

Clearwater, Florida, December 17, 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 3:15 P.M. on this date with the following members present: Karen Williams Seel, Vice-Chairman; Robert B. Stewart; Calvin D. Harris; Susan Latvala; John Morroni; and Kenneth T. Welch.

Absent: Barbara Sheen Todd, Chairman.

Also present: Susan H. Churuti, County Attorney; Stephen M. Spratt, County Administrator; Claretha Harris, Deputy Clerk; and Dawn Rubio and Cathy Fickley, Board Reporters.

Reverend George Garcia, Wesleyan Church, Largo, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Morroni.

## A G E N D A

### INVOCATION

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

#### A. CONSENT AGENDA

##### CLERK OF THE CIRCUIT COURT

1. Approval of Minutes – Regular Meeting Held on November 5, 2002.
2. Reports:
  - a. Southwest Florida Water Management District Five-Year Capital Improvements Plan Dated November 8, 2002 and Proposed Five-Year Water Resource Development Work Program Approved by the Governing Board on October 29, 2002.
  - b. 2002-2003 Final Budget for Tampa Bay Water.
  - c. Pinellas County, Florida Sewer Revenue Refunding Bonds, Series 1993 (The "Bonds") – Determination of Arbitrage Rebate Liability for Year 5, Report Dated November 20, 2002.
  - d. Internal Audit Division, Clerk of the Circuit Court, Report No. 2002-27 Dated November 21, 2002 – Audit of Supplemental Compensation.

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3. Other Approvals:
  - a. General
    1. Public Official Bonds for Thomas H. Hafner and James G. Mortellite Elected to the Pinellas Suncoast Fire and Rescue Board on November 5, 2002.
  - b. Vouchers and Bills Paid.
4. Miscellaneous Items to be Received for Filing:
  - a. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 2 Held November 21, 2002.
  - b. City of Clearwater Ordinances Nos. 7022-02, 7025-02, and 7028-02 Adopted November 7, 2002, Annexing Certain Property.
  - c. City of Largo Notices of Annexation Hearings Regarding Ordinances Nos. 2003-21 through 2003-26 Held December 3, 2002, and Ordinances Nos. 2003-29 through 2003-31 to be Held December 17, 2002.
  - d. Town of North Redington Beach Resolution No. 2002-79 Adopted November 14, 2002, Supporting Efforts of the City of Pinellas Park to Obtain Funding Regarding Drainage Improvements to Park Boulevard.
  - e. Correspondence from the City of Pinellas Park Regarding One Ordinance Voluntarily Annexing Certain Property, Public Hearing Held December 10, 2002.
  - f. City of Safety Harbor Ordinance No. 2002-24 Adopted November 18, 2002 Annexing Certain Property.

COUNTY ADMINISTRATOR

Public Works

5. Approval of Award of Bids:
  - a. Savona Drive – Snug Harbor Road to San Martin Boulevard.
  - b. Traffic Grates, Frames, Manhole Covers.
6. Approval to Execute Amendment No. 1 to the Interlocal Agreement for Development of the City of Treasure Island Management Plan.
7. Approval of a Cooperative Funding Agreement with the Southwest Florida Water Management District for the Curlew Creek Channel Improvements.
8. Approval of Authority to Advertise for a Public Meeting on the Preliminary Engineering Report for the Proposed Curlew Creek Channel "A" Improvements.

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Utilities

9. Approval of Award of Bids:
  - a. Water Distribution System Rehabilitation at St. Pete Beach, Phase I.
  - b. Construction of Fourth Floor Conference/Training Center, First Floor Mail Center, and Fifth Floor Renovations, Utilities Building.
  - c. Lightning Protection System at the South Cross Waste Water Treatment Facility.
10. Approval of Amendment No. 1 to the Service Agreement with PRIDE Enterprises, State of Florida, for Reprographics and Customer Billing Services.
11. Approval of Change Order No. 1 (Final) and Release of Retainage for the 15" – 42" Sewer Interceptor Cured in Place Pipe Lining.

Other Departments

12. Receipt and File of Items Delegated to the County Administrator for Signature (County Administrator).
13. Approval of an Agreement with the Juvenile Welfare Board for the Community Youth Mapping Initiative and Youth as Resources Grant Programs (Cooperative Extension).
14. Approval of a Non-Competitive Purchase of a Vesta 9-1-1 Telephone System from Verizon Florida, Inc. for Various Police Departments (Emergency Communications/9-1-1).
15. Approval of Budget Amendment No. 1 (Management and Budget).
16. Adoption of Resolutions Supplementing the FY03 Budget (Management and Budget):
  - a. General Fund Budget – Byrne Memorial Grants.
  - b. General Fund Budget – Sheriff's Weekend Boot Camp, About Face.
  - c. General Fund Budget – Transfer to Sheriff for Fund Balance Associated with Prior Year Grants and Excess Fees.
  - d. Capital Projects Fund Budget – St. Petersburg Judicial Building.
17. Adoption of a Resolution Supplementing the FY02 General Fund Budget – Transfer to Tax Collector (Management and Budget).
18. Approval of Non-Competitive Purchase – Xerox Copy Machines Maintenance Agreement (Purchasing).
19. Approval of Award of Bid for Miscellaneous Paper Towels (Purchasing).

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20. Approval of First Option of Renewal and Amendment for Pre-Placement Physicals and Drug Screening (Purchasing/Personnel).

B. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

22. Approval of Change Orders:
  - a. Change Order No. 1 – Construction of 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.
  - b. Change Order No. 3 – Bryan Dairy Road (CR 296) from 72nd Street to U.S. 19.
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 the Tierra Verde Fire Station No. 2, Design/Build Services.

Utilities

24. 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 Study and Design for Replacement of Pump Station No. 163 Force Main, Phase II.
25. Adoption of a Resolution Authorizing the Issuance of Not to Exceed \$91,000,000 Sewer Revenue Bonds, Series 2003.
26. Adoption of a Resolution and Approval of an Agreement for Forestry Operations Services and Wildlife Management Project for Pinellas County Properties at Al-Bar and Cross Bar Ranches.
27. Adoption of a Resolution and Approval of an Agreement for Professional Land Management Services for Pinellas County Properties at Al-Bar and Cross Bar Ranches.

Other Departments

28. Adoption of a Resolution Approving the Issuance by the Pinellas County Housing Finance Authority of its Single Family Housing Bonds in an Amount Not to Exceed \$77,000,000 (Community Development).
29. Adoption of a Resolution Amending Resolution No. 02-258 Approving Project A2060432107 as a Qualified Applicant for the Qualified Target Industries Tax Refund Program for Fiscal Years 2004-2010 (Economic Development).
30. Approval of a Lease Agreement with the Old Palm Harbor Partnership, Inc. (General Services).

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31. Approval of Authority to Use the New Statutory Limits from the Consultant's Competitive Negotiations Act for Ongoing Agreements (General Services).
32. Approval of Amendment No. 2 to the Construction Management Agreement for St. Petersburg Judicial Building Renovation Project (General Services).
33. Approval to Assess Liquidated Damages, Acceptance of Final Completion and Release of Retainage to the General Construction Agreement for the Fleet Management Canopy Replacement on Ulmerton Road, and Installation of Staff Parking Canopy at Old Station 17, on South Fort Harrison (General Services).
34. Approval to Accept Final Completion and Release of Retainage Pursuant to the Construction Management Agreement for the Jail Maximum Security Renovations to the Booking and Administrative Areas (General Services).
35. Approval of an Interlocal Agreement with Pasco County Establishing Fees for the Use of the Pinellas County Medical Examiner's Facility (Management and Budget).
36. Approval of an Interlocal Agreement with the City of Dunedin to Assist in the Purchase of St. Andrew's Links Golf Course in Exchange for Access for Unincorporated Residents to Certain City of Dunedin Recreation Facilities (Park Department).
37. Approval of the Master Alcohol, Drug Abuse, and Mental Health Agreement and Technical Review Panel Recommendations for Funding to Local Agencies (Social Services).
38. Approval of a One-Month Extension to the Gulf Coast Jewish Family Services, Inc. d/b/a Gulf Coast Community Care Non Custodial Parent Employment Program Contract (WorkNet Pinellas).
39. Other Administrative Matters.

COUNTY ATTORNEY

40. Request Authority for County Attorney to Defend:
  - a. Chase Manhattan Mortgage Corporation v. Margaret M. Raphial, et al - Circuit Civil Case No. 02-9010-CI - Mortgage Foreclosure Involving a Subordinate Mortgage.
  - b. Chase Manhattan Mortgage Corporation v. Leslie R. Castle, et al - Circuit Civil Case No. 02-9145-CI-015 - Mortgage Foreclosure Involving a Judgment for Fine and Costs and a Judgment for Attorney Fees and Costs.
  - c. Citifinancial Mortgage Company v. Nathan Bostick, et al - Circuit Civil Case No. 02-8997-CI-19 - Mortgage Foreclosure Involving a Deferred Payment Mortgage.
  - d. Washington Mutual Bank v. Neil Joseph Cardamone, et al - Circuit Civil Case No. 02-8954-CI-8 - Mortgage Foreclosure Involving a Street Lighting Lien.
  - e. John Calkins v. Pinellas County – Civil Action Case No. 8:02CV2076-T-23TGW – Allegations of Violations of Title VII of Civil Rights Act of 1964.

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- f. Late' Cordrey, as Mother and Natural Guardian of Shaun Stevens, a Minor, and Late' Cordrey, Individually v. Pinellas County Sheriff's Office - Circuit Civil Case No. 02-8900-CI-8 – Allegations of Excessive Force.
  - g. Bryan Robert Eckley v. Christopher Boehmer and Pinellas County Sheriff's Office – Circuit Civil Case No. 02-8529-CI-13 – Allegations of an Incident Involving Money Damages.
41. Approval of Contract for Law Enforcement Services for:
- a. City of Clearwater for Crime Scene and Latent Fingerprint Services and Property and Evidence Storage.
  - b. Pinellas County Housing Authority – Safe Neighborhood Grant-Funded Community Policing.
  - c. Pinellas County Housing Authority – Rainbow Village.
42. Recommendation of Settlement in Richard Morgan v. Pinellas County Government – Workers' Compensation OJCC No. 02-034205SPT.
43. Approval of Settlement of Torrance Marshall v. Everett S. Rice, Sheriff of Pinellas County, in His Official Capacity and Eric Gibson, Individually – Civil Action Case No. 8:01-CIV-2120-T-24MAP.
44. Miscellaneous.

C. AUTHORITIES

ECONOMIC DEVELOPMENT AUTHORITY

- 45. Approval of a Lease Agreement with the S.M. Stoller Corporation.
- 46. Adoption of a Resolution for Issuance of Pinellas County Industrial Development Revenue Bonds (Xtreme Energy, Inc. Project) Series 2003.

FIRE PROTECTION AUTHORITY

- 47. Approval of an Interlocal Agreement to Provide Fire Prevention Inspection Services by the City of South Pasadena in the Tierra Verde Fire Protection District.

D. COUNTY ADMINISTRATOR REPORTS

- 48. Economic Development Report.

E. COUNTY COMMISSION

- 49. Approval of Appointments to Various Boards and Committees by Individual Commissioners.
- 50. Approval of Appointments to the Pinellas County Arts Council.

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51. Approval of Appointments to the Pinellas Planning Council.
52. Miscellaneous.

6:30 P.M.

PRESENTATIONS AND AWARDS

F. CITIZENS TO BE HEARD

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

G. SCHEDULED PUBLIC HEARINGS

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

SCHEDULED PUBLIC HEARINGS - BCC

53. Petition to Vacate Submitted by Hadi Adams and Natascha Heckmann, for a Portion of a 15.0 Foot Drainage and Utility Easement Described as the North 5.0 Feet of the South 15.0 Feet of Lot 28, Barry Estates, Located in the Southwest ¼ of Section 17, Township 30 South, Range 15 East.
54. Petition to Vacate Submitted by Virginia Pepin-Donat and Ronald Pepin-Donat, for a 7.50 Foot by 39.80 Foot by 8.82 Foot by 0.30 Foot by 44.90 Foot Portion of a 10.0 Foot Drainage and Utility Easement on Lot 21, Forest Grove Phase III, Located in the Northeast ¼ of Section 11, Township 28 South, Range 15 East.
55. Petition to Vacate Submitted by Lois Kroh, Trustee of the Lois L. Gudson Trust u/t/d 9/27/94, for a 59.67 Foot by 2.79 Foot by 58.60 Foot by 1.60 Foot by 1.53 Foot Portion of a 7.5 Foot Drainage and Utility Easement on Lot 82, Highland Lakes Unit Fifteen Phase 3, Located in the Northeast ¼ of Section 05, Township 28 South, Range 16 East.
56. Petition to Vacate Submitted by McDonald's Corporation and Possum Properties, Inc., Represented by Stephanie Tyrrell, for the 6.0 Foot Utility Easements on Lots 10, 11, and 12, and the 3.0 Foot Utility Easements on Lots 13, 14, 31, and 32, and Request for a Quitclaim Deed for a 5.0 Foot Sewer Easement on Lot 13, and a 6.0 Foot Utility Easement on Lot 13, all Being in Kentre Addition to Pinellas Park, Florida Subdivision, Located in the Southeast ¼ of Section 31, Township 30 South, Range 16 East.
57. Petition to Vacate Submitted by Matt and Michelle Schoeppe, Dennis Rosabella De Mille, Billy Chruscial, and Barry L. and Pat Knorr, for a 242.0 Foot Portion of a 30.0 Foot Right of Way Known as Semes Street, Lying South of Block 4 and North of Block 5, Ulmerton, Located in the Northwest ¼ of Section 11, Township 30 South, Range 15 East.

