

Clearwater, Florida, January 25, 2000

The Board of County Commissioners in and for the County of Pinellas met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 9:35 A.M. on this date with the following members present: Robert B. Stewart, Chairman; Calvin D. Harris, Vice-Chairman; Sallie Parks; Barbara Sheen Todd; and Karen Williams Seel.

Absent: None.

Also Present: Fred E. Marquis, County Administrator; Susan H. Churuti, County Attorney; C. R. Short, Chief Deputy Clerk; and Richard Day, Board Reporter.

Reverend Christine King, Curlew United Methodist Church, Palm Harbor, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Todd.

AGENDA

INVOCATION

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

PRESENTATIONS & AWARDS

A. CITIZENS TO BE HEARD

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

B. CONSENT AGENDA

CLERK OF CIRCUIT COURT

1. Approval of Minutes - Meeting of January 11, 2000
2. Reports - None
3. Other Approvals:
 - a. General:
 1. Recommendation that the Board of County Commissioners Approve the Write-off of \$706.75 in Uncollectible Receivables (Returned Checks).
 - b. Satisfactions of Judgments and Liens.
4. Miscellaneous Items to be Received for Filing:

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- a. Official Traffic Regulations Submitted by the County Traffic Engineer.
- b. Correspondence from the City of St. Petersburg Regarding Notice of Public Hearing Scheduled for January 20, 2000 for Proposed Creation of Dome Industrial Park Pilot Project Community Redevelopment Area.
- c. City of Clearwater Notice of Public Hearing to be Held on January 25, 2000 Regarding Requests for Annexation, Land Use Plan and Zoning Atlas Amendments.
- d. City of Largo Notice of Public Hearing to be Held on February 1, 2000 Regarding Ordinances Nos. 2000-22 and 2000-26 through 29, Annexing Certain Properties.

COUNTY ADMINISTRATOR

Budget and Finance

5. Budget Amendments: None.

Public Works

6. Approval of Subdivision Plats and Related Items.

General

7. Approval of Satisfaction of Mortgage (Housing) - Lawrence Smith and Ann Smith.
8. Approval of Release of Lien (Housing) - Louise Moncur Allen.
9. Adoption of a Resolution for Assessment of Liens against Lands Cleared.

REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

11. Approval to Execute Amendment No. 3 to the Agreement for Fuel Hydrant System Study/Renovations Engineering Services at the St. Petersburg-Clearwater International Airport.
12. Approval to Execute Amendment No. 1 to the Interlocal Agreement for Sidewalk Improvements along Meres Boulevard from U. S. Alternate 19 to Carolina Avenue.

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13. Approval of Consultant Selection - North County Reclaimed Water Master Plan.
14. Approval of Amendment No. 7 to the Florida Department of Environmental Protection Contract, Sand Key Phase IV Nourishment Project.

Utilities

15. Adoption of a Resolution Approving an Innovative Recycling Grant Application.

General

16. Approval of Non-Competitive Purchase - 800 MHZ Radio Communications Equipment and Accessories.
17. Approval of Appointment of Director of Building Department.
18. Approval of Agreement for Purchase of Easement from John D. Perrie.
19. Approval of the Thirteenth Lease Amendment with Community Service Foundation, Inc.
20. Approval of Second Amendment to the Lease Agreement with First Avenue Associates of St. Pete, LTD.
21. Approval of Specific Performance Agreement with Working Capitol Florida - Partners for Self-Employment, Inc.
22. Adoption of a Resolution Supplementing the FY00 General Fund Budget - Mobile Home Tie Down/Strap Grant.
23. Adoption of a Resolution Reallocating Reserves for Future Years - Seminole Fire Districts.
24. Approval of Countywide Tourism Visioning Process.
25. Approval of Notice of Financial Assistance Award from the U .S. Department of Energy - Cooperative Agreement for a Microfabrication Laboratory at the Pinellas STAR Center.
26. Other Administrative Matters.

CLERK OF CIRCUIT COURT

27. Approval of Vouchers and Bills:
 - a. Weekly Vouchers and Bills.

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- b. Requisition of Payment and Certificate to the Solid Waste Disposal and Resource Recovery System Construction Trust Account:
 - 1. Payment Order No. C-0186 in the Amount of \$621,521.00 to Wheelabrator Pinellas, Inc.

