OF PROFESSIONAL MANGROVE TRIMMERS; PROVIDING FOR MITIGATION; PROVIDING FOR ENFORCEMENT; PROVIDING FOR VARIANCE RELIEF; PROVIDING FOR APPEALS; PROVIDING NOTICE OF PUBLIC HEARING; PROVIDING FOR FEES; PROVIDING FOR ADMINISTRATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AMENDMENTS THAT MAY ARISE AT PUBLIC HEARING - TEMPORARILY DEFERRED TO THE MEETING OF DECEMBER 3, 2002

Pursuant to legal notice published in the November 8, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the proposed ordinance regarding mangrove trimming and preservation, replacing Chapter 166, Division 3, of the County Land Development Code. Chief Deputy Clerk C. R. Short reported that six letters in support of and five letters in opposition to the ordinance have been received; and that the matter is properly before the Board to be heard.

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

Director of Environmental Management William M. Davis provided background information with regard to the origin of the proposed amendment. He noted that pursuant to Board direction a Pinellas County Mangrove Code Revision Committee had been formed comprised of waterfront residents, real estate companies, homeowners' associations, professional mangrove trimmers, governmental entities, and environmental organizations; and advised that it had been led and facilitated by Robin Lewis of Lewis Environmental Services.

Mr. Lewis indicated that his role on the committee had been to provide a scientific basis for discussion and to answer questions concerning the science of mangrove trimming; and that he fully endorses the ordinance being presented for the Board's consideration.

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Mr. Davis conducted a presentation depicting statistical information with regard to the amount and location of mangroves throughout the County, a copy of which has been filed and made a part of the record. He explained the two options recommended as standards for mangrove trimming and exhibited photographs of several scenarios where the standards had been applied demonstrating the *window* or view achieved by the trimming.

Responding to query by the Chairman, Mr. Davis indicated that currently fish, wildlife, birds, and water quality are the criteria that staff relies on for the permitting process; whereupon, Commissioner Harris noted that the State ordinance provides for the protection of wildlife.

In response to the Chairman's call for persons wishing to be heard in favor of the proposed ordinance, the following individuals appeared and expressed their support:

Lauren Westenberger, Pinellas Park
Phil Graham, St. Petersburg
John Chapman, Safety Harbor
William King, City of St. Petersburg

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

Michael Andolino, Safety Harbor
Mike McBriar, Certified Arborist
Neil Baldwin, Crystal Beach
Jack Gilbert, Safety Harbor
Norman Baarman, Dunedin
David Chianco, Crystal Beach
Bill Church, Crystal Beach
Gil Dinelli, Clearwater
Tim Vance, Crystal Beach
Todd Bober, Crystal Beach
Debbie Garrigan, Tarpon Springs
Attorney Michael Brooks, Tampa,
representing several property owners
Bonnie Bondurant, Crystal Beach
Frank Asaro, Crystal Beach
Larry Hessick, Crystal Beach
Dr. Alan Dyer, Crystal Beach
Mary Hessick, Crystal Beach
Merrill Beaman, Dunedin

Responding to queries by Chairman Todd, Mr. Davis stated that it would be extremely difficult to determine the amount of County land designated as a conservation area; that should the County enact the same ordinance as the State, there would be no trimming allowed in County conservation areas; and that the Mangrove Code Revision Committee had not made a recommendation as to response time for the permitting process.

Commissioner Latvala expressed her appreciation to Mr. Davis, his staff, and the committee for their efforts and the time expended on the ordinance; whereupon, she moved, seconded by Commissioner Harris, that the State Ordinance be adopted by the County with the inclusion of the following recommendations as presented by the Committee and staff:

- County conservation area trimming,
- removal of exotic plants,
- permit exemption for dealing with freeze-damaged mangroves,
- regulation of professional mangrove trimmers, and
- regrowth allowance.

Responding to queries by Commissioner Seel, Commissioner Latvala confirmed that the motion included the 500-foot depth and six-foot height as provided for by the State ordinance; whereupon, alluding to complaints expressed by proponents and opponents, Commissioner Seel requested an amendment to the motion to include a 30-day response timeframe for the permit process.

In response to comments by the members and Mr. Davis, County Attorney Susan H. Churuti advised that the Board continue the public hearing to allow staff sufficient time to redraft the ordinance for the Board's consideration.

Commissioner Latvala suggested that the ordinance be shortened to two pages and Commissioner Harris asked that photographs be provided showing the affects of the new ordinance on waterfront lot views. Chairman Todd requested that a breakdown of publicly and privately-owned conservation areas be provided to the Board prior to the next public hearing; whereupon, Mrs. Churuti interjected that staff will be making an amendment to the ordinance to allow trimming of mangroves in County conservation areas. She noted the requested changes, deletions, and additions that will be drafted into the new ordinance and in response to additional comments by the members and Mr. Davis, advised that the originally proposed provisions will be left in the new

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proposal for the Board's deliberation; that the current enforcement tools are adequate; and that a motion to continue the public hearing should include a date certain.

Commissioner Latvala amended her motion to continue the public hearing on the proposed mangrove trimming ordinance to a date certain of December 3, 2002, and the seconder concurred.

Following comments by the Chairman, upon call for the vote, the motion carried unanimously.