SCHEDULED PUBLIC HEARINGS - CONTINUED

58. Petition to Vacate Submitted by William H. Smart and Elaine P. Smart, for a Portion of a 10.0 Foot Drainage and Utility Easement Described as the North 3.0 Feet of the West 41.47 Feet of the South 10.0 Feet of Lot 51, Southwood Unit 2, Located in the Southwest ¼ of Section 24, Township 29 South, Range 15 East.
59. Proposed Ordinance Amending the Pinellas County Comprehensive Plan Adopting a New Element Containing Principles to Guide Local Decision-Making on Issues of Economic Vitality, Environmental Quality, and Long Term Community Sustainability.
60. Proposed Ordinance Amending Table 4 of the Future Land Use Element of the Pinellas County Comprehensive Plan.
61. Proposed Ordinance Amending the Transportation Element of the Pinellas County Comprehensive Plan.
62. Proposed Ordinance Amending the Goals, Objectives, and Policies of the Recreation and Open Space Element of the Pinellas County Comprehensive Plan Providing Policy Direction for the County's Active Recreation Initiative; Amending the Coastal Management, and the Natural, Historic, and Cultural Resources Elements of the Pinellas County Comprehensive Plan Relating to the Siting of Water Dependent Land Uses and the Protection of Marine Resources.
63. Proposed Ordinance Amending the Capital Improvements Element of the Pinellas County Comprehensive Plan.
64. Planning and Zoning Applications Heard by the Examiner:
  - a. LU-12-11-02 (Withdrawn)  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Residential Rural and Transportation/Utility to Preservation-Resource Management on Approximately 15.87 Acres Located Approximately One-Half Mile North of the Northern Terminus of Old East Lake Road (Parcel ID Nos. 04/27/16/00000/240/0400 and 04/27/16/89352/000/0020).
  - b. Z/LU-17-11-02 (Withdrawn)  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Zoning from C-1 Neighborhood Commercial to P-1A, Limited Office and a Land Use from Residential Urban to Residential/Office Limited on Approximately 0.414 Acre Located on the South Side of 54th Avenue North, 128 Feet West of 37th Street North (Street Address: 3720 54th Avenue North, Parcel ID No. 03/31/16/51030/002/0070).
  - c. LU-19-11-02 (Withdrawn)  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Commercial General and Residential/Office/Retail to Preservation-Resource Management on Approximately 1.17 Acres Located on the West Side of U.S. 19, One-Half Mile South of the Pinellas/Pasco County Line (Parcel ID Nos. 06/27/16/89388/000/0463 and 12/27/15/89982/094/0000).

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SCHEDULED PUBLIC HEARINGS – CONTINUED

- d. LU-20-11-02 (Withdrawn)  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Residential Rural to Preservation-Resource Management on Approximately 22.52 Acres Located along the Pinellas/Pasco County Line, One-Quarter Mile West of Old East Lake Road (Parcel ID No. 05/27/16/89370/000/0020).
- e. Z/LU-7-11-02  
Application of John W. and Louise M. Larsen and Irven B. and Patricia F. Albright through Arlena Dominick, Representative, for a Change of Zoning from C-2, General Retail Commercial and Limited Services to M-1, Light Manufacturing and Industry and a Change of Land Use from Commercial General to Industrial Limited on Approximately 3.692 Acres on the North Side of 102nd Avenue North, 180 Feet to 450 Feet West of 66th Street North (Street Addresses: 10330 and 10340 66th Street North, Parcel ID Nos. 18/30/16/69768/400/6407, 6408, 6405 and 6404).
- f. Z/LU-3-11-02  
Application of Lorraine and Patrick Carrier, c/o W. Langston Holland, Esquire through C. Randolph Wedding, Wedding, Stephenson and Ibarguen, Architects, Inc., Representative, for a Change of Zoning from C-2, General Retail Commercial and Limited Services and A-E, Agricultural Estate Residential to RPD-5, Residential Planned Development, 5 Units Per Acre and a Change of Land Use from Commercial Recreation to Residential Low on Approximately 16.6 Acres Located on the North Side of Gandy Boulevard, 1,555 Feet East of Brighton Bay Boulevard Northeast (Parcel ID Nos. 17/30/17/28620/001/0020 and 17/30/17/00000/420/0200).
- g. Z-11-11-02  
Application of Pacific and Southern Company, Inc., d/b/a WTSP-TV through Sam Rosenwasser, Pacific and Southern Company, Inc., Representative, for a Change of Zoning from C-2, General Retail Commercial and Limited Services to PSP, Public/Semi-Public on Approximately 7.1076 Acres on the North Side of Gandy Boulevard (Street Address: 11450 Gandy Boulevard, Parcel ID No. 17/30/17/00000/410/0200).
- h. LU-22-11-02  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Residential Estate to Preservation-Resource Management on Approximately 10.43 Acres Located One-Half Mile Due South of the Southern Terminus of Ranch Road (Parcel ID No. 23/27/16/00000/240/0100).
- i. LU-18-11-02  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Undesignated to Recreation/Open Space on Approximately 3.342 Acres Located on the North Side of Bay Pines Boulevard, West of Park Street (Parcel ID No. 01/31/15/00000/310/1000).

SCHEDULED PUBLIC HEARINGS - CONTINUED

- j. LU-16-11-02 (To Be Continued for 30 Days)  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Residential Urban to Commercial General on Approximately 0.427 Acre Located on the South Side of 52nd Avenue North, 125 Feet West of I-275 (Street Address: 2416 52nd Avenue North, Parcel ID No. 02/31/16/26604/000/0210).
- k. LU-15-11-02  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Public/Semi-Public to Residential Urban on Two Parcels Containing Approximately 0.72 Acre Located on the East Side of 58th Street and West Side of George Boulevard, 110 Feet North of Russell Street (Street Addresses: 15481 58th Street North and 15450 George Boulevard, Parcel ID Nos. 32/29/16/15156/005/0130 and 0070).
- l. LU-14-11-02  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Public/Semi-Public to Residential Urban on Approximately .72 Acre Located on the East Side of 58th Street and West Side of George Boulevard, 110 Feet North of Russell Street (Street Addresses: 15495 58th Street North and 15500 George Boulevard, Parcel ID Nos. 32/29/16/15156/005/0150 and 0050).
- m. LU-13-11-02  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Undesignated to Recreation/Open Space on Approximately 7.091 Acres Located on the North Side of Walsingham Road, 429 Feet West of Ridge Road (Parcel ID No. 09/30/15/00000/140/0100).
- n. LU-10-11-02  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Residential Estate to Preservation-Resource Management on Approximately 2.49 Acres Located within the Brooker Creek Preserve (Parcel ID No. 36/27/16/00000/130/0100).
- o. LU-9-11-02  
Application of Pinellas County Planning Director through Brian Smith, Representative, for a Change of Land Use from Public/Semi-Public to Recreation/Open Space on Approximately 3.66 Acres. Former Seaboard Coastline Railroad Right-of-Way North of Anclote River, East of Alternate U.S. 19 (Parcel ID No. 01/27/15/00000/440/0200).
- p. Z/LU-8-11-02  
Application of Brian James Waugh for a Change of Zoning from A-E, Agricultural Estate Residential to P-1, General Professional Office and RM-12.5, Residential Multiple Family, 12.5 Units Per Acre and a Change of Land Use from Residential Medium to Residential/Office General (West 100 Feet) on Approximately 1.10 Acres on the East Side of McMullen-Booth Road, 357 Feet North of Gulf-to-Bay Boulevard (Street Address: 311 McMullen Booth Road, Parcel ID No. 16/29/16/00000/240/0400).

SCHEDULED PUBLIC HEARINGS - CONTINUED

- q. Z/LU-6-11-02 (Withdrawn)  
Application of Skylark R.O. Association, Inc., through Ed Armstrong, Johnson, Blakely, Pope, Bokor, Ruppel & Burns, Representative, for a Change of Zoning from R-6, Mobile Home Parks and Subdivisions to C-2, General Retail Commercial and Limited Services and a Change of Land Use from Residential Urban and Transportation/Utility to Commercial General and Transportation/Utility on Approximately 13.04 Acres at the Northeast Corner of SR 580 and Summerdale Drive (Street Address: 2526 SR 580 East, Parcel ID No. 30/28/16/82694/000/0001).
  
- r. Z-4-11-02  
Application of James G. Rayes through Gary Brundage, B & L Homes Development, Representative, for a Change of Zoning from A-E, Agricultural Estate Residential to RPD-5, Residential Planned Development, 5 Units Per Acre on Approximately 3.09 Acres 160.96 Feet South of Haines Bayshore Road, on the West Side of Allendale Drive (Parcel ID No. 29/29/16/00000/320/1800).
  
- s. 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., Representatives, 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 and a Change of Land Use 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 and November 19, 2002 BCC Meetings).
  
- t. Z/LU-1-11-02  
Application of Wilder Corporation of Delaware through Joel R. Tew, Esquire, Tew, Barnes & Atkinson, L.L.P., Representative, for a Change of Zoning from CR, Commercial Recreation to CP-1, Commercial Parkway and RPD-12.5, Residential Planned Development, 12.5 Units Per Acre and a Change of Land Use from Residential Low Medium and Preservation to Residential/Office/Retail, Residential Medium and Preservation and a Developers Agreement on Approximately 38.7 Acres on the East Side of U.S. 19, 1,440 Feet South of Klosterman Road (Street Address: 37969 U.S. Highway 19 North, Parcel ID No. #19/27/16/00000/430/0400).

ADJOURNMENT  
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December 17, 2002

CONSENT AGENDA ITEMS NOS. 1 THROUGH 20 - APPROVED

Upon presentation by Vice-Chairman Seel, Commissioner Welch moved, seconded by Commissioner Latvala and carried, that the Consent Agenda, consisting of Items Nos. 1 through 20 be approved as follows:

# 1 APPROVAL OF MINUTES

Minutes of regular meeting of November 5, 2002.

# 2 REPORTS RECEIVED FOR FILING

- a. Southwest Florida Water Management District Five-Year Capital Improvements Plan dated November 8, 2002 and Proposed Five-Year Water Resource Development Work Program approved by the Governing Board on October 29, 2002.
- b. 2002-2003 Final Budget for Tampa Bay Water.
- c. Pinellas County, Florida Sewer Revenue Refunding Bonds, Series 1993 (the "Bonds") – Determination of Arbitrage Rebate Liability for Year 5, report dated November 20, 2002.
- d. Internal Audit Division, Clerk of the Circuit Court, Report No. 2002-27 dated November 21, 2002 – Audit of Supplemental Compensation.

# 3 OTHER APPROVALS

- a. General
  - (1) Public Official Bonds for Thomas H. Hafner and James G. Mortellite elected to the Pinellas Suncoast Fire and Rescue Board on November 5, 2002.

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b. Vouchers and Bills Paid

- (1) Checks released for the period from November 18, 2002 through November 29, 2002 as follows:

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2709

Payroll checks numbered 497367 through 497951

Imprest Fund Expenditures

Manual checks numbered 685827 through 685844

System checks numbered 659338 through 661075

Wire Transfers numbered 622 through 649

# 4 MISCELLANEOUS ITEMS RECEIVED

- a. Pinellas Park Water Management District Minutes of Regular Authority Meeting No. 2 held November 21, 2002.
- b. City of Clearwater Ordinances Nos. 7022-02, 7025-02, and 7028-02 adopted November 7, 2002, annexing certain property.
- c. City of Largo Notices of Annexation Hearings re Ordinances Nos. 2003-21 through 2003-26 held December 3, 2002, and Ordinances Nos. 2003-29 through 2003-31 to be held December 17, 2002.
- d. Town of North Redington Beach Resolution No. 2002-79 adopted November 14, 2002, supporting efforts of the City of Pinellas Park to obtain funding re drainage improvements to Park Boulevard.
- e. Correspondence from the City of Pinellas Park re one ordinance voluntarily annexing certain property, public hearing held December 10, 2002.
- f. City of Safety Harbor Ordinance No. 2002-24 adopted November 18, 2002 annexing certain property.

# 5 AWARD OF BIDS

- a. Bid of Keystone Excavators, Inc., on the basis of being the lowest responsive, responsible bid received that meets specifications for roadway construction with related drainage and utility work, miscellaneous incidental construction, and construction of a portion of the extension to the Friendship Trail, in the amount of \$504,704.38 (Bid No. 023-83-C; PID No. 922328); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- b. Bid of U.S. Foundry & Manufacturing Corp., on the basis of being the lowest responsive, responsible bid received that meets specifications for traffic grates/frames/manhole covers, 2002-2006, for contract period of 48 months; prices to be held firm for the first 12 months with a maximum five percent increase allowed for the remaining 36 months; estimated forty-eight month expenditure not to exceed \$150,000.00 (County's estimated annual expenditure not to exceed \$31,145.00; County's estimated forty-eight month expenditure not to exceed \$124,580.00); three additional 12-month options of renewal subject to written notice of agreement from the County Administrator (Cooperative Bid No. 012-936-B).

# 6 AMENDMENT NO. 1 TO INTERLOCAL AGREEMENT WITH THE CITY OF TREASURE ISLAND FOR DEVELOPMENT OF THE CITY'S BEACH MANAGEMENT PLAN

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Agreement amended to extend the expiration date to February 19, 2004 in order to allow time for plan finalization and State permitting and review process.