COUNTY ATTORNEY

- 28. Authority for County Attorney to Defend:
 - a. BA Mortgage, LLC, etc. v. Susan J. Heuchert, et ux, et al. - Circuit Civil No. 00-70-CI-13 - Mortgage Foreclosure Involving a Street Lighting Lien.
 - b. GMAC Mortgage Corporation v. James Earl Harris, et al. - Circuit Civil Case No. 00-238-CI-21 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs and a Judgment for Fine and Costs.
 - c. Crossland Mortgage Corp. v. Tanna M. Kitson, et al. - Circuit Civil Case No. 00-232-CI-7 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs and a Judgment for Fine and Costs.
 - d. Nationscredit Financial Services Corp. v. Dennis W. Davis, et al. - Circuit Civil Case No. 00-1899-CI-15 - Mortgage Foreclosure Involving Judgments for Attorneys Fees and Costs and Judgments for Fines and Costs.
 - e. Bayou Marketing Group v. Stephen P. Stavrakis, et al. - Circuit Civil Case No. 99-8046-CI-7 - Quiet Title Action Involving a Judgment for Attorneys Fees and Costs and a Judgment for Costs.
- 29. Authority to File Suit Against Lake Tarpon Hotel, Inc.
- 30. Authority to Settle Claim of Ruth and Donald Cochran and their Son Ronald Wilson - Claim No. GC9957085.
- 31. Request for Authority to Advertise an Ordinance Authorizing the Expenditure of County Funds to Provide for Incentives and Awards for Employees, Individuals and Organizations Providing Outstanding Services to the Community.
- 32. Request for Approval of Settlement of Danmark Superfund Site.
- 33. Miscellaneous.

ECONOMIC DEVELOPMENT AUTHORITY

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34. Approval of Property Transfer Agreement and Bill of Sale with Performax3, Inc. at the STAR Center.
35. Approval of Property Transfer Agreement and Bill of Sale with Don Ackerman at the STAR Center.

EMERGENCY MEDICAL SERVICES AUTHORITY

36. Approval of Appointments to the Emergency Medical Services (EMS) Medical Control Board.

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

37. Proposed Ordinance Amending the Development Order for Tarpon Lake Village Pursuant to Chapter 380, Florida Statutes.
38. Proposed Ordinance Providing that Ordinance 82-26, as Amended, be Amended by Extending the Term of a Cable Television Franchise for Pinellas County to Time Warner Entertainment - Advance Newhouse Partnership.
39. Proposed Ordinance Providing that Ordinance 82-27, as Amended, be Amended by Extending the Term of a Cable Television Franchise for Pinellas County to Time Warner Entertainment-Advance Newhouse Partnership.

D. COUNTY ADMINISTRATOR REPORTS

40. None.

E. COUNTY COMMISSION

41. Approval of Re-Appointments to the Housing Finance Authority of Pinellas County.
42. Miscellaneous.

ADJOURNMENT

PLAQUE PRESENTED TO LARRY R. ROBINSON, GENERAL SERVICES DEPARTMENT, FOR 30 YEARS OF SAFE DRIVING

—

Chairman Stewart presented a plaque to Larry R. Robinson, General Services

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Department, for 30 years of safe driving.

VIDEO PRESENTATION RE SOCIAL SERVICES INDIGENT HEALTH CARE

Director of Social Services Evelyn R. Bethell presented a video relative to Social Services Indigent Health Care.

CITIZENS TO BE HEARD

H. Patrick Wheeler, 3066 Landmark Boulevard, Unit 1302, Palm Harbor, offered his comments regarding cable television franchise fee recalculations; whereupon, he reviewed a letter regarding recalculation of fees which he had received from Ashpaugh & Sculco, CPAs, PLC dated January 13, 2000, a copy of which has been filed and made a part of the record.

CONSENT AGENDA ITEMS NOS 1 THROUGH 9 - APPROVED

Upon presentation by Chairman Stewart, Commissioner Parks moved, seconded by Commissioner Harris and carried, that the Consent Agenda consisting of items Nos. 1 through 9 be approved as follows:

#1 APPROVAL OF MINUTES

Minutes of regular meeting of January 11, 2000.

#2 REPORTS RECEIVED FOR FILING - NONE

#3 OTHER APPROVALS

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- a. General
 - (1) Authorization for write-off of uncollectible receivables (returned checks) in the amount of \$706.75.
- b. Satisfactions of Judgements and Liens
 - (1) Satisfactions of various judgements for attorney fees and costs and release of various paving, drainage and street lighting assessment liens which have been paid in full.