#61 RESOLUTION NO. 02-308 ADOPTED REVISING RETAIL SEWER RATES FOR PINELLAS COUNTY SEWER SYSTEM

Pursuant to legal notice published in the November 1, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed resolution adopting a revised retail sewer rate for the Pinellas County Sewer System. Chief Deputy Clerk C. R. Short reported that five letters in opposition to the new rates have been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that staff recommends approval of the proposed resolution.

Director of Utilities Pick Talley provided an overview of the proposed sewer rates; and indicated that the revisions are necessary in order to comply with State and Federal mandates to upgrade, expand, operate, and maintain its wastewater facilities.

In response to the Chairman's call for objectors to the new sewer rates, the following individuals appeared and expressed their concerns:

Grace Daley, Largo
Gail Conroy, Redington Shores
Don Cocker, Largo
Kelly Seiserg, Indian Rocks Beach
Carol Chancey, Seminole
Paul Warnier, Clearwater
Charles Dombroski, Largo
Charles Setgast, Pinellas Park
Brent Coutier, Largo
Mary Taylor, unincorporated County
Karen Sonjeg, Seminole

Responding to comments by the objectors, Mr. Talley indicated that an effluent reuse system is being developed; and that customers of the sewer system are

required to pay for it whether or not they will be receiving reclaimed water. He noted that the Utilities Department is attempting to improve upon the appearance of its wastewater plants in order to maintain the property values of surrounding homes in the locations where the facilities have been constructed. In response to queries by the members, he stated that the ten percent rate hike the first year and the nine percent in the second year is relevant to the bond issue because it is necessary for revenues to reflect the ability to pay off the debt service; that a life-line rate for low income customers is a viable consideration; that the \$4.50 billing charge to the customers could be included in the rate structure; that ten to 11 million gallons of potable water per day is expected to be saved upon completion of the reclaimed water system; and that the ultimate goal of the plan is conservation of water by utilizing as many new alternative water resources as possible.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 02-308 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#62 RESOLUTION NO. 02-309 ADOPTED REVISING RETAIL WATER RATES FOR PINELLAS COUNTY WATER SYSTEM

Pursuant to legal notice published in the November 1, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed resolution adopting revised retail water rates for the Pinellas County Water System. Chief Deputy Clerk C. R. Short stated that four letters and one telephone call in opposition to the new rates 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 revised retail water rates.

Director of Utilities Pick Talley provided an overview of the three options that have been recommended to the Board, a copy of which has been filed and made a part of the record; which he summarized as:

- Option 1: Maintain rate stabilization fund (\$82,000,000); adopt rates in three series of 15 percent a year for three years, and then 14 percent a year for the following two years, using the interest earned on the rate stabilization fund to lower or to help pay for some of the costs of the system.
- Option 2: Utilize \$40,000,000 of the rate stabilization fund to pay for the galvanized pipe program; rate increases to be 13 percent a year for two years and then 12 percent a year for four years.
- Option 3: Utilize entire rate stabilization fund and apply it to expenses to enable a lower increase; levy a 11 percent increase for three years, ten percent increase for three years, and nine percent the last year.

In response to the Chairman's call for persons in objection to the water rate increase, the following individuals appeared and expressed their concerns:

Charles Setgast, Pinellas Park
Terry Rutfeld, Palm Harbor
Don Cocker, Largo
Bonnie Braiswell, Seminole
W. C. Snipes, Clearwater

Following discussion, Commissioner Harris moved, seconded by Commissioner Welch, that Option No. 3 with the five-year period be approved with regard to the retail water rate increase.

Following further deliberation by the Board, upon call for the vote, the motion failed 2 to 5 with Chairman Todd and Commissioners Stewart, Seel, Latvala and Morroni casting the dissenting votes; whereupon, Commissioner Stewart moved, seconded by Commissioner Seel, that Option No. 2 with the five-year period be approved and Resolution No. 02-309 be adopted revising retail water rates for Pinellas County Water System. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

In response to query by the Chairman, Commissioner Harris indicated that he would like staff to research the viability of implementing a lifeline rate for low income customers, eliminating the billing charge, and effecting a monthly bill to replace bi-monthly billings; whereupon, he moved, seconded by Commissioner Welch and carried, that the aforesaid study be undertaken and a report be provided to the Board.

#63 RESOLUTION NO. 02-310 ADOPTED REVISING WHOLESALE WATER RATES FOR PINELLAS COUNTY WATER SYSTEM

Pursuant to legal notice published in the November 1, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed resolution adopting a revised wholesale water rate for the Pinellas County Water System. Chief Deputy Clerk C. R. Short indicated that four letters and one telephone call in opposition to the new rate have been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt advised that staff recommends approval of the revised wholesale water rate; whereupon, Director of Utilities Pick Talley presented a brief overview of the revisions.

In response to the Chairman's call for persons wishing to be heard, Don Cocker, Largo, appeared and expressed his concerns; whereupon, the public hearing was closed.

Commissioner Stewart moved, seconded by Commissioner Seel, that Resolution No. 02-310 be adopted, based on Option No. 2, revising the wholesale rate to reflect the percentage of figures utilizing the \$40 million from the rate stabilization fund with the five-year timeframe. Upon roll call, the vote was:

- Ayes: Todd, Seel, Stewart, Harris, Latvala, Morroni and Welch.
- Nays: None.
- Absent and not voting: None.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 1:05 A.M.

Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By _____
Deputy Clerk