# 7 COOPERATIVE FUNDING AGREEMENT WITH SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) FOR CURLEW CREEK BASIN CHANNEL IMPROVEMENTS (K667-2)

Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for Curlew Creek Basin Channel improvements; current estimated budget in the amount of \$1,043,900.00 of which an amount up to \$285,000.00 will be reimbursed to the County by SWFWMD.

# 8 AUTHORITY TO ADVERTISE A PUBLIC MEETING ON THE PRELIMINARY ENGINEERING REPORT FOR THE PROPOSED CURLEW CREEK CHANNEL "A" IMPROVEMENTS

# 9 AWARD OF BIDS - UTILITIES DEPARTMENT

- a. Bid of MTM Contractors, Inc. on the basis of being the lowest responsive, responsible bid received meeting specifications for water distribution system rehabilitation at St. Pete Beach, Phase I, for an estimated total expenditure in the amount of \$368,376.08 (Bid No. 012-1014-C; Project No. 653-901814-1130); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- b. Bid of Clark & Logan, Inc. on the basis of being the lowest responsive, responsible bid received meeting specifications for construction of the fourth floor conference/training center, first floor mail center, and fifth floor renovations to the Utilities building, for an estimated total expenditure in the amount of \$270,987.00 (Bid No. 023-58-C; Project No. 642-019910-0863); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.
- c. Bid of Florida Power Corporation on the basis of being the only responsive, responsible bid received meeting specifications for a lightning protection system at the South Cross Wastewater Treatment Facility, for a total

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expenditure not to exceed the amount of \$124,500.00 (Bid No. 012-1020-B); Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney; bid of Pattie Electric rejected as being non-responsive.

#10 ADDENDUM (AMENDMENT NO. 1) TO SERVICE AGREEMENT WITH PRISON REHABILITATIVE INDUSTRIES AND DIVERSIFIED ENTERPRISES, INC. D/B/A PRIDE ENTERPRISES FOR REPROGRAPHICS AND CUSTOMER BILLING SERVICES

Agreement amended to authorize PRIDE Enterprises to provide bulk mailing and insertion services, including the postage permit for the Utilities customer billings (original annual estimated expenditure in the amount of \$300,000.00; addendum increases annual estimated expenditure in the amount of \$63,000.00); final total annual estimated expenditure in the amount of \$363,000.00.

#11 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT WITH LANZO LINING SERVICES, INC. FOR THE 15" – 42" SEWER INTERCEPTOR CURED IN PLACE PIPE LINING AND RELEASE OF RETAINAGE (BID NO. 012-169-C; PROJECT NO. 713-604117-1453)

- a. Change Order No. 1 (final) decreases the contract by \$101.00 (final total contract, \$719,179.00).
- b. Contract accepted as complete as of November 1, 2002.
- c. Release of retainage in the amount of \$35,958.95 authorized.

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#12 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>
<u>Airport</u>	<u>Airport Parking Fee Increase at Remote Parking - \$1.00 per day (From \$4.00 to \$5.00)</u>	<u>\$439 Per Day if Lot is Full (439 Spaces)</u>	<u>11/20/02</u>
<u>Airport</u>	<u>Lessor's Agreement with United States Life Ins. Co. - Hallmark Development of Florida</u>	<u>N/A</u>	<u>10/28/02</u>
<u>Clerk of the Circuit Court</u>	<u>Satisfaction of Judgment for Attorney Fees and Costs - Brenda Caldwell (2); Bobby E. Fields; Todd C. Knapp; Long M. Pham; Towan D. Rush (2); Johnny Lee Bable, Jr; Lorrie Ann Baker; Reuben Lee Bryant; Brenda Jean Caldwell; Elizabeth E. Calloway; Nicholas Camarra; John F. Falanga; Joy Elizabeth Henderson; Luis Leonard Herring; Rashun Jemel Hughes; Billie Keefer; Kevin Paul Kelly; Lashell Denise Lee; Hoe Van Mai; Daniel David Mayer; Jason Christopher McCloud; Joseph Michael Mugenski; Miguel A. Pena-Bolteada; Randall Scott Petty; Terry N. Prueher; Karen Marie Raymond; Towan Dante Rush; Joseph John Toler; Ann F. Volk; Eric Shannon Young; Kevin Lewis Young; Juvenile Court - Satisfaction of Judgment for Attorney Fees and Costs - M.P. (a minor)</u>	<u>All Liens Paid in Full</u>	<u>12/3/02</u>
<u>Clerk of the Circuit Court</u>	<u>Satisfaction of Judgment for Attorney Fees and Costs - Michelle Boyd; Mary Lorraine Blanchard; Norman Holstutler; James M. Holcomb; John Brantley; Richard Lee Hoffman; Monique Latissue Lee; Tinnis H. McCray; Nancy Ellen Melen; Thomas Richard Pepe; Detra Petite; Lorraine Smith; Iric Vonn Spears; Carol A. Vienna; Tangerae M. Dean; Juvenile Court - Satisfaction of Judgment for Attorney Fees and Costs - M.L.L.. (a minor)</u>	<u>All Liens Paid in Full</u>	<u>11/7/02</u>

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<u>Community Development</u>	<u>Release of Lien (Housing) – Douglas B. Steel; Satisfaction of Mortgages (Housing) Dilesmia Nieves and Jaime Nieves; Wendy Webb</u>	<u>All Liens Paid in Full</u>	<u>11/21/02</u>
<u>Community Development</u>	<u>Satisfaction of Mortgages (Housing) – Lana S. Kubistek and Rodd C. Sieder; Stamatia Aneston; Brian Edwards; Charlotte Bogadi; Eileen E. Roberts and Ralph Roberts</u>	<u>All Liens Paid in Full</u>	<u>11/18/02</u>
<u>Community Development</u>	<u>Satisfaction of Mortgages (Housing) – Mildred D. Harding and Robert V. Frey; Cynthia S. Hardeman; Kathi M. Bollinger; Rose F. Freeman; Richard E. Smith, Jr. and Robin L. Smith</u>	<u>All Liens Paid in Full</u>	<u>11/12/02</u>
<u>Community Development</u>	<u>Specific Performance Agreements – The Mustard Seed Foundation, Inc.; YMCA of the Suncoast, Inc.</u>	<u>Mustard Seed Foundation - \$17,550; YMCA of the Suncoast - \$50,000</u>	<u>11/22/02</u>
<u>Community Development</u>	<u>Release of Land Use Restriction Agreement (Housing) to Gulf Coast Jewish Family Service</u>	<u>N/A</u>	<u>11/7/02</u>
<u>General Services</u>	<u>Temporary Construction Easement – Boca Ciega Pump Station Upgrades</u>	<u>N/A</u>	<u>11/18/02</u>
<u>Heritage Village</u>	<u>Grant Application – Pinellas County Stories Revealed through Heritage Village</u>	<u>\$25,000 Grant Request</u>	<u>11/4/02</u>
<u>Justice Coordination</u>	<u>Residential Substance Abuse Treatment Grant Application for Female Inmates at the Pinellas County Jail</u>	<u>\$150,000 Grant</u>	<u>11/22/02</u>
<u>Park Department</u>	<u>Grant Award – War Veterans Memorial Park; Sawgrass Lake Park</u>	<u>War Veterans Memorial Park \$51,439.70; Sawgrass Lake Park - \$86,712</u>	<u>10/8/02</u>
<u>Public Works</u>	<u>Interlocal Cooperative Funding Agreement with Southwest Florida Water Management District for Bee Branch Channel Improvements Project</u>	<u>\$21,000</u>	<u>9/13/02</u>
<u>Social Services</u>	<u>Amendment – Name Change from Pinellas Cares, Inc. to 2-1-1 Tampa Bay Cares., Inc.</u>	<u>N/A</u>	<u>11/22/02</u>
<u>Social Services</u>	<u>Amendment No. 2 – Area on Aging of Pasco-Pinellas, Inc., Emergency Home Energy Assistance Program</u>	<u>\$15,851 Increase</u>	<u>11/12/02</u>

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<u>Utilities</u>	<u>Joint Project Agreement with FDOT for Relocation and Protection of Water Mains and Appurtenances Within Trotter Road</u>	<u>\$15,000 in Kind</u>	<u>11/18/02</u>
<u>Utilities</u>	<u>Interlocal Agreement with City of Clearwater for Recycling Collection Center Services</u>	<u>\$98,000</u>	<u>11/17/02</u>
<u>Utilities</u>	<u>Interagency Agreement with Pinellas County School Board for Professional Teaching Services at South Cross Bayou Water Reclamation Facility</u>	<u>\$80,000</u>	<u>11/11/02</u>
<u>Utilities</u>	<u>Cooperative Funding Agreement with SWFWMD - South County Reclaimed Water Aquifer Storage and Recovery Feasibility Study - Professional Consulting Services</u>	<u>\$75,000</u> <u>(SWFWMD - \$37,500</u> <u>Pinellas County - \$37,500)</u>	<u>11/4/02</u>

#13 AGREEMENT WITH JUVENILE WELFARE BOARD FOR THE COMMUNITY YOUTH MAPPING INITIATIVE AND YOUTH AS RESOURCES GRANT PROGRAMS

Agreement for the continuance of Community Youth Mapping Initiative and the Youth as Resources grant programs; Juvenile Welfare Board to reimburse in FY03 up to \$125,992.00 for the Community Youth Mapping Initiative Grant Program and \$46,099.00 for the Youth as Resources Grant Program for actual costs incurred for services rendered.

#14 NON-COMPETITIVE PURCHASE FROM VERIZON FLORIDA, INC. FOR 9-1-1 VESTA TELEPHONE SYSTEM (CONTRACT NO. 023-163-N)

Contract for purchase and installation of emergency 9-1-1 telephone system equipment from Verizon Florida, Inc. for Gulfport, St. Pete Beach, Treasure Island, Pinellas Park, Tarpon Springs, and Belleair Police Departments; estimated annual expenditure in the amount of \$783,542.88 (Gulfport Police Department, \$118,772.69; Treasure Island Police Department, \$118,772.69; St. Pete Beach Police Department \$118,772.69; Belleair Police Department, \$118,772.69; Tarpon Springs Police Department, \$93,348.36, Pinellas Park Police Department, \$215,103.76).

#15 BUDGET AMENDMENT NO. 1

Copy of Budget Amendment No. 1 filed and made a part of the minutes.

#16 RESOLUTIONS NOS. 02-315 THROUGH 02-318 SUPPLEMENTING GENERAL FUND AND CAPITAL PROJECTS FUND BUDGETS

- a. Resolution No. 02-315 appropriating earmarked receipts for a particular purpose in the FY 2003 General Fund Budget (Byrne Memorial Grants).
- b. Resolution No. 02-316 appropriating earmarked receipts for a particular purpose in the FY 2003 General Fund Budget as requested by the Sheriff (Sheriff's Weekend Boot Camp: About Face).
- c. Resolution No. 02-317 appropriating earmarked receipts for a particular purpose in the FY 2003 General Fund Budget as requested by the Sheriff (fund balance associated with prior year grants and excess fees).
- d. Resolution No. 02-318 appropriating earmarked receipts for a particular purpose in the FY 2003 Capital Projects Fund Budget (St. Petersburg Judicial Building).

#17 RESOLUTION NO. 02-319 SUPPLEMENTING THE FY 2002 GENERAL FUND BUDGET – TRANSFER TO TAX COLLECTOR

Resolution No. 02-319 appropriating earmarked receipts for a particular purpose in the FY 2002 General Fund Budget.

#18 NON-COMPETITIVE PURCHASE FROM XEROX CORPORATION – XEROX COPY MACHINES MAINTENANCE AGREEMENT (CONTRACT NO. 012-1010-N)

Contract for purchase of copy machine maintenance services from Xerox Corporation for an estimated annual expenditure not to exceed \$45,600.00 with prices firm for the 36-month term of the contract effective January 1, 2003, at an estimated expenditure not to exceed \$136,800.00; 24-month option of renewal at the same prices,

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terms and conditions subject to availability of funds and County Administrator approval (Contract No. 012-1010-N); and Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

#19 AWARD OF BIDS TO UNISOURCE, PENINSULAR PAPER COMPANY AND DADE PAPER COMPANY FOR ITEMS INDICATED (BID NO. 023-48-B)

Award of bids to Unisource, Peninsular Paper Company and Dade Paper Company for items indicated in the agenda memorandum dated December 17, 2002, which has been filed and made a part of the record, for 24-month contracts with two additional 12-month options of renewal at the same prices, terms and conditions, subject to availability of funds and County Administrator approval.

#20 FIRST OPTION OF RENEWAL AND AMENDMENT WITH LAKESIDE OCCUPATIONAL MEDICAL CENTER, P. A. FOR PRE-PLACEMENT PHYSICALS AND DRUG SCREENING (CONTRACT NO. 001-0005-P)

Contract renewed for an additional 12 months at same prices, terms and conditions effective December 18, 2002; estimated annual expenditure not to exceed \$27,000.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney; and amended to grant County Administrator authority to renew contract after completion of the first 12-month renewal period, per County Code 2-176(f).

#21 ITEMS FOR DISCUSSION FROM CONSENT AGENDA (COUNTY ADMINISTRATOR AND CLERK OF CIRCUIT COURT - ITEM NO. 20, APPROVAL OF FIRST OPTION OF RENEWAL AND AMENDMENT FOR PRE-PLACEMENT PHYSICALS AND DRUG SCREENING)

In response to query by Commissioner Seel, County Administrator Stephen M. Spratt indicated that pre-placement drug screenings are being phased out but will continue to be administered for positions requiring such screenings.