#4 MISCELLANEOUS ITEMS RECEIVED

- a. Official Traffic Regulations submitted by the County Traffic Engineer.
- b. Correspondence from City of St. Petersburg re Notice of Public Hearing scheduled for January 20, 2000 for proposed creation of Dome Industrial Park Pilot Project Community Redevelopment Area.
- c. City of Clearwater Notice of Public Hearing to be held on January 25, 2000 re requests for annexation, land use plan and zoning atlas amendments.
- d. City of Largo Notice of Public Hearing to be held February 1, 2000 re Ordinances Nos. 2000-22 and 2000-26 through 29, annexing certain properties.

#5 BUDGET AMENDMENTS - NONE

#6 SUBDIVISION PLATS AND RELATED ITEMS

- a. Cypress Hollow

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1. Conservation Easement accepted for recording.
- b. Suncoast Autobuilders
 1. Release of funds in the amount of \$1,435.94 to Suncoast Autobuilders, 5180 113th Avenue North, Clearwater, Florida 33760, Attention: Stan Cummings.
- c. Coachman Hill Preserve
 1. Completion Bond No. 08141873 accepted in the amount of \$35,857.25.
- d. Largo Lakes Traffic Signal
 1. Completion Bond accepted in the amount of \$199,266.00.
- e. Charolais Place
 1. Letter of Credit No. 99-34 accepted in the amount of \$42,200.95.
- f. Kapok Grand
 1. Plat approved.
- g. Lot 25, Seaside Sanctuary
 1. Release of funds in the amount of \$207.90 to Mr. Jeff Glass, P.O. Box 174, Crystal Beach, Florida 34681.

#7 SATISFACTION OF MORTGAGE (HOUSING)

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- a. Lawrence Smith and Ann Smith

#8 RELEASE OF LIEN (HOUSING)

- a. Louise Moncur Allen

#9 LOT CLEARING RESOLUTION

Resolution No. 00-20 assessing liens against lands cleared in Pinellas County pursuant to Chapter 78-599, Laws of Florida, and Pinellas County Code Chapter 58 Article IX, Section 338, directing that this resolution be filed in the public records office of the Clerk of the Circuit Court of Pinellas County, Florida.

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

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#11 AMENDMENT NO. 3 TO AGREEMENT WITH TAMPA BAY ENGINEERING, INC. FOR ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT FUEL HYDRANT SYSTEM STUDY/RENOVATIONS ENGINEERING SERVICES - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of Amendment No. 3 to the Agreement with Tampa Bay Engineering, Inc. for the St. Petersburg-Clearwater International Airport Fuel Hydrant System Study/Renovations Engineering Services, increasing the agreement by \$14,287.00 (revised total agreement, \$128,987.00).

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

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#12 FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN CITY OF TARPON SPRINGS AND PINELLAS COUNTY FOR CONSTRUCTION OF SIDEWALK IMPROVEMENTS ALONG MERES BOULEVARD FROM PINELLAS TRAIL TO CAROLINA AVENUE - APPROVED FOR EXECUTION

-

County Administrator Fred E. Marquis recommended approval of the First Amendment to Interlocal Agreement with the City of Tarpon Springs for sidewalk improvements along Meres Boulevard from the Pinellas Trail to Carolina Avenue.

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

#13 CAMP, DRESSER & McKEE, INC. SELECTED TO PROVIDE CONSULTANT SERVICES RE NORTH COUNTY RECLAIMED WATER MASTER PLAN - STAFF AUTHORIZED TO NEGOTIATE CONTRACT WITH SAID FIRM

-

County Administrator Fred E. Marquis recommended that the Board approve the ranking of the firms most qualified to provide professional services re the North County Reclaimed Water Master Plan as follows:

Camp, Dresser & McKee, Inc.
McKim & Creed Engineers
Tampa Bay Engineering, Inc.

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

Following discussion, Commissioner Parks moved, seconded by

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Commissioner Harris and carried, that Camp, Dresser & McKee, Inc. be selected to provide the desired services, and that authorization be granted for staff to initiate contract negotiations for Board approval as recommended by the County Administrator.

#14 AMENDMENT NO. 7 TO CONTRACT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) OFFICE OF BEACHES AND COASTAL SYSTEMS RE SAND KEY PHASE IV NOURISHMENT PROJECT (DEP CONTRACT NO. C-7023) - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of Amendment No. 7 to the contract with the Florida Department of Environmental Protection (DEP) Office of Beaches and Coastal Systems re Sand Key Phase IV Nourishment Project (DEP Contract No. C-7023).

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

#15 RESOLUTION NO. 00-21 ADOPTED APPROVING THE PINELLAS COUNTY INNOVATIVE RECYCLING GRANT APPLICATION

—

County Administrator Fred E. Marquis recommended the adoption of a resolution approving the Pinellas County Innovative Recycling Grant application and transmitting the proposal to the Florida Department of Environmental Protection (FDEP) requesting \$200,000.00 for the development of a computerized solid waste composition model which will assist the County and other counties in the development of future solid waste and recycling programs, with Utilities budgeting approximately \$30,000.00 for the project.

Following discussion, Commissioner Seel moved, seconded by Commissioner Parks and carried, that Resolution No. 00-21 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

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Ayes: Stewart, Harris, Parks, Todd and Seel.

Nays: None.

Absent and not voting: None.

#16 NONCOMPETITIVE PURCHASE OF 800 MHZ RADIO COMMUNICATIONS EQUIPMENT AND ACCESSORIES FROM MOTOROLA COMMUNICATIONS (BID NO. 990-0433-N) - APPROVED

—
County Administrator Fred E. Marquis recommended approval of the noncompetitive purchase of radio communication equipment compatible with the 800 MHZ intergovernmental radio communication system from Motorola Communications for an annual estimated expenditure in the amount of \$300,000.00.

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

#17 APPOINTMENT OF ROBERT D. NAGIN TO EXEMPT POSITION OF DIRECTOR OF BUILDING DEPARTMENT - APPROVED

—
Pursuant to recommendation by County Administrator Fred E. Marquis, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the appointment of Robert D. Nagin to the exempt position of Director of the Building Department at Pay Grade E-15, with an annual salary of \$73,569.60, effective February 1, 2000 be approved.

#18 AGREEMENT WITH JOHN D. PERRIE FOR PURCHASE OF UTILITY EASEMENT, UTILITIES DEPARTMENT - APPROVED FOR EXECUTION

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County Administrator Fred E. Marquis recommended approval of an agreement with John D. Perrie for the purchase of a utility easement, Utilities Department, in the amount of \$5,000.00 plus any closing costs not to exceed \$200.00.

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

#19 THIRTEENTH LEASE AMENDMENT TO REVISED AND RESTATED LEASE AGREEMENT WITH COMMUNITY SERVICE FOUNDATION INCORPORATED - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of the Thirteenth Lease Amendment to Revised and Restated Lease Agreement with Community Service Foundation Incorporated to delete four properties from the current list of houses reflected on Exhibit AA.@

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

#20 SECOND AMENDMENT TO LEASE AGREEMENT WITH FIRST AVENUE ASSOCIATES OF ST. PETE, LTD. - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of the Second Amendment to Lease Agreement with First Avenue Associates of St. Pete, Ltd.

Commissioner Todd moved, seconded by Commissioner Parks and carried, that the request of the County Administrator be approved.

#21 RESOLUTION NO. 00-22 ADOPTED APPROVING SPECIFIC PERFORMANCE AGREEMENT NO. WCF-99-CDBG-01 WITH WORKING CAPITOL FLORIDA -

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PARTNERS FOR SELF-EMPLOYMENT, INC. IN SUPPORT OF A 1999-00
COMMUNITY DEVELOPMENT ACTIVITY

—

County Administrator Fred E. Marquis recommended adoption of a resolution approving Specific Performance Agreement No. WCF-99-CDBG-01 with Working Capitol Florida - Partners for Self-Employment, Inc. in support of a 1999-00 Community Development Activity.

In response to queries by Commissioner Seel, Frank Bowman, Community Development Department, advised that he is project manager of the subject program which provides assistance to individuals in preparing applications for small business loans; and that loans in increments of \$500, \$1,000 and \$1,500 may be obtained through Working Capitol Florida by individuals wishing to establish a credit history to qualify for a loan in the regular market.

Commissioner Harris moved, seconded by Commissioner Seel, that Resolution No. 00-22 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

Ayes: Stewart, Harris, Parks, Todd and Seel.

Nays: None.

Absent and not voting: None.