- #22a CHANGE ORDER NO. 1 TO CONTRACT WITH J.W. CONNER & SONS, INC. FOR CONSTRUCTION OF 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 (BID NO. 990-08636-C) (CONTRACT NO. 921563) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 1 to Contract No. 921563 with J.W. Conner & Sons, Inc. for Phases I and II for construction of an east-west connector road from Tampa Road to Race Track Road, increasing the contract by \$309,023.47 for a revised total contract in the amount of \$7,584,849.55.

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

- #22b CHANGE ORDER NO. 3 TO CONTRACT WITH CONE & GRAHAM, INC. FOR BRYAN DAIRY ROAD (C.R. 296) FROM 72<sup>ND</sup> STREET TO U.S. HIGHWAY 19 (BID NO. 990-0875-C) (CONTRACT NO. 920500) - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Change Order No. 3 to Contract No. 920500 for Bryan Dairy Road (C.R. 296) from 72<sup>nd</sup> Street to U.S. Highway 19, increasing the contract by \$834,412.44 for a revised total contract in the amount of \$28,629,972.12.

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

- #23 MATHEWS CONSTRUCTION AND WANNEMACHER RUSSELL ARCHITECTS, INC. SELECTED TO PROVIDE CONSULTANT SERVICES FOR TIERRA VERDE FIRE STATION NO. 2 DESIGN/BUILD PROJECT (C.I.P. NO. 713); STAFF AUTHORIZED TO INITIATE CONTRACT NEGOTIATIONS WITH SAID FIRMS

County Administrator Stephen M. Spratt recommended that the Board approve the Selection Advisory Committee's ranking of the firms most qualified to provide consultant services for the Tierra Verde Fire Station No. 2 Design/Build project (C.I.P. No. 713), as follows:

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1. Mathews Construction and Wannemacher Russell Architects, Inc.
2. Peter R. Brown Construction, Inc. and Fleischman Garcia
3. Biltmore Construction and Solah, Inc.

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firms, Mathews Construction and Wannemacher Russell Architects, Inc., and to finalize a contract with said firms for Board approval.

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

#24 CUMBey & FAIR SELECTED TO PROVIDE CONSULTANT SERVICES FOR THE STUDY AND DESIGN FOR REPLACEMENT OF PUMP STATION NO. 163 FORCE MAIN, PHASE II PROJECT (PROJECT NO. 723-901513-1596); 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 consultant services for the study and design for replacement of pump station No. 163 force main, Phase II project (Project No. 723-901513-1596), as follows:

1. Cumbey & Fair
2. McKim & Creed
3. George F. Young

He further recommended that staff be authorized to initiate contract negotiations with the number one ranked firm, Cumbey & Fair, 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.

#25 RESOLUTION NO. 02-320 ADOPTED SUPPLEMENTING RESOLUTION NO. 93-292 (AS SUPPLEMENTED BY RESOLUTION 93-322) AND RESOLUTIONS NOS. 94-77 AND 98-116; AUTHORIZING THE ISSUANCE BY THE COUNTY OF NOT EXCEEDING \$91,000,000.00 IN AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2003, TO FINANCE THE COST OF CERTAIN CAPITAL IMPROVEMENTS TO THE COUNTY'S SEWER SYSTEM, FUND THE RESERVE FUND REQUIREMENT THROUGH THE PURCHASE OF A SURETY BOND AND PAY THE COSTS OF ISSUANCE OF SUCH BONDS; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS CERTAIN PLEDGED FUNDS INCLUDING THE NET REVENUES OF SUCH SEWER SYSTEM, ALL MONEYS ON DEPOSIT IN AND INVESTMENTS HELD FOR THE CREDIT OF CERTAIN FUNDS CREATED HEREUNDER AND THE EARNINGS ON SUCH INVESTMENTS ON PARITY WITH CERTAIN OTHER OUTSTANDING BONDS; AUTHORIZING AND RATIFYING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT AND AN OFFICIAL NOTICE OF SALE; DESIGNATING FINANCIAL SECURITY ASSURANCE, INC. AS THE BOND INSURER OF THE SERIES 2003 BONDS; MAKING CERTAIN PROVISIONS AND DELEGATING CERTAIN RESPONSIBILITIES WITH RESPECT TO THE NOTICE, BIDDING AND SALE OF THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; APPOINTING A REGISTRAR AND PAYING AGENT; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

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County Administrator Stephen M. Spratt recommended adoption of a resolution pertaining to the issuance of Sewer Revenue Bonds, Series 2003, in an aggregate principal amount not exceeding \$91,000,000.00, for the purpose of upgrading, expanding, operating and maintaining the Pinellas County wastewater facilities to comply with state and federal regulations.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 02-320 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

#26 RESOLUTION NO. 02-321 ADOPTED AUTHORIZING AN AGREEMENT WITH NATURAL RESOURCE PLANNING SERVICES, INC. TO CONTINUE FORESTRY OPERATIONS SERVICES AND WILDLIFE MANAGEMENT PROJECT FOR PINELLAS COUNTY PROPERTIES AT AL-BAR AND CROSS BAR RANCHES AND TO WAIVE REQUIREMENTS OF THE PINELLAS COUNTY PURCHASING ORDINANCE TO CONTINUE SAID AGREEMENT

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County Administrator Stephen M. Spratt recommended adoption of a resolution and approval of an agreement with Natural Resource Planning Services, Inc. (NRPS) for forestry operations services and a wildlife management project for Pinellas County properties at Al-Bar and Cross Bar Ranches and to waive requirements of the Pinellas County purchasing ordinance to continue said agreement in the amount of \$986,437.00 for the five-year term, retroactive from November 3, 2002 through November 2, 2007; and providing for options of renewal for four additional five-year terms.

Commissioner Harris moved, seconded by Commissioner Latvala, that Resolution No. 02-321 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

#27 RESOLUTION NO. 02-322 ADOPTED AUTHORIZING AN AGREEMENT WITH ALBERT E. ROLLER TO CONTINUE PROFESSIONAL LAND MANAGEMENT SERVICES FOR PINELLAS COUNTY PROPERTIES AT AL-BAR AND CROSS BAR RANCHES AND TO WAIVE REQUIREMENTS OF THE PINELLAS COUNTY PURCHASING ORDINANCE TO CONTINUE SAID AGREEMENT

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County Administrator Stephen M. Spratt recommended adoption of a resolution and approval of an agreement with Albert E. Roller for professional land management services for Pinellas County properties at Al-Bar and Cross Bar Ranches and to waive requirements of the Pinellas County purchasing ordinance to continue said agreement in an estimated amount of \$2,256,400.00 for the five-year term, retroactive to November 3, 2002 through November 2, 2007; and providing for options of renewal for four additional five-year terms.

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Commissioner Morroni moved, seconded by Commissioner Latvala, that Resolution No. 02-322 be adopted as recommended by the County Administrator.

In response to query by Commissioner Stewart, Director of Utilities Pick Talley indicated that projected sales of pine straw and timber will offset most of the cost of the land management services.

Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

#28 RESOLUTION NO. 02-323 ADOPTED APPROVING ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF PINELLAS COUNTY OF ITS SINGLE FAMILY HOUSING BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$77,000,000.00 AND APPROVING THE HOUSING FINANCE AUTHORITY'S ACTIONS REGARDING ISSUING MULTI-COUNTY, SINGLE FAMILY HOUSING BONDS IN CALENDAR YEAR 2003 IN TWO OR MORE SERIES AND AUTHORIZING A STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) AGREEMENT WITH THE HOUSING FINANCE AUTHORITY FOR THE BENEFIT OF LOW, MODERATE AND MIDDLE INCOME FAMILIES

County Administrator Stephen M. Spratt recommended adoption of a resolution approving the issuance by the Housing Finance Authority of Pinellas County of its Single Family Housing Bonds in the aggregate amount not to exceed \$77,000,000.00 and approving the Authority's actions regarding issuing multi-county, single family housing bonds in calendar year 2003 in two or more series and authorizing a SHIP agreement with the Housing Finance Authority for the benefit of low, moderate and middle income families.

Commissioner Harris moved, seconded by Commissioner Welch, that Resolution No. 02-323 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

#29 RESOLUTION NO. 02-324 ADOPTED FINDING THAT PROJECT A2060432107 BE APPROVED AS A QUALIFIED APPLICANT PURSUANT TO SECTION 288.106, FLORIDA STATUTES; AND IDENTIFYING SOURCES OF LOCAL COUNTY FINANCIAL SUPPORT OF PROJECT A2060432107 AS LOCAL PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2004-2010

County Administrator Stephen M. Spratt recommended adoption of a resolution to amend and restate Resolution No. 02-258 which approved Project A2060432107 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identified sources of local County financial support of Project A2060432107 as local participation in the Qualified Target Industry Refund Program for fiscal years 2004-2010.

Commissioner Latvala moved, seconded by Commissioner Harris, that Resolution No. 02-324 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

#30 LEASE AGREEMENT WITH OLD PALM HARBOR PARTNERSHIP, INC. - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a lease agreement with Old Palm Harbor Partnership, Inc. for Block 104 of Town of Sutherland consisting of the White Chapel, a future activities building and a future parking lot; for a five-year term with 15 one-year renewals at \$1.00 per year.

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

#31 AUTHORITY GRANTED TO USE NEW STATUTORY LIMITS FROM THE CONSULTANT'S COMPETITIVE NEGOTIATIONS ACT (CCNA) FOR ONGOING AGREEMENTS

County Administrator Stephen M. Spratt recommended that the Board authorize the use of the new statutory project size limit of \$1,000,000.00 from the

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Consultant's Competitive Negotiations Act (CCNA) for design services for project construction costs up to a maximum of \$1,000,000.00, as addressed in Florida Statute 287.055(2)(g).

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

In response to query by Commissioner Welch, Mr. Spratt indicated that the Florida legislature had raised the limit from \$500,000.00 to \$1,000,000.00; that authorization is needed to comply with the recent legislation; and that no negative impact is anticipated.

Upon call for the vote, the motion carried unanimously.

#32 AMENDMENT NO. 2 TO CONSTRUCTION MANAGEMENT AGREEMENT WITH PETER R. BROWN CONSTRUCTION, INC. FOR THE ST. PETERSBURG JUDICIAL BUILDING RENOVATION PROJECT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of Amendment No. 2 to the Construction Management Agreement with Peter R. Brown Construction, Inc. for renovation of the St. Petersburg Judicial Building, resulting in a transfer of \$187,285.00 from the Guaranteed Maximum Price (GMP) to the Management Fee.

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

#33 CONTRACT WITH GROSZ & STAMPER CONSTRUCTION CO., INC. FOR CANOPY REPLACEMENT AND INSTALLATION PROJECT ACCEPTED AS COMPLETE (BID NO. 989-0708-C) - AUTHORIZATION FOR ASSESSMENT OF LIQUIDATED DAMAGES AND RELEASE OF RETAINAGE MONIES

County Administrator Stephen M. Spratt recommended that the General Construction Agreement with Grosz & Stamper Construction Co., Inc. for the Fleet Management canopy replacement at 9685 Ulmerton Road, Largo, and installation of a staff parking canopy at Old Station 17, 300 South Ft. Harrison Street, Clearwater, be accepted as complete as of August 8, 2000; that liquidated damages of \$4,200.00 for 14 calendar days be assessed; and that authorization be granted to release retainage monies

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in the amount of \$11,840.00 (retainage amount, \$16,040.00 less liquidated damages of \$4,200.00).

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

#34 CONSTRUCTION MANAGEMENT AGREEMENT WITH CREATIVE CONTRACTORS, INC. FOR THE JAIL MAXIMUM SECURITY RENOVATIONS TO THE BOOKING AND ADMINISTRATIVE AREAS ACCEPTED AS COMPLETE; AUTHORIZATION GRANTED FOR RELEASE OF RETAINAGE MONIES

County Administrator Stephen M. Spratt recommended that the Construction Management Agreement with Creative Contractors, Inc. for the jail maximum security renovations to the booking and administrative areas be accepted as complete as of October 25, 2002; and that the Board authorize release of retainage monies in the amount of \$104,461.01 to the aforesaid firm.

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

#35 INTERLOCAL AGREEMENT WITH PASCO COUNTY TO ESTABLISH FEES FOR THE USE OF THE PINELLAS COUNTY MEDICAL EXAMINER'S FACILITY - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of an Interlocal Agreement with Pasco County establishing fees for the use of the Pinellas County Medical Examiner's facility in order to recover costs; and further recommended payments of \$800.00 per autopsy performed on behalf of Pasco County by the Medical Examiner (payments consisting of a fixed rate portion of \$677.25 and a variable rate portion of \$122.75 for the initial 12 months of this agreement) effective as of October 1, 2002 and renewing automatically each year for a period of 20 years.

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

In response to query by Commissioner Seel, Assistant County Administrator Mark S. Woodard indicated that the anticipated population growth for

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Pasco County was based upon projections by the University of Florida Bureau of Economic and Business Research.

Upon call for the vote, the motion carried unanimously.