#22 RESOLUTION NO. 00-23 ADOPTED SUPPLEMENTING FY00 GENERAL FUND
BUDGET TO APPROPRIATE EARMARKED RECEIPTS FOR A PARTICULAR
PURPOSE (MOBILE HOME TIE DOWN/STRAP GRANT)

—

County Administrator Fred E. Marquis recommended adoption of a resolution supplementing the FY00 General Fund Budget to appropriate earmarked receipts for a particular purpose (mobile home tie down/strap grant).

Commissioner Harris moved, seconded by Commissioner Parks, that

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Resolution No. 00-23 be adopted as recommended by the County Administrator. Upon roll call, the vote was:

Ayes: Stewart, Harris, Parks, Todd and Seel.

Nays: None.

Absent and not voting: None.

#23 RESOLUTION NO. 00-24 ADOPTED REALLOCATING RESERVES FOR FUTURE YEARS IN THE SEMINOLE FIRE DISTRICTS FUND

-

County Administrator Fred E. Marquis recommended adoption of a resolution reallocating previously appropriated funds from reserves for future years to appropriate earmarked receipts for a particular purpose in the FY00 Seminole Fire Districts Fund.

Commissioner Harris moved, seconded by Commissioner Seel, that Resolution No. 00-24, be adopted as recommended by the County Administrator. Upon roll call, the vote was:

Ayes: Stewart, Harris, Parks, Todd and Seel.

Nays: None.

Absent and not voting: None.

#24 ADDENDUM TO AGREEMENT WITH RESEARCH DATA SERVICES, INC. AND AMENDMENT TO PERSONAL SERVICES CONTRACT WITH YESAWICH, PEPPERDINE & BROWN RE COUNTYWIDE TOURISM VISIONING PROCESS - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of an Addendum to Agreement with Research Data Services, Inc. and an amendment to Personal Services Contract with Yesawich, Pepperdine & Brown providing for the expenditure of Tourist Development Tax revenues not to exceed \$112,350.00 to fund a Countywide Tourism Visioning Process as recommended in the study released by Destination Consultancy Group and Marketing Research.

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Director of the Convention and Visitors Bureau Carole Ketterhagen presented an overview of the proposal of Destination Consultancy Group, a copy of which has been filed and made a part of the record. She indicated that the deadline for completion of the process is September 8, 2000; and suggested that a task force be established consisting of a member of the Board of County Commissioners, elected officials of municipalities, business leaders and individuals from the private sector.

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

Following discussion, Chairman Stewart requested that Commissioner Parks chair the aforementioned task force; and Commissioner Parks agreed.

#25 UNITED STATES DEPARTMENT OF ENERGY NOTICE OF FINANCIAL ASSISTANCE AWARD FOR MICROFABRICATION LABORATORY AT THE STAR CENTER - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of a Notice of Financial Assistance Award under the United States Department of Energy's Cooperative Agreement for a Microfabrication Laboratory at the STAR Center.

Director of STAR Center Charles H. Hall advised that the aforementioned laboratory will be working in conjunction with the University of Florida and the University of South Florida; whereupon, he introduced Dr. Beverly Haggar who presented an overview of the proposed Microfabrication Laboratory. She explained the microelectromechanical systems (MEMS) technology; and related that the laboratory would be available to other companies who are not tenants of the STAR Center for a fee.

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

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#26 OTHER ADMINISTRATIVE MATTERS - NONE

County Administrator Fred. E. Marquis indicated that he has no items to be presented this date under ~~A~~Other Administrative Matters.@

#27a VOUCHERS APPROVED FOR PERIOD JANUARY 17, 2000 THROUGH JANUARY 21, 2000

Chief Deputy Clerk C. R. Short recommended approval of vouchers for the period January 17, 2000 through January 21, 2000, as follows:

Payroll Journal Expenditures
Payroll Journal pages numbered 1 through 2464
Payroll checks numbered 444624 through 445436

Imprest Fund Expenditures
Manual checks numbered 523370 through 523384
System checks numbered 507154 through 507959

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

#27b REQUISITIONS OF PAYMENT AND CERTIFICATE APPROVED FOR FORWARDING TO TRUSTEE RE GOODS AND SERVICES FOR SOLID WASTE RESOURCE RECOVERY FACILITY

Chief Deputy Clerk C. R. Short recommended that Requisition of Payment and Certificate for Payment Order No. C-0186 in the amount of \$621,521.00 re goods and services for the Solid Waste Resource Recovery Facility be approved for forwarding to Trustee.