#36 INTERLOCAL AGREEMENT WITH CITY OF DUNEDIN TO ASSIST IN THE PURCHASE OF ST. ANDREW'S LINKS GOLF COURSE IN EXCHANGE FOR ACCESS FOR UNINCORPORATED RESIDENTS TO CERTAIN CITY OF DUNEDIN RECREATION FACILITIES - DEFERRED TO MEETING OF JANUARY 7, 2003

County Administrator Stephen M. Spratt recommended that Item No. 36, Interlocal Agreement with the City of Dunedin to assist in the purchase of St. Andrew's Links Golf Course in exchange for equal access to certain City of Dunedin recreation facilities, be deferred to the meeting of January 7, 2003

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

#37 ALCOHOL, DRUG ABUSE AND MENTAL HEALTH (ADM) PROGRAM MASTER AGREEMENT FOR FUNDING TO LOCAL AGENCIES - APPROVED; AUTHORIZATION GRANTED TO EXECUTE INDIVIDUAL AGREEMENTS PURSUANT TO FUNDING LEVEL MATRIX

County Administrator Stephen M. Spratt recommended approval of the Alcohol, Drug Abuse and Mental Health (ADM) Program Master Agreement for funding to local agencies; with authorization to execute individual agreements pursuant to the funding level matrix for Mental Health Funding Program Recommendations attached to the agenda memorandum having a total authorization of \$2,567,140.00 for Fiscal Year 2002-2003.

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

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#38 LETTER AGREEMENT AUTHORIZING ONE-MONTH EXTENSION TO GULF COAST JEWISH FAMILY SERVICES, INC. D/B/A GULF COAST COMMUNITY CARE, AND WORKNET PINELLAS NON-CUSTODIAL PARENT EMPLOYMENT PROGRAM CONTRACT - APPROVED FOR EXECUTION

County Administrator Stephen M. Spratt recommended approval of a one-month extension commencing January 1, 2003 through January 31, 2003 between WorkNet Pinellas and Gulf Coast Jewish Family Services, Inc. d/b/a Gulf Coast Community Care in the amount of \$42,630.00.

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

In response to query by Commissioner Seel, Director of WorkNet Pinellas Bonnie Moore indicated that the WorkNet Board of Directors approved the vendor at its meeting of December 4, 2002.

Upon call for the vote, the motion carried unanimously.

#39a RESOLUTION NO. 02-325 ADOPTED URGING THE GOVERNOR'S APPROVAL OF THE DEPARTMENT OF CHILDREN AND FAMILIES' BUDGET AMENDMENT TO AVOID MID-YEAR CUTS IN ADULT MENTAL HEALTH SERVICES

County Administrator Stephen M. Spratt recommended adoption of a resolution urging the Governor's approval of the Department of Children and Families' budget amendment to avoid mid-year cuts in adult mental health services; and alluded to a joint meeting with the Pinellas Legislative Delegation earlier that day in which the issue was discussed.

Commissioner Latvala moved, seconded by Commissioner Morroni, that Resolution No. 02-325 be adopted as recommended by the County Administrator and the Pinellas Legislative Delegation. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: Todd.

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#39b WORKNET PINELLAS, REGION 14 FIVE-YEAR STRATEGIC PLAN MODIFICATIONS - APPROVED

County Administrator Stephen M. Spratt recommended approval of the WorkNet Pinellas, Region 14's Five-Year Strategic Plan Modifications; and noted that the WorkNet Board had adopted the Pinellas County procurement procedures at its meeting on December 4, 2002.

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

In response to query by Commissioner Stewart, Commissioner Welch indicated that the newly adopted procurement procedures include a master Request for Proposal (RFP); and Mr. Spratt related that acceptance of the County guidelines will simplify the procurement process.

Upon call for the vote, the motion carried unanimously.

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At this time, 3:35 P.M., Chairman Todd entered the meeting.

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#39c IMPLEMENTATION AND MONITORING OF 2003 RECREATIONAL GRANT PROGRAM - APPROVED

County Administrator Stephen M. Spratt recommended that the Board approve the implementation and monitoring of the 2003 Recreational Grant Program; and indicated that the grant review team included the Park Advisory Board and the Youth Advisory Committee in addition to staff.

Park Department Director Elizabeth A. Warren presented a brief overview in which she related that 51 requests were received; and that 29 projects are recommended for funding in the total amount of \$1,794,000.00.

In response to query by the Chairman, Ms. Warren indicated that she will meet with the School Board in January to discuss interlocal agreements for partnership with the school system; and indicated that a system to track and monitor each project is being developed.

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Noting that reserve funds are available, Commissioner Seel recommended that the scholarship fund be increased to \$200,000.00; whereupon, Chairman Todd requested that Ms. Warren return with additional information at a later date.

Thereupon, Commissioner Harris moved, seconded by Commissioner Latvala and carried, that the recommendation of the County Administrator be approved as presented with the understanding that additional funding for scholarships may be considered as the need arises.

#40 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. Chase Manhattan Mortgage Corporation versus Margaret M. Raphial, et al., Circuit Civil Case No. 02-9010-CI - Mortgage Foreclosure Involving a Subordinate Mortgage.
- b. Chase Manhattan Mortgage Corporation versus Leslie R. Castle, et al., Circuit Civil Case No. 02-9145-CI-015 - Mortgage Foreclosure Involving Judgments for Fine and Costs and Attorney Fees and Costs.
- c. Citifinancial Mortgage Company versus Nathan Bostick, et al., Circuit Civil Case No. 02-8997-CI-19 - Mortgage Foreclosure Involving a Deferred Payment Mortgage.
- d. Washington Mutual Bank versus Neil Joseph Cardamone, et al., Circuit Civil Case No. 02-8954-CI-8 - Mortgage Foreclosure Involving a Street Lighting Lien.
- e. John Calkins versus Pinellas County, Civil Action No. 8:02CV2076-T-23TGW - Allegations of Violations of Title VII of Civil Rights Act of 1964.
- f. Late' Cordrey, as Mother and Natural Guardian of Shaun Stevens, a Minor, and Late' Cordrey, Individually versus Pinellas County Sheriff's Office - Circuit Civil Case No. 02-8900-CI-8 - Allegations of Excessive Force.

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- g. Bryan Robert Eckley versus Christopher Boehmer and Pinellas County Sheriff's Office - Circuit Civil Case No. 02-8529-CI-13 - Allegations of Negligence Causing Bodily Injury.

#41 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 Latvala moved, seconded by Commissioner Harris and carried, that the following contracts for fiscal year 2002-2003 be approved:

- a. Provision for Crime Scene and Latent Fingerprint Services and Property and Evidence Storage for the City of Clearwater.
- b. Provision for Safe Neighborhood Grant-Funded Community Policing for the Pinellas County Housing Authority for the French Villas, Lakeside Terrace and Heatherwood Apartments.
- c. Provision of Law Enforcement Services for the Pinellas County Housing Authority's Rainbow Village.

#42 AUTHORIZATION GRANTED FOR SETTLEMENT IN THE CLAIM OF RICHARD MORGAN VERSUS PINELLAS COUNTY GOVERNMENT - WORKERS' COMPENSATION CLAIM NO. 02-034205SPT

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the claim of Richard Morgan versus Pinellas County Government - Workers' Compensation Claim No. 02-034205SPT, as outlined in her confidential memorandum to the Board dated December 17, 2002.

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

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#43 AUTHORIZATION GRANTED FOR SETTLEMENT IN THE CLAIM OF TORRANCE MARSHALL VERSUS EVERETT S. RICE, SHERIFF OF PINELLAS COUNTY, IN HIS OFFICIAL CAPACITY AND ERIC GIBSON, INDIVIDUALLY - CIVIL ACTION CASE NO. 8:01-CIV-2120-T-24MAP, CLAIM NO. 00-62029

County Attorney Susan H. Churuti recommended that authorization be granted for settlement in the claim of Torrance Marshall versus Everett S. Rice, Sheriff of Pinellas County, in his official capacity and Eric Gibson, individually, Civil Action Case No. 8:01-CIV-2120-T-24MAP, as outlined in her confidential memorandum to the Board dated December 17, 2002.

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

#44a APPOINTMENT OF SENIOR ASSISTANT COUNTY ATTORNEY DENNIS R. LONG - CONFIRMED

County Attorney Susan H. Churuti recommended that the Board confirm the appointment of Dennis R. Long to the position of Senior Assistant County Attorney, effective January 6, 2003, at a salary of \$100,000.00.

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

#44b MEDIATION SETTLEMENT OFFER IN ACS STATE & LOCAL SOLUTIONS, INC., F/K/A LOCKHEED MARTIN IMS CORPORATION VERSUS THE PINELLAS WAGES COALITION, ET AL., CASE NO. 01-009324-CI-21 - TEMPORARILY DEFERRED TO MEETING OF JANUARY 7, 2003

County Attorney Susan H. Churuti recommended that Item 44b, Mediation Settlement Offer in ACS State & Local Solutions, Inc. versus the Pinellas Wages Coalition, et al., Case No. 01-009324-CI-21 be temporarily deferred to the meeting of January 7, 2003; and no objection was noted.

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#44c COUNTY ATTORNEY AUTHORIZED TO APPEAL FINAL DETERMINATION OF AGENCY FOR WORKFORCE INNOVATION RE CLOSEOUT AUDITS OF PINELLAS WORKFORCE DEVELOPMENT BOARD, INC. AND CAREER OPTIONS OF PINELLAS, INC. FOR THE PERIOD JULY 1, 2000 THROUGH JANUARY 19, 2001

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County Attorney Susan H. Churuti requested authorization to appeal the final determination of the Agency for Workforce Innovation regarding closeout audits of the Pinellas Workforce Development Board, Inc. and Career Options of Pinellas, Inc. for the period July 1, 2000 through January 19, 2001 as outlined in her confidential memorandum to the Board dated December 17, 2002.

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

#45 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A ECONOMIC DEVELOPMENT AUTHORITY AND S. M. STOLLER CORPORATION AT THE YOUNG-RAINEY STAR CENTER - APPROVED FOR EXECUTION

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Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Economic Development Authority, County Administrator Stephen M. Spratt recommended approval of a Lease Agreement between the Economic Development Authority and S. M. Stoller Corporation at the Young-Rainey STAR Center, for a term of one year commencing December 1, 2002 and ending November 30, 2003, with a monthly rental payment in the amount of \$2,164.65 for 1,763 square feet of office and administration space.

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

#46 RESOLUTION NO. 02-326 OF THE PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY D/B/A THE PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY ADOPTED PERTAINING TO THE ISSUANCE OF THE PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (XTREME ENERGY, INC. PROJECT), SERIES 2003, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$2,500,000.00 FOR THE PURPOSE OF MAKING A LOAN OF FUNDS TO XTREME ENERGY, INC., IN ORDER TO FINANCE AND REFINANCE THE COST OF THE PURCHASE OF MANUFACTURING EQUIPMENT AND CERTAIN RENOVATIONS FOR A MANUFACTURING FACILITY, INCLUDING COSTS OF ISSUANCE OF THE BONDS, IN PINELLAS COUNTY, FLORIDA; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCING AGREEMENT TO PROVIDE SECURITY FOR SUCH BONDS; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE FOREGOING; AUTHORIZING THE CHAIRMAN OR VICE CHAIRMAN OF THE AUTHORITY TO AWARD THE PRIVATE PLACEMENT OF THE BONDS WITH M.H. MEYERSON & CO., INC. AND APPROVING THE CONDITIONS OF SUCH PLACEMENT; MAKING CERTAIN OTHER APPOINTMENTS; AND PROVIDING CERTAIN OTHER DETAILS IN CONNECTION THEREWITH

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Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority d/b/a the Pinellas County Economic Development Authority, County Administrator Stephen M. Spratt recommended adoption of a resolution pertaining to the issuance of Pinellas County Industrial Development Authority Industrial Development Revenue Bonds (Xtreme Energy, Inc. Project), Series 2003, to finance the costs of renovation of an existing building and the acquisition of equipment to be used to manufacture its products.

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 02-326 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.

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#47 INTERLOCAL AGREEMENT TO PROVIDE FIRE PREVENTION INSPECTION SERVICES BY THE CITY OF SOUTH PASADENA IN THE TIERRA VERDE FIRE PROTECTION DISTRICT - APPROVED FOR EXECUTION

Noting for the record that the Board is now sitting as the Pinellas County Fire Protection Authority, County Administrator Stephen M. Spratt recommended approval of an Interlocal Agreement to provide fire prevention inspection services by the City of South Pasadena in the Tierra Verde Fire Protection District, commencing on December 1, 2002 through September 30, 2003, renewing annually for a term commencing October 1 to September 30 of the following year, for a period not to exceed five years.

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

#48a ECONOMIC DEVELOPMENT REPORT

Director of Economic Development Richard "Buzz" David distributed the 2002 Economic Development Annual Report, a copy of which has been filed and made a part of the record; and presented an update regarding the Business Assistance Program.

Cynthia Spearman, Senior Manager, Business Assistance, highlighted recent successes with area businesses; and announced an upcoming job fair for highly skilled job seekers and an entrepreneurial class to begin in January 2003.

In response to query by Chairman Todd, Mr. David reported that more than 300 participants had attended the Pinellas Redevelopment Opportunities Summit on December 12 and 13; and that he had received a number of positive responses following the summit.

#48b BELLEAIR SEWER SYSTEM ACQUISITION REPORT

Director of Utilities Pick Talley reported that Pinellas County Utilities had been approached by the Town of Belleair to provide sewer service to the community; and that a draft sale and purchase agreement will be presented to the Town of Belleair in January 2003 for its review.

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In response to queries by Commissioner Seel and Chairman Todd, Mr. Talley reported that it is difficult for small utility plants to meet environmental standards; and indicated that he will pursue possible acquisition of other small utility systems within the county.