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

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#28a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE BA MORTGAGE, LLC, ETC. VERSUS SUSAN J. HEUCHERT, ET UX, ET AL., CIRCUIT CIVIL CASE NO. 00-70-CI-13 - MORTGAGE FORECLOSURE INVOLVING A STREET LIGHTING LIEN

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re BA Mortgage, LLC, etc. versus Susan J. Heuchert, et ux, et al., Circuit Civil Case No. 00-70-CI-13 - Mortgage Foreclosure Involving a Street Lighting Lien.

#28b COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE GMAC MORTGAGE CORPORATION VERSUS JAMES EARL HARRIS, ET AL., CIRCUIT CIVIL CASE NO. 00-238-CI-21 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS AND FINE AND COSTS

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re GMAC Mortgage Corporation versus James Earl Harris, et al., Circuit Civil Case No. 00-238-CI-21 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.

#28c COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE CROSSLAND MORTGAGE CORP. VERSUS TANNA M. KITSON, ET AL., CIRCUIT CIVIL CASE NO. 00-232-CI-7 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS AND FINE AND COSTS

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Crossland Mortgage Corp. versus

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Tanna M. Kitson, et al., Circuit Civil Case No. 00-232-CI-7 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.

#28d COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY-S INTEREST RE NATIONSCREDIT FINANCIAL SERVICES CORP. VERSUS DENNIS W. DAVIS, ET AL., CIRCUIT CIVIL CASE NO. 00-189-CI-15 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS AND FINES AND COSTS

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County-s interest in the suit re Nationscredit Financial Services Corp. versus Dennis W. Davis, et al., Circuit Civil Case No. 00-189-CI-15 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fines and Costs.

#28e COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY-S INTEREST RE BAYOU MARKETING GROUP VERSUS STEPHEN P. STAVRAKIS, ET AL., CIRCUIT CIVIL CASE NO. 99-8046-CI-7 - QUIET TITLE ACTION INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS AND COSTS

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County-s interest in the suit re Bayou Marketing Group versus Stephen P. Stavrakis, et al., Circuit Civil Case No. 99-8046-CI-7 - Quiet Title Action Involving Judgments for Attorney Fees and Costs and Costs.

#29 COUNTY ATTORNEY AUTHORIZED TO FILE SUIT AGAINST LAKE TARPON HOTEL, INC.

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Harris and carried, that the County Attorney be

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authorized to file a complaint for specific performance against Lake Tarpon Hotel, Inc.

#30 AUTHORIZATION GRANTED FOR SETTLEMENT OF CLAIM OF RUTH AND DONALD COCHRAN AND THEIR SON RONALD WILSON - CLAIM NO. GC 9957085

County Attorney Susan H. Churuti recommended that authorization be granted for settlement of a property damage claim arising from a sewer backup in the home of Ruth and Donald Cochran and their son Ronald Wilson in the amount of \$59,991.08.

Responding to queries from the members, Mr. Marquis indicated that previous sewer problems had occurred in the same general area; that the blockage is coming from one of the major transmission lines; and that there will probably be more such incidents due to the age of the system and the number of residents in the area.

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

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At this time, 10:45 A.M., Commissioner Todd left the meeting.

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#31 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED ORDINANCE AUTHORIZING THE EXPENDITURE OF COUNTY FUNDS TO PROVIDE FOR INCENTIVES AND AWARDS FOR EMPLOYEES, INDIVIDUALS AND ORGANIZATIONS PROVIDING OUTSTANDING SERVICES TO THE COMMUNITY

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing to be held February 8, 2000 re a proposed ordinance authorizing the expenditure of County funds to provide for incentives and awards for employees, individuals and organizations providing outstanding services to the community; authorizing the expenditure of funds to promote, make known and engender good will toward

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the County; and authorizing certain recruitment expenses.

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

#32 SETTLEMENT AND CONSENT DECREE RE DANMARK SUPERFUND SITE - APPROVED FOR EXECUTION

—

County Attorney Susan H. Churuti recommended approval of a settlement and consent decree re Danmark Superfund Site.

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

#33 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#34 PROPERTY TRANSFER AGREEMENT AND BILL OF SALE BETWEEN INDUSTRIAL DEVELOPMENT AUTHORITY AND PERFORMAX;, INC. AT THE STAR CENTER - APPROVED FOR EXECUTION

—

Noting for the record that the Board is now sitting as the Industrial Development Authority, County Administrator Fred E. Marquis recommended approval of a Property Transfer Agreement and Bill of Sale with Performax;, Inc. at the STAR Center.

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

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#35 PROPERTY TRANSFER AGREEMENT AND BILL OF SALE BETWEEN INDUSTRIAL DEVELOPMENT AUTHORITY AND GOVSULT SERVICES AT THE STAR CENTER - APPROVED FOR EXECUTION

—

Noting for the record that the Board is now sitting as the Industrial Development Authority, County Administrator Fred E. Marquis recommended approval of a Property Transfer Agreement and Bill of Sale with Govsult Services at the STAR Center.

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

#36 APPOINTMENTS TO EMERGENCY MEDICAL SERVICES (EMS) MEDICAL CONTROL BOARD - APPROVED

—

Noting for the record that the Board is now sitting as the Emergency Medical Services Authority, County Administrator Fred E. Marquis recommended approval of the appointments of Dr. Teresa Bradley to the Emergency Department Director position and Daniel J. Friedrich, III to the Hospital Administrator position on the Emergency Medical Services (EMS) Medical Control Board.

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

#37 ORDINANCE NO. 00-10 ADOPTED AMENDING THE DEVELOPMENT ORDER FOR TARPON LAKE VILLAGE PURSUANT TO CHAPTER 380, FLORIDA STATUTES

Pursuant to legal notice published in the January 14, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was

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held on a proposed ordinance amending the Development Order for Tarpon Lake Village pursuant to Chapter 380, Florida Statutes; providing Findings of Fact; providing Conclusions of Law; providing for amendment of the existing Development Order to provide for a revision of the build-out date of Phase 1 to December 31, 2004 and the effective period to December 31, 2009. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the proposed ordinance has been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis recommended that the Board determine that the proposed changes (cumulatively with previous changes) do not constitute a substantial deviation and adopt the proposed ordinance which together with Ordinance No. 92-61 and Ordinance No. 98-47 collectively will be ~~A~~The Development Order.@

Commissioner Parks moved, seconded by Commissioner Harris, that Ordinance No. 00-10 be adopted modifying the Joint Development Order for Tarpon Lake Village. Upon roll call the vote was:

Ayes: Stewart, Harris, Parks, and Seel.

Nays: None.

Absent and not voting: Todd.

* * * *

At this time, 10:49 A.M., Commissioner Todd returned to the meeting.

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#38 ORDINANCE NO. 00-11 ADOPTED PROVIDING THAT ORDINANCE NO. 82-26, AS AMENDED, BE AMENDED BY EXTENDING THE TERM OF A CABLE TELEVISION FRANCHISE FOR PINELLAS COUNTY TO TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP FROM JANUARY 28, 2000 THROUGH FEBRUARY 22, 2000 OR THAT DATE DEEMED APPROPRIATE BY THE BOARD

Pursuant to legal notice published in the January 15, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on a proposed ordinance providing that Ordinance No. 82-26, as amended, be amended

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by extending the term of a cable television franchise for Pinellas County to Time Warner Entertainment-Advance/Newhouse Partnership from January 28, 2000 through February 22, 2000 or that date deemed appropriate by the Board. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the proposed ordinance has been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis indicated that staff recommends adoption of the proposed ordinance.

Chief Assistant County Attorney James L. Bennett appeared and presented a review of the issues leading up to the need for the short term extension of the franchise; and responding to queries by the members, he recommended that the Board hire outside counsel for the formal negotiation process; and related that as Pinellas County is one of the few franchises in the country wherein competition exists, the outcome of the franchise agreement could establish legal precedent; that there is no federal entitlement for recovery of legal fees, but it could become a settlement issue; that the contract with GTE should strengthen the County's bargaining position; and that without a franchise Time Warner would be within its legal rights to discontinue public access support and payment of franchise fees; and recommended that the ordinance extending the franchise be adopted.

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

Commissioner Todd moved, seconded by Commissioner Parks, that Ordinance No. 00-11 be adopted. Upon roll call, the vote was:

Ayes: Stewart, Harris, Parks, Todd and Seel.

Nays: None.

Absent and not voting: None.

#39 ORDINANCE NO. 00-12 ADOPTED PROVIDING THAT ORDINANCE NO. 82-27, AS AMENDED, BE AMENDED BY EXTENDING THE TERM OF A CABLE TELEVISION FRANCHISE FOR PINELLAS COUNTY TO TIME WARNER ENTERTAINMENT - ADVANCE/NEWHOUSE PARTNERSHIP FROM JANUARY 28, 2000 THROUGH FEBRUARY 22, 2000 OR THAT DATE DEEMED APPROPRIATE BY THE BOARD

Pursuant to legal notice published in the January 15, 2000 issue of the St.