#49 APPOINTMENTS AND REAPPOINTMENTS TO COMMITTEE/BOARD VACANCIES FOR 2003 - APPROVED

Commissioner Harris moved, seconded by Commissioner Seel and carried, that appointments and reappointments to Committee/Board vacancies for 2003 be approved.

#50 APPOINTMENTS TO PINELLAS COUNTY ARTS COUNCIL - APPROVED

Commissioner Todd presented nominations for the Pinellas County Arts Council; whereupon, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the nominees be appointed.

#51 APPOINTMENTS OF THOMAS De CESARE, CITY OF MADEIRA BEACH, MAYOR; ROBERT DiNICOLA, CITY OF INDIAN ROCKS BEACH, MAYOR; AND PETER BENGSTON, CITY OF SEMINOLE, VICE-MAYOR, TO PINELLAS PLANNING COUNCIL FOR TWO-YEAR TERM 2003-2004 - APPROVED

Commissioner Harris moved, seconded by Commissioner Welch and carried, that Mayor Thomas De Cesare, City of Madeira Beach, be appointed to the Pinellas Planning Council (PPC) for Group A, consisting of the cities of Madeira Beach, St. Pete Beach and Treasure Island.

Commissioner Harris moved, seconded by Commissioner Latvala and carried, that Mayor Robert DiNicola, City of Madeira Beach, be appointed to the PPC for Group B, consisting of the cities of Belleair Beach, Belleair Shore, Indian Rocks Beach, Indian Shores, North Redington Beach, Redington Beach and Redington Shores.

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Commissioner Harris moved, seconded by Commissioner Seel, that Mayor William B. Smith, Town of Kenneth City, be appointed to the PPC for Group C, consisting of the cities of Belleair, Belleair Bluffs, Gulfport, Kenneth City, Seminole and South Pasadena.

Following discussion in which PPC Executive Director David P. Healey clarified that each of the six cities in Group C is entitled to its own independent nomination, Commissioner Seel offered a substitute motion, seconded by Commissioner Stewart and carried, that Vice-Mayor Peter Bengston, City of Seminole, be appointed to the PPC for Group C.

#52a REAPPOINTMENT OF ROBERT CARR TO PALM HARBOR COMMUNITY SERVICES DISTRICT - APPROVED

Upon motion by Commissioner Morroni, seconded by Commissioner Seel and carried, the reappointment of Robert Carr to a two-year term to the Palm Harbor Community Services District was approved.

#52b APPOINTMENT OF WILLIAM C. HARDY TO PINELLAS PUBLIC LIBRARY COOPERATIVE BOARD OF DIRECTORS - APPROVED

Upon motion by Commissioner Morroni, seconded by Commissioner Seel and carried, the appointment of William C. Hardy to complete the unexpired term of Robert Lane was approved.

#52c COMMISSIONER STEWART RE JOB CORPS UPDATE

Commissioner Stewart reported that representatives from the Department of Labor visited Pinellas County during the week of December 9 to review two sites under consideration for the possible location of a Job Corps Center; and that a selection will be announced in mid-March.

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#52d COMMISSIONER MORRONI RE VARIOUS MATTERS

Commissioner Morroni announced that a town meeting will be held in Tierra Verde at 6:30 P.M. on December 18; congratulated Commissioner Seel for her efforts regarding the Redevelopment Opportunities Summit; and wished everyone happy holidays.

#52e COMMISSIONER SEEL RE VARIOUS MATTERS

Commissioner Seel requested information regarding the implementation of the Mile Marker Program on Gulf Boulevard; reported that she had attended the Animal Services celebration; thanked Time Warner, Inc. for its promotion of Channel 18; commended Highway Department employees for their work with the McKay Creek flood abatement project; and wished a safe and happy holiday season to all.

#52f COMMISSIONER WELCH RE REDEVELOPMENT SUMMIT, PROPOSED JOB CORPS SITES AND MEETING WITH LEALMAN RESIDENTS

Commissioner Welch commended Commissioner Seel for her leadership regarding the Redevelopment Opportunities Summit; commented regarding the two sites under consideration for a proposed Job Corps Center; and commended Mr. Spratt and Community Development staff for conducting a meeting with Lealman residents regarding the incorporation issue.

#52g COMMISSIONER LATVALA RE TAMPA BAY WATER FUTURE DESAL PLANT

Commissioner Latvala reported that she and Tampa Bay Water (TBW) staff had met with residents from the Bardmoor area regarding a proposed brackish water desalination plant; that the meeting was well received; and wished happy holidays and a peaceful new year to all.

#52h COMMISSIONER HARRIS RE TRANSIT AUTHORITY IMPROVEMENTS AND WATER CONSERVATION

Commissioner Harris announced that the Pinellas Suncoast Transit Authority (PSTA) is considering additional routes and has added another commuter route to Tampa; encouraged consumers to conserve water by storing water jugs in the refrigerator; and extended holiday greetings to all.

#52i CHAIRMAN TODD RE VARIOUS MATTERS

Chairman Todd announced that Commissioner Latvala is a candidate for vice president of the Florida Association of Counties (FAC); whereupon, Commissioner Harris moved, seconded by Commissioner Welch and carried, that Chairman Todd be authorized to write a letter indicating the Board's unanimous support of Commissioner Latvala's candidacy.

Chairman Todd offered comments regarding her attendance at today's joint meeting with the Pinellas Legislative Delegation; the National Association of Counties (NACo) Board of Directors meeting; and a State of the State meeting regarding international economic development. She reported that as a result of a meeting regarding the homeless situation she has requested that Assistant County Administrator D. Gay Lancaster establish a special initiative or task force to deal with the issue.

The Chairman thanked her colleagues for the privilege of serving as Chairman; and wished everyone happy holidays.

\* \* \* \*

At the direction of the Chairman, there being no objection, the meeting was recessed at 5:05 P.M. and reconvened at 6:34 P.M.

\* \* \* \*

YOUTH ADVISORY COMMITTEE REPORT

Chairman Aaron Connelly presented the Youth Advisory Committee (YAC) report and noted that the committee supports the proposed interlocal agreement

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with the City of Dunedin regarding the St. Andrew's Links Golf Course; expressed appreciation to County Administrator Stephen M. Spratt and Park Department Director Elizabeth A. Warren for their input with regard to the recreation grant proposals; reported that he met with the Recreational Advisory Committee and encouraged the Board to pursue dialogue with the cities concerning recreation issues; and distributed the committee's position statement regarding the mangrove trimming and preservation ordinance. Thereupon, YAC committee member Travis Marn distributed a document entitled "Fluoridation of Pinellas County Water" and stated that the YAC unanimously voted to support fluoridation of the County's water supply.

\* \* \* \*

Chairman Todd deviated from the agenda and directed, there being no objection, that agenda Item No. 64t be addressed.

\* \* \* \*

#64t APPLICATION OF WILDER CORPORATION OF DELAWARE THROUGH JOEL R. TEW, ESQUIRE, TEW, BARNES & ATKINSON, L.L.P., REPRESENTATIVE, FOR A CHANGE OF ZONING FROM CR TO CP-1 AND RPD-12.5, A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL LOW MEDIUM AND PRESERVATION TO RESIDENTIAL/OFFICE/RETAIL, RESIDENTIAL MEDIUM AND PRESERVATION AND A DEVELOPER'S AGREEMENT (Z/LU-1-11-02) – TEMPORARILY DEFERRED

Pursuant to legal notice published in the November 29, 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 Wilder Corporation of Delaware through Joel R. Tew, Esquire, for a change of zoning from CR to CP-1 and RPD-12.5, a change in land use designation from residential low medium and preservation to residential/office/retail, residential medium and preservation and a Developer's Agreement, re approximately 38.7 acres on the east side of U.S. Highway 19, 1,440 feet south of Klosterman Road (street address: 37969 U.S. Highway 19 North) (Z/LU-1-11-02). Deputy Clerk Claretha N. Harris stated that 28 letters and one petition containing 679 signatures in favor of and

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181 letters and three petitions containing 60 signatures in opposition to the application have been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that the applicant has requested a continuance; and noted that staff has no objection.

Joel Tew, Esquire, cited grounds for a continuance, and advised that advance notice had been given to all interested parties. He indicated that discussions are ongoing with several homeowners associations and neighboring property owners with regard to the resolution of traffic issues; and that private funding for the acceleration of the Belcher Road extension is being explored. Mr. Tew related that the applicant is contemplating limiting the re-use of the existing facility on Alderman Road in order to mitigate traffic impact on U.S. Highway 19; and that additional time is required to meet with staff to discuss the issues.

Following discussion, Commissioner Stewart moved, seconded by Mr. Harris, that the request for a continuance be granted.

In response to query by Commissioner Welch, County Attorney Susan H. Churuti stated that for due process purposes, all testimony and evidence should be heard simultaneously; and that no testimony should be heard at this hearing should the request for continuance be granted.

Following further discussion, and upon call for the vote, the motion carried 5 to 2 with Commissioners Seel and Latvala casting the dissenting votes.

\* \* \* \*

Later in the meeting, following discussion, Chairman Todd instructed Mr. Cassel to ensure that all interested parties are notified of the next hearing date.

\* \* \* \*

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#53 PETITION OF HADI ADAMS AND NATASCHA HECKMANN TO VACATE A PORTION OF A 15.0-FOOT DRAINAGE AND UTILITY EASEMENT DESCRIBED AS THE NORTH 5.0 FEET OF THE SOUTH 15.0 FEET OF LOT 28, BARRY ESTATES, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 15 EAST – GRANTED; RESOLUTION NO. 02-327 ADOPTED

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Pursuant to legal notice published in the November 29, 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 Hadi Adams and Natascha Heckmann to vacate a portion of a 15.0-foot drainage and utility easement described as the north 5.0 feet of the south 15.0 feet of Lot 28, Barry Estates, as recorded in Plat Book 93, Pages 7 through 9, located in the southwest quarter of Section 17, Township 30 South, Range 15 East.

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

Southwest Florida Water Management District  
Pinellas County Utilities  
Florida Power Corporation  
Verizon Florida, Inc.  
Verizon Media Ventures, Inc.  
Time Warner Communications

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

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted.

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

Commissioner Harris moved, seconded by Commissioner Morroni, that the petition to vacate be granted; and that Resolution No. 02-327 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.

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#54 PETITION OF VIRGINIA PEPIN-DONAT AND RONALD PEPIN-DONAT TO VACATE A 7.50-FOOT BY 39.80-FOOT BY 8.82-FOOT BY 0.30-FOOT BY 44.90-FOOT PORTION OF A 10.0-FOOT DRAINAGE AND UTILITY EASEMENT ON LOT 21, FOREST GROVE PHASE III, LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 15 EAST – GRANTED; RESOLUTION NO. 02-328 ADOPTED

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Pursuant to legal notice published in the November 29, 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 Virginia Pepin-Donat and Ronald Pepin-Donat to

vacate a 7.50-foot by 39.80-foot by 8.82-foot by 0.30-foot by 44.90-foot portion of a 10.0-foot drainage and utility easement on Lot 21, Forest Grove Phase III, as recorded in Plat Book 74, Page 3, located in the northeast quarter of Section 11, Township 28 South, Range 15 East.

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

Southwest Florida Water Management District  
Department of Environmental Protection  
Pinellas County Utilities  
Florida Power Corporation  
Verizon Florida, Inc.  
Verizon Media Ventures, Inc.  
Time Warner Communications

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

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted.

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

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Commissioner Seel moved, seconded by Commissioner Latvala, that the petition to vacate be granted; and that Resolution No. 02-328 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.

#55 **PETITION OF LOIS KROH, TRUSTEE OF THE LOIS L. GUDSON TRUST U/T/D 9/27/94, TO VACATE A 59.67-FOOT BY 2.79-FOOT BY 58.60-FOOT BY 1.60-FOOT BY 1.53-FOOT PORTION OF A 7.5-FOOT DRAINAGE AND UTILITY EASEMENT ON LOT 82, HIGHLAND LAKES UNIT FIFTEEN PHASE 3, LOCATED IN THE NORTHEAST QUARTER OF SECTION 05, TOWNSHIP 28 SOUTH, RANGE 16 EAST – GRANTED; RESOLUTION NO. 02-329 ADOPTED**

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Pursuant to legal notice published in the November 29, 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 Lois Kroh, Trustee of the Lois L. Gudson Trust u/t/d 9/27/94, to vacate a 59.67-foot by 2.79-foot by 58.60-foot by 1.60-foot by 1.53-foot portion of a 7.5-foot drainage and utility easement on Lot 82, Highland Lakes Unit Fifteen Phase 3, as recorded in Plat Book 88, Pages 58 and 59, located in the northeast quarter of Section 05, Township 28 South, Range 16 East.

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

Homeowners Association  
Pinellas County Utilities  
Florida Power Corporation  
Verizon Florida, Inc.  
Florida Media Ventures, Inc.  
Time Warner Communications

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

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted.

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

Commissioner Harris moved, seconded by Commissioner Seel, that the petition to vacate be granted; and that Resolution No. 02-329 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.

#56 **PETITION OF McDONALD'S CORPORATION THROUGH STEPHANIE TYRRELL, REPRESENTATIVE, AND POSSUM PROPERTIES, INC. TO VACATE A PORTION OF 6.0-FOOT UTILITY EASEMENTS ON LOTS 10, 11 AND 12, AND 3.0-FOOT UTILITY EASEMENTS ON LOTS 13, 14, 31 AND 32; REQUEST FOR QUITCLAIM DEED FOR A 5.0-FOOT SEWER EASEMENT AND 6.0-FOOT UTILITY EASEMENT ON LOT 13, ALL BEING IN KEN-TRE ADDITION TO PINELLAS PARK, FLORIDA SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 30 SOUTH, RANGE 16 EAST – GRANTED; RESOLUTION NO. 02-330 ADOPTED**

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Pursuant to legal notice published in the November 29, 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 McDonald's Corporation through Stephanie Tyrrell and Possum Properties, Inc. to vacate a portion of 6.0-foot utility easements on Lots 10, 11 and 12, and 3.0-foot utility easements on Lots 13, 14, 31 and 32, all being in Ken-Tre Addition to Pinellas Park, Florida Subdivision, as recorded in Plat Book 15, Page 21, located in the southeast quarter of Section 31, Township 30 South, Range 16 East; and request for a Quitclaim Deed with regard to Lot 13 for a 5.0-foot sewer easement acquired in OR Book 2233, Page 730 and a 6.0-foot utility easement acquired in OR Book 2233, Page 731.

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

Pinellas County Utilities  
City of St. Petersburg  
Florida Power Corporation  
Verizon Florida, Inc.  
TECO/Peoples Gas  
Verizon Media Ventures, Inc.  
Time Warner Communications

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

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted; and further recommended that the Quitclaim Deed be executed.

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; that Resolution No. 02-330 be adopted; and that the Quitclaim Deed be executed 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.

#57 PETITION OF MATT AND MICHELLE SCHOEPPE, DENNIS AND ROSABELLA De MILLE, BILLY CHRUSCIAL, AND BARRY L. AND PAT KNORR TO VACATE A 242.0-FOOT PORTION OF A 30.0-FOOT RIGHT-OF-WAY KNOWN AS SEMES STREET, LYING SOUTH OF BLOCK 4 AND NORTH OF BLOCK 5, ULMERTON, LOCATED IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 30 SOUTH, RANGE 15 EAST – GRANTED WITH AUTHORIZATION TO RECORD RESOLUTION, DRAINAGE AND UTILITY EASEMENTS (4); RESOLUTION NO. 02-331 ADOPTED

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Pursuant to legal notice published in the November 29, 2002 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public

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hearing was held on the petition of Matt and Michelle Schoeppe, Dennis and Rosabella De Mille, Billy Chruscial, and Barry L. and Pat Knorr to vacate a 242.0-foot portion of a 30.0-foot right-of-way known as Semes Street, lying south of Block 4 and north of Block 5, Ulmerton, as recorded in Hillsborough Plat Book 6, Page 31, located in the northwest quarter of Section 11, Township 30 South, Range 15 East.

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

Pinellas County Utilities  
Florida Power Corporation  
Verizon Florida, Inc.  
Verizon Media Ventures, Inc.  
Time Warner Communications

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

County Administrator Stephen M. Spratt recommended that the vacation be granted and easements accepted; and further recommended that a resolution be adopted vacating the above-described area, and authorize the Clerk to attest and record the resolution, drainage and utility easements (4).

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

In response to query by Commissioner Seel, Director of Public Works J. Keith Wicks indicated that a report will be forthcoming with regard to the vacation status of the surrounding property.

Commissioner Seel moved, seconded by Commissioner Welch, that the petition to vacate be granted; and that Resolution No. 02-331 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.

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#58 PETITION OF WILLIAM H. SMART AND ELAINE P. SMART TO VACATE A PORTION OF A 10.0-FOOT DRAINAGE AND UTILITY EASEMENT DESCRIBED AS THE NORTH 3.0 FEET OF THE WEST 41.47 FEET OF THE SOUTH 10.0 FEET OF LOT 51, SOUTHWOOD UNIT 2, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 29 SOUTH, RANGE 15 EAST – GRANTED; RESOLUTION NO. 02-332 ADOPTED

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Pursuant to legal notice published in the November 29, 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 William H. Smart and Elaine P. Smart to vacate a portion of a 10.0-foot drainage and utility easement described as the north 3.0 feet of the west 41.47 feet of the south 10.0 feet of Lot 51, Southwood Unit 2, as recorded in Plat Book 60, Page 85, located in the southwest quarter of Section 24, Township 29 South, Range 15 East.

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

Pinellas County Utilities  
City of Clearwater  
Clearwater Gas System  
Florida Power Corporation  
Verizon Florida, Inc.  
Verizon Media Ventures, Inc.  
Time Warner Communications

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

County Administrator Stephen M. Spratt stated that staff recommends the vacation be granted.

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

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Commissioner Harris moved, seconded by Commissioner Welch, that the petition to vacate be granted; and that Resolution No. 02-332 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.

#59 CONSIDERATION OF PROPOSED AMENDMENT TO THE PINELLAS COUNTY COMPREHENSIVE PLAN ADOPTING A NEW ELEMENT CONTAINING PRINCIPLES TO GUIDE LOCAL DECISION-MAKING ON ISSUES OF ECONOMIC VITALITY, ENVIRONMENTAL QUALITY, AND LONG-TERM COMMUNITY SUSTAINABILITY; AUTHORIZATION GRANTED FOR TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW AND COMMENT

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Pursuant to legal notice published in the November 29, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of a proposed amendment to the Pinellas County Comprehensive Plan adopting a new element containing principles to guide local decision-making on issues of economic vitality, environmental quality, and long-term community sustainability. Deputy Clerk Clareth N. Harris reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public comment on the proposed amendment and authorize its transmittal to the Florida Department of Community Affairs for review and comment.

The Local Planning Agency Review and Recommendation for approval of the requested amendment was filed and made a part of the record.

At the request of Chairman Todd, Director of Planning Brian K. Smith presented a brief explanation of the proposed amendment.

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

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

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#60 **CONSIDERATION OF PROPOSED AMENDMENTS TO TABLE 4 OF THE FUTURE LAND USE ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; AUTHORIZATION GRANTED FOR TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW AND COMMENT**

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Pursuant to legal notice published in the November 29, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of proposed amendments to Table 4 of the Future Land Use Element of the Pinellas County Comprehensive Plan. Deputy Clerk Clarethia N. Harris reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public comment on the proposed amendments and authorize transmittal to the Florida Department of Community Affairs for review and comment.

The Local Planning Agency Review and Recommendation for approval of the requested amendments was filed and made a part of the record.

At the request of Chairman Todd, Director of Planning Brian K. Smith summarized the proposed amendments.

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

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

#61 **CONSIDERATION OF PROPOSED AMENDMENTS TO THE TRANSPORTATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; AUTHORIZATION GRANTED FOR TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW AND COMMENT**

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Pursuant to legal notice published in the November 29, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of proposed amendments to the Transportation Element of the Pinellas County Comprehensive Plan. Deputy Clerk Clarethia N. Harris reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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County Administrator Stephen M. Spratt recommended that the Board receive public comment on the proposed amendments and authorize transmittal to the Florida Department of Community Affairs for review and comment.

The Local Planning Agency Review and Recommendation for approval of the requested amendments was filed and made a part of the record.

At the request of Chairman Todd, Director of Planning Brian K. Smith presented a brief explanation of the proposed amendments.

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

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

#62 **CONSIDERATION OF PROPOSED AMENDMENTS TO THE RECREATION AND OPEN SPACE ELEMENT, THE NATURAL, HISTORIC AND CULTURAL RESOURCES ELEMENT AND COASTAL MANAGEMENT ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; AUTHORIZATION GRANTED FOR TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW AND COMMENT**

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Pursuant to legal notice published in the November 29, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of proposed amendments to the goals, objectives and policies of the Recreation and Open Space Element of the Pinellas County Comprehensive Plan providing policy direction for the County's active recreation initiative; and amending the Coastal Management, and the Natural, Historic and Cultural Resources Elements of the Pinellas County Comprehensive Plan relating to the siting of water dependent land uses and the protection of marine resources. Deputy Clerk Claretha N. Harris reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public comment on the proposed amendments and authorize transmittal to the Florida Department of Community Affairs for review and comment.

The Local Planning Agency Review and Recommendation for approval of the requested amendments was filed and made a part of the record.

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Assistant County Administrator Jacob F. Stowers, III presented an overview of the proposed amendments.

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

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

#63 CONSIDERATION OF PROPOSED AMENDMENTS TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; AUTHORIZATION GRANTED FOR TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW AND COMMENT

Pursuant to legal notice published in the November 29, 2002 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of proposed amendments to the Capital Improvements Element of the Pinellas County Comprehensive Plan. Deputy Clerk Clarethia N. Harris reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt recommended that the Board receive public comment on the proposed amendments and authorize transmittal to the Florida Department of Community Affairs for review and comment.

The Local Planning Agency Review and Recommendation for approval of the requested amendments was filed and made a part of the record.

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

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

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#64a APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN K. SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL RURAL AND TRANSPORTATION/UTILITY TO PRESERVATION-RESOURCE MANAGEMENT (LU-12-11-02) – WITHDRAWN

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Pursuant to legal notice published in the November 29, 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 Pinellas County Planning Director through Brian K. Smith, Representative, for a change in land use designation from residential rural and transportation/utility to preservation-resource management, re approximately 15.87 acres located approximately one-half mile north of the northern terminus of Old East Lake Road (LU-12-11-02). Deputy Clerk Claretha N. Harris reported that the application has been withdrawn.

#64b APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN K. SMITH, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM C-1 TO P-1A, AND A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE LIMITED (Z/LU-17-11-02) - WITHDRAWN

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Pursuant to legal notice published in the November 29, 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 Pinellas County Planning Director through Brian K. Smith, Representative, for a change of zoning from C-1 to P-1A and a change in land use designation from residential urban to residential/office limited, re approximately 0.414 acre located on the south side of 54<sup>th</sup> Avenue North, 128 feet west of 37<sup>th</sup> Street North (street address: 3720 54<sup>th</sup> Avenue North) (Z/LU-17-11-02). Deputy Clerk Claretha N. Harris reported that the application has been withdrawn.

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- #64c APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN K. SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM COMMERCIAL GENERAL AND RESIDENTIAL/OFFICE/RETAIL TO PRESERVATION-RESOURCE MANAGEMENT (LU-19-11-02) – WITHDRAWN
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Pursuant to legal notice published in the November 29, 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 Pinellas County Planning Director through Brian K. Smith, Representative, for a change in land use designation from commercial general and residential/office/retail to preservation-resource management, re approximately 1.17 acres located on the west side of U.S. Highway 19, one-half mile south of the Pinellas/Pasco County line (LU-19-11-02). Deputy Clerk Clarethia N. Harris reported that the application has been withdrawn.

- #64d APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN K. SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL RURAL TO PRESERVATION-RESOURCE MANAGEMENT (LU-20-11-02) – WITHDRAWN
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Pursuant to legal notice published in the November 29, 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 Pinellas County Planning Director through Brian K. Smith, Representative, for a change in land use designation from residential rural to preservation-resource management, re approximately 22.52 acres located along the Pinellas/Pasco County line, one-quarter mile west of Old East Lake Road (LU-20-11-02). Deputy Clerk Clarethia N. Harris reported that the application has been withdrawn.

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#64e APPLICATION OF JOHN W. LARSEN AND LOUISE M. LARSEN AND IRVEN B. ALBRIGHT AND PATRICIA F. ALBRIGHT THROUGH ARLENA DOMINICK, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM C-2 TO M-1 AND A CHANGE IN LAND USE DESIGNATION FROM COMMERCIAL GENERAL TO INDUSTRIAL LIMITED (Z/LU-7-11-02) – APPROVED; RESOLUTION NO. 02-333 ADOPTED; ORDINANCE NO. 02-99 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

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Pursuant to legal notice published in the November 29, 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 W. Larsen and Louise M. Larsen and Irven B. Albright and Patricia F. Albright through Arlena Dominick for a change of zoning from C-2 to M-1 and a change in land use designation from commercial general to industrial limited, re approximately 3.692 acres on the north side of 102<sup>nd</sup> Avenue North, 180 feet to 450 feet west of 66<sup>th</sup> Street North (street addresses: 10330 and 10340 66<sup>th</sup> Street North) (Z/LU-7-11-02).

Deputy Clerk Clareth N. Harris 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-2 to M-1 and a change in land use from commercial general to industrial limited were filed and made a part of the record.