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Petersburg Times as evidenced by publishers affidavit filed with the Clerk, public hearing was held on a proposed ordinance providing that Ordinance No. 82-27, as amended, be amended by extending the term of a cable television franchise for Pinellas County to Time Warner Entertainment-Advance/Newhouse Partnership from January 28, 2000 through February 22, 2000 or that date deemed appropriate by the Board. Chief Deputy Clerk C. R. Short reported that no correspondence relative to the proposed ordinance has been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis indicated that staff recommends adoption of the proposed ordinance.

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

Commissioner Parks moved, seconded by Commissioner Todd, that Ordinance No. 00-12 be adopted. Upon roll call, the vote was:

Ayes: Stewart, Harris, Parks, Todd and Seel.

Nays: None.

Absent and not voting: None.

At the request of Commissioner Parks, Chief Assistant County Attorney James L. Bennett advised the Board of what the formal process entails; and responding to queries by the members, he indicated that Time Warner is obligated under its existing franchise to continue to provide service; and that GTE has indicated its ability to serve customers currently being served by Time Warner.

Thereupon, Commissioner Todd moved, seconded by Commissioner Parks and carried, that the Office of the County Attorney be authorized to seek outside counsel and proceed with notification that the County is invoking the formal process.

#40 ANNEXATION

County Administrator Fred E. Marquis indicated that he has been in communication with the Cities of Largo and Pinellas Park and will keep the Board informed regarding the meeting scheduled for January 26, 2000.

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#41 REAPPOINTMENT OF TASKER A. BEAL, JR. AND MARK T. MAHAFFEY TO PINELLAS COUNTY HOUSING FINANCE AUTHORITY - APPROVED WITH AUTHORIZATION FOR EXECUTION OF RELATED CERTIFICATE

Commissioner Harris moved, seconded by Commissioner Todd and carried, that Tasker A. Beal, Jr. and Mark T. Mahaffey be reappointed to the Pinellas County Housing Finance Authority for four-year terms expiring on February 1, 2004, and that the related Certificate be approved for execution.

#42a COMMISSIONER TODD RE ANNEXATION

Referring to the lawsuit regarding annexation, Commissioner Todd suggested that Chief Assistant County Attorney James L. Bennett file an injunction at the appropriate time to cease the process; whereupon, Mr. Bennett advised that he is meeting with other legal counsel to address the issue this date.

#42b COMMISSIONER PARKS RE TAMPA BAY WATER BOARD AND PROPOSED PUBLIC ART ORDINANCE

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Commissioner Parks referred to a newspaper article published this date and maintained that during her service on the Tampa Bay Water Board, she and Commissioner Stewart rarely took opposing positions.

County Attorney Susan H. Churuti distributed a draft of a proposed Public Art Ordinance, a copy of which has been filed and made a part of the record, and Commissioner Parks asked the Board to consider including language which would identify a fixed minimum for the amount allotted each year to art projects.

Following discussion, Commissioner Parks moved, seconded by Commissioner Harris, that Section 4-A of the proposed ordinance be amended to appropriate from .5% up to 1% of the total allocated costs of the project. Upon call for the vote, the

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motion failed.

#42c COMMISSIONER HARRIS REPORTS RE VARIOUS ISSUES AND OFFERS
CONSUMER TIP

Commissioner Harris reported regarding a decrease in water consumption, the gala held in Indian Rocks Beach to raise money for the beautification of Gulf Boulevard, and the inaugural running of the Florida Gulf Beaches Marathon; and offered a consumer tip.

#42d COMMISSIONER SEEL RE PAVING ROADS IN OLDER NEIGHBORHOODS

Commissioner Seel expressed her concerns regarding the policy of assessing the cost of paving roads to the residents in older neighborhoods.

#42e COMMISSIONER STEWART RE TAMPA BAY WATER BOARD AND
REDISTRICTING

Commissioner Stewart gave updates on yesterday's Tampa Bay Water meeting and the redistricting plan.

* * * *

Upon the direction of the Chairman, there being no objection, the meeting was adjourned at 12:05 P. M.

Chairman

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ATTEST: KARLEEN F. DE BLAKER, CLERK

By _____
Deputy Clerk