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

Commissioner Welch moved, seconded by Commissioner Harris, that Resolution No. 02-333 be adopted approving the zoning application, and that Ordinance No. 02-99 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (Z/LU-7-11-02). 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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#64f APPLICATION OF LORRAINE CARRIER AND PATRICK CARRIER, C/O W. LANGSTON HOLLAND, ESQUIRE, THROUGH C. RANDOLPH WEDDING, WEDDING, STEPHENSON AND IBARGUEN, ARCHITECTS, INC., REPRESENTATIVE, FOR A CHANGE OF ZONING FROM C-2 AND A-E TO RPD-5 AND A CHANGE IN LAND USE DESIGNATION FROM COMMERCIAL RECREATION TO RESIDENTIAL LOW (Z/LU-3-11-02) – APPROVED; RESOLUTION NO. 02-334 ADOPTED APPROVING ZONING APPLICATION; STAFF AUTHORIZED TO TRANSMIT CHANGE IN LAND USE DESIGNATION TO STATE DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW AND COMMENT

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Pursuant to legal notice published in the November 29, 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 Lorraine Carrier and Patrick Carrier, c/o W. Langston Holland, Esquire, through C. Randolph Wedding, Wedding, Stephenson and Iburguen, Architects, Inc., for a change of zoning from C-2 and A-E to RPD-5 and a change in land use designation from commercial recreation to residential low, re approximately 16.6 acres located on the north side of Gandy Boulevard, 1,555 feet east of Brighton Bay Boulevard Northeast (Z/LU-3-11-02)

Deputy Clerk Claretha N. Harris 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-2 and A-E to RPD-5 and a change in land use from commercial recreation to residential low 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 Welch moved, seconded by Commissioner Seel, that Resolution No. 02-334 be adopted approving the zoning application, and that the requested change in land use designation be approved, with authorization for staff to transmit to the State Department of Community Affairs for review and comment. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#64g APPLICATION OF PACIFIC AND SOUTHERN COMPANY, INC. D/B/A WTSP-TV THROUGH SAM ROSENWASSER FOR A CHANGE OF ZONING FROM C-2 TO PSP (Z-11-11-02) – APPROVED; RESOLUTION NO. 02-335 ADOPTED

Pursuant to legal notice published in the November 29, 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 Pacific and Southern Company, Inc. d/b/a WTSP-TV through Sam Rosenwasser for a change of zoning from C-2 to PSP, re approximately 7.1076 acres on the north side of Gandy Boulevard (street address: 11450 Gandy Boulevard) (Z-11-11-02). Deputy Clerk Claretha N. Harris reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

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

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

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

Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 02-335 be adopted approving zoning application Z-11-11-02. 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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#64h APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL ESTATE TO PRESERVATION-RESOURCE MANAGEMENT (LU-22-11-02) - APPROVED; AUTHORIZATION GRANTED FOR TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW AND COMMENT

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Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian Smith, Representative, for a change in land use designation from residential estate to preservation-resource management, re approximately 10.43 acres, of which 10.088 acres of residential estate are proposed for amendment, located one-half mile due south of the southern terminus of Ranch Road (LU-22-11-02). Deputy Clerk Claretha N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested land use designation from residential estate to preservation-resource management were filed and made a part of the record.

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

Commissioner Harris moved, seconded by Commissioner Latvala, that the requested change in land use designation be approved, with authorization for staff to transmit to the State Department of Community Affairs for review and comment. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#64i APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM UNDESIGNATED TO RECREATION/OPEN SPACE (LU-18-11-02) - APPROVED; ORDINANCE NO. 02-100 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

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Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian Smith, Representative, for a change in land use designation from undesignated to recreation/open space, re approximately 3.34 acres located on the north side of Bay Pines Boulevard west of Park Street (LU-18-11-02). Deputy Clerk Clareth N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested land use designation from undesignated to recreation/open space were filed and made a part of the record.

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

Commissioner Latvala moved, seconded by Commissioner Morrioni, that Ordinance No. 02-100 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (LU-18-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#64j APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN K. SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL URBAN TO COMMERCIAL GENERAL (LU-16-11-02) – TEMPORARILY DEFERRED FOR 30 DAYS

Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian K. Smith, Representative, for a change in land use designation from residential urban to commercial general, re approximately 0.427 acre located on the south side of 52<sup>nd</sup> Avenue North, 125 feet west of Interstate 275 (street address: 2416 52<sup>nd</sup> Avenue North) (LU-16-11-02). Deputy Clerk Claretha N. Harris stated that the application is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends that the application be continued for 30 days.

In response to the Chairman's call for persons wishing to be heard, Theodore Bunnell appeared and requested clarification with regard to the zoning and land use designation discrepancies on his property; whereupon, Director of Development Review Services Paul Cassel indicated that a 30-day continuance is being requested in order to allow staff time to review and correct the apparent discrepancies affecting the subject neighborhood.

Commissioner Stewart moved, seconded by Commissioner Morroni and carried, that Case No. LU-16-11-02 be temporarily deferred for 30 days.

#64k APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM PUBLIC/SEMI-PUBLIC TO RESIDENTIAL URBAN (LU-15-11-02) - APPROVED; ORDINANCE NO. 02-101 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian Smith, Representative, for a change in land use designation from public/semi-

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public to residential urban, re approximately .72 acre located on the east side of 58<sup>th</sup> Street and west side of George Boulevard, 110 feet north of Russell Street (street addresses: 15481 58<sup>th</sup> Street North and 15450 George Boulevard) (LU-15-11-02). Deputy Clerk Clarethia N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested land use designation from public/semi-public to residential urban 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 Seel moved, seconded by Commissioner Welch, that Ordinance No. 02-101 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (LU-15-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#641 APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM PUBLIC/SEMI-PUBLIC TO RESIDENTIAL URBAN (LU-14-11-02) - APPROVED; ORDINANCE NO. 02-102 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

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Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian Smith, Representative, for a change in land use designation from public/semi-public to residential urban, re approximately .72 acre located on the east side of 58<sup>th</sup> Street and west side of George Boulevard, 110 feet north of Russell Street (street

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addresses: 15495 58<sup>th</sup> Street North and 15500 George Boulevard) (LU-14-11-02). Deputy Clerk Claretha N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested land use designation from public/semi-public to residential urban were filed and made a part of the record.

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

Commissioner Harris moved, seconded by Commissioner Welch, that Ordinance No. 02-102 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (LU-14-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#64m APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM UNDESIGNATED TO RECREATION/OPEN SPACE (LU-13-11-02) - APPROVED; ORDINANCE NO. 02-103 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

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Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian Smith, Representative, for a change in land use designation from undesignated to recreation/open space, re approximately 7.091 acres located on the north side of Walsingham Road, 429 feet west of Ridge Road (LU-13-11-02). Deputy Clerk Claretha N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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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 requested land use designation from undesignated to recreation/open space were filed and made a part of the record.

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

Commissioner Harris moved, seconded by Commissioner Morroni, that Ordinance No. 02-103 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (LU-13-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#64n APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL ESTATE TO PRESERVATION-RESOURCE MANAGEMENT (LU-10-11-02) - APPROVED; ORDINANCE NO. 02-104 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian Smith, Representative, for a change in land use designation from residential estate to preservation-resource management, re approximately 2.49 acres located within the Brooker Creek Preserve (LU-10-11-02). Deputy Clerk Clareth N. Harris reported that one letter in opposition to the application has been received; and that the matter is properly before the Board to be heard.

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

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The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested land use designation from residential estate to preservation-resource management were filed and made a part of the record.

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

Commissioner Harris moved, seconded by Commissioner Welch, that Ordinance No. 02-104 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (LU-10-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#64o APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR THROUGH BRIAN SMITH, REPRESENTATIVE, FOR A CHANGE IN LAND USE DESIGNATION FROM PUBLIC/SEMI-PUBLIC TO RECREATION/OPEN SPACE (LU-9-11-02) - APPROVED; ORDINANCE NO. 02-105 ADOPTED APPROVING LAND USE APPLICATION, SUBJECT TO REVIEW AND APPROVAL BY THE COUNTYWIDE PLANNING AUTHORITY

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Pursuant to legal notice published in the November 29, 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 the Pinellas County Planning Director through Brian Smith, Representative, for a change in land use designation from public/semi-public to recreation/open space, re approximately 3.66 acres located on the former Seaboard Coastline Railroad right-of-way north of the Anclote River, east of Alternate U.S. 19 (LU-9-11-02). Deputy Clerk Clareth N. Harris reported that no correspondence relative to the application has been received; and that the matter is properly before the Board to be heard.

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

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested land use designation from public/semi-public to recreation/open space were filed and made a part of the record.

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

Commissioner Harris moved, seconded by Commissioner Latvala, that Ordinance No. 02-105 be adopted approving the land use application, subject to review and approval by the Countywide Planning Authority (LU-9-11-02). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#64p APPLICATION OF BRIAN JAMES WAUGH FOR A CHANGE OF ZONING FROM A-E TO P-1 AND RM-12.5 AND A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL MEDIUM TO RESIDENTIAL/OFFICE GENERAL (Z/LU-8-11-02) – TEMPORARILY DEFERRED

Pursuant to legal notice published in the November 29, 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 Brian James Waugh for a change of zoning from A-E to P-1 and RM-12.5 and a change in land use designation from residential medium to residential/office general, re approximately 1.10 acres on the east side of McMullen Booth Road, 357 feet north of Gulf to Bay Boulevard (street address: 311 McMullen Booth Road) (Z/LU-8-11-02). Deputy Clerk Clarethia N. Harris stated that five letters and one petition containing 31 signatures in opposition to the application have been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt indicated that staff recommends denial of the zone change from A-E to P-1 and the land use amendment to residential/office general (0.22 acre), and approval of the zone change from AE to RM-12.5 (0.88 acre).

The Local Planning Agency/Examiner Findings of Fact and Recommendation for denial of the change of zoning from A-E to P-1 and a change in land use designation from residential medium to residential/office general, and approval of the change of zoning from A-E to RM-12.5 were filed and made a part of the record.

Director of Development Review Services Paul Cassel referred to an aerial photograph and identified the surrounding land uses. He explained that this is a two-part

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application; and indicated that the request for professional zoning and residential/office general land use on the west side of the property is being denied as it is inconsistent with the surrounding residential properties.

Applicant Brian Waugh related that he is willing to accept the more restrictive P-1A zoning on the commercial portion of the property; and that he would be amenable to E-1 zoning which limits construction to one residence on the residential portion of the property.

In response to the Chairman's call for opponents to the application, John Vella expressed his concern with regard to subsequent owners rezoning the property.

In rebuttal, Mr. Waugh acknowledged that any piece of property can be sold and potentially rezoned; whereupon, he requested reconsideration at a subsequent Examiner's hearing should the application be denied.

Responding to query by the Chairman, Mr. Cassel indicated that he is agreeable to bringing the application back to an Examiner's hearing to address the issues surrounding the subject property.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that the application be rescheduled for a future Examiner's hearing.

#64q APPLICATION OF SKYLARK R.O. ASSOCIATION, INC., THROUGH ED ARMSTRONG, JOHNSON, BLAKELY, POPE, BOKOR, RUPPEL & BURNS, REPRESENTATIVE, FOR A CHANGE OF ZONING FROM R-6 TO C-2 AND A CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL URBAN AND TRANSPORTATION/UTILITY TO COMMERCIAL GENERAL AND TRANSPORTATION/UTILITY (Z/LU-6-11-02) – WITHDRAWN

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Pursuant to legal notice published in the November 29, 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 Skylark R.O. Association, Inc. through Ed Armstrong, Johnson, Blakely, Pope, Bokor, Ruppel & Burns, Representative, for a change of zoning from R-6 to C-2 and a change in land use designation from residential urban and transportation/utility to commercial general and transportation/utility, re approximately 13.04 acres at the northeast corner of S.R. 580 and Summerdale Drive (street address: 2526 S.R. 580 East) (Z/LU-6-11-02). Deputy Clerk Claretha N. Harris reported that the application has been withdrawn.

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#64r APPLICATION OF JAMES G. RAYES THROUGH GARY BRUNDAGE FOR A CHANGE OF ZONING FROM A-E TO RPD-5 (Z-4-11-02) – DENIED WITHOUT PREJUDICE; RESOLUTION NO. 02-336 ADOPTED

Pursuant to legal notice published in the November 29, 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 James G. Rayes through Gary Brundage for a change of zoning from A-E to RPD-5, re approximately 3.09 acres, 160.96 feet south of Haines Bayshore Road, on the west side of Allendale Drive (Z-4-11-02). Deputy Clerk Claretha N. Harris reported that one petition containing 20 signatures in opposition to the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Stephen M. Spratt stated that the applicant has requested that the application be modified and scheduled for reconsideration at a future Examiner's hearing.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for denial of the requested change of zoning from A-E to RPD-5 was filed and made a part of the record.

Gary Brundage, B & L Homes Development, stated that he represents the applicant who is requesting a continuance in order to modify the application and include a site plan for the subject property; whereupon, Chairman Todd suggested that a denial without prejudice would enable the applicant to move forward with a revised application which would be rescheduled for an Examiner's hearing.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Morroni, that Resolution No. 02-336 be adopted denying the application without prejudice.

In response to the Chairman's call for persons wishing to be heard, Marie Palace, Clearwater, appeared and requested that the developer meet with the neighbors in an attempt to address the unresolved issues surrounding the application; whereupon, Chairman Todd requested that Mr. Cassel obtain the name and address of a neighborhood representative to assist in coordinating a meeting between the applicant and the property owners.

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Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#64s 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 NOVEMBER 19, 2002 MEETING) - DENIED WITHOUT PREJUDICE; RESOLUTION NO. 02-337 ADOPTED

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Pursuant to legal notice published in the November 29, 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 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 change in land use designation from residential low to commercial general and commercial neighborhood and a Developer's Agreement, re approximately 1.575 acres at the northwest corner of 54<sup>th</sup> Avenue North and Interstate 275 (street addresses: 2504, 2538, 2530, 2520, 2510, 2500 55<sup>th</sup> Avenue North) (Z/LU-2-09-02). Deputy Clerk Clareth N. Harris 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 stated that based upon a traffic control issue, the applicant has requested that the application be withdrawn.

William H. Howell, Treasure Island, appeared and indicated that an amended application will be submitted for reconsideration at a future Examiner's hearing.

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Commissioner Latvala moved, seconded by Commissioner Welch, that Resolution No. 02-337 be adopted denying the application without prejudice. 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 7:57 P.M.

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Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

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